

# The evolving role of critical race theory in educational scholarship

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In 1994 the legal scholarship movement, critical race theory (CRT), was introduced in education. Since that time, a variety of scholars have taken up CRT as a way to analyze and critique educational research and practice. In this brief summary the author addresses the themes of the articles found in this issue and offers words of encouragement to a new generation of scholars who see CRT as a valuable tool for making sense of persistent racial inequities in US schools.

The articles that comprise this issue come from a symposium held at the annual meeting of the American Educational Research Association (AERA) in April 2004. The title of the session was ‘And we are still not saved’. This title has two sources. One source is critical race theory (CRT) legal scholar, Derrick Bell (1992), who used it in the title of his book on the ‘elusive quest for racial justice’. The other source is its true source—the Biblical passage from the prophet Jeremiah (Jer. 8: 20) who mourned for his people’s lack of deliverance with the words, ‘The harvest is past, the summer is ended, and we are not saved’. Bell used this scriptural passage because he felt it appropriately described the plight of people of colour, particularly African-American people, in this present age.

The session organizers amended the title to say, ‘And we are *still* not saved’ as an indicator of the limited progress that we have made in educational equity since William Tate and I raised the issue of critical race theory in education 10 years ago at AERA and subsequently in a paper published in *Teachers College Record* (1995). It seems hard to believe that a decade has gone by since the term ‘critical race theory’ was introduced into educational scholarship and at the same time a very appropriate interval at which to take stock of where we are.

The articles in this issue take different approaches to explain where we are and where we need to go. Two articles address the state of the literature to this point.

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Another article offers an application of the theory and two represent extensions of critical race theory concepts.

In her article, Yosso reasserts the significance of race in our social science discourse and pushes us to move past black/white binaries. This work reminds me of more complex renderings of race such as that in Howard Winant's (2001) work (particularly, *The world is a ghetto: race and democracy since World War II*) that articulates the race-making project in modernity and provides an important historical and international context in which to understand our present racial predicament. I find Yosso's CRT family tree intriguing but caution against the construction of such lineages because of the possibility of unsubstantiated alliances or unintended omissions. I am reminded that conversations about the critical theory project acknowledge the work of the Frankfurt School but omit DuBois, who was an intellectual contemporary of the members of the Frankfurt School who not only asked similar questions but also was studying in Germany at the same moment these critical formulations were emerging.

It is also important to investigate the genealogy of the black/white binaries. Some of the demographic literature (Lee, 1993) indicate that in 1890, when question four ('what is your race?') was first included in the census, there were almost 16 racial categories ranging from White to Black. There were categories for degrees of Blackness such as 'mulatto', 'quadroon', and 'octoroon'. Over the more than 100 year history of the question on the census form the two stable categories have been Black and White and while other groups may not have been able to take full advantage of the privilege of whiteness, there are historical instances where they have been categorized as such.

Asian Indians were phenotypically determined to be White. In the Lemon Grove School District Incident, Mexican American parents won their suit against having their children sent to a segregated school because they were categorized as White, and for a short time the Cherokee Indians were considered White as they worked hard to assimilate into US society. So the real issue is not necessarily the black/white binary as much as it is the way *everyone* regardless of his/her declared racial and ethnic identity is positioned in relation to Whiteness. Indeed, during his US Presidential administration Bill Clinton's class position made his grip on Whiteness quite tenuous. Scholars like Vijay Prashad (2001) in his book, *Everybody was Kung fu fighting: Afro-Asian connections and the myth of cultural purity*, challenge the hegemony of White racial discourses and help us reorganize our discourses from 'us versus them' to a look at both symbolic and structural barriers that are constructed as a result of White supremacist discourses.

In addition to tracing the lineage of CRT, Yosso also offers an articulation of cultural capital that departs from tradition. I appreciate Yosso's re-articulation of Bourdieu's (in Bourdieu & Passeron, 1990) notion of cultural capital to include the notion of 'funds of knowledge' found in Moll's (in Gonzales *et al.*, 2004) and other Latino scholars work and encourage them not be naïve about the way capital can be deployed as a way to create hierarchy and inequity, i.e., the institutions of a capitalist and White supremacist society will happily allow you to have your new forms of

capital as long as they do not infringe on their old established ones. More insidious, they will appropriate your forms of capital and repackage them to produce their forms. A great example of this is the Coca Cola commercial airing on US television where a brown-skinned young man comes to his apartment and finds a plate with empanadas and Coke, ostensibly from his mother. A few minutes later as he is finishing the treat, his Black roommate arrives and finds a note in the kitchen to Tito from Mom and is furious that his roommate ate his homemade treat. The media in this instance is playing on our immediate tendency to separate categories of Latino-ness from categories of Blackness as a ‘twist’ in the commercial—i.e., the Black person could not be the Latino person.

The Dixson and Rousseau article is a review of the literature in critical race theory that speaks directly to CRT in education. What I find particularly appealing about this review is that it is genealogical and synthetic. Perhaps it is my graduate adviser bias but I am pleased to see a review where the literature is in conversation with itself. Too often, we merely see a litany of work in an area without any type of scholarly integration. This synthetic approach helps the reader understand how this project has emerged over the last 10 years in education. Because the literature is relatively thin in the field, Dixson and Rousseau have the opportunity to provide a more robust treatment of what has happened over the past decade. Like Yosso, Dixson and Rousseau present their review through a set of generally agreed upon features of CRT. Their work is a more traditional search of the literature that indicates the field is still in its infancy in education (perhaps because of my stern warning to folks in education to proceed with caution). Their article does a good job of pulling at thematic strands and highlights Crenshaw’s (1988) notion of restricted and expansive views of equality (which is one of the more under developed themes of CRT in education). This is particularly timely as we look at commemorations of landmark US legal decisions of *Brown vs Board of Education* and *Lau vs Nichols*, that addressed school segregation and bilingual education, respectively.

Dixson and Rousseau also pay attention to the storytelling aspect of CRT with their opening vignette. I sometimes worry that scholars who are attracted to CRT focus on storytelling to the exclusion of the central ideas such stories purport to illustrate. Thus I clamour for richer, more detailed stories that place our stories in more robust and powerful contexts. For example, Patricia Williams’ (1991) discussion of finding the bill of sale for her enslaved great grandmother is a powerful story to set up the work of students in a contracts law course. The point here is not the titillation of the story but rather than way notions of contracts are not sterile or neutral. They are a part of larger social contexts that can be used to exploit one person or group while simultaneously advantaging another.

Chapman’s article is an application of CRT that was probably easier to achieve since she looked directly at the implementation of a legal ruling through a CRT lens. In an earlier work Bell (1983) himself argued that if *Brown* were to be heard today, it would be important not just for social science to weigh in on the deleterious effect of school segregation, but also for educators to be an integral part of the conversation. Chapman outlines just how intransigent the racial rhetoric is around school desegregation and

takes us through the vicissitudes of the Rockford School desegregation fight. We see desegregation from *Brown* to *Milliken* to *Dowell* in one school district and begin to understand the degree to which Whites will go to avoid school desegregation.

In the Donnor article we have an extension of CRT with a new concept—educational malpractice. This term is interesting because it raises a whole set of questions about the professionalization of teaching. If teachers held similar professional status as doctors, lawyers, architects or accountants they could be held liable for malpractice. However, scholars of the profession, like Lortie, argue that teaching remains a semi-profession and not amenable to the professional standards found in other fields. Donnor suggests that what is happening to African-American football scholarship student athletes constitutes educational malpractice, or perhaps a breach of contract. This legal discourse works well with the CRT framework and indeed, if we consider schools as institutions who promise certain knowledge and skills—literacy, numeracy, civic competency, vocational preparation—then a kind of contract is set forth. In public school settings the students are entitled to this knowledge and skill regardless of personal and cultural resources. In the case of elite college athletes, the contract is even more explicit. By virtue of NCAA rules, athletes are offered a tender in exchange for their athletic services. The athlete promises to play by the rules, participate in practices and team meetings, and perform competitively. The school promises to pay for tuition, fees, books, meals during the season, athletic gear and medical insurance. However, two regular practices—steering student athletes into easy courses that fail to yield a degree or other marketable post competition skills and recruiting students who are marginally prepared for college level courses—can be construed as malpractice. The Donnor article looks at the roots of this process by calling forth the voices of athletes and their understandings of how their pre-collegiate education failed to prepare them to take advantage of the contractual offerings of the college or university.

While Donnor examines the implied contractual relationship between scholarship athletes and colleges, I might push his implication to the pre-collegiate level to ask what is the nature of the implied contract between citizens and their schools in democratic nations? Is there some minimal level of educational competency that public support of schools should legally expect? How might we enforce these contracts? What sanctions are available to citizens when schools fail to live up to their end of the contract? What recompense should students who fail to receive an education reasonably expect?

The Duncan article is also an extension of CRT and represents a fresh cut on what Tate and I originally proposed. In his use of allochronism and coevalness he incorporates the anthropological literature into the CRT race project in new and exciting ways. In particular, he points to the allochronic discourses present in both historical and contemporary education. In this way, Duncan provides a lens through which to understand the role of time in the construction of educational inequity. While Duncan points to the way school creates race for everyone, regardless of racial and ethnic affiliation, I argue that race is one of those concepts that is already well established before students even get to school. Duncan's assertion is not rejected however by my argument. Actually, Duncan demonstrates how schools take advantage of this

pre-school establishment to complete its race-making project. The power of the Duncan article lay in its intellectual daring and synchronic rendering of the economic, social, cultural, political and educational moment in which Black students find themselves.

The articles that comprised this issue come from a symposium that states ‘we are still not saved’, the paraphrase from the prophet Jeremiah, but I would point us toward Pauline pronouncements that suggest ‘we have this treasure in earthen vessels’ (2 Cor. 4: 7), that is, CRT is a theoretical treasure—a new scholarly covenant, if you will, that we as scholars are still parsing and moving toward new exegesis. And about that, somebody ought to say ‘Amen’.

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