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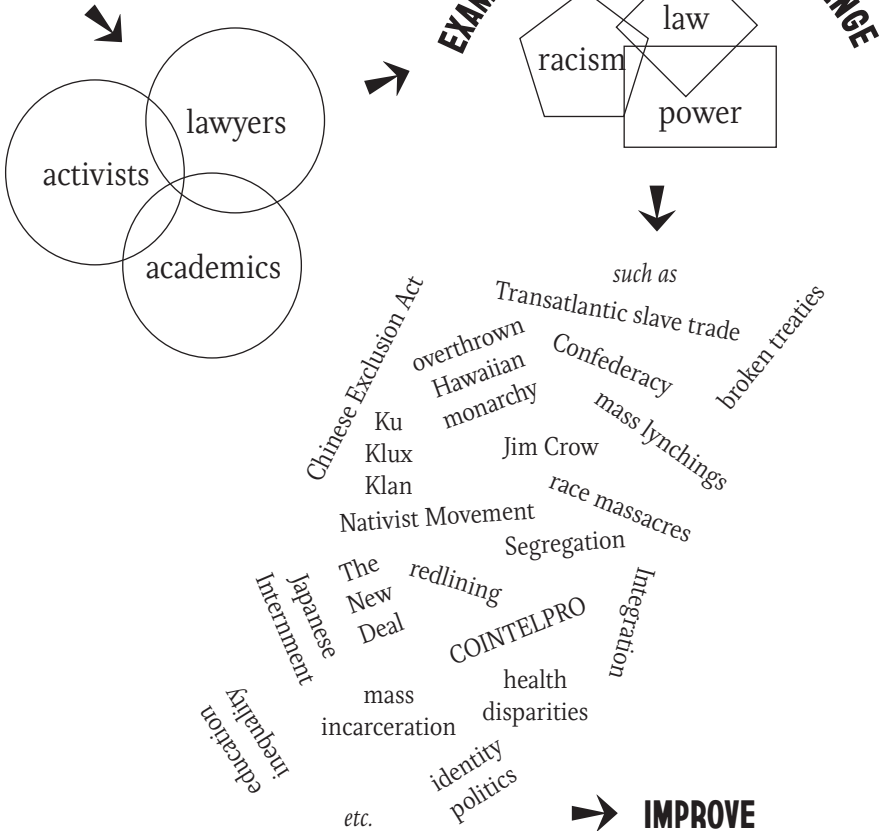
HELL

IS

CRT **CRITICAL
RACE
THEORY** **?**

READ MORE

CRT



“The critical race theory (CRT) movement is a collection of activists and scholars engaged in studying and transforming the relationship among race, racism, and power.”

– *Critical Race Theory: An Introduction* by Richard Delgado, Jean Stefancic (1995)

“Efforts to remove Critical Race Theory from our educational system, just like any other attempt to ban or censor ideas based on ideology, are deeply problematic. Banning Critical Race Theory or censoring those who write about or teach it risks infringing on the right of faculty and students to engage in the free exchange of ideas; it also sets a dangerous precedent that the government gets to decide what ideas or theories are good or bad. This danger is even greater when those ideas and theories are distorted or mischaracterized for political ends. The efforts to ban critical theories, just like other attempts at censorship, undermine one of the primary purposes of education: teaching students how to think for themselves.” **READ MORE:** Association of American Law Schools Statement by AALS on Efforts to Ban the Use or Teaching of Critical Race Theory, August 3, 2021

CRT IS NOTHING NEW



Critical race theory evolved in the 1970s, as lawyers, activists, and legal scholars sought new theories and strategies in the face of civil rights advancements being stalled and rolled back.

“ The originators of CRT include Derrick Bell, Kimberlé Crenshaw, Cheryl Harris, Richard Delgado, Patricia Williams, Gloria Ladson-Billings, Tara Yosso, among others. CRT transcends a Black/white racial binary and recognizes that racism has impacted the experiences of various people of color, including Latinx, Native Americans, and Asian Americans. As a result, different branches, including LatCrit, TribalCrit, and AsianCRT have emerged from CRT. These different branches seek to examine specific experiences of oppression. CRT challenges white privilege and exposes deficit-informed research that ignores, and often omits, the scholarship of people of color. CRT began in the legal academy in the 1970s and grew in the 1980s and 1990s. It persists as a field of inquiry in the legal field and in other areas of scholarship. Mari Matsuda described CRT as the work of progressive legal scholars seeking to address the role of racism in the law and the work to eliminate it and other configurations of subordination.

CRT grew from Critical Legal Studies (CLS), which argued that the law was not objective or apolitical. CLS was a significant departure from earlier conceptions of the law (and other fields of scholarship) as objective, neutral, principled, and dissociated from social or political considerations. Like proponents of CLS, critical race theorists recognized that the law could be complicit in maintaining an unjust social order. Where critical race theorists departed from CLS was in the recognition of how race and racial inequality were reproduced through the law. Further, CRT scholars did not share the approach of destabilizing social injustice by destabilizing the law. Many CRT scholars had witnessed how the law could be used to help secure and protect civil rights. Therefore, critical race theorists recognized that, while the law could be used to deepen racial inequality, it also held potential as a tool for emancipation and for securing racial equality.”

READ MORE: *A Lesson on Critical Race Theory* by Janel George, www.americanbar.org, January 11, 2021

“Kimberlé Crenshaw places the social origins of what was to become critical race theory at a student boycott and alternative course organized in 1981 at the Harvard Law School. The primary objective of the protest was to persuade the administration to increase the number of tenured professors of color on the faculty. The departure of Derrick Bell, Harvard’s first African-American professor, to assume the deanship of the law school at the University of Oregon had left Harvard Law School with only two professors of color. Students demanded... the rectification of this situation by hiring a person of color to teach “Race Racism and American Law,” a course that had been regularly taught by Bell...” **READ MORE:** *Words that Wound: Critical Race Theory, Assaultive Speech, And The First Amendment* by Mari J. Matsuda, Charles R. Lawrence III, Richard Delgado, Kimberlé Williams Crenshaw (1993)

CRT IS ABOUT THE SYSTEM, NOT THE INDIVIDUAL



The theory argues that the legacy of slavery, segregation, and Jim Crow laws are ingrained in modern policies and institutions, perpetuating inequality through systematized racism.

“ CRT stems from the need to provide a language for what institutions actually do, rather than how people in those institutions describe themselves. CRT thus seeks to explain the fact of persistent racial injustice by analysing the practices of American institutions. Such practices are racist because they perpetuate racial inequality, not because people within them seek deliberately to oppress individual and specific black people. Mortgage lending, for instance, can function in a racist way, even if the lenders themselves harbour no personal bigotry against non-whites.

CRT holds that such institutional practices are difficult to change and endemic to American institutions, and that they, rather than the malice of individual bigots or the supposed pathologies of black American behaviour, are primarily responsible for racial inequality. CRT is thus not about people's individual characters. It is rather a claim about the

structures, practices, and habits that perpetuate racial inequality. Even the most avowed anti-racist can participate in an institution with racist practices.

Martin Delany, a political philosopher and black abolitionist, writing in the year 1852, noted that even in “Anti-Slavery establishments”, by which he means institutions in Northern cities devoted to the abolition of slavery and “the elevation of the colored man, by facilitating his efforts in attaining to equality with the white man”, black citizens only occupy “a mere secondary, underling position.” Even whites most devoted to the cause of the advancement of racial equality hired black Americans for inferior jobs.”

READ MORE: “Jason Stanley on critical race theory and why it matters” by Jason Stanley, *The Economist*, May 21, 2021

“As of 2016, the median wealth for black families in America was \$17,600, while the median wealth for white families was \$171,000. One of the biggest factors driving these disparities is housing.” For most Americans, homeownership is key to wealth accumulation. Housing discrimination in America is rooted in a long history of racist policies from slavery, redlining, predatory inclusion. www.vox.com/identities/2019/12/4/20953282/racism-housing-discrimination-keenga-yamahtta-taylor **READ MORE:** *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership* by Keeanga-Yamahtta Taylor (2019)

CRT SEEKS TO EMBODY AMERICAN IDEALS



Critical race theory recognizes that racism has always been a part of America and works to end racial oppression by ending all forms of oppression.

“ The history of minorities in the United States shows that while one group is gaining ground, another is often losing it. For example, in 1846 the United States waged a bloodthirsty war against Mexico in which it seized about one-half of that nation’s territory. Later, Anglo lawyers and land-hungry settlers colluded with courts and local authorities to deprive the Mexicans who chose to remain in the conquered territory of their lands, which were guaranteed by the peace treaty. Yet, only a few years later, the North gallantly fought an equally bloody war against the South, ostensibly to free the slaves. During Reconstruction, slavery was abolished and important legislation enacted for the benefit of the newly freed blacks. Yet at the very same time, Congress was passing the despised Indian Appropriation Act, providing that no Indian nation would be an independent entity capable of entering into a treaty with the United States.

To make matters worse, not long afterward, the Dawes Act broke up land the tribes held in common, resulting in the loss of almost two-thirds of all Indian land. And in 1882 Congress passed the Chinese Exclusion Act; earlier California had made it a crime to employ Chinese workers.”

READ MORE: *Critical Race Theory: An Introduction* by Richard Delgado, Jean Stefancic (1995)

“ *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.*”

READ MORE: *United States Constitution*

“Civil rights, guarantees of equal social opportunities and equal protection under the law, regardless of race, religion, or other personal characteristics. Examples... include the right to vote, the right to a fair trial, the right to government services, the right to a public education, and the right to use public facilities. Civil rights are an essential component of democracy; when individuals are being denied opportunities to participate in political society, they are being denied their civil rights.... Civil rights laws attempt to guarantee full and equal citizenship for people who have traditionally been discriminated against on the basis of some group characteristic. When the enforcement of civil rights is found by many to be inadequate, a civil rights movement may emerge in order to call for equal application of the laws without discrimination.” **READ MORE:** www.britannica.com/topic/civil-rights

CRT IS A PRACTICE, NOT A PRODUCT



Critical race theory is a verb, not a noun.

“ CRT is not a diversity and inclusion ‘training’ but a practice of interrogating the role of race and racism in society that emerged in the legal academy and spread to other fields of scholarship. Crenshaw—who coined the term ‘CRT’—notes that CRT is not a noun, but a verb. It cannot be confined to a static and narrow definition but is considered to be an evolving and malleable practice. It critiques how the social construction of race and institutionalized racism perpetuate a racial caste system that relegates people of color to the bottom tiers.”

READ MORE: *A Lesson on Critical Race Theory* by Janel George, www.americanbar.org, January 11, 2021

“ Lately, of course, this niche legal movement has found itself at the center of the culture wars... Yet few from either squad seem to have thought much about what exactly “it” is. Something something “race,” something something “history,” something something “America.” ... Bona-fide critical race theory,

a scholarly movement, wouldn’t be taught in grade school any more than “drifting to a person in their first driving course,” as one writer, Michael Harriot, of the *Root*, put it to me recently.... Yet those eager to cross swords with conservatives have worked themselves into a corner: in attempting to defend critical race theory, they have whittled a leftward strain of scholarship into a set of innocuous talking points that, indeed, sound fit for children... There is something about the homogeneity of these definitions, their recourse to coddling cliché, that makes critical race theory seem like just another version of a fluffier and more familiar three-word initialism, D.E.I.—diversity, equity, and inclusion. As with the less robust term “privilege,” the words “structural” and “systemic” are called upon with a suspiciously breezy regularity these days.”

READ MORE: “The Void That Critical Race Theory Was Created to Fill” by Lauren Michele Jackson, *The New Yorker*, July 27, 2021

“One of the best things my high school US history teacher did for me was help me understand that no history is an exhaustive representation of anything. She made me aware of silences. When you allow students to have the agency of knowing that history is not always as authoritative as we tend to imagine, it actually invites them to establish a deeper intellectual relationship with the past. It allows us to think about why certain scholars might have chosen to represent certain aspects of the past in the ways that they did.” — Jarvis R. Givens, author of *Fugitive Pedagogy: Carter G. Woodson and the Art of Black Teaching* (2021), **READ MORE:** www.vox.com/policy-and-politics/22464746/critical-race-theory-anti-racism-jarvis-givens

CRT IS ABOUT UPLIFTING HUMANITY



Critical race theory is pragmatic and utopian; it is about perseverance in the face of oppression. It is about a struggle for freedom.

“ Our work is both pragmatic and utopian, as we seek to respond to the immediate needs of the subordinated and oppressed even as we imagine a different world and offer different values. It is work that involves both action and reflection. It is informed by active struggle and in turn informs that struggle.”

READ MORE: *Words that Wound: Critical Race Theory, Assaultive Speech, And The First Amendment* by Mari J. Matsuda, Charles R. Lawrence III, Richard Delgado, Kimberlé Williams Crenshaw (1993)

“ If racism is permanent, as CRT asserts, their weariness and despair are predictable and inevitable. Yet I believe that, as Derrick Bell points out, there is something real out there. It is not, he says, a romantic notion of colorblindness nor an idealistic illusion that oppression in all its forms will be eradicated. CRT does not make this promise. In fact, Bell assures his readers: ‘We must realize, as our slave forebears did, that the struggle for freedom is, at bottom,

a manifestation of our humanity which survives and grows stronger through resistance to oppression, even if that oppression is never overcome’ (Bell, 1990, p.379).

Paradoxically, it is the act of resistance itself that is our triumph. These small and simple decisions to resist domination, added and multiplied, can create significant momentum. Or perhaps they don’t do much at all. Perhaps no one listens, and little changes. It is the refusal to remain silent, in and of itself, that gives strength and empowerment in a society determined to cling to established habits of repression. If you remember this, you will understand critical race theory.”

READ MORE: *Foundations of Critical Race Theory in Education* edited by Edward Taylor, David Gillborn, and Gloria Ladson-Billings (2009)

“The problem is not bad people,” said Mari Matsuda, a law professor at the University of Hawaii who was an early developer of critical race theory. “The problem is a system that reproduces bad outcomes. It is both humane and inclusive to say, ‘We have done things that have hurt all of us, and we need to find a way out.’”

READ MORE: www.nytimes.com/article/what-is-critical-race-theory.html

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A Lesson on Critical Race Theory by Janel George, www.americanbar.org, January 11, 2021

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“The Void That Critical Race Theory Was Created to Fill” by Lauren Michele Jackson, *The New Yorker*, July 27, 2021

ALSO: *Race, Racism, and American Law* by Derrick Bell (1970)

Critical Race Theory: The Key Writings That Formed the Movement edited by: Kimberlé Crenshaw, Neil T. Gotanda, Gary Peller, Kendall Thomas, foreword by Cornel West (1996)

This booklet was created for Don't Shoot Portland and their *Archives for Black Lives*: A Liberated Archives Exhibition. It is intended as a resource to foster research. Don't Shoot PDX is a social justice nonprofit that promotes art, education and civic participation to create social change. Liberated Archives for Black Lives workshops and installations should encourage people who attend these events/exhibitions to become engaged with archival research and use the access to manage and collect evidence with historical data for approaching sources with a critical lens.

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“Learning about CRT is important because in order to challenge systems of oppression, you must first be able to identify them. CRT encourages students to become more civically engaged by equipping them with the tools they need to think critically about issues of race and racism. The best way to combat the backlash and criticism about CRT is through education.”

— Dr. Angel Jones

In a Reuters/Ipsos national opinion survey of adults who said they were familiar with CRT, only 5% correctly answered all seven true-false questions that the poll asked about the history and teachings of critical race theory. Only 32% correctly answered more than four of the seven questions. **READ MORE:** www.reuters.com/world/us/many-americans-embrace-falsehoods-about-critical-race-theory-2021-07-15/