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Political theory

Why Critical Race Theory Is Important

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Commentators and analysts say it's because "parents seek more control" of their children's education, especially when it discusses race and racism. It's led to some parents calling for bans of books by prominent authors including Nobel Laureate Toni Morrison's *Beloved*.

The attack on "Critical Race Theory" is fraudulent. The real issue, as every Black person knows, is not about democratizing public education. It is about race and racism, reflecting the long history of racial and national oppression of Black people.

How many indignant white parents can explain what the theory is, and how they've lost control of their kids' educations? Previous dog whistles about "welfare queens" or "law and order" or some other manufactured "cultural" issue were used to target the most oppressed peoples of the country. Racial wedging has gone on for 240 years.

Critical Race Theory is not the real issue, but it's still an important discussion to have about racial awakening and the role of racism in politics — the past, the present and the future.

CRT is Realism

Two authors, Claire Suddath and Shera Avi-Yonah, concisely explain that Critical Race Theory (CRT) "proposes that any analysis of American society must take into account its history of racism and the role race has played in shaping attitudes and institutions [including] the ways policies, procedures and institutions work to perpetuate racial inequity even in the absence of personal racial animus." ("How Critical Race Theory Became a Political Target," Bloomberg Equality online, October 2, 2021)

They cite as an example the well-known history of redlining African Americans in perpetuating poverty.

CRT is realism, not pessimism or anti-white. Its critique of the system is true. One could remark that CRT itself helps us understand why any public school teaching about racism comes under such vicious, lying attacks.

The radical reforms won in the 1960s with the victory of the civil rights revolution that smashed the Jim Crow system in the South and its extension to the rest of the country as seen in employment, education and housing policies, led to immediate white backlash.

The primary beneficiaries of the changes were the Black middle class. Many more African Americans were able to attend top-notch universities, buy homes in once all- white neighborhoods and get skilled trades jobs in industries.

This was a break from the pattern of 200 years where the most skilled and educated Black people were denied these options.

The 1964 and 1965 Civil Rights and Voting Rights laws were adopted by Congress. Legally speaking, Black people then were to be treated as equal and full citizens, not segregated into urban ghettos and not denied entrance into the best public schools and colleges. But further progress did not happen as hoped.

Myth and Backlash

Just as there is a myth of the immigrant “melting pot,” there is a myth of the colorblind “American” citizen.

The white backlash (a common theme in history) has eroded or taken back the most significant changes from voting rights to desegregation and housing opportunities.

Public schools remain segregated in practice. Nor did the election of Barack Obama as the first Black president in 2008 lead to a “post-racial” society. It led instead to Donald Trump — a bigot, misogynist and supporter of white supremacy.

Proponents of Critical Race Theory in academia for more than 30 years have explained that racism is systemic in the laws and how the positive reforms won after the 1960s could and were eroded precisely because racism is permanent within the system founded and codified in the United States Constitution. They explain how civil rights are eroded by the laws and the existing system, but they do not have an alternative system to replace it.

It seems a defeatist vision, which is why longtime defenders of civil rights argue that CRT is also a pessimistic vision. Why continue to fight to change laws that discriminate if it doesn't matter in the long run?

Of course, none of that is what the far right and the Republican Party are talking about. They are demonizing CRT to convince mostly whites of all social economic classes to support the white supremacist “replacement theory” that black and brown immigrants are coming here to make whites a minority and lose their advantages.

At school board meeting and racist demonstrations at schools around the country, CRT is an epithet. It is presented as a threat to white children. The very idea that racism permeates every aspect of U.S. history and society is deemed a Big Lie.

Founders of CRT

Who developed the theory, and why?

Derrick Bell, who died in 2011, explored the weakness of the civil rights legislation and laws won in the past. He said in every case, white backlash occurred that led to civil rights retreats.

Bell points to the gains after the 1865 Civil War period known as Reconstruction and the vicious counterrevolution called the Redemption Era.

Kimberlé Crenshaw took the critique further with her analysis of Intersectionality, which means the interconnected nature of social categories such as race, class and gender as they apply to a given individual or group, producing overlapping and interdependent systems of discrimination or disadvantage.

In other words, Critical Race Theory, along with understanding intersectionality, is a way to fully understand the permanence of racial and national oppression under the current capitalist system.

Karl Marx analyzed capitalism and answered the question: How to end class exploitation and working-class political subordination? Marx and Friedrich Engels wrote the Communist Manifesto as an action program to “win the battle of democracy” and ultimately replace the old undemocratic system and with communism.

That theory and perspective of revolution isn't what creators of CRT advocate or believe, including Crenshaw or Bell. But their analysis presents a strong indictment of racism and capitalism.

Kimberlé Crenshaw

Crenshaw is a law professor at Columbia University and UCLA. She runs the African American Policy Forum, the social justice think tank she cofounded 25 years ago, and hosts a podcast on the term she coined in 1989: intersectionality.

Rita Omokha interviewed her in the July 29, 2021 Vanity Fair:

“Crenshaw breaks it down. ‘Critical race theory is based on the premise that race is socially constructed, yet it is real through social constructions.’ In other words, ask yourself, what is a “Black” neighborhood? Why do we call ‘the hood’ the hood? Labels like these were strategically produced by American policy.

“Critical race theory says the idea of a Black person — who I am in this country — is a legal concept. ‘Our enslavability was a marker of our degradation,’ Crenshaw explains. ‘And our degradation was a marker of the fact that we could never be part of this country. Our Supreme Court said this’ — in the Dred Scott v. Sandford ruling of 1857 — ‘and it wasn’t a close decision.’”

Crenshaw explained that the concept of CRT was to understand the laws after the post-civil rights revolution and their impact on African Americans. The key word, she said, is critical thinking.

“In 1989, during her third year as a law professor, Crenshaw — alongside four thought leaders, two white allies, and three organizers — introduced the term at a workshop. The label was happenstance. ‘We were critically engaging law but with a focus on race,’ she says, recalling a brainstorm session.

“So, we wanted critical to be in it, race to be in it. And we put theory in to signify that we weren’t just looking at civil rights practice. It was how to think, how to see, how to read, how to grapple with how law has created and sustained race — our particular kind of race and racism — in American society.”

Rita Omokha writes:

“What those on the right describe as a threat to democracy in fact promotes equity. It’s how we’ve become, historically, who we’ve been — how the fiction of race is made real...’You cannot fix a problem you cannot name,’ Crenshaw says. “You cannot address a history that you’re unwilling to learn.”

Critical race theory pays attention to the ripple effects of policy decisions, asking “the kinds of questions the other side doesn’t want us to ask because it wants us to be happy with the contemporary distribution of opportunity,” Crenshaw says.

Crenshaw and her co-editors Neil Gotanda, Gary Peller and Kendall Thomas noted, in the Introduction to the 1995 anthology, *Critical Race Theory: The Key Writings That Formed the Movement*, that attacks on CRT have conveniently overlooked the fact that not all its founding scholars are Black. They began publishing work in legal journals that furthered the discourse around race, power, and law.

“I don’t think this is about a real difference in opinion, nor is it a debate that is winnable,” Crenshaw says. “This is about a weapon they’re using to hold on to power.”

Derrick Bell

“The man behind critical race theory,” by Jelani Cobb appears in the September 20, 2021 issue of *The New Yorker*.

“Bell,” Cobb writes, “spent the second half of his career as an academic and, over time, he came to recognize that other decisions in landmark civil-rights cases were of limited practical impact.

“He drew an unsettling conclusion: racism is so deeply rooted in the makeup of American society that it has been able to reassert itself after each successive wave of reform aimed at eliminating it. Racism, he began to argue, is permanent.

“His ideas proved foundational to a body of thought that, in the nineteen-eighties, came to be known as critical race theory. After more than a quarter of a century, there is an extensive academic field of literature cataloguing C.R.T.’s insights into the contradictions of antidiscrimination law and the complexities of legal advocacy for social justice.”

Cobb continued that Bell, Harvard Law’s first Black tenured professor, developed an analysis “that racial progress had occurred mainly when it aligned with white interests — beginning with emancipation, which, he noted, came about as a prerequisite for saving the Union.

“Between 1954 and 1968, the civil-rights movement brought about changes that were thought of as a second Reconstruction. King’s death was a devastating loss, but hope persisted that a broader vista of possibilities for Black people and for the nation lay ahead.”

Yet, within a few years, as volatile conflicts over affirmative action and school busing arose, those victories began to look less like an antidote than like a treatment for an ailment whose worst symptoms can be temporarily alleviated but which cannot be cured.

“Bell was ahead of many others in reaching this conclusion. If the civil-rights movement had been a second Reconstruction, it was worth remembering that the first one had ended in the fiery purges of the so-called Redemption era...

“Bell seemed to have found himself in a position akin to Thomas Paine’s: he’d been both a participant in a revolution and a witness to the events that revealed the limitations of its achievements.”

After the *Bakke* ruling by the Supreme Court that ruled quotas or concrete goals were illegal as tools to end historical racism, Bell concluded it is important to understand while many Black elites and white liberals see fighting racism with reforms of the system, these reforms cannot last because the legal system will not allow it.

Laws will be changed to accommodate white power. The gutting of voting right by the Supreme Court in 2013 reversing 50 years of precedent shows that. Jelani Cobb notes that's exactly what's happened since Trumpism took over the Republican Party:

“(C)onservatives have been waging war on a wide-ranging set of claims that they wrongly ascribe to critical race theory, while barely mentioning the body of scholarship behind it or even Bell’s name.

“As Christopher F. Rufo, an activist who launched the recent crusade, said on Twitter, the goal from the start was to distort the idea into an absurdist touchstone... Accordingly, CRT has been defined as Black-supremacist racism, false history, and the terrible apotheosis of wokeness.”

Patricia Williams, one of the key scholars of the CRT. canon, refers to the ongoing mischaracterization as “definitional theft.”

What Solutions?

Understanding what CRT is, and isn't, is crucial to taking on racist attacks on Black people. Ironically, CRT has become a fixation of conservatives despite the fact that some of its sharpest critiques were directed at the ultimate failings of liberalism, beginning with Bell's own early involvement with one of its most heralded achievements — the defeat of legal segregation.

Derrick Bell was less focused on white politicians curtailing discussions of race in public schools than that they did so in conjunction with a larger effort to shore up the political structures that disadvantage African Americans.

During the civil rights struggles before the end of Jim Crow legal segregation, there was sharp debate among Black leaders and militants about how to end racism and bring freedom and equality. In the 1960s the two main voices were Martin Luther King, Jr. and Malcolm X.

King advocated that Black people fully integrate into U.S. society and believed African Americans would eventually become full citizens in word and deed.

His closest associates after his death in 1968 continued to believe that capitalist society could be reformed, and equality won under the “free market” system. They created a new middle class that is the largest and most powerful in Black history.

Yet the vast majority of working-class Black people made little progress; the wealth gap remains as wide as ever, especially after the 2008 housing and financial crash.

Malcolm X, before he was assassinated in 1965, had come to the conclusion the problem was the system. He advocated more radical solutions than legal equality.

Malcolm was the father of the Black Power militancy of the late 1960s. Many African Americans made demands beyond civil rights, including calling for anti-capitalist solutions. These militants created all-Black groups to fight racism, but many also saw the need to build alliances with white allies in the fight against racism and the capitalist system.

Why Critical Race Theory Is Important

Supporters of Critical Race Theory, advanced a theory that Marxists and Black revolutionaries have always explained. The convergence is that race and racism are man-made social constructions that only can be changed and crushed through revolution.

It begins with pressing for school education to tell the truth about settler colonialism as the basis of the United States. While the legal term “genocide” did not exist until after World War II, what white English settlers did to the native tribes was genocide and ethnic cleansing.

Asians were excluded in the late 1800s and African slaves and their descendants were never seen as human, much less as equal citizens even after the end of slavery.

Supremacist ideology is racism. Donald Trump was not the leader of that ideology. He is a 21st century mouthpiece.

Attacking CRT is no different than calling civil rights organizations like the NAACP “communist” — a diversion from facing the real history of the country.

The civil-rights movement had been based on the premise that the American system could be made to live up to the creed of equality prescribed in its founding documents. But Derrick Bell had begun to think that the system was working exactly as it was intended — to erode and roll back racial progress.

How to end that cycle, Bell did not answer. From Bell to Crenshaw and a new school of academics who support CRT, the solution may not be at hand, but the understanding is clear: every step forward in civil rights leads to a backlash that can only be defeated by a radical political economic revolutionary movement.

Critical Race Theory and intersectionality are valuable concepts to better understand issues of race, gender, class and social justice. But full equality and freedom for African Americans is not possible until a new socialist economic system is constructed.

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