rules to live by

conservatives, liberals, and derrick bell’s “rules of racial standing”

We are in the midst of a watershed period in American culture because of the ascendance of mainstream conservative philosophy in America’s public policy and discourse. This rise has also led to the rigorous development of a conservative movement among America’s people of color. The assumption is that conservatives of color are outing themselves in America’s public arena either because they hate being “of color” or because they are opportunists attempting to benefit from America’s current conservative climate.

In any case, the last thirty years of what many pundits and professors describe as the “post-1960s conservative backlash” has created a full-fledged and for many mainstream Americans—respectable movement among people of color toward self-reliance and the discounting of racism in American society. What was once a movement that consisted of “John the Baptists” such as Black sociologist Thomas Sowell and cultural critic Stanley Crouch now includes luminaries like National Security Advisor Condoleezza Rice, Supreme Court Justice Clarence Thomas, and American Enterprise Institute scholar Dinesh D’Souza. They and a host of other conservatives of color have published dozens of articles and books, delivered hundreds of speeches, and debated on many a talk show to promote a vision of America free from the curse of race. Their view holds the assumption that anything less than a blatant example of racism—such as the burning of Black churches by men in white sheets—is no more than crying wolf in raising the topic of race.

What we should attempt to understand is that there are larger forces at work here than the brilliant, bigoted writings of Dinesh D’Souza, the power of the media, and the 1995 Republican “Contract with America.” There are rules at work that are deeply rooted in America’s history, rules that would allow for the emergence of what intellectual historian Angela Dillard calls “multicultural conservatism.” Dillard’s terminology not only includes conservatives of color, but also women conservatives and gay/lesbian conservatives.

To gain an understanding of the rules that have made the rise of minority conservatism possible, one must look to New York University constitutional law professor and critical race theorist Derrick Bell. In his allegorical _Faces at the Bottom of the Well_ (1992), Bell described what he called the “Rules of Racial Standing.” These rules suggest that African Americans lack legitimate standing in the American public sphere, primarily because Blacks are too emotional and biased on issues of race. According to Bell whenever African Americans express their opinions about racial discrimination or about the significant individual and collective achievements of Blacks, it reduces their standing on issues of race. Few exceptions to these rules exist, except in cases in which Whites “back up” or give legitimacy to the claims of African Americans.
Bell’s Rules of Racial Standing are in operation in America’s public discourse everyday, and have been for much of the nation’s history. By examining how these rules remain applicable to public leaders and scholars such as Marcus Garvey, Dinesh D’Souza, and Arthur Schlesinger Jr., we can consider why our public discourse on race excludes the majority of Black perspectives and the views of most people of color. At the same time, the rules applied to these cases provide clues as to why it is relatively easy to be a conservative of color in America today.

**Derrick Bell’s Rules of Racial Standing**

Bell offers five rules for his readers to ponder within a legal and cultural context (see table below). Bell’s Rules are an analogy between the American court system and America’s court of public opinion. Bell’s First Rule—what I call the “Rule of Illegitimate Standing”—states that African Americans do not possess equal standing with Whites in America’s legal system or public discourse. Bell’s Second Rule (or the “Rule of Legitimate Standing”), complements his First Rule, implying that the only exception to the First Rule is when a White and allegedly objective litigant supports the claims of the “pleading” Black litigant. The Third and Fourth Rules of Racial Standing (the “Rules of Enhanced and Super-enhanced Standing”) are a discussion of circumstances in which African Americans can obtain enhanced and/or superenhanced standing in America’s court of public opinion. These African Americans (who are usually of the conservative persuasion) achieve such standing by speaking out against other Blacks, particularly “radicals” obsessed with racism and blaming Whites for problems Blacks allegedly created themselves.

Bell leaves his Fifth Rule—the “Rule of Prophetic Understanding”—as a sobering warning to anyone who would want to alter the other four Rules. Bell reasoned that it would be easier for someone Black, White, or Brown to make the realistic assumption that the rules regarding America’s public discourse on race were immutable, even if one possessed enough wisdom on the issue to transform America into a racial paradise.

Derrick Bell’s “Rules of Racial Standing” are but one example of his trailblazing work in Critical Race Theory (CRT), which developed among legal theorists in the late-1960s and 1970s as a means of recognizing the deep roots of racism in America’s legal discourse. Like the 1960s Civil Rights Movement and the mid-twentieth century Critical Legal Studies movement that influenced it, the leading proponents of CRT wanted to dispel the idea that the American legal tradition was one based merely on a set of legal precedents. Instead, theorists such as Bell, Kimberle Crenshaw, and Patricia Williams argue that the basis for the American legal tradition stems as much from America’s history of racism as it does from English common law.

Bell sought to explain the relationship between the post-Civil Rights conservative backlash and America’s racial/multicultural landscape in his “Rules of Racial Standing” essay. For Bell, these Rules provide a context in which conservatives of color (although Bell was thinking primarily about African Americans) could achieve an enhanced or superenhanced standing by writing and speaking their opinion. Bell also believes that the Rules of Racial Standing are permanent and therefore cannot be influenced or changed by either history or new conservative influences. Even staunch conservatives of color could not change the Rules of Racial Standing for themselves, much less for others, assuming of course that they would want to. Bell’s “Rules of Racial Standing” chapter provides a historical and contemporary model for understanding how and why conservatives of color are effective in the public arena.
By taking to task their more liberal or even allegedly radical counterparts, Black conservatives from Booker T. Washington (the “Wizard of Tuskegee” University) to Justice Clarence Thomas have risen to prominence as levelheaded spokespersons for and on African America. This does not mean that Black conservatives are acting as opportunists. To the contrary, Black conservatives such as Washington, Thomas, Thomas Sowell, Condoleezza Rice, and Stanley Crouch seem to truly believe every conservative idea they have ever espoused. But like everyone else, African American conservatives must also assume that Bell’s Rules are akin to Gibraltar because they owe their positions of public prominence to them.

**Bell’s Rules and Marcus Garvey**

Marcus Garvey’s reign as mobilizer of the Black masses between 1916 and 1923 is indicative of how Bell’s Rules operated in the early twentieth century. What is especially important to recognize are the great difficulties Garvey experienced swimming against the tide on both the White and Black sides of the racial divide, breaking all of Bell’s Rules in the process. The bottom line is that Garvey’s radical and inconsistent approaches to racial advancement cost him his position as a Black nationalist who possessed the support of everyday African Americans.

Garvey’s demise was the result of abysmal strategic, tactical, and ideological choices he made once he had established himself as a Black leader in the

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**Bell’s Rules of Racial Standing**

**First Rule**

“Rule of Illegitimate Standing”

No matter their experience or expertise, Blacks’ statements involving race are deemed “special pleading” and thus not entitled to serious consideration.

**Second Rule**

“Rule of Legitimate Standing”

Not only are Blacks’ complaints discounted, but Black victims of racism are less effective witnesses than are Whites, who are members of the oppressor class. This phenomenon reflects a widespread assumption that [Blacks]...cannot be objective on racial issues.

**Third Rule**

“Rule of Enhanced Standing”

The usual exception...is the Black person who publicly disparages or criticizes other Blacks who are speaking or acting in ways that upset Whites. Instantly, such statements are granted “enhanced standing” even when the speaker has no special expertise or experience in the subject he or she is criticizing.

**Fourth Rule**

“Rule of Super-enhanced Standing”

When a Black person or group makes a statement or takes an action that the White community or vocal opponents thereof deem “outrageous,” the latter will actively recruit Blacks willing to refute the statement or condemn the action. Blacks who respond to the call for condemnation will receive superstanding status.

**Fifth Rule**

“Rule of Prophetic Understanding”

Using this knowledge, one gains the gift of prophecy about racism, its essence, its goals, even its remedies. The price of this knowledge is the frustration that...no amount of public prophecy, no matter its accuracy, can either repeal the Rules of Racial Standing or prevent their operation.
late-1910s. Born to a working-class family in Jamaica in 1887, Garvey saw the legacy of slavery/colonialism and the intraracial elitism of powerful light-skinned Jamaicans as reasons for promoting an economic philosophy like Booker T. Washington’s. Garvey extended his philosophical perspective into what we know today as Pan-Africanism, the idea that Africans on the mother continent, Africans in the Caribbean, and Africans in America could strike an ideological alliance to achieve their political and economic independence from Western imperialism.

After unsuccessful attempts to plant his philosophy among his Jamaican brethren with the founding of the Universal Negro Improvement Association (UNIA), Garvey sailed to New York to move his pan-Africanist plans forward. Between 1916 and 1919, Garvey adapted his idealized version of Washington’s theory of economic independence to include political mobilization for ordinary African Americans, including the “Back to Africa” movement. Garvey negotiated with the Liberian government and the British to allow African Americans to emigrate to Liberia and Sierra Leone between 1919 and 1922. He also promoted the idea that America was a “white man’s country” and that Blacks should not expect “social equality” in a nation that does not belong to them.

The death knell for Garvey’s movement began the moment he and the UNIA formed the Black Star Line, which purchased three antiquated and leaky steamships to make up their so-called fleet. These ships were in constant need of repair, which drained the UNIA’s coffers. But the key feature in the fall of Garvey was his meeting in 1922 with Ku Klux Klan leader Edward Clarke, presumably to negotiate the protection of UNIA branches in the South. Based on his one apparently cordial meeting with Clarke, Garvey declared to his constituents that the Ku Klux Klan was an organization that only promoted race pride, not racial oppression. This Faustian incident pushed many prominent Blacks—including master scholar W.E.B. Du Bois and labor organizer/activist A. Philip Randolph—to openly attack him and his movement.

So, how exactly did Garvey violate Bell’s Rules? For starters, Garvey’s movement, while it appealed to several hundred thousand working-class African Americans, did not have the approval of White elites or most “respectable Negroes,” violating the Second Rule, the “Rule of Legitimate Standing.” His philosophical similarities to Washington regarding economic self-sufficiency and the abandonment of the American political sphere upset most Black elites. Many of these same prominent Blacks were relieved when Washington died in 1915, and abhorred a resurgence of his philosophy in Garvey. At the same time, Garvey’s rejection of White America as a place of White supremacy unsurprisingly endeared him to few White elites. Without any prominent Whites or Blacks of legitimate racial standing supporting Garvey’s work in its post-1919 years, it was inevitable that the UNIA’s rise would be short-lived.

Garvey also violated Bell’s Third and Fourth Rules, for he put himself in a defensive position against other prominent Blacks because of his organization’s shoddy accounting and his meeting with the Ku Klux Klan. As Bell’s “Rule of Enhanced Standing” goes, the “usual exception to [diminished standing] is the Black person who publicly disparages or criticizes other Blacks who are speaking or acting in ways that upset Whites. Instantly, such statements are granted ‘enhanced standing.’” Garvey and the UNIA produced ideas that simply did not allow White and Black elites to feel good about the contemporary state of race relations in America. Garvey did criticize other Blacks and organizations such as the NAACP and the Brotherhood of Sleeping Car Porters, but he directed much of his
criticism at the Black elite, whom he felt was too dependent on White patronage and respect to lead African America. Garvey simply could not gain enhanced standing in this context because of the ties between a weak Black elite and an indifferent White elite on the subject of racial advancement.

Garvey’s direct criticism of elite Blacks also gave his enemies motive and ammunition to destroy Garvey and his movement, which is how the Fourth Rule comes into play. The “Rule of Superenhanced Standing” specifically states that when “a Black person or group makes a statement or takes an action that the White community or vocal opponents thereof deem ‘outrageous,’ the latter will actively recruit Blacks willing to refute the statement or condemn the action.”

J. Edgar Hoover and the soon-to-be-FBI played a huge role in discrediting Garvey as a trustworthy leader and destroying much of the UNIA’s mass appeal. But their work by itself could not deter Garvey’s core constituency of “Back to Africa” Black nationalists from continuing their work. The work of Black leaders and organizations such as W.E.B. Du Bois, A. Philip Randolph, the NAACP, and even Garvey’s former elite supporters within the UNIA ensured that Garvey and his movement would not be a significant force again. Not only did prominent people like Du Bois and Randolph publicly disparage Garvey in the Black press and in speeches, some of them—including Du Bois—may have turned over evidence they had gathered on Garvey’s illegal business activities to the Justice Department. As Pulitzer Prize-winner David Levering Lewis alluded in his W.E.B. Du Bois biography, these attacks were in no doubt due to jealousy over Garvey’s rapid rise as a leader and the struggle over who would lead African Americans to a racial reformation. Many of the African American elite also believed that Garvey’s movement would jeopardize all future Black advance-

ment—at least as they defined it—in America. This was especially true for those who were alarmed by Garvey’s meeting with Ku Klux Klan leadership.

Regardless of motive, those who wanted Garvey’s Pan-Africanist, Black nationalist, post-Washingtonian movement out of the way played the leading role in fulfilling Bell’s Fourth Rule. These leaders, however, could not achieve superenhanced standing outside the realm of Garvey’s demise because Jim Crow’s allowance for the exclusion of all Blacks from America’s official public sphere made obtaining this status next to impossible. Although Garvey’s ideas and the remnants of the UNIA continue to receive praise from many African Americans, his movement remains a stunted version of what it was in the early-1920s.

Certainly one can make comparisons between Garvey in the 1920s, Malcolm X and Martin Luther King, Jr. in the 1960s, and Jesse Jackson and Louis Farrakhan today. Despite these leaders’ far-reaching impact on African Americans and the American public, all indirectly or deliberately learned lessons about how to manipulate Bell’s Rules to their benefit. For example, King’s manipulation of America’s moral dilemma regarding the most blatant and violent forms of racism through a nonviolent Christian philosophy—while garnering intense media coverage—enabled him to achieve enhanced and superenhanced standing in the public arena. The very fact that King had become a regular media event by the early 1960s gave him enhanced standing, while the America public’s gradual receptivity toward his ideas and the Civil Rights Movement in general granted King superenhanced standing. The latter standing occurred despite the fact that King’s speeches and marches were attacks against White leaders and mainstream America instead of attacks against other militant African Americans. Yet King also had to face the reality that his superenhanced stature as a great American
prophet did not change the existence of Bell’s Rules or how they generally operated. In other words, African Americans as a group still do not possess a legitimate voice in America’s public arena. As King’s prophetic voice was slain in 1968, conservatives who more closely adhere to Bell’s Rules have manipulated King’s prophetic words over the past three decades.

Even so-called militant Blacks such as Malcolm X and Louis Farrakhan have understood that their views could stimulate reprisals from fearful Whites and opportunistic Blacks long before they actually faced those challenges. Malcolm X and Farrakhan, nevertheless, have achieved an enhanced standing because of their ability to remain in the public eye. Of course, the media has enhanced Malcolm X’s over the past four decades, mostly because of the way he died and his ideological moderation toward Whites in the last year of his life. Yet neither a dead Malcolm X nor Farrakhan can achieve the superenhanced standing of King, primarily because mainstream public opinion has never been on their side. They simply have not “crossed over” from the thoughts of Black America to the views of White Americans.

The movements that these leaders began and the ideas that they articulated—despite their fragility or vulnerabilities—maintain a significant following even today. All of them can also claim a legacy that Garvey cannot, and that is one in which their ideas have penetrated the cultural bedrock of mainstream America. Garvey’s Pan-African, “Race First,” “Back to Africa” movements do have a cultural legacy in their connections to Afrocentricity, but it is limited at best. In the end, Garvey’s inability to negotiate both mainstream American and Black elite culture cost him his movement.

Black Conservatives, White Liberals, and the Rules of Racial Standing

For most intellectuals, it is obvious how a self-described Pan-Africanist such as Garvey or even Martin Luther King could violate Bell’s Rules of Racial Standing and manipulate them at the same time. What of Black conservatives such as Thomas Sowell, Condoleezza Rice, or Stanley Crouch? For them, these rules can also be a double-edged sword. Their arguments against another Lyndon Johnson-style “War on Poverty,” affirmative action, and multiculturalism are in step with Bell’s Rules and enable them to appear on Nightline with Ted Koppel and The O’Reilly Factor on the FOX News Channel. But Black conservatives like Sowell, Rice, and Crouch must walk an ideological tightrope in order to maintain views that consistently deny the importance of race in America today, even as they constantly “protesteth too much” about the emphasis on race among African Americans. Even in cases in which most Whites agree with Blacks on the most egregious examples of police brutality (e.g., Amadou Diallo and Abner Louima), these scholars cannot appear to be too sympathetic, lest they lose their enhanced and superenhanced standing within America’s public discourse. Sowell, Rice, Crouch, and other Black conservatives simply cannot afford to experience any major ideological shifts within their discourse. They must maintain the monolithic mantra of upholding race as an issue of limited significance in order to retain acceptance and remain viewed as “representative” of Blacks in the public eye. This might not necessarily be a problem for some Black conservatives (e.g., Clarence Thomas), but contrary to general liberal opinions, African American conservatives’ views on race are not entirely monolithic. This is why it might be difficult for some Black conservatives to decry African American and liberal ob-
sessions with race while sympathizing on issues in which racism is evident.

White liberals also face the double-edged sword of Bell’s Rules in their public lives. One of the biggest problems facing White liberals today is the resurgence of White conservatives such as talking head Bill O’Reilly, pundit William F. Buckley Jr., and sociologist Charles Murray. What makes this a problem for White liberals is the reality that White conservatives like O’Reilly, Buckley, and Murray can easily confirm the beliefs of many White Americans about race based on so-called scientific evidence. Conservatives like O’Reilly, Buckley, and Murray do in fact possess a rapport with the mainstream American public and mainstream leadership because they say what many ordinary White Americans believe. Their arguments that it is fruitless to increase public spending to end poverty and to improve education for the Black, Brown, and poor because of cultural deficiencies and genetic inferiorities appeal to many White Americans.

We need only to look at The O’Reilly Factor’s ratings and the enviable sales of Murray’s Losing Ground (1984) and Bell Curve (1994) to recognize that White conservatives are catering to a White mainstream (and often conservative) audience. Buckley’s and Murray’s views that Blacks especially and people of color generally are inept at finding solutions to problems they created validates many White views of minorities. Their arguments that African Americans instill cultural dependency in their youth, siphon billions of tax dollars away from other Americans (mostly White), and commit most of the nation’s crimes are attractive to many Whites. Murray’s arguments in the Bell Curve—that lower IQ scores among Blacks and other peoples of color justifies lower public education expenditures—confirms how many Whites feel about the ability of non-Whites to achieve the American Dream.

It is this rapport between White conservatives and the mainstream American public that White liberals constantly face. In the simplest terms, liberals such as Jonathan Kozol and Andrew Hacker are swimming upstream whenever they make comments on race that are sympathetic to people of color. Even Kozol’s vivid descriptions of decrepit conditions in urban and Black communities throughout America mostly preach to the converted. Pundits, politicians, and the public are so averse to issues of race in this post-Civil Rights era that they even avoid the analysis of White liberals on race. Most White liberals who aspire to provide public policy solutions to racial disparities in America can at best only hope for a limited positive impact, this despite their superior worthiness as examples of Bell’s Second and Third Rules of Racial Standing.

At first glance, one would think that White liberals such as Kozol and Hacker fit in well with Bell’s Rules, but in reality, it all depends on how liberal their ideas on race are. For Kozol, his four decades of service as a muckraking ex-teacher and social critic of American educational policy has won him few friends even among White liberals. Hacker’s work on racial and socioeconomic disparities in America has only a limited impact on the national discourse, and none on public policy. In both Kozol’s and Hacker’s cases, while their Whiteness certainly gives them better qualifications with which to criticize America’s avoidance of solving its serious race issues, their forthrightness in their discussions of race makes them too hot to handle for policymakers. More important, with most Whites ranging from moderate to conservative on the ideological spectrum, Kozol and Hacker simply are unable to get a fair hearing.
Arthur Schlesinger Jr., the son of a liberal historian and a two-time Pulitzer Prize-winning historian and biographer, embodies one other major problem that White liberals face in terms of their distance from the public center. Schlesinger might well fit the mold of a liberal for many in America. But his strident defense of Western civilization against the "evil" forces of Afrocentricity and multiculturalism—not to mention his staunch anti-Communism—would probably put him closer to a moderate than a liberal. Anyone who could use their book title to blame African Americans and misguided Whites for the "Disuniting of America" really should not be considered a liberal, regardless of his love for John F. Kennedy and Camelot. As far as Bell's Rules are concerned, few White liberals have reputations substantial enough to positively impact the political and popular racial dialogue.

**Dinesh D'Souza and a New Twist in Bell's Rules**

The one twist unaccounted for by Bell's Rules is the possibility that someone who is not African American could reach the *superenlarged standing* of a select few conservatives of color. (This is because for many Americans, including many people of color, race is a Black-White issue, not an Anglo-Hispanic or an Asian-Caucasian one). More important is that these prominent people of color are "White" as far as their overall racial standing is concerned. These "experts" do not just make occasional appearances on *Nightline* or *Meet the Press*. They also advise presidents, give speeches at the Republican National Convention, and generally possess a large influence on American public policy.

American Enterprise Institute (AEI) research scholar Dinesh D'Souza is probably the embodiment of this new wrinkle in Bell's Rules. Born in Bombay, India, D'Souza came to the United States in 1978 before attending Dartmouth University in New Hampshire as part of the post-1965 brain-drain immigration process that has attracted millions of immigrants from Asia and Africa. Standing out as an intellectual among his peers (he was the founding editor of the conservative *Dartmouth Review*), D'Souza graduated Dartmouth in 1983 at the height of the Reagan years. He obtained a job in the Reagan White House, and eventually became a senior domestic policy analyst under Reagan in 1987 and 1988. After Reagan left office, D'Souza moved on to work as a research fellow with the conservative think-tank AEI, where he has continued to hone his sharp (if mostly ideologically biased) analytical skills.

A good portion of D'Souza's professional and personal success has come because of his musings that constantly rail against the liberal establishment and higher education. Certainly one gets the feeling that D'Souza believes the liberal establishment and universities to be one and the same, as he argues in his *Illicit Education* (1991). For D'Souza, elite colleges and universities are nothing more than training grounds for future liberals. Any participant in this brainwashing process who did not believe in or practice political correctness during the late-1980s and early 1990s was an outcast. As far as D'Souza is concerned, any serious attempts to address issues of race or diversity would mean creating "a new form of cultural imperialism" or making minorities "more equal than" Whites on America's college campuses.

*Illicit Education* went on to sell 75,000 copies in its first printing and made D'Souza a prominent intellectual entrepreneur on race in general and specifically in the areas of multiculturalism, affirmative action, and higher education. *Illicit Education* 's success also enabled D'Souza to become a full-fledged member of the White conservative establishment, if there had been any White conservative gate-
keepers barring the door to it before. The book’s success enabled D’Souza to become what cultural scholar Michael Eric Dyson terms a public intellectual, as D’Souza began to make regular appearances on Nightline, This Week with David Brinkley, and Face the Nation. The combination of D’Souza’s prior employment in the Reagan White House, his work with AEI, his completion of a popular academic polemic, and his newfound status as a public intellectual gave him the credentials of a well-established White conservative. As a result of this media exposure, D’Souza could fully participate in activities that would enhance his status within Bell’s Rules, such as being able to speak about race issues with the confidence of a veteran expert.

Each of D’Souza’s subsequent stories of conservative wisdom, liberal incompetence, professorial pretentiousness, and minority maliciousness comes with the assumption of superior status within Bell’s Rules of Racial Standing. In his End of Racism (1995), D’Souza asserts his expertise to examine race in America based on his marital union with a woman of European and American Indian descent and their production of a multiracial child. He also declares that because America is a color-blind society today, that the “Black problem can be solved only through a program of cultural reconstruction...carried out primarily by African Americans themselves.” D’Souza also finds room in his bioglorification of Ronald Reagan (1997) to justify the former president’s economic policies, this despite their tremendous damage to the poor and to people of color. He did this mostly by arguing that the amorphous “American middle class” made meager gains under Reagan’s genius and that the rich ended up paying higher taxes under Reagan than under Carter, in effect providing services for the poor and for people of color. D’Souza’s latest book is Letters to a Young Conservative (2002), another example of his influence on conservatives across racial lines.

While many of D’Souza’s arguments are as old as Benjamin Franklin and Adam Smith, his unique position as an acceptable Indian American within the White conservative establishment distinguishes him from White and Black conservative colleagues, for several reasons. First, D’Souza’s ability to navigate successfully within the scholarly and public policy communities gives him standing within the public arena as an expert on race, class, and American public policy, despite his lack of educational credentials. This validates Bell’s Third Rule, where one can gain enhanced status “even [without] special expertise or experience in the subject he or she is criticizing.”

Second, D’Souza’s almost total disdain for scholars of almost every ideological stripe—especially those with Ph.D.s—gives him an affinity with an anti-intellectual public that has long tired of academic discussions of race. Third, D’Souza’s willingness to say what most of the American public wants to hear enhances his standing as a reasonable intellectual on race. Finally, D’Souza’s outsider status as an Indian American gives him the superenhanced status of someone like National Security Advisor Condoleezza Rice without the baggage of Blackness weighing down his conservatism. D’Souza’s status as a “White” conservative on race is on par with William F. Buckley, Jr., albeit, with fewer book sales. It is ironic that a naturalized American citizen of color has gained such a high status in critiquing race in America, especially in our age of xenophobia. This reality turns Bell’s Rules on their head.

Conclusion

Bell’s Rules are downright depressing for many people of color who are willing, able, and qualified to contribute to the public discourse on race and to
public policy decisions around issues of race. Bell's Fifth Rule—the "Rule of Prophetic Understanding"—reminds us that the "price of [knowing the Rules] is the frustration that follows recognition that no amount of public prophecy, no matter its accuracy, can either repeal the Rules of Racial Standing or prevent their operation." The one caveat to Bell's Fifth Rule is that if one truly believes that the Rules of Racial Standing are unchanging, then one probably will not put in a full effort to change them. We must tell ourselves that these are ironclad rules in order to resolve frustrations in opposing them, while at the same time working with ideas that will hopefully transform these rules in favor of people of color rather than against them.

Yet we have also seen a number of other exceptions to Bell’s Rules, some that reinforce their stability, and some that show their loopholes. The reason for these exceptions is simple: Blacks and Whites are not only diverse when compared with each other, there are also extreme differences within each group. And because race is a social construction and not a physical one, Bell’s Rules can only work when we apply them to America's long-flawed conception of race as the equivalent of skin color. Bell is correct to assume that as long as Americans define race as one’s complexion, the Rules of Racial Standing will remain alive and well. What has happened in the post-Civil Rights era is that a transition is underway in American society, from linking race to skin color alone, to at the very least, a superficial understanding of cultural differences based on race or ethnicity. This transition is really at an early stage, too early to affect how America’s policymakers and the American public conceive of race right now.

So where do Bell’s Rules of Racial Standing leave us? If recent history has proved anything, it has shown that there are always opportunities to present perspectives on race that many in the American public disagree with or cannot understand. From cultural scholar Michael Eric Dyson to cultural critic Richard Rodriguez to law professor Patricia Williams, African American and other scholars of color have taken advantage of media opportunities to confront the American public with racial issues that many would prefer disappear. If one expects the eradication of Bell’s Rules of Racial Standing from America’s public discourse, one must build on the work of those who have successfully manipulated the rules in the past to force America to confront its racial baggage.

At the same time, those who have chosen to swim against the tide of racial denial and hypocrisy must not only battle to expose problems associated with race in America, they must also provide cutting-edge analysis of the connections between race, American politics, and public misinterpretations of American culture and themselves. Those who seek to force America to encounter its serious flaws regarding racial discrimination and inequality—not to mention its own definitions of race, ethnicity, and political ideology—must acknowledge, bend, and break Bell’s Rules when the opportunity presents itself. We must raise the level of discourse beyond its current dishonest and shoddy state of affairs if we are to overcome the potentially deadly consequences of rendering most people of color invisible in the public and political arena.