Critical Race Theory: A Brief History

How a complicated and expansive academic theory developed during the 1980s has become a hot-button political issue 40 years later.

By Jacey Fortin
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About a year ago, even as the United States was seized by protests against racism, many Americans had never heard the phrase "critical race theory."

Now, suddenly, the term is everywhere. It makes national and international headlines and is a target for talking heads. Culture wars over critical race theory have turned school boards into battlegrounds, and in higher education, the term has been tangled up in tenure battles. Dozens of United States senators have branded it "activist indoctrination."

But C.R.T., as it is often abbreviated, is not new. It's a graduate-level academic framework that encompasses decades of scholarship, which makes it difficult to find a satisfying answer to the basic question:

What, exactly, is critical race theory?

First things first …

The person widely credited with coining the term is Kimberlé Williams Crenshaw, a law professor at the U.C.L.A. School of Law and Columbia Law School.

Asked for a definition, she first raised a question of her own: Why is this coming up now?

Kimberlé Williams Crenshaw speaking at the Women's March in Los Angeles in 2018.
Amanda Edwards/Getty Images

"It's only prompted interest now that the conservative right wing has claimed it as a subversive set of ideas," she said, adding that news outlets, including The New York Times, were covering critical race theory because it has been "made the problem by a well-resourced, highly mobilized coalition of forces."

Some of those critics seem to cast racism as a personal characteristic first and foremost — a problem caused mainly by bigots who practice overt discrimination — and to frame discussions about racism as shaming, accusatory or divisive.

But critical race theorists say they are mainly concerned with institutions and systems.

"The problem is not bad people," said Mari Matsuda, a law professor at the University of Hawaii who was an early developer of critical race theory. "The problem is a system that reproduces bad outcomes. It is both humane and inclusive to say, 'We have done things that have hurt all of us, and we need to find a way out.'"

OK, so what is it?

Critical race theorists reject the philosophy of "colorblindness." They acknowledge the stark racial disparities that have persisted in the United States despite decades of civil rights reforms, and they raise structural questions about how racist hierarchies are enforced, even among people with good intentions.

Proponents tend to understand race as a creation of society, not a biological reality. And many say it is important to elevate the voices and stories of people who experience racism.

But critical race theory is not a single worldview; the people who study it may disagree on some of the finer points. As Professor Crenshaw put it, C.R.T. is more a verb than a noun.

"It is a way of seeing, attending to, accounting for, tracing and analyzing the ways that race is produced," she said, "the ways that racial inequality is facilitated, and the ways that our history has created these inequalities that now can be almost effortlessly reproduced unless we attend to the existence of these inequalities."

Professor Matsuda described it as a map for change.

"For me," she said, "critical race theory is a method that takes the lived experience of racism seriously, using history and social reality to explain how racism operates in American law and culture, toward the end of eliminating the harmful effects of racism and bringing about a just and healthy world for all."

Why is this coming up now?

Opponents of the academic doctrine known as critical race theory protesting outside the Loudoun County School Board office in Ashburn, Va., on June 22. Evelyn Hockstein/Reuters

Like many other academic frameworks, critical race theory has been subject to various counterarguments over the years. Some critics suggested, for example, that the field sacrificed academic rigor in favor of personal narratives. Others wondered whether its emphasis on systemic problems diminished the agency of individual people.

This year, the debates have spilled far beyond the pages of academic papers.

Last year, after protests over the police killing of George Floyd prompted new conversations about structural racism in the United States, President Donald J. Trump issued a memo to federal agencies that warned against critical race theory, labeling it as "divisive," followed by an executive order barring any training that suggested the United States was fundamentally racist.

His focus on C.R.T. seemed to have originated with an interview he saw on Fox News, when Christopher F. Rufo, a conservative scholar now at the Manhattan Institute, told Tucker Carlson about the "cult indoctrination" of critical race theory.

Use of the term skyrocketed from there, though it is often used to describe a range of activities that don't really fit the academic definition, like acknowledging historical racism in school lessons or attending diversity trainings at work.

The Biden administration rescinded Mr. Trump's order, but by then it had already been made into a wedge issue. Republican-dominated state legislatures have tried to implement similar bans with support from conservative groups, many of whom have chosen public schools as a battleground.

"The woke class wants to teach kids to hate each other, rather than teaching them how to read," Gov. Ron DeSantis of Florida said to the state's board of education in June, shortly before it moved to ban critical race theory. He has also called critical race theory "state-sanctioned racism."

According to Professor Crenshaw, opponents of C.R.T. are using a decades-old tactic: insisting that acknowledging racism is itself racist.

“The rhetoric allows for racial equity laws, demands and movements to be framed as aggression and discrimination against white people,” she said. That, she added, is at odds with what critical race theorists have been saying for four decades.

What happened four decades ago?

Derrick Bell, a Harvard Law School professor, walking with a group of students protesting the law school’s practice of not granting tenure to female professors. Steve Liss/Time Life Pictures via Getty Images

In 1980, Derrick Bell left Harvard Law School.

Professor Bell, a pioneering legal scholar who died in 2011, is often described as the godfather of critical race theory. “He broke open the possibility of bringing Black consciousness to the premiere intellectual battlefields of our profession,” Professor Matsuda said.

His work explored (among other things) what it would mean to understand racism as a permanent feature of American life, and whether it was easier to pass civil rights legislation in the United States because those laws ultimately served the interests of white people.

After Professor Bell left Harvard Law, a group of students there began protesting the faculty’s lack of diversity. In 1983, The New York Times reported, the school had 60 tenured law professors. All but one were men, and only one was Black.

The demonstrators, including Professors Crenshaw and Matsuda, who were then graduate students at Harvard, also chafed at the limitations of their curriculum in critical legal studies, a discipline that questioned the neutrality of the American legal system, and sought to expand it to explore how laws sustained racial hierarchies.

“It was our job to rethink what these institutions were teaching us,” Professor Crenshaw said, “and to assist those institutions in transforming them into truly egalitarian spaces.”

The students saw that stark racial inequality had persisted despite the civil rights legislation of the 1950s and ’60s. They sought, and then developed, new tools and principles to understand why. A workshop that Professor Crenshaw organized in 1989 helped to establish these ideas as part of a new academic framework called critical race theory.

What is critical race theory used for today?

OiYan Poon, an associate professor with Colorado State University who studies race, education and intersectionality, said that opponents of critical race theory should try to learn about it from the original sources.

“If they did,” she said, “they would recognize that the founders of C.R.T. critiqued liberal ideologies, and that they called on research scholars to seek out and understand the roots of why racial disparities are so persistent, and to systemically dismantle racism.”

To that end, branches of C.R.T. have evolved that focus on the particular experiences of Indigenous, Latino, Asian American, and Black people and communities. In her own work, Dr. Poon has used C.R.T. to analyze Asian Americans’ opinions about affirmative action.

That expansiveness “signifies the potency and strength of critical race theory as a living theory — one that constantly evolves,” said María C. Ledesma, a professor of educational leadership at San José State University who has used critical race theory in her analyses of campus climate, pedagogy and the experiences of first-generation college students. “People are drawn to it because it resonates with them.”

Some scholars of critical race theory see the framework as a way to help the United States live up to its own ideals, or as a model for thinking about the big, daunting problems that affect everyone on this planet.

“I see it like global warming,” Professor Matsuda said. “We have a serious problem that requires big, structural changes; otherwise, we are dooming future generations to catastrophe. Our inability to think structurally, with a sense of mutual care, is dooming us — whether the problem is racism, or climate disaster, or world peace.”