2001

Our Chosen Frequency: Norms, Race, and Transcendence in Ralph Ellison's Cadillac Flambe

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OUR CHOSEN FREQUENCY: NORMS, RACE, AND TRANSCENDENCE IN RALPH ELLISON'S CADILLAC FLAMBÉ

ARThUR G. LeFRANCOIS*

"They had a little church back there and they would sing the most beautiful gospel music," she said. "And their way of life, I think they were happier than the white people. Because nothing worried them, you know?"1

In this brief essay, I examine Ralph Ellison's Cadillac Flambé2 as a means to talk about the intersection between norms3 and race.4 Such a story

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1. Kate Julian, Before Selma, LINGUA FRANCA, Nov. 2001, at 20, 22 (reviewing REMEMBERING JIM CROW: AFRICAN AMERICANS TELL ABOUT LIFE IN THE SEGREGATED SOUTH (William H. Chafe et al. eds., 2001)) (quoting a ninety-one-year-old white woman who was raised on a plantation surrounded by tenant farmers).

2. Ralph Ellison, Cadillac Flambé, 16 AM. REV. 249 (1973) [hereinafter Cadillac Flambé]. The story told in Cadillac Flambé surfaces in other Ellison stories. See, e.g., Ralph Ellison, It Always Breaks Out, 30 PARTISAN REV. 13 (1963); RALPH ELLISON, JUNETEENTH (John F. Callahan ed., 1999) [hereinafter JUNETEENTH]. Some of its characters also surface elsewhere in Ellison's work. My discussion of the story and its characters depends almost exclusively on its Cadillac Flambé version. As a result, I do not attend to matters such as the racial ambiguity of Senator Sunraider.

3. I mean by “norms” beliefs or attitudes that one uses to guide one’s own conduct or to evaluate the conduct of others. Cf. Cass R. Sunstein, Social Norms and Social Rules, in CHICAGO LECTURES IN LAW AND ECONOMICS 135, 143 (Eric A. Posner ed., 2000) (defining norms “very roughly” as “social attitudes of approval and disapproval, specifying what ought to be done and what ought not to be done”).

4. If Ellison made anything clear in his writing about his writing, it is that he saw it as complex, and not reducible to race. “I believe the picture presented in Invisible Man . . . transcends . . . mere racial experience. . . . [I]t says something about the experience of being an American and . . . this includes all Americans, white or black.” Letter from Ellison to Sydney Spiegel, Dec. 13, 1959, in Ralph Ellison, “American Culture Is a Whole,” NEW REPUBLIC, Mar. 1, 1999, at 34, 40 [hereinafter American Culture] (unpublished letters of Ellison with introduction by John F. Callahan).

Ellison made similar claims about American society. “I view my people as American and not African, and while our experience differs in unique ways from that of white Americans, it is never absolutely at variance with the dominant American mode. Diversity
could have been written as a way of inquiring into, or editorializing about, the relation of law and race. After all, a signal figure in the story is a United States Senator, and it is his official conduct that provides the setting for the story’s action and meaning. But the story is about law, if at all, only incidentally.

Ellison was interested in the ideas of norms and laws as constricting choice, and in the distinction between the two. Of black American experience he says, “Our social mobility was strictly, and violently, limited—and in a way that neither our Christianity nor belief in the principles of the Constitution could change. As the sociologists say, we were indeed disadvantaged, both by law and by custom.”

Ellison told a story linking the ideas of norms and law. When he was a boy, a black Episcopalian priest was told the local library was segregated, and that he had to leave. After some research, it was discovered that there was no “ordinance” banning African Americans from the library. Instead, the practice “was just a custom.” All the same, this was all that was needed for a “black” library to spring up, and for Ellison to take full advantage of it. Norm—as reflected in custom—could trump law. This could have good effects. It was Ellison’s belief, for example, that segregation ended as “easily” as it did in Oklahoma because the state lacked the “social structures” to support it more robustly.

within unity is the confounding reality.” Letter from Ellison to Stanley Edgar Hyman, May 29, 1970. id. at 41. More firmly, he writes, “[T]here’s a hell of a lot more to our predicament than race.” Letter from Ellison to James Randolph, May 2, 1982. id. at 46.

African-American writers, Ellison said, have too often “been in such haste to express our anger and our pain as to allow the single tree of race to obscure our view of the magic forest of art.” Steve Cannon et al., A Very Stern Discipline: An Interview with Ralph Ellison, in CONVERSATIONS WITH RALPH ELLISON 109, 112 (Maryemma Graham & Amritjit Singh eds., 1995) [hereinafter CONVERSATIONS].

5. John Hersey, “A Completion of Personality”: A Talk with Ralph Ellison, in CONVERSATIONS, supra note 4, at 272, 288-89 [hereinafter Completion of Personality].

6. Hollie L. West, Ellison: Exploring the Life of a Not So Visible Man, in CONVERSATIONS, supra note 4, at 235, 257 [hereinafter Exploring the Life].

7. Id.

8. Id. This example might more precisely be described as norms re-shaping law, rather than trumping it as in the case of library segregation.

As for Oklahoma and segregation, it wasn’t as though the state’s fathers didn’t try. Oklahoma’s efforts toward statehood nearly foundered on the issue of segregated railroad cars and waiting rooms. The question was never about the merits of segregation; it was simply whether such aspects of it should be constitutionalized. Fearing President Roosevelt would not sign the statehood proclamation if such a provision were made part of the state
Another example of the norm/law intersection was Ellison's mother Ida's persistent violations of a segregationist housing ordinance in Oklahoma City. She was jailed repeatedly until, fearing for Ellison's brother, who had beaten up one of the white housing inspectors, she ended her protests. The idea was that moral values can supercede legal values (hence her repeated, knowing violations of law), even if, for prudential reasons, the power of law triumphed in the end. *Cadillac Flambé* exploits the norm/law distinction and focuses on the interplay between norms and race.

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The storyline seems simple enough. LeeWillie Minifees, a black musician, is traveling from Chattanooga, where he's played several engagements, back home to Harlem. He's driving his fine new Cadillac. Outside Richmond, he hears on the car's radio Senator Sunraider, in the course of an appropriations hearing, complaining that black ownership of

constitution, the members of the state constitutional convention resolved to recommend legislation to the same effect. See PROCEEDINGS OF THE CONSTITUTIONAL CONVENTION OF THE PROPOSED STATE OF OKLAHOMA HELD AT GUTHRIE, OKLAHOMA, NOVEMBER 20, 1906 TO NOVEMBER 16, 1907, at 21, 56-57, 187, 227, 237-38, 246-47, 251-52 (1908).

9. *Completion of Personality*, supra note 5, at 275-76.

10. One might compare instances where Ellison contrasts the law with religious teaching. Examples of this include RALPH ELLISON, INVISIBLE MAN 280 (2d Vintage Int'l ed. 1995) [hereinafter INVISIBLE MAN] ("All we have is the Bible and this Law here rules that out."). "Law" here refers—at least—to a police officer, the local embodiment of law's power.

"Laws, that's what we call them down South! Laws! And we're wise, and law-abiding. And look at this old woman with her dog-eared Bible. What's she trying to bring off here? She's let her religion go to her head, but we all know that religion is for the heart, not for the head."

*Id.* at 278.

Elsewhere, an Ellison character speaks of the conflict in Oklahoma between the "city, with police power and big buildings and factories and the courts and the National Guard; and newspapers and telephones and telegraphs and all those folks who act like they've never heard of your Word." JUNETEENTH, supra note 2, at 137. For an insightful treatment of the conflict between justice and law as it was practiced on the streets in the Oklahoma of Ellison's youth, see ALFRED L. BROPHY, RECONSTRUCTING THE DREAMLAND: THE TULSA RIOT OF 1921—RACE, REPARATIONS, AND RECONCILIATION 1-23 (2002).

11. The story as a whole is anything but. See, e.g., ROBERT G. O'MEALLY, THE CRAFT OF RALPH ELLISON 158 (1980) (characterizing *Cadillac Flambé* as one of a number of Ellison stories "so complex they seem overwrought").
Cadillacs was so widespread as to (1) devalue the advantages of having one and (paradoxically) (2) cause relative scarcity among “those for whom they were intended.”

Outraged, LeeWillie drives into Washington and onto the Senator’s lawn. As the Senator entertains and cooks barbecue for his guests, LeeWillie parks his white Cadillac, douses it with gasoline, and sets it ablaze while he tells the stunned guests and passers-by why he became so upset—so unhinged—at the Senator’s remarks. As LeeWillie sings “God Bless America,” he is tackled, straight-jacketed, and taken away.

Well, that’s part of the story, anyway. It doesn’t really unfold quite this way because the narrator of the story is not LeeWillie Minifees. The narrator is a white journalist who has just completed a morning of successful bird-watching, having spotted, among other species, “a rousing consort of mockingbirds.”

As our bird-watcher leaves his hosts’ home and walks by the Senator’s estate, Minifees drives so near him he “could have reached out with no effort and touched the rich ivory leather upholstery.” The narrator, aided by his binoculars and his tape recorder, watches, transfixed, as Minifees’s drama transpires. We are told the story in the past tense, the chronology generally moves forward (although there is a bit at the end where the narrator explains what the Senator said), and the telling is layered somewhat by the narrator’s recalling of his own thoughts from the time Minifees drives onto the Senator’s lawn.

LeeWillie’s immolation of his car is provoked by Senator Sunraider’s broadcast comments. LeeWillie gives us his own version of the Senator’s comments in a speech that forms the heart of the story. At the end of the story, the narrator tells us about the Senator’s speech as well. Let’s begin with the narrator’s version.

A liberal Senator from New York had made some casual comments that were critical of American automobiles in response to Senator Sunraider’s

13. The narrator is thought to be a “northern liberal reporter,” also described as a “naive white reporter” named “McIntyre.” O’MEALLY, supra note 11, at 120, 130, 151. In the absence of any exogenous clues regarding his race, it is clear from the story itself that the narrator is white, or at least is not black. See *Cadillac Flambé*, supra note 2, at 250 (describing LeeWillie as “a well-dressed Negro man of about thirty-five, who sported the gleaming hair affected by their jazz musicians and prizefighters”).
15. *Id.* at 251.
request for increased appropriations for research helpful to the electronics and communications industries. Defending American automobiles, Senator Sunraider indicated that his only complaint was that a certain brand of luxury vehicle was too popular among blacks.

"We have reached a sad state of affairs, gentlemen, wherein this fine product of American skill and initiative has become so common in Harlem that much of its initial value has been sorely compromised. Indeed, I am led to suggest, and quite seriously, that legislation be drawn up to rename it the 'Coon Cage Eight.' And not at all because of its eight, super-efficient cylinders, nor because of the lean, springing strength and beauty of its general outlines. Not at all, but because it has now become such a common sight to see eight or more of our darker brethren crowded together enjoying its power, its beauty, its neo-pagan comfort, while weaving recklessly through the streets of our great cities and along our super-highways. In fact, gentlemen, I was run off the road, forced into a ditch by such a power-drunk group just the other day. It is enough to make a citizen feel alienated from his own times, from the abiding values and recent developments within his own beloved nation.

"And yet, we continue to hear complaints to the effect that these constituents of our worthy colleague are ill-housed, ill-clothed, ill-equipped and under-treaded! But, gentlemen, I say to you in all sincerity: Look into the streets! Look at the statistics for automobile sales! And I don’t mean the economy cars, but our most expensive luxury machines. Look and see who is purchasing them! Give your attention to who it is that is creating the scarcity and removing these superb machines from the reach of those for whom they were intended! With so many of these good things, what, pray, do those people desire—is it a jet plane on every Harlem rooftop?" 17

16. One of the story’s simpler ironies is that the Senator will likely benefit, albeit indirectly, from such funding. "[I]t was widely known that the Senator is a master of the new political technology, who ignores no medium and wastes no opportunity for keeping his image ever in the public’s eye...." Id.

17. Id. at 267-68. In thinking about the imagery of the Senator in the ditch, it is difficult not to recall Ellison’s account of an Oklahoma judge who had reportedly said—from the bench—something to the following effect: "[A] Model T Ford full of Negroes ranging at
The Senator's speech doesn't provoke much of a reaction. Except, of course, from LeeWillie Minifees. The speech did not appear in the Congressional Record or in the print media. It caused "slight amusement" and some "false indignation." 18 Why does Minifees react so wildly? 19 And what does he risk in so doing? 20

Ellison himself had carefully considered the special role self-control played in the lives of African Americans. Three years before the publication of Cadillac Flambé, he wrote to critic Stanley Edgar Hyman:

And despite the prevalence of stereotyped notions of Negro spontaneity and instinctuality, our life-style—at least as it has evolved in the South—has been shaped by a determined will to control violent emotion (we seldom run amuck) as a life-preserving measure against being provoked into retaliatory actions by those who desire only to destroy us. 21

large on the streets of the city was a more devastating piece of bad luck than having one's path crossed by a squad of thirteen howling jet-black tomcats. 19 RALPH ELLISON, Perspective of Literature, in THE COLLECTED ESSAYS OF RALPH ELLISON 766, 768 (John F. Callahan ed., 1995) [hereinafter COLLECTED ESSAYS].

18. Cadillac Flambé, supra note 2, at 268.

19. "But who could have predicted... LeeWillie Minifees's wild gesture?" Id.

20. Elsewhere, Ellison has it that Minifees must have been committed to a hospital, "because the authorities believe that a Negro who burns his own Cadillac has to be crazy." Completion of Personality, supra note 5, at 279.

21. Letter from Ellison to Stanley Edgar Hyman, supra note 4, at 40-41. In this same letter, Ellison says, "[O]ur resistance to provocation has acted as a life-preserving discipline." Id. at 41.

This discipline was a social practice, infused with its own norms: "The pre-individualistic black community discourages individuality out of self-defense. Having learned through experience that the whole group is punished for the actions of the single member, it has worked out efficient techniques of behavior control." RALPH ELLISON, Richard Wright's Blues, in SHADOW AND ACT 77, 90 (Quality Paperback Book Club 1994) (1964).

The tradition to which Ellison points arose against a backdrop not simply of informal social norms, but of legal doctrine as well. North Carolina homicide law, for example, made the race (or at least slave status) of the defendant and victim a factor in determining whether a killing was justified, or whether sufficient provocation existed so as to mitigate the crime from murder to manslaughter. See, e.g., State v. Tackett, 8 N.C. (1 Hawks) 210, 217 (1820) (interpreting an 1817 act that required homicides to be treated without respect to the victim's race to mean only that manslaughter by whites of slaves, previously unpunishable, could be punished, not that the killing of a slave "could be only extenuated by such a provocation as would have the same effect where a white person was
There is something nearly suicidal, then, about aspects of black rage, and so a special necessity to control it.

The need to control and transcend mere anger has been our lot throughout our history, and for many years failing to do so, as the saying goes, got you dead. Nor are things essentially different today, for no matter the headiness of our slogans, an unthinking indulgence in anger can lead to a socially meaningless self-immolation and to intellectual suicide.

"A socially meaningless self-immolation." Will LeeWillie's Cadillac conflagration change anything? Will it capture hearts and minds, shift norms, undo—or counter-balance—the damage of Sunraider’s speech and the values it represents? And would that have been Minifees’s motivation?

But who could have predicted that Senator Sunraider would have brought on LeeWillie Minifees’s wild gesture? Perhaps he had been putting on an act, creating a happening, as they say, though I doubted it. There was something more personal behind it. Without

It is a rule of law, that neither words of reproach, insulting gestures, nor a trespass against goods or land, are provocations sufficient to free the party killing from the guilt of murder, where he made use of a deadly weapon. But it cannot be laid down as a rule, that some of these provocations, if offered by a slave, well known to be turbulent and disorderly, would not extenuate the killing, if it were instantly done under the heat of passion, and without circumstances of cruelty.

Id. at 218.

22. Ellison’s racial politics have been seen, at points, as insufficiently radical. See, e.g., Eric J. Sundquist, Introduction to CULTURAL CONTEXTS FOR RALPH ELLISON’S INVISIBLE MAN 1, 12-15 (Eric J. Sundquist ed., 1995) [hereinafter CULTURAL CONTEXTS] (canvassing socialist and other political criticisms of Invisible Man and Ellison’s “antiseparatist aesthetic”); David Remnick, Visible Man, in CONVERSATIONS, supra note 4, at 392, 397 (recalling that the Black Arts Movement of the 1960’s and 1970’s thought that Invisible Man and Ellison lacked sufficient rage and claiming that, for some, Ellison was “not a black writer”); Letter from Ellison to James Randolph, supra note 4, at 45 (reflecting on “all of the crap [he] had to take from some of the so-called Black Radicals during the late ’60s and most of the ’70s”).

23. Letter from Ellison to Horace A. Porter, Dec. 22, 1976, in American Culture, supra note 4, at 43. Compare JUNETEENTH, supra note 2, at 7 (“If we had been the kind to depend on the sword instead of on the Lord, we’d been in our graves long ago . . . ”).
question, the Senator’s remarks were in extremely bad taste, but to
cap the joke by burning an expensive car seemed so extreme a
reply as to be almost metaphysical. 24

There is an axis of explanation here. On one end is idiosyncracy, on the
other, other-worldliness. The first end is uninteresting, the second
impenetrable. So our narrator, seeking a more meaningful and plausible
account of the events, engages the stereotype Ellison reacts against in the
Hyman letter. 25

And yet, I reminded myself, it might simply be a case of
overreacting expressed in true Negro abandon, an extreme gesture
springing from the frustration of having no adequate means of
replying, or making himself heard above the majestic roar of a
Senator. 26

The stereotype notwithstanding, there might be something to this notion
of being heard. But the narrator entertains this more coherent explanation
for a mere moment, immediately reaching out to liken the circumstances to
the case of a black man who, suffering from an impacted wisdom tooth,
shot an automobile whose short-circuited horn was disturbing his sleep. But
LeeWillie, the narrator goes on, unlike the toothache sufferer, hadn’t been
in “physical pain” and “had been smiling when they led him away.” 27

The best the narrator can do is promise to question Minifiees, to put to
rest the “disturbing overtones which had hardly been meaningful” 28
generated by the spectacle. He has no context, no model, no device by
which to understand this event. Not ready to dismiss what he has seen as
sheer lunacy, as complete irrationality, the narrator’s final observation
describes the “disturbing overtones” as they played on his mind.

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24. *Cadillac Flambé*, supra note 2, at 268. Resisting the reductive thrust of critic Irving
Howe’s claim that Ellison painted too happy a picture of African-American life, Ellison
responded, “Howe makes of ‘Negroness’ a metaphysical condition, one that is a state of
irremediable agony which all but engulfs the mind.” CULTURAL CONTEXTS, supra note 22,
at 13 (quoting RALPH ELLISON, *The World and the Jug*, in SHADOW AND ACT, supra note
21, at 107, 130-31).
25. See supra text accompanying note 21.
27. *Id.* at 269.
28. *Id.*
Rather they had been like the brief interruption one sometimes hears while listening to an F.M. broadcast of the musical *Oklahoma!*, say, with original cast, when the signal fades and a program of quite different mood from a different wavelength breaks through. It had happened but then a blast of laughter had restored us automatically to our chosen frequency.29

Listening to LeeWillie removes much of the mystery. His jeremiad as he incinerates the car is less about being heard30 than it is about the frustration of possibilities for freedom and identity wrought by norms, and about the power of the dominant culture’s norms. Too long to reproduce here, the speech occupies more than a third of the story’s length. What I want to do from here on is explore some of the oration’s themes as they relate to the intersection of norms and race.

It would have been kinder had Senator Sunraider stolen LeeWillie’s Cadillac. Before LeeWillie turned on his radio, he “was rolling past Richmond and those whitewalls were slapping those concrete slabs and [he] was rolling and the wind was feeling fine on [his] face.”31 After he heard the Senator’s speech, LeeWillie couldn’t recapture the exhilaration of the road, even after he put the convertible’s top down.

“The air was hitting my face and the sun was on my head and I was feeling that good old familiar feeling of flying—but ladies and gentlemen, it was no longer the same! Oh, no—because I could still hear that Senator playing the dozens with my Cadillac!”32

LeeWillie argued with himself (in the guise of an old man and a mule he’d spotted on the side of road) about how he should react to Sunraider’s words. The old man convinces LeeWillie that “the man’s done made it mean something different. All you wanted was to have a pretty automobile,

29. *Id.*
30. There is, however, no question that LeeWillie deeply wants his speech to be heard. “‘Never mind that joker up there on top of the hill,’ [LeeWillie] said. ‘You can listen to him when I get through. He’s had too much free speech anyway. Now it’s *my* turn.’” *Id.* at 257.
31. *Id.* at 258.
32. *Id.* at 260.
but fool, he done changed the Rules on you!” Sunraider had re-normed the experience of black ownership of a Cadillac, and so had invested it with new meaning. More precisely, he’d given official voice to the pre-existent white criticism of this “practice.” An attitude that may have initially been peripheral had taken hold among enough people so as to become a widely-shared view, creating over time a new meaning. African-American ownership of a luxury automobile had become objectionable to whites, rife as it was with suggestions of aspiration, mobility, and power. To own such an automobile was to challenge convention, was to seek to own a symbol of success whose meaning was accessible to whites of all classes, and so a working symbol of whiteness. LeeWillie is aware of this meaning of the Cadillac.

“[Y]ou know that most folks can’t afford to own one of these Caddies. Not even good, hard-working folks, no matter what the pictures in the papers and magazines say. So deep down it makes you feel some larceny. You feel that it’s unfair that everybody who’s willing to work hard can’t have one for himself. That’s right! And you feel that in order to get one it’s OK for a man to lie and cheat and steal—yeah, even swindle his own mother if she’s got the cash. That’s the difference between what you say you believe and the way you act if you get the chance. Oh yes, because words is words, but life is hard and earnest and these here Caddies is way, way out of this world!”

Disturbingly, the proof of Sunraider’s point about the iconic devaluation of the Cadillac consists of Sunraider’s assertion of the devaluation. The Senator’s claim, that is, helps create the perception to

33. *Id.* at 261. The reference to “Rules” reinforces the irony that the rules at play are not those of law; they depend on no mustering of votes or fashioning of sophisticated rationales but instead simply on people’s attitudes.

34. *Id.* at 257. It is especially meaningful that LeeWillie confronts his Washington audience with the distinction between norms one purports to follow (what one says) and norms one follows (what one does), since Washington “has a way of making a man feel like he’s living in a fool’s paradise. When I’m here I never stop thinking about the difference between what it is and what it’s supposed to be.” *Id.* at 258. The first of these normative claims is about the failure to stand by stated principles (hypocrisy), the second is about morality (more narrowly, justice). The first refers to the gap between our public and our private motivations, the second refers to the gap between what is and what ought to be.
which it refers. And LeeWillie is powerless to get the Senator to see things in a different light. The controlling meaning of LeeWillie’s ownership of the car—and of his enjoying the car—is given not by LeeWillie, but by Sunraider. 35 As soon as Sunraider changes the Rule—the meaning of the social practice—the possibility of LeeWillie’s enjoyment of his car evaporates.

“Oh, it hurt me to the quick, and right then and there I had me a rolling revelation. The scales dropped from my eyes. I had been BLIND, but the Senator up there on that hill was making me SEE. He was making me see some things I didn’t want to see. I’d thought I was dressed real FINE, but I was naked as a jaybird sitting on a limb in the drifting snow. I THOUGHT I was rolling past Richmond, but I was really trapped in a COON CAGE, running on one of those little TREADMILLS like a SQUIRREL or a HAMSTER.” 36

It is easy to understand how law would reach out of dominant culture to grab—to effect—LeeWillie. But why should white norms have such power, informal as they are, and backed by no official sanctions? 37

LeeWillie continues to struggle with himself (no longer in the guise of the old man and the mule), trying, it would seem, to escape the power of Sunraider’s words.

“LeeWillie, who put you in this cage?”
“‘You put your own self in there,’ a voice inside me said.

35. In contrast, “Ellison found that he was able to ‘escape the reduction’ imposed on him: ‘I was secure in himself and in the knowledge that he was the target of stupid cruelty.’” O’Meally, supra note 11, at 11. Ellison said of the protagonist of Invisible Man, “[E]ach time he allows someone else to define him, to give him an identity . . . which he tries to assume, he runs into difficulty.” Arlene Crewdson & Rita Thomson, Interview with Ralph Ellison, in CONVERSATIONS, supra note 4, at 259, 259.


37. I do not mean to suggest that laws are not in some meaningful sense norms. See, e.g., Francis Fukuyama, The Great Disruption: Human Nature and the Reconstitution of Social Order 147 (1999) (distinguishing from “spontaneously” created norms “hierarchically” created norms, which often take the form of “written” law). (Fukuyama categorizes common law as spontaneously generated, and so contrasts common law with “[f]ormal” law. Id. at 151.) As I use the term “norm” here, I refer to informal norms.
“‘But I paid for it, it’s mine. I own it . . . ’ I said.

‘Oh, no, LeeWillie,’ the voice said, ‘what you mean is that it owns you, that’s why you’re in the cage. Admit it, daddy; you have been NAMED. Senator Sunraider has put the badmouth, the NASTY mouth on you and now your Cadillac ain’t no Caddy anymore! Let’s face it, LeeWillie, from now on everytime you sit behind this wheel you’re going to feel those RINGS shooting round and round your TAIL and one of those little black COON’S masks is going to settle down over your FACE, and folks standing on the streets and hanging out the windows will sing out, “HEY! THERE GOES MISTER COON AND HIS COON CAGE!” That’s right, LeeWillie! And all those little husky-voiced colored CHILDREN playing in the gutters will point at you and say, “THERE GOES MISTAH GOON AND HIS GOON CAGE”—and that will be right in Harlem!””38

LeeWillie is experiencing the problem of the autonomy and identity of the self. We are not completely free to define ourselves, living as we do against a backdrop of history and community and immersed in a net of social relations. But the question of identity and its construction is much more complex when it is situated in a larger cultural matrix even moderately characterized as “[d]iversity within unity.”39 How easy (how safe) is it to

38. Cadillac Flambé, supra note 2, at 262.

39. Letter from Ellison to Stanley Edgar Hyman, supra note 4, at 41. In Juneteenth, Ellison puts this same theme (“diversity in unity”) in Senator Sunraider’s mouth. Juneteenth, supra note 2, at 19. Sunraider’s “Cadillac” speech features in Juneteenth as a small part of a much longer diatribe, in which he speaks in a number of voices. Immediately after the “Cadillac” portion of this longer speech, Sunraider is express about the matter of social construction and identity.

“Ours is the freedom and obligation to be ever the fearless creators of ourselves, the reconstructors of the world. We were created to be Adamic definers, namers and shapers of yet undiscovered secrets of the universe!

“Therefore let the doubters doubt, let the faint of heart turn pale. We move toward the fulfillment of our nation’s demand for citizen-individualists possessing the courage to forge a multiplicity of creative selves and styles. We shall supply its need for individuals, men and women, who possess the highest quality of stamina, daring, and grace—”

Id. at 23. The conjunction of these elements (the “Cadillac” speech and Sunraider’s aspirational oration) contrasts America’s promise and its performance, and does so within the framework of the Senator’s practice—and even theory—of re-norming (naming and
ignore the meanings that the dominant culture ascribes to one's conduct? The year Ellison won the National Book Award for *Invisible Man*, the Alabama Court of Appeals upheld the conviction of a black man for an "attempt to commit an assault with intent to rape." This means something like attempting to attempt a battery, while intending to rape. The evidence adduced at trial showed that the defendant had gotten out of a truck and followed the "victim" as she walked home. She was accompanied by three children. She stopped for a time at a neighbor's home, and when she continued on her way, the defendant walked toward her from behind a telephone pole. She called for aid from another neighbor, who responded. The defendant then stood by a sign across the street from her home; she watched him from the second neighbor's porch. After about thirty minutes, the defendant went on his way.

The police chief testified that the defendant had told him, after being jailed, that "he didn't know what was the matter with him," that he "made up his mind he was going to get the first woman that came by," and that "he was going to carry her in the cotton patch and if she hollered he was going to kill her." From such innocuous and fanciful evidence, the jury's determination that the prosecution had proven intention (to rape) was appropriate, the court reasoned, since "the jury [could] consider social conditions and customs founded upon racial differences, such as that the prosecutrix was a white woman and defendant was a Negro man."

shaping).

42. The court's slightly more plausible legal theory was that the charge referred to an "attempt to rape" that had not gone far enough to constitute an assault. *Id.* at 390. Assault as defined in criminal law generally means either an attempt to commit a battery or intentionally putting a person in fear of receiving an imminent battery. See WAYNE R. LAFAYE, CRIMINAL LAW 744-47 (3d ed. 2000) (treating attempted battery and intentional scaring as kinds of assault). By convicting McQuirter of attempted assault with intent to rape, he could be punished for conduct that, while not assaultive, constituted some sort of attempt.

43. *McQuirter*, 63 So. 2d at 389.
44. *Id.* A policeman and a sheriff's deputy testified to other similar statements allegedly made by McQuirter. *Id.*
45. *Id.* at 390.
The law of assault with intent to rape had long made relevant norms triggered by the racial differences between victim and defendant. Needless to say, such norms had unidirectional consequences in cases of black defendants and white victims. There was nothing illegal about a black man being near a white woman. It's just that if someone wanted to charge him with assault—or attempted assault!—with intention to rape, the evidence of such proximity, in conjunction with norms of racial difference, would go far in such a prosecution. The argument, whether explicit or implicit, was

46. In a late nineteenth-century case, the Georgia Supreme Court, while seriously doubting whether the defendant intended to rape, affirmed his conviction of assault with intent to rape, holding that “[t]he doctrine of the court’s charge to the jury that, upon the question of intention, social customs, founded on race differences, and the fact that the man was a negro and the girl a white person, might be taken into consideration, is undoubtedly correct.” Jackson v. State, 18 S.E. 132, 133 (1893). Despite the existence of facts supporting strong reasons to doubt he had criminal intention, the court reasoned that “the jury had a right to interpret the prisoner’s conduct” in light of the “workings of a criminal mind,” which are “often mysterious.” Id. at 133-34.

Early in the twentieth century, the Alabama Supreme Court determined that in an assault with intent to ravish case, it was appropriate for the jury to consider, relative to the question of intention, “social customs, founded on race differences.” Pumphrey v. State, 47 So. 156, 158 (1908) (quoting Jackson, 18 S.E. at 133). In Pumphrey, Mrs. Crimm, a white woman, awoke to find a man hovering over her bed. The “fact” that he was black (something Mrs. Crimm was unable to corroborate) helped determine his intent.

Three years later, the Alabama courts pondered the case of Red Kelley, a black man who was found to have pursued a (merely presumed) white girl on a footpath near a wooded area. In his prosecution for assault with intent to ravish, his attorney had argued that his intention may have been to rob or murder. Kelley v. State, 56 So. 15 (Ala. Ct. App. 1911). Observing that “[t]he jury alone have the right to weigh evidence” and breathlessly asking the question, “What would he have done to prosecutrix, had he succeeded in catching her . . . ?,” id., the appellate court made the following determination:

Taking into consideration the racial differences existing between the prosecutrix and the defendant, and the differences in their social life and customs . . . we cannot say, as a matter of law, that there was not some evidence in the case from which the jury might legally have drawn the conclusion that the defendant, when he assaulted the prosecutrix, did so with the purpose to ravish her.

Id. at 15-16.

These cases demonstrate the law’s ability to smoothly incorporate dominant norms into its processes and doctrines. Thus, they demonstrate the power norms have in and over law. The Georgia Supreme Court may have doubted Mr. Jackson’s guilt, but it was hardly going to call into question the autonomy of the jury on a factual question touching such an esteemed practice as racial stereotyping. See Jackson, 18 S.E. at 133-34.
that if the defendant was willing to violate social norms regarding
proximity, deference, and silence, he must have had a criminal intention.

The power of such race-sensitive norms persists. Issues we face today
regarding racial profiling have centrally to do with the imposition of
meaning on otherwise unremarkable combinations of facts. An example
would be—and we won’t have to roam farther than the Senator’s lawn for
this one—an African-American male in an expensive car.47 And as
LeeWillie’s fantasy of the children in Harlem points out, norms might have
sufficient power to cross cultural and sub-cultural boundaries.48 Indeed, if
they didn’t, what hope would there be? For Ellison, culture itself was a
matter of exchange.49

As analytical tools go, it is easy to make of race a blunt instrument.
This is especially so when discussing a writer like Ellison. Objecting to a
critic’s over-emphasis on race, Ellison wrote:

I existed in a field of influences, both personal and environmental;
but despite this obvious fact you go on reducing the complex field

47. See, e.g., Angela J. Davis, Race, Cops, and Traffic Stops, 51 U. MIAMI L. REV. 425,
425 (1997) (citing cases of African-American males who rent bland, rather than flashy cars,
in order to reduce the likelihood of being stopped by police).

48. See supra text accompanying note 38. I do not mean to dispute the existence of
broadly shared norms. Instead, I rely on data suggesting that there are (some) different
norms within different American communities. See, e.g., FUKUYAMA, supra note 37, at 143-
44 (using an example of neighborhood-specific spontaneously generated norm); Sunstein,
supra note 3, at 136 (claiming that in 1993, 22.9% of white teenagers smoked, compared to
only about 4.4% of black teenagers) (citing AMERICAN LUNG ASSOCIATION, SUMMARY OF
TRENDS IN CIGARETTE SMOKING (1995)).

Talk of “culturally” and “sub-culturally” differentiated norms can issue into
untoward consequences. See Kimberlé Williams Crenshaw, Race, Reform, and
Retrenchment: Transformation and Legitimation in Antidiscrimination Law, 101 HARV. L.
REV. 1331, 1379 (1988) (observing that a newer discourse of cultural inferiority has
supplanted older talk of racial inferiority in the service of negative stereotypes and
subordination).

49. “[Y]ou have to give up the idea that culture exists in neat pockets. Culture is
exchange.” Exploring the Life, supra note 6, at 250.

You look at “John Henry”—that seems absolutely black. But you look a little
closer and you remember the tales of Hercules, you recognize the modification.
I’m not saying it’s not ours. But I’m saying it was not created out of the empty
air but out of the long tradition of storytelling, out of myth.

Id.
to a single writer and implicitly to the race of that writer [Richard Wright].

Anyway, The Man Who Lived Underground and Invisible Man no more made “a later serious imaginative literature possible” for Negroes than the Biblical story of Jonah made possible Moby Dick.

... You wrote that “for this brief period of four or five years, Wright had an aesthetic mastery over his passions. Earlier, he had not yet attained that control, and later he lost it. If a Negro writer never strives for this sort of control, or rejects it as not worth having, he may end as an artless racist demagogue on the order of LeRoi Jones; if he overcontains his emotions, he becomes a white Negro writer, in the long gray line from Phillis Wheatley to Frank Yerby.”

How would you translate this if the writer in question were a Jew? 50

Ellison thus deals with what Minifiees rails against: the unceasing differential attribution of meaning to action based on the race of the actor. Current opponents of “political correctness” decry the same thing. So do opponents of racial profiling. The spirit of color-blindness animates all of these views, but certainly does not exhaust Ellison’s.

And so the race-consciousness of Cadillac Flambé is one that asks for liberation from racial categories. Not complete liberation, certainly. 51 But enough so that a person might work hard and buy a nice car and not be ill-thought of for it. The American Dream, after all, is not insignificantly

50. Letter from Ellison to Stanley Edgar Hyman, supra note 4, at 42. 51.
wrapped up with the idea of the automobile. LeeWillie has not simply been
told he shouldn’t drive the benchmark car. He’s learned that if he does, he’s
not flying down the road at all; he’s trapped himself in a cage. He can’t win
for losing. He’s got the right to win, of course; he’s got the right to own
whatever car he can afford.

Ellison could identify with LeeWillie’s search for something better. In
a letter he wrote from New York to his mother, Ellison spoke in a personal
vein. “The rich old women strolling down Fifth Avenue carrying their dogs
which are better cared for than most human beings. Big cars and money to
burn and right now I couldn’t buy a hot dog.”32 Less personally, he wrote:

I am very disgusted with things as they are and the whole
system in which we live. This system which offers a poor person
practically nothing but work for a low wage from birth to death;
and thousands of us are hungry half our lives. I find myself wishing
that the whole thing would explode so the world could start again
from scratch.33

What LeeWillie learned, to his consternation, was that it didn’t matter if he
did have the money to buy a car, at least a fine one. As the old man with the
mule said:

“Money? LeeWillie, can’t you see that it ain’t no longer a
matter of money? Can’t you see it’s done gone way past the
question of money? Now it’s a question of whether you can afford
it in terms other than money.”34

The rules had been changed.
The Senator’s rant had alluded to legislation (to pejoratively re-name
the Cadillac). LeeWillie makes reference to this. “HE WAS TRYING TO
GET THE UNITED STATES GOVERNMENT TO MESS WITH MY
CADILLAC! AND WHAT’S MORE, HE WAS CALLING MY CADDY

52. Letter from Ellison to Ida Ellison, Aug. 30, 1937, in American Culture, supra note
4, at 36. Ida Ellison died the year this letter was written.
53. Id.
54. Cadillac Flambé, supra note 2, at 261. Sunraider’s branding of inferiority through
renaming is a moral variant of the legal harm identified by the Supreme Court in Brown v.
Board of Education, where the Court observed that segregationist policies connote black
inferiority, even assuming the equality of segregated facilities. 347 U.S. 483, 494-95 (1954).
A 'COON CAGE.'”55 There was, of course, no legal issue at stake. LeeWillie knows this.56 But the old man speaks another truth:

“LeeWillie, even this damn mule knows that if a man like that feels the way he’s talking and can say it right out over the radio and the T.V., and from the place where he’s saying it—there’s got to be something drastically wrong with you for even wanting one.”57

It matters less that the old man and the Senator are wrong than that they feel as they do. After all, the immediate power of norms issues from their existence, not their moral desirability.

We might dismiss, exploit, or be blissfully unaware of the meanings others construct for us. Self-help gurus, I would guess, have made large amounts of money marketing the first two of these possibilities. But all of these possibilities are limited or extinguished when the social meanings constructed through norms are stereotypes imposed by a dominant culture or race. Imposing racial stereotypes condescends and impoverishes.58 As we have seen, it also issues into formal legal consequences as well as informal social consequences.

Should we see LeeWillie’s act, then, as courageous protest? As unproductive self-sacrifice? As pathology? As surrender? I suspect all these readings are justified, and moreover, that we are justified in holding them simultaneously.

If LeeWillie is thought to be crazy, it’s because, in part, he’s done a crazy thing. If we think he’s a cultural hero, it’s because there are real aspects of heroism in his powerful oration and in the sacrifice of his hard-earned automobile and—for all he knows—his future or even his life. So

55. Cadillac Flambé, supra note 2, at 259.
56. But see O’MEALLY, supra note 11, at 156 (interpreting the Cadillac’s immolation as a “ceremony designed to lift the spell from American government”). As I have argued, I think the “ceremony” is a reaction to the backdrop of informal norms—sometimes concretized as or reflected in law—rather than a reaction or appeal to formal institutions or practices.
57. Cadillac Flambé, supra note 2, at 261.
58. Whether racial stereotypes can be “imposed” from within one’s race is an important question that raises complex issues regarding the relation of an individual to his race, a non-issue, generally, for white Americans. See Martha R. Mahoney, Segregation, Whiteness, and Transformation, in CRITICAL WHITE STUDIES: LOOKING BEHIND THE MIRROR 654, 654 (Richard Delgado & Jean Stefancic eds., 1997) (“[M]aintaining white consciousness requires not-seeing whiteness and not-seeing race . . .”).
too, to the extent that we focus on his apparent inability to censor himself, he seems to have damaged himself irreparably because of his reflexive reaction to the reckless racism of a public official. Similarly, we might blame him for not rising above the Senator's racism—for so fearing the identity that the Senator constructs for him that he makes a sacrificial offering of his Cadillac. The old man was just wrong, that is, when he told LeeWillie there must be something wrong with his wanting a Cadillac.59

This multiplicity of readings is a consequence of the complexity of the world Ellison sees. It is a consequence as well of his abiding concern for normative questions and their relation to often intractable questions of race and racial politics.

[O]ur lives, since slavery, have been described mainly in terms of our political, economic, and social conditions as measured by outside norms, seldom in terms of our own sense of life or our own sense of values gained from our own unique American experience. Nobody bothered to ask Negroes how they felt about their own lives.60

To counter this, black writers, Ellison says, "must assert our own sense of values, beginning with the given and the irrevocable, with the question of heroism and slavery."61 But this assertion of black normativity goes hand in hand with another fundamental obligation of the writer to take her place in the transracial practice and heritage of literature about the human condition.

Black American experience may well be, in important and fundamental ways, unique. But there is no reason that it cannot serve to tell us all about us all. Insulating African-American experience locates it safely on the periphery of ongoing social practice, immunizing it from a broader stream of influence while rendering it irrelevant to any wider context. Ellison's fiction, and certainly Cadillac Flambé, cuts against this isolationism. His depiction of the intersection of norms and race transcends race. It also seeks

59. See supra text accompanying note 57.
60. A Very Stern Discipline, supra note 4, at 113.
61. Id. at 118-19.
to make us whole (to integrate us) through constructing new meanings.\textsuperscript{62} Ellison believed in the written word's deeply transformative possibilities and so in people's capacity to be transformed. Of the black writer, he said:

[\textit{T}he integration of American society on the level of the imagination is one of his basic tasks. It is one way in which he is able to possess his world and, in his writings, help shape the values of large segments of the society which otherwise would not admit his existence, much less his right to participate or to judge.\textsuperscript{63}]

Unlike LeeWillie Minifiees, Ralph Waldo Ellison was not about to let the bastards get him down.

\textsuperscript{62} Two of the means by which \textit{Cadillac Flambé} both transcends race and creates new meanings are its complexity and ambiguity. As I have suggested, it will hardly do to call LeeWillie simply a victim or a hero (hence complexity) and yet he might be a bit of both (hence ambiguity).

\textsuperscript{63} Id. at 135.