



## Why are US rightwingers so opposed to a Black woman supreme court nominee?

The right's alarmed reaction to Biden's pledge to nominate a Black woman to the supreme court reveals the conservative siege mentality

Thomas Zimmer

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When Joe Biden publicly pledged to nominate a Black woman to the US supreme court, conservative politicians, activists, and intellectuals certainly didn't try to hide their disdain. The announcement was "offensive," Texas Senator Ted Cruz argued, proof that the President didn't care about 94% of Americans (everyone who is not a Black woman); and even though it's unclear who the candidate will be, Mississippi Senator Roger Wicker already knows he won't support this affirmative action "beneficiary." Tucker Carlson railed against Biden's "casual racism," and the conservative legal establishment also vowed to fight against this "lesser Black woman," as Ilya Shapiro, the vice president of the Cato Institute, put it. Legal scholar Jonathan Turley, finally, bemoaned "exclusionary criteria of race and sex" – which apparently is a problem only if and when they result in the selection of someone who is \*not\* a white man. Let's remember: 115 people have been appointed to the court in its 232-year existence – seven have not been white men. Seven.

This rather alarmed response tells us a lot about how the right views the political conflict, precisely because it is seemingly at odds with the fact that the conservative majority on the court is not in jeopardy. Any assessment of these reactions must start by recognizing their racist and sexist nature. They are revealing precisely because they were so reflexive, so visceral. Misogynoir – anti-Black misogyny - forms the basis of this conservative scorn.

But there is something else on display here too. A Black woman replacing Justice Breyer won't change the court's arithmetic. And yet, conservatives still feel threatened by Biden's announcement because they understand it symbolizes the recognition that having white men dominate the powerful institutions of American life is a problem – and that rectifying this imbalance is an urgent task. They reject the notion that the country's institutions should reflect the composition of the people; they know representation matters, and that a Black woman ascending to a position like this is also an acknowledgment of past injustice.

Conservatives see Biden's announcement as an indication of how powerful the forces of liberalism, “wokeism,” and multiculturalism – those radically “Un-American” ideas that are threatening “real” (read: white Christian patriarchal) America – have already become. In this way, Biden's pledge is perceived as yet more evidence that the Right is on the retreat. It is impossible to understand conservative politics in general without grappling with this pervasive siege mentality.

The fact that a reactionary majority will dominate the supreme court for a generation doesn't do much to alleviate these fears. The Right doesn't look at the Court in isolation, but considers the judiciary as part of an all-encompassing conflict over the fate of America. And conservatives understand clearly that this conflict isn't confined to the political realm, but plays out in all areas of American life: it defines politics, society, culture – and in some of these spheres, conservatives are indeed losing.

The Right is reacting to something real: due to political, cultural, and demographic changes, the country has indeed become less white, less conservative, less Christian. The balance of political power doesn't (yet) reflect that, as the US system has many undemocratic distortions and is deliberately set up in a way that disconnects these changing demographic and cultural realities from political power. But conservatives realize that their vision for American society has come under pressure.

Nothing symbolized this threat to white dominance like Barack Obama's presidency - an outrageous subversion of what reactionaries understand as America's natural order, made worse by the fact that the first Black president managed to get re-elected with less than 40% of the white vote. Republicans are attempting to undermine democracy because they are under no illusion about the lack of majority support for their preferred version of “real” America.

The fact remains that conservatives have secured a stable majority on the supreme court, thereby guaranteeing that the court will support the reactionary political project. But it is not just political power they seek, but cultural domination and affirmation. In the cultural sphere, the shift in power away from white conservatives has been more pronounced, leading to the recurring rightwing moral panics of recent years.

The freak-outs over #MeToo, “cancel culture” and “wokeism” are reactions to the fact that traditionally marginalized groups have indeed gained enough political and cultural influence to make their claims heard and demand a modicum of respect. It has traditionally been the prerogative of a white male elite to determine what is and what is not acceptable in US society. That prerogative has come under fire, and it's not something the judiciary can fully restore.

It's important to note that it's really more the *potential* of losing privilege that is animating these reactionary panics. In practice, the traditional power structures have held up mostly fine. But still, the privileged status of white men has never been under more scrutiny. Put simply, being a member of the white male elite is slightly less comfortable today than it used to be.

Against this broader background, conservatives understand Biden's announcement as evidence that the dreaded forces responsible for the general assault on white male rule keep ascending within America's institutions. Whether or not it has any immediate effect on the supreme court's decisions, for a movement centered around the idea that America is a white Christian patriarchal nation, a place where white Christian men have a Right to dominate, a Black woman rising remains a threat.

President Biden's public pledge to nominate a Black woman to the supreme court represents an affirmation of multiracial pluralism. That's why it matters. It's an acknowledgment that the traditional dominance of white men was never the result of meritocratic structures, but of a discriminatory system, and that it's time to dismantle that system. It will help redefine what the American political, social, and cultural elite looks like – reshaping ideas in the collective imaginary of the nation of who gets to be at the top. As multiracial, pluralistic democracy is under assault, that matters a lot.