

“So When It Comes Out, They Aren’t That Surprised That It Is There”: Using Critical Race Theory as a Tool of Analysis of Race and Racism in Education

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Jasmine,¹ an African-American 9th-grade student, described the racial and cultural climate at Wells Academy, an elite, predominately White, independent school. She stated, “Everybody knows that racism exists and that people are racist. So when it comes out, they [faculty and students] aren’t that surprised that it is there.” As Jasmine asserted, racism is prevalent in all aspects of society, with schools not being an exception. However, what is most interesting about her statement is that she perceives that racism is so commonplace within the school walls that when it appears, few are surprised. Jasmine has already begun to understand the pervasiveness of racism and its impact on African Americans.

Because of the legacy of racism, schooling is problematic for African-American students, particularly those students attending predominately White schools (Anderson, 1988; Ladson-Billings & Tate, 1995; Shujaa, 1994). For such students, feeling culturally alienated, being physically isolated, and remaining silenced are common experiences. These feelings are often exacerbated when African Americans attend predominately White, elite, independent schools (Datnow & Cooper, 1998, 2000). Given the insidious and often subtle way in which race and racism operate, it is imperative that educational researchers explore the role of race when

examining the educational experiences of African-American students. Critical Race Theory (CRT) is a useful perspective from which to explore such phenomena. In this article, we will illustrate how CRT can be used to examine the experiences of African-American students. We will use the counterstories of African-American students at Wells Academy, an elite, predominately White, independent school.

Wells Academy

Wells Academy is located in a major city in an affluent, predominately White area in the southeastern United States. Property values in this community range from \$450,000 to over \$3 million. Wells has religious roots, although it does not claim a particular religious affiliation. The school serves students in pre-Kindergarten through the 12th grade. Wells attempts to educate the whole child; it focuses on providing both a classical (e.g., mathematics/science, literature, and foreign language) and aesthetic (e.g., art and music) education while attending to students’ emotional needs. Also, it attempts to address multiculturalism and celebrate diversity through multicultural counseling and courses offered by the diversity coordinator.

In the high school, during the 2002–2003 school year, 44 of the 599 students enrolled were African American; the African-American population was the largest population of students of color. Many of the White students that live near Wells also go to school there. As such, many of the White students are from affluent families. Few African-American students live near the school. The majority of African-American students who attend Wells are from various parts of the city, in-

cluding areas that can be considered upper class, middle class, and less affluent areas. Most of the African American students, however, are considered middle class.²

Two such African-American students were Malcolm and Barbara. Malcolm was a 17-year-old senior from a middle-class family. He was very active in school leadership activities and was an athlete. Barbara was an 18-year-old recent graduate from a prominent, upper-class family. She was also very active in school leadership activities. Both students were very proud of their African-American heritage and often participated in the African-American cultural activities at Wells.

Because of Malcolm’s and Barbara’s precarious positions as two of the few African-American students at a predominately White school, their voices were often silenced because they were afforded very few opportunities to be heard. As frequently the only African-American students in class, they were often ignored or Othered. As such, it is imperative that educational researchers provide analytical tools for the critical exposure of race and racism that serves as a source of Othering, as well as allow for the desilencing of marginalized individuals. CRT is such a tool (Ladson-Billings, 1999; Ladson-Billings & Tate, 1995).

Critical Race Theory

CRT was derived during the mid-1970s as a response to the failure of Critical Legal Studies (CLS) to adequately address the effects of race and racism in U.S. jurisprudence. CRT developed initially from the work of legal scholars Derrick Bell, Alan Freeman, and Richard Delgado (Delgado & Stefancic, 2001). Although CLS challenges the “meritocracy” of the United

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States, CRT focuses directly on the effects of race and racism, while simultaneously addressing the hegemonic system of White supremacy on the “meritocratic” system (Cook, 1995; Crenshaw, 1995; Dalton, 1995; Matsuda, 1995). In addition, CRT differs from CLS in that it has an activist aspect, the end goal of which is to bring change that will implement social justice (Crenshaw, 1995).³ CRT specifically involves the following tenets: (a) counter-storytelling (Matsuda), (b) the permanence of racism (Bell, 1992, 1995; Lawrence, 1995), (c) Whiteness as property (Harris, 1995), (d) interest convergence (Bell, 1980), and (e) the critique of liberalism (Crenshaw, 1988).

Although CRT has been largely used in the area of legal research (e.g., Crenshaw, 1995), its influence has expanded into other disciplines including education. Ladson-Billings and Tate (1995) can be credited with introducing CRT to education nearly 10 years ago. Now, CRT is emerging as a powerful theoretical and analytical framework within educational research (e.g., Duncan, 2002; Lynn, Yosso, Solórzano, & Parker, 2002). However, particularly in the area of education, researchers have yet to utilize CRT to its fullest. Educational researchers have commonly focused on counter-storytelling and the permanence of racism (e.g., Parker & Lynn, 2002) and have yet to focus on the other aspects of CRT. It is important to note that an emerging interest within educational research and among those who utilize CRT is the interrogation of Whiteness (see for example, Marx & Pennington, 2003). The purpose of this article is to discuss the ways in which a CRT analysis that engages five prominent tenets of CRT can be helpful and illuminating in educational research. Malcolm’s and Barbara’s stories will serve as useful examples of how to utilize CRT as a tool of analysis.

Counter-Storytelling

An essential tenet of CRT is counter-storytelling (Matsuda, 1995). Counter-storytelling has been an essential feature of educational research that employed a CRT framework. Delgado and Stefancic (2001) define counter-storytelling as a method of telling a story that “aims to cast doubt on the validity of accepted premises or myths, especially ones held by the majority”

(p. 144). Counter-storytelling is a means of exposing and critiquing normalized dialogues that perpetuate racial stereotypes. The use of counterstories allows for the challenging of privileged discourses, the discourses of the majority, therefore, serving as a means for giving voice to marginalized groups. In other words, counter-storytelling “help[s] us understand what life is like for others, and invite[s] the reader into a new and unfamiliar world” (Delgado & Stefancic, p. 41). In education, Solórzano and Yosso (2002) suggest that counterstories can be found in various forms, including personal stories/narratives, other people’s stories/narratives, and composite stories/narratives.

By engaging in counter-storytelling, we will analyze Malcolm’s and Barbara’s experiences as African-American students at Wells Academy and explicate how they felt “uncelebrated” at a school that claimed to “celebrate” diversity. More specifically, their counter-narratives give them the opportunity to critically reflect upon their precarious positions of being few students of color attending an elite, predominately White, independent school in the southeast. Furthermore, by telling their stories in their own words, their counter-narratives allow them to contradict the Othering process, and, thus, challenge the privileged discourses that are often found at elite, predominately White, independent schools. Through the use of Malcolm’s and Barbara’s counter-storytelling, we will demonstrate how the various elements of CRT, including the permanence of racism, Whiteness as property, interest convergence, and the critique of liberalism, can be exposed and explored in a CRT analysis.

The Permanence of Racism

One of the basic premises of CRT is the notion of the permanence of racism in society or as Bell (1992), one of the “founding fathers of CRT,” states, “racism is a permanent component of American life” (p. 13). The acceptance of the idea of the permanence of racism involves adopting a “realist view” of the American societal structure. Within a CRT framework, according to Bell (1995), a “realist view” requires realizing the dominant role that racism has played and continues to play in American society; this can be both a conscious and an unconscious act (Lawrence, 1995). Furthermore, the notion of the

permanence of racism suggests that racist hierarchical structures govern all political, economic, and social domains. Such structures allocate the privileging of Whites and the subsequent Othering of people of color in all arenas, including education.

An example of the permanence of racism is demonstrated by Malcolm’s observation of racist behavior and unfair discipline procedures at Wells. In the following passage, he described an incident regarding a possible hate crime by a White student:

An [internet] profile was found by one of my African American friends in my grade. It made one reference towards a [n African American] student. It sa[id], ‘if I ever see this student walking down this street, I’ll kill him, I’ll shoot him.’ And it had a few racist remarks [towards African Americans].

Malcolm also described what he perceived as blatant unfair disciplinary decisions made during the discipline council procedures regarding the racist behavior of the alleged perpetrator. He exclaimed:

I’m the only African American on the discipline council, so everybody was looking at me, but not really looking at me trying to give an eye of unsettledness without me noticing, but I could see everybody watching me. I told them straight up after the kid [the alleged perpetrator] left that he should be expelled. Because there was some problem with seeing whose profile it was because the child’s profile who it was under said he hadn’t written it. And so, I [said I] think he should still be expelled just because it was under his profile and his not taking it off. And so that was our verdict that we gave to our headmaster. Two days later, the headmaster came back to us and said that we [couldn’t] expel him and proceeded to look directly into my eyes and tell me that “Now Malcolm, I know that you’re Black and I know that you’re the only Black person on this council, how do you feel and why do you think he should be expelled?” And the reason why they said they couldn’t expel him was because of legal liability, something that could have been very easily made up. . . . He was suspended for a month and made to watch the series, *Eyes on the Prize*, and read *Black Like Me*, which was written by a White man.

A CRT analysis would examine the disparity and dismissal of the import and impact of the hate speech [Internet profile]

on the victims and victimizer, as well as the ways in which Wells' governance practices serve to support the permanence of racism. CRT scholars have discussed the deleterious effects of hate speech and crimes on society (Matsuda, Lawrence, Delgado, & Crenshaw, 1993). Using racial slurs, threatening to do harm to a particular student, and possibly inciting others to behave similarly is a serious offense. As such, a CRT analysis would explore the nature of the threat, including its meaning and intent. In doing so, it would explore the culture of the school, one that allowed the student to feel comfortable in producing such a threat, as well as the manner in which the threat encouraged racist and violent behavior and supported a hostile and alienating environment for the African-American students. In addition, a CRT analysis would examine the disciplinary process, including the disciplinary council meeting as well as the headmaster's deciding of the "appropriate" punishment, focusing on the ostracizing of Malcolm and the lenient and racial punishment.

Whiteness as Property

Another tenet of CRT is the notion of Whiteness as property. Legal CRT scholar Harris (1995) argues that due to the history of race and racism in the United States and the role that U.S. jurisprudence has played in reifying conceptions of race, the notion of Whiteness can be considered a property interest (p. 280).³ According to Harris, property functions on three levels: the right of possession, the right to use, and the right to disposition. Furthermore, the right to transfer, the right of use and enjoyment, and the right of exclusion are essential attributes associated with property rights. Harris suggests that these functions and attributes of property historically have been deployed in the service of establishing Whiteness as a form of property.

Latson-Billings and Tate (1995) suggest that in utilizing a CRT perspective to analyze educational inequity, the curriculum, and, specifically, access to a high-quality, rigorous curriculum, has been almost exclusively enjoyed by White students. Tracking, honors, and/or gifted programs and advanced placement courses are but the myriad ways that schools have essentially been re-segregated. The formal

ways that selection and admission into these programs are conducted guarantee that students of color have virtually no access to a high-quality curriculum or certainly one that will prepare them for college attendance (see for example, Fine, 1991; Oakes, 1995; Solórzano & Ornelas, 2002). Thus, through the myriad policies and practices that restrict the access of students of color to high-quality curricula, and to safe and well-equipped schools, school districts have served to reify this notion of Whiteness as property whereby the rights to possession, use and enjoyment, and disposition, have been enjoyed almost exclusively by Whites. It is important to note that some students of color have been able to penetrate these barriers to educational opportunity; however, there are a small number of studies that examine high-achieving students of color.⁴

Barbara describes incidents at Wells that demonstrate the way in which the school's policies and practices regulated student dress and behaviors and reinforced this notion of Whiteness as property. For example, when describing her perceptions of the administration's ideal Black student, she readily stated:

Don't be quoting Marcus Garvey everywhere you go. Don't be so pro-African that you are going to come in the dashiki on the wear-what-you-want-to-wear day when we don't have uniforms.

Barbara perceived that the administration was not receptive to African culture. This perception was supported by the administration's regulations regarding graduation. Barbara explained:

You know, in the past in graduations, I can remember there was one African American girl who graduated with my sister who wanted to wear an African headwrap but it wasn't white. When you graduate, the girls have to wear all white and it was this huge thing because she wanted something African in her outfit but you can't have anything African because there is nothing in Africa that is white. So, she got a headdress made that was white but that had African designs and symbols on it, all in white, just on [the] lining. And she wore that and people said she looked beautiful and she was very proud of herself. But it was the fact that she had to go through all of that just to be proud of where she came from. She had to alter it to match the views that Wells has.

Thus, as both of these stories illustrate, for Black students at Wells, expressions of cultural pride must conform to "acceptable" standards despite the venue. Discussing Marcus Garvey and wearing African clothing were considered "controversial" and unacceptable. Similarly, it is problematic that the students, during what can be argued as their "shining moment," are not allowed to express themselves culturally. Moreover, the school reinforced "Whiteness as property" through its policies and practices that regulated the manner in which students expressed themselves either verbally or through their dress (Brady, Eitman, & Parker, 2000).

Interest Convergence

An additional tenet of CRT is interest convergence. Bell (1980) suggests that civil rights gains within communities of color, and, specifically, those for African Americans, should be interpreted with measured enthusiasm. First, early civil rights legislation provided only basic rights to African Americans, rights that had been enjoyed by Whites for centuries. These civil rights gains were in effect superficial "opportunities" because they were basic tenets of U.S. democracy; however, Bell (1980) argues that these very basic rights came only inasmuch as they converged with the self-interests of Whites. We would add that these concessions were offered to the extent that they were not seen (or exacted) as a major disruption to a "normal" way of life for the majority of Whites. Furthermore, given the vast disparities between elite Whites and most communities of color, gains that coincide with the self-interests of White elites are not likely to make a substantive difference in the lives of people of color.⁵ Citing the limited and precarious gains of the *Brown* decision, Bell argues that losses in terms of human capital by way of the dismissal of scores of African-American teachers and administrators, school closings in Black neighborhoods, and the limited access to high-quality curricula in the form of tracking, inflated admissions criteria, and other factors, have made the so-called "gains" from *Brown* questionable.

This notion of interest-convergence is exemplified in Malcolm's experience on his first day of school at Wells. He explained:

The first day I came as a freshman, before anybody said hello or how are you or what's your name, they asked me do I play football and what was my 40 time. What did I run the 40-meter dash in? And that seemed like the big thing that they were concerned about because just about all African-American males at my school serve some type of purpose on some athletic team. That's a horrible stereotype [regarding] African Americans. That's a small glimpse of what we are capable of and what we can do. We're smart. We can hold our own in the classroom and everything else. But they expect us just to be Black athletes. That's what I think they see coming in.

A CRT analysis of Malcolm's experience examines the ways in which the interest-convergence factor manifested in the school's desire to raise the competitiveness of its team by recruiting more athletically talented African-American students. In particular, Wells' football team consistently made it to the state tournament. While the African-American student athletes would theoretically have access to a high-quality education by attending Wells Academy, many of those same African-American athletes, however, rarely participated in honors or advanced placement courses. According to Malcolm, his only asset, in the eyes of school officials, was his athletic ability. Thus, the school's interest in making its athletic program more competitive converged with some African-American families' desires to provide a "rigorous" education for their children. Whether their children actually experienced a high-quality education is questionable; however, it is quite evident from the success of its athletic program that Wells benefited from having African-American students.

Critique of Liberalism

The last tenet of CRT to be discussed is the critique of liberalism. CRT scholars are critical of three basic notions that have been embraced by liberal legal ideology: the notion of colorblindness, the neutrality of the law, and incremental change. At face-value, all appear to be desirable goals to pursue to the extent that in the abstract, colorblindness and neutrality allow for equal opportunity for all; however, given the history of racism in the U.S. whereby rights and opportunities were both conferred and withheld based almost exclu-

sively on race, the idea that the law is indeed colorblind and neutral is insufficient (and many would argue disingenuous) to redress its deleterious effects. Furthermore, the notion of colorblindness fails to take into consideration the persistence and permanence of racism and the construction of people of color as Other. Colorblindness, as Williams (1997) suggests, has made it nearly impossible to interrogate both the ways that White privilege is deployed and the normalizing effects of whiteness. Hence, "difference," in the colorblind discourse almost always refers to people of color because being White is considered "normal."

Furthermore, CRT scholars argue that colorblindness has been adopted as a way to justify ignoring and dismantling race-based policies that were designed to address societal inequity (Gotanda, 1991). In other words, arguing that society should be colorblind ignores the fact that inequity, inopportunities, and oppression are historical artifacts that will not easily be remedied by ignoring race in the contemporary society. Moreover, adopting a colorblind ideology does not eliminate the possibility that racism and racist acts will persist.

Under the notion of incremental change, gains for marginalized groups must come at a slow pace that is palatable for those in power. In this discourse, *equality*, rather than *equity* is sought. In seeking equality rather than equity, the processes, structures, and ideologies that justify inequity are not addressed and dismantled. Remedies based on equality assume that citizens have the *same* opportunities and experiences. Race, and experiences based on race are not equal, thus, the experiences that people of color have with respect to race and racism create an unequal situation. *Equity*, however, recognizes that the playing field is *unequal* and attempts to address the inequality. Hence, incremental change appears to benefit those who are not directly adversely affected by social, economic, and educational inequity that come as a result of racism and racist practices.

As stated earlier, Wells has a "commitment" to diversity. In the 1999–2000 school year, the school created a diversity coordinator position. This position was created as an attempt to help change the racist remnants of the "Old South" that

exist at the school. The position was also created to help make the school more inclusive, particularly to people of color. In the position, the coordinator is responsible for teaching multicultural classes, organizing multicultural student activities, and providing diversity workshops for faculty.

A CRT analysis would explore the ways in which the multicultural courses and programming challenged and changed racist practices and policies. A limitation of the liberal commitment to diversity was manifested in Wells's hiring one person, an African American, to attend to the school's diversity initiative. Making her responsible for teaching all the multicultural courses and providing all the programming and professional development in the areas of cultural sensitivity and awareness demonstrates the school's lack of commitment to diversity. This token commitment to diversity, which rested solely with one person, and encompassed a wide range of responsibilities, essentially ensured that change at Wells would not be sweeping or immediate. Thus, with the limited human resources Wells employed to "diversify" the school and the curriculum to create a more diverse and inclusive schooling environment, it guaranteed that changing the racist remnants of the "Old South" would not likely happen quickly, but incrementally and superficially instead, if at all. An abiding limitation of liberalism is its reliance on incremental change. Interestingly, those most satisfied with incremental change are those less likely to be directly affected by oppressive and marginalizing conditions.

Discussion

Barbara and Malcolm's experiences are an illustration of the salience of race and racism in education. Although their narratives involve their experiences at an independent school, their stories transcend most school contexts and demonstrate the subtlety and the pervasiveness of racism. Also, their stories show the insidious nature of racism and how it manifests in a variety of educational contexts. More importantly, these counter-stories explicate how race and racism personally affected them as people of color. Using a CRT framework to analyze Barbara's and Malcolm's counter-stories illustrates the ways in which the subtleties of race and racism can be illuminated. Moreover,

through uncovering covert racist practices and the policies that support them, educators, students, families, and communities are able to devise strategies to counteract, resist, and/or forestall those practices' and policies' effects.

The Future of CRT in Education

In this article, we attempted to explicate how CRT can be used as an analytical tool in educational research. We discussed how CRT could be engaged as a method of qualitative analysis. Specifically, we illustrated how various tenets of CRT could be used to examine qualitative data through the analysis of several counter-stories, the counter-stories of Malcolm and Barbara.

Although much progress has been made regarding CRT and educational research,⁶ much work still needs to be done to further develop CRT as a framework and method of analysis in educational research. Specifically, in order to fully utilize CRT in education, researchers must remain critical of race, and how it is deployed. CRT implies that *race* should be the center of focus and charges researchers to *critique* school practices and policies that are both overtly and covertly racist. It is important to note that CRT has been critiqued because of the perception that the focus on race eclipses other aspects of difference that serve to marginalize and oppress people of color. However, CRT scholars, such as Bell (1992), Crenshaw (1995), and Williams (1997) have included in their analyses the ways that social class and gender intersect with race. Moreover, as other scholars have taken up the mantle of CRT, its boundaries of analysis have been expanded. LatCrit and Critical Race Feminism are emerging areas of scholarly inquiry that have their origins in CRT.

Implicit within CRT is this notion of social change. Thus, researchers who seek to utilize CRT are cautioned to consider how their scholarship aids in the project of social justice and social change. In addition, researchers should remain cognizant of the various tenets of CRT. CRT scholars in education have made important contributions to the field utilizing the counter-story and examining the permanence of racism. Though they are important, however, the contributions do not capture all that CRT has to offer. In this particular historical moment when attacks

on remedies for educational inequity, such as affirmative action, are on the rise, it is essential that we utilize the full power of CRT, including Whiteness as property, interest conversion, and the critique of liberalism. These particular aspects of CRT are especially powerful because through them, researchers are able to uncover and unmask the persistent and oppressive nature of the normativity of Whiteness, the co-option and distortion of oppositional discourses, and the ways in which policies that are offered as remedies to underachievement and educational disparity may not be in the best interests of marginalized groups, but rather serve the elite.

To repeat what Jasmine so eloquently stated, "When it [racism] comes out, they [faculty and students] aren't that surprised that it is there." Since the pervasiveness of racism and its impact on society is not a "surprise," educational researchers should see the importance of examining the issues of race and racism within the school context. In doing so, the many Malcolms and Barbaras will not continue to be silent or silenced when it comes to their school experiences with race and racism. Instead, research conducted through CRT analysis will allow for the deprivileging of mainstream discourses while simultaneously affording the voices, stories, and experiences of the many Malcolms, Barbaras, and Jasmynes to come to the fore.

NOTES

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² Middle class is being defined as described by Shapiro (2004) as a combination of income (\$17,000-\$79,000), educational achievement (at least a bachelor's degree), and job rankings (e.g., professionals, managers).

³ For an extensive review and history of CRT, see Cook (1995), Crenshaw (1988), Dalton (1995), Matsuda (1995), and Tate (1997).

⁴ See, for example, O'Connor (1997). While it is beyond the scope of this article to address those theories, a CRT analysis of African-American students' high achievement would examine the extent to which students of color

either internalized or resisted conceptions of Whiteness. That is, through the lens of CRT, researchers would examine the ways in which Whiteness as property manifests and persists in terms of the extent to which the students (as well as significant school personnel and family members) held or accepted normative or totalizing discourses of Whiteness; the strategies they employed to resist normative or totalizing Whiteness; and the ways in which access to honors and advanced placement courses was limited or restricted and the students' (and their families') responses to this limited or restricted access.

⁵ Some would argue that this is the case regardless of a modicum of seemingly economic and educational parity between some people of color and elite Whites.

⁶ See, for example, Lynn et al. (2002) for an examination of CRT in qualitative research in education.

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