TITLE: “A Resolution of Christian Witness in support of Educators and encouraging healthy dialogue around elimination of racism”

SOURCE: “Proposed by the First Parish Church of Dover’s Racial Justice and Healing Team and the Church Council by vote of the Council on August 17, 2021

Co-Sponsored by the Racial Justice Team of the NH Conference UCC
Co-Sponsored by the Team for Peace and Justice of Pilgrim UCC, Breantwood-Kingston
Co-Sponsored by Meriden Congregational Church, UCC

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SUMMARY: New Hampshire joined a group of states around the country which considered and passed legislation addressing “divisive concepts,” “Critical Race Theory”, and training that might make people feel “uncomfortable.” The language that was signed into law in HB2 and attached to the state budget was significantly revised, but has left much confusion about how racism should be addressed in educational and employment situations. The law threatens the licenses of teachers if they mis-step, but does not provide clear guidance. The result is that the law claims it is against any discrimination, and yet censors education about historical and current realities in ways that are discriminatory. School systems and employers trying to address how racism has been embedded in our culture will be under increasing risk and will be less likely to address topics critical to the well-being of our culture.

Further, the discussion of racism has become distorted in the public square, particularly with regards to critical race theory. This resolution calls on congregations to educate themselves and to offer community leadership in clarifying language and concepts related to the perpetuation of racism and other forms of prejudice.

BACKGROUND STATEMENT:

The NH Conference of the United Church of Christ and the General Synod of the United Church of Christ have a long and rich history in advocating for the elimination of racism. In 2018, the NH Conference adopted a: “Resolution of Christian Witness in Support of NH Conference UCC Congregations Awakening to Racial Justice.”

General Synod adopted 11 resolutions, statements and pronouncements denouncing racism between 1963-2003, including the pronouncement to be a Multi-Racial and Multicultural
Church in 1993. Some other key resolutions in this area include the commitment to become an Anti-Racism Church in 2003, “Dismantling the New Jim Crow” (General Synod 30, 2015), and “A Call for Study on Reparations for Slavery” (General Synod 23, 2001). In 2021, General Synod adopted resolutions to address Racism as a Public Health Crisis and to Affirm the United Nations Decade Recognizing People of African Descent.

During the 2021 NH Legislative Session, HB544 was introduced – a bill that would have prohibited the use of “divisive concepts” by any recipients of state funds including state employers, educational institutions, and even state contractors such as Mental Health Agencies. HB544 advocated for eliminating discrimination in the state by restricting education that would make people feel “uncomfortable, anguished, or guilt” on account of their race or gender and further outlawed training or education by organization using any state funds that included:

“Race or sex scapegoating” which was defined as assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex. It similarly encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.”

The language in this bill closely reflected that of an Executive Order issued by former President Donald Trump on September 21 2020 that directed all agencies to begin to identify contracts or other agency spending on trainings that include “critical race theory,” “white privilege,” or “un-American propaganda,” in an effort to ensure “fair and equal treatment of all individuals in the United States.” The executive order was challenged successfully in the courts and rescinded by President Biden.

However, the same language was introduced in many state houses in 2021 with legislation adopted or under consideration in 15 states using almost identical language to the overturned Executive Order.

HB544 was tabled in the NH State House after it was protested by many groups around the state including the Chamber of Commerce, the Business Industry Association, School Boards, Teacher Associations, and over 250 NH Businesses, Nonprofits and Educational institutions.

After it was tabled, language was added to the budget resolution titled “Right to Freedom from Discrimination in Public Workplaces and Education.” The adopted language prohibits schools and state employers:

“from teaching that one identified group (a group based upon: age, sex, gender identity, sexual orientation, race, creed, color, marital status, familial status, mental or physical disability, religion or national origin) is:
· Inherently superior or inferior to people of another identified group;
· Inherently racist, sexist, or oppressive, whether consciously or unconsciously;
· Should be discriminated against or receive adverse treatment; or
· Should not treat members of other identified groups equally.”
The Governor, in explaining why he signed the legislation, commented: “The only thing that this amendment prohibits is discrimination, and racism and sexism in the classroom. That’s it,” Sununu said. “I think discrimination and racism is pretty darn simple, actually. It’s either there or it isn’t.”

Police associations, Teacher Associations and School Boards do not find the issue “simple” however and have been seeking much more clarification particularly as the legislation threatens the licenses of teachers who violate the policy.

Guidance issued from the Attorney General’s office tries to assure readers:

“Nothing prohibits the teaching of historical subjects including, but not limited to: slavery, treatment of the Native American population, Jim Crow laws, segregation, treatment of women, treatment of LGBTQ+ people, treatment of people with disabilities, treatment of people based on their religion, or the Civil Rights movement. Nor does anything prohibit discussions related to current events including, but not limited to: the Black Lives Matter movement, efforts to promote equality and inclusion, or other contemporary events that impact certain identified groups.”  

Please refer to the “Additional Resources” section for more details about proposed legislation and the definition of terms.

Rationale

Whereas in Genesis 1:26, 27 God said, “Let us bring forth humanity in our image, according to our likeness...so God created humankind in [God’s] image, in the image of God [God] created them; male and female [God] created them,” and there is nothing in our foundational understanding of humanity created by God that excludes any human being from being made in the image of God, and there is no reference to skin color; (2018 Resolution)

Whereas in Galatians 3:27-28 Paul writes: “As many of you as were baptized into Christ have clothed yourselves with Christ. There is no longer Jew or Gentile; there is no longer slave or free; there is no longer male and female; for all of you are one in Christ Jesus;” (2018 Resolution)

Whereas the second commandment in the Gospels (Matthew 22:39, Mark 12:31, Luke 10:27) is “Love your neighbor as yourself,” and throughout the Hebrew Scriptures and New Testament, there are numerous verses about loving others, and none of these verses consider
anyone made in the image of God as “The Other,” and othering is never promoted by the Scriptures; (2018 Resolution)

Whereas the New Hampshire Conference and many of its congregations have committed themselves to be anti-racist and to advocate for the elimination of racism within itself and in society;

Whereas racism not only consists of prejudicial acts by individuals but also the embedding prejudice and discrimination into cultural structures, practices, institutions and laws;

Whereas such institutional racism has led to health disparities for People of African Descent, Indigenous Peoples, and other People of Color; disparities which remain at unacceptable rates and breadth—as evidenced by lower life expectancy, higher infant and maternal mortality, poorer treatment for pain, cancer, cardiovascular conditions, mental health and end-of-life care, and inadequate access to and quality of health care, among many others; (2021 General Synod resolution of Racism as a Public Health Crisis)

Whereas the COVID-19 pandemic has further highlighted the devastating reality of these racial health disparities and the social and political conditions that created them; as structural racism has been proven to be a barrier to COVID-19 treatment and prevention; as Black, Indigenous, and Latinx communities have a COVID-19 mortality rate of more than 2.7 times the rate of People of European Decent; as the Navajo Nation’s infection rate has been the highest in the country; as disparities in economic stability and health care access have been linked to infection rates and death; as Communities of Color are more likely to live in multigenerational homes; as workers of African Descent are more likely to be in jobs deemed essential; and as one in five state and federal prisoners had COVID-19; (2021 General Synod resolution of Racism as a Public Health Crisis)

Whereas the New Hampshire State Legislature added language to the 2021 budget resolution that will challenge the ability of educators and employers to fully address the realities of how racism has become embedded in our institutions, practices, laws, and curricula;

Whereas the language attached to the 2021 budget resolution and signed into law is based on the Divisive Concepts regulations which define full exploration of the history and current realities of institutional racism as “unpatriotic” and “racist against white people;”

Whereas the language adopted is vague and in places contradictory and leaves school systems and teachers at risk for legal challenges and the loss of credentials for teaching concepts that are important to the well-being of our communities and thus will undermine efforts to eliminate racism;
Therefore be it resolved, that the New Hampshire Conference of the United Church of Christ urges the NH Legislature and Governor to repeal the “Right to Freedom from Discrimination in Public Workplaces and Education” resolution attached to the 2021 Budget and urges its members to advocate for such an appeal;

Be it further resolved that the Conference will continue to develop resources for worship and faith formation to support Congregations in teaching the history and current realities about systemic and institutional racism particularly during this time when the telling of such are threatened to be erased from public education settings;

Be it further resolved that the Conference urges its congregations to educate themselves about the movement towards “Divisive Concept” legislation being proposed in New Hampshire and other states so that they can better advocate for anti-racism positions;

Be it further resolved that the Conference seeks ways to support educators charged with teaching students both in public schools and public employee training about all the ways that racism is active in our midst; and that the Conference would encourage its congregations to do the same in their local communities;

Be it further resolved that the Conference encourage its congregations to be anti-racist and to continue to speak out publicly about the impact of racism in all its forms including institutional racism;

Be it further resolved that the Conference watch for opportunities to support legal actions to overturn such legislation that continues the long legacy of racism embedded in our legal structures; and that the Conference makes its churches aware of opportunities to do the same;

Be it further resolved that the Conference recognizes that “divisive issues” legislation such as HB544 may also be used to prevent discussion and education with regards to gender related issues and that the impact of this legislation needs to be further explored with regards to our commitments against sexism and in support of the LBGTQIA+ community, and

Be it finally resolved that the Conference re-commits itself to its resolution to support Congregational Awakening to Racial Justice and to encourage its congregations to do the important work of becoming Racial Justice Congregations.

Resolution Resources

Definitions:
Discrimination
The denial of justice and fair treatment by both individuals and institutions in many areas, including employment, education, housing, banking and political rights. Discrimination is an action that can follow prejudicial thinking. (Let’s Talk about White Privilege)

Erasure
The act of denying or refusing to acknowledge that people’s race and people’s lived experience in America because of their race differs. This is reflected in statements like, “I don’t see race,” “I’m colorblind,” “We are all equal,” and “But we’re all just one human race.” (Let’s Talk about White Privilege)

Implicit Bias
The unconscious attitudes, stereotypes, and unintentional actions (positive or negative) towards members of a group merely because of their membership in that group. These associations develop over the course of a lifetime through exposure to direct and indirect messages. When people are acting out of their implicit bias, they are not even aware that their actions are biased. In fact, those biases may be in direct conflict with a person’s explicit beliefs and values. (Let’s Talk about White Privilege)

Microaggressions
Microaggressions are commonplace comments or actions that are subtly hostile or demeaning to a member of a minoritized or marginalized group. They may be intentional or unintentional. Microaggressions consist of microinsults, microassaults, and microinvalidations. Microinsults are “[often unconscious] behavioral/verbal remarks or comments that convey rudeness, insensitivity, and demean a person’s racial heritage or identity … [e.g., ‘How did you get your job?’]”. Microassaults are “[often conscious] explicit racial derogations characterized primarily by a violent verbal or nonverbal attack meant to hurt the intended victim through name-calling, avoidant behavior or purposeful discriminatory actions” (e.g., displaying racial symbols and using blatantly racist language). Microinvalidations are “[often unconscious] verbal comments or behaviors that exclude, negate, or nullify the psychological thoughts, feelings, or experiential reality of a person of color … [(e.g., “I don’t see color’, ‘We are all human beings’, ‘Don’t be so oversensitive’) (from Racial microaggressions in everyday Life: Implications for clinical practice by Wing Sue et al., 2007 in American Psychologist, Vol 62, No. 4, page 271-286).

Prejudice
Prejudging or making a decision about a person or group of people without knowledge. Prejudicial thinking is frequently based on stereotypes. (Let’s Talk about White Privilege)

Stereotype
An oversimplified generalization about a person or group of people without regard for individual differences. Even seemingly positive stereotypes that link a person or group to a specific positive trait can have negative consequences. (Let’s Talk about White Privilege)

Racism
Power + Prejudice = Racism. Racism describes the result of prejudicial attitudes being combined with the power to dominate and control the systems and institutions capable of carrying out discriminatory practices. In other words, racism results from access to the power to enforce prejudices so as to advantage one racial group. *(Let’s Talk about White Privilege)*

**White Fragility**

The defensiveness and avoidance that arise for white people when facing even a minimum amount of racial stress. The feelings can be so uncomfortable that white people distance themselves from engaging or actively shut down conversations about race. It may surface as the outward display of emotions such as anger, fear, and guilt, and behaviors such as argumentation, silence, and leaving the stress-inducing situation. *(Let’s Talk about White Privilege)*

**White Privilege**

The term for the way people and social institutions grant social privileges that benefit white people beyond what is commonly experienced by people of color under the same social, political, or economic circumstances. White privilege is not something that white people necessarily do, create, or enjoy on purpose. It refers more to the phenomenon that social systems award preference based on the presumptions of white as norm. *(Let’s Talk about White Privilege)*

*Above Definitions assembled and adapted from the work of the Anti-Defamation League, Southern Poverty Law Center, Robin DiAngelo, and White Privilege: Let’s Talk*

**Systemic Racism:**

The policies and practices that exist throughout a whole society or organization, and that result in and support a continued unfair advantage to some people and unfair or harmful treatment of others based on race. *(from https://dictionary.cambridge.org/dictionary/english)*

**Institutional Racism:**

The policies, rules, practices, etc. that are a usual part of the way an organization works, and that result in and support a continued unfair advantage to some people and unfair or harmful treatment of others based on race. *(from https://dictionary.cambridge.org/dictionary/english)*

**Structural Racism:**

The laws, rules, or official policies in a society that result in and support a continued unfair advantage to some people and unfair or harmful treatment of others based on race. *(from https://dictionary.cambridge.org/dictionary/english)*

**Critical Race Theory** – intellectual movement and loosely organized framework of legal analysis based on the premise that race is not a natural, biologically grounded feature of physically distinct subgroups of human beings but a socially constructed (culturally invented) category
that is used to oppress and exploit people of color. Critical race theorists hold that the law and legal institutions in the United States are inherently racist insofar as they function to create and maintain social, economic, and political inequalities between whites and nonwhites, especially African Americans.

Critical Race Theory’s (CRT) earliest origins can be traced back to the 1970’s and has evolved as an intellectual movement over the years. There are basic premises to CRT: 1) There is no biological or genetic reality that corresponds to race; race is a socially constructed (culturally invented) category used to justify oppression and exploitation of people of color. 2) Racism in the United States is the norm, not an aberration. It is the common experience of most people of color. 3) Legal advances and setbacks of equality tend to serve the economic and partisan interests of dominant white groups. 4) People of color have attributed to them varying negative stereotypes depending on the self-interests and fragility of “white centeredness.” 5) “Voices of Color” thesis holds that people of color are uniquely qualified to speak about the forms and effects of racism. (See https://www.britannica.com/topic/critical-race-theory)

Ways the term “Critical Race Theory” is now being misused in public discussion:

To an extent, the term “critical race theory” is now cited as the basis of all diversity and inclusion efforts regardless of how much it’s actually informed those programs. One conservative organization, the Heritage Foundation, recently attributed a whole host of issues to CRT, including the 2020 Black Lives Matter protests, LGBTQ clubs in schools, diversity training in federal agencies and organizations, California’s recent ethnic studies model curriculum, the free-speech debate on college campuses, and alternatives to exclusionary discipline—such as the Promise program in Broward County, Fla. that some parents blame for the Parkland school shootings. “When followed to its logical conclusion, CRT is destructive and rejects the fundamental ideas on which our constitutional republic is based,” the organization claimed.

Some critics claim that the theory advocates discriminating against white people in order to achieve equity. They mainly aim those accusations at theorists who advocate for policies that explicitly take race into account. (The writer Ibram X. Kendi, whose recent popular book How to Be An Antiracist suggests that discrimination that creates equity can be considered anti-racist, is often cited in this context.)

False information describing Critical Race Theory, including naming it as a Marxist Doctrine (see President Trump speech at the National Archives, 9/10/20) has only served to stir up virulent negative reactions to any discussion of race and the harmful impact of racism upon people of color. (See https://www.edweek.org/leadership/what-is-critical-race-theory-and-why-is-it-under-attack/2021/05)

Divisive Concepts – as defined in HB544

“Divisive concept” means the concept that:

(a) One race or sex is inherently superior to another race or sex;
(b) The state of New Hampshire or the United States is fundamentally racist or sexist;
(c) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(d) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex;

(e) Members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(f) An individual’s moral character is necessarily determined by his or her race or sex;

(g) An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(h) Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or

(i) Meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race.

(j) The term “divisive concepts” includes any other form of race or sex stereotyping or any other form of race or sex scapegoating.

III. “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex.

IV. “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex. It similarly encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.