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"Abandoning Colorblindness: How Identity Politics, Tribalism and Modern Retributive Social Justice Represent a Paradigm Shift that Threatens the Foundational Principles of the United States"

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1. Introduction

The aim of this work, as the title suggests, is to illustrate how certain recent political tendencies – namely the concept of identity politics, a new social justice movement based on retribution, and a resurgence of tribalism and sectarianism – are not mere evolutions of political philosophy in America, but they are in direct contrast to the country's founding principles. In order to do this, an initial chapter will be aimed at identifying the roots of the defining American principles, by examining the historical, philosophical and legal sources of American constitutionalism, beliefs and so called "creedal values," and will set out to describe their qualities in the context of a broader philosophical spectrum around the world and throughout history. A second chapter will subsequently delve into four main sections: the first will be an analysis of the notion of "identity based politics" in contemporary terms, including a background of scholarly publications that have previously attempted to give it an academic structure; the second will explore the concept of social justice, in particular by observing the evolution and value base of a contemporary movement which has declared it its ultimate goal; lastly, two sections will be devoted to a study of tribalism as a direct consequence of political shifts, and the reaction of the political right respectively. A later chapter will then tie these findings together and compile a list of documented observations of the effects of identity politics and social justice in modern America, including social tensions, a newly divided national fabric, the susceptibility to political unrest, and a general instability.

The main argument which will be formed throughout the work, is that the new political movements of the 21st Century – initially on the left, and later spread to the right as well – represent a clear paradigm shift from the original values that defined American progress for over two hundred years. There will be no attempt to assign value to these contemporary political currents, nor to discourage them; it will be the goal of this analysis to demonstrate that they are simply an opposite and diverging set of notions than those widely regarded as the glue that held the country together, and helped it build shared prosperity, ever since its inception.

The literature cited varies from the words of some of America's founding fathers, to more recent 20th century political philosophy, and a number of contemporary accounts, reflections and journalistic work.

2. Chapter I – The Foundational Principles of the United States

On August 28th, 1963, Dr Martin Luther King Jr. addressed a crowd of hundreds of thousands gathered around the reflecting pool of the Lincoln Memorial in Washington DC. The address became known as the southern preacher's "I have a dream" speech, and it would go on to be described as the most iconic moment of the Civil Rights Movement (Tikkanen, 2017). Dr King clearly enunciated the goal of his movement when he said: "I have a dream that one day this nation will rise up, live out the true meaning of its creed: we hold these truths to be self-evident, that all men are created equal" followed by "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character" (King, 1963). This is as good an example as any of how the foundational principles of the United States, enshrined in documents such as the Declaration of Independence or the Constitution, and rooted in Enlightenment liberalism, have stood strong as guiding ideals for the country, driving change and inspiring generations. The following section will attempt to define what makes a country's creedal values, to describe the foundational principles of the United States as an antidote to tribalism, and to analyze their progressive evolution and role throughout history.

2.1   Creedal Values

Deep, fundamental national values have been compared to the concept of a creed by a number of political scientists and historians, most recently by Francis Fukuyama in his latest publication titled *Identity: The Demand for Dignity and the Politics of Resentment*, and decades earlier by one of his mentors, Samuel P. Huntington, in *American Politics: The Promise of Disharmony*. The word, which is defined as "any system or codification of belief or opinion," has historically been appropriated by Christian theology, and subsequently used in a plethora of religious contexts; it can, however, broadly refer to the set of founding principles of a Nation. "Creedal values" writes Fukuyama "are built not around shared personal characteristics, lived experiences, historical ties, or religious convictions but rather around core values and beliefs" (2018).

While this concept can be applied to the core system of belief driving any given polity in today's landscape, it has mostly been used to describe the United States, for a number of reasons which I will attempt to describe. The United States is a unique combination of a series of elements which make it a well suited candidate for the creedal values thought experiment: for one, it is a nation which was created with intent, and whose initial reasons for existing were codified by its founding fathers directly, and enshrined in a set of documents -- this is not the case with the United Kingdom, for example, where finding core or creedal values is left to the interpretation of succeeding generations. Second, it is a nation which has existed in its current institutional and constitutional framework for over two centuries, and where not a single one of the founding principles has been altered -- something that cannot be said about, for instance, France, which despite being one of the first examples of a nation state, has shed constitutions like a snake sheds its seasonal skin.

It just so happens that a direct line can be drawn between the two points above: it has been argued many times that the reason for the US's longevity is inevitably tied to its constitution and founding principles.

One does not need to venture deep into an analysis of US history and constitutional law to understand that the American creed – as was defined above – has been a powerful tool used to provide national unity, through centuries of an almost entirely continuous stream of immigration. Fukuyama's latest publication offers a valuable explanation of this: "A workable creedal national identity has to offer substantive ideas, such as constitutionalism, the rule of law, and human equality. Americans respect those ideas; the country is justified in withholding citizenship from those who reject them" (2018). It is clear that among the ingredients that make a nation founded on immigration continuously successful in carrying out its creed through government, national unity is an essential component – without it, any institutional framework would shatter as it undergoes a stress test, be it a war or a recession. "Compared with Europe," adds Fukuyama, "the United States has been far more welcoming of immigrants, in part because it developed a creedal national identity early in its history".

There is, of course, more to the recipe for the US's successful history as a nation of immigrants: not only is a solid system of assimilation, based on a creed, paramount, but it needs to go hand in hand with the ability to, as Tocqueville put it, enter and exit associations – in other words, to voice one's opinions, and belong to whichever ideological circles one desires, or be emancipated from them just as freely. The renowned French diplomat and author used the concept of associations to describe "mediating institutions" between the individual and the government level, which allow for assimilated citizens to participate in sub-level activities that render them unique, and contribute to a high degree of pluralism in society.

Overall, it can be argued that the notion of a creed is a fairly unique feature of the American experiment: Fukuyama reminds us of Seymour Martin Lipset's observation that "a US citizen can be accused of being 'un-American' in a way that a Danish citizen could not be described as un-Danish or a Japanese citizen could not be charged with being un-Japanese". This is because being an American is less an attribute of ethnicity than it is about adhering to a creed.

It follows, then, that whatever the creedal values of the United States may be, they can only be unifying principles, with guarantees of individual freedom, that can rally and assimilate newcomers while allowing them to hold on to their associations. They would, by definition, not fit the bill if they were to give any ground to notions contrasting to unity: "Although the United States has benefited from diversity," Fukuyama writes, "it cannot build its national identity on diversity" (2018).

There is an abundance of anecdotal and literary reference to national unity through a creed as a defining feature of the United States since the federation's very beginnings. Arthur M. Schlesinger, one of the country's most prominent historians, opened his work on multiculturalism titled *The Disuniting of America* with a strong defense of this very notion, compiling one of the most complete short collections of such references.

In his account, quotes by Thomas Paine's Common Sense give way to Herman Melville – "On this western hemisphere all tribes and people are forming into one federal whole" (Redburn, Chap. 33) – and the likes of Ralph Waldo Emerson, who compared America to silver and gold

melting to form Corinthian brass during the burning of the temple at Corinth, and even went as far as to call the American civilization "a new race, as vigorous as the new Europe which came out of the smelting pot of the Dark Ages". America's first Commander in Chief, George Washington, was also referenced by Schlesinger as having commented in his writings that "The Bosom of America is open to the oppressed and persecuted of all Nations and Religions," and at the same time warning immigrants not to hold onto their pre-American identities, as he proclaimed "let them come not in clannish groups but as individuals, prepared for intermixture with our people [...] then they would be assimilated to our customs, measures and laws: in a world, soon become one people". A later President and son of a founding father, John Quincy Adams, followed suit by stating, on newcomers to the young nation, that "They must cast off the European skin, never to resume it. They must look forward to their posterity rather than backwards to their ancestors".

Tocqueville himself made the cut, as he was referenced as saying in his letter to Ernest de Chabrol that America is a society formed by all of the world's nations, with a multitude of languages, beliefs and opinions, but lacking roots as historical sources of unity. As arguably the first European to compile a complex and accurate account of the historical and sociopolitical formation of the United States, he notes that it is from the Declaration of Independence and the Constitution that political rights and civic responsibilities are bestowed on Americans, adding that it is through this very exercise that immigrants become Americans.

Even after Tocqueville's time, Schlesinger's work shows, the importance of unity and assimilation in the fabric of American life is described once again by James Bryce, author of *The American Commonwealth*. He is reported as having noted that despite predictions in academia and popular opinion that the United States would falter under a continuous stream of immigration by vastly different social and ethnic groups, or perhaps ultimately splinter, there exists an "amazing solvent power which American institutions, habits and ideas exercise upon newcomers of all races… quickly dissolving and assimilating the foreign bodies that are poured into her mass."

It is abundantly clear from this compelling but unequivocally non-exhaustive list of historical observations, that the American creed is most exemplified by a number of

"foundational principles" which were ultimately rendered calcified for posterity by the Declaration of Independence, and the institutions, ideas and principles enshrined by the Constitution. These, in turn, were the product of certain philosophical trends and doctrines that, much like American patriots themselves, originated from Europe. It was Liberalism, which political scientist and historian Mark Lilla described as "a unifying force capable of governing," that was embedded into what Barack Obama called "a creed written into the founding documents that declared the destiny of a nation" at a New Hampshire campaign speech in 2008.

In the next section, I will attempt to provide a brief but sufficiently complete historical and institutional account of both the Declaration of Independence and the US Constitution, followed by an examination of John Locke's classic "enlightenment liberalism" as a source of foundational principles as liberty, equality and individualism, which make up the American creed.

2.2   Written and philosophical sources

The Declaration of Independence is without a doubt the most seminal document in US history, as it marked the beginning of a new kind of nation state, built on the principles of self determination and enlightenment Liberalism. While the text itself was written, according to most reports, in the span of very few days, its history and content draw from a much deeper set of ideals, most of which originated from Britain itself.

The history of the relations between Britain and its colonial territories in North America is long and complex, but for the purposes of outlining some key notions regarding the founding documents which are the argument of this section, it will be enough to note that following the French and Indian War – a regional North American chapter of the 7 Years War – heavy taxation began to be imposed on the colonists, which caused rounds of petitions, protests, and boycotts.

A first Continental Congress was called in 1774 to discuss ways to respond to British policies, and a second, much longer lived, was established in 1775, with war starting to rage

following the battle of Lexington and Concord. As the already strained relations between the Thirteen Colonies and Great Britain grew more dire, Englishman and colonial supporter Thomas Paine's Common Sense pamphlet made a new and compelling case for independence in 1776, suggesting Republicanism as an alternative to colonial rule. It reportedly spread very quickly around the Eastern Seaboard, and while pro-independence sentiments rose, the delegates sent to the Second Congress had clear instructions prohibiting the support of any action authorizing a separation from Britain. Over the following months, a series of States' Declarations of Independence were passed – Virginia's was notably a direct source of the US document later on – culminating with the Lee Resolution declaring independence on July 2nd, and the Declaration being ratified on the since celebrated Fourth of July.

The preamble of the Declaration makes the assumption – which is by and large "Lockean" – that there is a set of universal rights which is taken as a given, ordained by God, and argues that Great Britain's violation of such principles justifies the colonists to renounce their allegiance to the crown and acquire sovereignty as independent actors. In *The Ideological Origins of the American Revolution*, Bernard Bailyn illustrates that what grants legitimacy to the colonists' grievances is the British Constitution itself, as it, as well, recognizes the very principles Parliament was accused of usurping (1992). Words from the document, many have pointed out, closely reference parts of John Locke's second *Treatise on Government*, and features of the Declaration can be traced back to the English Bill of Rights of 1689: a clear connection can be drawn from the American Creed to the core beliefs of Liberalism in Europe, with Alexander Hamilton, founding father and first Secretary of the Treasury, being famously quoted as having stated that "the British government forms the best model the world ever produced" (1787).

Immediately following the preamble, the documents includes a list of 26 grievances as examples of Britain's attacks on Liberal God-granted rights, and soon after culminates with a conclusion directly related to the Lee Resolution – the actual stated "declaration" that the colonies would as of then become independent polities. To stress this point, a particular sentence arguably serves as a powerful reminder that by issuing this document, the United States had become an entity on the same sovereign standing as Great Britain:

"We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them [Great Britain], *as we hold the rest of mankind, Enemies in War, in Peace Friends."*

While the Declaration clearly set the tone for an American set of ideals, it did very little to build institutions: it could be considered the intention, but not the execution. The true bedrock of American institutions, and by and large the basis for the principles that have helped guide them, is the Constitution ratified following the Revolutionary War, in 1789 – up until this date, the Second Congress had acted as the Federal government, through the Articles of Confederation passed in 1777. While compared to democratic constitutions of the 20th Century, the 1789 document might seem like a basic and loose structural framework for government, it was in fact a strong reaction to the failed Articles, which had granted virtually no power to federal authorities, and had produced very weak wartime institutions. In contrast, the document that eventually became the current Constitution stripped away much of the power that had been left to the individual states, to strengthen the Federal Government, and it took a series of publications, debates and discussions to get the unanimous vote required to make it the law of the land. The compromise, which was achieved in large part through the distribution of a series of writings later renamed the *Federalist Papers*, was framed as both giving up sovereignty to the government, while at the same time making the ultimate and highest purpose of such government the protection of citizens' rights. This structure was Lockean to the core, with the rights the government was placed in charge of protecting being philosophically ordained by God, not by a monarch.

The principles that the Constitution, with its first ten amendments, chiseled into stone, included an almost complete deference to personal freedom, both in matters of articulating one's opinion, professing a religion – "belonging to an association" in Tocqueville's terms – as well as in property rights and gun ownership. It also guaranteed due process of law as a fundamental right, and a number of peripheral additions to it, most notable of which is perhaps the right against self incrimination.

These written principles are what crystallized the American creed and, if summarized, translate to equality before the law in its most absolute terms. This is true in the sense of equal

opportunity to, to paraphrase Jefferson, pursue happiness, freely associate, and not be subject to discrimination. While there were most likely no pretenses at the time that these principles, merely by virtue of being written with ink on paper, would be implemented in every aspect of American society with immediate effect, it was clear from the very beginning that the role of government would be to fulfill these promises. Abraham Lincoln himself, it is reported, considered the Declaration of Independence and the Constitution to be the sources of his political inspiration, and in this sense embodied the notion that his role as a government official was to do all that was in his power to pursue the American Creed.

There is a strong argument to be made, moreover, that the United States, by virtue of the principles that have been outlined above, is the first real polity to have emerged from the Age of Enlightenment. The government guarantee of individual rights, coupled with the original structure of the US Constitution, describe the first modern Republic, and lay down the foundations of matters that had since only been conceptual notions, enunciated at the turn of the previous century by Hobbes and the aforementioned John Locke.

The U.S. Constitution came into effect in the early days of revolutionary France, where similar philosophical principles served as a catalyst for change, but landed the European power in an unstable, short lived semi-tyrannical phase, only to revert back to the ancient regime. There seem to be enough elements, therefore, to sustain an argument whereby the American Creed, and the moral, philosophical and institutional soul of the United States, cannot only be described as a natural consequence of the application of enlightenment thought, but must be described as a combination of those elements as well as circumstantial ones such as, in no particular order, the settlement of a relatively new and unexplored land, physical distance from the powers of Europe, or a lack of historical roots.

2.3   *The Creed as a force for change*

The founding principles, which were laid out in the previous two sections as being creedal in nature, and derived from Enlightenment Liberalism, have remained part of the constitutional, legal and political framework of the United States throughout its history. Despite being around a

century old, none of these ideals had ever been put into practice in a working State, set of institutions or judicial system, and there was very little in 18th century North America that reflected them. Voting was restricted to white male landowners, and as of 1800 around 800,000 slaves lived in the United States. Of the entire population of the state of Virginia, half was made up of slaves, with Maryland having around one third of its population in chains, and similar demographics prevailing in the rest of the southern States. Women were largely deprived of civil rights, and so would the majority of Native Americans west of the eastern seaboard be as soon as westward expansion began. In the year 1800, only 67,000 people voted in the presidential elections, out of around 5 million – less than 2% of the US population (Historic US Census Data, 1790-1860). When one considers, however, that the US Constitution was not underpinned by democracy, but by Liberalism and Republicanism, these results should not be surprising in the least. One could on the other hand reasonably assume, given statistical data and a conservative estimate, that of the 1800 population, only around 40% actually would be able to enjoy the rights laid out in the Constitution – this is by removing around 800,000 slaves, and halving the remaining population to only account for white men – which would in fact be indicative of a significant spread from the fundamental principles of this new nation.

Just two generations generations later, suffrage had been expanded to include African Americans, and by the following two more generations it was extended to women as well, bringing the original percentage up significantly; once the institutional barriers of Jim Crow laws had gone, around half a century later, a new meaningful jump could be observed. Even without compiling a detailed list of key instances each decade, when it comes to the percentage of US citizens to which of equality of opportunity and freedom applies, the trend is clearly ever positive in American history, with some marginal but relevant percentage bumps as recently as 2015, when same sex marriage was legalized throughout the country.

The history of the expansion of civil rights, liberties and in general the extension of equality of opportunity to all, is well understood as a direct consequence of activists and statesmen's demand that the country fulfill the promises of the founding documents, by appealing to those very ideals that it had evoked in its inception (Goldberg, 2018). This connection has been made explicit by many in their progressive struggles, most notably in the case of the civil

rights movement, and even in the context of the expansion of the federal government during Franklin D. Roosevelt's tenure: Mark Lilla writes in the New York Times in 2016, "Listening to Roosevelt's stirring voice as he invoked the freedom of speech, the freedom of worship, the freedom from want and the freedom from fear — freedoms that Roosevelt demanded for 'everyone in the world' — I was reminded of what the real foundations of modern American liberalism are" (Lilla, 2016).

The defining characteristic of a set of values, or ideals, is indeed that they are representations of a virtually perfect society according to any given philosophy. They are not, and cannot by definition, be enforceable policies. Just as for a utilitarian, the perfect vision to strive towards is a society where the highest possible level of utility is reached, for the largest possible amount of people, an ideal Liberal society is one where each individual has equal opportunity to attempt to realize their ambitions, their individual freedoms are fully fledged, and no one is discriminated on the basis of anything but their own competence (Kymlicka, 1990). As Jonah Goldberg pointed out in *Suicide of the West*, "Does America fail to live up to that ideal? Of course. Every human and human institution fails to live up to its ideals. That is why we call them ideals" (2018). Falling short of ideals, is therefore, by definition, the inevitable destiny of pursuing them; if ideals were plotted on a graph, they would be the equivalent, to use mathematical terms, of a limit in differential calculus: a numerical value will grow ever closer to the limit without ever reaching it, always increasing at the margin. It would never logically follow, therefore, that a failure to attain an ideal goal alone would result in renouncing the ideal altogether: one needs to go no further than to mention the case of Oskar Schindler, who saved more than one thousand Jewish lives in the Holocaust, and despite depiction in recent media, was proud of the little he was able to do despite it being virtually inconsequential from a statistical point of view (Anderson, 2014).

It is important to note, however, that striving towards Liberal values such as equality of opportunity should not be confused with attempts to achieve economic or social equality. This is not a structural component nor a goal of any Liberal democracy, because even as government attempts to approach the ever distant ideal that was previously discussed, to extend opportunities

to marginalized people in society, groups "continue to differ from one another in their behavior, performance, wealth, traditions and customs" (Fukuyama, 2018).

The foundational principles of the United States, therefore, have never been expected to be realized in their full extent, but have always rather been understood as something to strive towards – the US Constitution, in particular, has evolved many times since its ratification, both at the amendment level, and perhaps most notably through the process of Judicial Review, reflecting a long history of change in the legal system of the country, both at the Federal and State and local level. Non exhaustive examples include the 13th, 14th, and 15th Amendments following the Civil War, the 19th Amendment expanding suffrage to women, or the Brown v. Board of Education landmark Supreme Court ruling in 1954 that paved the way towards abolishing segregation. These are as good examples as any of how institutions in the United States have shown flexibility, adaptability and capacity for progressive change, built on a basis of principles – the "Creed" – that is, on the other hand, invariable and unamendable.

2.4   Liberal values as an antidote to tribalism

There is an additional argument to be made, which goes hand in hand with previous analysis: the development of a society based on liberal principles, upheld by a legitimate government, can be seen as a strong reaction to historical tribalism, and a protection against it in the future. For most of human history, and in parts of the world other than the United States, people have been traditionally seen as members of a tribe or ethnic group, as opposed to men and women unified by common ideals, to be judged as individuals. Liberal principles can, thus, be seen as the force that brought the US out of the muck of human history (Goldberg, 2018).

In order to examine this argument, one must reflect on the history of conflict and its causes. In *On Identity, Tribalism and Politics*, Harold R. Isaacs wrote that "differences in physical characteristics, language, history and origins, religion, nationality have produced the goriest aspects of most of human history" (1979), proceeding to list a compendium of some examples at the global level in the 20th century, which is reported below:

"mutual massacring of Hindus and Muslims in the partition of India, followed by three wars between Hindu India and Muslim Pakistan; tribal civil wars in Nigeria, the Congo, Chad, Sudan; four wars between Arabs and Israelis; Indonesians killing Chinese in Indonesia, Chinese killing Tibetans in Tibet, Malays killing Chinese in Malaysia; Indians killing Nagas in Assam; Tutsis and Hutus slaughtering each other in Burundi; Catholics and Protestants in Ulster; Muslims and Alevî (Shiite) Muslims in Turkey; Turks and Greeks in Cyprus; Kurds and Iraqis, Kurds and Iranians; Ethiopians and Eritreans, Ethiopians and Somalis; Papuans and Timorese and Indonesians; Arabs and black Africans in Zanzibar, Arabs and Berbers in Algeria; Christian Filipinos and the Muslims in the Philippines, and so on and so on. […] Close to 2 million died in the civil war in Biafra in 1967-70. More than half a million dark skinned Muslim East Bengalis were killed by light skinned Muslim Punkabis and Pathans — fellow Pakistanis all — in the war in Bangladesh in 1971. At least 100,000 more Tutsis and Hutus have murdered each other in Burundi, bringing the guessed total for these years to at least 300,000. Idi Amin's victims in Uganda, most of them in deliberate slaughters of tribal groups deemed hostile to him, have been counted as high as 300,000. The toll of the Filipino-Moro war in the southern Philippines have been put at 60,000. At least 50,000 have been killed in the Lebanese communal civil war. The most recent official figure of the dead in the Rhodesian guerrilla war was 16,000. In Chad, roving bands of black Christians and animists reportedly killed 1,000 early in the year. No one knows how many Cambodians, Meo, and Vietnamese killed each other in communal sideshow clashes during the American war in Indochina […]."

More of such examples can be found in the forty years following his essay, but his point is compelling nonetheless: tribal differences, in any region of the world, continue to be cause of disturbingly high levels of death, destruction and conflict. This was the case in Europe, and certainly in pre-colonial North America as well, and it has been argued that enlightenment Liberalism is the only system ever devised in history with the direct consequence of allowing countless generations to break out of the oppression of tribalism: "For thousands of years, nearly every society on earth divided people into permanent categories of caste, class, peasant and noble, and, of course, male and female. The Lockean principle of treating every human as equal in the eyes of god and government, heedless of who their parents or ancestors were, broke the chains of tyranny more profoundly and lastingly than any other idea" (Goldberg, 2018). There is a compelling case to be made, thus, about Liberalism's role in freeing people of castes and tribes, and about the strong notion that there is a fundamental and irreconcilable difference between it and any system whereby individuals are understood to be anything more than the sum of their individual character — any sort of tribalism, including sectarianism based on religion, ethnicity,

and identity. In the same way, while prior to Liberal democracies societies were built on the premise that certain classes or characteristics were inherently superior to others – *megalothymia* – with the advent of this set of ideals and principles, *isothymia* replaced the old order, allowing for institutions to be built that recognized everyone equally (Fukuyama, 2018).

Ultimately, whether one understands the *American Creed* as the natural progression of British philosophy and constitutional principles, or as a unique development of a particular set of parameters in North America – which could be expanded to include Christian philosophy elements inherited from the history of persecuted religious people who fled Europe, among other things – it is undeniable that it proved an essential ally in the abandonment of tribalism. In the words of Isaacs, these principles "became a body of theory and conception that assumed that what was meant to emerge from the primeval ooze was some kind of universal man, that backward and ignorant human tribalism would give way to advancing knowledge and reason and that all human beings would join together to assure the common weal." (1979).

While many elements of sectarianism, tribalism and primal divisiveness can never be removed from a real world society – as discussed previously, when pursuing any ideal, complete attainment of it is not to be expected – it will be the aim of the next section to examine how a reversion to tribalism has been observed in the United States in recent times, and how it can pose a significant threat to the foundational principles outlined so far.

3. Chapter II – Tribalism, Identity Politics and Modern Retributive Social Justice: a historical and contemporary account

Groups are always formed around a core identifier: historically, in the most primitive examples of group formation, factors such as physical attributes, language, origin and religion always played the most significant roles (Isaacs, 1979) in the formation of tribes and clans. Tribes translate into factions when they enter the political arena, and group identifiers have always been used to rally masses and support one agenda or the other. In the United States, understanding people as members of a clan or group was largely fought and in part overcome by the enforcement, over the years, of the very principles which are laid out in the previous chapter: promotion of individual worth, equality of opportunity, and freedom. With the advent of the industrial revolution, much of the rapidly growing populations of Europe and the United States began experiencing deeper divides on the basis of economic status, rather than on the aforementioned traditional markers, which became a defining feature of the modern party system in both the United States and its ancestral counterpart, the United Kingdom – the "working class" Democratic and Labour parties on one side, and the "ruling class" Republican and Conservative parties on the other. The principal differentiation among people in this societal arrangement – economic outcome – never clashed with any of the founding principles of the United States, which allowed for its organic evolution through the twentieth century.

It will be the aim of this third chapter to examine how identity politics, a modern social justice movement and tribalism have largely supplanted economic differences as key drivers of social cleavages, and have contributed to the forming of a sociopolitical balance which is corrosive to the foundational principles and ideas that have been laid out so far. The first section will attempt to define the issue of identity in the political sphere in the past fifty years, and trace its sources in political theory and philosophy; a second section will set out to present a view of social justice as a concept throughout modern history, and tie its origins to the latest wave of movements in today's America that profess to be acting on its behalf, giving birth to a quasi Gramscian cultural hegemony; finally, a third section will provide an analysis of events, developments and case studies in recent American history which illustrate how a pursuit of identity politics by actors across the political spectrum, coupled with a newfound appreciation for

social justice by a small number of individuals in prominent positions have contributed to a resurgence of tribalism.

3.1   Identity politics: an overview

Identity politics, as is understood by contemporary activists and observers, describes a political behavior whereby people form exclusive alliances on the basis of shared identity, including ethnicity, race, gender or sexual orientation, rather than inclusive groups on the basis of, for instance, shared beliefs or goals – such as the much discussed creedal values. The history of the term, however, is more broad, with a number of scholars having weighed in on the concept, in attempts to give it a working academic structure.

Mary Bernstein's article titled Identity Politics, from a 2005 Annual Review of Sociology publication, offers a well rounded compendium of the many contributions to this relatively new subject over a period of some thirty years, across academic disciplines, whose results and observations will be outlined in this section to help navigate further discussions.

The first ever use of the term identity politics in academia dates back to 1979, in a publication by American sociologist Renee Anspach, who used it to describe activism by people with disabilities. This was followed, throughout the 1980s, by a meagre three additional mentions in articles and publications by Ross (1982) who uses it to describe ethnicity in political discourse, Bromley (1989) to describe, as Bernstein put it, "a form of critical pedagogy that links social structure with the insights of poststructuralism regarding the nature of subjectivity, while incorporating a Marxist commitment to politics" and by Connolly in 1990 in the context of efforts by status based movements to explore their members' cultural identity. Overall, the social movements that developed throughout the 1960s and 1970s in the United States were, by many accounts, more gripped by the concept of identity and own culture than they were with economic class -- in other words, there was a shift within left wing politics from an inclusive grievance towards uneven economic outcome to an exclusive discussion among identity groups.

Further references to identity politics are to be found in publications in the 1990s, this time as "violent ethnic conflict" by Meznaric in 1993 and as nationalism by Alund in 1995. Already by the turn of the century, Bernstein mentions, there was much discussion on the merit of the term identity politics itself, with authors such as Brubaker and Cooper writing in 2000 that the literature on the subject has too many protagonists and not enough analysis, and Lichterman calling the term slippery in 1999. It was however, by and large, used to describe behavior on the left of the political spectrum, and by some accounts even often used as a derogatory term by other factions (Fraser, 1997). It is important to note that associating identity politics with a specific faction in the political sphere does not mean it is a feature of a particular ideology; as a tool, it can and has been appropriated by a number of actors across the spectrum.

A 1996 comparison by Feher in fact, reported in Berstein's compendium, notes that the right has adopted a language of victimhood from identity politics, and a number of scholars in the 1990s concluded that there is an inherent danger in comparing identity with culture. This, some have pointed out, would allow for identity politics to take the form of validation of white nationalism as a denigrated culture on the right.

It is apparent, therefore, that identity politics is a complex, morphing tool which can be used by any political actors for legitimization and the consolidation of coalitions. An observation which can help drive this point is one by Solomos from a 1998 publication, where a comparison is proposed between the racist right and black or ethnic nationalists, who seem to use identity politics in the same fashion. The same author also mentions that this is derived from claims of essentialism in each identity group – the concept, in short, that there are natural inherited characteristics that make an ethnic group original. Essentialism, which was connected to identity politics by Jonah Goldberg as well (2018), is inherently "racist" by a contemporary meaning of the word, as it elevates physical or natural born features of one's ethnicity as ultimately more defining than anything else – including, for example, free will or individual differences. The essentialism of identity politics, according to many, is in direct contrast with any universal vision for social change or improvement; its claims at the group level, which are made in order to advocate for exclusive benefits, actually can slow down any progress on both the left and the right's agendas. Schesinger (1998) recalls a comment by British historian Eric Hobsbawm, who

"condemns identity politics for its reduction of the left to a coalition of self centered minority groups and interests," which is as good an example as any of the dichotomy between identity politics and broad, unifying ideas.

Since identity groups are essentialist in nature, and they are exclusive, Berstein adds, they cannot agree on anything except opposition to a common enemy. The most common example is perhaps today's targeting on heterosexual white males, which will be examined in more detail in the following section: by excluding an entire demographic group from a political debate, identity groups cannot form effective coalitions, and this often leads to an inability to further one's interests at the policy or national level. Mark Lilla wrote in 2018 that identity politics "never wins elections – but can lose them".

Given the already mentioned evolution of the American – and perhaps European – political spectrum, from one based on issues of economic outcome to one increasingly dominated by identity, it is important to note that scholars have pointed out how an economic downturn could revert the trend. This, in particular, was noted by Bernstein in 2005, who quoted a 2003 work by Wrong and a 2001 one by Bell, and a similar sentiment was expressed by Huntington in *American Politics: the Promise of Dishar*mony, where it is argued that Americans experience cyclical "waves of creedal passion every 60 years or so" (1981). A rather simple rejection of this proposition, however, can be based on an examination of American politics before and after the Great Recession of 2007, by many considered the worst economic crisis since 1929; an ever upwards trend can easily be observed in the two decades following the turn of the century in the matter of identity supplanting economic outcome as the primary group identifier and political issue, with no significant change following the crisis. The only significant example of an inclusive movement on the left that was fueled not by identity politics but by grievances regarding economic inequality was the notorious and equally short lived Occupy Wall Street protest.

Many are the theories developed by sociologists and other scholars alike in the second half of the 20th century, to attempt to offer explanations of post industrialist societies; the New Social Movements theory touches on the issue of identity, but as Bernstein points out, some, including Darnovsky in 1995, have argued that it fails to address the most important questions

regarding identity politics. Marxists and Neo Marxists have also dedicated a number of studies to the role identity plays in politics – although, as mentioned, identity in Marxism was mostly overshadowed by economic class based discussions. In contemporary public discourse, on the other hand, a connection is often made between identity politics and postmodernism (Jordan Peterson, 2018). Berstein does, in fact, mention in her analysis that in 1995 Epstein argued that the reason for this association in academia is due to identity politics' concern with language and representation, but it is important to note that the association has largely been rejected by postmodernists themselves. Status categories, they argue, are a form of regulation, and thus any activism done in their name would strengthen rather than alleviate inequality; this, in turn, would only increase the use of said categories to "regulate" and dominate subordinate groups, leading to a hardening of differences in status identities which make up inequality. It is possible, thus, to build a solid case for a postmodernist critique of identity politics, which would view organizing based on identity as an essentialist exercise – an attribute which, as previously illustrated, is arguably a defining characteristic of identity politics.

Judith Butler, moreover, provided an additional layer to a potential postmodernist critique – and weakened the association between postmodernism and identity politics. Her famous studies on the theory of identity (1990, 1993) touch on the concept that gender identity is affirmed through performative acts, which in turn constitute gender, and deny the existence of an inner essentialist core – the belief in which, instead, is paramount in identity politics.

Many more critiques of identity politics are referenced by Bernstein, which include some by Ryan in 1997, Humphrey in 1999, Phelan in 1989 and Alexander in 1999. While it would be outside of the scope of this compendium to enter into more in-depth academic critiques of identity politics, which shall be examined thoroughly in a later section, some of the more noteworthy observations recorded by the aforementioned scholars include a failure to address power relations effectively; there have also been critiques that highlight identity politics' disinterest in challenging the underlying foundations for the status categories it preaches from, and its lack of respect for intersectionality in self-assigned identity, which pushes individuals to privilege some aspects of their heritage, preferences, culture and origins over others. All of this

ultimately translates in the absence of recognition for the inevitably complex nature of groups themselves, to which it often imposes a uniform, essentialized identity.

Another connection often made by scholarly articles and, more recently, the public press and media commentators, is that between identity politics and multiculturalism, and political correctness on college campuses. Evidence for both of these, as was reported by Bernstein, is to be found in writings by Hollander in 1996 and Spragens in 1999 – a full twenty years before debates over freedom of speech would inundate American campuses and the mainstream media. Multiculturalism was described by Arthur Schlesinger as a force capable of undoing the powerful assimilation dictated by the nation's core beliefs, in his book The Disuniting of America (1998). Shortly thereafter, Smelser & Alexander indicated that the identity politics debate was one between radical multiculturalists and supporters of traditional values, or in other words, a choice between valuing diversity over common values as the highest moral good and preservation of the foundational principles of the United States. They go on to describe society as fragmented into multiple identity groups, and propose that identity politics uses a so called "discourse of discontent," whose polarizing effects ultimately upstages the long and complex integrative processes of institutionalizing diversity – on the basis, as was a central point of the previous chapter, of those creedal principles which gave rise to a cohesive country founded on immigration.

Mark Lilla, who was quoted before, noted on the concept of celebrating differences over unifying values that "it is disastrous as a foundation for democratic politics in our ideological age" (2018). Aside from the fairly intuitive argument that in order to assimilate newcomers, in a country which has experienced a continuous, uninterrupted stream of immigration, common values are a much stronger binding force than retrenchment in individual identity groups, one could reasonably assert that identity politics is too weak and diverse a concept on its own given the multitude of possible interpretations of it that have been proposed.

With Marxists, Neo Marxists, Postmodernists, New Social Movements theorists, Neoconservatives and many more offering different, albeit noteworthy interpretations of identity politics, it is perhaps impossible to offer a definition of it which would satisfy all. It would,

however, be reasonable to find some elements of overlap among the body of scholarly material that has delved into this subject: identity politics seems to be essentialist in nature; it does not seem to have much regard for traditional economic-outcome-based class divisions; it is largely exclusive. On the very first point, Jonah Goldberg affirmed that "whatever parallel you want to draw, the conclusion is the same. That is not liberalism, rightly understood".

Identity politics, much like the social justice movement which is the subject of the upcoming section, has grown as a movement in American politics, mostly on the left. Following globalization, and the many issues of loss of identity and abandonment it generated, marginalized groups began choosing asserting a separate identity over demanding that society treat its members the same way it treated the members of dominant groups. This was the same choice made by the Black Panther movement in the end of the 1960s, which was already a profound departure from Dr. Martin Luther King Jr's movement. They argued that the authentic inner selves of black Americans were not the same as those of white people, showing the very essentialism which inhabits identity politics today (Fukuyama, 2018). The Black Lives Matter movement is a modern day version of that same departure from the Civil Rights Movement, being fundamentally rooted in racial essentialism, identity and exclusivity.

3.2 Social Justice: a new 21st century wave

The concept of social justice is as broad as the concept of justice itself, with innumerable authors, scholars and thinkers having worked to understand it and explain it in new terms. In the classical world, Plato, Aristotle and Socrates all devoted time to the study of justice, and so did all the major world religions at one point or another, but the concept was very far from anything akin to the meaning of social justice that grips many activists in the 21st Century. An increasingly large number of people, both at an academic as well as at a political level, in the United States, have in the past twenty-odd years formed and contributed to a loose movement with a general aim of promoting "social justice," to be understood as a retributive form of correction of inequalities and uneven social outcomes, often coupled with the use of identity and group politics. This section will attempt to offer an examination of the features and defining elements of

this movement, which has been described at length by contemporary observers, scholars and journalists.

As Noah Rothman, author of *Unjust: Social Justice and the Unmaking of America* pointed out, the contemporary social justice movement "is less a theory of justice than a new way of thinking about how society should be ordered" (2019). It is not, in other words, a development or a continuation of works such as John Rawls' *A Theory of Justice*, which draws on Kantian, Utilitarian and Liberal thought, but a new kind of politics which identifies members of a supposedly "marginalized" identity group, and seeks to enact retributive measures against their supposed "oppressors". The new social justice movement's participants are in fact mostly disconnected from the enormous body of work that exists on the topic, but have developed a new unwritten hierarchical paradigm which describes history and society only in terms of perpetrators and victims – this very model is in part to account for the movement's lack of knowledge of classic thinkers itself, who are discarded by activists due to their European and white background (Rothman, 2019).

While there is certainly merit to any discussion about marginalized members of society, it is also important to note that in modern social justice activism there is no room for the traditional notion that a decent society can respect a more marginalized minority, and work with it to find solutions: the "majority" is now often cast as merely villains who actively oppress the minority (Goldberg, 2018). Despite the aforementioned distance from this contemporary movement to established literature, American sociologist Carl Bankston noted in a decade old issue of Independent Review that there are elements of Rawlsian justice that can be found therein (Bankston, 2010); he comments that viewing people as positions rather than according to their individual self reduces them to categories, and that Rawlsian thought inevitably leads to society being understood according to different levels of apparent victimization or oppression. It must be said, on the other hand, that Rawls' veil of ignorance resembles liberal principles too much to be associated with modern notions of social justice.

An important critique of the concept of social justice, Rothman reminds us, comes from Economist Friedrich Hayek, a staunch defender of classical liberal, who harshly criticized the

word "social" in connection with justice, and is referenced to have said to William F. Buckley Jr on Firing Line in 1977 that "everybody talks about social justice, but if you press people to explain to you what they mean by social justice… nobody knows." He further noted that the idea of social justice is fundamentally opposed to the concept of personal freedom, and that it is to be associated with demagoguery and dishonest journalism, and even offered his perspective on Rawls' idea of a just institution, from his Theory of Justice: he proposed that if the state should treat different people differently in order to place them in the same position, would by definition force it to treat people inherently different, doing away with a fundamental principle of equal treatment, as spelled out by the US Constitution. Another contemporary critic of social justice was Libertarian thinker Robert Nozick in *Anarchy, State and Utopia*, written just three years after Rawls' main contribution.

Social justice advocates, on the whole, are not interested in equality as is described by the foundational principles of the United States: real justice, they argue, is not equality, but a reversal of the historical oppression that some groups have suffered from others. A Rawlsian veil of ignorance would effectively allow for justice to be given out blindly, equally, without taking historical wrongs into account – without oppressing the oppressors and placing the former victims in positions of power. Color Blindness, which is in the very title of this work, and is the essence of the American liberal spirit, is an undesirable outcome for social justice advocates. Since, as was described in the second chapter, the principle of equality is one to be enforced by government, an implicit trust in those very institutions needs to be in place; the social justice movement, however, rejects the legitimacy of American institutions, for those were created by those who, in this view, are but the ultimate oppressors: the slave owning patriarchal white men of the 18th century. As Jessica Neuwirth writes in *Equal Means Equal: Why the Time for an Equal Rights Amendment is Now*, "the entrenched historical inequality between the sexes cannot be erased by the creation of a level playing field because the players themselves are at two different levels" (2015). Theses such as this, which entrenched historical inequality between the sexes cannot be erased by the creation of a level playing field because the players themselves are at two different levels are all too common in the retributive social justice movement, essentially argue that merit is an unworkable standard, and that the principles of equality before the law that generations of Americans have striven towards are not attainable (Godberg, 2018). The latest wave of the

feminist movement, for instance, has been known to make a case against constitutional government on this very basis: according to Christina Villegas, contemporary feminists have strayed from pursuing the goal of equal opportunity under the law, and have instead set out to promote "women's full autonomy by eliminating gender distinctions and forcing gender parity," a move which largely undermines America's constitutional system (2016). Even Francis Fukuyama mentions that "from the beginning, an important strand of feminist thought proposed that the consciousness and life experiences of women were fundamentally different from those of men and that the movement's aim should not be to simply facilitate women's behaving and thinking like men" (2018). There is, it should be said, a difficult conundrum that plays out when attempting to understand the essentialism of identity politics and the current social justice movement: on the one hand, it is a deeply divisive and tribal notion, which goes against the foundational principles of the country; on the other, some real quantifiable differences between, for instance, men and women, are some of the main reasons why despite equality of opportunity, outcomes in society are vastly different.

More authors have written about this peculiar argument, going back to the last century, including Stanley Fish, There is No Such Thing as Free Speech: And It's a Good Thing Too (1994) and Alex M. Johnson, as quoted by Daniel A. Farber and Suzanna Sherry in Beyond all reason: the radical assault on truth in American law (1997). These individuals vehemently defend the claim that free speech, reason, fairness and merit are undesirable values, because they are ideologically charged products of a political agenda – to validate, ultimately, the European white male's point of view. Perfect equality, they believe, is a wrong and naive goal which ignores historical injustices, and relieves the compounded burdens that are passed on to people from each generation; it is, essentially, more and more frequently considered a form of racism (Goldberg).

Given the lack of a clear connection between this new movement and a more mature and expansive ideology – such as Marxism or Liberalism, for example – some have argued that the fundamental driver of the contemporary social justice movement is as simple as mass resentment towards luck (Rothman, 2019). They follow, in other words, the traditional notions of equality and justice of the great philosophers, only to discard them on the basis of whether people are

deserving or such treatment. A prominent figure who has expressed this view in the popular media is Canadian clinical psychologist and author Jordan Peterson, who made explicit connections between the resentment felt by the proletariat in Leninist Russia towards the better endowed, and the hatred of, for instance, white males in this modern movement (2017). It is important to note, in addition, that this kind of resentment is often felt by the "oppressors" themselves, who are induced into self loathing and a permanently apologetic behavior (Maher, 2019). Differentiators in society the likes of natural talent, personal tastes or aptitudes, are often considered circumstances that "must be corrected through social leveling" (Rothman, 2019) according to a principle known as "luck egalitarianism"; if one is convinced that differences in outcome are the result not of multivariate, often organic differences among people, but of systemic oppression, it is natural that attempting to eradicate them would be a noble pursuit. Naturally, all of this is largely theoretical, but some scholars and policymakers have indeed been matching this evolution in political goals with real life policy ideas: In Unjust, Spanish academic Anca Gheaus is quoted as having proposed to eliminate school selection based on merit and quantitative evaluation of students and exams, as well as to introduce the concept of workspace democracy, all in an effort to promote equality of status. This, needless to say, is completely irreconcilable with principles such as individual freedom or equality before the law.

There is, without a doubt, a very good argument for bending policies, rules and requirements to account for the crimes of a recent past: Lydon B. Johnson, who was a supporter and ultimate signatory of the Civil Rights Act of 1964, famously said during a commencement address to Howard University a year later that "you do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and say: you are free to compete with all the others; and still justly believe that you have been completely fair". Affirmative action, which was designed to bend the ideal of individual merit in favor of helping African Americans have access to higher education, made sense in the aftermath of segregation and Jim Crow laws; reconstruction era policies had value because they had been enacted in the aftermath of the Civil War; but bending ideals is only defensible when it occurs as a reaction to special circumstances (Goldberg, 2018).

There was, for instance, reason to be in favor of bending equality when women were first entering the workforce, given the difficulty they had competing in an era where the notion was considered extreme to say the least: today, however, the following statistics describe the gender distribution by career track in the United States: "51% of law students are now female. So are 49.8% of medical students, 45% of math majors, 60% of linguistics majors, 60% of journalism majors, 75% of psychology majors, and 60% of biology postdocs, yet [...] engineering remains only about 20% female". Asserting that the reason there are mostly men in the engineering profession is male oppression would be completely illogical given the rest of the landscape -- you would have to, in other words, explain why there are such alarming levels of misogyny in the engineering world compared to any other field. (Alexander, 2017). Another fallacy with the social justice movement's obsession with a flat hierarchy is that its claim that the ultimate goal is perfect equality in every field implies that there exist no differences in preferences, tastes, aptitudes whatsoever between men and women across the realm of possible employment, while at the same time claiming the essentialist idea that you should favor one over the other in hiring due to their inherently special value (Goldberg, 2018).

Given that, as was mentioned earlier, this concept of social justice is not a political or social theory, but a new way of thinking about how society should be ordered, its proponents are arguably pursuing power, in that they de facto aim to control the terms of the debate, and to establish themselves as a new authority over what is just, fair legitimate or not. Before the establishment of due process of law, which in the United States came since the country's inception, where values are shared and courts have legitimacy to enforce them, societies relied on a "priestly class" (Goldberg, 2018) to decide, establish and enforce a "correct" order, way of thinking and behavior. For perhaps the longest time in human history, this priestly class was made up of actual religious leaders, even dating back to pre-Abrahamic religions, and certainly in 17th Century Europe. Religious leaders control what is right and what is wrong by acting as the arbiters of moral standards, and claiming the monopoly of virtue: in the same way, the self-anointed class of academics, writers, artists and activists who revel in the social justice movement have vested the power of deciding who is to be excommunicated for wrong thinking in themselves. Colleges and universities, once the heart of the most passionate debates and convergence of ideas, have now become the home of this priestly class, in a large part.

There is a sound argument to be made whereby this class of people is attempting to exercise what Marxist philosopher Antonio Gramsci called "cultural hegemony": a domination of a pluralist society by a ruling class, who effectively controls values, beliefs and perceptions which become accepted cultural norms. Free speech, conceptually, is a threat to ideological hegemony and today's "priestly class" has certainly attempted to change the rules of what is permissible to say, a practice for which many examples will be illustrated in the upcoming section of this chapter. It should be sufficient to describe, in this context, the swift change in language that has been observed in American activism, media and academia in recent years; the word tolerance was originally used to describe attitudes towards perceived marginalized classes, only to be supplanted by "acceptance," and soon after by "celebration" -- the first two were, apparently, too condescending. The fundamental takeaway from this is that there is meaning behind this shift: the first two words convey a message of polite disagreement, while the most recent acceptable version is all about accepting someone else's view or message as valid -- it means giving way to a higher moral ground (Goldberg, 2018). Supposedly marginalized groups, Francis Fukuyama mentions, increasingly demanded not only to be treated as equal, but that "broader society celebrate the intrinsic differences that set them apart". The term multiculturalism itself, which in the past was used to describe a positive quality of diverse societies, became in reality an essentialist political program, who valued every separate lived experience equally, drawing particular attention on previously less fortunate identity groups, or those whose culture appeared to be undervalued (2018). An extensive critique of this kind of multiculturalism was elaborated by historian Arthur Schlesinger in the 1998 volume previously mentioned.

One cannot help but draw similarities between the social justice movement's focus on essentialism and retribution and George Orwell's Animal Farm, in which a ruling class of hegemonic farm animals form a list of rules, one of which is "every animal is equal, but some animals are more equal than others" (1945). The additional value the social justice advocates attribute to previously underappreciated cultures is something which could be described as "weighted equality," to borrow a page from the British novelist.

Before this kind of multiculturalism and social justice spread to the fragmented plethora of small identity groups in the United States, Fukuyama reminds us, it was originally a feature of very large cultural groups, the likes of French speaking Canadians, Muslim immigrants, or African Americans (2018). The intersection of many such identities has now allowed for a much greater number of them to take hold – e.g. Latina women, or transsexual Muslims – who cannot associate with only one category in order to fully express their identity. All this is evidence for is that the social justice movement and its marriage to identity politics is an ever evolving organism, that much like a cell, has been dissecting and multiplying over the years, thanks to the ability to form ever expanding chains of oppressors and victims, through the above concept of intersectionality and an unlimited historical archive to draw stories of marginalization from.

On the topic of cultural hegemony, it is crucial to note, that the priestly class is not in fact controlling any of the governing institutions of the United States: like Mark Lilla was quoted as saying earlier, these tactics have not so far won any significant political contest. There is, in a way, a kind of dualism between the ruling class which is in power through the foundational US principles, namely the Constitution, and a ruling class which is not represented by these institutions -- it does not have enough numbers to win elections nationwide -- but is attempting to control the culture. Moreover, it can be observed that because the modern social justice movement and its identity based politics do not grant much cultural legitimacy to US government institutions due to their origins being tied with white European males – "oppressors" in the eyes of many activists – they might ultimately seek to replace them with different ones altogether; some examples of policy proposals which would give some real life basis to this argument are outlined in the next section.

Many activists, most famously Black Panther leader Eldridge Cleaver often call others out who disagree with them using the now stock phrase "if you are not part of the solution, you are part of the problem"; therein lies the very best example of cultural hegemony in this age. No room is left for disagreement, civil discussion, ideological and philosophical differences: either one is in line with the activists' worldview, or they are shoved away. There is, in other words, no Toquevillian "right of exit" from the agenda of social justice. Jonah Goldberg, who has reflected heavily on this topic, made a daring but apt comparison to an element of Nazi totalitarianism:

the term Gleichschaltung was borrowed from the world of engineering to describe "a doctrine whereby every institution, every Burkean 'little platoon,' must coordinate with the state or be crushed" (2018). There are many more comparisons with totalitarian regimes that could be made about the new social justice movement, most of which with the Soviet Union – this is not to say that there are authoritarian tendencies in the movement, however; the totalitarian aspects manifest not in terms of political or legislative control, but in terms of domination of the culture at every level, which is one of the defining characteristics of such regimes (Linz, 2000).

It must be said, in order to devoid any of these accounts of hidden references to one political side or the other, that the social justice movement and identity politics have mostly taken hold among the American left, but that they are nor limited nor destined to remain there. This movement, as was explained earlier, was grown out of a strategy shift in most left-wing parties, who focused "on ever-smaller groups that found themselves marginalized in specific and unique ways" instead of on building large coalitions (Fukuyama, 2018). This desire for special recognition, however, has largely been adopted by the right as well -- the election of Donald Trump can be seen as the expression of white, Christian identity politics. The next section will aim at illustrating how this new kind of politics, coupled with the modern social justice movement based on retribution, have been causing levels of tribalism and sectarianism that had not been seen for at least a century.

3.3 Contemporary accounts of a resurgence of tribalism

This third and final section will attempt to offer a more in depth look at the issue of tribalism today, as a consequence of identity politics and the new social justice movement. The story of how these new forces developed to the political landscape of today is inevitably tied to how liberal societies not just in the United States, but across the world stage have developed alongside them -- it is crucial to understand, in other words, how and why have people become so detached from the foundational principles of liberalism to react so violently against them.

With increasing interdependence, globalization and shifts in manufacturing, as well as a worldwide economic recession, the largely open liberal world order began to drift away; today,

both on the left and the right there are apparent signs of a reversal. As liberalism falters in Western Europe and North America, where it is arguably the strongest, the rest of the world is likely to become rapidly disenchanted with it. On the left, an abandonment of the goals of the 20th century – namely a strengthening of the welfare state, building a safety net and fixing the corruptions that inevitably came with a more advanced capitalist system – gave way to the phenomenon which has been described so far: empowering a never exhaustive list of minority groups. The right, on the other hand, went from focusing on working to reduce the size of government and promoting free enterprise and the private sector to taking up the role of the defender of a national culture long gone, which is little else than promoting white nationalism and nativism – sometimes in a more veiled manner than others (Fukuyama, 2018). The concept of dignity, on top of identity, is more and more the focus of political discourse: a dignity to be restored from an oppressor; in the case of the left, leveraging on the many instances of victim/perpetrator, and in the case of the right, often building on racist and anti-immigrant nativist sentiment. In the case of the election of Donald Trump in 2016, for example, a call to "a better time in the past" always remained a central theme – a subtle call to double down on tribalism, with white individuals forming a coalition around their allegedly threatened identity.

The formula of the melting pot, which is just another word to describe the principles that were laid out in the first chapter, is now breaking down according to Jonah Goldberg; the dominant culture today is that government should give special treatment to certain categories of people – sometimes written in the law as protected classes; Americans are also being encouraged by the media, the arts and the public to judge people according to their group identity, not as individuals, for they are taught there is no escaping it; and finally, perhaps most dangerous of all, they are conditioned into thinking that assimilation is a dirty word (2018).

The ultimate goal of any identity politics campaign is at its core a desire for power, many have argued: benefiting a group or alliance of groups in the pursuit of social justice in the terms laid out by the contemporary homonymous movement. It is fundamentally flawed, however, to assume that when large numbers of people – the current population of the United States being some 320 million, spread around almost 10 million square kilometers – who are equal before the law make choices, the aggregate results of those choices will reflect exact equality of outcome

across genders, ethnicities or any other of the many metrics used. Aside from it being an essentialist and racist notion, a point which has been argued earlier, it is also factually impossible: there are simply too many potential categories, and intersections of categories; even if by government mandate the amount of lawyers, for example, was split equally between men and women, it would then have to be split just as equally among ethnicities, and then among people with different sexual preferences, and so on and so forth, in order to satisfy the social justice paradigm. The movement often claims that the reason the split is not perfectly equal is only to be found in the presence of what they refer to as "systemic bias": given that there are fields, like the nursing or teaching professions for instance, which are female dominated, it would be difficult to unravel why systemic bias only affects certain areas of employment. Any argument such as this, however, would be shut down by the social justice movement if made by someone who happened to have white skin; this is because anything associated with the "ultimate oppressor" is now often discredited. In 2015, Yanan Wang described in the Washington Post that there are a number of courses taught at colleges and universities throughout the United States whose aim is to explore the "problem of whiteness" – the actual name of one of such courses, at Arizona State -- or the new field of study known as "critical whiteness studies," which aims at "dismantling white supremacy in part by understanding how whiteness is socially constructed and experienced" (Wang, 2015). While there are many classes taught in US higher education institutions about specific ethnicities, with the aim – albeit arguably essentialist – to educate people on the merits of their cultural heritage, "critical whiteness studies" does not offer a syllabus of, say, European philosophers, but instead aims at conveying the message that whiteness is an ideologically charged, oppressive notion, which needs to be dismantled. Labeling individuals "white supremacists" for disagreeing with these notions, seems to be an ever growing trend as well. One must look no further than the cases of Ben Shapiro – a Jewish author and journalist who came first on the Anti Defamation League's report of anti-semetic attacks from the alt right (ADL, 2016) – and Bret Weinstein. Ben Shapiro, Goldberg explained, was invited to speak at Berkeley in 2017 and was attacked for being a white supremacist; "Tariq Nasheed, a self-described 'anti-racism specialist,' announced on Twitter: suspected white supremacist Ben Shapiro, who tries to mask his racist rhetoric by claiming he is Jewish, is in Berkeley now" (2018). Bret Weinstein, an evolutionary biologist with a teaching position at Evergreen State College in Washington state, was the victim of a mob of protesters who described him as a white supremacist after voicing his

disapproval of a proposal made by activist students that all white men and women should abstain from going to school on a certain date (Weiss, 2017).

While reasonable people can disagree on the merits of a speech by Ben Shapiro, or the proposal that white people stay home for a day, or lack thereof, it is increasingly common for students at prominent institutions to shut down debate due to a need for what they call a "safe space". There is a growing belief, among social justice activists, that when someone disagrees with their ideology, they are de facto acting out on their oppressive selves, and the act alone of disagreement or discussion is "violence". This is precisely what happened to Jordan Peterson in Canada in 2016, and to Lindsay Shepherd in 2017. Bret Weinstein voiced his concerns for this growing problem while testifying before Congress on May 22nd, 2018, and he ended his testimony with the following observation: "Is there a free speech crisis on college campuses? One can certainly make that argument, but that portrayal is at least as misleading as it is informative. What is occurring on college campuses is about power and control – speech is impeded as a last resort, used when people fail to self-censor in response to a threat of crippling stigma and the destruction of their capacity to earn" (2018). It appears, thus, that colleges and universities are increasingly the focus of, rather than a debate about identity, justice and politics, the silencing of opposing views. A more complete list of incidents that occurred at college campuses regarding the impeding of free speech and the violent repression of free discourse and debate are collected by civil liberties association FIRE in their "disinvitation database"; a "micro fractional" list of what Jonah Goldberg calls "horrible or hilarious stories from American campuses and left-wing media outlets" can also be found in his volume on identity and tribalism (2018), but the lists are by no means exhaustive: student activism aimed at regulating speech is now common across the higher education space in North America. As evidence that this is not only a contemporary problem, but that it has roots in the last century as well, one needs nothing more than to review any of the following publications: The Intimidation Game, by Kimberely Strassel (2016); Silenced by Kirsten Powers (2015); End of Discussion, by Benson and Ham (2015); The Victims' Revolution by Bruce Bawer (2012); Tenured Radicals by Roger Kimball (1990); The Closing of the American Mind, by Allan Bloom (1987); God and Man at Yale, by William Buckley (1951).

While the concept itself of a "safe space" might sound to some like a benevolent attempt at mitigating violence and bullying, the many accounts of its defense cite "verbal violence" in the sense of different opinions being voiced by other students or staff. It appears, thus, that the notion is more of a tool of the "priestly class" described earlier used to achieve the goal of cultural hegemony in society. Legislation, in addition, has been passed at the state level in both the United States and Canada that mandates the use of certain pronouns when addressing self-identified transgender or gender-fluid individuals; the misuse of pronouns, according to Canada's new human rights legislation, would constitute a "hate crime" and has serious penal consequences. It constitutes the first ever passing of a compelled speech law, and it was fought fiercely by Jordan Peterson since it was introduced. It is interesting to note, moreover, that it is not just white people battling identity politics who are accused of "hate speech": Somali American author and atheist activist Ayaan Hirsi Ali was accused of islamophobia multiple times for her rejection of her faith (Fox News, 2014), and so was British former muslim and secular counter extremism expert Maajid Nawaz (Nawaz, 2016).

This goes hand in hand with the notion of "political correctness," whose meaning has changed rapidly in the past century; while some used it loosely to indicate an acceptable social behavior, a New York Times article from 1934 used it to describe "perfect aryans" in Nazi Germany whose views were conform with those of the totalitarian regime. Today, it largely consists of a social norm that "prohibits people from publicly expressing their beliefs or opinions without fearing moral opprobrium," a concept that is as old as time, but that now is coupled with a rapid and continuous shift in what constitutes acceptable speech, as "new boundaries lines keep appearing, and previously acceptable ways of talking or expressing oneself become offensive" (Fukuyama, 2018).

Social justice and identity politics, which Mark Lilla believes is a kind of "moral panic," have been embedded in the national cultural fabric in more ways than just college activism; "at a very young age, our children are being encouraged to talk about their individual identities, even before they have them […] By the time they reach college many assume that diversity discourse exhausts political discourse, and have shockingly little to say about such perennial questions as class, war, the economy and the common good" (Lilla, 2018); intellectual, ideological and

religious diversity are in fact never really taken into account, with the word mostly being used to only describe diversity of identity groups, which has allowed for an entire generation of people who largely are unaware of happenings outside of their identity bubbles, and who are uninterested in measuring their experience against other people in the global marketplace of ideas. At the high school level, in addition, today's tribalism and identity based politics has been projected onto the past, which helps create a profoundly distorted understanding of the drivers of progressives movements who pushed for women's rights or civil rights for African Americans in the 20th century. With courses being taught that sideline the founding principles of the country in favor of identity specific studies, there is an almost uninterrupted progression of indoctrination into this kind of political and social thinking at every stage -- Yale, Goldberg notes, in the past year only offered two courses on the Constitution and a myriad on various groups' own field of study (2018). Arizona State University decided in 2018 to establish a program for the study of "political economy and moral science," which would have been centered around the teaching of under taught works such as Adam Smith's economic philosophy and the Federalist Papers; this decision became the center of a national scandal because "it was too heavily focused on white male thinkers from the US or Europe". This type of attitude is not just confined to the US: in 2017, students at SOAS in London demanded that thinkers such as Plato, Descartes and Kant give way to non western philosophers, in an effort to "decolonize the syllabus" (Rothman, 2019).

This kind of tribalism, some argue, is no longer a small phenomenon confined to radical organizations at University campuses or underground movements, but it occupies the center stage of world politics, constantly represented in the mass media, and "has become a master concept that explains much of what is going on in global affairs" (Fukuyama, 2018).

Most ideologies, historically speaking, have a tendency to not only oppose, but also contribute to academic thought. There have not been many compelling publications that have given a coherent, original and solid scholarly bedrock to the modern social justice theory, except for the seldom proposals for radical policy ideas. It is expected however, given the young age of this movement, that more will be produced at the scholarly level in the coming years -- especially as the identity-obsessed children and college students become established in academia. Two noteworthy publications in the realm of radical policy proposals are by Lani Guinier; in The

Tyranny of the Majority: Fundamental Fairness in Representative Democracy that the doctrine of "one man one vote" (in other words, democracy and equality before the law as spelled out by the 14th amendment to the US Constitution) should be abandoned in favor of a more "authentic" system, namely different minority groups taking turns at governing even if their "authentic leaders" cannot win a political contest (Goldberg, 2018). The notion of authenticity, which she once again uses extensively in an article titled The Triumph of Tokenism: the Voting Rights Act and the Theory of Black Electoral Success means that just being a member of an identity group by birth or circumstance is not enough: to be an authentic member of a given group, one must embody its spirit -- something which, Goldberg points out, the Germans refer to as "Volksgeist". In other words, if a person seeks to represent women, they need not only be a woman, they must also prove that they understand the "group consciousness, group history and group perspective" of the "women" identity subset -- which, activists would argue, should also not necessarily be tied to their biological sex. She would argue, thus, that adhering to an identity group can be de facto quantified, and that such calculation should bear a weight when deciding who a group's leader is -- democracy should not necessarily be a metric to be taken into account. At a broader scale, even outside of inner group politics, she believes that colorblindness is a flawed principle because it ignores historical perspective, and ignores group identity. These essentialist notions, which as mentioned multiple times earlier are a fundamental feature of the new social justice movement, have long been reported in academia and in non scholarly writings alike. Germans historically had a particular proclivity for these kinds of principles, with nationalist intellectuals the likes of Johann Gottfried Herder and Johann Fichte dedicating many pages to the "essential psychological and cultural uniqueness of German Volk". A comparison that Goldberg induces, however, is even more apt to this case, since Guinier herself invokes it to defend her point: John C. Calhoun, a lifelong defender of slavery in the American south, argued that a majority could not overrule a minority if the majority's will conflicted with the core interests of the minority -- in his perspective, this was a direct reference to the small number of white slave-holders in the United States and the large slave populations around them. Guinier counts his theory of "concurrent majorities" as a viable solution to the allegedly "flawed one man one vote" system (2018). This idea, or at least a version of it which mirrors the desire to flatten out hierarchies and ignore merit, is fully embedded in a number of elite universities across the United States in the form of higher standards for traditionally higher achieving students, usually

of asian descent: "Asian-Americans need 140 SAT points out of 1,600 more than whites to get a place at a private university, and blacks need 310 fewer points" (The Economist, 2015).

3.4 The Right

As Mark Lilla wrote in 2018, "if you are going to mention groups in America, you had better mention all of them. If you don't, those left out will notice and feel excluded". This is a clear reflection on the fact that the identity politics on the right cannot be decoupled from that on the left: one is a reaction to another. With growing tribalism in the years that preceded 2016, and the celebration of multiculturalism, large numbers of white evangelical Christians felt their religious and cultural identity being stripped away – over 80% of them voted for Trump. The same was true for the low educated working class; as manufacturing jobs became less and less reliable, rural unemployment grew, and an opium epidemic mostly affecting rural white low income populations cost thousands of lives a year, this suffering demographic was constantly told by the popular media that they were privileged due to their historical success. In total, some two thirds of white citizens without college degrees cast their ballot for Donald Trump in 2016. As much as there is historical truth regarding the positioning on a general hierarchy of whites over other minorities, they are over 60% of the United States, which ought to mean they suffer from the same general trends of unemployment, crime, sickness and abandonment that the country as a whole faces, and are inevitably alienated from their targeting from the social justice movement. Let us take, for example, a look at the history of African Americans in the 20th century, and compare it with recent developments in the lives of white individuals. Deindustrialization, rising crime and incarceration rates, a crack cocaine epidemic, a deterioration of family life, and widespread gang violence carried generation after generation through poverty. A non dissimilar social decline has been experienced by the white working class, who keeps hemorrhaging thousands in opioid overdoses throughout the country – some 60,000 in the past year alone – with life expectancy as a whole dropping between 2013 and 2014; the issue of family, in addition, mirrors the black experience in some respects, with the number of children growing up in single parent households rising from 22% in the year 2000 to 36% in 2017 (Fukuyama). Only very poor powers of observation would fail to notice that there is a distinct similarity between these two demographics' social experiences only a generation or two apart, and even poorer ones that there

is an obvious correlation between American lives overall and this kind of social decline, regardless of ethnic background -- and yet, the social justice movement would have everyone believe that white America is the cause of all the suffering endured by other ethnic groups.

Jonah Goldberg's study on identity politics also contributes to the discussion regarding its effects on the right. He points out in *Suicide of the West: How the Rebirth of Tribalism, Populism, Nationalism and Identity Politics is Destroying American Democracy* that known leftist cliché "perception is reality" actually explains the problem with the radicalization of the American right pretty well; the perceived reality of a vast number of Americans -- perhaps larger than any single identity group on the left -- is that their institutions, and their culture are being destroyed. The so called "war on Christmas" is one of such examples: many Christians believe that by broadening the winter holiday season to include other regions' holy days, the country is losing its Christian soul. In the words of Goldberg "the grave danger, already materializing, is that whites and Christians respond to this bigotry and create their own tribal identity politics"; while he does not believe, rightly so, that the American right is as preoccupied with white nationalism as the left would want the public to believe, "the more you demonize them, the more you say that 'whiteness' defines white people, the more likely it is white people will start to defensively think of themselves in those terms" (2018).

With every group being represented in the political discourse, except for whites, it is no wonder that large swaths of the country who have not been enjoying an incredibly prosperous decade now feel as though they are invisible – and are driven to strengthen their position in the cultural landscape. It is often the case, when a large segment of the working class experiences loss of status, for it to seek to blame an outside entity – usually an elite group. In the case of Marxism, this was very obviously exemplified by the owners of the means of production, but as the cultural hegemony of the social justice movement takes hold, the elites gradually become the very people who claim to have been marginalized all along. Aside from pointing to the increasingly detached elites, the status losing middle class also commonly experiences resentment towards the poor -- as Fukuyama points out, "economic distress is often perceived by individuals more as loss of identity than a loss of resources" (2018).

Mark Lilla also weighed in on this issue, pointing out that the left's interpretation of Donald Trump's 2016 electoral victory suggests that he was able to win the support of millions by turning economic disadvantage into racial rage (what is known in the popular media as the "whitelash" theory). This, despite being fairly in line with the understanding of tribalism shifting to the right that have been laid out, is in itself a testament to the left's moral superiority conviction: by reducing Trump voters to a mass of racists and bigots, or in the now infamous words of Hillary Clinton "basket of deplorables," (Clinton, 2016) their concerns are not taken into account, and no examination of their grievances is ever taken seriously. This, Lilla continues, precludes the left from engaging in a discussion which would allow it to understand how its own "obsession with diversity has encouraged white, rural, religious Americans to think of themselves as a disadvantaged group whose identity is being threatened or ignored" (2018). There is very little to support the argument that Trump voters were acting out their dislike for a diverse America, given how they mostly tend to live in homogenous areas of the country, with little to no actual demographic diversity; their reaction, argues Lilla, is mostly towards the rhetoric itself, before heeding a warning: "liberals should bear in mind that the first identity movement in American politics was the Ku Klux Klan, which still exists. Those who play the identity game should be prepared to lose it" (2018).

There is a more empathetic understanding of the phenomenon of white identity politics on the right, which might not explain the rise of white nationalism, but is definitely anecdotally felt at a broad level in the United States; a complaint, explains Fukuyama, that whites have in the age of social justice, is that while it is acceptable in this zeitgeist to talk about "black rights", or "gay pride," it is not possible to show support for rights and empowerment of, for instance, white or heterosexual pride -- that is, without being either ridiculed or labeled a racist. Identity politics actors across the country would rebuke such an observation by claiming that there is no legitimacy to an assertion of, for example, white identity, for whites are historically oppressors and perpetrators of crimes such as slavery or the mass murder of Native Americans, and are therefore too privileged to participate in the discussion (Fukuyama). While there might be some merit to this response given an understanding of social justice, it is inherently misleading to label someone on the right "racist" but not someone furthering parallel ideas on the left -- both are fundamentally racist for they are, as was described previously, essentialist in nature.

Simply put, identity politics cannot be contained on one side of the political spectrum: once you reject the founding ideals of the United States -- colorblindness, freedom and equality before the law -- a return to a tribal political landscape is utterly inevitable, and with it comes every single facet of it, left and right alike: "the corruption has now spread, disastrously, to the right, not just in America but throughout the West" (Goldberg, 2018).

There is an argument whereby the danger of identity politics and retributive social justice is not the loss of liberalism per se, but the very rise of the same kind of politics on the right. It is easy to see why, without looking at the broader effects of these developments as damage to liberalism, a reinforcement of the right is something very fearful indeed; "right-wing identity politics" writes Fukuyama "at its most extreme takes the form of explicitly racist white nationalism" (2018). It is paramount to remember, however, that before even making a judgment of value to, for instance, right wing extremism versus left wing radicalism, a very simple point subsides: the political and ideological drivers of extremism at either end are fundamentally opposed to the US constitutional principles, and as such threaten the foundation of the country as a whole.

4. Chapter III – Two diverging roads

The previous two chapters presented an analysis of the principles the United States was founded upon, and a view of the tribalism, identity politics and social justice activism that has characterized the past few decades. The main point which this final chapter will attempt to convey is that identity politics and the latest iteration of social justice are fundamentally opposed and irreconcilable with the US' foundational principles, and one will have to give way to the other in the future. If the shift among leftists to view political struggles as ones between identity groups, or oppressed and victimized, undoes a long tradition dating back to Karl Marx, the shift from liberalism to identitarianism rips apart a trend that dates back to the 18th century.

In the words of Francis Fukuyama, "unless liberal democracies can work their way back to more universal understandings of human dignity, they will doom themselves — and the world — to continuing conflict" (2018). His reference to liberal democracies as opposed to only his home country is evidence that, even at high levels in academia, there is a perception that this shift is not limited by borders, and is in the process of traveling abroad. An analysis of this at a global scale -- or even one limited to the western world -- would be beyond the scope of this work, but it would arguably prove that a similar trend is underway throughout older and newer liberal democracies alike.

One of the most basic levels at which it is abundantly clear that liberal principles and social justice cannot coexist is that in American liberalism, as was made explicit in the very first chapter, equality of opportunity does not translate into equality of outcome -- a necessary feature of social justice the way it is understood today. One cannot have the individual freedom embodied in liberalism and economic or social equality at the same time. The only way to attain economic or social equality is by enforcing it, which is by definition an illiberal process. In the words of Jonah Goldberg, whose work on this very topic has been prominently featured thus far, "This turn to the tribalism of identity politics is poisonous to the American miracle" (2018). Liberalism, he argues -- as many more have before him, some quoted in this work -- is the force to which America and the world owes the original abandonment of tribalism and sectarianism; those forces, for they are in a way primordial and deeply human, are at risk of taking over once

again, but they can only do so if society willingly takes down the wall which has kept them at bay so far. With "the Republican Party becoming the party of white people, and the Democratic Party becoming the party of minorities," it definitely seems as though a continuation of this process "would allow identity to fully displace economic ideology as the central cleavage of US politics, which would be an unhealthy outcome for American democracy" (Fukuyama, 2018).

There is an argument in defense of social justice advocates whereby their efforts are framed as reforms with moral value aimed at helping fix the corruptions of an imperfect society -- similar, in a way, to reconstruction era amendments or affirmative action in the aftermath of Jim Crow. The difference could however not be more stark: social justice and identity politics are not aimed at correcting specific mistakes -- they are not temporary reactions or solutions to a problem -- but instead they are framed as a new kind of morality, with no room for discussion or moderation, any deviation from which is considered violent. Activists are not arguing that the United States needs to live up to its original ideals, but are making proposals which would see those ideals crumble and rendered illegitimate. They often fail to see the connection between those very values and the progress that has been made to benefit what are now identity groups: "the achievements of women's rights movements, for instance, were real and important, but you cannot understand them if you do not first understand the founding fathers' achievement in establishing a system of government based on the guarantee of rights" (Lilla, 2018).

Dr Martin Luther King Jr, whose quote opens the first chapter of this work, did not demonize the founding fathers for being white, and did not reject their ideals as illegitimate; and so did every single movement or faction in American history who was ever able to expand rights, bring more people into the fold of prosperity and lift stigmatized members of society out of darkness, including, arguably, the very latest of these victories: "why did the struggle for gay marriage succeed? Because it appealed not to radicalism but to bourgeois values about family formation" (Goldberg, 2018).

This opposition to original values, and the attempt to replace them with social justice, moreover, is not only not supported by a majority of Americans, who identify more as

conservatives (35%) than they do as progressives (26%) according to Gallup polls (Saad, 2019) but it would also be dangerous and almost unprecedented for a liberal democracy: the few cases where a liberal democracy has been turned into an illiberal polity are perhaps some of the darkest moments of human history -- the Republic of Weimar's transition into the Third Reich is one of such examples. Replacing well established and secure principles and institutions with new abstract ideas, enforced by a hegemonic class would be an instant reminder of the Soviet Union; when this process takes place, "you do not open the door to a new utopia, you open the door to human nature's darker impulses" (Goldberg, 2018). This is because the level of government intervention which would be required to enforce things such as equality of outcome would almost certainly cause an open conflict, the likes of the Civil War, but where the new social order cannot naturally be taught, it would need constant and everlasting enforcement. Oddly enough, the American left is very familiar with the horrible consequences of enforcing a new regime in a society that is not entirely accustomed to it, which is evident by their opinions on US foreign policy over the past two to three decades.

An additional argument against opting for the social justice and identity politics path instead of liberalism, of the two diverging roads, is that one is empirically more effective than the other in producing better outcomes for the most amount of people -- a proposition which admittedly has a vague utilitarian flare, but is nonetheless noteworthy. The Democratic Party in 2016 ran what many have described as a campaign based on identity politics, which only strengthened the same sentiments on the right, and resulted in one of the most consequential defeats for progressives in recent history. An interesting example of a failed identity based political tactic employed by the right is actually the Affordable Care Act of 2010: its opponents in congress used racist tropes by insinuating that it was nothing more than a black president's attempt at winning over black votes (Fukuyama, 2018). Barack Obama's campaign in favor of the policy, however, was a broad, national effort that appealed to lower class Americans with no mention of their identity, gender or ethnicity -- in fact, many of the law's ultimate beneficiaries would go on to be white rural working class people living in States with healthcare systems whose Republican administrators had profoundly neglected and underfunded.

Of the two diverging roads, one must observe, only one guarantees free speech and the freedom to engage in conversation, debate and deliberation. There is an objective need for civil discourse in any society, and these kinds of freedoms are arguably the ones that differentiate the United States the most among western democracies. Focusing on own experiences, even at a group level, naturally leads to the prioritization of own group and own issues over external ones, and to the privileging of held opinions over reasoned deliberation with outside inputs. When making an assertion, one is reminded that if he happens to be offensive to another person's sense of self worth it will be grounds for social exclusion, which is the ultimate deterrent from sharing and discussing opinions freely (Fukuyama, 2018). This, quite plainly, is an environment that is seriously not conducive to democratic deliberation. It is important to note, however, that this argument does not only prove the disharmony between social justice and the foundational principles of the United States, but also between it and any form of democracy: democratic institutions need deliberation like seeds need water. Therefore, while some may attempt to isolate this discussion to the United States only, due to caveats that European democracies do not have as deep a relationship with freedom of speech, it is arguably just as important to reject limits to this right overall.

Europe, however, has had proponents of unifying "creedal" messages as well. Francis Fukuyama's latest publication mentions the story of German academic and ethnically Syrian Bassam Tibi, who around twenty years ago proposed making Leitkultur -- "leading culture," which would include a belief in equality and democratic values rooted in the Enlightenment -- the basis for a new German national identity. Academics and politicians on the left attacked this idea on the basis that the values in question would seem "superior" to other, non western ones, which would be politically incorrect; this, in turn, allowed German Islamic and far right extremists ground to prosper, in their rejection of liberalism (2018).

Ultimately, a balance must be stricken between protecting and aiding more marginalized members of society, and supporting an agenda based on a common vision and values through consensus at the level of the institutions that are already in place. The identity politics road, as can be easily observed, has rendered this process more and more arduous, at the damage of the very people whose wellbeing it theoretically sets out to promote. It the liberalism route is to be

kept, thus, it needs to strengthen its position now before it is too late. Many are the proposals to revive the original liberal values, including, most notably, that for a renewed agenda of assimilation. Among the issues that have arguably accounted for the ever growing abandonment of enlightenment values is perhaps their absence from school curriculum and university syllabi. A new push for the teaching of US Constitutional principles, in other words the teaching of civics – which used to be a core part of US high school curriculums – would provide some good grounds for assimilation, especially as new groups of migrants enter the melting pot. Many, including most recently Democratic presidential hopeful Pete Buttigieg, have called for the establishment of a national service. Much like Kennedy's peace corps, or the many existing volunteering programs at the local and state level, a mandatory citizen service, many have argued, would be a great cohesive force for America's youth. Another important takeaway for those who choose to remain on the path of liberalism, is that it is important to keep in mind that the kinds of imperfections, some would say corruptions, to be found everywhere in American society, are not its core features: too often has the left sought to represent the foundation of the United States as a racist, bigoted act of oppression, and anyone would be wrong to think this way. Anomalies are there to be eliminated, through the application of the American creed.

5. Conclusion

The United States was born out of war, revolution and the desire to build a nation from idealistic principles to strive towards. Ever since its foundation, those principles have served as a guiding beacon, and they are arguably responsible for an enormous amount of good: an unprecedented level of shared prosperity; a legal system which continues to be shaped and adapted through the centuries, which has never strayed from a commitment to equal treatment of individuals; a strength of passion that has brought about progressive positive change which, little by little, has expanded the original promise of America to every generation of immigrants that decided to adhere to it. These principles, it was the intention of this document to argue, are solid, important, and useful. Bending them, in special circumstances, is an inherent part of their goodness, for it has allowed them to broaden their reach and continue to fulfill their promise through changing times. Contemporary movements, however, whose aim is to introduce enforced equality of outcome, parity between artificially created groups at all levels, limit freedom of speech and expression, and fundamentally change American society from one based on individualism to one based on sectarianism, are challenging the founding principles to a breaking point. These movements, in other words, are causing a paradigm shift in American politics, law and philosophy; they are driving a rift between the principles of the past and the future of the country. They are, in no uncertain terms, irreconcilable with the American creed. What this collection of analyses and arguments, in its entirety, aimed to carry out, is demonstrate this divergence, and lay a valuable foundation for its interpretation.

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Facoltà di Scienze Politiche − Politics, Philosophy and Economics

"Abandoning Colorblindness: perché le politiche identitarie, il «tribalismo» e le odierne politiche redistributive costituiscono un nuovo modello di giustizia sociale che mina i principi fondamentali degli Stati Uniti" ("How Identity Politics, Tribalism and Modern Retributive Social Justice Represent a Paradigm Shift that Threatens the Foundational Principles of the United States")

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L'elaborato intende argomentare la tesi sintetizzata nel titolo ("Abandoning colorblindness…") presentando e discutendo i più significativi interventi in un dibattito oggi in corso negli Stati Uniti tra studiosi di scienze sociali e pubblicisti e con esso le trasformazioni sociali in corso nel paese.

Come mostra l'indice, a questo fine vengono si è ritenuto come prima cosa di sintetizzare i principi fondativi della costituzione degli Stati Uniti. Attraverso una analisi delle loro radici storiche e dottrinarie quali vengono definitivamente fissate nella Dichiarazione di indipendenza e nella Costituzione, si intende dimostrare che la loro intima essenza – che secondo diversi autori è del tutto peculiare nel panorama mondiale, ed ha carattere quasi religioso - è nell'enfasi posta sul principio unificante, sulla fusione delle diverse componenti del paese. Sono quei princìpi e quei valori unificanti che hanno consentito l'assimilazione di imponenti flussi di immigrati. Come ha scritto di recente Francis Fukuyama, "Although the United States has benefited from diversity, it cannot build its national identity on diversity". Va peraltro sottolineato che nel continuo flusso immigratorio, la popolazione è rimasta profondamente diversificata, e che le politiche hanno inteso garantire a tutti eguali opportunità più che eguaglianza sociale ed economica. Col tempo, i mutamenti avvenuti con lo sviluppo economico industriale hanno infatti introdotto nuovi cleavages di tipo classista, e anche se i vari gruppi o classi possono di fatto avere una connotazione etnica (bianchi/neri/latini/asiatici…), queste distinzioni non hanno inciso sui princìpi fondamentali, la cui progressiva realizzazione ha caratterizzato la storia del paese e i suoi sviluppi istituzionali (ad esempio con i succesivi emendamenti alla costituzione, i meccanismi della judicial review, o l'affermarsi delle leggi sui dirittti civili).

Si sostiene qui che i detti principi unificanti hanno contrastato ogni forma di tradizionale "tribalismo", intendendo per tribalismo ogni tendenza politica basata sulle identità sociali e culturali dei gruppi etnici, tendenza politica che sempre nella storia ha generato ogni sorta di conflitti, ma che appunto negli Stati Uniti è stata contrastata dalla portata unificante dei princìpi costituzionali.

La tesi che qui si presenta intende mostrare come recenti sviluppi del dibattito e delle pratiche politiche, basati su "politiche identitarie" (*identity politics*), sui movimenti di giustizia sociale (*social justice*) e su un nuovo tribalismo abbiano sostituito il fondamento economico delle distinzioni sociali e abbiano contribuito a minare i princìpi fondamentali che reggono il sistema.

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Con il termine "politiche identitarie" (*identity politics*) si indicano quegli orientamenti politici per i quali le alleanze politiche e la formazione di gruppi sono guidate da comuni identità etniche, di genere o di orientamento sessuale piuttosto che dalla condivisione di valori comuni. Peraltro il concetto ha una sua storia che l'elaborato ritiene opportuno percorrere, passando in rassegna i diversi contributi accademici in argomento fin dalla prima formulazione, che puo' essere fatte risalire all'uso del termine *identity politics* da parte della sociologa Renee Anspach nel 1979 per indicare, in quel caso, l'attivismo dei portatori di handicap. Ma già negli anni 60 e 70 nei movimenti di sinistra si poteva registrare una nuova rilevanza della dimensione culturale, accanto a quella tradizionale di tipo economico: l'attenzione di tipo marxista alla struttura economica si collegava a una visione post-strutturalista della soggettività, e secondo alcuni autori alle concezioni postmoderniste e multiculturaliste.

Peraltro il nuovo approccio, benché spesso adottato da movimenti di sinistra, non aveva una definita connotazione ideologica, e poteva ritrovarsi in movimenti di diverso orientamento. Vi sono casi che mostrano, ad esempio, come movimenti razzisti di destra e rivoluzionari nazionalisti neri facessero ricorso agli stessi concetti di politica identitaria (così Solomos 1998). Si tratta di orientamenti di natura essenzialista. Collegato alla politica identitaria (così Goldberg 2018), l'essenzialismo attribuisce ai caratteri fisici di una etnia, o comunque definiti alla nascita, una rilevanza predominante, anche rispetto alla volontà o alle differenze individuali. E' in questo senso "razzista", almeno nel significato corrente del termine.

L'essenzialismo dei gruppi identitari rivendica la difesa del proprio gruppo, ed evidentemente contraddice ogni visione universalistica del progresso o del mutamento sociale. E' inoltre un atteggiamento esclusivo, e puo' convergere con altri gruppi solo nell'opposizione a un nemico commune; altrimenti non puo' coalizzarsi; come ha scritto Mark Lilla 2018, la politica identitaria non vincerà mai le elezioni; puo' solo perderle.

Alcuni hanno poi messo in relazione le politiche identitarie con il multiculturalismo, nonché con la "correttezza politica" nel campus universitari. Se ne trovano testimonianze ben prima che il dibattito sulla libertà di parola inondasse i campus e i principali media. Già nel 1998, ad esempio, Arthur Schlesinger vedeva il multiculturalismo come una forza distruttiva delle capacità coesive proprie dei valori americani. Così hanno sostenuto altri autori, come il già citato Mark Lilla.

In conclusione, alcuni elementi comuni possono essere individuati nelle varie, numerose e spesso differenti interpretazioni delle politiche identitarie offerte da marxisti, neomarxisti, teorici dei nuovi movimenti sociali, neoconservatori: esse sono essenzialiste, largamente esclusive, e prestano scarsa considerazione per le tradizionali distinzioni sociali basate sulle differenze economiche. In ogni caso, come scrive Jonah Goldberg, tutto ciò non appartiene al liberalismo.

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Le *identity politics* hanno profonda influenza sui concetti e le pratiche della giustizia sociale (*social justice*), sui quali è dunque opportuno soffermarsi. Legata, ovviamente, al secolare discorso sulla giustizia, la *social justice* alla quale qui ci si riferisce riguarda più specificamente le politiche redistributive intese a correggere le disuguaglianze sociali, e che negli ultimi decenni hanno animato una definita tendenza, accademica e politica, e sono appunto collegate ai concetti di politiche identitarie e di gruppo dei quali ci occupiamo.

Il movimento per la *Social Justice* a volte si presenta come uno sviluppo delle tesi di John Rawls e della tradizione liberale (ed infatti diversi commentatori si concentrano sui possibili collegamenti con quella tradizione). Gli attivisti del movimento, tuttavia, rifiutano di attingere al pensiero classico denunciandone il retroterra europeo e bianco, e piuttosto individuano gruppi sociali emarginati per contrapporli ai loro "oppressori". I critici più radicali di queste teorie sottolineano come, tendendo a catalogare la società in termini non di individui, ma di categorie contrapposte (le vittime e gli oppressori), questi movimenti adottano posizioni del tutto antitetiche al concetto di libertà personale. Lo osservava tra gli altri l'economista liberale Friedrich Hayek, riprendendo quanto già aveva osservato Rawls: se lo stato tratta in maniera differente le diverse persone allo scopo di collocarle nella stessa posizione, di fatto le tratta differentemente, così contravvenendo al fondamentale principio dell'eguale trattamento definito dalla Costituzione.

In effetti, gli attivisti della *Social Justice* respingono il principio costituzionale dell'uguaglianza universale, quella che non discrimina in base al colore – in questo senso parliamo qui di *colorblindness* come uno dei pilastri dell'ordine costituzionale americano -, sostenendo che è opera degli oppressori, i padri fondatori del XVIII secolo, che erano maschi bianchi proprietari di schiavi. Come si vede, alla distinzione etnica si affianca, con gli stessi argomenti, la differenza di genere. Per questi motivi, secondo i critici, i criteri dell'uguaglianza davanti alla legge, o del merito individuale, non possono essere condivisi. Negli ultimi vent'anni questa critica ha generato una ricca bibliografia, che la presente elaborato passa in rassegna, cercando di coglierne i passaggi fondamentali e le questioni irrisolte.

Non c'è dubbio, infatti, che in circostanze particolari, o eccezionali, l'eguaglianza effettiva puo' essere sostenuta da specifici interventi istituzionali a protezione di determinati gruppi. E' il caso delle ben note *affirmative actions* nei confronti dei neri all'indomani della liberazione, o dell'emanazione dei *civil rights acts*, o delle donne nella fase del loro primo ingresso nelle professioni o in lavori prima ritenuti maschili. Se è accertato che alcune differenze di destino non sono l'esito delle più svariate individualità e situazioni, ma di una oppressione sistemica, è del tutto evidente che è accettabile che esse siano corrette da misure apposite. Ma i teorici della *social justice* argomentano in maniera differente, presentando non dei possibili correttivi intesi a realizzare i princìpi di eguaglianza, bensì una opposta visione di come l'intera società dovrebbe essere organizzata; lo mostrano alcune proposte di modificare alla radice i principi che regolano le istituzioni, come ad esempio la proposta di abolire del tutto la valutazione scolastica sulla base del merito.

E' da notare, inoltre, che i militanti della *social justice* intendono controllare l'intero dibattito, e decidere cosa è legittimo e cosa non lo è. In questo modo essi si costituiscono quasi in una classe sacerdotale che in effetti ricorda il ruolo svolto dal clero nelle società premoderne, ma che ricorda anche, in tempi storici a noi più vicini, i custodi della virtù di stampo giacobino o bolscevico. Qualcosa di simile viene alla mente di fronte ai gruppi che nei colleges universitari degli Stati Uniti e in Canada esercitano, se non un dominio politico, certamente una "egemonia" in termini gramsciani, una egemonia che peraltro ha effetti molto concreti, come mostrano alcuni esempi riportati nella nostra tesi. Per il momento si aggiunga il nuovo atteggiamento si riflette anche in un cambiamento lessicale, laddove tradizionalmente si parlava di "tolleranza", poi di "accettazione" (di gruppi o soggetti svantaggiati), ora, ritenuto "assimilazione" nient'altro che una brutta parola, si preferisce parlare di "celebration", che enfatizza la completa adesione alle posizioni o ai valori di tali soggetti, senza aperture al pluralismo, al dissenso, alla discussione civile, alle differenze ideologiche o filosofiche, al toquevilliano "diritto di exit". Del tradizionale

"melting pot" sembra non rimanere traccia. Si comprende perché diversi autori sottolineino la carica totalitaria di questo approccio, in alcuni casi espressamente paragonandolo al nazismo.

Va riconosciuto che fino ad oggi tali posizioni non hanno avuto rilevanza – e tanto meno predominanza – nel sistema politico, che rimane quello definito dalla Costituzione. Come ha osservato Mark Lilla nel passo già citato, sono posizioni che non vincono le elezioni. E' come se si stabilisse un dualismo tra il sistema costituzionale e i gruppi alternativi, i quali, non a caso, tendono a delegittimare le istituzioni governative, sempre a causa della loro origine bianca, maschile e dominante.

Tuttavia il discorso che stiamo esaminando sulla *social justice* basato sulla *identity politics* acquista una crescente egemonia anche oltre gli ambienti universitari e i gruppi "underground" fino a presentarsi come un modello alternativo alla democrazia liberale. Senza dimenticare che nell'età della globalizzazione, e di fronte alla più generale crisi della democrazia liberale in molti paesi del mondo, esso tende a proiettarsi su più vasti scenari, il presente elaborato dedica una particolare attenzione al modo in cui il discorso si diffonde nello scenario americano.

Innanzi tutto, sono ormai molti i corsi universitari dedicati ai "critical whiteness studies" – così ad esempio all'Arizona State University, citato da Yanan Wang 2015 -, ovvero a "smantellare la supremazia bianca comprendendo come essa è socialmente costruita e sperimentata". Chi dissente da questa impostazione è automaticamente etichettato come "suprematista bianco" ed è impedito dall'esprimere il proprio dissenso. L'elaborato presenta diversi esempi al riguardo. E' ormai comune l'impedire ogni confronto di idee protestando il diritto a un "spazio sicuro" ("*safe space*"), protetto dalla varietà delle opinioni (in questo senso "sicuro"), giacché ogni dissenso è considerato "violenza".

E' da notare che in quest'ottica la censura sull'uso dei pronomi personali ha ormai una sanzione legislativa. Se diretto a soggetti trans-gender o gender-fluid, il pronome che ne identifica il genere ("he, she, his, hers") è considerato un "hate crime" dalla legislazione americana e canadese. Questo indirizzo, da alcuni visto come un vero "panico morale" è ormai parte integrante della cultura nazionale, si diffonde anche nell'insegnamento secondario e coinvolge lo studio del passato e in genere i curricula universitari: nel 2018 Yale offriva due soli corsi sulla Costituzione e una miriade di corsi "identitari" (Goldberg 2018). Nel 2017 gli studenti della scuola di studi orientali e africani della University of London – dunque in Europa – hanno chiesto di "decolonizzare" il syllabus proponendo che pensatori come Platone, Cartesio o Kant lasciassero il posto a filosofi non occidentali (Rothman 2019).

Abbiamo detto che la tendenza sotto osservazione non ha fin'ora investito le istituzioni politiche. Ma sviluppi in questa direzione non sono da escludersi. La stessa rivendicazione di dare potere politico, e dunque rappresentanza, a tutti i gruppi e categorie presenti sul territorio nazionale è evidentemente impossibile, se non altro perché le categorie distinte per genere, etnia, cultura, etc si sovrappongono. E' però implicita in questa rivendicazione una contestazione della democrazia rappresentativa (tra l'altro concepita da maschi bianchi oppressori). C'è infatti chi ritiene che il principio *one man one vote* sia superato e debba lasciare il campo a una democrazia "più autetica", che ad esempio puo' esprimersi mediante la rotazione delle cariche, e che soprattutto dia voce a dei leaders "autentici", anche se non premiati dal voto. Autentico, in questo caso è chi rappresenta il *Volksgeist*: un leader nero, ad esempio, deve essere "politicamente, psicologicamente e culturalmente nero" (Guiner, citato da Goldberg). Ed è esplicita in queste posizioni la negazione della *colorblindness* che abbiamo citato nel nostro titolo.

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Un ulteriore rilevante aspetto del nostro argomento riguarda la matrice politica del discorso identitario. Si è già notato che, anche se originata a sinistra, proveniente da gruppi emarginati, una simmetrica richiesta di riconoscimento si è estesa a destra, con un non dissimile capovolgimento dei valori costituzionali. L'estensione del discorso a destra si presenta come una evidente reazione alle *identity politics*. Col diffondersi del "tribalismo" e del multiculturalismo, molti bianchi cristiani evangelici hanno sentito minacciata la propria identità; non diversamente è accaduto agli operai non qualificati, o ai gruppi rurali di basso reddito; gli uni e gli altri si sono sentiti ripetere dai media di essere gruppi privilegiati per la loro origine storica e la loro etnia bianca. E' vero che i bianchi hanno nel complesso una posizione migliore di altri gruppi etnici, ma la crisi economica, la deindustrializzaione, il degrado sociale, l'aspettativa di vita decrescente li ha egualmente colpiti, mentre il movimento di *social justice* fa credere che l'America bianca sia la causa del declino di altri gruppi etnici.

In questo contesto, i cristiani bianchi hanno un atteggiamento difensivo, e danno vita a un proprio "tribalismo". Come scrive Jonah Goldberg, "the more you demonize them, the more you say that 'whiteness' defines white people, the more likely it is white people will start to defensively think of themselves in those terms" (2018). Fukuyama sottolinea che "economic distress is often perceived by individuals more as loss of identity than a loss of resources" (2018). Molti osservatori hanno spiegato la vittoria elettorale di Trump nel 2016 sostenendo che egli aveva trasformato il disagio economico in collera razziale; in questo modo, tra l'altro, i commentatori liberali, etichettando come razzisti e bigotti i suoi elettori hanno mancato di comprendere le vere ragioni del disagio e della protesta. Come scrive Lilla, i liberali dovrebbero ricordare che il primo movimento identitario americano è stato il Ku Klux Klan, che è tutt'ora presente (Lilla 2018).

Ma quale che siano le spiegazioni per il rafforzamento del blacklash bianco, e per il suo orientamento "di destra", ciò che conta per il nostro argomento è che le politiche identitarie, sia di destra, sia di sinistra, hanno la stessa natura essenzialista e tribalista, nei termini qui discussi, e contrastano simmetricamente i principi costituzionali che reggono il paese.