

Kimberlé Crenshaw on Intersectionality and Critical Race Theory

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Kimberlé Crenshaw is an American civil rights advocate, a professor at both the University of California, Los Angeles School of Law and Columbia School of Law, and a founding director of the African American Policy Forum. Crenshaw is best known for developing the concept of intersectionality, which examines how different forms of social inequalities intersect and overlap; for example, those experiencing hardships from intersections of race and gender. Most people are subjects of intersectionality, since it is in all aspects of life, but not enough people reflect on how it could be affecting social interactions; therefore, it is important to address and focus on intersectionality more often. Crenshaw has spent her career working to end discrimination against women of color and to promote the interest of marginalized communities. She is also the leading scholar of critical race theory (CRT), an approach to studying U.S. policies and institutions that originated in law schools, as a framework that is used to help people understand why racial inequalities exist in society and how they can be eradicated. The theory rests on the premise that racial bias (intentional or not) is baked into U.S. laws and institutions. Crenshaw has argued that “the black racialist account...portrays racial power...through its impact on African-American males” (Crenshaw et al. 1995:xxxi). This piece is intended to showcase why both Crenshaw and her work are still important today, how the work has impacted society, and how people are still practicing CRT and intersectionality, along with noting the circumstances these ideas are being applied to.

While both CRT and intersectionality analyze social power dynamics and oppression, they approach these issues from different perspectives. CRT focuses primarily on how race and racism are embedded in legal systems and societal structures while intersectionality expands this lens to consider how race intersects with other forms of identity such as gender, class, and sexuality to create unique, layered experiences of oppression. Although CRT

provides a critical understanding of systemic racism, intersectionality broadens this view by emphasizing that oppression cannot be understood in isolation but must account for the complexities of multiple, intersecting identities. Together, these frameworks offer a greater understanding of the ways in which power and privilege shape individuals' lives in society.

Critical Race Theory and Intersectionality

CRT has been around for about 50 years, but how did it come to be? CRT came out of the Frankfurt School's critical theory of belief that there are systems that exist both institutionally and systemically. Critical theory changes how we view society, and CRT emphasizes that it must be through a racial lens and not through an economic or legal lens. CRT is like a hybrid of critical legal studies and liberal civil rights movements (Crenshaw et al. 1995:xix). Within critical legal studies, laws were used to keep up the status quo of the power structures within society. CRT started to pop up within the writings of Marcuse and Spinoza, especially in the early 1990s. There was this idea that society must give preference based on the melanin content of people's skin, not on their actions or choices. Instead, since the U.S. is so unequal and inequitable, these founding writers and authors of the term CRT believed that this would be a true Marxist type of movement. CRT was then fostered and started in many different universities across the country. CRT has evolved into terms of wokeism, diversity, equity, and inclusion, which are all outgrowths of the postmodern deconstructionist viewpoint. Race has been so formally and fully structured into our society that CRT is practiced when people of color hear police sirens and place both hands on their steering wheel. It is practiced when children with darker melanin are given 'the talk' about how police treat people of color. These are the lived realities that people used to survive in this world that society still views as a post slave society. CRT is still important today because it was brought to understand the bitter legacy of racism and discrimination that is still continuing in our contemporary society. CRT is not racist whatsoever, it's a legal perspective that looks at the history of racism and power and how that impacts our laws, government, values, morality, standards, and our society at large. The problem isn't in the people, the problem is in the

institutions.

Intersectionality is the concept that all oppression is linked. This means that intersectionality acknowledges that everyone has their own unique experiences of discrimination and oppression. It also means that society must consider everything and anything that can marginalize people. This includes, but is not strictly limited to, gender, race, class, sexual orientation, etc. This is so important because it centers around creating more equitable and socially-just outcomes for those with minority identities. The term intersectionality often gets used in ways that are not totally accurate to how Crenshaw actually meant it. People will say there are an intersectional feminist, which sounds good, but it is not always an accurate way to use the word. Intersectionality is a theoretical framework which looks at what happens when different systems of oppression intersect such as when someone is a woman, Black, and a person with a disability, and so on. That brings the question what happens at these intersections? It helps people gain a better understanding as to what is going on, but it is not actually describing the word. However, it is well-intentioned, and people are trying to be inclusive but if they are using that language, they have to learn what that language means. It's about power and oppression (Bhattacharyya and Berdahl 2023). White feminists truly believe that if women were in charge, things would be a whole lot different, but that is simply not true. The issue with feminism, or the issue with mainstream feminism is it tends to cater to white middle-class females. It has been found that white people really do not have any experience that focuses on “justice” problems (Piatelli 2009:162), along with almost no interactions working with Black people. Piatelli (2009) also found that white Americans—especially women—do not realize that they are privileged in this country. This brings up the focus on people saying they don’t see color. This is why Crenshaw works so hard and wants people to understand the hardships and disparities that Black people have to go through because they don't have a choice under racism. Some people believe only Black women can use the term intersectionality, however, pretty much anyone could use it and that is what creates their unique experiences.

Feminist theorist bell hooks (2000) expressed how she learned about the theories and ideas of feminism through a

feminism class. This is important because these are things that each individual, especially women, should experience to a certain extent. Whether people want to pursue education about these things or not, they can learn a lot about feminism, intersectionality, and basically the different types of roles and expectations that women face. It is definitely worth everyone's time to just back up and think about why this concept is important, why it should be defined, and why we should learn about it. Not everyone has access to college, or basic education in general, so it does make sense why not many people understand the exact concepts of the feminist theory. However, people have the ability to gain this knowledge through so many nonprofit organizations. Community organizations that have to do a lot with feminism can help people understand how to actually express themselves about how they feel about certain issues. Many of the feminist organizations promote themselves, in a way, through social media like X, Instagram, and Facebook. They have pages where they educate people about their organization, what it is about, and what is being done. Even aside from the organizations, there are entire accounts simply dedicated to the feminist theory. The feminist movement does not require people “to join organizations,” but they could “work on behalf of feminism” (hooks 2000:116).

CRT and Intersectionality in Schools and the Workplace

Education is so powerful in the U.S., yet CRT is not talked about much through grade school. CRT was originally only “taught in law schools, not in public schools” (Henry 2023:1). However, in today’s time, you don’t have to be someone of higher education to think about CRT, although it is complex. The anti-CRT movement is built on white supremacy, with some people believing CRT is anti-white and un-America and creating a disinformation campaign around a theory they know nothing about. Though many parents are critical against the teaching of CRT, Christopher Rufo, a conservative against CRT, basically became the voice to make sure there would be no such thing as CRT in schools. Crenshaw was even in agreement “with Rufo that the political debate over CRT is a debate over the ‘anti-racist’ project” (Henry 2023:1). A few activists also believe that this project is “too ideological” (Piatelli 2009:225) because it does not talk about how privilege

and oppression go hand in hand. The world does not recognize that they are oppressing Black people. For example, in a public school system, the neighborhood that has the Black school gets less funding because it is lower income, and the white schools that are in the better neighborhoods get greater funding. That is one idea of systemic racism, and it is a CRT teaching that exists so that people can learn from it and try to change it. Schools need CRT because they need real history. Schools would not just stop teaching what happened during the American Revolution, the Civil War, World War I, or World War II because that is important for people to know what truly happened, so it is believed that the same should go for CRT. Crenshaw worked alongside Richard Delgado to make a CRT reading that could be available and easy to access for students who were in high school (Ladson-Billings 2021). Children learning about race will not change how they think; it will just give them a better understanding.

In Trump's first presidential term, he banned two different programs that were designed to teach racial sensitivity. In April 2022, a bill was passed to "regulate the discussion of race in public schools" (Salzman 20202:1071). This bill was passed in over 40 states and now 35 states have laws against CRT, and it pretty much goes hand in hand with banning LGBTIQ+ teachings. The state of Texas has the highest Black population, yet they still banned CRT; it's a conservative state, so all the information they get about CRT is only information that goes against CRT. Banning a theory brings up the issue as to why it is even being banned to begin with. It will only end up backfiring on them. If the country makes the laws very noticeable and strict, then it makes it easier for people to go against it. It is important to understand why this has even become a political issue and it is often wondered why these teachings are so threatening to some people. White people see it as a threat to their race, even if they don't really understand what they're going against. It is viewed as if they are triggered by the word 'race' and automatically think other. They don't want to acknowledge that the USA was founded on racism because they will inevitably have to question their privilege.

Intersectionality involves everyone in the conversation, and it allows the right amount of equity for those who may struggle more because of the intersectionality of their identity.

Knowing and understanding intersectionality is key to becoming anti-racist. This is because oppression comes in many forms. Some people may even use the term intersectional invisibility which is basically how women of color are invisible to society, and no one is seeing how they are at a disadvantage. The complexity of their intersectionality affects their experiences within the workplace; research shows how Black women are constantly “being subjected to” unfavorable stereotypes (Bhattacharyya and Berdahl 2023:1075). This often causes women to want to give things 110%, just so that they can prove everyone wrong. Even in a school setting, Black men and women were being used by their university to basically be the face of the diversity on behalf of the school (Bhattacharyya and Berdahl 2023). These men and women would eventually pull away from others because it is just a weird thing to experience overall.

Intersectionality is one of the things that can dismantle our system of capitalism. Without intersectionality we raise the full complexity of people's identities and experiences. While intersectionality benefits everyone, it is important to know that it comes from the experiences and scholarship of Black women. Though they all have “intersecting identities,” that does not mean that they “all have the same lived experience” (Piatelli 2008:149). Every woman experiences something different.

CONCLUSION

Feminist theory comes from collaboration and building off of one another. It is important to recognize all who contribute to this conversation no matter their race, ethnicity, or status. Crenshaw focuses on civil rights, CRT, Black feminist legal theology, race, racism, and the law. Her work has been foundational in expanding CRT and examining the topic of intersectionality. Crenshaw's studies, writing, and activism have helped to identify key issues that the Black community faces daily. She was the one who was able to put a name to the concept when no one else could. Intersectionality talks about the double bind that happens simultaneously with racial and gender prejudice, causing them to overlap and connect. This overview should help people gain a more in depth understanding when it comes to racism and feminism.

Crenshaw's main idea for all the things she's known for is that people don't have to be an expert in intersectionality or CRT, but they can be a resource for people. Those who study CRT focus on understanding how racism happens every day in American life. They want to see social change, compared to liberalism's more cautious approach. When trying to teach something, the goal is not to try to press it onto others. The goal is to get others to at least understand it. CRT teachings should be taught as an elective so people can have the optional choice to take it, and it could even be upper division only. Again, it would not be seen as pushing it onto people but simply throwing it in as an option. Crenshaw's work challenges the way people think and pushes them to want to continue learning about these theories.

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