“These are times that try men’s souls,” wrote Thomas Paine in 1776 in his essay, “The Crisis.” Paine wanted to rally the colonists to win independence from Britain. The odds were long, but the cause was just. America had embarked on a revolutionary war, justified according to the principles published before humanity in The Declaration of Independence.

We, too, live in times that “try men’s souls.” As cities burn, protests flare into riots, entire institutions are questioned or derogated, parts of major cities are occupied and become no-go zones, and as many deem “the American experiment” (in George Washington’s words) to have failed in light of racism and other injustices, we, too, face a revolution. This revolution is about the ideological cancelation of the American system. It reaches far deeper than political parties and antipathy toward politicians. I will write of America and our crisis, not about partisan politics or political personalities. I aim for principle and I appeal to history.

At the root of this alternative vision for America, in many cases, is critical theory, which can become a catch-all phrase. The ideas I discuss are also associated with being “woke” and with “social justice.” But the essential idea is that this school of thought works to identify patterns of structural oppression and to liberate oppressed groups. Before thinking critically about critical theory, let us consider a few salient principles of the American system, which have fallen into oblivion for those ignorant of civics and American history. This will be my point of reference for critiquing critical theory.

**American Ideals**

The Declaration of Independence, written by Thomas Jefferson, is the “why” of America, stipulating the basis and principles of civil government. It reads, in part:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.

We are a nation founded by intellectuals, who publically argued for their vision in *The Federalist Papers* (1787). These thinkers, realizing the portentous possibilities of a new nation, reflected long and deep on the principles animating previous nations and empires, whether Greek, Roman, or Hebrew. The Constitutional Convention (1787) gave us a republic, a system of ordered liberty under law. While the Constitution does not mention God, it is historically based on the Declaration of Independence, which says our rights are given to us by God. The Constitution was not meant to operate in abstraction from this basis.

The Constitution is the “how” of America, which stipulates a federal system of power shared by three branches — executive, judicial, and legislative — as well as laying out the power shared between the federal government and the governments of the states. This document allows for amendment, and this year we celebrate the centenary of the 19th Amendment, which extended the franchise to women. The very first amendment is one of the most significant political statements ever penned. Its five freedoms should be etched on our minds and hearts.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.
Americans were thus given, in principle, the opportunity to govern themselves through free worship, rational discourse, peaceable assembly, and political participation. Of course, the Constitution allowed for slavery, but this was a compromise between the north and the south, broadly speaking. Moreover, the Constitution does not authorize slavery and makes no explicit mention of race. It left the matter to the states. The 13th amendment abolished slavery in 1865, but not without the Civil War, which Blaise Pascal said is the worst kind of war. Yet, under Abraham Lincoln, the Union prevailed and slavery ended. America was not balkanized, even though it cost Lincoln, and 620,000 others, their lives.

The genius of the American system even allows for an amendment of an amendment. The 21st Amendment repealed what the 19th Amendment that established — the prohibition of alcohol. This time, it did not take a civil war.

Another profound distinctive of our Constitution is that it affirms individual rights; it does not see society as primarily made up of groups apart from people being American citizens. In this, it could not be more unlike critical theory. The Declaration likewise affirms that “all men” have been given by God “certain inalienable rights.” Although not stated explicitly, this appeals to human beings as being made in God’s image and likeness, as Genesis, chapter one teaches. All men bear these rights simply by being human, not because of their gender, economic status, or ethnic background.

However, the American vision is not individualistic to a fault, but rather based on a covenantal model of collective purpose and responsibility. Consider the preamble to the Constitution:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

It is “we the people” who “do ordain and establish this Constitution,” not “we the autonomous individuals…” The great seal of the United States contains the Latin phrase, E pluribus unum, which means, “out of many, one.” And while the Constitution stipulates representative government, it never assumes that the voice of the people is the voice of God, populism to the contrary.

Thus, our Constitution allows for social change through lawful means. The Supreme Court, whose charge it is to interpret the Constitution with respect to particular cases, can make landmark decisions granting rights to citizens, such as Brown vs. Board of Education (1954), which deemed racial segregation in public schools unconstitutional. It can also make terrible mistakes, such as the Dred Scott decision of 1857, in which the court ruled 7-2 that a former slave residing in a free northern state did not have a right to be free and that he remained chattel property. Many of us take Roe v. Wade (1973) to be another colossal injustice in the history of human rights. Yet real progress in law is possible.

The legislative branch makes possible broad reform as well. Consider two crowning achievements of the civil right movement: (1) The Civil Rights Act of 1964 which banned public segregation on the grounds of race, religion, or national origin. (2) The Voting Rights Act of 1965 was intended to overcome legal barriers that prevented African Americans from freely voting. America can reform itself according to its founding principles.

But law alone does not make for a free, just, and prosperous republic. As Os Guinness has argued in Last Call for Liberty, American freedom is not a free lunch. Having been won, it must be preserved. Freedom requires a virtuous citizenry; and virtue, at the deepest levels, requires faith or the conviction that there is an ultimate and transcendent moral order to which one and one’s nation are accountable. Guinness calls freedom, faith, and virtue “the golden triangle” needed to sustain liberty. As Thomas Jefferson (no orthodox Christian), said: “I tremble for my country when I reflect that God is just; that his justice cannot sleep forever.” We, too, should tremble — on our knees and as we work for preserving the good and reforming the bad.

Unlike the vision of the French Revolution (1789), the American Revolution and its founding documents reveal no aspiration for utopia and are not based on class antagonisms. Even if some considered America as inaugurating “a new order of the ages;” this new order was a government made for men, not for angels. As Alexander Hamilton said in Federalist 51:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

Men are not angels; sometimes they act like demons. Racial prejudice did not automatically cease when the law of the land changed for the better. Hearts may change more slowly than laws. Jim Crow lived after Emancipation.
rightly theirs. To Marxists, the economy is a zero-sum game. My gain is your loss. The rich are rich because the poor are poor. While economic exploitation is a sad fact of life (and often condemned by the Hebrew prophets), this is simply untrue as a rule for market economies, which are more open ended, as shown by George Guilder’s, *Wealth and Poverty.*

But if critical theory is rooted in Marxism, it must be rotten at its source.

For Marxists, the answer to this unjust system is not reform — since the system is intrinsically unjust — but revolution. Marx and Engels end their *Communist Manifesto* (1848) with these ringing words: “Workers of the world unite. You have nothing to lose but your chains.” Marx wrote that the bourgeois must be “swept way and made impossible.” These workers can rise above their oppression and see beyond “the false consciousness” of the bourgeoisie whose views are hopelessly mired in their self-interest and are thus merely “ideological.” Thus, the thinking and morality of a whole “economic class” can be written off as self-serving and deeply wrong.

Marxism, whether Soviet-style (Lenin and Stalin) or Chinese-style (Mao Zedong) or Cambodian style (Pol Pot), was responsible for well over one hundred million deaths in the Twentieth Century — that bloodiest of all centuries relative to governments killing their own people who threatened state orthodoxy. In 1999, *The Black Book of Communism* was published, detailing the state-sponsored, Marxist carnage. The great Russian novelist, Alexander Solzhenitsyn, had been right all along. A philosophy that grants individuals no intrinsic rights can use humans as means to its unachievable ends.

Given its bloody and oppressive past, Marxism lost much of its appeal when its horrendous track record was finally unmasked. The violent revolutions and their oppressive aftereffects in Russia, China, and Cambodia were bad press and intellectuals despaired of a violent revolution happening in America. Something new was needed. Enter cultural Marxism. Some socialists, while retaining basic Marxist assumptions, abandoned violent revolution as the means to overthrow the capitalist order. Instead, they advocated a “long march through the institutions,” to quote a leading thinker, Antonio Gramsci. The revolution would be carried out by other means — the infiltration of well-established organizations, particularly the university.

Study after study now shows that professors at universities are far more liberal than the general population. Not a few are radically anti-American.

The leading thinkers of critical theory were known as the Frankfurt School. Herbert Marcuse, Eric Fromm, Max Horkheimer, Theodore Adorno, were all Germans...
and taught at The Institute for Social Research. All were influenced by Marx, but took his thinking in new directions. To simplify, instead of making economic class the basic category of analysis, they extended their critique of capitalist society to matters of race and culture. Marcuse was especially influential on “the new left” of the counterculture and combined Marxism with concepts from Freudian psychology. This was taken by some to deepen the analysis of the decadence of the West and open more doors to revolutionary change.

Those influenced by the Frankfurt School and other Marxists eventually stopped rioting in the streets. Instead, they got doctorates, professorships, research grants, and become “tenured radicals.” Instead of bringing down “the system,” these culture warriors would work within it, while never abandoning their vision for making America-qu,a-America extinct.

Consider Angela Davis, who studied with neo-Marxist thinker, Herbert Marcuse, and sided with the militaristic Black Panthers. She was accused of murder in 1970 and fled arrest. After being abducted, her case was made a cause célèbre. She was later acquitted and had a long career in the academic world and was recently lionized in Time by a leading thinker on race, Ibram X. Kendi, author of the best-seller, How to Be an Anti-racist. Countless millennials and older have been educated at secular colleges and universities by these tenured (or non-tenured) radicals. Of course, those with a similar vision became influencers as journalists, teachers, lawyers, politicians, and doctors.

Applying Critical Theory

How does this heady brew relate to our crisis and the ideals of America? Critical theory, like Marxism, sees societies as fundamentally made up of power struggles among various groups. But critical theory considers more than economic class as determining power. Race, gender, sexual orientation, and other aspects of identity are determinative as well. In this, it is similar to or an extension of some postmodernist thinking. There are the privileged, who, as a class, have wrongfully gained power over the underprivileged. They hold a disproportionate amount of the wealth and influence and see themselves as the rightful guardians of proper society. Even if they do not see themselves this way, they are part of the oppressive system that must be overthrown. Today in America, white, heterosexual males are taken to be the elite of the oppressors. All whites partake in “white privilege,” which is tantamount to the older Marxist idea of decadent bourgeois power.

This view is sometime called identity politics. You are defined by your group or intersection of your groups (intersectionality). You are either in or out of power, and society is reducible to power relationships, as French existentialist Michel Foucault taught. If you are in power, you are privileged and undeserving. If you are out of power, you are underprivileged and entitled. Those in power are automatically discredited in their discourse because of their status as privileged. On this view, those out of power are automatically legitimated in their discourse, since they are the victims, who must overcome their oppression.

The views of the underprivileged are immune from criticism and are unfalsifiable because the privileged suffer from false consciousness. The best-seller, White Fragility, by Robin J. DeAngelo, claims that all whites are racists and that no evidence counts in favor of the opposite. This claim then becomes unfalsifiable. This posture is no virtue for any theory, since it becomes impervious to counter-evidence and thus cannot be rationally defended. It begs the question in its own favor and then dismisses criticisms as necessarily based on bad motives (read: false consciousness).

For critical theory, the underprivileged can make demands, but they need not make arguments, since the whole system, including basic rationality, is rigged against them. They are above the law, since the law is the product of privilege and false consciousness. Thus, violent protests may be taken as legitimate. Dialogue is pointless. Speaking truth to power is not the point, since those in power cannot understand. Spitting, shouting (and shooting) at power works better. Rioting may be the loudest and most effective language of all as intimidation trumps discourse.

American Ideals and Critical Theory

Those animated by critical theory are operating essentially outside the American ideals that I have articulated. I am not claiming that everything about critical theory is
wrong. It does address some real problems of unfairness between groups. However, it typically does so in the wrong way. Instead of working to reform the American system according to its highest ideals and its founding documents, many animated by critical theory are burning flags, torching buildings, creating autonomous zones, issuing blanket condemnations about “systemic racism,” making outrageous demands, and denouncing America as such as oppressive. Those not marching may still be scheming. But there is a better way.

The black civil rights heroes, Martin Luther King and John Lewis loved America, despite its sin. Lewis declared that he loved American so much that he would die for it. Martin Luther King, Jr., wanted to hold America accountable to its creed. Just read or listen to his “I Have a Dream Speech” if you don’t believe me. And Dr. King did die for his country. King and Lewis saw in America a potential for reform, renewal, and greatness. And some of that greatness was realized through their leadership. A country that once enslaved blacks, elected a black President for two terms. John Lewis served in Congress for thirty years until his recent death. There is much more to be done to make America freer and better; but it should not be at the expense of dissolving the vital elements of the American experiment in ordered liberty.

While the First Amendment guarantees us freedom of speech and the press, critical theory claims that entire groups of people have nothing constructive to say, since they suffer from false consciousness. Some, following Marcuse, want to censure some viewpoints, since they are irredeemably poisonous. “Tolerance” in these cases would be “repressive.” Once again, “Error has no rights,” but now it is not the medieval church saying this to squelch heretics, but the political vanguard saying it to silence adversaries.

What the revolutionaries desire in place of the status quo is not clear beyond vague statements about “social justice.” Instead of laboring to apply the best of the American system to the worst of our current crisis, they want tear it down and start over — much like the French Revolution, which eventuated in “the reign of terror.” Even those less violent seek to replace the American system with something other than and less than what it is.

While America is exceptional in its origin and remarkable in its genius for self-correction without dissolution, it is not a chosen nation — although Abraham Lincoln called it “an almost chosen nation.” Nor is it exempt from the judgments of Providence. It has no “manifest destiny” as a redeemer nation. Yet, Jesus’ statement to individuals applies to America as well, “To whom much is given, much is required” (Luke 12:48). Lincoln could say that America was “the last best hope of man on earth.”

America’s deepest flaws are best treated by American means — the rule of law and the exercise of the five freedoms of the First Amendment by its citizens. But these freedoms are not magically applied to every facet of American life. They are rights, but they do not come cheap. Nor are they the property of any one political party, but, rather, belong to all Americans.

The First Amendment freedoms of speech, press, and assembly give critical theory a chance to win the day. America allows for its own demise, and no nation has eternal security. “This too shall pass” is written over the proudest monuments in the City of Man. But to side with critical theory — however noble it sounds, no matter how alluring its ends, no matter how loudly it is shouted — is to declare the American experiment a failure. That is no small thing, and I, for one, will not do it.

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3There are numerous rights listed in the Constitution and Bill of Rights in addition to the five freedoms of the First Amendment, including the right to bear arms, due process, speedy and public trial, protection from unreasonable searches and seizures, and more.


6This is written in Latin, *Novus Ordo Seclorum*, on the Great Seal of the United States and appears on the one dollar bill.


10Marxism reifies the notion of “economic class,” making it more determinative of thought and actions than it actually is. Our identity goes far beyond our income or wealth (or race or gender). Moreover, those of similar income and wealth may have vastly different perspectives and interests.


