

When Feelings Move, Whose Feelings Matter? Critical Race Theory Bans and the Affective Politics of Public Education

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Abstract: In recent attempts to ban the teaching of critical race theory in American schools and universities, students' feelings have served as a frequent rationale and a subject of debate. Building on rhetoricians' long-standing interest in emotion and its ties to movement and pedagogy, I track the rhetorical circulation of students' feelings in and around critical race theory bans. I argue that such tracking helps elucidate the racialized role students' emotions have played and continue to play in public education, with White students' feelings positioned as a precious resource that must be protected from the dangerous feelings of others. I also consider how the circulation of students' feelings can help rhetoricians rethink the distinctions and connections among the traditional branches of rhetoric.

Keywords: emotion, critical race theory, epideictic, circulation, rhetoric

At first blush, the phrase *rhetoric in motu* might provoke reflections on rhetoric's connections to physical motion and movement. For example, one might turn to the wide-ranging body of rhetoric scholarship on migration and mobility (e.g., Chávez 2021; Hartelius 2015). But that is not the only kind of movement with which rhetoric has concerned itself. Rhetoricians have of course also been students of emotion—of movement in the affective sense. The field's perpetual attachment to *pathos* and Cicero's positioning of *movere* as one of the three offices of rhetoric provide just two examples (Cicero 2001, 2.28; Remer 2013).

Moreover, geographic and affective movements are often intertwined. For instance, Alessandra Beasley Von Burg argues that “the ability to come to terms with the place of emotions in discourses of citizenship is essential in addressing the challenges facing cosmopolitanism. . . . Presently, issues of immigration, inclusion, assimilation, and acceptance of the ‘other’ present important challenges to cosmopolitan ideals” (2011, 115).¹ That is, as people's movements bring about new socio-cultural, geographic, and political assemblages, tracking “the place of emotions” can

help scholars understand and negotiate the rhetorical possibilities and challenges brought about by those movements. In short, how feelings move—how they circulate, how and where they are argued about, whose are dismissed, and whose are held dear—is a significant question for those pursuing rhetoric *in motu*.

In what follows, I engage in that pursuit by focusing on the ways politicians, pundits, and parents interested in restricting the teaching of what they call *critical race theory* (which is often quite different from, if not diametrically opposed to, what critical race theorists consider critical race theory to be) have used students' feelings as a justification for such restrictions at all levels of public education (Jones 2021). The possibility that lessons about racism and racial inequities might make students have negative feelings is an explicit part not only of public debates about and rationalizations of critical race theory bans but also of the very legislation that attempts to put such bans in place.² Further, these bans rely, I argue, on a deeply racialized bifurcation of the value of feelings, with White students' feelings positioned as a precious national resource that must be protected from the contingent emotional excesses of Black citizens and their presumed ideological accomplices. Though feelings are frequently construed as fleeting, I demonstrate their persistent power in deliberative and legal contexts in the United States. Furthermore, tracing arguments about feelings offers important lessons about how emotion itself is leveraged and circulated as both an ideological instrument and a deliberative topos, blurring the boundaries among historically delineated arenas of rhetorical activity (e.g., legal, pedagogical, deliberative, epideictic).

Students' Feelings and the History of American Education

As historians of rhetoric know, the regulation of feelings is nothing new. Metaphorical and literal attempts to police racialized feelings and feelings about race, especially in the realm of education, have a long history in the United States (Corrigan 2020; Erby 2021, 27; Jones 2022; Maraj 2020, 125; Matias, Montoya, and Nishi 2016). As Danielle Allen observes in her account of the vicious backlash to school desegregation in Little Rock, Arkansas: "For decades, white Southern citizens had been accustomed to maintaining key public spheres as their exclusive possession; for the sake of preserving life and stability black Southern citizens had been accustomed to acquiescing to such norms and to the acts of violence that enforced them." She illustrates this point with an infamous photo of Hazel Bryan, a White student, angrily cursing at Elizabeth Eckford, one of the nine Black students who integrated Little Rock Central High School. As Allen goes on to argue, citizens making sacrifices and experiencing loss—not getting everything they want—is an inescapable part of democratic politics. Therefore, democracies need criteria for determining when such sacrifices are unreasonable, as in the case of Black southerners being persistently, violently, often lethally excluded from "key public spheres," or reasonable, as in the case of White southerners being expected to tolerate the presence of Black

southerners in desegregated schools. As Allen notes, feelings are a key element of judgments about the reasonability and equitability of sacrifice: “Criteria for differentiating reasonable from unreasonable feelings of loss are crucial to the effort of converting negative emotions like anger, resentment, and disappointment into less painful states” (2004, 4, 39, 46).

Given the long, interwoven history of racism, feelings, and education in the United States, this article is not just about a present controversy. It tracks a history that stretches long past *Brown v. Board of Education* (1954), back to the inception of American universities that were built and maintained by enslaved Black people and stand still as “silent monument[s] to slavery” (Wilder 2013, 137). As a way of putting history in conversation with the present, I turn to the mid-2010s, a few years before the critical race theory bans, when students’ feelings about the histories of racism on their campuses attracted a fresh wave of attention and ire. The events of those years mark a noteworthy intersection between the racism woven into the legacy of American higher education—a history that includes slave labor, the expropriation of indigenous land, segregation, and after-the-fact monuments to slave owners, Confederate leaders, and segregationists—and current attempts to reckon with and paper over that legacy.³

The mid-2010s saw a deluge of think pieces and proclamations about the excessive sensitivity of college students, particularly students of color, feminist students, and queer students (Gerdes 2019). This included bipartisan hand-wringing about students protesting the historical and ongoing presence of racism on American campuses, with such protests frequently positioned as a sign of liberal students’ emotional and mental maladjustment and hostility to free speech (Friedersdorf 2015; Jackson 2015; Lukianoff and Haidt 2015; Schlosser 2015).

The writings of Conor Friedersdorf, a libertarian columnist for the *Atlantic*, exemplify this discourse. In a piece on a series of events that took place at Yale University in late 2015, Friedersdorf (2015) begins by quickly noting that, in advance of Halloween, “Yale administrators” sent an email containing “heavy-handed advice” about costumes students should avoid. For context, that email, which was sent by the university’s Intercultural Affairs Committee, notes past cases of Yale students donning blackface and redface, then states that, while students “definitely have a right to express themselves,” the committee hoped that they would avoid costumes that disrespect “segments of our population” (Intercultural Affairs Committee 2015). Friedersdorf himself provides no context regarding the initial email, instead jumping to a critical response that he treats in much more sympathetic detail. That response was written by Erika Christakis, a lecturer at Yale whose husband served as residential master of Yale’s Silliman College. In her email, Christakis worries about “the consequences of an institutional . . . exercise of implied control over college students.” She ventures several hypotheticals, including the statute of limitations “on dreaming of dressing as [the Disney character] Tiana the Frog Princess if you aren’t a black girl from New Orleans” (Christakis 2015). Friedersdorf (2015) praises Christakis’s email, which was sent to all Silliman students, as “a model of relevant, thoughtful,

civil engagement.” However, the letter prompted a group of students to launch what he calls “a campaign of public shaming” against Christakis and her husband, which included calling for the couple to be “removed from their residential positions.” Friedersdorf criticizes the students’ claims from a number of angles, one of which draws inspiration from Greg Lukianoff and Jonathan Haidt’s “The Coddling of the American Mind,” a 2015 piece subsequently expanded into a book (Lukianoff and Haidt 2018). Both versions were frequently cited by pundits and writers concerned that students’ sensitivity and overzealousness for social justice made them a threat to free speech and themselves.

Borrowing the language of cognitive behavioral therapy, Friedersdorf paraphrases Lukianoff and Haidt’s claim that “too many college students engage in ‘catastrophizing,’ which is to say, turning common events into nightmarish trials.” He goes on to quote an open letter in response to Christakis’s email that was signed by hundreds of “Concerned Yale Students, Alumni, Family, Friends, and Staff” (Wilson 2015). While that open letter explicitly states that its writers “are not asking to be coddled,” Friedersdorf makes it clear that he thinks they are. But, as he sees it, to ask to be coddled is a self-defeating proposition because, in claiming to be victims, the students are in fact victimizing themselves: “These students . . . need someone to teach them how empowered they are by virtue of their mere enrollment [at Yale]; . . . that their worth is inherent, not contingent; . . . that they are capable of tremendous resilience; and that most possess it now despite the disempowering ideology foisted on them by well-intentioned, wrong-headed ideologues encouraging them to imagine that they are not privileged” (Friedersdorf 2015).

Friedersdorf’s argument is just one example of a powerfully commonplace conception of students’ feelings that was circulating at the time: they were excessive and unrestrained, self-defeating in the contingency they ostensibly led students to apply to their own inherent self-worth. In short, students’ feelings were a threat, both to the students who expressed them and to the people and institutions around them. This stigmatizing of students’ sensitivity shaped public discourse and perceptions of college students and higher education in the lead-up to the 2016 presidential election. Many conservative pundits and politicians, who were often presented as victims of students’ feelings run amok, embraced an openly hostile, often sadistic attitude toward liberal feelings, if not feelings in general (Matheson 2022).

The Emotional Politics of Critical Race Theory Bans

By the next presidential election cycle, the purported harms of students’ excessive feelings had moved from being a concern of pundits to being a matter of policymaking. In September 2020, the Trump administration issued its Executive Order on Combating Race and Sex Stereotyping (Trump 2020). That executive order was explicitly concerned with feelings. Early on, it points to a Smithsonian

Institution graphic that “stated that ‘Facing your whiteness is hard and can result in feelings of guilt, sadness, confusion, defensiveness, or fear.’” The order, which aligns itself with the Montgomery bus boycott and historical civil rights marches, positions the Smithsonian graphic as “contrary to the fundamental premises underpinning our Republic: that all individuals are created equal and should be allowed an equal opportunity under the law to pursue happiness and prosper based on individual merit.” It then lays out a series of “divisive concepts” that the federal government, federal contractors, and grant recipients are prohibited from promoting. The eighth of those concepts reads: “Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.”

That order was revoked by the Biden administration in January 2021, but its legislative legacy lives on. As documented by the University of California, Los Angeles, School of Law’s “CRT Forward Tracking Project” (2022)—CRT here stands for *critical race theory*—many states have since echoed the executive order’s language about feelings in bills prohibiting and otherwise delimiting various “divisive concepts” in the context of public education. While the term *critical race theory* itself does not always appear in the legislation, these bills are often explicitly intended to and described by their advocates as attempts to ban the teaching of critical race theory, at least as the theory is understood by figures on the right (Allison 2021; Richard 2021). As the “CRT Forward Tracking Project” (2022) puts it: “Functionally, divisive concepts have been operationalized and inaccurately attributed to CRT.”

As of October 2022, some version of the executive order’s feeling-centric eighth concept appeared in legislation adopted in at least ten states (“CRT Forward Tracking Project” 2022). For example, in Tennessee, Senate Bill 623, which was passed in 2021, states that an “LEA [local education agency] or public charter school shall not include or promote the following concepts as part of a course of instruction or in a curriculum or instructional program.” One of those concepts is lifted nearly verbatim from the revoked order: “An individual should feel discomfort, guilt, anguish, or another form of psychological distress solely because of the individual’s race or sex” (S.B. 623, 112th General Assembly). In 2022, Tennessee passed Senate Bill 2290, which extended certain prohibitions regarding the very same divisive concept to “public institutions of higher education” (S.B. 2290, 112th General Assembly).

The one-party approach to the development and passage of a divisive concepts bill in Tennessee—which has a Republican governor and a state legislature in which the Republican Party holds a supermajority—is reflective of developments in many other southern states that passed emotionally laden legislation in the wake of Trump’s defeat in the 2020 presidential election and the Biden administration’s revocation of the Executive Order to Combat Race and Sex Stereotyping. The state’s history of “educational inequality” is, while flush with local particulars, also in many ways representative of the South as a region (Calise 2018; Erickson 2016). As Ansley T. Erickson writes in *Making the Unequal Metropolis*, which focuses on the history of school

segregation in Nashville, Tennessee's capital city: "Educational inequality had deep roots in the era of slavery and the systematic oppression of the post-Reconstruction years." That inequality was and is fueled by persistent pushes for segregation that "operated before and after *Brown v. Board of Education*, inside and outside of periods of statistical desegregation" (2016, 11). The fact that school segregation has been persistently reinvented and reiterated is precisely the kind of thing to which critical race theory calls attention. Recognizing the stark, explicit role race has played in the history of American jurisprudence, critical race theorists have observed, for example, "that favorable precedent, like *Brown v. Board of Education*, tends to erode over time, cut back by narrow lower-court interpretation, administrative foot dragging, and delay" (Delgado and Stefancic 2017, 5). Nashville provides a case in point: it joined other southern municipalities in slow-walking school desegregation, with one of its landmark desegregation cases left unsettled until 1998, and with many schools effectively resegregating in the wake of that case's settlement (Knight 2020). But the contingencies and consequences of this history—and, crucially, the feelings it might provoke—are covered over by the state's divisive concepts bills and arguments in their favor.

For example, statements by Tennessee governor Bill Lee following the passage of Senate Bill 623 resonate with Friedersdorf's comments about Yale students: "Critical race theory is un-American. . . . It fundamentally puts groups of people above the sanctity of the individual which is a founding principle of this nation" (quoted in Richard 2021). Like Friedersdorf, Lee privileges the abstract principle of individual equity above the felt, demonstrable inequities that have shaped public education in the state of Tennessee. It is sufficient, it would seem, that White students who attend a well-funded public school on Nashville's suburban outskirts—a school that might exist only because of White flight in the face of school desegregation throughout the twentieth century (Erickson 2016, 182)—know that they are inherently equal to Black students attending a comparatively underfunded public school closer into town. Teachers must not, state law seems to suggest, risk making those White students feel bad by acknowledging that the educational opportunities afforded them by White flight, by all the ways segregated schools were remade in the wake of *Brown v. Board*, have ensured persistent educational inequities along distinctly racialized lines.

These affective prohibitions stand in stark contrast to claims made at a September 2022 event that occurred in Williamson County, a predominantly White Nashville exurb and one of the twenty wealthiest counties in the United States (DePietro 2021). A high school chapter of the right-wing student organization Turning Point USA hosted this event, which featured Benny Johnson, Turning Point's chief creative officer, talking about the role of memes in fighting the "culture war." In a manifestation of what Calum Lister Matheson calls *sadistic conservatism* (2022), Johnson asked: "Why do a show on memes? Because the memes hurt their feelings" (quoted in Masters 2022). While Johnson is of course not a representative of Tennessee's state government, it was only a year earlier that the state's house of representatives

passed a joint resolution congratulating the conservative pundit Candace Owens on her move to Tennessee—a resolution that explicitly noted Owens’s work for the “conservative advocacy group Turning Point USA” (H.R. 350, 112th General Assembly). Thus, in the wake of the Tennessee General Assembly’s Republican supermajority passing legislation that restricts the elicitation of bad feelings in public schools, a representative of a private organization the general assembly recently lauded teaches conservative high school students that hurting others’ feelings is a justifiable political end.

Conclusion: Students’ Feelings as Inherent Property and Contingent Threat

How, then, have students’ feelings moved? While this is a question with a long history, taking the mid-2010s as a significant pivot point, students’ feelings have circulated as a behavioral and institutional threat, an excess that must be constrained lest students victimize themselves and others. From there, the prohibition on bad feelings laid out in the Trump administration’s 2020 executive order—which focuses on extra-curricular federal entities—subsequently trickles out to the state level, where it is frequently reapplied to public education. In that context, the executive order’s opposition to a Smithsonian graphic’s claim that “facing your whiteness” can be an experience fraught with bad feelings (e.g., feelings that might ensue when White people learn that the educational opportunities afforded them were the result of an earlier generation’s decision to flee urban school integration and set up freshly segregated schools in wealthy suburbs instead) is extended into a prohibition on the evocation of such feelings in public schools. Moreover, the emotional threat is no longer coming from students alone. It is also coming from external entities (curricula, teachers, textbooks, etc.) that might provoke bad feelings in students. In short, students’ negative feelings expand beyond an internal threat that must be contained lest it circulate to other individuals and institutions, becoming a yet-unrealized emotional state that must be protected from outside forces that threaten to awaken it.

To talk about students’ feelings or even students’ negative feelings, however, is too abstract a framing. This leads me to the first of three concluding points. While most divisive concepts legislation does not specify which students should not be made to feel any kind of psychological distress owing to their race, if the rhetorical acts that led to such legislation are taken at face value, it becomes clear whose feelings are meant to be protected: White students’. After all, the negative feelings that might be evoked by “facing your whiteness,” not facing racial identity more broadly, are what the executive order used as a framing device. Moreover, if these bills are truly meant as critical race theory bans—even if critical race theory is often not mentioned in the bills themselves—and if we take into account that one of critical race theory’s major claims is that American jurisprudence has frequently prioritized and enshrined the rights, cultural norms, and interests of White people above those of others (Delgado and Stefancic 2017, 22; Harris 1993), then the bills primarily serve to prevent *White*

students (and legislators) from feeling guilt or anguish because of their race. The movement I am tracking here, then, is not a flip but a familiar historical bifurcation, with the feelings of Black citizens and their presumed ideological accomplices (e.g., liberal teachers) positioned as the threat and the feelings of White students as the threatened. In “Whiteness as Property,” the critical race theorist Cheryl I. Harris demonstrates how intangible aspects of whiteness (e.g., a person’s reputation) came to be regarded as legally protected property (Harris 1993, 1735). In the case of divisive concepts legislation, even if whiteness is not specifically isolated and identified, White students’ emotional states are arguably positioned as a kind of affective property in need of protection.

My second conclusion regards the persistence of claims about the *inherent*, sanctified equality of individuals in discourse about students’ feelings. Negative feelings that emerge as the result of concrete inequities with historical roots are often critiqued, dismissed, or outlawed on the grounds that they are a threat to the abstract principle that all people are inherently equal, a rhetorical move on which both Conor Friedersdorf and Bill Lee rely in the examples quoted earlier. Feelings are positioned as fleeting, and, thus, the conditions that give rise to and serve as the object of students’ feelings are pushed aside as mere contingencies, even if those conditions are persistent and concretely identifiable and demonstrable—for instance, the ongoing reality of school resegregation (Erickson 2016, 299). Institutions, from the educational to the legislative, are thus encouraged to behave as if they exist in an idealized realm of inherent equality, even as the concrete racial inequities of day-to-day life in the United States haunt our classrooms and capitals. The law becomes a tool not for responding to the felt material conditions of the world in which people live but for staving off such responsivity via appeals to the unrealized principles of the ideal world in which legislators assume we would already live if other people would just stop feeling so bad about race all the time.

Finally, making sense of the feelings these bills seek to contain and redirect blurs the lines between rhetoric’s three traditional branches: epideictic, judicial, and deliberative. In *Lynching*, Ersula J. Ore defines *epideictic* as “a rhetoric of display” and a “species of pedagogy’ that instructs those addressed in the ways of the community through modes of exhibition and demonstration.” Ore argues that lynchings of Black Americans “functioned epideictically as displays of American identity” (2019, 21). She makes the case that the epideictic dimension of lynching served to police the boundaries of citizenship, coding “non-white ‘others’” as “the anticitizen, whose exclusion from the polity both ‘threatened and consolidated’ its status as a white habitus” (2019, 21, 34). Lynching’s history as an *extrajudicial* form of violence throws its epideictic quality into sharp relief. While divisive concepts bills are perhaps most obviously a manifestation of deliberative rhetoric—to the extent that deliberation and legislation are aligned in the history of rhetoric—they also serve a powerful epideictic function. The executive order’s claim that feeling bad about whiteness is “contrary to the fundamental premises underpinning our Republic” (Trump 2020) and Lee’s statement that critical race theory is “un-American”

(quoted in Richard 2021) aim to demarcate American identity and feelings. People who feel bad about race or put stock in the tenets of critical race theory are in the eyes of this legislation un-American anticitizens (Ore 2019, 34). Their feelings must be contained lest they threaten the constitution of the true, right-feeling polity. The epideictic quality of these bills is further illustrated by their vagueness and dubious constitutionality (Pendharkar 2022). But, despite their potential legislative impotence, they nevertheless serve an epideictic function, offering a warning and a reminder to public educators that they are at perpetual risk of becoming un-American anticitizens. Epideictically, deliberatively, and pedagogically, this is an attempt to restrict the movement of feelings that are raced as non-White and, in so doing, to delineate inherently good American feelings from contingently bad un-American ones.

While a cursory rhetorical consideration of emotion might place it in the realm of epideictic or cordon *pathos* off from *ethos* and *logos*, in the case I have presented here, emotion bleeds from the realm of epideictic debates about so-called American values to the deliberative space of the legislative chamber, from the classroom to the courtroom and back again. It infuses and fuses with our sense of others' reason and character. Even in the relatively constrained context of debates about public school students, feelings take on and serve multifarious values, purposes, and connotations. Watching how feelings' rhetorical manifestations shift and split—uplifting some and suppressing others—can offer critical insight into what it means to approach rhetoric *in motu*. When feelings move, it matters, and whose feelings are taken to matter tells us a great deal about the rhetorical directions of our political, legal, and pedagogical institutions.

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Notes

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1. As another example of the connection between feelings and movement, consider Lisa Corrigan's argument that "black feelings created the spatial and temporal movement, or *motion*, of . . . the black freedom struggle" (2020, xviii).

2. It is noteworthy that, in some cases, critical race theory bans have moved in tandem with prohibitions around “social-emotional learning” (Goldstein and Saul 2022).
3. I also analyze this moment in Detweiler (2022, 13–17). However, that book was in the final stages of production when critical race theory bans began proliferating in 2020. I was thus unable to write at length about how the moral panic about students’ feelings ca. 2015 prefigured and paved the way for the moral panic about critical race theory ca. 2020. This article is an attempt to elaborate on connections that emerged too late to be articulated in that book. There is one additional topic that, while relevant, I do not have room to elaborate on: student protests against Confederate monuments on American college and university campuses, which were a substantial component of the movements documented here (Calise 2018; Monroe 2021).

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