

## RACIAL EMOTIONS AND THE FEELING OF EQUALITY

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*This Article examines two distinct but related questions regarding race and emotions. The first raises the possibility that there are certain emotions that are so closely tied to racial experiences that they can be said to demonstrate and typify an emotional dimension to the construct of race. The second asks how such quintessentially racial emotions can be analyzed and evaluated, employing three theories of emotion that have developed in various disciplines within the humanities and social sciences. These theories reveal that racial emotions are not idiosyncratic and elusive, but instead relate to reason and values, to social membership and hierarchy, and to political behavior. Understanding racial emotions in these more rigorous ways can enrich our views on both race and equality and present new avenues to achieve inclusion.*

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## INTRODUCTION

Is there such a thing as a racial feeling? There is an abundance of academic writing on the topic of race and racism, but few have focused specifically on the emotions associated with race. Instead, existing scholarship—deeply influenced by critical race theory (CRT)—has emphasized two other features of race.<sup>1</sup> The first of these is knowledge, which refers broadly to the body of information that we use to recognize and understand racial difference.<sup>2</sup> The second is power and the ways in which racial knowledge is produced and deployed to privilege some and subordinate others.<sup>3</sup> Analyses of these two dimensions of race reveal the interplay of ideas and action, of the intangible and the material that construct social hierarchies and govern our place within them.<sup>4</sup>

Missing from most of these accounts, however, are discussions that directly engage with the emotions that race and racism inevitably excite. This absence is especially notable in light of CRT's emphasis on narrative, a mode of storytelling that is often, though perhaps not always, emotional in character.<sup>5</sup> To be sure, the reluctance to grapple with emotion

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1. See Rachel Moran, *The Elusive Nature of Discrimination*, 55 STAN. L. REV. 2365, 2407 (2003) (attributing these emphases to the embrace of postmodernism in race scholarship).

2. Such information may consist of scientific studies, see, e.g., Sandra Soo-Jin Lee et al., *The Meanings of "Race" in the New Genomics: Implications for Health Disparities Research*, 1 YALE J. HEALTH POLY, L. & ETHICS 33, 37 (2001) (arguing against "naïve genetic reductionism" that can revitalize racist stigmatization), cultural and linguistic data, see, e.g., Jerry Kang, *Trojan Horses of Race*, 118 HARV. L. REV. 1489, 1515–17 (2005) (positing a link between racialized names and negative racial meanings in a study conducted by Marianne Bertrand and Sendhil Mullainathan), as well as popular social beliefs, see, e.g., Neil Gotanda, *New Directions in Asian American Jurisprudence*, 17 ASIAN AM. L.J. 5, 52 (2010) (describing racial knowledge as "stereotypes or tropes available in American culture").

3. See, e.g., Gotanda, *supra* note 2, at 52–53 (describing how knowledge and power work together to implement racial profiling); Kang, *supra* note 2, at 1516 (observing that employers may not look past black-sounding names in a resume to review the candidate's actual qualifications).

4. Cf. Lynn Worsham, *Going Postal: Pedagogic Violence and the Schooling of Emotion*, 18 JAC 213, 232 (1998) (discussing cultural studies' premise that the "power/knowledge relation . . . produces the objective conditions of domination").

5. Several race scholars have touched upon the relationship between narrative and emotion, especially in the context of CRT. See, e.g., Charles R. Lawrence, III, *The Word and the River: Pedagogy as Scholarship as Struggle*, 65 S. CAL. L. REV. 2231, 2278–79 (describing the emotionality of storytelling as a strength for both its complexity and persuasiveness); Margaret E. Montoya,

is understandable in light of the fact that the law tends to ignore emotion even as it is pervaded by it.<sup>6</sup> Accordingly, racial narratives that are full of unscrutinized emotion fit comfortably within this institutional mold. Even outside the more formal framework of the law, emotion is often taken to be irrational and unruly, and therefore counterproductive to serious discussion.<sup>7</sup> Indeed, one might venture to suggest that the emotionality of race is at least part of the reason why people avoid talking about it.<sup>8</sup> In light of such constraints, discourses in the public sphere about pressing values such as equality are likely to become abstract and detached, driving the more particular, emotionally-charged idea of *racial* equality into private realms or, worse, oblivion.<sup>9</sup> Perhaps confronting the emotions of race will not only be good for the psyche, but may also help to revitalize the public discourse on racial equality.

Thus, this Article examines the affective dimension of race in order to advance a more complete understanding of race and equality in American society. While knowledge and power are undoubtedly critical components to this understanding, they are not all; race is not just something we think and do but also something we feel.<sup>10</sup> Race-related emotions, moreover, are not

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*Celebrating Racialized Legal Narratives*, in *CROSSROADS, DIRECTIONS, AND A NEW CRITICAL RACE THEORY* 243, 244–46 (Francisco Valdes et al. eds., 2002) (noting the creative and healing roles of emotions in CRT narratives). My point here is that while there often appears to be intense emotions in racial narratives, and even acknowledgement that these stories are intended to convey emotions and move the reader, there is little detailed discussion of the emotions themselves, i.e., what they are, what they do, and what to do about them.

6. See Susan A. Bandes, *Introduction* to *THE PASSIONS OF LAW* 1, 1–2 (Susan A. Bandes ed., 1999) (noting that while law is suffused with emotion, the conventional view is that emotion's role is and ought to be limited); see also Lawrence, *supra* note 5, at 2278 (observing that “the law asks us to disregard emotions”).

7. See ANTONIO R. DAMASIO, *DESCARTES' ERROR: EMOTION, REASON, AND THE HUMAN BRAIN* xi, 52 (1994).

8. See Darlene C. Goring, *Affirmative Action and the First Amendment: The Attainment of a Diverse Student Body Is a Permissible Exercise of Institutional Autonomy*, 47 U. KAN. L. REV. 591, 642–43 n.276 (1999).

9. Cf. DAVID L. ENG, *THE FEELING OF KINSHIP: QUEER LIBERALISM AND THE RACIALIZATION OF INTIMACY* 49 (2010) (“[W]e must examine how the promulgation of abstract equality displaces the language of race into the register of privacy and intimacy, family and kinship.”); LINDA MARTÍN ALCOFF, *VISIBLE IDENTITIES: RACE, GENDER, AND THE SELF* 23 (2006) (describing Jean Bethke Elshtain's distinction between “public citizen” and “private identity,” the latter of which is marked by grievance and rage).

10. According to David Theo Goldberg, race constitutes “ways of being, living,

mere byproducts of experience. As the recent literature on affect theory tells us, feelings can mediate our experience, helping us to make sense of the present, connect it to the past, and potentially alter the future.<sup>11</sup> Accordingly, experience and emotion are co-constitutive: experience shapes our emotions and emotion in turn shapes our experiences.

Part I begins this foray into racial emotions by making the case that race, as a socially constructed concept, is imbued with emotional meaning. I then analyze and compare three well-known narratives by W.E.B. Du Bois, Frantz Fanon, and Audre Lorde to identify the emotions that are salient to the construction of race—referred to here as “racial emotions.” The particular racial emotions that these authors both describe and convey are grief, anger, fear, hatred, and disgust.

Part II explains why these emotions should be investigated rather than dismissed as elusive, incoherent, and otherwise inappropriate for serious study. In fact, the study of emotions is already taking place in the humanities and social sciences where three distinct theories—cognitive, social constructionist, and political—have developed to probe the significance of emotions in everyday life.<sup>12</sup> These theories demonstrate that

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thinking, emoting.” DAVID THEO GOLDBERG, *THE THREAT OF RACE: REFLECTIONS ON RACIAL NEOLIBERALISM* 156 (2009); *see also* ALCOFF, *supra* note 9, at 32 (describing race as a “strongly felt group identity”); THOMAS R. WEST, *SIGNS OF STRUGGLE: THE RHETORICAL POLITICS OF CULTURAL DIFFERENCE* 6 (2002) (“Because racism and sexism are in part affectively motivated and psychically inscribed in our minds and bodies, they cannot be effectively countered by mapping new ways of thinking onto old ways of feeling . . .”); ANN LAURA STOLER, *CARNAL KNOWLEDGE AND IMPERIAL POWER: RACE AND THE INTIMATE IN COLONIAL RULE* 2–6 (2002) (“The colonial measure of what it took to be classified as ‘European’ was based not on skin color alone but on tenuously balanced assessments of who was judged to act with reason, affective appropriateness, and a sense of morality.”); FRANTZ FANON, *BLACK SKIN WHITE MASKS* 67 (2008) (“In this study I have attempted to touch on the misery of the black man—tactually and affectively. I did not want to be objective. Besides, that would have been dishonest: I found it impossible to be objective.”).

11. For example, one anthology of essays analyzes how nostalgia, desire, and hope are affective modes of linking past, present, and future. *See generally* *ECOLOGIES OF AFFECT: PLACING NOSTALGIA, DESIRE, AND HOPE* (Tonya K. Davidson et al. eds., 2011); *see also* Ben Highmore, *Bitter After Taste: Affect, Food, and Social Aesthetics*, in *THE AFFECT THEORY READER* 118, 132–36 (Melissa Gregg & Gregory J. Seigsworth eds., 2010) (examining the confluence of past, present, and potential future in an analysis of young English men seeking the experience of eating spicy vindaloo).

12. *See infra* Part II. It should be noted that the division of emotion literature into these three broad and separate (though related) theories is largely my own, although others have also noted similar distinctions. *See, e.g.*, Barbara H.

emotion is not merely idiosyncratic and personal but has social and political meaning and function. Accordingly, they provide the critical lenses through which we can understand and evaluate not only racial emotions themselves but also the individuals and groups that feel them.

I conclude by exploring the implications of racial emotions on the idea of equality. I suggest that the failure to recognize the emotional dimension of race will lead to a timid and impoverished understanding of equality. In short, the conclusion proposes that part of *being* equal is *feeling* equal.

## I. THE EMOTIONS OF RACE

It is likely that most people have, at some point in their lives, experienced racial emotion. A security guard who kept following you in a department store may have made you angry. Or you may have been afraid to drive in certain “inner-city” neighborhoods. Perhaps you celebrated the O.J. Simpson verdict, or were outraged instead.<sup>13</sup> Despite widespread familiarity with racial emotion (our own as well as others’), it has gone largely unexamined as an analytical concept that can contribute to our understanding of race.

This Part seeks to lay the foundation for such an examination, piece by piece. Accordingly, I begin Section A below with an overview of the concept of emotion generally, with a particular emphasis on how emotion helps to define objects in the world. One such object, I argue, is race, and a brief definition of race also follows. Section B then brings the two pieces together to explore the idea of racial emotion, using narratives by W.E.B. Du Bois, Frantz Fanon, and Audre Lorde to more specifically identify five distinct emotions that I believe are central, or paradigmatic, to the conceptualization of race. This Part then concludes with a discussion of how the narratives depict the development and experience of racial emotion, the role that such emotion plays in social life, and its

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Rosenwein, *Worrying About Emotions in History*, 107 *AM. HIST. REV.* 821, 836–37 (2002) (distinguishing between cognitive and social constructionist models of emotion). I cannot say whether the theorists I cite to in this Article would agree with my classification of their works or even with the categories themselves, especially in light of the significant overlap among the theories.

13. For those who are too young to have experienced the O.J. Simpson case, you might consider your feelings regarding the recent grand jury decision in the Michael Brown case in St. Louis County, Missouri.

ultimate delegitimation in public discourse.

A. *What Is Emotion? What Is Race?*

It would seem imperative to begin exploring the emotional dimension of race by first defining the term “emotion.” Unfortunately, no clear definition of emotion exists. According to psychologist Jerome Kagan, the classical view considered emotions to be “appraisals of consciously detected feeling states named with familiar words.”<sup>14</sup> Recent advances in neuroscience have challenged this understanding of emotions, emphasizing changes in brain activity over what one might call the activity of the mind.<sup>15</sup> Yet as Kagan and others have observed, a physiological change in brain state is a necessary but insufficient basis for identifying, let alone understanding, emotions.<sup>16</sup> An fMRI may indicate whether a person feels an emotion by measuring blood flow in the brain, but it cannot tell us what kind of emotion he feels—at least, not yet.<sup>17</sup>

If science so far fails to unveil the whole picture of emotions, so does language. In fact, the words we use to describe emotions—e.g., sad, happy, afraid—are extremely limited approximations of the content of emotions. For example, Kagan notes that the English language, like many others, ignores the reasons that underlie emotions when naming them.<sup>18</sup> We use the same word, “anger,” to describe “a justified anger provoked by an insult or the inappropriate behavior of another and the less justifiable state that accompanies dislike of another, the accidental behavior of another, or a personal mistake.”<sup>19</sup> Kagan’s observation

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14. See JEROME KAGAN, WHAT IS EMOTION?: HISTORY, MEASURES, AND MEANINGS 5 (2007).

15. More accurately speaking, neuroscientists would not privilege the brain but would likely reject the dualism of mind and brain as imaginary because there is no mind apart from the brain. See, e.g., Joshua Greene & Jonathan Cohen, *For the Law, Neuroscience Changes Nothing and Everything*, in WHY PUNISH? HOW MUCH?: A READER ON PUNISHMENT 293, 301 (Michael Tonry ed., 2011).

16. See KAGAN, *supra* note 14, at 1; see also MARTHA C. NUSSBAUM, UPHEAVALS OF THOUGHT: THE INTELLIGENCE OF EMOTIONS 25 (2001) (describing the “bodily” view of emotions as adversarial to the “mental” view).

17. See KAGAN, *supra* note 14, at 80–83.

18. See *id.* at 60. Kagan observes that there are other cultures with languages that show greater sensitivity to such reasons. Accordingly, he writes that English emotion words show a “primary concern . . . with the agent’s feeling rather than the provocative setting or the consequence of the state.” See *id.* at 59.

19. See *id.* at 58.

illuminates more than a matter of mere curiosity about why we feel certain emotions. The reasons for emotions are important because they enable judgment. We often evaluate emotions as appropriate or inappropriate, and even go further to judge people by the emotions they experience, according to reasons.<sup>20</sup> Yet despite the significant role such judgments have in social life, their bases are largely obscured in our emotional vocabulary. We are left adrift when we are told “X is angry,” and worse, may be misled into making poor judgments about the emotion or X’s character based on this statement alone.<sup>21</sup>

Adding to the uncertainty involved in thinking about emotions is the fact that they are rather subjective. Whether an individual feels any particular emotion depends on personal history as well as biology and external stimulus. Many scholars of emotion acknowledge that one’s prior experiences and social background are very likely to influence both the perception of, and the emotional response to, an event (e.g., the death of a loved one).<sup>22</sup> For example, Martha Nussbaum argues that emotions are “appraisals or value judgments, which ascribe to things and persons outside the person’s own control great importance for that person’s own flourishing.”<sup>23</sup> Nussbaum’s definition of emotion emphasizes subjectivity in at least two ways. First, it rejects the idea that emotions are universal

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20. Notice that Kagan’s discussion of anger’s origin not only describes the differing reasons behind anger but also judges its character as “justified” or “less justifiable.” See *id.* On evaluating not only the emotion but also the emoting subject, see NUSSBAUM, *supra* note 16, at 162 (discussing how the heat of passion doctrine defines the “reasonable man” as one who becomes violently angry only upon adequate provocation).

21. To see this point more clearly (and humorously), contrast the influx of information one receives when one replaces the word “angry” in the statement with the newfangled word “hangry.” Defined as angry or irritable due to hunger, “hangry” provides us with both reason for the anger (hunger) and even its physiological cause (drop in blood sugar). See *Hangry: A Stupid Made-Up Word for Being Hungry and Angry at the Same Time?*, GUARDIAN (April 15, 2014, 7:40AM), <http://www.theguardian.com/science/shortcuts/2014/apr/15/hangry-stupid-made-up-word-angry-hungry> [<http://perma.cc/3EUT-PQ99>].

22. Sara Ahmed names “knowledge, experience, imagination, [and] history” as elements that affect emotional response. SARA AHMED, *THE CULTURAL POLITICS OF EMOTION* 7 (2004); see also KAGAN, *supra* note 14, at 1–2 (“The specific emotion that emerges depends on the setting and always on the person’s history and biology.”); NUSSBAUM, *supra* note 16, at 140 (“Human beings experience emotions in ways that are shaped both by individual history and by social norms.”).

23. NUSSBAUM, *supra* note 16, at 4. In a similar vein, the philosopher David Haekwon Kim posits that emotions signify our vulnerability to the external world. See David Haekwon Kim, *Contempt and Ordinary Inequality*, in *RACISM AND PHILOSOPHY* 108, 113 (Susan E. Babbitt & Sue Campbell eds., 1999).

rather than specific. As she describes it, Nussbaum's reaction to the death of her mother is different from her sister's reaction, even though the reason for their grief (i.e., loss of mother) is the same.<sup>24</sup> This is because each sister had a unique personal history with their mother: while Nussbaum lived far away from her mother and saw her only occasionally, her sister lived close by and saw her every day.<sup>25</sup> In addition, Nussbaum's definition of emotion is highly subjective in the sense that the self is central to the development of emotions; that is to say, one gets emotional about precisely those things that are important to one's *own* flourishing.<sup>26</sup> Accordingly, both these features of subjectivity render emotion difficult to define or predict with much specificity.

Nevertheless, the apparent difficulty in establishing a definition of emotion does not undermine our collective sense that emotions not only exist but also can be identified and categorized. We all understand generally what it means to be sad, happy, or afraid, often because we have experienced these feelings and have come to recognize them readily.<sup>27</sup> One could say, then, that it is precisely emotion's subjectivity that enables us to make sense of its reality and nuances in ways that more objective methods, such as brain scans and even language, cannot. This is not to say that brain scans and language do not add to our knowledge of emotions—for they surely do. Instead, the point is that subjectivity is critical—not antithetical—to understanding emotions, even while it thwarts our efforts at defining them. This is why those who study emotions often describe them as “intentional,” which refers not only to the identity of the object of the emotion but also to the emoting subject's relation to that object.<sup>28</sup> We cannot fully understand,

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24. See NUSSBAUM, *supra* note 16, at 21. Nussbaum explains that although the sisters loved their mother “equally,” her own grief was “less chaotic” than that of her sister. *Id.* On the other hand, Nussbaum believes she experienced a feeling of disconnectedness that her sister did not. *Id.*

25. *Id.*

26. *Id.* at 4.

27. See *id.* at 9; see also KAGAN, *supra* note 14, at 118–19 (noting that prior experience, or lack thereof, affects one's understanding of emotions); KEITH OATLEY, BEST LAID SCHEMES: THE PSYCHOLOGY OF EMOTIONS 54–61 (1992) (reviewing research that identifies “basic” emotions, such as happiness and anger).

28. See AHMED, *supra* note 22, at 6–8; NUSSBAUM, *supra* note 16, at 27–28. For Nussbaum, intentionality includes the identity of the object and the way in which the object is seen or interpreted by the subject. See *id.*

for example, the grief that Nussbaum describes without knowing that the woman she grieves for is her mother.

Recognizing the importance of reasons and intentionality in defining or understanding emotion reveals how emotion, in turn, can help to define and give meaning to its object. Returning to the example of Nussbaum's grief, the emotion tells us something about its object: namely, that it is grief-worthy. Or, to put it in a less clumsy but perhaps more complicated way (because it involves another emotion), grief reveals that its object is loved.<sup>29</sup> This is true in both particular and generic senses. When Nussbaum writes about her grief for her mother, she confirms her love for her mother and the close relationship they had (again, one that is different from the close and loving relationship her mother shared with her sister). At the same time, Nussbaum also acknowledges that her grief is shaped "by norms about the proper way to mourn the loss of a parent."<sup>30</sup> By this she is referring not only to the expression of grief—e.g., crying, wearing black—but also to the experience of grief itself.<sup>31</sup> In other words, Nussbaum recognizes that one is supposed to grieve for a mother, and thus it feels right to do so because a mother is a lovable and grievable object.<sup>32</sup>

This generic attachment between emotion and object seems to exist in many cases. Just as death is often linked with sadness and grief, parents (especially mothers) are often associated with love,<sup>33</sup> waste products with disgust,<sup>34</sup> wild bears with fear,<sup>35</sup> and so on.<sup>36</sup> To be sure, such attachments are not perfect; not everyone feels grief over the death of a parent. But because such attachments generically exist, the failure to feel the "right" emotions about them can itself feel wrong.

Like "mother," race has an emotional dimension. And like

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29. On the attachment of emotions to objects, see AHMED, *supra* note 22, at 8, 11–12; DAMASIO, *supra* note 7, at 133–34.

30. NUSSBAUM, *supra* note 16, at 140.

31. Sociologist Lyn Lofland makes the distinction between "mourning" and "grief," the former being what one does and the latter referring to what one feels. Lyn H. Lofland, *The Social Shaping of Emotion: The Case of Grief*, 8 SYMBOLIC INTERACTION 171, 173 (1985).

32. See NUSSBAUM, *supra* note 16, at 47.

33. See KAGAN, *supra* note 14, at 123.

34. See MARTHA C. NUSSBAUM, HIDING FROM HUMANITY: DISGUST, SHAME, AND THE LAW 72 (2004).

35. See AHMED, *supra* note 22, at 8.

36. See *id.* at 13 (noting that emotions "stick" to its objects).

“mother,” race has a distinct emotional dimension, meaning that there are certain emotions that are particularly salient to the concept of race. This is not to say that race is categorically limited to a finite and fixed set of emotions. Instead, my claim is that there are specific emotions that have historically emerged to become generic or paradigmatic to race.<sup>37</sup> Relatedly, because emotions often contribute to how objects are defined (e.g., neither “person who gave birth to you” nor “caregiver” can fully capture the affective meaning or significance of “mother”), how we *feel* about race can affect what race *is*.

An exploration of the emotional dimension of race also demands a definition of “race”. On this, we are on surer ground as there now exists a fairly robust consensus that race is a constructed concept.<sup>38</sup> This view argues that although race is popularly understood to be identifiable through biological features such as skin color, hair texture, eye shape, and so forth, this understanding is the product of a social choice to make such features defining.<sup>39</sup> If, in the future, we decided to make hair and eye color, blood type, and second-toe length meaningful in marking race, it would be no more or less valid as a way of classifying people into various groups and would continue to appear biologically rooted. It may strike us as ridiculous that the latter set of features should matter in human classification, but this is only because we have become habituated or enculturated to the idea that skin color counts and toe length does not.

Thus, race is better understood according to the social conditions that pertain to its classifications.<sup>40</sup> Racial

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37. Accordingly, this Article does not purport to present a comprehensive list of racial emotions but instead limits the analysis to paradigmatic emotions that are identified from three well-known narratives. In any case, any list of racial emotions—comprehensive or not—would also be subject to change as the times change. See KAGAN, *supra* note 14, at 168 (“Few cultural values are permanent.”).

38. See Osagie K. Obasogie et al., *Race in the Life Sciences: An Empirical Assessment, 1950-2000*, 83 *FORDHAM L. REV.* 3089, 3090–91 (2015). This article warns, however, that a biological understanding of race persists in medical and genetic research. See *id.* at 3113.

39. See Laurence M. Thomas, *Split-Level Equality: Mixing Love and Equality*, in *RACISM AND PHILOSOPHY* 189, 190 (Susan E. Babbitt & Sue Campbell eds., 1999).

40. I have made this argument more fully elsewhere. See generally Janine Young Kim, *Postracialism: Race After Exclusion*, 17 *LEWIS & CLARK L. REV.* 1063 (2013).

classifications have been used to accord differential status and treatment to human beings. Such social conditions of race are what have had a real impact in creating groups out of individuals that identify and are identified as both cohesive and similarly situated. To study the paradigmatic emotions of race, then, this Article necessarily emphasizes those emotions that are associated with group identity and conflict—that is, the emotions that tend to define the group as different and that are used by the group to understand itself within existing relations of hierarchy. Thus, I extend Ian Haney López’s definition of the social construct of race to comprise elements of the physical, the social, the material, *and the affective*.<sup>41</sup>

So what are the emotions of race? To answer this question, I cannot rely solely on my own experience or intuitions. The premise that race is constructed through social conditions that vary according to classification suggests that the experiences of racial groups may be divergent and, thus, both what Kagan calls the “preparedness” to feel an emotion as well as the reason behind the emotion are likely to differ—perhaps vastly—between groups.<sup>42</sup> We often express this fact by complaining that others “don’t get it” and maybe never will. I understand this statement as speaking not to a lack of intelligence or receptiveness but rather to an abundance of difference, especially relating to one’s perspective or situatedness that is often socially conditioned.

Instead of personal experience, then, this Article relies on others’ narratives to discuss the salience of emotions to race. As critical race theory long ago recognized, narratives can help bridge the gap in experience that arises when people are differently situated, and especially when they are hierarchically arranged.<sup>43</sup> In the course of this investigation into racial emotions, three narratives—by W.E.B. Du Bois, Frantz Fanon, and Audre Lorde—have stood out because I have encountered them over and over again in various analyses of race and racism and in writings across multiple disciplines. No doubt, they continually resurface because they are written

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41. See IAN F. HANEY LÓPEZ, *WHITE BY LAW: THE LEGAL CONSTRUCTION OF RACE* 14 (1996).

42. On the factors that contribute to emotional preparedness, see *supra* text accompanying note 22.

43. See, e.g., Mari Matsuda, *Looking to the Bottom: Critical Legal Studies and Reparations*, 22 HARV. C.R.-C.L. L. REV. 323 (1987) (urging the importance of attending to, and learning from, narratives of marginalized people).

by three canonical figures in the field of US race studies. But the fact that so many commentators have lingered over these narratives also suggests that there is something representative and significant about these stories that make them worth repeated examination. Thus, they are ideal candidates for this exploration into the paradigmatic emotions of race.<sup>44</sup>

### *B. Paradigmatic Racial Emotions*

#### 1. W.E.B. Du Bois and the Death of His Son

In 1903, with the publication of *The Souls of Black Folk*, W.E.B. Du Bois famously diagnosed the problem of the new century as the problem of the color line.<sup>45</sup> While the idea of the color line was used to broadly describe “the relation of the darker to the lighter races,” Du Bois often turned to the metaphor of the “Veil” to explain his personal experience of living behind the color line.<sup>46</sup> Perhaps Du Bois’s most poignant use of the Veil metaphor is in his recounting of the birth of his first child:

Within the Veil was he born, said I; and there within shall he live,—a Negro and a Negro’s son. Holding in that little head—ah, bitterly!—the unbowed pride of a hunted race, clinging with that tiny dimpled hand—ah, wearily!—to a hope not hopeless but unhelpful, and seeing with those bright wondering eyes that peer into my soul a land whose freedom is to us a mockery and whose liberty a lie. I saw the shadow of the Veil as it passed over my baby . . . .<sup>47</sup>

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44. I recognize that all three narratives are written by black authors and that this may, for some readers, undermine my claim that they can speak to the emotions of race generally. I do not intend to claim that narratives of black experience can stand in for the experience of other racial groups. Indeed, I do not even claim that these narratives of black experience can stand in for the experience of other blacks. However, I believe that in a project that seeks to explore *paradigmatic* racial emotions, emphasis on these particular narratives is justified for the reasons given.

45. W.E.B. DU BOIS, *THE SOULS OF BLACK FOLK* 17–18 (Simon & Schuster 2005) (1903).

46. *See id.* at 4 (explaining that the book represents a raising of the Veil so that readers “may view faintly its deeper recesses,—the meaning of its religion, the passion of its human sorrow, and the struggle of its greater souls”).

47. *Id.* at 202.

For Du Bois, what ought to be days of joy are turned bittersweet as he considers the child's terrible future in a racist nation, a future that in turn leaves Du Bois terror filled.<sup>48</sup> Already in his infant son Du Bois sees the man who will come to feel the bitter weariness of being black in the United States, projecting, perhaps, his own feelings about life "[w]ithin the Veil"—Du Bois is, after all, also defined as "a Negro and a Negro's son." The inevitability of this future renders it present even in the baby, an always-already fact of his blackness. Thus, Du Bois begins to grieve for the newborn whose innocence will soon be lost and whose race is a mark of social death. Accordingly, signs of death and grief mute the father's joy: a birth marked by the passing shadow, a life of (ghostly) invisibility lived "[w]ithin the Veil," together with evocations of struggle and aging.

Several paragraphs later, Du Bois describes his son's premature death from an unnamed illness. Just as with the child's birth, Du Bois's feelings about his death are mixed. He mourns the baby but he is also glad:

All that day and all that night there sat an awful gladness in my heart;—nay, blame me not if I see the world thus darkly through the Veil,—and my soul whispers ever to me saying, "Not dead, not dead, but escaped; not bond, but free."<sup>49</sup>

Through the baby's physical death, Du Bois is finally able to see (albeit "darkly") his child for what he is and will remain.<sup>50</sup> The boy is no longer the bitter man-to-be but a happy and loved baby who never knew of his own existence behind the Veil.<sup>51</sup> Du Bois grieves, but his grief is now untouched by the terror of a racial destiny that may, in many ways, be worse

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48. *See id.* ("I held my face beside his little cheek, showed him the star-children and the twinkling lights as they began to flash, and stilled with an evensong the unvoiced terror of my life."). Du Bois also acknowledges the normal fear and anxiety of new fatherhood, but the terror he experiences in contemplating the child's future is distinctly related to race. *See id.* at 200–01. Indeed, it is as Du Bois is thinking about the child's olive complexion, dark gold hair, and brown-blue eyes—markers of race mixture that signifies a painful history—that he "sees" the shadow of the Veil fall over the baby. *See id.* at 201.

49. *Id.* at 205.

50. *Id.*

51. Earlier in the book, Du Bois writes that the only time he has not been seen as "a problem" is "in babyhood and in Europe." *See id.* at 6.

than death.<sup>52</sup> What haunts about this narrative is not the fact of a child's birth followed by a too-early death (which, sadly, happens often) but the complexity of Du Bois's emotions about these events. It is his emotions that transform this story, which might otherwise be described as "poignant and unchallenging . . . a dollop of newsless news,"<sup>53</sup> into one that confronts the reader with the cruelty of a social system that would cause a father to experience grief along with joy at birth, and joy along with grief at death.

## 2. Frantz Fanon and the Boy on the Train

In the fifth chapter of his influential book *Black Skin White Masks*, Frantz Fanon describes an encounter on a train with a white boy and his mother. When the boy sees Fanon, he reacts: "'Maman, look, a Negro; I'm scared!'"<sup>54</sup> Fanon goes on to write: "Scared! Scared! Now they were beginning to be scared of me. I wanted to kill myself laughing, but laughter had become out of the question."<sup>55</sup>

It is a short, but powerful, vignette that communicates a number of salient emotions relating to a key moment of racialization—the moment Fanon decides "[he] couldn't take it any longer."<sup>56</sup> On the one hand, there is the fear expressed by the boy, a fear that is at the same time confident about the identity of its object (compare: "Look, a wild bear!"). The exclamation, "[L]ook, a Negro," indicates that the boy believes he knows and can define what "a Negro" is. But for Fanon, the boy's emotion does not identify but instead transmogrifies. He is not seen only as a man with dark skin but as a dangerous man, a *fearsome* man—someone that is quite unrecognizable to

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52. Du Bois writes that the baby's death saved him from a "sea of sorrow," a description that evokes grief for both father and son. *See id.* at 206. Nevertheless, it should be noted that Du Bois's story of his son is not so simplistic as to end with this small measure of comfort that the baby's "freedom" brings to the father. Du Bois goes on to wonder whether the child might have "borne his burden more bravely than we,—aye, and found it lighter too, some day; for surely, surely this is not the end. Surely there shall yet dawn some mighty morning to lift the Veil and set the prisoned free." *Id.*

53. Trent Masiki, *Whiskey Under the Mattress, Playboy on the Porch*, SOLSTICE (Spring 2014), <http://solsticelitmag.org/content/whiskey-mattress-playboy-porch/> [<http://perma.cc/P7HT-XJG5>].

54. FANON, *supra* note 10, at 91.

55. *Id.*

56. *Id.* at 92.

Fanon himself.<sup>57</sup> Fanon writes:

My body was returned to me spread-eagled, disjointed, redone, draped in mourning on this white winter's day. The Negro is an animal, the Negro is bad, the Negro is wicked, the Negro is ugly; look, a Negro . . . .<sup>58</sup>

As Fanon continues to analyze this (mis)recognition of blackness, which he—like Du Bois—describes as a kind of death, he identifies another emotion at play: hatred. It is hatred that explains why, despite ample evidence to the contrary, whites continue to regard all blacks as “savages, morons, and illiterates.”<sup>59</sup> In this narrative, white fear and hatred are of a piece. Both emotions seek and exercise control over not only racialized bodies (Fanon alludes to slavery as well as colonization and labor exploitation)<sup>60</sup> but also the meaning of race—here, blackness—itself.

For his part, Fanon considers the “[s]hame and self-contempt” that the boy’s cry triggers about his blackness; he looks at his “livery” and observes that it is indeed ugly.<sup>61</sup> But at other points, he suggests that he is in fact being disfigured by white racism—he variously describes himself as amputated, hemorrhaging, disjointed, a dissected corpse instead of a living human being.<sup>62</sup> If there is shame (or grief), however, it passes quickly, for what is most notable about Fanon’s own emotional state in this narrative is not shame but his passionate indignation, his anger at the fear and hatred that the boy and others direct toward him. Once shame turns into anger, Fanon no longer sees himself as ugly. Instead, he is (or would be, but for the distortion of racism) “young and sleek,” “a man among men.”<sup>63</sup> It is in this state, he writes, that he would enter “our

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57. See Shiloh Whitney, *The Affective Forces of Racialization: Affects and Body Schema in Fanon and Lorde* 4, [http://www.academia.edu/7960493/The\\_Affective\\_Forces\\_of\\_Racialization\\_Affects\\_and\\_Body\\_Schemas\\_in\\_Fanon\\_and\\_Lorde](http://www.academia.edu/7960493/The_Affective_Forces_of_Racialization_Affects_and_Body_Schemas_in_Fanon_and_Lorde) [<http://perma.cc/T6HJ-5PSA>]. Fanon refers to racialization as a “thematization” of himself. See FANON, *supra* note 10, at 92; cf. AHMED, *supra* note 22, at 13 (discussing how emotions are sticky, attaching to the object of hate to change it into a “hateful” object).

58. FANON, *supra* note 10, at 93.

59. *Id.* at 96.

60. *See id.* at 92–93.

61. *See id.* at 94.

62. *See id.* at 92–93.

63. *Id.* at 92.

world . . . a world we could build together.”<sup>64</sup> In a way, then, one can say that Fanon is rehabilitated—both physically and psychically—by his anger.

### 3. Audre Lorde on the New York Subway

In her essay, *Eye to Eye: Black Women, Hatred, and Anger*, the poet and activist Audre Lorde also tells a short story about a wintry encounter on a train.<sup>65</sup> Lorde, age five, is with her mother on the subway heading to Harlem and finds an “almost seat” next to a white woman in furs. After she sits down, she notices that the woman is staring at her, looking down, and pulling her fur coat closer to herself. Thinking that perhaps there is a cockroach between the two of them, Lorde also tries to scoot away. But there is nothing there:

When I look up the woman is still staring at me, her nose holes and eyes huge. And suddenly I realize there is nothing crawling up the seat between us; it is me she doesn't want her coat to touch . . . . No word has been spoken. I'm afraid to say anything to my mother because I don't know what I have done. I look at the side of my snowpants, secretly. Is there something on them? Something's going on here I do not understand, but I will never forget it. Her eyes. The flared nostrils. The hate.<sup>66</sup>

Lorde speaks here of the woman's hate, but the woman's emotional response is probably better characterized as disgust.<sup>67</sup> Roaches and other vermin are more disgusting than hateful because they are “border objects,” threatening to crawl onto, and inside, our bodies and thereby transgress the

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64. *Id.*

65. Audre Lorde, *Eye to Eye: Black Women, Hatred, and Anger*, in *SISTER OUTSIDER: ESSAYS AND SPEECHES* 145, 147–48 (2007).

66. *Id.*

67. See, e.g., Angela Harris, *Foreword to LOVING V. VIRGINIA IN A POST-RACIAL WORLD: RETHINKING RACE, SEX, AND MARRIAGE*, at xvi (Kevin Noble Maillard & Rose Cuison Villazor eds., 2012) (relating the incident to “feelings of revulsion and horror” at the realization “that the line between me and not-me is permeable”); see also Sara Ahmed, *The Skin of the Community: Affect and Boundary Formation*, in *REVOLT, AFFECT, COLLECTIVITY: THE UNSTABLE BOUNDARIES OF KRISTEVA'S POLIS* 95, 106–07 (Tina Chanter & Eva Plonowska Ziarek eds., 2005) (interpreting Lorde's story through a discussion of disgust).

boundaries of our selves.<sup>68</sup> Thus, while hatred and disgust are both feelings of aversion, the latter is the emotion that more clearly conveys the idea of its object as something low, contaminating, and untouchable.

Lorde's narrative presents a scene of the child looking up, the woman "staring" down—a function of the two people's difference in physical height, no doubt. But the downward gaze also reflects the age, race, and class difference between them, i.e., differences that matter to one's status and power in society. Indeed, the white woman's relative authority is felt by Lorde when, instead of asking what the woman's problem is, the child wonders what she might have done to offend her. Lorde's reaction in this story is an unsurprising blend of confusion and shame.

Lorde's emphasis on the woman's "nose holes and [huge] eyes," as well as her attempt to avoid physical contact, also tends to suggest the presence of disgust.<sup>69</sup> As Martha Nussbaum explains, the "classic stimulants" of disgust "are vile odors and other objects whose very appearance seems loathsome."<sup>70</sup> What does the woman see with her huge eyes? What are her flared nostrils inhaling? What could be on Lorde's little snowpants, so close to her furs, that repulses the woman so? Unlike hatred, which calls for distance from its object, the woman on the subway simultaneously takes in and expels Lorde in her gestures of disgust.

This early moment of racialization, Lorde writes, is unforgettable. It is offered as part of an explanation of the anger that Lorde comes to embrace in the face of such disgust. Shamed as a child, Lorde as a woman looking back feels anger about the episode and all of the other, similar episodes before

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68. See Ahmed, *supra* note 67, at 102; see also NUSSBAUM, *supra* note 34, at 87 (describing one definition of disgust as "[r]evulsion at the prospect of (oral) incorporation of an offensive object"). Sara Ahmed's analysis of Lorde's story relies on Julia Kristeva's theory of abjection and disgust. See Ahmed, *supra* note 67, at 102–03. Border objects both threaten and (re)constitute the border between self and other, inside and outside, through affect. *Id.* For example, finding a hair in one's food typically triggers disgust, which is not only a reading of the potential oral incorporation of the other but simultaneously the consciousness of the boundaries of one's self. *Id.* Common border objects, according to Kristeva, are excrement and menstrual blood, both of which occupy a liminal position between inside and outside, me and not me. *Id.*

69. Lorde, *supra* note 65, at 147.

70. NUSSBAUM, *supra* note 34, at 87.

and after that train ride.<sup>71</sup>

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These three stories taken together resonate in ways that mutually reinforce the authenticity and representativeness of the emotions they contain. It is evident that while each story highlights specific emotions, the five emotions in fact overlap among the stories. For example, Du Bois's narrative tends to focus on grief but also conveys the father's fear that the hatred of the white world will eventually destroy his child. Fanon, in describing his anger, can be seen to also grieve for the person he might have been had he not been grotesquely disfigured by racial fear and hatred. Lorde's story of disgust also contains elements of hatred, fear, and anger.

Not only do these narratives, written by different people in different places at different times, show remarkable consistency in the racial emotions they discuss, but they also depict a similar developmental trajectory for racial emotions. Indeed, all three involve an interaction between a child and an adult at varying moments of racialization, demonstrating that racial emotions often begin to be acquired in childhood as kids begin to acquire racial knowledge and experience racial power. For Du Bois, his grief is immediate as he, standing in the stead of whites, racializes his son: "Within the Veil was he born, said I; and there within shall he live . . ." <sup>72</sup> Du Bois's grief comes from the knowledge that his son's bitterness and sorrow is as inevitable as the fact that the boy's little head and dimpled

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71. Later in the essay, Lorde writes: "If I'd been grown, I'd probably have laughed or snarled or been hurt, seen it for what it was. But I am five years old." Lorde, *supra* note 65, at 172. The adult reaction Lorde describes here is not unlike Fanon's reaction(s) to the white child's exclamation. *See infra* note 77 (full sequence of "Look a Negro!"). Indeed, in a 1981 speech called "Uses of Anger," Lorde recounts an experience in Eastchester, New York, that is remarkably similar to Fanon's story of the train. In it, Lorde is wheeling her two-year-old daughter in a shopping cart at a supermarket: "[A] little white girl riding past in her mother's cart calls out excitedly, 'Oh look, Mommy, a baby maid!' And your mother shushes you, but does not correct you." Audre Lorde, *Uses of Anger: Women Responding to Racism*, in *SISTER OUTSIDER: ESSAYS AND SPEECHES* 124, 126 (2007).

72. DU BOIS, *supra* note 45, at 202. This passage is an example of Du Boisian "double consciousness," i.e., the ability to see not only through one's own eyes but also through the eyes of white others that "look[] on in amused contempt and pity." *See id.* at 7.

hands will change and grow.<sup>73</sup> It is only the child's death—which halts all change—that stops this future from coming into being.

The development of racial emotions is also an integral part of Fanon's and Lorde's stories. Lorde's story, in particular, appears to pick up where Du Bois left off and fulfills his prevision of the impact of race and its emotions on a developing black child. Although the five-year-old Lorde does not fully understand the meaning of her encounter with the white woman in furs, she already knows enough not to forget it. Moreover, Lorde, even as a child, has felt the woman's power to make her confused and ashamed despite knowing she has done nothing wrong.<sup>74</sup> This episode, together with other incidents of racialization in the course of her life, becomes part of the arc of Lorde's emotional development from shame to anger.<sup>75</sup> Indeed, *Eye to Eye* is less about white people's racism and more focused on how such racism is internalized, or, as Lorde writes, "metabolized," by blacks into an anger that distorts not only interracial but also intraracial social relations.<sup>76</sup>

For Fanon, who describes being racialized by a white child, we see in the story that this is not the first time that he has heard the words "Look, a Negro!"<sup>77</sup> In Fanon's story, racialization itself is static in the sense that it is the same, whoever the source; it is always in the form of the

73. Elsewhere in the book, Du Bois writes that he began to understand and experience racialization and its emotions in "the early days of rollicking boyhood." *Id.* at 6.

74. Cf. GEORGE YANCY, LOOK, A WHITE!: PHILOSOPHICAL ESSAYS ON WHITENESS 2 (2012) ("[T]his is what it means to be a Negro—to have done something wrong.").

75. In addition to the story on the subway train, Lorde recalls an incident with white doctors when she was three, as well as subsequent racializing encounters with blacks and whites as a child and an adult woman. See Lorde, *supra* note 65, at 148–49, 154.

76. See *id.* at 152. Accordingly, it is not the white woman but the little black girl who must incorporate into her body an unwanted object: racial hatred and disgust.

77. Fanon leads up to the story of the little boy on the train as follows:

"Look! A Negro!" It was a passing sting. I attempted a smile.

"Look! A Negro!" Absolutely. I was beginning to enjoy myself.

"Look! A Negro!" The circle was gradually getting smaller. I was really enjoying myself.

"Maman, look, a Negro; I'm scared!" Scared! Scared! Now they were beginning to be scared of me. I wanted to kill myself laughing, but laughter had become out of the question.

FANON, *supra* note 10, at 91.

interpellation, “Look! A Negro!”<sup>78</sup> Instead, it is Fanon’s emotional reaction that changes over time, progressing from what may be described as hurt/shame that builds to anger.<sup>79</sup> Fanon’s story shows that the development of racial emotions is not limited to childhood. But as the philosopher George Yancy points out, Fanon’s story also suggests a parallel development occurring in the white boy.<sup>80</sup> While the reader can almost see the fear-stricken child pointing his finger at Fanon, his words are not directed at Fanon at all but rather at the mother.<sup>81</sup> The boy is, in one sense, sure that Fanon is an object of fear; but in another sense, he is still only a child learning how to navigate his world. In calling out, the boy not only seeks physical protection but also social knowledge.<sup>82</sup> He will need his mother (or other adults) to either confirm or dispel his beliefs and accompanying emotions about the fearsomeness of the black stranger on the train.<sup>83</sup> Thus, the narrative describes not only

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78. Many commentators have noted that Fanon’s story is an instance of Althusserian interpellation whereby social relations determine identity rather than the other way around. See, e.g., Ghassan Hage, *Fanon and the Affective Politics of Racial Mis-Interpellation*, 27 THEORY, CULTURE, AND SOC’Y 112, 121 (2010) (observing that Althusser defined racism as “a process of constructing racialized subjects”). As soon as Fanon is thus *hailed* as a “Negro,” he writes: “I couldn’t take it any longer, for I already knew there were legends, stories, history, and especially the *historicity* that Jaspers had taught me. . . . I was responsible not only for my body but also for my race and my ancestors. I cast an objective gaze over myself, discovered my blackness, my ethnic features; deafened by cannibalism, backwardness, fetishism, racial stigmas, slave traders, and above all, yes, above all, the grinning *Y a bon Banania*.” FANON, *supra* note 10, at 92.

79. See *supra* note 77.

80. See YANCY, *supra* note 74, at 2–3.

81. Yancy’s analysis of this story refers to the “collective white gaze,” which is likely to be both literal and figurative. It is literal in the sense that other whites on the train who hear the boy’s cry will also turn to look at Fanon; Yancy describes the boy as having “triggered something of an optical frenzy.” See *id.* at 2. It is also figurative in invoking the historical phenomenon of the objectification of blacks; Yancy says that Fanon “has become a peculiar *thing*.” *Id.*

82. The boy can also be described as engaged in the act of creating and performing his whiteness through both naming difference and emoting fear. Yancy argues that the boy’s accusatory finger carries “the performative force” that brings the imaginary feared object into being. See *id.* at 2–3.

83. Cf. *id.* at 3. Indeed, texts about antiracist whites often speak of “unlearning” the racist beliefs that have been inculcated over a lifetime. See LARA TROUT, *THE POLITICS OF SURVIVAL: PEIRCE, AFFECTIVITY, AND SOCIAL CRITICISM* 20 (2010); see also MATTHEW W. HUGHEY, *WHITE BOUND: NATIONALISTS, ANTIRACISTS, AND THE SHARED MEANINGS OF RACE* 60 (2012) (quoting a member of a white antiracist group saying, “you have to keep digging into yourself, expelling the bad ways of viewing the world, healing yourself, becoming more human, less white”); IMANI PERRY, *MORE BEAUTIFUL AND MORE TERRIBLE* 7 (2010) (observing that “practices of inequality” are the result of “negative

Fanon's racialization but also the racialization of the little boy who is coming to understand his whiteness through learning about blackness.

The three narratives also echo in common the idea that emotions are not only personal but also social. Emotions are not simply feelings that are generated inside an individual and remain within; instead, they emerge to affect surrounding people and spaces.<sup>84</sup> For Du Bois, racism completely alters the landscape of black existence, which is covered by a Veil and blanketed with grief. The pervasiveness and inevitability of this emotion is evident when Du Bois mourns the death of his son but also observes that living would have meant "bitter meanness . . . shall sicken his baby heart till it die a living death."<sup>85</sup> While he thus sees his child escaped from this fate, he also laments for himself ("Why may I not rest me from this restlessness and sleep from this wide waking?") and for the "wretched of my race that line the alleys of the nation."<sup>86</sup> Despite being "like . . . in heart and life and longing," Du Bois writes that blacks must live within the Veil that signifies both the divide between black and white and the denigration that such racial segregation entails.<sup>87</sup> Indeed, white hatred and disgust not only divides the world along the color line; it also divides Du Bois's soul ("[o]ne ever feels his twoness").<sup>88</sup>

Emotions emerge and move among the people and spaces of Fanon's story as well. As discussed above, the boy's fear prompts a cry that elicits a variety of emotional responses in Fanon. It also draws a nervous answer from his mother, who shushes the boy and warns, "You'll make him angry."<sup>89</sup> These emotions also affect the spatial arrangement on the train and

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socialization").

84. As Antonio Damasio points out, the word "emotion" literally means "movement out." DAMASIO, *supra* note 7, at 139; *see also* AHMED, *supra* note 22, at 59 (observing that emotions acquire meaning and value through circulation).

85. *See* DU BOIS, *supra* note 45, at 205.

86. *See id.* at 206. Du Bois's lament echoes an earlier passage in the book describing his own first encounter with racism and identity when he talks of the "other black boys" whose "strife," unlike his own, "was not so fiercely sunny: their youth shrunk into tasteless sycophancy, or into silent hatred of the pale world about them and mocking distrust of everything white; or wasted itself in a bitter cry, Why did God make me an outcast and a stranger in mine own house?" *Id.* at 7.

87. *See id.* at 6.

88. *Id.* at 6–7.

89. *See* FANON, *supra* note 10, at 93. In this way, the boy's mother implicitly affirms the child's fear as valid.

Fanon's experience of space. Fanon observes that "[i]n the train, instead of one seat, they left me two or three."<sup>90</sup> Such physical distancing is an obvious manifestation of the racial fear and hatred that inhibits the feeling of warmth one associates with human contact. Accordingly, Fanon describes a coldness that leaves him shaking, which has its own affective consequence: "[T]he Negro is trembling with cold, the cold that chills the bones, the lovely little boy is trembling because he thinks the Negro is trembling with rage, the little white boy runs to his mother's arms: 'Maman, the Negro's going to eat me.'"<sup>91</sup>

Similarly, emotions circulate among the spaces and people of the train in Audre Lorde's story. Like Fanon, Lorde is given extra space when the white woman vacates her seat. This racio-spatial dynamic, we can see by now, is recurring.<sup>92</sup> Lorde's emphasis, however, is on the impact of racial disgust on people rather than spaces. In her narrative, the white woman does not simply feel disgust; without saying a word, Lorde writes, "she has communicated her horror to me."<sup>93</sup> The woman's unconcealed emotion evokes in Lorde feelings of shame and confusion, which she dares not share even with her mother. Instead, she writes how the woman's disgust is quietly internalized so that Lorde becomes, in turn, consumed by self-hatred and anger. These emotions then continue to circulate beyond Lorde and the train to everyone that she subsequently encounters.<sup>94</sup>

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90. See *id.* at 92. Consequently, Fanon writes that he exists "in triple," a characterization that in turn evokes Du Bois's description of the feeling of "twoness" among American blacks. See DU BOIS, *supra* note 45, at 7. Both writers seem to be writing about a condition of conspicuous invisibility, in which they are hyper-visible yet not seen for their actual selves, simultaneously noticed and unseen.

91. See FANON, *supra* note 10, at 93.

92. In addition to Fanon and Lorde, Stephen Carter has written about the extra seat on a commuter train, see Stephen Carter, *The Black Table, the Empty Seat, and the Tie*, in LURE AND LOATHING: ESSAYS ON RACE, IDENTITY, AND THE AMBIVALENCE OF ASSIMILATION 55, 62 (Gerald Early ed., 1993), and Frank Wu has recently described an analogous incident on a Muni train in San Francisco, see Frank H. Wu, *Riding Race*, HUFFINGTON POST (Mar. 14, 2013), [http://www.huffingtonpost.com/frank-h-wu/riding-race\\_b\\_2837556.html](http://www.huffingtonpost.com/frank-h-wu/riding-race_b_2837556.html) [<http://perma.cc/YV2J-E4QV>]. See also Ellen Hostetter, *The Emotions of Racialization: Examining the Intersection of Emotion, Race, and Landscape Through Public Housing in the United States*, 75 GEOJOURNAL 283, 283 (2010) ("I argue that emotion—specifically disgust and fear—racializes the public housing landscape.").

93. See Lorde, *supra* note 65, at 147.

94. See *supra* text accompanying note 76.

Finally, the emotions present in all three stories share a negative valence.<sup>95</sup> Fear, anger, hatred, disgust, grief—these are the prevailing emotions linked to race, and, for the most part, they are understood to be unpleasant and undesirable. Indeed, these emotions are described as blocking more positive emotions, such as joy and love, that might otherwise exist (i.e., grief that mars joy in Du Bois, the “amputation” of enthusiasm in Fanon, love and sisterhood lost for Lorde).<sup>96</sup> This is true regardless of whether the person feeling these emotions is black or white (i.e., the little boy’s fear and the woman’s disgust are also presumably unpleasant to them). The exception here is anger in Fanon’s story, which he uses to combat the shame and self-loathing expected of blacks under a racist social system. But anger is, at best, ambivalent. Lorde, who agrees that anger is a powerful “fuel,” also concludes that it is ultimately corrosive to genuine human connection and progress.<sup>97</sup> Fanon, too, at the end of his book, appears to move away from anger into what might be described as a posture of hope and desire.<sup>98</sup>

That race is linked to, and even defined by, such negative emotions is not surprising given the history of racial exclusion in this country (and globally).<sup>99</sup> Regardless of whether one is being excluded or doing the excluding, the relationship of racial exclusion, and the social system that patterns of such exclusion inscribe, cannot but generate negative, antagonistic feelings on

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95. Kagan writes that “valence” refers to the pleasant or unpleasant, desirable or undesirable, quality of emotions. KAGAN, *supra* note 14, at 95.

96. In Lorde’s story, however, love and joy are also blocked by sexism. Her story is not one in which a child’s happy train ride is disrupted by a woman’s racist gestures. Instead, Lorde’s sense of joy seems to be already diminished by the fact of her needing to be a proper little girl. In *Eye to Eye*, Lorde describes how she was deemed “untidy . . . noisy . . . rowdy . . . dark. Bad, mischievous, a born troublemaker if ever there was one.” See Lorde, *supra* note 65, at 149. When the train incident occurs, she seems as afraid of her mother’s expectations about her behavior as she is afraid of the white woman in furs. See *id.* at 148.

97. See *id.* at 152 (calling anger “a blind force which cannot create the future”).

98. He writes: “Both [black and white] have to move away from the inhuman voices of their respective ancestors [master and slave] so that a genuine communication can be born. . . . Superiority? Inferiority? Why not simply try to touch the other, feel the other, discover each other?” FANON, *supra* note 10, at 206.

99. It should be noted that Fanon, unlike Lorde and Du Bois, is not an American writer and was writing about the colonial and postcolonial experience in France and his native Martinique. His thoughts on race, however, have been applied more broadly to all types of racism and his work has been deeply influential to American scholars of race.

both sides. This dynamic was obvious very early on in our history. Thomas Jefferson, for example, clearly referred to the emotions of race to oppose emancipation (and, in the alternative, promote colonization) because coexistence would inevitably lead to a race war:

Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of one or the other race.<sup>100</sup>

Such negative racial emotions continue to be felt today, one of their clearest manifestations being the riots and protests that have occurred over the past several decades triggered by police violence against minorities. The sense that law enforcement remains affected by racial hatred, fear, and disgust, and that minority communities are grief-stricken and angry, cannot seriously be denied in light of recent events in places like Ferguson, Missouri, and Staten Island, New York.<sup>101</sup>

But while the negativity of racial emotions is well-recognized, their underlying reasons are more often than not

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100. THOMAS JEFFERSON, NOTES ON THE STATE OF VIRGINIA 229 (1787). Jefferson's beliefs about racial incompatibility endure. According to Matthew Hughey's research, white nationalist groups claim to favor segregation not because people of color are inferior but because separation will lead to peace. See HUGHEY, *supra* note 83, at 39–40.

101. On July 17, 2014, forty-three-year-old Eric Garner was killed in Staten Island, New York, when an officer used an illegal chokehold during Garner's arrest for selling untaxed cigarettes. Less than a month later, an unarmed eighteen-year-old named Michael Brown was fatally shot by a police officer in Ferguson, Missouri, during an encounter that began on suspicion of shoplifting. In both cases, the victims were black and the officers were white. Neither officer was indicted, prompting nationwide protests. Since then, several more incidents involving violence by police officers against black citizens have occurred, including the shooting death of twelve-year-old Tamir Rice in Cleveland, Ohio, the shooting death of Walter Scott in North Charleston, South Carolina, and the death of Freddie Gray in Baltimore, Maryland, while in police custody. Unlike the cases involving Garner and Brown, the police officers involved in the deaths of Scott and Gray have been indicted for the killings, while the Rice case remains under investigation as of this writing. See *Freddie Gray Death: Protesters Highlight Other Police Deaths*, BBC NEWS (Apr. 28, 2015), <http://www.bbc.com/news/world-us-canada-30341927> [<http://perma.cc/5CZV-SBVL>].

denied. This, too, appears to have early origins. According to Mario Barnes, Erwin Chemerinsky, and Trina Jones, racial grievance among blacks was delegitimized soon after slavery was abolished.<sup>102</sup> Each civil rights victory, small or large, has been used as an argument against the rationality of racial anger.<sup>103</sup> At the same time, the reasons for racial hatred and disgust have also been largely rejected since at least the middle of the 20th century, a shift that was heavily influenced by the Second World War.<sup>104</sup> Once claims of biological inferiority and impurity were discredited, the foundations for racial hatred and disgust seemed to crumble.

The fact that racial emotions are now largely viewed as groundless has not, of course, stopped people from actually feeling them. The aforementioned emotions of anger, hatred, fear, grief, and so forth continue to affect negatively the way we define ourselves, others, and the space between us. Rather than eradicating racial emotions, belief in their irrationality has led to the assumption that it is pointless to talk about them. Indeed, talking about race itself appears risky as it can trigger these salient emotions. This in turn feeds the preference to segregate ourselves so that we can avoid the encounters that may lead us into emotionally difficult situations. Moreover, their irrationality may mean that any productive conversation about race is impossible.<sup>105</sup> Unsurprisingly, then, racial emotions are conceived to be problematic—because they are viewed as irrational and also because they appear to create an impediment to a robust race discourse.

The following Part offers a challenge to these assumptions about racial emotions and proposes that a more methodical

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102. See Mario L. Barnes, Erwin Chemerinsky & Trina Jones, *A Post-Race Equal Protection?*, 98 GEO. L.J. 967, 973 (2010). To be sure, even during slavery, the South attempted to propagate the myth that slaves were actually leading contented, pastoral lives. See KENNETH M. STAMPP, *THE PECULIAR INSTITUTION: SLAVERY IN THE ANTE-BELLUM SOUTH* 86–87 (1968); see also ELLIS COSE, *THE END OF ANGER* 27 (2011) (quoting W.E.B. Du Bois: “They tell us in these eager days that life was joyous to the black slave . . . [The Negro spirituals] are the music of an unhappy people, of the children of disappointment; they tell of death and suffering and unvoiced longing toward a truer world.”).

103. Cf. Barnes et al., *supra* note 102, at 977.

104. See Howard Winant, *Race and Race Theory*, 26 ANN. REV. SOC. 169, 177 (2000).

105. Cf. YANCY, *supra* note 74, at 55 (describing how academics typically view the body and its passions as an obstacle to learning).

approach is possible by applying three theories of emotions—cognitive, social constructionist, and political—that have developed in the humanities and social sciences disciplines. These theories reveal a much more complex and rigorous picture of racial emotions, whose legitimacy depends on various factors including perception, values, culture, status, and political aims.

## II. RACIAL EMOTIONS AS A PROBLEM: THREE THEORIES OF EMOTION

*The interviews . . . revealed that talking about race in America is a highly emotional matter. Almost all the respondents exhibited a degree of incoherence at some point or other in the interviews.*

– Eduardo Bonilla-Silva<sup>106</sup>

*Emotions are not just the fuel that powers the psychological mechanism of a reasoning creature, they are parts, highly complex and messy parts, of this creature's reasoning itself.*

– Martha C. Nussbaum<sup>107</sup>

Can emotions be rational or productive? Do *racial* emotions fail particularly in this regard? Obviously, we do not find all emotions problematic; we exercise judgments about which emotions are appropriate and which are not. Indeed, no emotion is considered categorically bad or wrong.<sup>108</sup> Even negative emotions like anger and hatred can be appropriate in context. For example, a crime victim's anger or even hatred toward an offender is generally thought to be not only

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106. EDUARDO BONILLA-SILVA, *RACISM WITHOUT RACISTS* 71 (2003).

107. NUSSBAUM, *supra* note 16, at 3.

108. *But see* NUSSBAUM, *supra* note 34, at 14 (arguing that disgust is more or less categorically bad when it plays a role in public decision making, including in the law). Melanie Klein's psychoanalytic understanding of envy appears to be another example of an inherently bad/destructive emotion. *See* Simon Clarke, *Envy and Ressentiment*, in *EMOTION, POLITICS AND SOCIETY* 70, 71 (Simon Clarke et al., eds. 2006).

understandable but legitimate, especially if the offense is severe. As discussed above, grief over the death of a parent is culturally accepted and even expected. Moreover, both of these statements remain true whether these feelings are held in private or shared in public. So what is it about *racial* emotions that make us wary of them? How are they being evaluated as problematic?

The study of affect is currently in vogue within a variety of academic disciplines, not only in expected areas such as psychology but in less obvious fields such as history and the law.<sup>109</sup> This “affective turn” across disciplines suggests a move away from thinking about emotions as singular, irrational, and thus unworthy of study other than as pathology or for therapy. Rather, the growing literature on affect argues that it can be generalized, analyzed, and perhaps even used toward social transformation.<sup>110</sup>

To be clear, “affect” is not necessarily synonymous with “emotion,” which is the topic of this Article. Affect refers to a broad set of feelings or states-of-being, including instinct, interest, sentiment, and habit—feelings and states that mark the fact of our relations or contacts with other persons and things in the world.<sup>111</sup> Thus, affect theory studies a wide array of feelings beyond emotion, and tends to emphasize the role of the body (that is, our embodied-ness/materiality) in social life.<sup>112</sup> Emotion, by contrast, refers to the more limited subset of conscious “manifestation or interpretation” of such feelings—

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109. See Vanessa Agnew, *History's Affective Turn: Historical Reenactment and Its Work in the Present*, 11 RETHINKING HISTORY 299 (2007) (discussing the role of affect in historical reenactments); Bades, *supra* note 6, at 1 (“Emotion pervades the law.”).

110. See, e.g., Kathryn Abrams & Hila Keren, *Law in the Cultivation of Hope*, 95 CALIF. L. REV. 319 (2007) (discussing the possibility of cultivating hope through law to foster social change); Anne Winkler, *Nostalgia for East Germany and Its Politics*, in ECOLOGIES OF AFFECT: PLACING NOSTALGIA, DESIRE, AND HOPE 19–42 (Tonya K. Davidson et al., eds. 2011) (analyzing East German *Ostalgie* as a “collective sense of loss and dislocation” that the author describes as deeply political because it subverts history and romanticizes a totalitarian past); AHMED, *supra* note 22, at 9 (defining emotions as “social and cultural practices” rather than “psychological states”).

111. See TROUT, *supra* note 83, at 9 (listing kinds of affect); see also Gregory J. Seigworth & Melissa Gregg, *An Inventory of Shimmers*, in THE AFFECT THEORY READER 1 (Seigworth & Gregg, eds. 2010) (defining affect broadly as “force or forces of encounter”).

112. See Clare Hemmings, *Invoking Affect: Cultural Theory and the Ontological Turn*, 19 CULTURAL STUDIES 548, 552–53 (2005); Highmore, *supra* note 11, at 119.

a definition that sheds light on the role of the mind in the feelings we experience.<sup>113</sup> Nonetheless, the affective turn in academia has revitalized and enriched the study of emotions as personal, social, and political phenomena.

The two epigraphs above exemplify this turn in our thinking about affect and emotions. In the first, Eduardo Bonilla-Silva links emotions with incoherence; indeed, the passage suggests that incoherence alone may be taken as proof or sign of the emotionality of race. Here, emotion is set against reason and the two are mutually exclusive—a classic dichotomy that mimics the traditional distinction between body and mind.<sup>114</sup> This dichotomy makes emotions easier to dismiss; after all, what useful thing is there to say to someone whose judgment is so obviously clouded by his feelings? How can we take his views seriously?

Martha Nussbaum, by contrast, connects emotions with reason and argues for what she calls “a cognitive/evaluative theory of emotions” that has wide-ranging implications for social, ethical, and political thought.<sup>115</sup> As the second epigraph indicates, Nussbaum posits that reason is a constituent part of emotion in the sense that emotions are a type of judgment

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113. See Hemmings, *supra* note 112, at 551; see also TROUT, *supra* note 83, at 82 (referring to emotions as “disruptive”); ROBERT SOLOMON, *THE PASSIONS* 188 (1976) (“Emotions are self-involved and relatively *intense* evaluative judgments.”). Although some theorists closely attend to the distinctions among emotion, feeling, and affect, such precision is not necessary for purposes of this Article and the terms will be used more or less interchangeably.

114. See AHMED, *supra* note 22, at 5. Ahmed observes that the emotion/reason dichotomy also differentiates the feminine from the masculine. See *id.* at 3, 170; see also Mustafa Emirbayer & Chad Alan Goldberg, *Pragmatism, Bourdieu, and Collective Emotions in Contentious Politics*, 34 *THEORY & SOC’Y* 469, 474 (2005) (expanding the dichotomy as “theoretical/practical; spiritual/natural; ordered/chaotic; intentional/spontaneous; certain/uncertain; intellectual/passional, mental/bodily, and male/female”). The classical view of emotion is also characterized by the assumption that “passions” are interior and involuntary. See Claire Armon-Jones, *The Thesis of Constructionism*, in *THE SOCIAL CONSTRUCTION OF EMOTIONS* 32, 40 (Rom Harré, ed. 1986). Cf. NUSSBAUM, *supra* note 16, at 26 (observing that any good theory of emotion must account for the fact that emotions sometimes do feel overwhelming and beyond our control); OATLEY, *supra* note 27, at 9 (acknowledging aspects of emotion that are involuntary). Note that even though affect theory privileges the body and its sensations, it does not espouse this classic view. The affects studied, such as interest and sentiment as well as emotion, involve more than purely bodily sensations like pain and hunger. Instead, according to Lara Trout, affect theory asserts the “continuity of the human individual’s body and mind, self and society, and inner and outer worlds.” TROUT, *supra* note 83, at 25.

115. See NUSSBAUM, *supra* note 16, at 3.

about one's relations with the external world.<sup>116</sup> As such, they not only are coherent but can provide insight into how and why we value persons and things, i.e., the objects of our emotions. This view also suggests that emotions are susceptible to change (since they are intelligent), which in turn raises questions about how we ought to cultivate healthy emotional development and toward what end.<sup>117</sup> Thus, Nussbaum's account argues not only that we can take emotions seriously, but also that we should.<sup>118</sup>

Although Bonilla-Silva and Nussbaum disagree about the status and significance of emotions, they are both correct in their own ways—race is an intensely emotional matter, *and* there is cognitive content to racial emotions that lends them more coherence than we usually allow. Indeed, the cognitive view of emotions has been dominant since the 1960s and has burgeoned into various, more complex, theories that emphasize distinct aspects of emotion, such as the role of culture in our perceptions of value and the utility of emotion in politics.<sup>119</sup> A brief overview of three theories of emotions—cognitive, social constructionist, and political—follows. These theories demonstrate that whether emotions should be considered problematic or not depends on the lens through which we view them. When applied to the racial emotions discussed in Part I above, they can help us evaluate such emotions more rigorously to understand their significance in social and political life.

### A. *Cognitive Theory of Emotion*

The cognitive theory of emotions posits that, contrary to

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116. See *id.* at 4. Another way to put this is to say that reason is a necessary, but not sufficient, element of emotion. See Armon-Jones, *supra*, at note 114, at 41. Others, like cognitive psychologist Keith Oatley and neuroscientist Antonio Damasio, have made the claim that human reason—in the sense of one's ability to make not only logical but also meaningful and appropriate decisions—is impossible without emotion. See OATLEY, *supra* note 27, at 3, 44; DAMASIO, *supra* note 7, at 51.

117. See NUSSBAUM, *supra* note 16, at 3.

118. Nussbaum writes that a theoretical understanding of emotion “has large consequences for the theory of practical reason, for normative ethics, and for the relationship between ethics and aesthetics. Such an account has consequences for political thought as well: for understanding the relationship between emotions and various conceptions of the human good will inform our deliberations as we ask how politics might support human flourishing.” *Id.*

119. See Rosenwein, *supra* note 12, at 836.

the classical view, emotions are grounded in rational thought. Or, as Martha Nussbaum puts it, emotions are intelligent.<sup>120</sup> While the word “intelligence” may suggest a relatively high level of cognitive function or skill, Nussbaum specifies that “by ‘cognitive’ [she means] nothing more than ‘concerned with receiving and processing information.’”<sup>121</sup>

That said, there is clearly more to be gleaned from the cognitive view than merely the notion that feelings are based on data. Nussbaum in fact explains emotions as evaluations in her cognitive/evaluative theory of emotions.<sup>122</sup> When Nussbaum writes that emotions are also evaluative, she means that emotions are essentially cognitive appraisals, i.e., a person’s belief that something or someone outside of herself is important to her “flourishing” or her “scheme of goals” in life.<sup>123</sup> Nussbaum’s theory of emotion may appear to be somewhat egoistic in that one’s own flourishing and goals are central to the development of emotions, but this need not always hold.<sup>124</sup> For example, Elizabeth Spelman’s exploration of compassion reveals that it can be an emotion that is based on beliefs about the importance of others for their own sakes.<sup>125</sup> According to Keith Oatley, emotions arise from ongoing evaluations of the progress or frustration of our plans—plans which do not

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120. The subtitle of Nussbaum’s book is “The Intelligence of Emotions.” NUSSBAUM, *supra* note 16.

121. *Id.* at 23.

122. This is also sometimes called a “judgment theory” of emotions. See Gregory Johnson, *Theories of Emotion*, INTERNET ENCYCLOPEDIA OF PHILOSOPHY, <http://www.iep.utm.edu/emotion/#SH4a> [<http://perma.cc/39E9-J7QF>]; see also Louis C. Charland, *Reconciling Cognitive and Perceptual Theories of Emotion: A Representational Proposal*, 64 PHIL. OF SCI. 555, 556 (1997) (observing that cognitive theories of emotion “generally assert” the requirement of evaluation or appraisal).

123. NUSSBAUM, *supra* note 16, at 4. Such beliefs about importance can also be called *desires*. Cf. Charland, *supra* note 122, at 564 (noting that “propositional attitudes, particularly belief and desire . . . are held to demarcate the ‘cognitive’ domain”); Armon-Jones, *supra* note 114, at 41 (discussing the role of both belief and desire in the process of judgment). The combination of belief and desire appear consistent with Nussbaum’s observation that emotions are a response to the questions, “What is worth caring about?” and “How should I live?” See NUSSBAUM, *supra* note 16, at 149.

124. Nussbaum prefers to call her view “self-referential” rather than “egoistic,” since the latter suggests a selfish, instrumental attitude toward others. Her theory instead is premised on the idea of *eudaimonia* and encompasses the idea that others may become important to oneself, not because one can benefit but because one *cares* for the other in a way that matters to one’s own happiness. See NUSSBAUM, *supra* note 16, at 53.

125. See ELIZABETH V. SPELMAN, *FRUITS OF SORROW* 99–100 (1997).

necessarily entail the pursuit of our own selfish ends.<sup>126</sup> Despite these differences, all three explanations rely on the idea that the person feeling the emotions is engaged in both cognition and judgment about the world, weighing the importance of things and persons to his own conception of a good life, broadly speaking.

The cognitive theory affirms the highly subjective nature of emotion. But emotion is subjective in the sense that judgment is inevitably rendered by a subject, not in the sense that such judgments are inevitably correct. To be sure, genuinely felt emotions are what they are—we cannot dispute one’s feeling of them. Especially in our therapeutic age, we probably incline toward validating rather than dismissing the emotions people feel. However, the cognitive theory enables us to not only understand but also evaluate emotions because it explains that emotions are dependent on facts and reasoning. If the subject’s beliefs—which not only cause but also underlie and constitute his emotions—are false, it is possible for us to regard his emotions to be “mistaken’ or ‘inappropriate.’”<sup>127</sup> Thus, the cognitive view of emotions not only allows us to see how our emotions are bound up with the events and conditions of the external world, but it also enables us to make critical judgments about emotions based on those same events and conditions.

According to the theory, then, there are two places where a failure of cognition can occur to render the emotion problematic.<sup>128</sup> The first is at the point where the subject receives the event that stimulates the emotion. The example Nussbaum uses to describe this failure is a case of wrong

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126. See OATLEY, *supra* note 27, at 48–49.

127. See NUSSBAUM, *supra* note 16, at 47; John Deigh, *Cognitivism in the Theory of Emotions*, 104 *ETHICS* 824, 847 (1994). It is worth noting that while emotions are often defined as consciously experienced, their cognitive component (that is, beliefs and desires) need not be fully conscious. Louis Charland, for example, distinguishes between doxastic and infradoxastic states in order to advance his argument that cognitivists need not take such a strong stand on the necessity of “full-fledged propositional judgment.” See Charland, *supra* note 122, at 564–68.

128. See NUSSBAUM, *supra* note 34, at 14. I use the terms “rational” and “irrational” to describe problematic emotions under the cognitive approach but cognitive psychologists are more likely to use those terms to describe the thought or belief that constitutes the emotions. As to the emotions themselves, they would be characterized as “adaptive” or “maladaptive” instead. I am grateful to Lucas Torres for pointing out this distinction.

information about the death of a loved one.<sup>129</sup> If the griever is incorrect about the death—that is, the loved one is in fact still alive—then we may consider his grief irrational (in the sense of there being no reason to grieve) under the circumstances. In such a case, it is true that he feels the emotion sincerely, but the falseness of the belief component renders the emotion inappropriate. Knowing better, we might tell the subject that he should not feel grief because the loved one still lives.

The second place where cognitive failure can occur is at the point of judgment or appraisal. Let us assume that the death of a loved one did in fact occur, but that the object of grief is a dead plant. Again, we may not doubt the sincerity of the emotion (the subject is an avid plant lover) but we may question the appropriateness of the implicit judgment that the plant is indeed important to one's flourishing or conception of a good life. While some lesser degree of sadness might make sense, grief is likely to appear a disproportionate response to the event. The problem is one of overestimation of the object of the emotion; it appears irrational (in the sense of being unreasonable) to value a plant so highly in the scheme of things.

Of the two cognitive failures that can render emotion inappropriate, the second is obviously the murkier evaluation. The factual question of whether someone is alive or dead is usually easy to resolve, and even the griever would willingly (indeed happily) accede to the claim that the emotion was irrational once he discovers the truth of the matter. The second case relates not to conflicting facts but conflicting moral judgments; it is a matter of how we ought to value persons and things, which is often much harder to resolve among different people.<sup>130</sup>

We can extend the theory further to see how irrationality may be attributed not only to the emotion but also to the person who is experiencing the emotion. An observer who believes that grieving over a dead plant is irrational may also come to believe that the griever himself is an irrational person. This is, again, due in large part to the cognitive component of

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129. See NUSSBAUM, *supra* note 16, at 46–47.

130. As I discuss below under the constructionist theory of emotion, adherence to social or cultural norms is one way that such conflicts may be resolved. See *infra* Section II.B. The political theory of emotion suggests that priority may also be given to values that further certain political aims. See *infra* Section II.C.

emotion. Because a judgment about how things ought to be is a constituent part of emotion, the griever of a dead plant may be deemed not only to have made a poor judgment in this case, but also to be a person of poor judgment in general. The fault ascribed here is not in the feeling of the emotion but rather in the implicit priorities communicated by the emotion. Thus, when we deride a person as “emotional” in these kinds of cases, we are condemning that person not for having emotions but rather for the judgments he makes that give rise to his emotions.

Attribution of irrationality to persons based on emotions can also arise in the first type of cognitive failure. Reception of events in the world is an imperfect process and we are prone to make mistakes. Consider two instances of an irrational belief that a loved one has died. In the first, grief is triggered by an inaccurate obituary in a newspaper. The emotion is based on a mistaken fact and may be treated as irrational in the sense that there is no actual reason for the grief. But this is unlikely to be grounds for a charge of irrationality against the griever because it will probably be viewed as a reasonable mistake about how things are in the world. Now let us imagine a scenario where a father witnesses his child in a terrible car accident and begins to grieve at the hospital in the belief that no one could survive such severe injuries. It turns out he is wrong and the child lives. An observer might conclude in this case that not only is the emotion irrational (again, there is no actual reason for grief) but the father himself is irrational because his emotion reveals a faulty reception of events in the world. The problem is not that he made a mistake about whether his child is dead or alive but rather that he jumped to a false conclusion. This cognitive failure again suggests that the father may be a person of poor judgment, not about how he values the life of his child but in how he receives and interprets events in the world. Colloquially, we might say he became “emotional” instead of seeing things as they really are. But according to the cognitive theory of emotions, this saying tends to mislead us. Emotion is not impeding reason in the case of the mistakenly grieving father, for there would be no such emotion without some kind of reason and a dead child is surely a valid reason to grieve. The critique leveled against the emotional father is properly aimed at his flawed interpretation of the world, not his unwillingness to face facts.

Even from this admittedly basic outline of the cognitive theory of emotions, it is possible to evaluate racial emotions with significantly more rigor than before. Whether racial emotions are irrational should depend on whether one or more of the above-specified cognitive failures constitutes the emotion. Accordingly, the racial emotions I identified in Part I should be evaluated upon whether the underlying events or conditions in the world are true, and whether those events and conditions have been appropriately, or proportionately, valued in the scheme of things. It is now clear, too, why narrative is so important to both understanding and evaluating emotions. We cannot identify and weigh the reasons that lie at the core of emotions without knowledge of their context and interpretation.

Viewed through the cognitive lens, the narratives of Du Bois, Fanon, and Lorde all offer reasons for racial emotions. These narratives (1) provide the social context in which racial emotions arise, (2) explain how the event depicted is perceived and interpreted by the subject, (3) suggest the importance of the event to the subject, and (4) describe a specific emotion experienced by the subject. The broad and common social context in all three narratives is a society that is divided by racism. As discussed in Part I, they particularly describe incidents of racialization that deeply and negatively affect the subjects and play a significant role in the development and understanding of the subject's sense of self (e.g., as black or white, inferior or superior, dirty or clean) and place in the world (e.g., behind the Veil, taking up space, conspicuously out of place). Finally, the narratives explicitly link the interpretation of these events to the emotions experienced by the subjects. Anger, hatred, disgust, grief, and fear arise from the various subject's understanding that these seemingly everyday encounters actually construct the self and world.

It is no wonder, then, that race gets our emotions going. How can beliefs and judgments about who we are and where we belong *not* be, and feel, important to our flourishing, to our conception of the good life? The more difficult question, of course, is whether these racial emotions are appropriate in a less subjective sense. Here we may run into conflicts about both facts and judgments, although some of them can be relatively easily resolved. It seems that racial hatred, fear, and disgust would be widely condemned as irrational emotions. The

reasons essential to these emotions—that people of color are, by virtue of race, inferior, dangerous, unclean, etc.—are not factually valid. This suggests a cognitive failure of the first kind. Similar to being mistaken about the death of a loved one, there is a mistake being made about the nature of nonwhiteness in these narratives.

This is also a case where the irrationality of the racial emotion often leads to the attribution of irrationality to the person. Here, we may criticize the subject for his persistence in holding fast to false beliefs about race despite widely-known evidence to the contrary. Indeed, we have a special name for this type of irrational person: racist. Like calling someone crazy, calling someone “racist” suggests the person fails or refuses to see things as they really are or imagines them to be something else.<sup>131</sup> Recall the little boy who fails to see that Fanon poses no threat to him and instead mistakes him to be a beast ready to eat him up. Consider how the woman on the subway refuses to recognize Lorde as an ordinary girl and instead fantasizes her as vermin—an absurd, Kafkaesque transformation of the child in the mind of the subject.<sup>132</sup> Moreover, it would not be accurate to say that they are blinded by their emotionality to the true state of things. It is the false beliefs that stimulate the emotions, not the other way around. At best, it may be said that emotions like hatred create a desire to distance oneself from the hated object such that distancing impedes full knowledge. But this cannot be a complete explanation, for proximity is not the only, or even the best, way to acquire correct beliefs about race. A strong case, therefore, can be made that the racial emotions of hatred, fear, and disgust are irrational.

Let us now turn to racial anger and grief. Here, the conflict has been more difficult to resolve. On the one hand, these emotions may be relatively easy to accept as cognitively appropriate because the narratives contain descriptions of events long ago or far away. It is reasonable to expect that many people today would agree with the proposition that racism existed in the early- and mid-20th century in the United

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131. This description may seem too mild because racists are often conceived to have not only cognitive failings but moral ones as well. I do not disagree. My point is simply that the essential starting point remains a cognitive one.

132. See FRANZ KAFKA, *THE METAMORPHOSIS* (1915); see also NUSSBAUM, *supra* note 34, at 14 (noting that disgust is often premised on “magical ideas”).

States and in France and its colonies. Acquiescence to this historical context should lead to the conclusion that the narratives do indeed depict painful incidents of racialization. Thus, there is no cognitive failure of the first kind here.

Nor is there a cognitive failure at the level of judgment about the importance of racism in the lives of the three narrators. To be treated as a beast and vermin, and alienated from society, is obviously an obstacle to one's flourishing across many dimensions of social life. Accordingly, the anger and grief experienced by Du Bois, Fanon, and Lorde are not only sincerely felt, but they are also appropriate emotions under the cognitive theory.

That said, the difficulty lies in the experience of such emotions into the present. We appear to be less willing to admit that the present continues to be marked by conditions of racial inequality. In the United States, especially after 2008, there seems to be significant dissensus about how to characterize our society's racial progress.<sup>133</sup> For those who believe that racism is no longer a significant threat to people's life chances, the kind of metabolized and transformative anger and grief that Du Bois, Fanon and Lorde write about are likely to appear irrational and overwrought. If racism is considered aberrant rather than normal in society, then one might expect a "get over it" and "where's your sense of humor?" type of response to these emotions.<sup>134</sup>

This "postracial" description of the United States is not uncontested. Racial anger and grief may still be explained by phenomena, such as police shootings and mass incarceration of racial minorities, that speak to the persistence of racism on a systemic scale.<sup>135</sup> Such emotions may be further justified as

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133. The debate over whether race still matters in the United States is one obvious manifestation. *See, e.g.,* Alice Speri, *Half of America Thinks We Live in a Post-Racial Society – The Other Half, Not So Much*, VICE NEWS (Dec. 9, 2014 2:45 PM), <https://news.vice.com/article/half-of-america-thinks-we-live-in-a-post-racial-society-the-other-half-not-so-much> [<https://perma.cc/6EL6-XSKK>] (discussing divergent views in the wake of the non-indictments in the Michael Brown and Eric Garner cases).

134. *See, e.g.,* Sara Ahmed, *Happy Objects*, in *THE AFFECT THEORY READER* 29 (Seigworth & Gregg, eds. 2010) (describing how people who critique racism are sometimes portrayed as kill-joys unwilling to let go of the past).

135. *See, e.g.,* Speri, *supra* note 133 (describing studies demonstrating that most Blacks believe the criminal justice system is discriminatory). On incidents of police violence, see *supra* note 101 and accompanying text. On the issue of racially disproportionate incarceration rates, see MICHELLE ALEXANDER, *THE NEW JIM*

being not only of personal importance but also of broader moral significance—i.e., that such phenomena are fundamentally antithetical to a *collective* conception of the good (and just) life. The cognitive theory of emotion does not resolve these disagreements but it does illuminate them. By doing so, it points to a way to talk about, rather than dismiss, the experience of these racial emotions.

The cognitive theory also demonstrates how racial anger has been used to attribute irrationality to those who feel it. If one believes that society is no longer racist, it is possible to say that angry nonwhites, like racists, are unreasonably holding on to beliefs about the nation that are not true. Such people may be characterized as people who exercise poor judgment. Interestingly, it appears that the attribution of irrational anger goes even beyond angry subjects to race itself, especially to blackness. The notion of “black rage” and “angry black men” are well-known motifs that describe anger as a property of blackness.<sup>136</sup> Thus, appropriate or not, anger has become an important dimension in the conceptualization of race.

While I believe that racial anger and grief are in fact rational and appropriate emotions under the cognitive theory even today, arguing for that position is not the aim of this Article.<sup>137</sup> I am interested, instead, in exploring the terms of the debate and the criteria used to evaluate racial emotions as problematic. It is for this reason that theories of emotion, such as the cognitive theory, are important to consider. They provide the analytical tools that enable us to understand the emotions that are aroused when we talk about race. Moreover, the cognitive theory of emotion argues that we can actually understand emotions because they are constituted by certain kinds of *knowledge*—i.e., beliefs and desires that are also judged to be important to the emoting subject. Accordingly, this theory suggests that emotions are not incoherent obstacles to rational discourse about race, but instead can serve as the groundwork for having such discourse.

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CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS (2010).

136. Moreover, the attachment of anger to race increases the emotion’s appearance of irrationality because it is thereby detached from reasons and context.

137. Others have provided evidence in support of this position. *See, e.g.*, HOWARD MCGARY, THE POST-RACIAL IDEAL 30 (2012) (providing statistics of racial disparities to demonstrate the persistence of institutional racism).

*B. Social Constructionist Theory of Emotion*

The social constructionist theory of emotion views emotions not only as personal but also as socially-defined practices rooted in “local systems of rights, obligations, duties and conventions of evaluation.”<sup>138</sup> As is evident from this very brief definition, the social constructionist theory largely incorporates the premise that emotions involve cognitive appraisals.<sup>139</sup> But the social constructionist approach builds on the cognitive theory to explain that such appraisals are informed and shaped by culture.<sup>140</sup> Whereas cognitivists argue in opposition to a bodily theory of emotion, social constructionists challenge the notion that emotions are natural and spontaneous.<sup>141</sup> Instead, they posit that emotions “require social validation or negotiation for their realization.”<sup>142</sup> In other words, the beliefs and judgments that constitute emotions under the cognitive theory are themselves influenced by the norms and values of the community to which the emoting subject belongs.<sup>143</sup>

An example may be useful to clarify this approach. X says that he is angry at Y for sticking her middle finger out at him. Here, the constructionist would observe that the physical description of Y gesturing toward X with her middle finger is insufficient to understand X’s explanation of his anger. What we also need to know is that the action of sticking one’s middle finger out toward another is culturally construed to be an insult that justifies the emotion of anger.<sup>144</sup> In certain cultures,

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138. Rom Harré, *The Social Constructionist Viewpoint*, in *THE SOCIAL CONSTRUCTION OF EMOTIONS* 2, 8 (Rom Harré, ed. 1986).

139. See Errol Bedford, *Emotions and Statements About Them*, in *THE SOCIAL CONSTRUCTION OF EMOTIONS* 15, 24 (Rom Harré, ed. 1986).

140. My reading of the works in this field suggests that the group I call social constructionists do not make clear distinctions between “social” and “cultural” but instead use the terms interchangeably. In describing their approach, I follow suit.

141. See Candace Clark, *The Social Construction of Emotions*, 94 *AM. J. SOC.* 415 (1988) (book review). Social constructionists do not necessarily deny that there are no “natural” emotions. Adaptive emotions, such as fear of wild animals, are generally acknowledged in the literature. However, constructionists argue that many, if not most, emotions do not fall into that category. See Armon-Jones, *supra* note 114, at 43–44.

142. Catherine Lutz & Geoffrey M. White, *The Anthropology of Emotions*, 15 *ANN. REV. ANTHROPOLOGY* 405, 407 (1986).

143. See Armon-Jones, *supra* note 114, at 33.

144. In the United States, we use a unique descriptor of this action to convey its peculiar social meaning. Instead of saying “she stuck her middle finger out at

this is true, while in others, it is not.

This example not only helps explain the role of culture in emotion's cognitive process, but it also highlights how the theory enables third parties to evaluate the appropriateness of an emotion. In particular, constructionism suggests that emotions may be evaluated according to their "social appropriateness"—i.e., whether the emotion accords with or deviates from the beliefs and values of the community.<sup>145</sup> Thus, judgment about the appropriateness of X's emotion will depend on whether the community agrees that Y sticking her middle finger out at X is indeed a situation that calls for X's anger.

One of the more interesting aspects of the transition from the cognitive to the constructionist theory is that constructionism has a prescriptive dimension that cognitivism lacks.<sup>146</sup> That is, while cognitivism sets out to explain the emotions people have, constructionism's reach extends to emotions that people do not have. Thus, if Y sticks her middle finger out at X and X does not feel anger at this apparent insult, then X's lack of emotion may also be viewed as socially inappropriate. This is because the social constructionist theory is concerned with the ways in which emotions are fitted to social situations, and with the process by which each of us acquire patterns of "culturally appropriate emotion attitudes" toward such situations.<sup>147</sup> Thus, culture not only dictates the interpretation of a social situation but also has something to say about how one should feel about it.

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me," we usually describe Y's action as "giving X the finger" or "the bird." Only the latter expressions communicate the insult whereas the first can be somewhat ambiguous and may have no social meaning at all.

145. Armon-Jones, *supra* note 114, at 44.

146. See, e.g., Rosenwein, *supra* note 12, at 837 (explaining that constructionists argue "every culture . . . exerts certain [emotional] restraints while favoring certain forms of expressivity").

147. See Armon-Jones, *supra* note 114, at 44; see also Arlie Russell Hochschild, *Emotion Work, Feeling Rules, and Social Structure*, 85 AM. J. OF SOC. 551, 552 (1979) ("Why, generally speaking, do people feel gay at parties, sad at funerals, happy at weddings? This question leads us to examine, not conventions of appearance or outward comportment, but conventions of feeling."). Anyone who has raised small children should be familiar with this process of rule acquisition. We teach children to say thank you when they receive gifts not just in order to satisfy rules of etiquette but also to teach them that they should *feel* grateful in such situations. When the child grows up and as an adult fails to say thank you, or says thank you but without the requisite grateful feeling behind the words, we are liable to condemn him as an ingrate—a person who is improperly or insufficiently socialized/civilized.

What this means is that under the social constructionist theory, too, emotions can be a vehicle for ascribing fault against the subject. In the case of X who does not feel anger at an insult, he may be held responsible “for the . . . absence of those emotion attitudes which are socially required for a situation.”<sup>148</sup> Specifically, X may be thought to lack self-respect or integrity for failing to feel the appropriate emotion in the given social situation.<sup>149</sup> Such deviation from social expectation may be interpreted as a deficiency of X in a social context where self-respect and integrity are valued.

This prescriptive dimension demonstrates that the social constructionist theory assimilates not only knowledge but also power in its conceptualization of emotions.<sup>150</sup> If indeed there are emotion rules at work that not only guide but also discipline, then the theory also posits that emoting subjects are embedded in structures of power and status that define and enforce these rules.<sup>151</sup> Although such rules are collectively derived in the sense that they are meant to represent and reproduce community beliefs and values, there can be no question that they pre-exist and extend beyond the capacities of any given emoting subject.<sup>152</sup> In this sense, the social constructionist theory posits the possibility of tension between the self and the society to which the self belongs. As sociologist Arlie Hochschild writes, the notion of emotion rules “suggests how profoundly the individual is ‘social,’ and ‘socialized’ to try to pay tribute to official definitions of situations, with no less than their feelings.”<sup>153</sup>

Moreover, constructionists have observed that such rules in actual societies are often made in accordance with the interests of the powerful in order to preserve or extend such power and also to differentiate between the powerful and the powerless. For example, Ian Burkitt writes that in classical

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148. Armon-Jones, *supra* note 114, at 44.

149. To be sure, anger is not the only possible appropriate reaction in this situation. X may decide that Y's act is petty and not worth the emotional response of anger. But I think it's fair to say that an observer would want or expect an explanation of this sort to understand X's reaction. The possibility that it can be appropriate for X not to feel anger is not evidence of the absence of emotion rules, but rather that emotion rules, like many other social rules, are complex.

150. See Lutz & White, *supra* note 142, at 407.

151. Arlie Hochschild calls emotion rules “the underside of ideology.” Hochschild, *supra* note 147, at 557.

152. See *id.* at 563.

153. See *id.* at 552.

Greece, social elevation and status maintenance required the acquisition and continuous display of so-called “masculine’ traits,” such as “moderating and regulating [one’s] own appetites and desires.”<sup>154</sup> It is no wonder that those traditionally deemed to be unruly emoting subjects are also those who usually lack power and status within society—e.g., women, racial and ethnic minorities, and the poor.<sup>155</sup> In my scenario of X and Y above, too, X’s social status (present and future) is likely to be affected by his ability to appropriately feel and display emotions such as anger, i.e., to demonstrate that he possesses the self-respect and integrity required of those we regard as dignified and civil.<sup>156</sup> Such qualities are those that our culture typically associates with good friends, good workers, good leaders, and so forth.<sup>157</sup> In this way, constructionists see emotion rules as not only descriptive and explanatory but also functional: they help to define and reproduce social beliefs and values by locating individuals within the social hierarchy.

Much more can be said about the nuances of the social constructionist approach to emotion, but in the interest of space and time, we would do well to begin thinking about how to apply it to racial emotions.<sup>158</sup> In doing so, we may arrive at judgments about appropriateness that are quite different from the cognitive analysis undertaken above. For example, cognitive analysis suggested that racial hatred, fear, and

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154. See Ian Burkitt, *Social Relationships and Emotions*, 31 *SOCIOLOGY* 37, 50–51 (1997) (citing Foucault). Is there any doubt that such rules were made by men who equated “masculine” with “good” and “feminine” with “bad,” “weak,” and “irrational”? Or that such rules justified the domination of men over women? See *id.* at 51.

155. See *id.* at 49–51.

156. To be clear, while the *display* of certain emotions is a significant aspect of the social construction of emotions, constructionist theory goes beyond, or below, surface appearances. Constructionists explore how social norms influence not only what people show but also what they feel. See Hochschild, *supra* note 147, at 555–58 (distinguishing constructionism with Erving Goffman’s dramaturgical theory).

157. Cf. James E. Smith, *Race, Emotions, and Socialization*, 9 *RACE, GENDER & CLASS J.* 94, 97 (2002) (observing that high emotional intelligence, which includes one’s ability to manage and use appropriate emotions, “provides the critical edge in work, family, social, romantic, even spiritual settings”) (citing J. Segal 1997).

158. One important aspect of the social constructionist theory that I omit here is its emphasis on language and the extent to which our understanding of emotion is dependent on the linguistic tools that are available. See, e.g., David Franks, 17 *CONTEMP. SOC.* 825, 826 (1988) (describing emotions as fundamentally “verbal ‘accounts’”).

disgust are inappropriate feelings in light of the fact that they are premised on illegitimate beliefs about race—specifically, that people of color are inferior, dangerous, or unclean by virtue of their race. But are such emotions also socially inappropriate according to the constructionist theory?

The answer to this depends on social norms about race and how they influence both the interpretations and feelings that fit situations of interracial encounter. In this light, it is not at all clear that these racial emotions would be deemed socially inappropriate. Given that certain racial identities have been constructed to denote inferiority, threat, and contamination, it would seem that the emotions at issue are quite valid in context. Returning to Fanon's story of the little boy on the train, we can see that the child has already begun the process of acquiring the social belief system of a colonial society. His act of pointing and naming Fanon as "a Negro" reflects his growing understanding of prevailing norms about race as well as his need for the affirmation of his fear from his mother. Similarly, the woman sitting next to Lorde experiences disgust based on her acquired knowledge of the social meaning of blackness as unclean and contaminating. Importantly, no one contests these feelings in the narratives. The mother does not correct her child but instead attempts to placate Fanon in order to convince him that anger would be unwarranted. The departure of the woman in furs leaves a silence, even from Lorde, who is just beginning to learn—from the woman's open display of disgust as well as the fact that no one seems to mind it—American norms about race.

The social constructionist theory helps explain why we often accept, rather than condemn, racist feelings expressed by older people. "That's just how things used to be" or "that's the way they grew up" are common ways of recognizing the role of social norms in the construction of racial emotions. In self-consciously embracing our racist grandmothers and grandfathers, we acknowledge that their emotions, though irrational, have been inculcated over an entire lifetime, were socially appropriate at the time and place at which they were acquired, and may be difficult to change now.<sup>159</sup>

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159. See, e.g., Tanner Colby, *Paula Deen Is America's Racist Grandma*, SLATE (June 25, 2013 5:09 PM), [http://www.slate.com/articles/arts/culturebox/2013/06/paula\\_deen\\_she\\_s\\_america\\_s\\_racist\\_grandma.html](http://www.slate.com/articles/arts/culturebox/2013/06/paula_deen_she_s_america_s_racist_grandma.html) [<http://perma.cc/GYP5-G2VW>] (considering the normative significance of the "racist grandma" figure).

Such stubbornness against change—as well as our willingness to countenance it—attests to the presence of an emotional dimension in the concept of race. Emotions make racism stubborn but not in the way people usually think, for it is not resistance to reason that makes us feel this way. Instead, to see that race is constituted by emotion per the constructionist approach is also to realize that we are deeply invested in its workings to show us where we belong, what it means to be good/appropriate, and how we can achieve and maintain power and status. Constructionists show us that eradicating racial hatred, fear, and disgust is not a matter of trying to control natural feelings or righting knowledge, but instead requires a fraught effort to challenge our own role in reproducing the norms that sustain, and that are sustained by, such racial emotions.<sup>160</sup> This is, by no means, a new insight. Those at the front lines of the fight for racial equality saw long ago that victory can only come with a transformation of the heart as well as the mind.<sup>161</sup> But by taking emotions seriously, social constructionism provides the theoretical tools to see more clearly how such transformation can occur only when macrostructures of power and status align with and reproduce more ethical norms about race. When that happens, new patterns of racial emotions will develop and this will necessarily coincide with the emergence of a new construction of race.

Let us now briefly turn to the emotions of racial anger and grief. Here, too, constructionism offers a different answer from the cognitive account. Under the cognitive theory, anger and grief appeared to be an appropriate, i.e., rational, response to the situations presented in Du Bois, Fanon, and Lorde's narratives. But there is reason to doubt that such emotions would be considered *socially* appropriate. This is particularly true of so-called “black anger” or “black rage,” which is widely viewed to be out of place or undesirable, and is harshly

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160. See, e.g., Susan Bickford, *Emotion Talk and Political Judgment*, 73 J. POL. 1025, 1032 (noting that conflicts between “habituated emotional evaluations” and “moral/political judgments” challenge us to “act in the face of fear, to listen when we don’t want to”).

161. See, e.g., Martin Luther King, Jr., *The Ethical Demands for Integration*, in A TESTAMENT OF HOPE: THE ESSENTIAL WRITINGS OF MARTIN LUTHER KING, JR. 117, 118 (James M. Washington, ed. 1990) (suggesting that true equality cannot be achieved “where . . . elbows are together but hearts are apart”).

disciplined.<sup>162</sup> For example, young black men are coached to suppress anger and instead act and speak with submissive affect toward police, even when stopped for no apparent reason.<sup>163</sup> Black women face employment sanctions when they are perceived to be angry at work.<sup>164</sup> Other racial minorities face similar emotion rules against anger.<sup>165</sup> While these are relatively recent examples, the emotion rule against racial anger is long-standing. Even in antebellum America, slaves were expected to be not only subservient but happy.<sup>166</sup>

The emotion rule against racial anger, together with the trope of the “angry black,” helps construct the idea of an

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162. See Smith, *supra* note 157, at 103; Worsham, *supra* note 4, at 224–25; Trina Grillo, *The Mediation Alternative: Process Dangers for Women*, 100 YALE L.J. 1545, 1579–81 (1991). Cf. Hercus, *infra* note 174, at 37 (arguing that emotion rules are gendered and deviancy punished).

163. See, e.g., Jennifer Bleyer, *When the Police Say, “Stop”*, NY TIMES (Apr. 27, 2008), <http://www.nytimes.com/2008/04/27/nyregion/thecity/27work.html> [<http://perma.cc/M5QH-AMK2>] (describing a workshop for black teens). Shockingly, the officer who shot Michael Brown gave Brown’s anger as the reason for firing the fatal shot at the teen. According to officer Darren Wilson, who had already shot Brown multiple times, “[Brown] was almost bulking up to run through the shots, like it was making him mad that I’m shooting him.” See Terrence McCoy, *Darren Wilson Explains Why He Killed Michael Brown*, WASH. POST (Nov. 25, 2014), <http://www.washingtonpost.com/news/morning-mix/wp/2014/11/25/why-darren-wilson-said-he-killed-michael-brown/> [<http://perma.cc/TC4N-K833>].

164. See, e.g., Nsenga K. Burton, *What Makes a Black Woman Angry at Work*, ROOT (Dec. 17, 2012), [http://www.theroot.com/articles/culture/2012/12/susan\\_rice\\_and\\_rhonda\\_lee\\_angry\\_black\\_woman\\_stereotype\\_in\\_the\\_workplace.html](http://www.theroot.com/articles/culture/2012/12/susan_rice_and_rhonda_lee_angry_black_woman_stereotype_in_the_workplace.html) [<http://perma.cc/KYQ8-MJVT>] (describing employment-related incidents).

165. See, e.g., Paula C. Johnson, *The Social Construction of Identity in Criminal Cases: Cinema Verite and the Pedagogy of Vincent Chin*, 1 MICH. J. RACE & L. 347, 391 (1996) (describing a white student’s reaction to Asian anger). Whereas blacks are thought to be *too* emotional, Asians are typically viewed as *emotionless*. See JABARI ASIM, *THE N WORD* 110 (2007) (describing how blacks have been called “the feminine race of the world” because of their perceived emotionality); Harvey Gee, *Beyond Black and White*, 30 ST. MARY’S L.J. 759, 794 (1999) (discussing the stereotype of Asians as “inscrutable”). Neither group, then, is seen as possessing the right kind or amount of emotions. But perhaps because the Asian stereotype suggests that, in lacking emotionality, Asians also lack anger, they can be conceptualized as the best of the bunch—a placid “model minority.” See *id.*

166. See, e.g., Sean M. Quinlan & William L. Ramsey, *Southern Slavery As It Wasn’t: Coming to Grips with Neo-Confederate Historical Misinformation*, 30 OKLA. CITY U. L. REV. 209, 212–13 (2005) (describing how “white intimidation” and the force of Jim Crow led former slaves to describe themselves as having been happy). As Jean-Paul Sartre keenly suggested, the emotion rules imposed on blacks made it possible for slavery and racial subjugation to be characterized as a “family quarrel” rather than a social or political issue. See Jean-Paul Sartre, *Return from the U.S.*, in *EXISTENCE IN BLACK: AN ANTHOLOGY OF BLACK EXISTENTIAL PHILOSOPHY* 81, 84 (Lewis R. Gordon, ed., 1997).

inappropriate *people*—a group socialized according to a so-called “culture of poverty” inimical to the values and progress of the larger community. To some extent, Latino/as bear a similar mark of social impropriety based on assumptions about their “hot” tempers.<sup>167</sup> To be sure, social constructionists would not dispute that culture has a significant influence on what emotions are felt and how they are displayed. But such popular “cultural” explanations are too often based on stereotypes and antipathy rather than sociological and anthropological evidence.<sup>168</sup> The presumed emotional deviancy of minority groups—either because they feel too much or because they feel too little, depending on the emotion—is a significant factor in determining their position within the social hierarchy. Especially in a society that seeks to be, and views itself as, postracial, such emoting subjects become as problematic as the racist grandparents. Neither is likely to change.

Racial grief, too, appears questionable according to prevailing emotion rules. Jennifer Wriggins has offered a comparative analysis of tort cases that demonstrates judges’ devaluation of black plaintiffs’ grief.<sup>169</sup> Thomas Jefferson, in his famous *Notes on the State of Virginia*, observes that black grief is “transient.”<sup>170</sup> Although both the legal decisions and Jefferson’s writing purport to be merely descriptive about the experience of grief, such grudging acknowledgement suggests

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167. See Cynthia Kwei Yung Lee, *Race and Self-Defense: Toward a Normative Conception of Reasonableness*, 81 MINN. L. REV. 367, 443–44 (1991). One study of Latinos in Newark, New Jersey, suggests that some Latinos react to racial stereotyping by engaging in strategic affective performances that seek “to distinguish themselves from what they view as aggressive, hypermasculine, and dysfunctional blackness.” Yvonne Smith, *Doing Race and Emotion in an “Aggressive” City*, 55 CURRENT ANTHROPOLOGY 362, 362 (2014) (book review).

168. See, e.g., John O. Calmore, *Racialized Space and the Culture of Segregation: “Hewing a Stone of Hope from a Mountain of Despair,”* 143 U. PA. L. REV. 1233, 1246–50 (1995) (observing that society tends to racialize the “undeserving poor,” or the “underclass”); Jenny Rivera, *Domestic Violence Against Latinas by Latino Males: An Analysis of Race, National Origin, and Gender Differentials*, 14 B.C. COLLEGE THIRD WORLD L.J. 231, 240 (1994) (describing the stereotyped images of Latinos as hot tempered and irrational).

169. See Jennifer B. Wriggins, *Torts, Race, and the Value of Injury 1900-1949*, 49 HOWARD L.J. 99, 120–24 (2005) (analyzing compensation awarded in several wrongful death cases involving black and white victims); see also Victor M. Goode & Conrad A. Johnson, *Emotional Harm in Housing Discrimination Cases: A New Look at a Lingering Problem*, 30 FORDHAM URB. L.J. 1143 (2003) (discussing devaluation of emotional harm among black plaintiffs in housing discrimination cases).

170. See JEFFERSON, *supra* note 100, at 231.

that they are expressions of what the authors believe blacks should feel rather than what they actually do feel. A more contemporary example of racial grief is the “Black Lives Matter” movement, which can be viewed as a protest not only against police violence but also against emotion rules that hold that black lives are “fundamentally ungrievable.”<sup>171</sup> It would seem that the slogan “Black Lives Matter” is not so much a propositional statement meant to persuade (one could expect the response: “Of course they matter, all lives do!”<sup>172</sup>) as it is an emotional appeal that is intended to move the listener. In other words, the movement is in many ways a public act of mourning that demands that the audience validate racial grief and feel the importance of the loss of black lives—much in the way an audience might be expected to do at a public funeral.<sup>173</sup> Here, then, is an example of how the constructionist idea of emotion rules may be engaged politically to challenge the status quo and urge the development of more ethical norms about race.

### C. *Political Theory of Emotion*

That politics is a highly emotional business is as obvious as the notion that race is an emotional topic. The interesting question that the political theory of emotion tries to answer is not *whether* politics is emotional but *how* emotion affects politics. Traditional accounts posit that political action is based

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171. George Yancy & Judith Butler, *What’s Wrong with “All Lives Matter”?*, N.Y. TIMES (Jan. 12, 2015), [http://opinionator.blogs.nytimes.com/2015/01/12/whats-wrong-with-all-lives-matter/?\\_r=0](http://opinionator.blogs.nytimes.com/2015/01/12/whats-wrong-with-all-lives-matter/?_r=0) [<http://perma.cc/HY4P-QM82>].

172. Indeed, the slogan “All Lives Matter” is typically viewed as a counterpoint to, rather than an elaboration of, the “Black Lives Matter” campaign. *See id.*

173. Some evidence of this emotional dynamic includes the use of “die-ins,” wherein death is dramatized by protestors acting as corpses. *See* Marina Koren, *A Brief History of Die-Ins, the Iconic Protests for Eric Garner and Michael Brown*, NAT’L J. (Dec. 4, 2014), <http://www.nationaljournal.com/domesticpolicy/a-brief-history-of-die-ins-the-iconic-protests-for-eric-garner-and-michael-brown-20141204> [<http://perma.cc/DK5E-UWS8>]. Koren writes that die-ins are intended to “trigger feelings of grief and shock” among passersby. *Id.* Another example is the use by protestors in public fora to observe moments of silence to honor the dead. *See, e.g.*, Priscilla Luong, *14-Minutes of Silence for Dontre Hamilton at Fire and Police Commission Meeting*, CBS (Jan. 22, 2015), <http://www.cbs58.com/story/27920364/14-minutes-of-silence-for-dontre-hamilton-at-fire-and-police-commission-meeting> [<http://perma.cc/A66Y-67RE>] (describing how protestors used the commission meeting’s public comment period to observe fourteen minutes of silence in remembrance of the fourteen times that Hamilton was shot). Indeed, in the Milwaukee protest, people held up signs that read “Do Black Lives Matter To You?” *See id.* (emphasis added).

on rational choice or personality, with emotion playing the role of the unthinking disruptor.<sup>174</sup> But the study of politics has not been immune to the “affective turn” in academia that has joined feeling and cognition to arrive at a new understanding of emotion. Accordingly, a growing number of scholars are challenging the traditional accounts and calling for “a more complete and integrated rationalism” that takes emotions to be central to political theory.<sup>175</sup> Sociologist James M. Jasper explains that this is because “emotions make us care about the world around us, so that it is hard to imagine goals of political action that are not shaped by them.”<sup>176</sup> The political approach thus builds upon the foundations laid down by both cognitivists and social constructionists who have already probed the rational, social, and functional aspects of emotion.

Less developed than the other two theories of emotion discussed above, it is sometimes difficult to identify the common principles or propositions that link those who study the relationship between politics and emotion.<sup>177</sup> Significant strides, however, have been made in the study of social movements and the role that emotion plays in motivating collective political action. For this, the theory is particularly indebted to feminist scholars who have been far more open to acknowledging and analyzing the emotional dimension of social movements than the mainstream.<sup>178</sup> Although less work appears to have been done with respect to the emotional aspects of the other pole of political theory—state rule—it seems self-evident that a complete political theory of emotion must take into account not only resistance but also power and

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174. See, e.g., James M. Jasper, *Emotions and the Microfoundations of Politics: Rethinking Ends and Means*, in *EMOTION, POLITICS AND SOCIETY* 14, 14 (Simon Clarke et al., eds. 2006) (describing economic and psychoanalytic views); Cheryl Hercus, *Identity, Emotion, and Feminist Collective Action*, 13 *GENDER & SOC'Y* 34, 34 (1999) (observing that the study of social movements has been dominated by resource mobilization theory).

175. See Simon Clarke, et al., *The Study of Emotion: An Introduction*, in *EMOTION, POLITICS AND SOCIETY* 3, 9 (Simon Clarke et al., eds. 2006).

176. See Jasper, *supra* note 174, at 21. Jasper goes on to say: “Even apparently objective goals such as material resources are not exempt: some crave them passionately, others do not. Love of money must be explained, not taken for granted.” *Id.*

177. See Clarke et al., *supra* note 175, at 8. This is perhaps not surprising given the breadth of the field of political science.

178. See Myra Marx Ferree, *Book Review: Passionate Politics: Emotions and Social Movements*, 31 *CONTEMP. SOC.* 746, 747 (2002).

its exercise by the state and its elites.<sup>179</sup>

With respect to the latter, political theorists need only take a small step beyond social constructionism to recognize that the state itself has a powerful role in creating and enforcing emotion rules. This phenomenon is very effectively explored by anthropologist Ann Laura Stoler, whose study of 19th and early 20th century Indonesia reveals how Europe's colonial regime was advanced by shaping the affective encounter between the colonizers (white Europeans) and colonized (non-white Asians).<sup>180</sup> Stoler demonstrates that colonial governments were not stable and all-powerful; rather, they were engaged in "only a partially realized range of efforts to specify the use of and access to public space and to dictate which cultural affinities and styles, and what distribution of affections, would prevail in the street and in the home."<sup>181</sup> These efforts, constituted by racialized regulations on marriage, children, concubines, child-care givers, and so forth, all contributed to what Stoler calls a program for the "education of desire." By carefully delineating and enforcing its emotion rules, the state sought to establish an acceptable definition of whiteness that reached beyond genealogy and skin color to produce a racial order that would strengthen the colonial regime.<sup>182</sup> Although similarities between European colonialism and US racism must be drawn cautiously, Stoler's research presents striking parallels with the control of interracial affective encounters in the United States, most obviously in the laws, policies, and norms relating to segregation, miscegenation, and citizenship.<sup>183</sup>

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179. Cf. Jasper, *supra* note 174, at 29–30 (calling for expanded research into political leaders).

180. STOLER, *supra* note 10.

181. *Id.* at 10.

182. *Id.* at 7. For example, Stoler talks about prohibitions against playing with native children and rules on how closely native child-care givers may hold European children. *See id.* at 6–7. She also provides an intriguing example of how both social status and family relationships were threatened using racial emotion rules. *See id.* at 85–87.

183. *See* Elizabeth F. Emens, *Intimate Discrimination*, 122 HARV. L. REV. 1307, 1311 (2009) (describing how the state, through its laws, "determines the accidents of sex and love" as well as "affects our rational calculations in the dating market"). In addition to laws prohibiting interracial marriage, European colonial and US governments both also stripped white women of citizenship when they married non-whites. *See id.* at 1320 (on European women); Kevin R. Johnson, *Racial Restrictions on Naturalization: The Recurring Intersection of Race and Gender in Immigration and Citizenship Law*, 11 BERKELEY WOMEN'S L.J. 142,

Stoler's analysis of state control over emotions resonates strongly with Fanon's *Black Skin White Masks*, which also examines the impact of European colonialism on a non-white population. Although Fanon does not specifically highlight state laws and policies, he considers in depth the affective dimensions of a socio-political system built upon racial domination. It is a system, according to Fanon, that blunts positive and genuine feelings of joy, enthusiasm, and love and produces instead shame, self-hatred, and ultimately anger among the racialized.<sup>184</sup> Stoler's work also further illuminates Du Bois's narrative, whose metaphor of the Veil more explicitly points to the state-sponsored programs of slavery and segregation. Du Bois's story of his newborn son reveals how the racial order distorts the father's feelings toward his child (joy commingled with grief, pride alloyed with fear), and anticipates the affective education (bitter, weary, and unhelpful) that the child will undergo as he begins to learn the social significance of his racial identity.

But what makes the political theory of emotion distinctive from both the cognitive and constructionist approaches is its focus on one of the most complex and controversial aspects of emotion: its effect on human action. To be sure, both cognitive and social constructionist theories expect that emotions will affect behavior. For example, cognitivists recognize that the emotion of fear triggered by the presence of a wild bear is likely to limit the range of actions that would appear viable to the subject (i.e., escape would probably take priority over other possible actions).<sup>185</sup> Constructionists, too, discuss both acquisition of emotion rules and emotion displays as actions taken by subjects, often conscious but not always.<sup>186</sup> But these theories tend to focus more on the experience and process of

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160–61 (1996) (on US women). In this way, both regimes simultaneously exerted control over race and gender. *See also* Worsham, *supra* note 4, at 225–26 (noting that the family is the preferred site of affective education and that this also means “unequal emotion-work” for women).

184. *See supra* Section I.B.2.

185. *See* OATLEY, *supra* note 27, at 20. Cognitivists often refer to emotions as a state of “readiness” for action. *See id.* at 19–20; Catherine Lane West-Newman, *Feeling for Justice? Rights, Laws, and Cultural Contexts*, 30 L. & SOC. INQUIRY 305, 317 (2005) (quoting Nico Frijda & Batja Mesquita, *The Social Roles and Functions of Emotions*, in *EMOTION AND CULTURE: EMPIRICAL STUDIES OF MUTUAL INFLUENCE* (Kitayama & Markus, eds. 1994).

186. *See, e.g.*, Hochschild, *supra* note 147, at 551 (referring to “emotion work” and “emotion management”) (emphases added).

emotions than the behaviors triggered by emotions (or the emotions that lend themselves to certain behaviors). Political theorists, on the other hand, are concerned precisely with this connection between emotion and action.

Within the social movement literature, in particular, anger repeatedly appears as a potent political emotion that promotes action.<sup>187</sup> This should come as no surprise because even under the traditional, non-cognitive view, collective action is often described as the irrational response of an angry mob.<sup>188</sup> The new, cognitive orientation toward emotion has not repudiated anger but reconceptualized it, so that political theorists now discuss such anger as a reasoned response to injustice that also spurs widespread mobilization.<sup>189</sup> Moreover, the cognitive-political approach also challenges the very idea of the “mob.” Rather than a horde of irrational and possibly unwashed masses, both theoretical and empirical research indicates that those who are most prone to political emotions and to act upon them are also those who are the most politically sophisticated. This is because educated and informed citizens are more adept at appraising issues, values, and goals in political context.<sup>190</sup> Such citizens are also more likely to act in accordance with their emotions because their sophistication enables them to better “translate emotion into political action.”<sup>191</sup>

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187. See Jasper, *supra* note 174, at 24; Hercus, *supra* note 174, at 35–36; see also Patrick R. Miller, *The Emotional Citizen: Emotion as a Function of Political Sophistication*, 32 POL. PSYCHOL. 575, 579 (2011) (noting that anger stimulates action but may inhibit learning).

188. See Hercus, *supra* note 174, at 34; see also Emirbayer & Goldberg, *supra* note 114, at 474 (observing that classic social movement theory associates collective action with “irrationality, impulsiveness, and psychopathology”). Under this conventional view, sometimes the mob is just irrationally angry; at other times, its emotions are being manipulated by someone, possibly a demagogue. Either way, the mob is seen as being at the mercy of illegitimate passions. See James M. Jasper, *The Emotions of Protest: Affective and Reactive Emotions in and Around Social Movements*, 13 SOC. F. 397, 408 (1998).

189. See Simon Thompson, *Anger and the Struggle for Justice*, in EMOTION, POLITICS AND SOCIETY 123, 123 (Simon Clarke et al., eds. 2006). Indeed, some go so far as to view anger as proof of injustice. See *id.* at 126 (citing to Axel Honneth and, to a lesser extent, Martha Nussbaum).

190. See Miller, *supra* note 187, at 577, 582–85. Miller sees these sophisticates as possessing those specific traits—interest, attention, and general knowledge—that we usually ascribe to “good citizens.” See *id.* at 578. He cautions, however, that this definition of political sophistication is contestable and may not weed out those who are in fact misinformed or biased (e.g., a very politically engaged person who still believes that Barack Obama is a Muslim). See *id.* at 595.

191. See *id.* at 579–80, 588–93.

Other political emotions that are often considered action-stimulating are hatred, love, compassion, hope, and fear.<sup>192</sup> Theorists have also identified action-depressing emotions such as shame and sadness.<sup>193</sup> These classifications suggest a third way of evaluating emotions: by assessing their utility in political behavior.<sup>194</sup> In a context of ongoing political struggle, especially, emotions that tend to prompt engagement and mobilization are likely to be valued while those that dampen such behavior will be judged inappropriate to the needs of the times. For purposes of this Article, I would posit that the experience and utilization of the emotions that move people toward equality-related political goals should be considered particularly appropriate given the long-standing conflict over racial justice in the United States.<sup>195</sup>

The political approach clearly sheds a different light on racial emotions. Nearly all of them turn out to be useful in the sense that they are thought to be action-stimulating emotions.<sup>196</sup> Again, anger takes center stage as a key emotion in the politics of racial protest and resistance. As Lorde puts it,

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192. See Jack Barbalet, *Emotions in Politics: From the Ballot to Suicide Terrorism*, in EMOTION, POLITICS AND SOCIETY 31, 31 (Simon Clarke et al., eds. 2006) (on hope and fear); Jasper, *supra* note 174, at 19 (on hate), 21 (on compassion); Carrie Hamilton, *Moving Feelings: Nationalism, Feminism and the Emotions of Politics*, 38 ORAL HISTORY 85, 90 (2010) (on love). These must be in the right amounts; too much fear, for example, can lead to paralysis rather than action.

193. See Jasper, *supra* note 174, at 23–24; see also ALCOFF, *supra* note 9, at 33 (discussing the importance of positive self-image for participation in a political movement).

194. This approach taps into another classical way of thinking about emotions: the notion that emotions demonstrate engagement, “signif[y]ing a fully alive and committed way of being in the world.” Bickford, *supra* note 160, at 1026. The other, competing tradition is the view, already identified above, that emotions oppose reason. See *supra* text accompanying note 114.

195. Although I approach the idea of utility from a politically neutral standpoint—that is, I weigh appropriateness through the lens of utility toward action in general rather than utility toward any specific action—I assume here that emotions expressly geared toward *inequality* would be generally treated as inappropriate within our political system.

196. Grief appears to be the exception here, since it is a form of sadness—an action-depressing emotion. See *supra* text accompanying note 193. On the other hand, racial grief is often closely tied to both perceptions of injustice and the experience of anger and compassion and, therefore, can contribute to political action. See *supra* text accompanying notes 171–73; see also Jasper, *supra* note 188, at 406 (listing a variety of emotions, including grief, that can move people into, and out of, social movements).

“anger is a powerful fuel.”<sup>197</sup> For Fanon, anger enables him to answer a white woman’s racist comment rather than silently “smile” it off.<sup>198</sup> Both of these writers narrate their passage from the passive emotion of shame to the active emotion of anger in a way that suggests self-development and self-realization. Indeed, it is possible to read anger itself as a form of protest against the shame and meekness that emotion rules attempt to instill among the racialized.<sup>199</sup> Lorde’s anger is her “most fiercely guarded secret,”<sup>200</sup> but she also seeks to *use* it as a resource to effect change.<sup>201</sup> With his scandalous retort, Fanon turns the tables and evokes shame in the woman instead.<sup>202</sup> Their affective transgression—the acceptance and even valorization of anger—is fundamental to their struggle against racism.<sup>203</sup>

Many continue to regard racial anger in this way. For example, Thomas R. West has argued that racial anger remains critical in a pluralist society that takes difference seriously.<sup>204</sup> In such a society, political tension is inevitable and thus the aim should not be to eliminate anger but to guard against hatred.<sup>205</sup> Following Chantal Mouffe and Audre Lorde, West argues that while anger begets an adversarial relationship that arises between equals and can lead to social

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197. See Lorde, *supra* note 65, at 152. Elsewhere, she writes that “[a]nger is loaded with information and energy.” Lorde, *supra* note 71, at 127.

198. See FANON, *supra* note 10, at 91, 94. The full passage is as follows:

“Look how handsome that Negro is.”

“The handsome Negro says, ‘Fuck you,’ madame.”

Her face colored with shame. At last I was freed from my rumination. I realized two things at once: I had identified the enemy and created a scandal. Overjoyed. We could now have some fun.

*Id.*

199. Cf. Worsham, *supra* note 4, at 223 (arguing that the “dominant pedagogy” “locates individuals objectively in a hierarchy of power relations; but also, and more importantly, it organizes their affective relations to that location, to their own condition of subordination”); see also Adrian Piper, *Passing for White, Passing for Black*, TRANSITIONS 21 (1992) (suggesting that her racial anger and “impulse to fight back” against insult is unusual among black women).

200. See Lorde, *supra* note 65, at 145.

201. Lorde, *supra* note 71, at 129.

202. FANON, *supra* note 10, at 94.

203. Cf. Sylvia Burrow, *The Political Structure of Emotion: From Dismissal to Dialogue*, 20 HYPATIA 27, 27 (2005) (“Like other outlaw emotions, feminist anger is a politically and epistemologically subversive response to oppressive practices.”).

204. See WEST, *supra* note 10, at 80.

205. *Id.* at 80–81.

change, hatred is an antagonistic feeling that seeks an enemy to be destroyed.<sup>206</sup> Thus, while both are politically useful emotions in the sense that they motivate action, only the former constitutes an appropriate emotion within a specifically pluralist political context such as ours.<sup>207</sup>

Like the other two theories discussed above, the political theory of emotion also attaches emotion to people. But whereas the cognitive and social constructionist theories tend to focus on individual subjects, the political theory explicitly proposes that emotions may become “characteristic” of groups and their identities.<sup>208</sup> According to James Jasper, shared experiences give rise to shared emotions that make a group identity both “possible and motivating.”<sup>209</sup> Jasper writes about the political utility of a wide variety of emotions in creating and maintaining social movements. But for Jasper, too, anger is a key emotion—one that is particularly salient for groups that occupy a subordinate position in the social hierarchy.<sup>210</sup> Others have made more pointed observations about the emotions that attach to denigrated group identities and social movements. For example, Cheryl Hercus writes that “[f]eminist activism . . . signifies anger and reveals a deviant identity.”<sup>211</sup> For the women that Hercus studies, anger (whether felt by the subject or perceived, rightly or not, by others) permeates almost all of their social interactions with others, functioning as a crucial facet of their identity—their difference—in a world hostile to both women’s anger and feminists’ conceptions of themselves.<sup>212</sup>

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206. *See id.*

207. Susan Bickford also stresses that a political analysis of emotions should take into account the fact that “we are habituated in a context of difference, conflict, and inequality . . .” Bickford, *supra* note 160, at 1026.

208. Jasper, *supra* note 174, at 27; *see also* Jasper, *supra* note 188, at 415 (“Identities frequently stand as proxies for many specific cultural attributes, including skills, habits, loyalties, beliefs, ideologies, and sensibilities . . .”).

209. *See* Jasper, *supra* note 174, at 27. Jasper complains that this intermediate step in the process of identity formation—namely, shared emotions—is often overlooked. This is particularly problematic because such emotions not only help constitute the group but they also mobilize it. *See id.*; *see also* Jasper, *supra* note 188, at 415 (“Protest becomes a way of saying something about oneself and one’s morals, and of finding joy and pride in them. . . . What is difficult to imagine is an identity that is purely cognitive yet strongly held.”).

210. *See* Jasper, *supra* note 174, at 27.

211. Hercus, *supra* note 174, at 41.

212. *See id.* at 41–48. Borrowing from Arlie Hochschild’s idea of “emotion work,” Hercus describes how these feminists manage their emotion/identity in

Political theory's link between emotion and identity provides further insight into the notion of racial anger. Racial anger is not only a rational response to a racist situation, nor is it merely an emotion that runs afoul of mainstream social rules. In addition to these things, racial anger may be viewed as a defining feature of one's racial identity, which is necessarily a group identity with distinct political meaning.<sup>213</sup> By this I mean that unlike, say, being a Rotarian, being black, white, Asian, and so forth is a visible group identity that is constructed around relations of power and concepts of justice.<sup>214</sup> Indeed, unjust subordination is the paradigmatic condition of racial minorities in the United States.<sup>215</sup> And unjust subordination also describes the paradigm case of anger.<sup>216</sup>

Political theory further suggests that this is not merely a conceptual association. In order to maintain social movements, political organizers must transform what may be an incidental,

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various ways that can lead to exhaustion, guilt, and self-alienation. *See id.* at 46–48.

213. *See* Rosenwein, *supra* note 12, at 842. The notion of an emotion-laden group identity is discussed by Barbara Rosenwein who posits the existence of multiple “emotional communities”—e.g., family, church—within a single society, each governed by its own emotion rules. Rosenwein adds that individuals do not belong to a single community but move among them, making adjustments according to the relevant community's emotion rules. *See id.* at 842–43. Rosenwein's “adjustments” can be likened to Hochschild's “emotion work,” although Rosenwein does not highlight the burdens of such work as Hochschild does. For people of color (and women), who have more “visible identities,” transitioning between emotional communities is likely to be more difficult. *See* ALCOFF, *supra* note 9, at 6.

214. *See* ALCOFF, *supra* note 9, at 7 (“Visibility is both the means of segregating and oppressing human groups and the means of manifesting unity and resistance.”).

215. Elsewhere, I have discussed how the traditional or conventional understanding of race centers on conditions of difference, denigration, and exclusion. These three conditions make up a particular, historically contingent form of what one would more broadly call “racial subordination.”

216. Aristotle has observed that “[a]nger may be defined as a desire accompanied by pain, for a conspicuous revenge for a conspicuous slight at the hands of men who have no call to slight oneself or one's friends.” *See* Kim, *supra* note 23, at 109; *see also* Theodore D. Kemper, *Toward a Sociology of Emotions: Some Problems and Some Solutions*, 13 *AM. SOCIOLOGIST* 30, 36 (1978) (describing anger as a classic emotional response to a withholding of expected status recognition by another); Jan E. Stets & Teresa M. Tsushima, *Negative Emotion and Coping Responses Within Identity Control Theory*, 64 *SOC. PSYCHOL. Q.* 283, 286 (2001) (hypothesizing that “[l]ow-status individuals are more likely to report negative emotions . . . due to the unfairness of their treatment compared with that of high-status people . . .”).

short-lived emotion into one that is sustained.<sup>217</sup> Many commentators have discussed the significance of both “framing”<sup>218</sup> and ritual<sup>219</sup> in order to generate and prolong collective identity and action. Indeed, for those who are already widely seen as part of a marginal group by virtue of their appearances, the experience of politically useful emotions may serve as a precondition to membership within an identity-based social movement. For example, Arlie Hochschild has suggested that anger is essentially a requirement of feminist membership.<sup>220</sup>

Something similar may be said of membership in racial groups as well. In order to sustain both cohesiveness and resistance to racial subordination, constructing a political identity around anger is one effective method. To be sure, not all members of a racial group are actively engaged in resistance. Nor is there a clear leadership structure within racial groups as there is likely to be within organized social movements.<sup>221</sup> But the ideas from social movement theory and feminist theory may be applicable more broadly. In order to ensure the possibility of resistance, to recruit and retain both active participants and supporters, political theorists suggest

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217. See Jasper, *supra* note 174, at 25. The argument that movement leaders intentionally cultivate anger may be open to the critique that such a view leaves intact the reason/emotion dichotomy. This could suggest that wherein leaders are rational actors who use emotions as a means to an end, the followers are filled with passions that are an end in themselves. See Emirbayer & Goldberg, *supra* note 114, at 476; see also Hercus, *supra* note 174, at 37 (observing that in the context of animal rights activism, leadership was often comprised of men so as to project less emotion and more rationality).

218. See, e.g., Hercus, *supra* note 174, at 35 (“Collective action frames mobilize collective action by diagnosing an aspect of social life as problematic, outlining a proposed solution, and providing a rationale for action.”); Jasper, *supra* note 188, at 413 (arguing that emotions are fundamental to “motivational framing”).

219. See, e.g., Jasper, *supra* note 188, at 418–19 (discussing the role of singing within the civil rights movement); see also Gene A. Fisher & Kyum Koo Chon, *Durkheim and the Social Construction of Emotions*, 52 SOC. PSYCHOL. Q. 1, 2 (1989) (analyzing Durkheim’s study of rituals in the formation of clan identity).

220. See Jasper, *supra* note 188, at 408 (citing Arlie Hochschild, *The Sociology of Feeling and Emotion: Selected Possibilities*, in ANOTHER VOICE 298 (Marcia Millman & Rosabeth Moss Kanter eds., 1975)).

221. But within some racial groups, especially African-Americans, there are certain people who are widely viewed as leaders beyond their discrete organization to represent the entire race. Martin Luther King, Jr., Malcolm X, Jesse Jackson, and Al Sharpton come to mind as well-known examples. This phenomenon is not without its detractors. See, e.g., NORMAN KELLEY, *THE HEAD NEGRO IN CHARGE SYNDROME: THE DEAD END OF BLACK POLITICS* (2004) (critiquing black politics and leadership in America).

that racial anger must be animated (e.g., through consciousness raising).<sup>222</sup> Thus, under the political theory of emotions, racial anger can be described as an appropriate means toward action, especially from the vantage point of political leaders who seek to mobilize, and gather support for, social movements. It can also be characterized as an appropriate end for members of the group who may develop a better understanding of their social status and simultaneously experience identity-affirmation (more on this shortly).<sup>223</sup>

The potency of anger to shape and move people helps explain why reports of hope and joy within minority communities regarding the 2008 election caused some degree of consternation. Reactions to these emotions ranged from dismissiveness to deep skepticism.<sup>224</sup> Such an emotional sea change seemed to signal the end of racial struggle and the beginning of a so-called postracial era, marked by a sense of cool detachment and postmodern sophistication.<sup>225</sup> At the same time, Barack Obama's election fueled white anger, hatred, and fear,<sup>226</sup> creating concerns about a revitalized reactionary racial

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222. See, e.g., Jasper, *supra* note 188, at 408 (describing how the women's movement of the 1960s formed consciousness-raising groups in order to dampen feelings of shame and promote useful anger).

223. James Jasper makes this distinction between anger as means and as ends. See Jasper, *supra* note 174, at 22–23.

224. See, e.g., COSE, *supra* note 102, at 4 (quoting economist David Thomas referring to this phenomenon as “irrational exuberance”); Judith Butler, *Uncritical Exuberance?*, INDYMEDIA (Nov. 5, 2008, 7:19 PM), <https://www.indybay.org/newsitems/2008/11/05/18549195.php> [<https://perma.cc/3UX4-CECW>] (cautioning against the impossible promise of Obama's victory); Jamelle Bouie, *Why I Am Optimistic About the Future of Race Relations in America*, SLATE (Dec. 31, 2014, 10:42 AM), [http://www.slate.com/articles/news\\_and\\_politics/politics/2014/12/future\\_of\\_america\\_s\\_race\\_relations\\_why\\_i\\_am\\_optimistic\\_despite\\_fergus\\_on.2.html](http://www.slate.com/articles/news_and_politics/politics/2014/12/future_of_america_s_race_relations_why_i_am_optimistic_despite_fergus_on.2.html) [<http://perma.cc/GMN9-KRZN>] (observing that post-2008 optimism about improved race relations could lead to apathy about working toward improved racial conditions).

225. See Roopali Mukherjee, *Rhyme and Reason: “Post-Race” and the Politics of Colorblind Racism*, in *THE COLORBLIND SCREEN: TELEVISION IN POST-RACIAL AMERICA* 39, 50–51 (Nilson & Turner eds., 2014); Sumi Cho, *Postracialism*, 94 IOWA L. REV. 1589, 1603–04 (2009); Kimberle Williams Crenshaw, *Twenty Years of Critical Race Theory: Looking Back to Move Forward*, 43 CONN. L. REV. 1253, 1332 (2011); see also Jasper, *supra* note 188, at 414 (observing that emotions such as joy and hope are usually not enough to motivate social movements). Within this debate, it is interesting to consider Justice Sonia Sotomayor's claim that “it is not political struggles that create a Latino or Latina identity. I became a Latina by the way I love and the way I live my life.” Sonia Sotomayor, *A Latina Judge's Voice*, 13 BERKELEY LA RAZA L.J. 87, 88 (2002).

226. See, e.g., Francis Wilkinson, *White Alienation, Black Satisfaction and the Obama Era*, BLOOMBERG VIEW (Oct. 29, 2013, 6:36 PM EDT), <http://www>.

politics that would face little to no opposition.<sup>227</sup> The joy was ultimately short-lived,<sup>228</sup> but the fact that its fleeting presence created such uproar about the future of collective racial struggle reveals the significance of emotion's role in political behavior.

Although anger is crucial to political action, it is important not to overstate its role. For there are other important emotions that are cultivated to keep collective action going—e.g., the positive emotional bonds of loyalty, compassion, and love among members that also reinforce group identity and keep members from leaving.<sup>229</sup> Moreover, attending to the presence of such positive emotions helps to curb the tendency to “romanticize” anger within social movements.<sup>230</sup> The literature on racial anger suggests that this emotion can be unproductive and even harmful to those who experience it. Lorde, as discussed above, both lauds anger and cautions against it.<sup>231</sup> Lorde is concerned with the obstacle that anger creates in connecting with others, especially other black women.<sup>232</sup> Thomas West discusses the impact of anger on the

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bloombergview.com/articles/2013-10-29/white-alienation-black-satisfaction-and-the-obama-era [http://perma.cc/Q7S9-47R5] (discussing emotional shifts between blacks and whites); Matthew C. Whitaker, *Racist Taunts at Obama Should Worry Us All*, CNN (Aug. 8, 2013, 12:32 PM), <http://www.cnn.com/2013/08/08/opinion/whitaker-obama-arizona-race/index.html> [http://perma.cc/78FV-Y6F4] (describing an anti-Obama protest in Arizona); Ralina Joseph, *Imagining Obama: Reading Overtly and Inferentially Racist Images of Our 44th President, 2007-2008*, 62 COMM. STUD. 389 (2011) (analyzing internet images of Obama).

227. See, e.g., Cho, *supra* note 225, at 1603 (arguing that postracialism involves a “distancing move” away from collective action).

228. In an August 2013 poll, only 45% of Americans agreed that the nation has made “a lot” of progress toward racial equality, and 49% said that “a lot more” needed to be done. See *King's Dream Remains an Elusive Goal; Many Americans See Racial Disparities*, PEW RES. CTR. (Aug. 22, 2013), <http://www.pewsocialtrends.org/2013/08/22/kings-dream-remains-an-elusive-goal-many-americans-see-racial-disparities/> [http://perma.cc/777G-FQSW]. Among blacks, 79% said “a lot more” needs to be done, compared to 44% whites and 48% Hispanics. *Id.* Only 26% of blacks in 2013 agreed that they were better off than five years ago as compared to 39% who agreed with that statement in 2009. *Id.* This research attributes the downward turn to the “fading glow” of Obama's victory and the continuing impact of the Great Recession. *Id.*

229. See Jasper, *supra* note 188, at 416–18; see also Hercus, *supra* note 174, at 52 (discussing the affective impact of feminist conferences).

230. See WEST, *supra* note 10, at 105.

231. See *supra* text accompanying note 97; see also GLORIA ANZALDÚA, *BORDERLANDS/LA FRONTERA: THE NEW MESTIZA* 100 (1987) (observing that reactive opposition is liberating but “not a way of life”).

232. Relatedly, Jennifer C. Nash writes that second-wave black feminists sought to engage in a “love-politics” that would engender “love for other

self and argues that shelter must be had from the “relentless engagement and antagonism” that political conflict can create.<sup>233</sup> In West’s view, the positive emotions internal to the collective can provide the “healing and mutual recognition” that enable people to (re)enter the fray and continue their struggle.<sup>234</sup> Thus, anger and love, and even joy in the right context, are mutually dependent to make both the collective and its actions possible.<sup>235</sup>

It is also important to note that emotion is not all there is to political behavior. The political theory of emotion does not argue that emotions can give a complete explanation of political behavior, even in the context of social movements. Whether to take action and how to do so will depend on a number of factors, including the availability of resources to effectuate one’s goals.<sup>236</sup> But as the theory reveals, emotions do play a significant, less-messy-than-expected role that ought to be analyzed rather than elided.

Finally, it is worth recalling that the political theory of emotion is still relatively new and therefore limited. The literature in this field focuses almost exclusively on the emotions of social movements. Significantly less research appears to have taken place with respect to other kinds of political behaviors, such as voting, running for office, and the like.<sup>237</sup> But these latter political activities are also important,

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women . . . for humanity . . . , for the spiritual world . . . , for celebration . . . , and, most important, for her self.” Jennifer C. Nash, *Practicing Love: Black Feminism, Love-Politics, and Post-Intersectionality*, 11 *MERIDIANS* 1, 9 (2013).

233. See WEST, *supra* note 10, at 104.

234. *Id.* at 93 (quoting Mary Louise Pratt, *Arts of the Contact Zone*, 91 *PROF.* 33–40 (1991)); see also Burrow, *supra* note 203, at 36–38 (positing the need for both “communities of separation” and “communities of negotiation” in the political analysis of emotions); Emirbayer & Goldberg, *supra* note 114, at 479 (observing that the transformation of emotions, e.g., from shame to pride, is a significant means and end for stigmatized groups); Hercus, *supra* note 174, at 48, 52 (discussing the importance of emotional support that comes from feminist organizing).

235. These emotions were particularly notable in the nationalism movements of the 1960s, which promoted militancy and confrontation as well as pride and community service. See, e.g., MANUEL G. GONZALES, *MEXICANOS: A HISTORY OF MEXICANS IN THE UNITED STATES* 213 (1999) (describing the activities of the Brown Berets and the Black Panthers).

236. Political scientists often take resources, structural opportunities, and cultural norms into account in explanations of political behavior. See Barbalet, *supra* note 192, at 32.

237. One exception to this is Patrick Miller’s study of emotions and voting. See Miller, *supra* note 187. Social movement theorists, like James Jasper, have called

and perhaps more common, for most people, especially in the contemporary United States where social movements have waned.<sup>238</sup> Moreover, with the goals of diversity and inclusion becoming mainstream, it would be especially useful to understand how emotion affects the political behavior of insiders as well as outsiders.

These limitations notwithstanding, the political theory of emotion helps to explain how racial group identities are affectively constituted and mobilized into social movements. Drawing on the cognitive and social constructionist theories, political theorists demonstrate that such social movements are not comprised of irrationally angry mobs but rather of rational and cohesive collectives in pursuit of coherent political goals that they care passionately about—even if they are not supposed to.<sup>239</sup> Some may worry that such a conceptualization of social movements is self-defeating because both rationality and political influence are conventionally premised on the ideal of critical distance.<sup>240</sup> The acknowledgement of strong emotions within racial groups may be used to demean their capacity to participate in thoughtful and polite public deliberations.<sup>241</sup> But

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for expanded research on emotions embedded in other political behaviors, such as governing. See Jasper, *supra* note 174, at 30.

238. See Orly Lobel, *Big-Box Benefits: The Targeting of Giants in a National Campaign to Raise Work Conditions*, 39 CONN. L. REV. 1685, 1699 (2007).

239. Note that outlawing certain emotions per emotion rules not only discourages people from feeling such emotions, but it also prevents such people from expressing and acting upon them.

240. See Bickford, *supra* note 160, at 1025–26; Emirbayer & Goldberg, *supra* note 114, at 477; see also Barbalet, *supra* note 192, at 40–41 (observing that the attribution of emotionality to the working classes is used to justify politically disempowering them).

241. See, e.g., JEAN BETHKE ELSHTAIN, *DEMOCRACY ON TRIAL* 53 (1995) (arguing that the politicized anger of identity politics threatens “the civility inherent in those rule-governed activities that allow a pluralist society to persist”). The notion that politics ought to be polite and emotionless also coincides with what Matthew Hughey reports as “a clear expectation of white racial identity as calm, collected, and cooperative.” See HUGHEY, *supra* note 83, at 35. In his study of a white nationalist group, Hughey observes that older members sought to discipline emotionally unruly young members who were much more given to “angry white supremacist invective” because they could hurt the race. See *id.* at 35–36. Hughey’s study also reveals that more overtly racist feelings are still expressed within private settings. When Hughey visited a white nationalist’s home, his 7-year-old daughter asked Hughey if he likes “niggers.” See *id.* at 42–43; see also MICHAEL J. MONAHAN, *THE CREOLIZING SUBJECT: RACE, REASON, AND THE POLITICS OF PURITY* 30 (2011) (arguing that “conceptions of racial whiteness have always been tied directly to fitness for citizenship and, above all, rationality”). The comedy show, *Key and Peele*, spoofs the tension between anger,

this begs the question: is the problem that racial identity is, among other things, emotional, or is it that public deliberations are stripped of emotions?<sup>242</sup> If the cognitivists have it right and emotions signal personal relevance or importance of the object, then it would appear that emoting subjects are precisely the stakeholders who should be engaged in deliberations about that object. It would certainly seem odd that the reverse would be true—that we find most capable of participation and decision making those who presumably find the object of discourse to be relatively immaterial in the scheme of things. In the alternative, the convention may suggest that those who are most capable of political participation are those that are best able to hide or suppress their emotions about the political object. But this again only begs, rather than answers, the question: why should we privilege and empower such deception?

#### CONCLUSION: THE FEELING OF EQUALITY

*Accepting otherness is a question not so much of right as of desire.*

– Felix Guattari<sup>243</sup>

This Article has sought to examine two distinct but related questions regarding race and emotions. The first raised the

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race, and political participation. One of their more popular, recurring sketches involves a “weekly address” by President Obama accompanied by his “anger translator,” Luther. While Obama is cool and collected, Luther hilariously yells, curses, and generally jumps around in the background giving vent to thoughts and feelings presumably felt but unexpressed by the President. See Comedy Central, *Key & Peele – Obama’s Anger Translator – Meet Luther*, YOUTUBE (Jan. 11, 2012), [https://www.youtube.com/watch?t=79&v=-qv7k2\\_lc0M](https://www.youtube.com/watch?t=79&v=-qv7k2_lc0M) [<https://perma.cc/KD6F-RDZY>]. Recently, *Key and Peele* introduced an anger translator for Hilary Clinton as well. See Oriana Schwindt, *Key and Peele Present Savannah, Hilary Clinton’s Anger Translator*, TV INSIDER (July 9, 2015, 12:48 PM), <http://www.tvinsider.com/article/26300/key-and-peeel-present-savannah-hillary-clintons-anger-translator/> [<http://perma.cc/5TX9-P33U>].

242. See, e.g., David Brooks, *The Leadership Emotions*, NY TIMES (April 21, 2014), <http://www.nytimes.com/2014/04/22/opinion/brooks-the-leadership-emotions.html> [<http://perma.cc/5SLQ-FZAD>] (critiquing the absence of emotions in discourses of policy and politics).

243. See Lone Bertelsen & Andrew Murphie, *An Ethics of Everyday Infinities and Powers*, in THE AFFECT THEORY READER 138, 138 (Seigworth & Gregg eds., 2010) (quoting Felix Guattari).

possibility that there are certain emotions that are so closely tied to racial experiences that they can be said to demonstrate and typify an emotional dimension to the concept of race. The second asked how such quintessentially racial emotions can be analyzed and evaluated, employing three theories of emotion that have developed in various disciplines within the humanities and social sciences.

As to the first question, I suspect that acknowledging an emotional dimension to race is probably not difficult for most who study in this field. Either through personal experience or another's narrative, such as those of Du Bois, Fanon, and Lorde, race scholars should be familiar with the ways in which race is saturated with emotions. Moreover, at a theoretical level, the broad consensus that race is a social construct also implies openness to the idea that race is not purely cognitive but also imbued with emotional meaning.

The second question is more normative than descriptive as it delves into the kinds of evaluations that we make about racial emotions. Here, I can only hope that I have made a sufficient case for studying, rather than eliding or dismissing, racial emotions and their role in constituting the personal, social, and political identities that may participate in public discourses of knowledge and power. Such a project would not need to start at square one as there is already a wealth of material that theorizes how emotions relate to reason and values, to social membership and hierarchy, and to political behavior. These modes of analysis can be usefully applied to the process of racialization to enrich our understanding of how race is constructed with and through emotions.

Thinking about race as also affectively constructed necessarily leads us to reconsider and widen the aims of race discourse. If one thinks of race as, say, an organizing principle for the unequal distribution of material resources such as income and housing, then race discourse should focus on achieving equal distribution of the same. But if race organizes not only the material but also the emotional world, it follows that a progressive race discourse must go beyond resource equality to additionally encompass something like feeling equality. The remainder of this conclusion briefly discusses what such equality might mean.

Because equality is such an important and powerful feature of our society (treated as a fundamental starting point

for our individual flourishing), it too is infused with intense emotions. The idea of equality is typically attended by positive feelings while inequality is usually marked by emotions with negative valences.<sup>244</sup> This is essentially what the feeling of equality means—it refers to the positive emotions we feel when we believe we enjoy equal status in relation to others.

The feeling of equality is precisely what is absent in the affective dimension of race. As Du Bois, Fanon, and Lorde illustrate, the negative emotions of race block the possibility of positive feelings of joy, love, and even hope that each believe are attached to equal status.<sup>245</sup> To be sure, such negative feelings are tied to the material conditions that often attend non-white identity: less wealth and income, poor health care and housing, disproportionate incarceration, and so on. But even racial minorities who enjoy high levels of wealth, health, and other markers of a successful life continue to experience the negative emotions of race because such material conditions are part, but not all, that there is to the racial experience.<sup>246</sup> Once we stop dismissing emotions and start taking them seriously, we can begin to see that the persistence of such emotions tells us something important about equality itself: that it cannot be described solely through measures of material outcomes but must also contend with the emotions that define race.

In this way, the notion of a feeling of equality is analogous to the concept of procedural justice, which has served to broaden our understanding of justice by accounting for the psychological aspects of people's experiences with the legal system. According to procedural justice theory, assessments

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244. Not all inequality is negatively felt. Sociologist Scott R. Harris writes that there are such things as “congenial inequalities”—e.g., rewarding excellence. Scott R. Harris, *The Social Construction of Equality in Everyday Life*, 23 *HUM. STUD.* 371, 378 (2000).

245. None of this is to say that non-whites are perpetually unhappy or unable to feel positive emotions. The negative and positive feelings that I am discussing are related to race, and not to other meaningful aspects of people's lives such as family, friends, religion, arts and so forth. However, because one's racial identity operates along so many vectors of social life, the emotions associated with race are perhaps not very easy to compartmentalize. See, e.g., CHARLES W. MILLS, *BLACKNESS VISIBLE: ESSAYS ON PHILOSOPHY AND RACE* xv (1998) (calling race a “pervasive social construction”).

246. See, e.g., ELLIS COSE, *THE RAGE OF A PRIVILEGED CLASS* (1993) (describing the racial anger experienced by middle- and upper-class blacks in the United States).

about justice depend less on favorable legal outcomes and more on the feelings that accompany the process by which outcomes are achieved.<sup>247</sup> The sense that one has a voice in the system, that one is treated with respect, and that legal authorities are acting with “benevolent and caring motives” are some of the defining conditions of procedural justice that lead to personal satisfaction and institutional legitimacy.<sup>248</sup> Although descriptions of procedural justice often sidestep the language of emotions, notions of respect, trust, and caring obviously carry significant affective weight. Under this theory, the study of individual and group feelings toward legal institutions and their processes has enriched the understanding of justice and identified new avenues of achieving both inclusion and cooperation.<sup>249</sup>

Just as procedural justice has widened the frame through which we define and assess justice by taking emotions into account, I suggest that acknowledging and studying racial emotions can do something similar for equality. Trying to avoid emotions, the idea of equality becomes docile and we end up speaking vaguely of things like tolerance, diversity, and multiculturalism that become drained of their intended energy. The fundamental principle of equality is much more ambitious and visionary than this. It is also the feeling of joy in belonging, love in fellowship, and hope for a better future that, together with a fairer distribution of resources, constitute a comprehensive transformation of the racial condition in the United States.

Equality also entails anger and grief at appropriate times, as the Black Lives Matter movement reveals. It would be a misreading to interpret these protests against police brutality as just another example of “fetishizing the wound” to promote a polarizing identity politics.<sup>250</sup> The movement is not a public and maudlin declaration of “I feel” but poses instead the question: “Do *you* feel?” Nor is it a defensive step back to assert

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247. See Tracey L. Meares & Tom R. Tyler, *Justice Sotomayor and the Jurisprudence of Procedural Justice*, 123 YALE L.J. FORUM 525, 526–27 (2014).

248. See Deborah A. Goldfarb, *Shaping Perceptions of Justice: A Familial Model of Procedural Justice*, 82 UMKC L. REV. 465, 466 (2014).

249. See Meares & Tyler, *supra* note 247, at 540–41 (citing to research by Dan M. Kahan, *The Supreme Court 2010 Term – Foreword: Neutral Principles, Motivated Cognition, and Some Problems for Constitutional Law*, 125 HARV. L. REV. 19 (2011)).

250. See AHMED, *supra* note 22, at 32 (citing Wendy Brown).

all over again the humanity of blacks. Instead, it raises a challenge to the humanity of those who feel so little for the unjust and violent death of another human being.<sup>251</sup> In this way, the movement demands shared anger and grief, not from sympathy for the other but in sympathy *with* the other. Rather than seeking to exclude and divide off, it invites all to participate in a more ethical and just conception of collective flourishing.

We are indeed confronted today with the task of working on and through our racial emotions as we move from a definition of equality that emphasizes diversity to one that also incorporates the experience of inclusion. While diversity involved the easier goal of moving numbers, inclusion requires the much harder work of moving people.<sup>252</sup> Continuing to talk solely about the material conditions of race, or mere dignity and respect, is not enough to achieve the goal of inclusion. As the epigraph to this conclusion suggests, inclusion is about more than even rights—it's about desire. Without engaging in the complex and sometimes messy world of racial emotions, we cannot cultivate the desire for otherness, the feeling of equality.

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251. See *supra* note 173 and accompanying text.

252. Cf. AHMED, *supra* note 22, at 172 (“Emotions may be crucial to showing us why transformations are so difficult (we remain invested in what we critique), but also how they are possible (our investments move as we move).”).