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Racial Justice, Theologically
Vincent Lloyd, Villanova University
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Vincent Lloyd: Thank you so much for that generous introduction, and thank you Theresa and the rest of the staff for your hospitality and the amazing care with which you put into organizing my visit to Santa Clara, and thanks to you all for the chance for conversation this evening.

Now I should warn you that I'm not a preacher. I think sometimes people who talk about religion, race, and politics are assumed to be great ministers or preachers or something. This is definitely not me. I read books in the basement somewhere, and so you can lower your expectations for the performance.

I'd like to start thinking about racial injustice by looking at some data on the various dimensions of racism in the United States in recent years. Often we know that racism exists. We can name one, or two, or several of these dimensions, but I think seeing them one, after another, after another, can help us think about this 360-degree effect racism has on people of color in America today. More than just a set of specific problems to be solved, it's a deeper moral crisis with theological resonances that might beckon a theological response.

A quick overview of data is also important when we're thinking about the very contemporary political context of the new administration and the very just worries that we have for vulnerable communities and the nation as a whole. It's important both to be concerned and to be vigilant, but also to remember that there have been grave racial injustices in the United States before November of 2016. If a different candidate had been elected in November 2016, even if all of her platforms had been implemented, the scale of these injustices may have been tweaked a

little bit, but the gravity would still be there. So one of the challenges we face is balancing a concern and response to electoral politics with a sense of the gravity of the systemic problems the nation faces particularly around racial justice issues.

I then want to think about the way religion plays a role even when it isn't explicit in Black Lives Matter organizing. Then I want to think a little bit about what I call the black natural law tradition, a tradition that appeals to a higher law or God's law by African American political thinkers. Finally, I want to invite us as a community to think together about new possibilities that are emerging for response.

Now I'll go relatively quickly through some of these numbers, but first a reminder of the conventional wisdom that often circulates around racial injustice. Well, one story of conventional wisdom goes like this: Once there was horrible racism in America, and with the election of Barack Obama in 2008, we entered a post-racial era. This conventional wisdom doesn't hold a lot of water these days. As we saw during the administration of President Obama—and more recently as concerns about a range of issues continue to surface—the "post-racial" story really is a fiction.

But there's also a story about multiculturalism that thinks about race in terms of the various communities in the United States which each have their own characteristic struggles and challenges, which are gradually moving together into a tossed salad, or melting pot, or whatever metaphor, to form a great nation. This is also a compelling story, but it also can cover over some of the depths of racial injustice in the United States.

Yet another story is about the varieties of oppression that we must attend to, where different racialized communities face different sorts of struggles. It's important to examine circumstances specifically, but in recent years, the focus on anti-black racism and the uniqueness of anti-black racism is something new and important. So I want to encourage

us to think about what it might look like to address racial justice issues through a lens that thinks about anti-blackness in particular. I'll say more about that in a couple of minutes.

But first, some charts will dramatize the extent to which racial injustices persist in many dimensions of life. The data here might call for a rethinking of the framework we use to address racial justice questions. Some of these statistics may be familiar, but I think they're still a helpful reminder. Cumulatively, they might have the effect of underscoring these matters' urgency.

First, the racial wealth gap in the United States. The average white family wealth in the United States: $111,000. The average black family wealth in the United States: $4,955. An even more dramatic figure sometimes cited is that for single black women average wealth—that is, assets minus liabilities—is $5.00. In terms of child poverty rates, the black child poverty rate in 2008? Thirty-five percent. Versus for white Americans, 11 percent. Other communities here are also notably high … American Indians and Latinos/Latinas.

School segregation, which we would have thought was an issue dealt with in the civil rights movement, of course persists in many contexts. The composition of the average white student's school is predominantly white: Most white children go to schools where the vast majority of the students are white. The average black student in America goes to school with predominantly black classmates.

Next is student loan debt, an issue which is probably of concern to many in this room. Of course, it has exploded over the last several years, affects everyone, and is not only a public policy issue that needs to be addressed but an ethical issue affecting opportunities for young people throughout their lives. But here we're looking at a gap—white Americans, black non-Hispanic Americans, and then the percentage of those groups who currently are behind on paying student loan debt. Five percent of white Americans with student loan debt are behind. Sixteen

percent of black Americans are behind. Twenty-three percent of Latino/Latina Americans are behind. Of those who've totally paid off their student loan debt, 53 percent of white Americans with debt have totally paid it off, while 26 percent of black Americans with debt have totally paid it off.

Another dimension which might not be the most intuitive is pollution. Pollution would seem like an issue that affects everyone, but as has recently been publicized by the case of [lead-tainted water in] Flint, Michigan, environmental racism disproportionately affects black Americans. To take the case of just one state, Washington, the exposure to air pollution using their metrics is about 57 for white people in Washington, and 81 for black people in Washington. That's a significantly bigger [disparity] there.

Nationally, people of color are exposed to about 38 percent more air pollution than white Americans, resulting in about 7,000 extra deaths per year because of that disproportionate amount of air pollution. If you look at the state of California, comparing the air pollution exposure of white Californians with the exposure of black Californians, it's about 50 percent higher. Another disparity is infant mortality rates—white Americans about 5 percent, black Americans about 11 percent nationally.

Another is mass incarceration—the number of Americans in prison and the disproportionate amount of black Americans in prison. From one case study receiving a huge amount of attention recently, we can look in just a little bit more detail at this. Here are just some facts. Two million two hundred thousand Americans are currently incarcerated. That means 1 in 35 Americans now is in prison, on parole, or on probation. Fifty-eight percent of those incarcerated are black or Hispanic. Five million nine hundred thousand Americans cannot vote because of criminal records, which again, disproportionately affects African Americans.

It is foundational to democracy that everyone participates in the

political process. If one in 13 African Americans nationally cannot vote, that seems like a huge challenge to the democratic process. Twenty-three percent of the African Americans in Florida, 20 percent in Virginia, cannot vote for this reason. Two million seven hundred thousand children have incarcerated parents and 11.4 percent of black children have an incarcerated parent.

The next chart compares the U.S. incarceration rate with other countries' incarceration rates. Something is happening here. You might say, well, the U.S. is such a violent place. We hear about all this gun crime. We're afraid of terrorism. All sorts of bad things happen, so maybe it's just a response to violence. But look at this chart of violent crime by country. You see the U.S. is on the higher end of the violent crime spectrum among nations, but it's not qualitatively different from other nations, and it's actually lower than the United Kingdom.

If we look at this prison population, the growth is relatively recent since the '70s. And the rate of growth is really astronomical, even though it's paused in the last couple of years. Again, you might respond, well, there must have been a growth in crime and crime rates. But if we look at the national murder rate, it's actually been going down over the same period of time. So it doesn't seem like this is a response to crime. Many scholars have said, well, one way of explaining this chart is to see segregation ending—the way that black people were controlled in the South until the '60s. How are black Americans going to be controlled now that segregation is over? Well, literally physically in cells. Prison can serve that purpose. At least that's one of the stories that is told to help explain this chart.

The white American incarceration rate is small compared with the incarceration rate of black Americans, which is still huge. The chance of being imprisoned? About 69 percent at some time by their 30s for African American men who are high school dropouts. Now here is the street that I live on in Philadelphia. So if you look at these numbers, I have a family living to the left and a family living to the right.

Statistically, chances are that one of them will have a child who is incarcerated sometime in their life.

Santa Clara did a study last year of race-based incarceration in Santa Clara County. They found that although black people make up about 3 percent of the county's population, they receive about 11 percent of the felony prosecutions.

How are we to make sense of and address these series of data points? Well, it seems like racism in America is more than just a series of empirical facts, so a policy response would be insufficient. These facts seem like a symptom of some chronic ailment— something that may have continued from slavery, to segregation, to the present. Something that has recently been called "anti-blackness"—a specific anti-black core value, you might even say, of the American project.

So the worry here is that if there's this deep ailment afflicting America of anti-blackness, even if we fix particular problems, even if we lower the infant mortality rate, even if we lower the prison population, and so on, new problems will pop up. New symptoms of this deep disease will pop up. So to address this disease directly we need a theory or a theoretical framework that will name and get at what anti-blackness is.

On some accounts, anti-blackness comes about because of the afterlife of slavery. To get white Americans to treat their fellow human beings as slaves, there needed to be a whole set of institutions, practices, and values that denied the humanity of blacks. According to this account, even when slavery went away, those institutions, practices, and values persisted, so just changing the law, freeing the slaves, didn't change that fundamental commitment to anti-blackness because it was so deep. Because it takes so much work to get someone to treat another person as less than human.

Another account, probably complementary, sees anti-blackness as following from anti-indigenous racism with the colonial encounter. And

it sees that in turn following from anti-Judaism. So the way that Christians imagined Jews was displaced onto the way that European colonists imagined indigenous peoples, which was displaced onto the way that white Americans envisioned blacks. So in this account it's fundamentally a theological problem: anti-blackness is fundamentally a theological problem, and so it would seem to require a theological response. If the underlying problem is supersessionism, is anti-Judaism, then we need a theological response.

But just calling the theologians doesn't seem like it will really fix anything, right? Just tweaking the ideas that a few people hold in the academy or in the church doesn't seem like it will address these dramatic numbers we just looked at. So where to turn?

Well, it seems like we should turn to the grassroots. To insights from the most marginalized communities. The level of ideology critique challenging the ideas of anti-blackness is complementary to and requiring work at this grassroots level. The two need to work in tandem. For that, I think we should turn to the Black Lives Matter movement and see what religious stuff is happening there.

Before doing that, I want to take just a brief excursion to let you know about a conversation that has been happening among my colleagues, among theologians and religious studies scholars, who are trying to think about what this framework of anti-blackness could mean. With some colleagues, I brought together a group of theologians and religious studies scholars in Massachusetts for a few days of retreat, sharing our thoughts, sharing a liturgy, and sharing reflections on how this framework could motivate a religious response. Out of that comes this book, *Anti-blackness and Christian Ethics*, which is coming out later this year from Orbis. As a preface to that book, I tried to distill some of the insights and feelings that were circulating among these theologians. Three of them are Father Bryan Massingale, Kelly Douglas, and Ashon Crawley.

So here's the preface, which, if you'll indulge me, I'll read:

"We are angry. We see gross racial injustice in the United States today. We see the anti-black violence committed by the police, by the prison system, by poverty, by environmental racism, by racial bias, and by hateful words and deeds. We know that this violence is pervasive and connected and we know that it results from this nation's deep, long-standing commitment to denying black humanity. Many of us, as people of color, have not only observed this violence at a distance, we have felt it in our own bodies and souls.

We are heartened by grassroots organizing demanding racial justice, and we join in the affirmation that black lives matter. We seek to learn from activists and to struggle together with them both to challenge the white supremacy that infects this nation and to envision what racial justice may look like. We are grateful to movement organizers for crafting an inspiring platform that calls for an end to the war on black people, reparations, investment in black communities, economic justice, community control of police, and black political power. We are inspired by the movement's deep analysis of anti-black racism and by the connections that the movement makes with other struggles for justice.

We acknowledge the complicity of religious communities in perpetuating anti-black racism, and we acknowledge the deafening silence of many religious communities in the face of racial injustice, but we also remember the long, inspiring tradition of religious organizing and analysis aimed at challenging anti-black racism. We remember the invitation to believe in a God who is black. We remember the ideals of love and nonviolence, and we remember how these ideals have been perverted by those who privilege hollow peace over justice.

We learn from the movement that advancing justice requires disrupting ordinary life. Affirming that Black Lives Matter is necessary but it is not enough, we call on our fellow theologians and scholars of religion to articulate how religious traditions speak to anti-black racism in their

research and teaching. We also call on our colleagues to personally join the movement in the streets. We call on religious leaders to interrogate the ways their institutions have been complicit in anti-black racism and to mobilize institutional resources in support of the struggle for racial justice and to personally join the movement in the streets.

Finally, we call on religious practitioners to discern the resources in their faith traditions to struggle against anti-black racism and as well to personally join the movement in the streets. We're an ecumenical group, Catholic and Protestant, Jewish and agnostic. We are predominantly black but we're also Latino and white. We are gay and straight, immigrants and U.S.-born, clergy and laity. We are theologians and secular scholars of religion.

Collectively, we lament that the grip of anti-black racism remains so tight. We denounce the false god of whiteness that is worshipped throughout this nation. We know that changes to a few laws will not suffice. We demand a revolutionary transformation in souls and in society, in universities and in political institutions. We believe that struggle and worship can be one and the same. Let us follow the lead of the black youths blocking highways and disrupting brunches, organizing together to recognize the inherent worth and dignity of black life."

I hope that gives you a sense of the collective thinking of myself, and other black theologians, and others reflecting on these issues and mobilizing the framework of anti-blackness together with a call to listen to what's happening in grassroots struggles. So I'd like now to reflect on the Black Lives Matter movement not only as a political movement but also as a love story. Thinking about love is central to the movement—love very deeply rooted in a Christian and post-Christian tradition.

A secularization story often told about racial justice organizing in the U.S. says that 50 years ago there were black religious leaders, black men preachers at the front of the civil rights movement, and today there are not. Those at the front of the Black Lives Matter movement are not

religious. They are particularly female, particularly queer, particularly youthful. Religion has lost its centrality in the movement. But in fact religious language and practices are all over. There's a swirl of religious ideas, symbols, rituals, and feelings that surround today's racial justice movement, and central to these is love.

To give a couple of examples, two months after Darren Wilson shot Mike Brown, calling him a demon in Ferguson, Missouri, there was a gathering of clergy in front of the Ferguson Police Station. At 11:00 p.m., about a dozen clergy members gathered and began to pray. There was a rabbi, a black United Church of Christ minister, several white Episcopals, and Reverend Osagyefo Sekou, a Pentecostal, who led the prayer.

The police interrupted and demanded that the ministers disperse. Reverend Sekou and his colleagues kneeled and they continued praying. They were arrested and held in a blood-stained van that night. Reverend Sekou himself is a native of St. Louis who spent months after the death of Mike Brown in Ferguson doing trainings on nonviolent civil disobedience rooted in Christian tradition.

Reverend Sekou is not optimistic about the involvement of institutionalized religion in racial justice struggles. He notes the low participation of religious communities in Birmingham and Montgomery 50 years ago during the civil rights movement—even then. When we think of religious communities in the forefront of the civil rights movement, actually the vast majority of churches were on the sidelines. Only a select few were indeed at the forefront. He says, "I'm not terribly hopeful for the church. I think queer, black, poor women are the church's salvation. They don't need to get saved. The church needs to get saved."

Reverend Sekou isn't telling a secularization story. He's not saying there was once religion in racial justice and now there is not. Rather, he's saying that there's a black radical religious spirit that animates both

but is not captured by institutionalized religion. That institutionalized religion needs to listen to that spirit, that religious spirit animating both movements. This spirit Reverend Sekou describes is a spirit of love.

He points to the San Francisco protest where a group of black women bared their breasts to protest the death by police of black women around the country, particularly in the East Bay. Those women, according to Reverend Sekou, "Were presenting their bodies as living sacrifices. This generation has made a commitment to love its way out." That's the end of Reverend Sekou's reflection.

Loving flesh deemed unlovable publicly, disturbingly, ritually, dramatizing injustice, forcing us to ask difficult questions that are inescapably theological—that's what is happening here in the Black Lives Matter movement.

Think about the history of Black Lives Matter, which is often forgotten. We just think it's an amorphous collection of activists, but in fact there's a founding moment which is important to reflect on. Alicia Garza is a California-based organizer with the National Domestic Workers Alliance. On the night George Zimmerman was acquitted in Trayvon Martin's murder, she was angry and grieving. The next morning, she composed her thoughts on Facebook, concluding, "Black people, I love you. I love us. Our lives matter."

Her friend, Patrisse Cullors—like Garza, a queer, black activist—shared on Facebook the status and added the hashtag Black Lives Matter. Another friend, Opal Tometi, created a digital platform to help disseminate this message and help activists connect around the country. Garza reflects, "The project we're building is a love note to our folks." Garza herself tweets under the handle Love God Herself, and at the first national gathering of Black Lives Matter activists in Cleveland in 2015, one of the participants describes the gathering as, "Grounding the movement in black-on-black love."

I think there's been too little reflection on how this love could be connected with a Christian story. Too often, love alone, as it circulates in American popular culture, can be a Hollywood love story rather than a commitment grounded in religious tradition to social justice that brings with it normativity, that brings with it "oughts"—what you *ought* to do. It can be New Age-y. It cannot have the power to be sufficiently critical. "All you need is love" can't affect social transformation, that kind of slogan.

We need to think about something that goes along with love: about justice, about accounts of divine justice. Justice not reduced from a divine ideal to a criminal justice system. We don't want to reduce justice to simply following the law properly as it so often is these days. We want to remember justice beyond the world. Indeed, if you visit the Martin Luther King monument in Washington, you'll see lots of quotations from King about love. You won't find any about Jesus, or God, or about law, or God's law. There's something that needs to be managed. There's something that's potentially disruptive about King's appeals to a higher law or to God's law.

There is of course a robust Roman Catholic tradition of reflection on natural law theory, but I'd like instead to return to black culture, to blacks who are capable of doing, not just applying intellectual frameworks to see black Americans as participating in a natural law tradition and theorizing natural law. Martin Luther King most famously did this in his 1963 "Letter from a Birmingham Jail," where he appealed to Augustine and Aquinas, but also to Martin Buber, Paul Tillich, the personalist and secular accounts of natural law. So it might seem like he's just appealing to a higher law or natural law, and I'm using these interchangeably, not getting into the technical details about the differences here.

It might seem like he's doing it to add rhetorical oomph, but in fact, if you look from King's early days, even before he went north to seminary to be trained, when he was just a young, teenage Baptist preacher, he

was still appealing to God's law or higher law. There's a thread that goes throughout his career of appealing to God's law or a higher law. He uses it against colonialism, against consumerism, and against pragmatism. He preaches against the survival of the slickest attitude that he sees around him. He worries that people are making little gods of material objects, of money, but also that people are making little gods of pleasures and even of science. Instead, he urges us to turn to the eternal, most immediately the soul, but the soul as it images God. He said that worldly laws that we find around us are often obscuring the eternal, obscuring God's law and our access to the divine, and that worldly laws are in conflict with the natural law. He uses this language in Montgomery, in his first public activism, the Montgomery bus boycott. At the opening meeting of the Montgomery bus boycott, King urges that the laws of segregation of the bus system conflict with the divine edicts of God.

It's also interesting as a side note (and a little-known fact) that Martin Luther King had an advice column in a magazine for a while. People would write in with their worries in their personal lives, think their husband might be cheating on them or they have questions about sexuality—all these sorts of things people would write to King. It's interesting that King never invokes natural law when he's responding to these queries. He only invokes natural law when he's talking about broader questions of social justice. In fact, in my book, I think about how figures like Frederick Douglass, Anna Julia Cooper, and W.E.B. Du Bois all invoke natural law and are participating in a tradition of the African American reflection on natural law when it is oriented toward social justice rather than individual morality.

The content in this tradition is less important than the process of accessing natural law. That process is not just about reasoning, not just about using the human capacity to reason, but the human nature that's invoked. It's also having emotion and the capacity to imagine. So a mix of reason, emotion, and imagination allow for access to the natural law—accessed collectively, not individually reading books or in a class

trying to figure out how to solve the natural law question on the exam. It's accessed collectively through rhetorical performance and in the practices of community organizing.

Even more important than how natural law is accessed is its effect, which is twofold. On the one hand, ideology critique challenges the wisdom of the world and sees how it's not in line with a divine law, God's law. On the other, it's catalyzing social movement organizing. These two were complementary: Catalyzing social movements fuels ideology critique; ideology critique fuels social movement organizing on this black natural law perspective.

I argue that more recently, this black natural law tradition has collapsed, leaving only incoherent fragments. Some of these fragments are picked up, for example, by Clarence Thomas, but also by Jesse Jackson and by James Baldwin. Clarence Thomas focuses on the reason dimension, setting aside the emotion and the imagination dimension. James Baldwin focuses on the emotion dimension, setting aside the reason dimension, and I think it leads to various political problems downstream, as it were.

But my claim in reflecting on this black natural law tradition is to respond adequately and theologically to anti-blackness. We need to join the centrality of love as it's being developed in the Black Lives Matter movement with the centrality of natural law and accounts of higher justice in the black political tradition. These two need to fit together—the love and the law stuff—and we need to combine them in a way that's responsive to the complexity of our current racial, political, and spiritual (spiritual, sometimes, as opposed to religious) moment. That means not just drawing on particular religious traditions but thinking about frames that cross religious and racial boundaries.

Where to turn to see examples of this? I think we should turn to voices among the marginalized who are struggling for dignity to be recognized. One example here is the incarcerated. So I just want to give one

example to invite us into this discussion.

The prison hunger strikes in California received a lot of publicity over the last few years. But less well known are the Georgia prison strikes in 2010, which were the largest prison work stoppage in history. The incarcerated men and women in Georgia were demanding a living wage, demanding educational opportunities. They were demanding decent health care and healthy meals to be available. At the end of their list of demands, they say, "No more slavery. Injustice in one place is injustice to all," riffing off of King and others there.

Like in California, the organizing of the Georgia prison strikes involved blacks, Latinos, and white prisoners and was coordinated across the state of Georgia. The intention of the strikers was to be peaceful, but soon, the strikers were brutalized by prison officials and the leaders were separated. One particularly interested figure in the story is Imam Hamim Asadallah, a 40-year-old man who describes himself as a "European Muslim who sincerely loves Allah and his messenger in all black people." Some of the more sympathetic prison guards deemed him a white Martin Luther King.

He was beaten by white guards as he describes it, "because of the prison strike, my religion, my way of life, and because of my love for black people." After he was beaten, he was denied medical attention, he was transferred, he had his personal property confiscated, and when it was returned, he discovered that his only picture of his black Muslim wife had a racist slur written on it. In 2011 he was kept for months in solitary confinement in a cell whose walls were stained with blood and allowed only one shower a week.

He appealed not just to one particular religious community, not just to secular lawyers, but to a mix of secular and religious social justice advocates. He wrote to the NAACP. He wrote to the National of Islam. He wrote to the Southern Center for Human Rights and to Dr. Boyce Watkins, and his wife wrote to Reverend Al Sharpton and to

the Green Party. He recounts his sufferings in a series of letters to a black community newspaper. In one of them, he ends, "Allah says in the Quran, 'Verily with every struggle there is relief.'" Inna maAAa alAAusri yusran.

After this letter was published in this community newspaper, he was moved to a cell without a bed and left naked without food or his prescription medicine for two days. He was unable to write again to the newspaper, so his wife, Amina, did. She wrote to the same newspaper to report on what was happening and offered a taste of what this sort of spirit combining this commitment to love, ethics, and to a higher law might look like: "It's not that my husband is doing something wrong or trying to be anybody. It's just that he has the ability to awaken the inner consciousness of a person by using human rationale, and when a person's inner consciousness awakens after having been in a state of slumber for so long, this inner consciousness becomes enthused and curious and begins a new journey." The letter concludes, "We need your support and love just as we are sending ours."

Here I think we see a hint of what it might look like to combine appeals to higher law in an African American tradition but not exclusively African American tradition—a tradition that's African American combined with a broader American story. It combines appeals to higher law with appeals to love and appeals to community organizing, appeals from those organizing within a prison across the prison walls to those organizing outside.

I'd just like to invite us as a community to reflect on what the example of Asadallah and the examples of others we might think of can teach us today in our moment of grave racial crisis. Thank you very much.

William O'Neill Remarks:

Bill O'Neill: Let me begin by thanking Vincent for a marvelous talk, and the organizers, Theresa and Dorian. It's a privilege to be here with

you this evening.

The poet Flannery O'Connor once said that poetry is accurately naming the things of God. Now perhaps in a similar vein, we may say that ethics, my field, is naming the ungodly, things idolatrous, blasphemous, for there are idols in every age, blasphemies that betray the Imago Dei, the image of God fleshed in each of us, and that is the first sin. As Emmanuel Levinas reminds us, "refusal to see on the face of the other the command thou shalt not kill." And so we divest the imagined other of moral standing in our economies of exclusion. Slavery, enshrined in our constitution, so dear to the originalists, is truly our original sin, manifest in the legacy of Jim Crow, anti-black racism, and mass incarceration. But there is, as Dr. Lloyd so eloquently reminds us, also original blessing, a legacy of black resistance, the spirit of abolitionism.

Let me then in response, first say a word about our economies of racial exclusion and how we tacitly rationalize them. Then a word about prophesy, the grace of imagining otherwise. Professor Lloyd recalls the rich history of natural law and political theory, but it is a history today divided against itself. No longer can we, in Eliot's words, "keep our metaphysics warm" in a grand medieval synthesis of law and virtue. Our world is irredeemably fragmented. The heritage of natural law underwriting rival rhetorics or politics, what Michael Sandel calls the politics of rights and the politics of the common good. "We must," he says, "choose between them."

With the disenchantment of our modern world, the rhetoric of natural rights emerges as our political capital or currency, rights our powers or properties of sovereign selves emancipated from the tutelage of all tradition. Indeed, in the grand liberal tradition, individual rights enshrine our liberty to pursue our own good in our own way. Social bonds are frayed, and as Alexis de Tocqueville presciently wrote, "There remains the danger that we are shut up in the solitude of our own hearts."

The heritage of anti-black racism is thus summarily erased as a sovereign self-emancipated from tradition if I bear no responsibility for the heritage of white supremacy or privilege. If looking into my heart, I discern no racism, misogyny, or homophobia, I am absolved of history, responsible only for my own deeds.

Now, where the politics of rights envisions society of a compact of mutual advantage, the politics of the common good looks to thick social bonds constituting a polity. For communitarian theorists, the self is not essentially unencumbered but rather constituted in the ensemble of social relations knit together by shared history and sentiments. We are embedded within a particular political community and endowed by birth right with a distinctive cultural, ethnic, and racial heritage. Even our liberty has a pedigree.

Now such politics need not be xenophobic, but just as the politics of rights may dissolve into assertions of private interests, so the politics of the common good may degenerate into the brash rhetoric of ethno-nationalism. Here whiteness matters: no longer a mere descriptive racial category, whiteness enshrines privilege and a politics of *ressentiment*, resentment where it is denied or contested.

Now neither the modern politics of rights nor the politics of the common good then are a sure stay against prevailing forms of anti-black racism. At best, they support a vacuous tolerance, what Dr. King called the appalling silence of the good. At worst, they abet white privilege and racial caste, as in our modern regime of social control and mass incarceration. And so we punish what we fear, the imagined other, and in a perverse dialectic, we fear what we punish, our punitive carceral regime creating its own object—the illegal alien, the criminal black man. And yet the final word is not sin but blessing.

The rich yet often unremarked heritage of black natural law, which has been so eloquently developed by Professor Lloyd, sounds a prophetic note, the grace of imagining otherwise. It begins, as Professor Lloyd

reminds us, not with the morality of the heights, the teleological perfectionism of St. Thomas and the Scholastics, but the morality of the depths. Black natural law, in the words of Chinua Achebe, becomes a mouth to tell of suffering, suffering not merely of a sovereign self but the enslaved victim of systemic inequity. It is the word that begins in cry in resistance to the whiplash that finds voice in the spirituals, the ethics of our climate, and ends in prophetic lament, and so I think it transfigures our politics or certainly has the potential to do so.

Rights interpreted from below, from a hermeneutics of the margins, are no longer the properties of sovereign selves but of what I would suggest is a grammar of dissent. "Never again" we must say to slavery again and again, and yet as Professor Lloyd argues, the grammar of abolition is no less one of assent. Rights let us name atrocity, denounce slavery ideology, in all its manifestation and reaches, but rights are also a clearing for new stories to be told. The common good, embracing an integral and comprehensive grammar of rights, lets testimony such as in Black Lives Matter be woven into a new social narrative, the common good of King's beloved community.

And here, I think there is a *rapprochement* with the reconstruction of modern Catholic social teaching. (But that is another talk.) Natural law has always held forth the possibility of a common universal morality, but black natural law, again as so eloquently developed by Professor Lloyd, historicizes that morality, our common morality. Our American morality is always and necessarily lament.

Ralph Ellison once wrote that, "Whatever else American history is, it is also black." There are not, as the ethno-nationalists aver, two opposing histories, one black and one white. No. There is one history into which we are all born, a history of great sin but no less of resistance and thus hope. It is history as lament, lament that privileges the mouths that tell of suffering black lives, but that, as Bryan Massingale affirms, invites all whites as humble allies to join the chorus. There is plenty room in God's house. Here is true greatness, the greatness of the gospel of the

beatitudes. It is a greatness we must earn, for America will never be great until black lives matter.

Professor Lloyd has recounted a form of natural law, black natural law that is hidden sometimes in the rhetoric of resistance and the poetry of the spirituals. It is, I think, the accurate naming of the things of God. Thank you.