The Washington Post *Democracy Dies in Darkness*

An architect of critical race theory: 'We cannot allow all of the lessons from the civil rights movement forward to be packed up and put away for storage'

By KK Ottesen

January 19, 2022 at 7:00 a.m. EST

Kimberlé Crenshaw, 62, is a legal scholar who developed the notions of critical race theory and intersectionality. She is a law professor at UCLA and Columbia, where she is co-founder and executive director of the African American Policy Forum and the Center for Intersectionality and Social Policy Studies. She lives in New York and Los Angeles.

Recently, critical race theory burst onto the national scene in a way that probably is somewhat unrecognizable to those who have studied it. Having coined the term yourself, what has your experience been as you've seen it become this sort of intellectual boogeyman?

Well, one of the very first articles I wrote was "Race, Reform and Retrenchment." The entire point was to anticipate that reform would inevitably reproduce retrenchment and backlash. That has been the history of progress around race in the United States: Modest reform creates tremendous backlash. And sometimes the backlash is more enduring than the reform.

Consider we had about a decade of Reconstruction. And we had about seven decades of white supremacy, racial tyranny, utter and complete exclusion. We had probably a good decade, maybe a decade and a half, of active civil rights reforms. And then three, four decades of conservative retrenchment, reactionary responses to these reforms that allow for people to say what they're saying now, which is that anti-racism is racist, your civil rights violate my civil rights. These are very old and repetitive ideas. So the reform, retrenchment frame is now taking place in the midst of a tremendous resurgence of anti-democratic, anti-inclusionary politics. *And*, in the context of a new distribution channel that is 24 hours, amplified by completely unaccountable information sources in the Internet. There used to be that saying that a lie gets around the world three times before truth gets its boots on. I'd say now a lie gets around about a million times before truth wakes up and says, "What is happening?"

You watch definitions of work — and words — that you know what they mean be completely turned inside out by power. I mean, that's what it is. The power to define what your words mean, the power to define what this area of study is. The power to define it in order to destroy it.

You've heard critical race theory called "divisive," "state-sanctioned racism" — can you define what it is and what it isn't for the lay person?

Critical race theory is a prism for understanding why decades after the end of segregation, over a century and a half after the end of slavery, after genocide has occurred, why racial inequalities are so enduring. Initially, critical race theory focused on law's role in creating racial inequalities and continuously facilitating them. We were that second

generation after the formal collapse of segregation to go into institutions to see the ways that these institutions — largely created during a time where most marginalized people of color were not part of them — function. What are the ways that those institutional structures continue to protect the interests that were created in slavery and that are its descendants?

The middle class was basically created through federal policy that was then distributed in a discriminatory way because of local control. A hundred and twenty billion dollars created the suburbs and did so in a racially discriminatory way. GI Bill created the middle class in a racially discriminatory way. So these are all critical ways of looking at our society.

What experiences as a young person helped inform your work? I know your parents were [politically] active?

When I was in fourth grade, off I go to this new Christian school — before we knew anything about the politics that motivated some of the Christian academies to come online — and find out that I'm one of two Black people in the school. Also, apparently my presence there is a surprise for some of the parents; we'd assumed they'd know Black people are Christians, too. But that wasn't the point of the school. So there ensued a three-year confrontation with how Christianity and racism were not practices alien to each other in that school. It didn't help that I was the kid who won the academic contest and went to represent the school in the region. I would always get a talk: "Remember, you're representing us." A lot of anxiety about that. My cheers that I brought to the school, because I was a cheerleader, like, "Um, we can't do that. That's a little too …" I know they were basically saying "too Black." But it really came to a head in a class where one of the teachers read Revelations to apply to the civil right protests that were going on. She was literally teaching that the civil rights movement and then the Black Power movement, that we were in the final days and these Black activists were basically demons. And every day my hand was up: "My brother was one of those people." And so I'm fighting back, and off to the office I go for intentional disobedience. It was the beginning of understanding how school can discipline us away from confronting the truths about our society and try to weaponize us, to be agents of some of these ridiculous ideas. And I was like, "Ma, you've got to get me out of this school."

How did you have the courage to speak up then?

So my parents, they're called race men and women of the 20th century. The motto of some of them was "lifting as we climb." My grandmother was in a Black women's club movement. My mother had integrated the local lunch counter and the local pool, partly because her father was the town physician for Black folks, so they were able to do some of that without having the backlash — you'd get fired for doing that. So I think that came from her background straight to me. And my father's father was a minister, also given some degree of independence. So together their understanding was when we sit down at the dinner table, you need to have something to say about what you've seen in the world, what have you contributed to the world, what is your thinking. And so they would hear from me my efforts to put together what it meant in the world to be this little Black kid. [Laughs.] And so speaking my mind, at least to the world, was encouraged — they sometimes had a little issue when I said: Well, how come this particular unfairness is happening in the home? But the environment encouraged critical thinking and reflection and instilled a responsibility to address unfairness or address racism where I saw it. It just so happened it was in my classroom.

When you see all those parents out protesting at school board meetings about critical race theory being taught in the classrooms, what do you think?

I think that the Republican right-wing outrage machine is very, very powerful. I see the money behind it. I see the slick, high-production-value videos and booklets, and I see the common language and phrases, and I just know it's a campaign. A campaign that is nicely framed as grass roots when, in fact, it is not. I see the fingerprints of the think tanks that for some time have been rooting around for something that would catch fire. And I see that parents, some of them, if you just follow some of the organizations — the Moms for Liberty — you see this is a regeneration of activists

who have been in various formations. It plays well on TV, and it is a show. It's like reality TV, which is not necessarily reality.

And I think: Where is the outrage about the things that *really* are putting children at risk? And there are things that are really putting children at risk, right? It is not critical race theory. And when I look at the list of topics now banned because they're discriminatory, I can't help but notice what's not there: eugenics, "The Bell Curve," things that if there really, really was concern about teaching our children ideas that are divisive and that cause us not to share in our common heritage of Americans, it would be a whole different list.

It seems that critical race theory came into the [national] conversation as a backlash to progress made after the killing of George Floyd and a grappling with long-standing, systemic issues.

Absolutely. Think about it: The George Floyd situation was a generational moment. Right? It was huge. Every state in the union had a march. The majority of people out there were not of color. Language was being shared widely for the first time: "systemic racism," "institutionalized patterns of marginality," "racial power." People were saying these words in a way that they hadn't — ever! Yet, and this is where some of the problem is, it's like those songs where everybody knows the chorus and they sing the chorus at the top of their lungs. And then [the rest of the song is]: *Mmmuuhmm da da da da mmmmmmmerm* — that's kind of the situation we had. With no real literacy beyond that, with no capacity to actually say: Okay, so tell us what that means, what needs to be done. Tell us what the policies are that allow us to unravel the institutionalized forms of inequality that you are now talking about.

And if you don't have the ability to do it, you've picked a fight with a giant, and you don't have ammunition. You don't have troops, you don't have the war plan to respond to it. And you know the reasons why are that this is new for many people. This was produced by a singular moment, and that moment is increasingly looking like it may be singular if we're not prepared in this moment to actually say: This really is what structural racism is. It's not this stuff that these other people are talking about.

You saw [Florida Gov. Ron] DeSantis issued an "anti-woke" act?

Yes. And he actually used Martin Luther King to support the idea. What can be more a statement of racial power than to use a martyr who died for a particular cause, to use his name in order to say that he would support eliminating further discourse about the cause that he died for? I mean, what could be more an example of this sort of boundless capacity for contradiction for hypocrisy? He was a critical race theorist before there was a name for it. So that would be bad enough if they were just using Martin Luther King as a justification, but the fact that some of these folks are also saying we need to take Martin Luther King's books, or a story of his March on Washington, out of the curriculum even as they're using it to justify it.

We cannot allow all of the lessons from the civil rights movement forward to be packed up and put away for storage. Because if that happens, anything and everything that speaks of diversity and fairness and inclusion will always be vulnerable to: *Well, that's just critical race theor*y. And so you have to recognize that the effort to pack all this together is not just about critical race theory. It's about the entire justice project.

So how do you think about reform in a way that doesn't cause one step forward, seven steps back?

It's my constant question. You know, one of the things that I think about — a lot — is if we were to go back and talk to, I don't know, Frederick Douglass in 1874 or any of the Black congressmen who were elected to serve Congress or any of the senators or the lieutenant governors who were Black or the majority who in South Carolina actually ran their governments there before the great coups that ended that experiment in multiracial democracy — if we were to say, "Look, this is what happened." [Laughs.] "What now would you do differently? What could have been done differently?" — what would they tell us? Did they have any idea that they would be wiped out of politics altogether? Did

they have any idea that some of them would be killed? Did they have any idea that race riots would be political coups? And if they had that idea, what would they have done differently?

We have been kind of raised with the assumption that everything is always forward, with the assumption that democracy is just in our DNA, and certain things are just never going to happen. Moving forward, we have to acknowledge that being vigilant and productive about preventing this kind of thing from happening again is not simply a matter of singing "Kumbaya," it's not just a pat on the back, it's really looking deeply into our institutions and into our culture to understand why these things keep happening.

So when we're looking at something like this that makes no sense, it should tell us that there's a deeper logic driving it. And that deeper logic goes all the way back to: We are a country that was grounded in a racial project. For the longest part, we were a White nation, and our laws said so and our Constitution was interpreted to reinforce that. That doesn't go away just because we stopped saying it.

Is it better in your mind that critical race theory is out there being talked about, even if it's being misused, rather than existing in its pure state but in a much smaller conversation?

That is the question of the moment, and I think we won't know the final judgment on this until history writes this story. And that turns on who's doing the writing. [Laughs.] Which is honestly what's at stake right now. This is about what the future knows about this moment.

My thought, my hope, is that having put front and center in the American consciousness the importance of what histories we tell will bring constituents, parents, policymakers to the table in a way that they haven't been in the past. To really understand that to *think* about race is not the problem. To be racist is the problem. And racism is not primarily a thought crime; it's an action crime. It's an institutional problem. So is it better that this has happened? I would say, if it turns out that it makes people who should have been conversant in these ideas realize that there is no democracy without grappling with these issues, that there's no daylight between maintaining a multiracial democracy and being fully literate on anti-racism. If people recognize now what this has to do with January 6, if they recognize now what this has to do with the deterioration of our democracy, then it will have been a good thing. Because it's a five-alarm situation.

KK Ottesen is a regular contributor to the magazine. Follow her on Twitter: @kkOttesen. This interview has been edited and condensed.