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Critical Race Theory: An Examination of its Past, Present, and Future Implications

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Abstract

This paper endeavors to evaluate the current body of research conducted on Critical Race Theory (CRT). It fixates on historically marginalized populations within the urban school setting and the larger society. This evaluation is carried out through a literature research synthesis. First, the origins of CRT are articulated. The history of CRT in the United States is discussed. The article lists the five tenets of CRT, providing brief overviews and examples of the tenets. Focus is drawn upon studies done on CRT: Universalistic Paradigms vs. Relativistic Paradigms. The penultimate section of this paper asks, knowing what we know, where do we go from here? Propositions for future research are made. Lastly, implications for further research are cited. It is the author's intent to elaborate and provide insights into an abundantly-written-about topic, CRT, in such a way that both *Crits* and laypeople will have their paradigms and conceptions challenged and expanded.

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Introduction: Purpose and Rationale

> As marginalized people we should strive to increase our power, cohesiveness, and representation in all significant areas of society. We should do this though, because we are entitled to these things and because fundamental fairness requires this allocation of power.
>
> (Delgado, 2009, p 110)

This paper endeavors to evaluate the current body of research conducted on Critical Race Theory (henceforth CRT). It fixates on historically marginalized populations within the urban school setting and the larger society. This evaluation is carried out through a literature research synthesis.

Literature Review: CRT

Delgado's (2009) epigraph implores all of us inside and outside the educational arena to equalize the educational experiences for students of color. The academy uses various definitions to designate who *students of color* are. This paper designates students of color to include all students who are *not* non-Hispanic European Americans. Many educational policies and practices are documented to be culturally insensitive, being highly Eurocentric and ethnocentric, since they are monolingual and male oriented (e.g., Banks, 2004, p. 246-247; Delgado, 2009; Delgado & Stefancic, 2001; Valdes, Culp, & Harris, 2002). Educational policies and practices have also traditionally viewed low-income students and students of color from deficit points of view.

Equally insidious, if we examine preK-12 school curricula closely, we quickly ascertain *whose* knowledge is taught, valued, and represented in schools nationwide. This hidden curriculum flagrantly services white students. At worst it demonizes students of color; at best it inconveniences them. A popular educational practice is tracking

students—whereby the curricula that students of color undergo inadequately prepare them for college. Another equally debilitating practice for students of color is the promotion mjof white students to take Advanced Placement (AP) courses in high school that may lead to receiving college credit for work completed in secondary school.

It is accurate and justified to declare that the educational milieu for black and brown faces needs to be radically improved. This radical improvement will be made through critical research. In this literature research synthesis, historically marginalized populations within the urban school setting and the larger society will be evaluated and examined.

First, the origins of CRT are articulated. The history of CRT in the United States is discussed. The article lists the five tenets of CRT, providing brief overviews and examples of the tenets. Focus is drawn upon studies done on CRT: Universalistic Paradigms vs. Relativistic Paradigms. The penultimate section of this paper asks, knowing what we know, where do we go from here? Propositions for future research are made. Lastly, implications for further research are cited. It's the author's intent to elaborate and provide insights into an abundantly-written-about topic, CRT, in such a way that both *Crits* and laypeople will have their paradigms and conceptions challenged and expanded.

The Origins of CRT

CRT's origin is unique. It finds its genesis steeped in two movements—critical legal studies[i] and radical feminism—and began in the mid-1970s, although CRT made its original debut at a first-ever workshop held at St. Benedict Center in Madison, Wisconsin, in 1989 (e.g., Taylor, 2009; Delgado, 2001, Introduction). CRT, or the radical

legal movement that sought to transform the relationship among race, racism, and power, was created as a response to critical legal studies (CLS)—the legal movement that challenged liberalism, denying that law was neutral, that every case had a single correct answer, and that rights were of vital importance. People of color associated with the CLS movement were marginalized. This marginalization, frustration, and dissatisfaction with CLS led to CRT being born, issues of race forming its epicenter.

The History of CRT in the U.S.: Celebrating Its Second Decade

Although originating in the mid-1970s, CRT is still in its infancy; thus, it has not yet reached its zenith. This is fortunate for people of color, when factoring in the polemical nature and history of U.S. race relations. CRT celebrates success in the 21st century. According to Valdes, Culp, and Harris (2002), "Despite the doubts, sneers, and attacks, CRT has not only survived but is also flourishing as it enters its second decade" (p. 4). When discussing CRT's brief history in the U.S., it is valuable to frame the CRT movement in terms of what it has already faced and overcome; otherwise, its past will be forgotten and it will become a relic of the past and remain inert, or even worse, be modified by future historians to reflect white self-interests and self-preservation.

Historically, CRT began to formulate a discourse that focused on issues of race and racism in the law in the same way that education scholars began to formulate a critique of race and racism in education (Crenshaw, 2002; Tate, 1997). During the early to mid-1980s, CRT critiqued the law, society, and race. However, CRT has now grown to be an expansive and credible movement that is both inner- and cross-disciplinary, particularly in regard to education.

Although CRT still attempts to demystify racial stereotypes, racial inequities, sexism, classism, and xenophobic practices, it currently has leant much more of its attention to addressing issues of curricula discrimination in a time of the No Child Left Behind Act (2001) and its fascination with "high-stakes testing." It is worth citing McLaren at length when he declares:

> From the perspective of critical educational theorists, the curriculum represents much more than a program of study, a classroom text, or a course syllabus. Rather, it represents the *introduction to a particular form of life; it serves in part to prepare students for dominant or subordinate positions in the existing society* [his emphasis].
>
> (McLaren, 2003, in *The Critical Pedagogy Reader*, p. 86)

The history of CRT in the U.S. is rich; however, if CRT is to continue to be fruitful in its second decade, it must continue to make radical strides to equalize the educational opportunities for students of color. CRT has many accomplishments it can boast of: affirmative action policies, provision of truth with issues of urban planning (that include gentrification/segregation), and equal and fair housing rights to name a few. It is clear that the origins of CRT are rich and the future is bright.

The Five Tenets of CRT

There are five major components or tenets of CRT: (1) the notion that racism is ordinary and not aberrational; (2) the idea of an interest convergence; (3) the social construction of race; (4) the idea of storytelling and counter-storytelling; and (5) the notion that whites have actually been recipients of civil rights legislation.

Firstly, racism is ordinary: the overall ethos of majority culture promotes and promulgates a notion of "color-blindness" and "meritocracy." These two notions are mutually intertwined and serve to marginalize certain enclaves of people—predominately people of color. *Color-blindness* and *meritocratic* rhetoric serve two primary functions:

first, they allow whites to feel consciously irresponsible for the hardships people of color face and encounter daily and, secondly, they also maintain whites' power and strongholds within society.

First, *color-blindness* legitimizes racism's need for an "other" in order to flourish and maintain its influence within the fabric of society. Racism and white supremacy are not aberrant, insofar as the oppressors—the status quo—exploit the "others" (the oppressed) in order to maintain their elitist control, as well as to claim that they are neutral. Close examination repudiates this false sense of neutrality.

Second, *meritocracy* allows the empowered—the status quo—to feel "good" and have a clear conscience: many would ask why the powerful would not have a clear conscience since they maintain a majority of the wealth and power in society. The powerful maintain power and only relinquish portions of it when they have nothing to lose; furthermore, they receive platitudes and compliments when they do choose to dole out portions of their power.

Secondly, Bell's (1980) theory of *interest convergence* is a critical component within the cogs of CRT. Common sense beliefs are formulated by the majority "status quo." The beliefs created by the majority—the haves—oppress minority groups—the have-nots and have-too-littles. Stated more precisely, *interest convergence* is the notion that whites will allow and support racial justice/progress to the extent that there is something positive in it for them, or a "convergence" between the interests of whites and non-whites. CRT focuses on informing the public how certain stories act and serve to silence and distort certain enclaves of people and cultures (typically people of color),

while simultaneously building-up and legitimizing others', typically the majority—status quo (which retains or gains even more power through these transactions).

A prominent and illustrative example of interest convergence can be read and understood best in Bell's (1992) allegorical presentation in Chapter 9: *The Space Traders* found in his book, *Faces at the Bottom of the Well: The Persistence of Racism. The Space Traders* is allegorical because it explains something—interest convergence—which cannot be explained easily, through telling a story that has a deeper meaning. This parable tells of aliens' visit to the United States of America. The alien visitors wish to trade all of the world's African Americans for the following: (1) enough gold to retire the national debt, (2) a magical chemical that will cleanse America's polluted skies and waters, and (3) a limitless source of safe energy to replace the U.S.'s depleting supplies. After two weeks and rigorous debating, a referendum is passed and accepted that sends all of the African Americans in the U.S. to the space traders (aliens). *The Space Traders* illustrates two things within its parable: (1) the whites had power (being politicians, and U.S. leaders) and (2) it was in the whites' best interest to give all of the African Americans in order to get all of the aforementioned securities the aliens had promised.

Thirdly, race has been constructed socially, much to the detriment of people of color. Much scholarship has been documented on this assertion(e.g., Armelagos, Carlson, & Van Gerven, 1982; Akintunde, 1998; Cameron & Wycoff, 1998; Chang, 1985; Delgado, 2009; Delgado & Stefancic, 2001; Haney López, 2006a, 2006b, 1994; Parker et al, 1998; Takaki, 1993; Valdes, Culp, & Harris, 2002; Marks, 1995)[ii].

The "social construction thesis" or declaration that "race is a social construct" has been one of CRT's hallmark mantras and core issues. One does not have to peer too far

back in U.S. history to ascertain that race has been socially constructed[2]. Instances of socially constructing race may include: (1) the infamous *Dred Scott v. Sandford* case whereby the U.S. Supreme Court declared that "Negroes," whether free or enslaved, were not citizens; or (2) the infamous "one drop rule," a relic from the Jim Crow era where one drop of black blood made an individual "black."; or (3) how in 1935 minorities were denied Social Security and excluded from unions. In 1935, Congress passed two laws that protected American workers and excluded nonwhites. The Social Security Act exempted agricultural workers and domestic servants (predominantly African American, Mexican, and Asian) from receiving old-age insurance, while the Wagner Act, guaranteeing workers' rights, did not prohibit unions from racial discrimination. Nonwhites were locked out of higher-paying jobs and union benefits such as medical care, job security, and pensions. As low-income workers, minorities had the greatest need for these provisions, yet they were systematically denied what most Americans took for granted; or (4) how in 1934 U.S. housing programs benefited whites only—In the 1930s and 1940s, the federal government created programs that subsidized low-cost loans, opening up home ownership to millions of Americans for the first time. Government underwriters also introduced a national appraisal system that effectively locked nonwhites out of home-buying just as many white Americans were getting in. In post-WWII restricted suburbs, European "ethnics" blend together as whites, while minorities are "marked" by urban poverty; or lastly (5) the Bracero Program and Operation Wetback— In August 1942, the U.S. was engaged in World War II. To meet the labor demands of producing food for the U.S., the U.S. armed forces, and hungry U.S. war allies, Mexico and the U.S.

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[2] See, e.g., RACE-The Power of an Illusion (access at: http://www.pbs.org/race/000_General/000_00-Home.htm)

created the Bracero program which brought an estimated 4-5 million Mexican nationals to work in the U.S.. However, once WWII was over, the Mexican nationals were deported back to Mexico. Part and parcel with these deportations, in 1954 the United States Immigration and Naturalization Service (INS) created Operation Wetback which removed approximately one million illegal immigrants from the southwestern United States—focusing on Mexican nationals. The very nomenclature of this program, as well as the exploitation of Mexican laborers was racist and irresponsible—wetback referring to illegal border-crossers—and the "use them and then lose them" mentality dishonorable.

Fourthly, the idea of storytelling comes from its powerful, persuasive, and explanatory ability to unlearn beliefs that are commonly believed to be true. CRT calls this concept "storytelling" and "counter-storytelling." This dichotomy—storytelling and counter-storytelling—is predicated upon the belief that schools are neutral spaces that treat everyone justly; however, close examination refutes this: simply evaluating graduation rates accomplishes this. School curricula continue to be structured around mainstream white, middle-class values. There continues to be a widening of the racial achievement gap (the separation of students of color's achievement and the achievement of Anglo-Americans). Whose needs do these values and curricula serve? It is not students of color?

Hackman and Rauscher (2004) draw attention to the fact that under the guise of *mainstream* curriculum certain enclaves of students become marginalized through curriculum and praxis that are insensitive and inequitable. Hackman and Rauscher (2004) state the following:

> […] often under-funded […] mandates across the nation leave many educators wondering how best to serve their students, particularly those students who do not fit into the *mainstream* [author's emphasis] profile or curriculum. In today's schools, the needs of students with disabilities and members of other marginalized groups often go unmet, and as such, more inclusive educational approaches need to be adopted to ensure that all students have access to a solid education. (p. 114)

CRT's counter-storytelling is a necessary tool given the curricula inequity in the U.S. educational system. Without CRT's counter-storytelling, the true stories would never be publicly proclaimed, and perhaps the world would come to believe and perceive that all was fine.

Fifthly, whites have actually been recipients of civil rights legislation. It is worth citing Taylor (2009) at length:

> Fifty years post *Brown*, *de jure* separation has been replaced by *de facto* segregation, as White flight from public schools has created a two-tiered system in many cities and student assignments have shifted from mandatory busing to neighborhood preferences. Most children of color currently attend schools with relatively few Whites; very few White children attend schools where they are the minority. Clarenton, South Carolina, one of the case schools used by civil rights lawyers Thurgood Marshall and Charles Houston, remains as segregated as it was before 1954. The educational progress of African Americans that has occurred has thus been allowed only if it is perceived by the majority as cost-free, or nearly so. Preferably, these changes have come incrementally, and without social disruptions such as marches, boycotts, and riots. Importantly, for most Whites, advances must come without affirmative action. (p. 6-7)

The irony is that, although whites have undeniably been the recipients of civil rights legislation, it has also been verified that affirmative action, too, best serves whites (e.g., Delgado & Stefancic, 2001; Delgado, 2009). Delgado (2009) exhorts and explicitly requests that "[…] we should demystify, interrogate, and destabilize affirmative action. The program was designed by others to promote their purposes, not ours" (p. 111). Lawrence (2002) states this similarly: "The dismantling of affirmative action is segregation. Its purpose and meaning are the same as the Jim Crow laws" (p. xv).

In a similar vein, the historical *Brown v. Board of Education of Topeka* , 347 U.S. 483 (1954) was inadvertently an eventual victory for whites—or the status quo. What *Brown* ultimately did was the opposite of what it sought to do: it restricted equality for African Americans, not expanding it. Tate, Ladson-Billings, and Grant, as cited in Dixson and Rousseau (2006), state the following:

> *Brown* failed to substantively improve the education of African American students because it represented a restrictive rather than expansive view of equality. What was needed was a vision of education that challenged the fundamental structure of schools that reproduced the same inequitable social hierarchies that existed in society. That the *Brown* decision failed to disrupt these structures is evidenced in the enduring inequities in the educational system. (p. 45)

> It is clear that whites have actually been recipients of civil rights legislation.

Delgado poignantly states why CRT's five major tenets are vitally important given the current state of affairs of U.S. education. Intervening on behalf of CRT's five tenets and children of color in our U.S. schools, Delgado humbly yet confidently states the following:

> I am *expected* to tell the kids that if they study hard and stay out of trouble, they can become a law professor like me. That, however, is a very big lie: a whopper. When I started teaching law sixteen years ago, there were about thirty-five Hispanic law professors, approximately twenty-five of which were Chicano. Today, the numbers are only slightly improved. In the interim, however, a nearly complete turnover has occurred. The faces are new, but the numbers have remained the same from year to year. Gonzalez leaves teaching; Velasquez is hired somewhere else. Despite this, I am expected to tell forty kids in a crowded inner city classroom that if they work hard, they can each be among the chosen twenty-five. Fortunately, most kids are smart enough to figure out that the system does not work this way. If I were honest, I would advise them to become major league baseball players, or to practice their hook shots. As Michael Olivas points out, the odds, pay, and working conditions are much better in these other lines of work.
>
> (Delgado, 2009, p. 112)

The children in our schools nationwide need to be able to strive earnestly to become whoever they wish to become, and not to worry about operating in a system that disadvantages them because of their complexion and socially-constructed race.

<div align="center">Studies done on Critical Race Theory</div>

Universalistic Paradigms vs. Relativistic Paradigms

There exists a great deal of scholarship on the topic of CRT; however, there is a dearth of quantitative research studies done on it. There are commonalities and dissimilarities within studies conducted on CRT; however, the two main paradigms called upon are the universalistic and the relativistic.

CRT must abandon universalistic paradigms and flock toward relativistic paradigms for many reasons. The paper will elaborate on the reasons for advocating for the use of relativistic paradigms in the subsequent section of this literature research synthesis.

Unfortunately, the universalistic generalizable, or etic paradigm considers research study findings to be truths that can be extended across *all* cultural groups or people; whereas, the relativistic, or emic paradigm considers research study findings to reveal only particular truths which are confined to a single culture, social group, or people. Educational researchers traditionally have used universalistic frameworks and paradigms (e.g., Banks, 1993; Kerlinger, 1979) when fulfilling their research; therefore, CRT must opt for relativistic frameworks.

The proliferation of the universalistic or etic paradigm is problematic for education and studies done on CRT. It is problematic because this paradigm is culturally insensitive, since it is utilizes a white, middle-class system as a model. Further attention

needs to be paid to how it also devalues all learners who do not fit into this system, marginalizing non-whites, exceptional learners (also referred to as special-needs or special education), and non-native speakers. The general public continues to proclaim— knowingly or unknowingly—that in order for education to improve it needs to have more "gold-standard" quantitative studies because they provide statistical insights that qualitative studies cannot, as well as because they are in short supply.

However, the important question to raise is: how can quantitative studies emancipate hegemonic populations when the very metrics it employs (e.g., culturally biased and ethnocentric testing practices and pedagogical practices and policies) serve to legitimate white supremacy through sidelining people of color, while uplifting and privileging whites? At best, it is incapable; at worst, it perpetuates deficit points of view that are unfounded and morally and philosophically prejudiced.

For these reasons, studies conducted on CRT must advocate for relativistic paradigms in research and scholarship. Studies on CRT should proffer people of color an opportunity to examine their current positions in order to increase their social capital and cultural wealth. Studies done on CRT may be used to assist people of color in finding ways to cultivate their power.

Knowing what we know, where do we go from here?

Propositions for future research: Looking Forward with Hope

Critics and naysayers label CRT as *nihilistic* and *cynical*; however, we (*Crits*) are knowledgeable historically and contemporarily, so this does not make us waver. CRT must fight against *incrementalism* rhetoric and advocate for a more radical all-at-once change. As Delgado (2001) states, "'Everything must change at once, otherwise the

system merely swallows up the small improvement one has made, and everything remains the same" (p. 57). CRT appears to be increasing its ground and the color line has improved as of late. Cornel West (2001) best encapsulates this racial and social improvement:

> Racial progress is undeniable in America. Never before have we had such a colorful menagerie of professionals in business, education, politics, sports, and the labor movement. Glass ceilings have been pierced—not smashed—by extraordinary persons of color. Overt forms of discrimination have been attacked and forced to become more covert. (XIV)

Although *Crits* have paved the road smoother for many folks of color and marginalized groups, the journey will continue to remain bumpy. Given that CRT draws upon paradigms of intersectionality and recognizes that race and racism work in concert with and through gender, ethnicity, class, and/or sexuality inequalities/discrimination, those who have something to lose—most often the status quo—will do their best to make it difficult for CRT to exist. However, it is with hope that CRT must continue on. Critics of CRT refuse to acknowledge its arguments, alleging CRT is *overly-subjective.* Ladson-Billings (2006) counters these beliefs when she states, "This [storytelling] is often seen as problematic because it is regarded as 'unscientific' and subjective, but CRT never makes claims of objectivity or rationality. Rather, it sees itself as an approach to scholarship that integrates lived experience with racial realism" (p. vi-vii).

Implications for further research: Reflecting

CRT has grown in its movement. Off-shoots or hybrids have emerged that take into account various other issues such as linguistic and immigration oppression. CRT now includes: Critical Race Feminism (CRF), Latino Critical Race Studies (LatCrit), Asian American Critical Race Studies (Asian Crit) and American Indian Critical Race Studies

(TribalCrit), Queer-Crit, etc. While this list is not exhaustive, it speaks for the need of critical scholarship and more emic, critical research.

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Notes

[i] Taylor, in *Foundations of Critical Race Theory in Education,* notes that "[s]ome mark the official start of CLS in 1977 as a conference at the University of Wisconsin, Madison" (2009, p. 2).

[ii] Any attempt to name them all would fall short.