
Article:
Saul, J. (2019) What is happening to our norms against racist speech? Aristotelean Society Supplementary Volume, 93 (1). pp. 1-23. ISSN 0309-7013

https://doi.org/10.1093/arisup/akz001

What is Happening to Our Norms Against Racist Speech?[1]

Once upon a time, not too long ago, it was accepted wisdom that overt racism would doom a candidate for national political office in the United States. Of course, there was still a good deal of racism among white Americans—but a politician who openly espoused obviously racist views was thought to be unelectable. Elaborate signaling strategies were developed as ways of playing on these racist sentiments for political gain without being too obvious about it. Political psychologists studied these strategies, though philosophers tended to focus on vastly more obviously racist speech, such as slurring or derogatory terms.

Just as philosophers were starting to explore these signaling strategies, however, something happened. The world changed dramatically in a way fundamentally at odds with the previously accepted wisdom: Donald Trump was elected President, despite very overt expressions of racism. New, and deeply pressing questions emerged. Chief among them, of course, are (1) the descriptive question of how what seemed like fixed norms have come to be, apparently, smashed; and (2) the vitally important practical question of how we should respond to our new reality. This paper focuses on (1), exploring in depth how what political psychologists said could not happen happened. I will argue that a norm against racist speech is still (as I write this, anyway) widely though not universally in force; but that it is not nearly as effective as we might have thought that it was. As to question (2): empirical research, and developing events, will tell us what the most effective way to respond is. My hope is that descriptive work on question (1) will aid in these efforts.

---

[1] I am very grateful to countless people for discussion of these issues, and for comments on related papers. I'm especially grateful to Rosanna Keefe for giving me feedback on a draft of this paper at an incredibly busy time.

1. What used to be accepted wisdom

1.1 Background: The Norm of Racial Equality and Widespread Racial Resentment

Prior to the Civil Rights movement, national US politicians could run for and attain high office while openly espousing explicitly racist policies like segregation. After the Civil Rights movement, Tali Mendelberg maintained, this became impossible because most white Americans came to subscribe to the Norm of Racial Equality (2001: 81-84). Mendelberg never states this norm, but she notes that it forbade explicit claims of racial genetic inferiority, explicit support for legal discrimination or segregation, and explicit endorsement of white supremacy. It also made most white Americans dislike people who they saw as racist (Mendelberg 2001: 114), a fact that was not lost on politicians seeking their votes.

At the same time, however, most white Americans harbored high levels of what psychologists call Racial Resentment (Mendelberg 2001: 117). Racial Resentment is measured through degree of agreement with claims like:

> "It's really a matter of some people not trying hard enough; if blacks would only try harder they could be just as well off as whites." (Tesler and Sears 2010: 19)

In other words, many of the same people who endorsed the Norm of Racial Equality were also likely to agree with the claim above. This may seem puzzling to the reader, as this claim may look quite racist. However, it serves to illustrate just how thin the Norm of Racial Equality is. Note that nothing in the claim above involves *explicit* claims of genetic inferiority, support for legal discrimination/segregation, or white supremacy.

If that's enough to satisfy the Norm, you may be thinking, the Norm is not a terribly effective one. And you'd be right. My view is that the best way to capture the Norm and its force is to formulate it quite simply as "Don't be racist" (Saul 2017), where each individual may decide for themself what it takes to be racist—and many will set such a high bar that almost nothing

counts. They will, however, reject politicians who seem to them to transgress this norm, however they understand it. And the presence of this norm does seem to have constrained political speech (at least until recently). Politicians were wary of it, and sought ways around it. Two of these ways have been widely discussed under the name 'dogwhistles' (they are also known as 'code words' and 'implicit political messaging').

1.2 Two kinds of Dogwhistle

There were at least two groups of white voters who politicians sought to reach with racial messaging, while carefully trying to avoid condemnation by voters who subscribed to the Norm of Racial Equality. The attention in the literature on dogwhistles has mostly focused on the second group, but I think it's important to acknowledge and understand the first group as well. The first group was people who rejected the Norm—those who endorsed white supremacy and explicit legal discrimination. Although these voters were not much discussed in the literature on the Norm of Racial Equality, it was always clear that some voters were like this. I call them the Unconflicted Racists. The second group—more the focus of discussions of the Norm—were voters who accepted the Norm of Racial Equality, but were nonetheless high in Racial Resentment. I call them the Conflicted Racially Resentful. Oversimplifying somewhat, there were two tools used to reach these two groups. In general, what I call Overt Dogwhistles could be used to get the votes of Unconflicted Racists, while the more complicated Covert Dogwhistles were needed for the Conflicted Racially Resentful. I explain these in the sections below.

1.2.1 Overt Dogwhistles

Overt dogwhistles are utterances that convey different messages to different audiences. My focus here is on intentional overt dogwhistles.[2] The most simple form would be an utterance that imparts a coded message C to the target Audience T and a more obvious message O to Audience A. The coded message will usually be one that audience A would find unacceptable. This may be done

[2] See Saul 2018 for a discussion of unintentional cases.

via any of a number of linguistic mechanisms—ambiguity, implicature, and other non-semantic means.[3] When this works as intended, each audience consciously receives and represents the message intended for them, and audience A is aware *only* of the message intended for them, missing out on the coded message to the target audience. Of course, in real life things are seldom this simple.

A classic example of this would be the use of the phrase "I support states' rights". Many (though not all—see below) Northerners will hear this phrase as simply endorsement of the United States's federal structure, in which state legislatures get to decide on their own laws for certain matters. But they are not the target audience—they're the audience the coded message needs to be concealed from. Most Southerners—the target audience—will hear it as support for at least some degree of racism. This is due to its history as a rallying cry for slave states during the Civil War, and for segregationist states during the Civil Rights Movement. This meaning is meant to be concealed from the Northerners. The idea behind this strategy is that white Southerners are much more likely to be Unconflicted Racists, who will be content to consciously receive a message signaling racism.[4]

But there are complications:

(1) Neither Southerners nor Northerners (even white ones) are monolithic in their attitudes toward race. Many white Southerners will consciously receive *and reject* the message of racism. (But this won't worry those using this dogwhistle, as long as enough of white Southerners receive the message more positively.)

(2) The Southerners may well also pick up on the meaning intended for the Northerners. But this is not a problem: that meaning doesn't need

---

[3] See Camp 2018.

[4] Although Mendelberg discusses this example as well, my analysis differs from hers. Her focus is exclusively on covert dogwhistles, but I think that once we acknowledge the existence of overt dogwhistles, we can see how this category helps us to understand the workings of the "states' rights" dogwhistle.

to be concealed, as it's an uncontroversial claim about the structure of the US federal system.

(3) Both meanings of "states' rights" are now relatively widely known. So there are many Northerners who do pick up on the meaning (though there used to be fewer). And, of course, thanks to the internet it is becoming harder and harder to direct this kind of messaging to just one group.

The internet has provided new opportunities for overt dogwhistles, and also added new complexities. Take the case of triple parentheses.[5] These began as an overt dogwhistle used on twitter for anti-Semites to signal to each other that someone they were quoting or discussing was Jewish. This was a symbol that the general public would not even notice and that search engines would overlook—because it took the form of punctuation.[6] Using this, those seeking to harass Jews could easily do so—and people who had been tagged with triple parentheses soon found themselves deluged with holocaust-themed death threats. This, then, was an extremely effective overt dogwhistle: very effective at communicating with and mobilizing one group of people, while going unnoticed by others. In an interesting twist, though, two things happened: Jews started putting triple parentheses around their names, as an act of reclamation. And non-Jewish anti-racism activists also started using the triple parentheses *themselves,* as an expression of solidarity with Jews and opposition to anti-Semitism.[7] This means that there is now an additional overt dogwhistle meaning

---

[5] https://mic.com/articles/144228/echoes-exposed-the-secret-symbol-neo-nazis-use-to-target-jews-online#.zyPod6cVd

[6] https://metro.co.uk/2016/06/05/people-are-putting-echoes-around-their-names-on-twitter-heres-why-5925002/

[7] https://metro.co.uk/2016/06/05/people-are-putting-echoes-around-their-names-on-twitter-heres-why-5925002/

to the triple parentheses, directed not at anti-Semites but at their opponents. Some audiences are aware of both of these meanings, some of just the anti-Semitic one, and some (probably most internet users) will simply interpret the parentheses as a meaningless, odd punctuation choice.

1.2.2 Covert Dogwhistles

Covert dogwhistles are an altogether murkier phenomenon. (My focus here will be on intentional covert dogwhistles. For a discussion of unintentional ones see my 2018.) The target audience for a covert dogwhistle (the Conflicted Racially Resentful) is meant to be affected by it without realizing it. A covert dogwhistle will fail if the target audience becomes aware of what the speaker is attempting to do. Elsewhere, I have categorized these as Covert Perlocutionary Acts, speech acts which fail if the intention behind them is recognized (Saul 2018).

The classic example of a covert racial dogwhistle is the Willie Horton commercial, part of George HW Bush's campaign against Michael Dukakis and extensively studied by political psychologist Tali Mendelberg (Mendelberg 2001). This commercial made no overt mention of race. Instead, it described a weekend prison release programme that Dukakis had supported, and a prisoner who had committed murder and rape while on release. The prisoner was black, and the ad showed an image of his face, while describing the programme and Dukakis's support for it. The ad was initially placed in a small local TV market, but it (as planned) was picked up by the national news and shown over and over. It was not shown as an example of racism, but rather either "negative campaigning" or crime as an issue in the campaign. During the time the ad was shown Dukakis lost his enormous lead, and Bush went on to become President (there is still some debate over just how much of a role the ad played).

Mendelberg studied what happened to racial resentment and voting intentions among whites during the time the ad was in the news. She found that there was no difference in racial resentment over time. However, she found that greater exposure to the ad led to an increased correlation between voting intention and

racial resentment level: the more racially resentful people became more likely to vote for Bush. She also found that there was a point when this trend reversed. Shortly before the election, Jesse Jackson started appearing on news broadcasts arguing that the ad was playing on racism. The mainstream media were wholly dismissive of this idea, branding it Jesse Jackson "playing the race card". But despite the disrespectful reception that Jackson's intervention received, it was highly effective: as soon as Jackson started discussing race in connection with the ad, the correlation started falling away. (In fact, Mendelberg thinks that if the election had been held a couple of weeks later Dukakis might have won.)

Mendelberg's influential theory of implicit political communication was based on her study of these events. According to her theory, a covert dogwhistle (in her terminology 'implicit messaging') works at an unconscious level, raising racial attitudes to salience outside the target audience's (the Conflicted Resentful's) awareness. They then bring these attitudes to bear on whatever issue they are considering. However, it's vital that the racial aspect of what is taking place remain outside the subjects' awareness. If they consciously reflect at all on race—even to reject the idea that race has anything to do with the ad—the dogwhistle doesn't work any more. This is because the mention of race causes them to engage in self-monitoring related to the Norm of Racial Equality. This makes it impossible for racial resentment to become salient without their awareness. Mendelberg and others have argued that this sort of communication also occurs in other ways—especially through use of dogwhistle terms (sometimes called "code words"), which are terms that function as covert dogwhistles.[8] Again, the presence of these words raises attitudes to salience outside of awareness, and brings them to bear on the matter at hand; more explicit words tend to backfire, since they run afoul of the Norm of Racial Equality. Dogwhistle terms include 'welfare' and 'public spending' and probably also 'terrorist', 'extremist', and 'radicalisation', among others.

[8] See e.g. Horwitz and Pefley 2005.

1.3 How to fight dogwhistles

The accepted wisdom about how to fight dogwhistles has been what you would expect, given the way that they work. Overt dogwhistles are meant to conceal a coded message from one part of the audience, because that part of the audience would be alienated by it; despite the other part of the audience—the Unconflicted Racists—understanding it fully. The obvious way to fight this is to reveal the coded message to the audience it's meant to be concealed from, thus giving this group of people the chance to be alienated by it. Of course, this can fail because the coded message is by its nature ambiguous: the speaker may deny that they intended the coded message, and the audience may believe that.

Covert dogwhistles, according to Mendelberg's story, are really quite easily defeated (though we will soon see that matters are now more complicated). The effectiveness of a covert racial dogwhistle depends on the target audience's (the Conflicted Racially Resentful's) lack of reflection on race. All that is needed to defuse this is to cause this audience to reflect on race. The audience may well not consciously realize that race is a key to the dogwhistle's effectiveness, and may even strenuously deny that race has anything to do with it. But it will nonetheless fail to function in the intended manner.

2. What happened

The events of 2016 have shaken this once widely-accepted picture. The most important such event has been the rise and election of Donald Trump, whose utterances have been obviously racist in a way that has shocked many observers. According to the once-reigning theory, such utterances should have doomed his campaign. Voters (including the Conflicted Racially Resentful) who accepted the Norm of Racial Equality should have been put off by this, and there should have been enough such voters to defeat him.

So what happened? Why didn't the Norm of Racial Equality prevent this? One thought would be that the Norm of Racial Equality was abandoned—at least by enough voters to allow Trump to win. Another would be that Trump's voters

(who after all were less than half of those who voted) never did accept the Norm of Racial Equality: they were Unconflicted Racists. I don't think either of these is right. While some of Trump's voters were surely Unconflicted Racists, many of them clearly did accept the Norm—as evidenced by the online discussions Trump voters engaged in, reassuring each other that he is not racist (see my 2017, and below). They cared about whether Trump was racist or not; but, somehow, they may managed to believe that he wasn't. In this paper we'll look at some explanations for why they didn't see him as racist. (A key part of the explanation, we'll see, is the thinness of the norm 'don't be racist'.) We'll also look at some disturbing evidence that *now* (a couple of years into the Trump presidency) the desire not to be racist may be starting to fade.

2.1 Obama effect

One factor that has helped to lay the groundwork for some shifting of norms is, ironically, the election of Barack Obama, the first African American President. This seems to have brought about a widespread belief that America had broken free of the racism of the past. This belief, in turn, seems to have made many white people feel that they do not need to worry so much about racism. Indeed, Valentino et. al. (2018) found in 2010-2012 that it had now become far more acceptable to explicitly use racial terms in political advertising than it had been before. So one factor does seem to have been a somewhat lessened concern for the Norm of Racial Equality. Nonetheless, as we'll see, there is good reason to suppose that the Norm is still widely in effect. And, importantly, the utterances tested by Valentino et. al. are not nearly as racist as those made by Donald Trump.

2.2 Figleaves

Those who have studied dogwhistles have focused on understanding ways that an utterance can be made which will at the same time (1) play into some people's explicit or implicit racism; and (2) not be recognized as doing so by all. Another way of making racist utterances—while still covering for them—has been neglected. This other method involves making utterance which would normally be recognized as obviously racist, but also making an additional utterance which

casts some doubt on the idea that the speaker is racist. This additional utterance is what I call a *figleaf*—because it just barely covers something one is not supposed to show in public (Saul 2017).

The success of figleaves is crucially due to two factors:

1. The Norm of Racial Equality—don't be racist-- is thin and subject to individual interpretation.
2. Widespread understandings of racism among white people are such that it is very easy to dodge worries about racism (Hill 2008). Key points here include the ideas that (a) only people—not utterances—can be racist; (b) one is only racist if one consciously endorses negative views based in biology about all members of a racial group; and (c) non-racist people often say things that sound very racist because their head leads them astray, but the truth about them is to be found in their non-racist hearts.

On the widespread view sketched above, which Jane Hill (2008) takes to be white Americans' folk theory of racism, an utterance only justifies worries about racism if the person who made it is racist, and it is very easy to deflect worries about racism because of the head/heart dichotomy. Imagine, then, that a person S makes a very racist-sounding statement R. This alone does not merit a verdict of racism on the folk theory. The only way that it is appropriate to conclude that racism is present is by inferring from the fact that S has said that R to the claim that S is racist. All a figleaf needs to do is to block this inference, and any concerns about racism can be dismissed.

2.2.1 Synchronic figleaves

Synchronic figleaves occur at roughly the same time as the utterances for which they serve as figleaves. These will often be made by someone who is worried that they may be seen as racist, but they may also occur without that being the cause. One common synchronic figleaf is so common that it is much-mocked, and for many people will be completely ineffective as a figleaf: "I'm not racist, but R", where R is an otherwise obviously racist claim.

But some of them are more effective than this, at least with their intended audience. Donald Trump's bizarre announcement of his candidacy contained such figleaves in one of its most famous passages.

> When Mexico sends its people, they're not sending their best. They're not sending you. They're not sending you. They're sending people that have lots of problems, and they're bringing those problems with [them]…They're rapists. And some, I assume, are good people.[9]

Most attention quite rightly focused on the fact that Trump suggested that Mexicans are rapists. However, my interest here is in the figleaves. One figleaf plays on the misconception that to be racist one must hate all members of a particular group. Trump limits his claim to the Mexicans that are 'sent', thus suggesting that he does not consider all Mexicans to be rapists. For many, this will be enough to undermine the inference from this utterance to the claim that Trump is racist. For those who might still have worries, Trump adds on a further figleaf: "some of them, I'm sure, are good people."

It is quite obvious that these figleaves did not work for everyone. A very large proportion of the American public took the utterance to be blatantly racist, and to be an indicator of Trump's racism. However, there is also reason to believe that the figleaves did work for some people. Trump supporters had online discussions amongst themselves about whether Trump was racist, and spent time reassuring each other that he was not. When they did so, they cited the figleaves. Here's just one example (for more, see my 2017).

- I didn't hear him say anything racist against any race. What I did hear him say is, "Illegal Mexicans bring drugs, crime, and are rapists, but I'm sure some are good people." Seriously, whats [sic] racist about that? (Dirk,

[9] https://www.washingtonpost.com/news/post-politics/wp/2015/06/16/full-text-donald-trump-announces-a-presidential-bid/

https://answers.yahoo.com/question/index?qid=20150728210521AAWJQfa)

This sort of case shows that figleaves played an important role in reassuring Trump-supporters that, despite what would otherwise seem to be comments indicating racism, Trump was not racist. The Unconflicted Racists among them did not need these reassurances, but the Conflicted Racially Resentful did.

2.2.2 Diachronic figleaves

A diachronic figleaf comes at a different time from the utterance R which would otherwise be recognized as obviously racist. Quite commonly, it can even be produced after R, in response to accusations of racism. It can also be produced after a dogwhistle is revealed as a dogwhistle—because at that point there is a risk that the racism will be recognized.

The most obvious—and probably least successful—sort of diachronic figleaf is simply to assert one's non-racism in response to a racism allegation. Donald Trump does this quite a bit, asserting in 2017 that he was "the least racist person anybody is going to meet"[10]; and in 2018 that he was "the least racist person you have ever interviewed"[11] A more subtle sort of diachronic figleaf involves criticizing someone else's racism. Nigel Farage's criticism of Donald Trump's Muslim ban proposal arguably falls into this category.[12]

---

[10] https://www.bbc.co.uk/news/av/uk-42830165/trump-i-m-the-least-racist-person-anybody-is-going-to-meet

[11] https://www.bostonglobe.com/news/politics/2018/01/14/least-racist-person-you-will-ever-interview-trump-says/cbEUXZh3acpz7ctYKaBUkK/story.html

[12] https://www.independent.co.uk/news/uk/politics/nigel-farage-says-donald-trumps-policy-of-banning-muslim-immigration-to-the-us-is-a-political-a6765431.html

2.2.3 Context as Figleaf

There are also figleaves that work by attempting to change the audience's understanding of (otherwise apparently racist) utterance R's context. Context matters for accusations of racism, and the most obvious way to see this is to consider the context of an actor in a play. If, as a part of a play, an actor utters a racist utterance, the context (a play) means that the utterance should not be taken as an indication of the actor's true views. Convincing an audience that a context is not one in which normal inferences hold can provide a very effective figleaf. A good example of this comes from one of Trump's figleaves for sexism—his assertion that what was heard on the *Access Hollywood* tape was mere 'locker room talk', and therefore not to be taken seriously.[13] (This failed miserably with some of his audience, but succeeded with many others.)

2.2.4 Collections of Utterances as Figleaf

Thus far, my focus has been on single utterances as figleaves. However, it seems that sometimes a collection of utterances may serve as a figleaf. To accommodate this, we need to only slightly modify our definition of '(racial) figleaf': a (racial) figleaf is an utterance *(or collection of utterances)* which serves to block the inference from an otherwise clearly racist utterance R to the conclusion that the speaker is racist. If this makes sense (and I think it does), then a collection of utterances may serve as a figleaf.

One way that this sort of figleaf may occur is if the collection of utterances provides reason (for at least some) to believe that the speaker's racist

---

[13] https://www.washingtonpost.com/politics/trump-recorded-having-extremely-lewd-conversation-about-women-in-2005/2016/10/07/3b9ce776-8cb4-11e6-bf8a-3d26847eeed4_story.html?utm_term=.8e9829ce491f

utterance R cannot be taken seriously as an indicator of their beliefs. It seems to me that the totality of Trump's utterances can provide—for some audiences, anyway—a figleaf for any individual utterance (and this will apply not just to the issue of racism but also to any other). It is uncontroversial that Trump makes a huge number of contradictory and apparently ill-thought-out utterances. This lends support to the idea that Trump's utterances should not be taken seriously. (How seriously to take these utterances is, notably, a topic that comes up over and over again in media discussions.[14]) And this, in turn, offers a figleaf which a significant portion of his audience may accept: no individual utterance is an indicator of Trump's beliefs, because the totality of his utterances shows that there is no real relationship between what Trump says and what he believes. (This figleaf will fail miserably for many audience members, as the fact that blatantly racist utterances are any part of the collection of utterances may be taken as an indication of racism.)

2.3 Immigration's complex relationship to norms

Our focus here will be exclusively on opposition to immigration that is based in generalised attitudes toward particular groups of people. Opposition to immigration which is based in, for example, a genuine (albeit likely false) belief that there is simply no more room in the country should not be taken to be my subject matter here.[15]

---

[14] See, for example https://www.theatlantic.com/politics/archive/2016/09/trump-makes-his-case-in-pittsburgh/501335/; https://www.washingtonpost.com/opinions/take-trump-seriously-and-literally/2016/11/16/cbdcf2c8-ac25-11e6-8b45-f8e493f06fcd_story.html?utm_term=.bf9ed55b5d58; https://www.theguardian.com/technology/2016/oct/31/peter-thiel-defends-donald-trump-muslim-ban-mexico-wall.

[15] It is genuinely unclear to me how often something like this is really the motivation for anti-immigrant views. Such a view is often combined with

Opposition to immigration has played a key role in the recent rise of the far right around the world. One key reason for the success of this strategy, it seems to me, is that anti-immigration sentiment bears a complex relationship to norms against racism, one which makes it harder to successfully criticize than straightforwardly racist sentiments. A further complication is the variation in sentiments underpinning opposition to immigration: for different opponents of immigration, different immigrant groups will be the focus of their concern.[16]

A case can certainly be made that the sort of anti-immigrant views that are my focus are a form of racism. Both these views and racism are often (though not always) based in fear, hatred, or resentment of people who are different from oneself. Tariq Modood (2001) has argued that it is vital to understand what he calls *cultural racism* as a form of racism. Modood argues that cultural racism, which is tightly linked to anti-immigration views, has played a particularly strong role in British racism. However, my focus here is not on whether *we* should use the word 'racism' in a way that includes anti-immigrant views, but rather how widely anti-immigrant views are thought of as racist.

Whether or not it is true that anti-immigrant views are a form of racism, however, there are many people who do not view them as a form of racism. For any such person, the Norm of Racial Equality will simply be seen as not applying to their views. Moreover, there are many widely held views about the nature of racism that will seem to many to support the claim that particular forms of anti-immigrant sentiment are not instances of racism.

To see this, we will need to look both at the various forms that anti-immigrant sentiment can take and at why these may be seen as not-racist. Here are just a few indicative examples.

---

negative attitudes toward some or all immigrants, which are the subject of this section.

[16] I discuss all this more fully in my forthcoming.

- Opposition to who are attempting to immigrate: Folk theories of racism tend to hold that racism must be about negative attitudes to either (a) people with a particular appearance, e.g. dark skin; or (b) people from a particular biologically or genetically defined group. *All immigrants* is not a plausible racial category on either understanding, so such opposition won't be seen as racism. One participant in a study of discourse around immigration said of opposition to asylum seekers: "It's possibly approaching xenophobia, but it's not racist" (Goodman and Burke 2010: 4). This is a nice illustration of the fact that xenophobia may well not be considered to be racist.
- Opposition to Muslims: Again, this is widely not considered to be racism. Muslims may be of any skin colour or from any group, since anyone can convert to Islam. Religious prejudice is far more socially acceptable than racial prejudice, as seen from polls showing that 42% of Americans are happy to declare that they would not consider an atheist for President (Fidalgo 2015).
- Opposition to members of particular nationalities: this may seem a bit closer to folk understandings of racism, since members of particular nationalities may be seen as from a single broadly defined gene pool. (This is almost always false, but it may be thought to be true.) And members of some nationalities—e.g. Mexicans in the US, Poles in the UK—may be racialised. Such prejudice will be more easily seen as racial if it is associated with traditional markers of racism, like negative atttiudes toward dark skin. This would help anti-Mexican prejudice to be seen as racism, but it would make it more difficult for anti-Polish prejudice to be seen in this way.[17] As with religious prejudice, national prejudice is much

[17] Interestingly, Modood, writing in 2001, notes that what he called 'cultural racism' was mainly focused on those with darker skin colour, but that it could evolve to encompass prejudice against cultural groups with pale skin colour as well, which is arguably what has happened with the rise of anti-Eastern European prejudice in years preceding the referendum.

more socially acceptable than racism: patriotism, unlike white pride, is widely viewed as laudable.

These complexities mean that (a) it is difficult to effectively criticize immigration-related utterances on grounds of racism, including both overt and covert dogwhistles.; and (b) there are highly effective figleaves readily available, even when anti-immigration sentiments are openly expressed. Taken together, the result is that open expression of anti-immigration sentiment is far more socially acceptable that open expression of many other forms of prejudice, such as prejudice against black people.

Let's take (a) first. Because of the Norm of Racial Equality, it had been (at least before the Obama Effect described above) thought to be relatively straightforward to defuse a racial dogwhistle. Openly calling attention to the issue of racism was often enough, because this (1) triggered self-monitoring which stopped the operation of a covert dogwhistle and (2) laid bare what was really going on with an overt dogwhistle. But when the topic is *immigration* matters are much murkier. It is widely believed that anti-racism norms are not applicable to all forms of prejudice against immigrants, because that prejudice can take many forms, and some of these forms are not readily recognized as racism.

For self-monitoring to be successful, it is only reasonable to suppose that it would need to be monitoring with respect to a norm that's recognized as relevant to the utterance under discussion.[18] Although mainstream media were dismissive of Jesse Jackson's claim that the Willie Horton ad was racist, they did recognize that his claim (clearly about white-black racism) was relevant to the ad under discussion. They would have been dismissive in an entirely different way if he had been arguing that the ad was offensively anti-Mormon. And the same is true for the white voters on whom the dogwhistle stopped working: they didn't recognize the ad as racist, but they did see Jackson's allegation as relevant enough to trigger self monitoring. This is because the targets matched: the ad did

[18] In my forthcoming I call this Target Match.

feature a black man, so anti-black racism was clearly relevant, even if they felt the allegation was false. Now take the case of an anti-immigrant ad featuring images of Muslims, and imagine that a campaigner argues that this is racist. If the audience thinks that racism is a matter of prejudice based on skin colour, and also thinks that Muslims are a group united by beliefs rather than skin colour, this allegation may seem as irrelevant as our imaginary Jackson arguing that the Willie Horton ad is anti-Mormon. Because it will seem irrelevant, it will not trigger self-monitoring of the sort needed to defuse a covert dogwhistle. A similar dynamic will play out with an overt anti-immigration dogwhistle: once the hidden message is revealed, the audience would still need to be convinced that it is problematic. Because most forms of anti-immigrant sentiment are not so widely recognized as either racist or otherwise problematic, it is more difficult to do this than it would be with more paradigmatic sorts of racism, such as white prejudice against black people.[19]

Now on to (b)—the figleaves available for anti-immigrant utterances. As we have seen, the particular groups who are the target of anti-immigrant sentiment may vary from speaker to speaker. We have also seen that for most of these groups, significant numbers of people will not see opposition to or prejudice against these groups as violating anti-racism norms, or other widespread norms. Importantly, folk theories of racism tend to hold that (1) a racist will be equally prejudiced against all members of a group; and (2) racism is about groups picked out by skin colour, rather than nationality, immigration status, culture, or religion. Both of these tenets of folk theory provide ample opportunity for figleaves.

An excellent example of this comes from these remarks from Donald Trump:

> We have people coming into the country, or trying to come in — and we're stopping a lot of them — but we're taking people

[19] For a fuller discussion of this, see my forthcoming.

> out of the country. You wouldn't believe how bad these people are. These aren't people. These are animals.[20]

This was quickly condemned as racism against immigrants, and indeed racism of a particularly dangerous kind—the sort of dehumanisation that particularly worries scholars of genocide[21]. The defence of the remarks from the White House cited the full context, which included previous utterances specifically referring to gang members:

> SHERIFF (Margaret) MIMS (Fresno County, CA): Now ICE is the only law enforcement agency that cannot use our databases to find the bad guys. They cannot come in and talk to people in our jail, unless they reach a certain threshold [of being charged with a serious crime]. They can't do all kinds of things that other law enforcement agencies can do. And it's really put us in a very bad position.
>
> THE PRESIDENT: It's a disgrace. Okay? It's a disgrace.
>
> SHERIFF MIMS: It's a disgrace.
>
> THE PRESIDENT: And we're suing on that, and we're working hard, and I think it will all come together, because people want it to come together. It's so ridiculous. The concept that we're even talking about is ridiculous. We'll take care of it, Margaret. We'll win.
>
> SHERIFF MIMS: Thank you. There could be an MS-13 member I know about — if they don't reach a certain threshold, I cannot tell ICE about it.
>
> THE PRESIDENT: We have people coming into the country, or trying to come in — and we're stopping a lot of them — but we're taking people out of the country. You wouldn't believe how bad these people are. These aren't people. These are animals. And we're taking them out of the country at a level and at a rate that's never happened before. And because of the

[20] https://www.vox.com/2018/5/16/17362870/trump-immigrants-animals-ms-13-illegal

[21] See, for example, Smith 2012.

> weak laws, they come in fast, we get them, we release them, we get them again, we bring them out. It's crazy.

The defense holds that the prior context makes it clear that Trump was referring only to those immigrants who are gang members, and indeed members of MS-13. This is, arguably, a figleaf that works (when it does) because of the widespread belief that racism must be prejudice against all members of a particular group. It would be racism, this line of thought goes, to call all immigrants "animals". But it is not racism to call those immigrants who are gang members "animals".

Dara Lind, however, does a nice job of exploring the difficulty of defending this particular remark in this way. The defence relies on the idea that the group Trump is referring to is the same limited group that Sheriff Mims is referring to. But, Lind, points out, Mims is referring to people in local jails who have not been charged with a serious crime; while Trump is talking about people coming into the country. Close scrutiny, then, shows that this really is a figleaf for a problematic remark, rather than a context which shows the remark not to be problematic.[22]

Another feature of this case is also worth drawing attention to: this is the way that shocking or offensive remarks tend to get taken out of context and widely shared. Whether or not Trump deliberately exploits this, the opportunity to exploit it is quite clear. One way of conveying a message that is appealing to some voters and offensive to others is to make a blatantly offensive utterance and surround it with figleaves. The offensive utterance will be widely shared without the figleaves—pleasing the voters that it appeals to; but the figleaves will there to refer back to in defense, placating at least some of those who might

[22] https://www.vox.com/2018/5/18/17368716/trump-animals-immigrants-illegal-ms-13

otherwise have been inclined to turn against one.[23] Moreover, their presence in the original remarks offers an opportunity to condemn those concerned about the remarks as misleadingly taking a quote out of context.

Immigration, then, is an ideal topic for a politician to discuss via dogwhistles or figleaves. Moreover, the weakness of norms against anti-immigration sentiments, and the variation in groups targeted by anti-immigration sentiments mean that these may not even be necessary- and when they are used it will be especially hard to defuse them. It is no surprise that anti-immigration sentiment has been such a potent force in recent years.

2.4 So, what is happening to our norms against racist speech?

The use of figleaves and dogwhistles quite obviously enables the expression of racist sentiments. Covert racist dogwhistles mobilise racist sentiments to influence voting (and other behavior), which has dramatic and dangerous effects on our world. Overt racist dogwhistles—like triple parentheses—
can enable white supremacists to find each other and their objects of hate, and to organize in ways that they might not otherwise be able to—and this potential is greatly enhanced by the worldwide reach of social media. Dogwhistles, then, work around the Norm of Racial Equality by making many people unaware that it is being violated.

But figleaves are pernicious in a different way: they may cause changes to our interpretation and application of the Norm of Racial Equality. Take an otherwise obviously racist utterance, R, accompanied by a figleaf. For those who accept the figleaf, R is now seen as the sort of thing that a non-racist might say. So, for example, those who accept Donald Trump's figleaf, "Mexicans are rapists" becomes thought of as something a non-racist might say. In other words,

---

[23] This is not just a phenomenon of the social media age. Nightly news broadcasts and newspapers have also had a tendency to focus on the shocking out-of-context quotes.

figleaves have a particular ability to *change what we count as racism.* They work around the Norm of Racial Equality by changing people's views about what counts as violating it.

As a result of dogwhistles, figleaves, and their role our current political moment., views on what counts as racism *are* changing—but not in a simple way. Importantly, they are changing in different ways for different groups. (We'll see that this is very much what one would expect, given the workings of the techniques we have discussed). One illustrative way to see this is to look at attitudes toward the n-word. Between 2006 and 2018, the percentage of Republicans who found the n-word offensive declined from 49% to 43%; and the percentage of Republicans who think it's never acceptable for white people to use the n-word declined from 65% to 57%. Meanwhile, however, Democratic attitudes have also changed. The percentage of Democrats who find it offensive increased from 55% to 75%; and the percentage who think it's never acceptable for white people to use it increased from 71% to 84%.[24]

At first, this polarization might seem surprising: one might expect that the increased frequency of blatantly racist utterances would simply serve to habituate white voters to overtly racist utterances, which would make uses of the n-word less offensive for all white voters. But the story of how our standards of racism change crucially involves the role of figleaves: blatantly racist utterances come to be seen as not indicators of racism only when their figleaves are accepted. And the figleaves are not accepted by all voters. The acceptance of figleaves covering blatant racism can explain why Republicans are less likely to take the usage of particular terms as indicators of racism. But at the same time, other white voters—generally Democrats—are emphatically not accepting the fig leaves. Instead, they are appalled by the rise in obviously racist speech, and

---

[24] https://www.washingtonpost.com/news/monkey-cage/wp/2018/08/30/democrats-and-republicans-didnt-use-to-disagree-about-the-n-word-now-they-do/?utm_term=.bf91f00ebd1d

reject the figleaves as transparent efforts to cover for racial hatred. This explains why Democratic voters are moving in the opposite direction. Because fig leaves succeed for some voters and not others, this polarization makes sense. (It is, of course, further enhanced by the ways in which different groups of voters increasingly follow entirely different media (Pariser 2011; Iyengar et. al. 2009), and by the fact that racially resentful voters have increasingly moved from the Democratic to the Republican party (Sides et. al. 2018).)

It might seem that these changes cancel each other out—and if one looks at the overall picture, in fact more people find use of the n-word unacceptable now than in 2006. But it would be a great mistake to be overly reassured by this. It is indeed a very good thing that Democrats are increasingly concerned about racism- and it is clear (as I argued in my 2017) that the blatant racist language facilitated by figleaves has helped to galvanise the anti-Trump resistance in the US. But it is no small matter that nearly half of Republicans think that the n-word is not offensive, and almost two thirds of them think it's acceptable to use it. This means that one of the US's two major political parties is increasingly accepting of what was previously recognized as a paradigm case of racial hate speech.

The worries are enhanced when we consider the growing movement to embrace the label 'racist' (and other similar labels). Steve Bannon, leading figure of white nationalism, said the following at a conference of the National Front in France:

> "Let them call you racists. Let them call you xenophobes. Let them call you nativists"[25]

The idea that one should not be concerned about the label 'racist' undermines not just interpretations of the Norm of Racial Equality, but endorsement of the norm itself. The other moves we have seen allow one to circumvent the norm

---

[25] https://www.washingtonpost.com/world/the-tide-of-history-is-with-us-steve-bannon-delivers-rhetoric-filled-speech-to-frances-national-front/2018/03/10/4f21e016-2480-11e8-946c-9420060cb7bd_story.html?utm_term=.85dc131cd6cf

when certain groups of speakers are let to believe there is nothing racial going on (with dogwhistles), or to defend against worries that maybe what's been said indicates racism (with figleaves). But they left intact the norm that one should avoid being racist. This norm was not nearly as action-guiding as one might like, but it nonetheless meant that some form of subterfuge was necessary, which provided some degree of check on what one could get away with. If 'racist' is embraced, all bets are off. Significantly, Bannon also took the time to suggest embracing the other labels, which (we have seen) might apply more clearly to anti-immigration prejudice where that is not readily seen as racism. He wants to make sure that all of these forms of bigotry become increasingly acceptable.

And yet—even as he does this he provides a tissue-thin figleaf. He does not say 'be racist'. Instead, he says not to worry when others call you 'racist'. This allows him, and any would-be supporter, to argue that he hasn't endorsed racism; he's just saying not to worry about what people call you. This allows him, and any would-be supporter, to still not see the Norm of Racial Equality as violated—even as he directly attacks it.

What is happening, then, to our norms against racist speech? For the moment, mostly, these norms still seem to be in place. Indeed, they are still strongly and widely held. However, they have always been norms with very substantial excuses and get-out clauses built in. Figleaves have allowed Trump (and others on the far right) to make openly racist utterances, and to have them accepted as not racist. This has meant (a) a disturbing shift in what counts as racist; and (b) an increasing habituation to racist utterances. If this continues, one would expect that eventually figleaves may not be necessary, and the Norm of Racial Equality might well be abandoned. This would mean that *being racist* comes to be seen as acceptable. We see signs of this already, in Steve Bannon's utterances, and in the spread of White Nationalism. However, we also see countervailing forces in the strength of the resistance that has mobilized in response to the open racism of the Trump era, and its electoral successes in 2018. We live in an uncertain time, and it is not yet clear where we are headed.

Camp, E. 2018. “Insinuation, Common Ground, and the Conversational Record”, in Fogal, D. , Harris, D., and Moss, M., *New Work on Speech Acts,* New York: Oxford University Press: 40-66.

Fidalgo, Paul. 2015. “Gallup: Record Number of Americans Would Vote for an Atheist President”. < http://edition.cnn.com/2015/06/25/living/atheist-president-gallup/index.html>

Hill, Jane. 2008. *The Everyday Language of White Racism.* Chichester: Wiley-Blackwell.

Horwitz, J. and M. Peffley. 2005. “Playing the Race Card in the Post-Willie Horton Era: The Impact of Racialized Code Words on Support for Punitive Prison Policy”. *The Public Opinion Quarterly* 69: 1, 99-112.

Iyengar, S. and Hahn, K. 2009. "Red Media, Blue Media", _Journal of Communication_ 59: 1, 19-39.

Pariser, E. 2011. *The Filter Bubble.* London: Penguin.

Saul, J. 2017. “Racial Figleaves, the Shifting Boundaries of the Permissible, and the Rise of Donald Trump”, *Philosophical Topics* 45:2, 97-116.

Sides, J., Tesler, M. and Vavreck, L. 2018. *Identity Crisis.* Princeton: Princeton University Press.

Saul, J. 2018. “Dogwhistles, Political Manipulation, and Philosophy of Language”, in Fogal, D. , Harris, D., and Moss, M., *New Work on Speech Acts,* New York: Oxford University Press: 360-383.

Saul, J. Forthcoming. “Immigration in the Brexit Campaign: Protean Dogwhistles and Political Manipulation”, in Carl Fox and Joe Saunders (eds.), *Media Ethics, Free Speech, and the Requirements of Democracy*. London: Routledge.

Mendelberg, T. 2001. *The Race Card: Campaign Strategy, Implicit Messages, and the Norm of Equality,* Princeton" Princeton University Press.

Modood, T. 2001. "'Difference', Cultural Racism and Anti-Racism", in B. Boxil (ed.), *Race and Racism*. Oxford: Oxford University Press: 238-256.

Smith, D. L. 2012. *Less Than Human: Why We Demean, Enslave, and Exterminate Others.* Griffin.

Valentino, N., Neuner, F., and Vandenbroek, L. M. 2018. "The Changing Norms of Political Rhetoric and the End of Racial Priming", *Journal of Politics* 80: 3,.