

Being Awake to Woke

GABRIËL A MOENS AM*

ABSTRACT

This article discusses two interrelated expressions of 'wokeshevism,' namely the Black Lives Matter ('BLM') Movement, and Critical Race Theory ('CRT'). It is argued that BLM and CRT facilitate the establishment of a utopian society which is free of racial discrimination. It is a society that distributes or redistributes burdens and benefits regardless of the race of the recipients. During the last couple of years, the BLM Movement has given expression to demands to eradicate endemic racism. It has done this by promoting the destruction of monuments and statues that honour alleged racists. 'Wokeshevism' has also spawned an interest in CRT, a neo-Marxist doctrine that blames privileged white people for the disadvantages of African-Americans and similarly situated people. The author of the paper argues that BLM and CRT involve the reintroduction of 'race' as a defining characteristic to divide society into groups, membership of which is determined by the racial identity of their members.

I am delighted to contribute a short piece to *Wokeshevism: Critical Theories and the Tyrant Left*. I expect that the term 'wokeshevism' will likely be embedded in even conversational English in the future. If so,

* Emeritus Professor of Law, University of Queensland.

this book will make a lasting contribution to the English language.

Until a few years ago, most people would not have known of the existence and meaning of the word 'woke'. However, Benjamin Butterworth, a Senior Reporter, argues that 'Once upon a time, it simply meant the past participle of "wake"' and, 'While that has rapidly changed in recent years, the modern definition of the word isn't new in the US.' But during the last five years, since its listing as a new adjective in the *Oxford English Dictionary* in June 2017, 'woke' has come to mean to be awake to sensitive social issues, especially racism.¹

In this article, I briefly discuss two expressions of 'wokesheivism', which are based on, or inspired by, Marxism, namely the Black Lives Matter ('BLM') Movement, and the Critical Race Theory ('CRT') controversy.

I THE BLACK LIVES MATTER MOVEMENT AND HISTORICAL TRUTH

The Black Lives Matter Movement came into existence in July 2013 following George Zimmerman's acquittal in the shooting death of Trayvon Martin, an African-American teenager in February 2012. Although the Movement was responsible for many street demonstrations in the United States, it gained international exposure predominantly in the aftermath of the killing of George Floyd on 25

¹ Benjamin Butterworth, 'What does 'woke' mean? Origins of term, and how the meaning has changed', *inews.co.uk* (Web Article, 26 June 2021) <<https://inews.co.uk/news/uk/woke-what-mean-meaning-origins-term-definition-culture-387962>>.

May 2020, in Minneapolis.

The BLM Movement is a political and social movement that campaigns against claimed police brutality and advocates criminal justice reforms. It aims at eradicating endemic racial discrimination allegedly suffered by African-Americans in the United States. The BLM Movement's leaders admitted to having been trained as Marxists.² Although many Americans and Australians agree with the anti-discrimination message, BLM cannot hide the fact that, in its operations and ideology, it divides society, relying on 'race' in the same way that 'class' was used in Marxist proletarian ideology.

The BLM Movement has supported efforts by left-wing protesters to destroy the monuments and statues of those who allegedly contributed to racial disadvantage, rewriting 'history' in the process. This aspect of the BLM phenomenon is focused on in this article.

Most people believe that the study of history involves an accurate and objective description and evaluation of events that happened in the past. However, the BLM Movement has changed this understanding of 'history'. As is well-known, the BLM Movement depicts the history of the United States as an egregious example of exploitation, discrimination, and racism. To eradicate the continuing consequences of this culture of endemic racism, the BLM Movement seeks to rewrite history by evaluating past events in the light of its progressive understanding of equal treatment. In this context, the proponents of the BLM Movement make incessant demands to remove monuments and statues of people who are deemed to have contributed to, or profited from, racism.

² Tom Kertscher, 'Is Black Lives Matter a Marxist Movement?', *Politifact* (Web Article, 21 July 2020).

For example, in the United States, monuments to the Confederacy have been vandalised or torn down,³ including, notably, Confederate General Robert E Lee in Richmond, Virginia.⁴ Also in Richmond, a statue of discoverer of the Americas Christopher Columbus was toppled, spray-painted, set on fire, and then thrown into a lake. In the field of entertainment, HBO removed *Gone with the Wind* from its streaming service because of its depiction of slavery in the American South prior to the Civil War. Later, HBO returned to streaming *Gone with the Wind*, but with a disclaimer about the film's portrayal of slavery shown prior to the film commencing.⁵ *Gone with the Wind* is perhaps the most popular and best movie ever made, an icon of American cinema.

It appears that the BLM Movement has unstoppably infected many other liberal democracies too. For example, in the United Kingdom, officials in East London removed a statue of the 18th century merchant and slave owner Robert Milligan from its place in the city's docklands.⁶ And protestors in Bristol knocked down a monument erected to honour the legacy of slave trader Edward Colston.⁷ The Mayor of London, Sadiq Khan, announced that more statues of colonial figures could be removed from Britain's streets. He tweeted that, 'It's a sad truth that much of our wealth was derived from the slave trade – but

³ Alan Taylor, 'The Statues Brought Down Since the George Floyd Protests Began', *The Atlantic* (Web Article, 2 July 2020).

⁴ 'Robert E Lee statue: Virginia removes contentious memorial as crowds cheer', *BBC News* (Web Article, 9 September 2021).

⁵ 'Gone with the Wind has returned to HBO unaltered. But viewers will hear about its racist stereotyping before they watch it', *ABC News* (Web Article, 25 June 2020).

⁶ 'Robert Milligan: Slave trader statue removed from outside London museum', *BBC News* (Web Article, 9 June 2020).

⁷ 'Edward Colston statue: Protestors tear down slave trader monument', *BBC News* (Web Article, 8 June 2020).

this does not have to be celebrated in our public spaces.”⁸ There have been calls for Oxford University to remove a statue of Cecil Rhodes, a Victorian imperialist in southern Africa who made a fortune from mines and endowed Oxford University’s Rhodes scholarships. Oxford University itself recommended the removal of the statue even though Rhodes is invariably connected with the history of this University. A “Rhodes Must Fall Group” has been actively agitating for the removal of Rhodes’s statues.⁹

In Australia, the privately-run *Monument Australia* website currently lists 37,106 monuments (across all themes and periods).¹⁰ A 2017 study found that of the 520 plus memorials, statues and monuments within the CBD Melbourne, the memorial landscape mostly represents colonial landscapes, civic leadership, and patriotic and heroic achievements. Monuments, recording the achievements of men greatly outnumber those recording the achievements of women.¹¹

The Australian Heritage Council, in its report *Protection of Australia’s Commemorative Places and Monuments* comments:

Colonial monuments, particularly those commemorating early explorers and administrators, are a reflection of a point in time that was almost exclusively focussed on values of settlers. They represent what was believed and understood, and what the society and government aspired to. Monuments of the

⁸ @SadiqKhan (Twitter, 10 June 2020, 6.26am).

⁹ However, due to planning and financial impediments, Oriel College decided not to start the process of removing the Rhodes statue from the College: Michael Race, ‘Cecil Rhodes statue will not be removed by Oxford College’, *BBC News* (Web Article, 20 May 2021).

¹⁰ Monument Australia, <<https://monumentaustralia.org.au/>>.

¹¹ Australian Heritage Council, *Protection of Australia’s Commemorative Places and Monuments* (Report, March 2018) 1.

colonial era were often large scale, solid and imposing statues memorialising values of exploration, courage, community building and innovation.¹²

The commemorative places may include a sculptural or other artistic work such as a statue, gravestone, or rock art: a plaque, fountain, seat, or bench; an archaeological relic or ruin. Monuments range in size and variety of materials. They are located both in urban and national parks, squares, and other public spaces and on private land.¹³ This rich history is now under threat from the BLM Movement and those who share similar sentiments. For example:

- ✖ Monuments to Queen Victoria, Captain James Cook, and Governor Lachlan Macquarie have been desecrated in Sydney;¹⁴
- ✖ There have been calls for removal of the statues of John Batman (founder of the settlement of Melbourne),¹⁵ Angus McMillan (leading settler in Gippsland),¹⁶ Sir Thomas Mitchell (explorer and Surveyor-General of NSW),¹⁷ and Alfred Canning (surveyor of stock routes).¹⁸

¹² Ibid 3.

¹³ Ibid vii.

¹⁴ Sam McKeith and David Barden, “‘No Pride in Genocide’: Historic Statues Defaced In Sydney”, *Huffpost* (Web Article, 25 August 2017).

¹⁵ John Hinchliffe, ‘Call to remove statue of John Batman, “founder of Melbourne”, over role in indigenous killings’, *The Age* (Web Article, 26 August 2017).

¹⁶ Kellie Lazzaro, ‘Angus McMillan monument removal considered by council over his links to indigenous murders’, *ABC News* (Web Article, 16 June 2020) (The shire council that was the subject of this report, the Wellington Shire Council, rejected a motion to take down the monuments to Angus McMillan: Benjamin Preiss, ‘Gippsland council rejects call to tear down monuments to notorious pastoralist’, *The Age* (Web Article, 16 June 2020) .

¹⁷ Paul Daley, ‘Statues are not history. Here are six in Australia that need rethinking’, *The Guardian* (Web Article, 25 August 2017).

¹⁸ Ibid.

Motivated by the BLM Movement, activists have also demanded the removal of the statue of Captain James Cook from Sydney's Hyde Park.¹⁹ This statue, erected in 1879 bears the inscription 'Discovered this territory 1770'. A report published in the *Newcastle Morning Herald and Miners' Advocate (NSW)* on 26 February 1879, reported that the unveiling of the statue was a festive societal event:

The ceremony was witnessed by about 60,000 people. Two hundred children sang the National Anthem. His Excellency the Governor, Sir Hercules Robinson, unveiled the statue; and, in doing so, made a speech, in which he gave a narrative of Cook's life, and characterised him as a humane, just, and God-fearing man. He added that it would be well for the youth of Australia to imitate his nobility of character.

The current anti-history sentiment is also expressed in other ways. The iconic 'Coon' cheese has been renamed 'Cheer' cheese.²⁰ The Coon brand name was retired in July 2021 because it arguably had racist connotations.²¹ Yet, 'Coon' was the name of Edward William Coon, who patented a new cheese-ripening method.

Destruction or desecration of monuments and statues is not limited to Western countries. One only needs to mention the destruction by the Taliban of the magnificent Buddhas of Bamiyan in Afghanistan. These had been carved into the side of a cliff, almost 2,000 years ago and were destroyed in March 2001 because they depicted faces. The government deemed such depiction to be incompatible with its

¹⁹ Sarah Maddison, 'Why the statues must fall', *The Sydney Morning Herald* (Web Article, 12 June 2020).

²⁰ 'Coon Cheese changes name to Cheer Cheese, pledging to build "a culture of acceptance"', *ABC News* (Web Article, 13 January 2021).

²¹ Ibid.

version of the Islamic religion. The Taliban's return to power in August 2021 again challenges those who would like to maintain historical monuments in Afghanistan. The Taliban's fanatical destruction of the Buddhas of Bamiyan is also a reminder of the pillage of the ancient site of Palmyra in war-torn Syria by Islamic State, and the Temple of Baalshamin dedicated to the ancient God Baal.

People are also reminded of the graphically challenging television pictures of Saddam Hussein's statue in Baghdad, being toppled by an enraged and liberated crowd. This statue was erected in April 2002 in Firdos Square in Baghdad; it was destroyed on 9 April 2003. People danced on the statue of the dictator and used sledgehammers to pulverise it to pieces.

Of course, some commentators welcome the destruction or desecration of monuments and statues. For example, in an opinion piece, Professor Sarah Maddison argued that statues must fall because these statues 'do not educate, they do not inform, they do not move us closer to justice.'²² She further contended that 'What some may have considered enlightened more than 200 years ago can be reckoned with as atrocity today.'²³ But her argument fails to consider that actions, which are considered as enlightened in our time, may be regarded as examples of barbarity in 100 years from now. No generation has a monopoly on 'enlightenment' because it is a concept that constantly develops over time. Additionally, in removing or destroying statues, people effectively distort a country's history.

How is it possible to cancel the historical heritage and culture of a country? Culture evolves over time and is inextricably intertwined

²² Maddison (n 19).

²³ Ibid.

with a country's history. Nevertheless, there have been many attempts throughout the ages to rewrite history and to purge unwanted stories from the history books. These examples are as plentiful as they are objectionable.

Today's history books are replete with inaccurate accounts of the past. Often, specific events are not reported in history books; such omission is as problematic as deliberately distorting a story which does not suit the rulers of the day. For example, no Chinese textbook recounts the Tiananmen Square massacre because it reflects badly on the current Communist ruling class. Similarly, while the BLM Movement may be well-intentioned, it is ultimately a misconceived attempt to edit history.

It is difficult to assess the removal or destruction of monuments and statues. To illustrate: Saddam Hussein was clearly a modern-day despot, who was undoubtedly responsible for many atrocities. But the toppling of his statue raises an interesting question: is it justifiable to destroy his statue, but not the statue of, say, Christopher Columbus, Robert E Lee or James Cook? Is it the case that, with the passage of time, statues gain a protective veneer which hides the alleged or real crimes committed by these historical figures? At what point in time does a statue become a historical relic and a part of the history and culture of a country? These are difficult questions to answer because historical figures often have a complex history, hence, an accurate historical assessment of their contribution to history is elusive.

Bruce Charles Scales has argued that the destruction of historical property could be prevented by the adoption of what is called 'dialogical memorialisation', 'where one view of the past takes issue with another and history is seen, not as some final statement, but a contingent

and contested narrative.²⁴ Typically, ‘dialogical memorialisation’ involves the enlargement of a controversial monument or statue with a plaque (or counter memorial) describing the historical context which resulted in the erection of the monument. An example of ‘dialogical memorialisation’ is offered by the Maitland Brown Memorial (Explorer’s Monument in Fremantle). In 1994 a second plaque (a counter memorial) was added acknowledging the right of indigenous people to defend their traditional lands and solemnly commemorates ‘all those Aboriginal people who died during the invasion of their country’.²⁵

The Heritage Council has argued that the Explorer’s Monument now stands for reconciliation, rather than division:

The addition of the new plaque didn’t edit history but added to the story. It is a striking example of how a dialogue can occur in memorialisation where one view of the past takes issue with another and history is seen, not as some final statement, but a contingent and contested narrative. ‘We’re actually saying that this monument is not the final truth about this event, that we can revisit this event, this question, and approach it in different ways.’ Expansion could see colonial monuments turned into points of reflection and tools for education, instead of attempts to ‘tidy up the past’ by their removal.²⁶

Another way of facilitating reconciliation involves the dualnaming of some significant Australian landmarks and places that recognise British and European explorers. These landmarks would be given

²⁴ Bruce Charles Scales, ‘Monumental errors: how Australia can fix its racist colonial statues’, *The Conversation* (Web Article, 28 August 2017).

²⁵ Ibid.

²⁶ Australian Heritage Council (n 11) 17.

European and indigenous names. For example, in 1993 Uluru became the first icon in Australia to be officially dualnamed as Ayers Rock/Uluru, later changed to Uluru/Ayers Rock.

There is a need to return history to its rightful place in the development of a mature society. Societies should learn from history, not destroy it. In an American context, this means that students should be educated about the failures of America, including, of course, the history of racial discrimination and slavery, but should also be encouraged to celebrate its glorious achievements and contributions to the maintenance of the Free World.

II CRITICAL RACE THEORY AND THE RESHAPING OF SOCIETY

A second emanation of the 'woke' culture is the teaching of CRT. Even a perfunctory review of the education and political scenes reveals the encroaching capabilities of CRT. Critical Race Theory has been taught in universities since the 1990s, but it is only during the last couple of years that this theory has started to infect the entire education system, seducing progressive politicians, and threatening to devour the institutions and way of life of liberal democracies. Critical Race Theory appeals to progressive academics, policymakers, and trendsetters because it has the capacity to reshape society. A review of the CRT literature on the Internet reveals the existence of scores of articles which describe and promote this theory.

Critical Race Theory is essentially a Marxist theory with a new veneer, involving the substitution of 'race' for 'class'. Traditional Marxism

envisaged a proletarian revolution, which would result in a victory for the exploited working class.²⁷ As this view of mankind has proven to be wrong, Marxists are now substituting 'race' for 'class', claiming that racial discrimination is endemic in society. Critical Race Theory embraces the assumption that white hegemony and privilege are undeserved, and that non-white people are experiencing systemic discrimination.

Christopher F Rufo notes that proponents of CRT use euphemisms to describe this theory. They use terms like 'diversity', 'inclusion', and 'equity' to promote its assumed salutary nature.²⁸ But these apparently non-threatening words cannot mask the real objectives of the Theory's proponents.

Rufo provides an example. In a recently published paper, he stated that, 'In the name of equity, UCLA Law Professor and critical race theorist Cheryl Harris has proposed suspending private property rights, seizing land and wealth and redistributing them along racial lines.'²⁹ He also indicates that other proponents of CRT in the United States have suggested the creation of a permanent federal Department of Antiracism, which would have 'the power to nullify, veto, or abolish any law at any level of government and curtail the speech of political leaders and others who are deemed insufficiently antiracist.'³⁰

²⁷ This theory is reminiscent of Plato's belief, expressed in *The Republic*, that society knows three classes, the artisans, the auxiliaries, and the philosopher-kings, and that there was limited social mobility between these classes. Hence, people could not readily aspire to improve their status in life: Plato, *The Republic*, translated with an Introduction by Desmond Lee (Penguin Books, 2nd rev ed, 1955) 177-195.

²⁸ Christopher F Rufo, 'Critical Race Theory: What It Is and How to Fight It' (2021) 50(3) *Imprimis* 1, 2.

²⁹ *Ibid* 2-3.

³⁰ *Ibid* 3.

Another word that typifies the approach taken by the promoters of CRT is 'decolonisation'. An example can be found in a paper entitled 'The potential of critical race theory in decolonizing university curricula'³¹ published in the *Asia Pacific Journal of Education* in 2011. The word 'decolonizing' refers to the need to purge university curricula of the supposedly turgid and revolting Western influences, on the assumption that 'Western' knowledge and values are inherently discriminatory. The paper unapologetically states that, 'CRT is transdisciplinary and can illuminate the hegemonic and appropriating capacities of 'Western' disciplines and critique the dissonance that currently exists between indigenous and 'Western' ways of knowing.'³²

Academic freedom and freedom of speech, in general, should ideally be unlimited and, certainly, they should not be confined to an examination of societal problems and issues which are compatible with mainstream ideas. However, CRT as an academic approach seems to be in a different category because it ostensibly manipulates the concept of 'academic freedom' for the purpose of eliminating any scholarship that is incompatible with the theory. Hence, the question must be asked whether the notion of 'academic freedom' should encompass research that is intolerant of other views and seeks to reshape society that supports, and possibly funds, this research.

The use of the word 'decolonisation' in scholarly discourse is also troubling because it intertwines research and scholarship with activism and politics. Academic research would no longer concentrate on the objective and unbiased dissemination of knowledge and discussion of ideas.

³¹ Julie McLaughlin & Susan Whatman, 'The potential of critical race theory in decolonizing university curricula' (2011) 31(4) *Asia Pacific Journal of Education* 365.

³² Ibid 370-1.

Those who teach and promote CRT assume that its decolonising aims are justified to compensate for past discrimination, slavery, and disenfranchisement. While it is true that, in the past, mankind routinely violated the principle of equal treatment, served the interests of advantaged members of society, and promoted flawed theories of racial superiority, CRT cannot be regarded as compensation for past discrimination. Indeed, compensation should be limited to specific identifiable instances of discrimination. If not, disadvantages would be imposed on current members of society who themselves have not contributed to discrimination and may even have used their influence to promote harmonious relationships between different groups in society. Indeed, if it were argued that living people should be held liable for discriminatory acts committed by their ancestors, then the point in time at which discriminatory acts occurred becomes irrelevant: it would no longer be necessary to make a causal connection between the act of discrimination and the transgressor.³³

It could be argued reasonably that the most important problem posed by CRT is that the promise of the irrelevance of race in the distribution of benefits and burdens would be reversed. In such case, society would embrace the idea that race is a dividing characteristic and entitles preferred races, but not all, to benefits which are not available to others. Surely, in an Australian context, this reinstitution of the relevance of 'race', with its concomitant capacity to stereotype people, constitutes a violation of the *Racial Discrimination Act 1975* (Cth)? If a person's race were to be taken into consideration in the distribution of benefits and the imposition of burdens, it would result in instances of racial

³³ See Gabriël A Moens, 'Preferential Admission Programs in Professional Schools: *Defunis*, *Bakke*, and *Grutter*' (2002) 48(3) *Loyola Law Review* 411, 443-467; Gabriël Moens, *Affirmative Action: The New Discrimination* (Centre for Independent Studies, 1985) 75-92.

segregation, and abrogation of free speech. Perhaps, it might be possible for disadvantaged, allegedly privileged, people to then rely on the contentious s 18C of the *Racial Discrimination Act* 1975 to seek relief?

On 21 June 2021, the Australian Senate voted to keep CRT out of the national school curriculum ‘after the new proposed curriculum gave priority to teaching the culture, perspectives, and history of indigenous Australians across all subjects, including maths.’³⁴ Not unexpectedly, those who voted against the motion accused the majority of embracing a “far-right hatred” agenda.

Critical Race Theory has the capacity to promote ‘race hate’ in society. The message thus is that CRT subverts the proper functioning of a cohesive society, and undermines the function of universities, which according to the wise words of Cardinal John Henry Newman should be ‘the education of the intellect’.³⁵

III CONCLUDING REMARKS

‘Wokeshevism’ is a useful addition to the English language; it is a word that covers the many attempts by ‘woke’ people to bring about a utopian society which is completely devoid of racial discrimination. It is a society where burdens and benefits are presumably distributed, or more likely ‘redistributed’, regardless of the race of the recipients. However, in doing so, it reintroduces ‘race’ as a defining characteristic to divide society into groups, membership of which is determined by

³⁴ Rebecca Zhu, ‘Australian Senate Votes to Keep Critical Race Theory Out of Classrooms’, *The Epoch Times* (Web Article, 22 June 22, 2021).

³⁵ John Henry Cardinal Newman, *The Idea of a University* (Image, 1959) 149.

the racial identity of their members.

‘Wokesheivism’ manifests itself in different ways, two of which are discussed in this article. During the last couple of years, the BLM Movement has given expression to demands to eradicate endemic racism. It has done this by incessantly promoting the destruction of allegedly offensive monuments and statues of alleged racists throughout the world. In the Academy, ‘wokesheivism’ has also spawned an interest in CRT, a neo-Marxist doctrine that blames privileged white people for the disadvantages of African-Americans and similarly situated people.

If the Western World wants to maintain its culture and traditions, which have demonstrably contributed to the eradication of racial disadvantage, it will be necessary to be awake to the woke.