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Critical Race Feminism

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Law professor Richard Delgado coined the term *critical race feminism* (CRF) in his 1995 anthology *Critical Race Theory: The Cutting Edge*. CRF involves an emphasis on the status of women of color. In the United States, women of color may include Blacks, Latinos, Asians, Native Americans, Arabs, or other minority groups. In other countries, women of color may be from a majority group in the developing world or a minority group in Europe or other predominantly White countries. Whether in the United States or in other countries, these women exist at the bottom of their societies economically, socially, politically, and often educationally.

Applying a CRF perspective to topics within the field of higher education highlights the specificities of discrimination affecting women of color. Acknowledging their problems can enable the creation of relevant solutions targeted to the populations in question whether they might be students, faculty, or staff. This entry discusses the origins and contributions of CRF.

Origins

CRF derives from the intertwining of three jurisprudential movements: (1) critical legal studies (CLS), (2) critical race theory (CRT), and (3) feminist jurisprudence/womanist theory. CLS evolved in the 1970s when politically radical White male academics in elite law schools criticized the conservative nature of the law and legal education. European postmodern philosophers like Jacques Derrida and Michel Foucault influenced the *Critters*. Using Derrida's deconstruction analysis, Critters picked apart or deconstructed the idea that law was objective and neutral and instead emphasized that it was designed to benefit the wealthy and powerful. While many progressive legal scholars were attracted to CLS, some noted that the analysis omitted or largely ignored discussions of race and gender and that the Critters were mainly elite White males.

Progressive law scholars of color such as Derrick Bell, Delgado, and others had been influenced by the U.S. civil rights movement and began to write beyond the CLS class analysis and emphasize issues of race and ethnicity. For these authors, while aspects of CLS were appealing, many social and legal phenomena could not be properly understood unless race and ethnicity were central, instead of marginal or nonexistent.

The number of scholars of color in the legal academy increased greatly in the 1980s, and many specialized in race issues. CRT held its first workshop in 1989, with much of the scholarship building in part on CLS and the work of the more senior scholars of color. CRT became a race intervention in progressive legal discourse. Simultaneously, it became a progressive intervention in civil rights scholarship. Authors write from an anti-subordination and color conscious perspective. They are concerned with not only theory but also practice, that is, praxis.

Some CRT authors use a narrative or storytelling technique in addition to traditional academic discourse. The oral tradition has historical importance as well as communication from the old generation to new generations in many communities of color. Also, telling stories may help connect outsiders more directly with people of color, rather than trying to interpret arcane academic jargon. Some opponents of the narrative find it lacking in intellectual rigor, overly emotional, subjective, and nonquantifiable.

CRT favors a multidisciplinary approach to developing the rights of people of color, with involvement across the social sciences and humanities, including the field of education. The law is necessary, but not sufficient, to overcome discrimination and achieve success.

Since that first CRT workshop, there have been numerous CRT-oriented books and anthologies, many conferences, as well as hundreds of law review articles. University of California, Los Angeles Law School has developed a critical race studies program, which is a specialization for students, plus there are interdisciplinary programs and collaborations with the community. CRT now spans almost all legal topics. Affirmative action in education and hiring, as well as hate speech, is among the subjects.

A variety of other trends spun off from CRT as it was often seen as narrowly focused on Black–White historical dynamics. Latino critical theories (focusing on Latino/as), Asian critical theories (focusing on Asians), Queer critical race theories, Global CRT, and critical White studies were among the jurisprudential spinoffs that developed. There are now eCrit (focusing on empirical analysis), and Disability critical theories (focusing on disability issues) publications as well. Moreover, CRT has gone well beyond the law and has professors in the field of education and other social sciences. CRT literature is being written in Europe and other parts of the world.

At the same time that many scholars were attracted to CLS and CRT, women began to become law professors in larger numbers as well. Second wave feminists outside of law from the 1960s and afterward influenced many legal feminists. Feminist jurisprudence developed since neither CLS nor CRT nor traditional legal jurisprudence focused on gender. Catharine MacKinnon became one of the most prominent legal feminists.

CRT and feminism were attractive to some women of color, but many felt that both movements omitted the perspectives of minority women. The genres assumed that women of color faced the same challenges as White women or men of color. Women of color legal academics also resonated with feminist or womanist theory written by women of color outside the law, including Patricia Hill Collins, bell hooks, Toni Morrison, Alice Walker, and Angela Y. Davis.

CRF literature began to flourish in the last decade of the 20th century. It became a race intervention in traditional feminism and a gender perspective in CRT. A number of articles have been written and symposia have been held. Two New York University Press anthologies exist: *Critical Race Feminism: A Reader* and *Global Critical Race Feminism: An International Reader*. Legal scholars authoring CRF scholarship have included: Kimberlé Crenshaw, Angela Harris, Lani Guiner, Mari Matusda, Patricia Williams, Cheryl Harris, Dorothy Roberts, Berta Hernandez, Margaret Montoya, Celina Romany, and Adrien Wing. Menah Pratt-Clarke, an education scholar, has written *Critical Race, Feminism, and Education: A Social Justice Model*, which discusses the impact of racism and sexism on Black girls and boys in the single-sex school controversy.

Contributions of CRF

CRF has contributed to and expanded upon various concepts in law and social science. This section will discuss several notions: anti-essentialism, demarginalization, intersectionality, identity, and praxis.

Anti-Essentialism

In 1990, University of California Berkeley law professor Harris wrote a foundational CRF article entitled *Race and Essentialism in Feminist Legal Theory*. She vigorously critiqued the idea that there was one essential female voice, that is, that all women would feel one way on a particular issue. Any attempt to claim women speak in one voice actually privileges the views of middle-class or elite White women and ignores the views of all other women, including women of color. Moreover, arguing that there is one essential Black voice ends up privileging Black male voices and assuming Black women think the same as the men. CRF challenges the idea that the Black males' experiences are identical to Black females. Thus, CRF is anti-essentialist and requires acknowledging the differences and complexities in people's lives.

Demarginalization

Crenshaw, a law professor at University of California, Los Angeles and Columbia Law School, wrote a foundational CRF article in 1989 entitled *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*. She called for the law to demarginalize the status of women of color. Rather than ignoring such women in publications about race or gender, it was necessary to center them in the analysis, whether the area be in education, affirmative action, employment, housing, personal injury, or traditional female subjects, such as sexual harassment, reproductive rights, welfare reform, and domestic violence.

Intersectionality

Crenshaw's *Demarginalizing* article introduced the notion of intersectionality into legal discourse, and the concept is now broadly applied in a number of disciplines. To fully understand the situation of women of color requires not only looking at their racial identity and their gender identity but also exploring the intersection of these identities. For example, a Black woman is not simply Black or simply a woman, but a holistic Black woman. Mari Matsuda developed the notion of *multiple consciousness* to describe how women of color may view the world based upon their several identities.

Identity

While the initial CRF scholarship emphasized the intersection of race/ethnicity and gender, publications began to complicate the analysis of the intersections by bringing in other identities. Some identities may permit you to experience privileging, while others may subject you to discrimination, simultaneously. For instance, being a professor may give you a privileged status at a university, but being a Black person may subject you to police harassment on that very same campus. Among the additional identities that can come into play are nationality, color, class, sexual orientation, religion, age, disability, language, minority, marital, and parenthood status.

Praxis

Like CRT, CRF can involve praxis. For example, Crenshaw cofounded and is the executive director of a non-governmental organization, the African American Policy Forum. Established in 1996, this intersectional feminist group promotes the rights of women and girls of color in the United States and beyond its borders. It is an academic think tank but also has been linked to the Black Lives Matter, #MeToo, and Time's Up movements. African American Policy Forum launched the #SayHerName movement to highlight the lack of attention to the deaths of Black women at the hands of the police across the country. The organization has hosted a summer camp and a social justice writers retreat as well as held conferences, webinars, and participated in marches.

Global Contributions

CRF literature has evolved beyond the borders of the United States. Women of color around the world are marginalized and essentialized. Global CRF promotes women of color perspectives in the development of international and comparative law, including public international law, human rights, and international business transactions. Global CRF analysis offers transnational perspectives and contributes to postcolonial theory

and global feminism in all disciplines. Debates about issues such as cultural relativism and universalism of human rights are more meaningful when the views of women of color are fully represented. Indeed, some women might be viewed as disloyal to their community and their lives may be at risk if their views are outside of deeply held patriarchal customary and religious norms. In addition to previously mentioned topics affecting all women, publications concerning customary law, inheritance and property, dowry, sex selection, bride burning, polygamy, and female genital surgery have also been the subjects of analysis.

See also [Critical Race Research](#); [Critical Race Theory](#); [Feminism](#); [Feminist Analysis](#); [Feminist and Women's Studies](#); [Feminist Research](#); [Racism and Decolonizing Higher Education](#)

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