

ANNALS OF INQUIRY

HOW A CONSERVATIVE ACTIVIST INVENTED THE CONFLICT OVER CRITICAL RACE THEORY

*To Christopher Rufo, a term for a school of legal scholarship
looked like the perfect weapon.*

By Benjamin Wallace-Wells

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Illustration by Angie Wang

Remote work turned out to be advantageous for people looking to leak information to reporters. Instructions that once might have been given in conversation now often had to be written down and beamed from one home office to another. Holding a large meeting on Zoom often required e-mailing supporting notes and materials—more documents to leak. Before the pandemic, if you thought that an anti-

racism seminar at your workplace had gone awry, you had to be both brave and sneaky to record it. At home, it was so much easier. Zoom allowed you to record and take screenshots, and if you were worried that such actions could be traced you could use your cell phone, or your spouse's cell phone, or your friend's. Institutions that had previously seemed impenetrable have been pried open: Amazon, the I.R.S., the U.S. Treasury. But some less obviously tectonic leaks have had a more direct political effect, as was the case in July, 2020, when an employee of the city of Seattle documented an anti-bias training session and sent the evidence to a journalist named Christopher F. Rufo, who read it and recognized a political opportunity.

Rufo, thirty-six, was at once an unconventional and a savvy choice for the leaker to select. Raised by Italian immigrants in Sacramento and educated at Georgetown, Rufo had spent his twenties and early thirties working as a documentary filmmaker, largely overseas, making touristic projects such as “Roughing It: Mongolia,” and “Diamond in the Dunes,” about a joint Uyghur-Han baseball team in the Chinese province of Xinjiang. In 2015, Rufo began work on a film for PBS that traced the experience of poverty in three American cities, and in the course of filming Rufo became convinced that poverty was not something that could be alleviated with a policy lever but was deeply embedded in “social, familial, even psychological” dynamics, and his politics became more explicitly conservative. Returning home to Seattle, where his wife worked for Microsoft, Rufo got a small grant from a regional, conservative think tank to report on homelessness, and then ran an unsuccessful campaign for city council, in 2018. His work so outraged Seattle's homelessness activists that, during his election campaign, someone plastered his photo and home address on utility poles around his neighborhood. When Rufo received the anti-bias documents from the city of Seattle, he knew how to spot political kindling. These days, “I'm a brawler,” Rufo told me cheerfully.

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Through FOIA requests, Rufo turned up slideshows and curricula for the Seattle anti-racism seminars. Under the auspices of the city's Office for Civil Rights, employees across many departments were being divided up by race for implicit-bias training. ("Welcome: Internalized Racial Superiority for White People," read one introductory slide, over an image of the Seattle skyline.) "What do we do in white people space?" read a second slide. One bullet point suggested that the attendees would be "working through emotions that often come up for white people like sadness, shame, paralysis, confusion, denial." Another bullet point emphasized "retraining," learning new "ways of seeing that are hidden from us in white supremacy." A different slide listed supposed expressions of internalized white supremacy, including perfectionism, objectivity, and individualism. Rufo summarized his findings in an article for the Web site of *City Journal*, the magazine of the center-right Manhattan Institute: "Under the banner of 'antiracism,' Seattle's Office of Civil Rights is now explicitly endorsing principles of segregationism, group-based guilt, and race essentialism—ugly concepts that should have been left behind a century ago."

The story was a phenomenon and helped to generate more leaks from across the country. Marooned at home, civil servants recorded and photographed their own anti-racism training sessions and sent the evidence to Rufo. Reading through these documents, and others, Rufo noticed that they tended to cite a small set of popular anti-racism books, by authors such as Ibram X. Kendi and Robin DiAngelo. Rufo read the footnotes in those books, and found that they pointed to academic scholarship from the nineteen-nineties, by a group of

legal scholars who referred to their work as critical race theory, in particular Kimberlé Crenshaw and Derrick Bell. These scholars argued that the white supremacy of the past lived on in the laws and societal rules of the present. As Crenshaw recently explained, critical race theory found that “the so-called American dilemma was not simply a matter of prejudice but a matter of structured disadvantages that stretched across American society.”

This inquiry, into the footnotes and citations in the documents he'd been sent, formed the basis for an idea that has organized cultural politics this spring: that the anti-racism seminars did not just represent a progressive view on race but that they were expressions of a distinct ideology—critical race theory—with radical roots. If people were upset about the seminars, Rufo wanted them also to notice “critical race theory” operating behind the curtain. Following the trail back through the citations in the legal scholars' texts, Rufo thought that he could detect the seed of their ideas in radical, often explicitly Marxist, critical-theory texts from the generation of 1968. (Crenshaw said that this was a selective, “red-baiting” account of critical race theory's origins, which overlooked less divisive influences such as Martin Luther King, Jr.) But Rufo believed that he could detect a single lineage, and that the same concepts and terms that organized discussions among white employees of the city of Seattle, or the anti-racism seminars at Sandia National Laboratories, were present a half century ago. “Look at Angela Davis—you see all of the key terms,” Rufo said. Davis had been Herbert Marcuse's doctoral student, and Rufo had been reading her writing from the late sixties to the mid-seventies. He felt as if he had begun with a branch and discovered the root. If financial regulators in Washington were attending seminars in which they read Kendi's writing that anti-racism was not possible without anti-capitalism, then maybe that was more than casual talk.

As Rufo eventually came to see it, conservatives engaged in the culture war had been fighting against the same progressive racial ideology since late in the Obama years, without ever being able to describe it effectively.

“We’ve needed new language for these issues,” Rufo told me, when I first wrote to him, late in May. “‘Political correctness’ is a dated term and, more importantly, doesn’t apply anymore. It’s not that elites are enforcing a set of manners and cultural limits, they’re seeking to reengineer the foundation of human psychology and social institutions through the new politics of race, It’s much more invasive than mere ‘correctness,’ which is a mechanism of social control, but not the heart of what’s happening. The other frames are wrong, too: ‘cancel culture’ is a vacuous term and doesn’t translate into a political program; ‘woke’ is a good epithet, but it’s too broad, too terminal, too easily brushed aside. ‘Critical race theory’ is the perfect villain,” Rufo wrote.

He thought that the phrase was a better description of what conservatives were opposing, but it also seemed like a promising political weapon. “Its connotations are all negative to most middle-class Americans, including racial minorities, who see the world as ‘creative’ rather than ‘critical,’ ‘individual’ rather than ‘racial,’ ‘practical’ rather than ‘theoretical.’ Strung together, the phrase ‘critical race theory’ connotes hostile, academic, divisive, race-obsessed, poisonous, elitist, anti-American.” Most perfect of all, Rufo continued, critical race theory is not “an externally applied pejorative.” Instead, “it’s the label the critical race theorists chose themselves.”

Last summer, Rufo published several more pieces for *City Journal*, and, on September 2nd, he appeared on “Tucker Carlson Tonight.” Rufo had prepared a three-minute monologue, to be uploaded to a teleprompter at a Seattle studio, and he had practiced carefully enough that when a teleprompter wasn’t available he still remembered what to say. On air, set against the deep-blue background of Fox News, he told Carlson, “It’s absolutely astonishing how critical race theory”—he said those three words slowly, for emphasis—“has pervaded every aspect of the federal government.” Carlson’s face retracted into a familiar pinched squint while Rufo recounted several of his articles. Then he said what he’d come to say: “Conservatives need to wake up. This is an existential threat to the United States. And the bureaucracy, even under Trump, is being weaponized against core American values. And I’d like to make it explicit: The President and the White House—it’s

within their authority to immediately issue an executive order to abolish critical-race-theory training from the federal government. And I call on the President to immediately issue this executive order—to stamp out this destructive, divisive, pseudoscientific ideology.”

The next morning, Rufo was home with his wife and two sons when he got a phone call from a 202 area code. The man on the other end, Rufo recalled, said, “ ‘Chris, this is Mark Meadows, chief of staff, reaching out on behalf of the President. He saw your segment on ‘Tucker’ last night, and he’s instructed me to take action.” Soon after, Rufo flew to Washington, D.C., to assist in drafting an executive order, issued by the White House in late September, that limited how contractors providing federal diversity seminars could talk about race. “This entire movement came from nothing,” Rufo wrote to me recently, as the conservative campaign against critical race theory consumed Twitter each morning and Fox News each night. But the truth is more specific than that. Really, it came from him.

Last Thursday, I travelled to visit Rufo at home in Gig Harbor, Washington, a small city on the Puget Sound with the faint but ineradicable atmosphere of early retirement—of pier-side low-exertion midmorning yoga classes. Rufo has a thin, brown beard and an inquisitive, outdoorsy manner, and when we met for lunch on a local café’s veranda he spoke about his political commitments (to conservatism against critical race theory) loudly enough for those around us to hear. Rufo and his wife, Suphatra, a computer programmer at Amazon Web Services who emigrated from Thailand in elementary school, moved to Gig Harbor last year, in part to get away from the intense political climate that had coalesced around him in Seattle. The move had coincided with his increasing prominence, and so Gig Harbor had not been as professionally isolating as he had at first feared. Wearing a gray flannel shirt and dark jeans, Rufo showed me

the soundproofed home studio he'd recently built, with a hookup to send a broadcast-quality signal to Fox News.

Since his appearance on “Tucker Carlson Tonight” last fall, Rufo’s rise had matched that of the movement against critical race theory. He’d become a senior fellow at the Manhattan Institute, for which he had written more than two dozen document-based articles—mostly about anti-bias training in the government, schools, and corporations—which, he told me, had together accrued more than two hundred and fifty million impressions online. (“That’s a lot,” he said.) Carlson has been an especially effective ally; he relied on Rufo’s reporting for an hour-long episode this spring on “woke education,” and invited Rufo to join as a segment guest. Conservatives in state legislatures across the country have proposed (and, in some cases, passed) legislation banning or restricting critical-race-theory instruction or seminars; Rufo has advised on the language for more than ten bills. When Ron DeSantis and Tom Cotton have tweeted about critical race theory, they have borrowed Rufo’s phrases. He has travelled to Washington, D.C., to speak to an audience of two dozen members of Congress, and mentioned in passing that earlier in May he’d had drinks with Ted Cruz. In the 2016 Presidential election, Rufo had cast a dissenter’s vote for Gary Johnson. In 2020, he voted to reelect Trump. Rufo said, “I mean, how can you not? It would have seemed rude and ungrateful.”

Rufo’s new position did not give him just a view up, into the world of Republican power, but down, into the mounting outrage at anti-racism programs across the country. Rufo set up a tip line last October, and has so far received thousands of tips, many of which he thought were substantive. (An assistant does the culling.) From among this pile, he’d discovered that third graders in Cupertino, California, were being asked to rank themselves and their classmates according to their privilege; he also learned about a three-day whiteness retreat for white male executives at Lockheed Martin and an initiative at Disney urging executives to “decolonize

their bookshelves.” Some of the outrage appeared to have been ginned up by local political actors—a particularly combative and high-profile anti-C.R.T. parents’ group in Loudoun County was organized by a former Trump Justice Department official—but it was nonetheless deeply felt. In Loudoun, one parent had said, “If you spend millions to call people in our community racist, you better be able to prove it.”

In Rufo’s living room in Gig Harbor, I asked what he thought constituted the emotional core of the protests against critical race theory—was it simply that white people thought they were being unfairly called racist? “I think that’s a part of it, for sure,” Rufo said, but he also listed other complaints. He’d spoken to parents in Cupertino, who, he said, “were incredibly pissed off because they were doing, like, race and gender theory during math class.” He’d also spoken to wealthy private-school parents who considered themselves liberals and who were worried, Rufo said, that too much race talk might bring about a form of “mental bulimia” among their children. A member of another group, of conservatives, reported suddenly feeling that “these institutions that I believe in”—the school, the workplace—“are being devoured by an ideology I don’t understand.”

Rufo opened his laptop and, after a couple of clicks, showed me a screenshot from the anti-racism training session that white male executives at Lockheed Martin had been required to attend. “Look at these dudes!” Rufo said. A Zoom array of middle-aged white male heads greeted me—a dozen men looking, on the whole, a little apprehensive. The Lockheed training had evidently included an exercise in which the executives had explained in writing what they hoped to get out of the session. Rufo had the responses and read them. One executive had written, “I won’t get replaced by someone who is a better full-diversity partner.” Another had said, “Evolving the white male culture so future generations won’t be stereotyped.” A third: “I’ll have less nagging sense of guilt that I’m the problem.” I thought these sounded less like expressions of outrage than annoyance, of a bunch of powerful people who would have preferred to return to selling bombers to the Air Force.

Rufo, who saw these statements as evidence of “humiliation,” said that what he often heard from conservatives in situations like this was that “there’s very heavy psychological stuff happening here at work.” That “heavy psychological stuff” reflected what Rufo thought of as a Marxist strain running through critical race theory: “a really profound pairing of the destructive instinct, a desire to smash society as it’s been known, paired with this very utopian instinct, that once we smash society something will happen that we can’t explain, outline, or predict, and it will elevate humanity—human nature will be different.” He added, “It’s the same stuff. I mean—in Lockheed Martin, it’s kind of bastardized and dumbed down. But that’s the impulse that I feel. It’s the pairing of destruction and utopia.”

The next day, I spoke by phone with Kimberlé Crenshaw, a law professor with appointments at Columbia and U.C.L.A., and perhaps the most prominent figure associated with critical race theory—a term she had, long ago, coined. Crenshaw sounded slightly exasperated by how much coverage focussed on the semantic question of what critical race theory meant rather than the political one about the nature of the campaign against it. “It should go without saying that what they are calling critical race theory is a whole range of things, most of which no one would sign on to, and many of the things in it are simply about racism,” she said. When I asked what was new to her about the conservative movement against critical race theory, she said that the main thing was that it had been championed last fall not by conservative academics but by Donald Trump, then the President of the United States, and by many leading conservative political and media figures. But the broader pattern was not new, or surprising. “Reform itself creates its own backlash, which reconstitutes the problem in the first place,” Crenshaw said, noting that she’d made this argument in her first law-review article, in 1988. George Floyd’s murder had led to “so many corporations and opinion-shaping institutions making statements about structural racism”—creating a new, broader anti-racist alignment, or at least the potential for

one. “This is a post-George Floyd backlash,” Crenshaw said. “The reason why we’re having this conversation is that the line of scrimmage has moved.”

As she saw it, the campaign against critical race theory represented a familiar effort to shift the point of the argument, so that, rather than being about structural racism, post-George Floyd politics were about the seminars that had proliferated to address structural racism. I asked Crenshaw whether she thought that the anti-racism seminars were doing good. “Sure, I’ve been witness to trainings that I thought, Ennnnnh, not quite sure that’s the way I would approach it,” she said. “To be honest, sometimes people want a shortcut. They want the one- to two-hour training that will solve the problem. And it will not solve the problem. And sometimes it creates a backlash.” Many liberals had responded to the conservative campaign against critical race theory by arguing first that those loudly denouncing it often had no idea what they were talking about, and second by suggesting that the supposed grassroots outrage was really the work of Republican operatives. Both responses made sense, but Crenshaw was suggesting a deeper historical pattern, in which the campaign against critical race theory was not an aberration but long-lasting retrenchment. “The fact is there aren’t any easily digestible red pills,” Crenshaw said. “If we’re really going to dig our way out of the hole this country was born into, it’s gonna be a process.”

On this, at least, Rufo might not have disagreed too much. His adaptation of the term “critical race theory” was itself an effort to emphasize a deep historical and intellectual pattern to anti-racism, and he, too, found it predictable that people encountering it for the first time would be outraged by it. The rebranding was, in some ways, an excuse for politicians to stage the same old fights over race within different institutions and on new terrain. At my lunch with Rufo, I’d asked what he hoped this movement might achieve. He mentioned two objectives, the first of which was “to politicize the bureaucracy.” Rufo said that the bureaucracy had been

dominated by liberals, and he thought that the debates over critical race theory offered a way for conservatives to “take some of these essentially corrupted state agencies and then contest them, and then create rival power centers within them.” I thought of the bills that Rufo had helped draft, which restricted how social-studies teachers could describe current events to millions of public-school children, and the open letter a Kansas Republican legislator had sent to the leaders of public universities in the state, demanding to know which faculty members were teaching critical race theory. Mission accomplished.

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