A Critical Divide in American Education?:

Examining Critical Race Theory Discourse via a Public Opinion Lens

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Abstract

In the United States, critical race theory (CRT) has been a topic of controversy among academic, political, and public discussions. Theorists in the tradition have maintained that contrary to conventional understanding, race is not a concept grounded in biology but a socially constructed instrument of oppression, crafted by the hands of the dominant social class and institutionalized by the laws of the state. When the theory was popularized in the twenty-first century, the American public received the theory with ambivalence, with some supporting and implementation in school curricula, while others opposing its validity. Political elites, conversely, have leveraged public attitudes to justify laws prohibiting and permitting the teaching of the theory's concepts; however, their lack of consensus has only shaped CRT into a partisan issue. With these competing factors in mind, the future of CRT discourse is thus rather uncertain. Public opinion polls continue to indicate that most Americans are still unacquainted with the theory's tenets, suggesting that current measures may not be an accurate representation of the electorate's genuine attitudes. If scholars seek to garner a truer grasp on public opinion surrounding CRT, more Americans will have to understand the theory and be able to differentiate its subject matter from its politicized iterations.

Keywords: critical race theory (CRT), public opinion, school curricula, teaching history

Introduction

Critical race theory (CRT) emerged as a novel subfield of legal studies towards the end of the twentieth century. This expository criterion—materialized in response to the political landscape during the post-Civil Rights era—sought to re-examine America's social and legal institutions through a racially conscious lens (Delgado & Stefancic, 1993). By deconstructing its myths, critical race theorists have challenged conventional understandings of race, redefining the concept as a social construct lacking a biological foundation (Smedley, 2007). Race, in the eyes of the theory, has been an instrument of the dominant social class, fabricated to preserve its interests at the price of people of color (Brooks, 2009). CRT scholars have contended that contrary to common perceptions, racism has not primarily been the result of individuals' "bigotry" (Taylor, 1998). Rather, from the colonial period onwards, racial prejudice has "permeate[d]" into the nation's culture and legal apparatuses (Banaji, et al., 2021), resulting in institutions of power that have preserved a social order established by the virtue of whites, for the benefit of whites (Brooks, 2009). The quest for critical race theorists then has been to decipher the racial biases in the American context and provide the means to eradicate them (Ford & Airhihenbuwa, 2010). In the past few years, contentious debates on CRT have been on the ascent, and what side of the discourse individuals, groups, and political elites have aligned themselves with has shown to be politically consequential. As a left leaning theory, CRT has the potential to steer American culture towards a more liberal direction, possibly reshaping the nation's values but also its practices—primarily—the curricula in its institutions of learning.

Academic Discussion on Critical Race Theory

Since its conception, critical race theory has been subjected to academic criticism.

Traditionalist academics have deemed CRT as an antithesis to Western liberalism (Mocombe,

2017) and its tradition of neutrality. Scholars such as Thomas Sowell (Minda, 1995) and Randall Kennedy (Johnson, 1998) have defended the virtue of "colorblind" laws, maintaining that the principle is crucial for achieving legal equality in the United States. CRT scholars have responded to their counterparts with a critique of their own, expressing skepticism for American liberalism itself (Mocombe, 2017). Through rebuttal after rebuttal, they have rhetorically questioned if laws in liberal societies are truly as objective as they are in abstract (Leiter & Coleman, 1993). CRT theorists have contended that as long as the law has yet to live up to its ideal impartiality, race based legal analysis has warranted its place in American academia (Minda, 1995). Additionally, scholars have followed the line of reasoning that those from marginalized ethnic backgrounds have the ability to "name [their] reality" (Ladson-Billings, 1998), or in other words, tell their experiences of racial prejudice. Personal narratives, theorists have argued, have the ability to empower oppressed voices and validate their encounters with injustice (Minda, 1995). Through this singular practice, individual experiences of racism long shielded from public attention have been elucidated and offered the space for discussion (Ladson-Billings, 1998). CRT scholars have identified storytelling as a key to unpacking the inequalities embedded in society (Taylor, 1998). They have also recognized that stories exert merit to other discussions too, whether that be conversations on history, society, gender, or economics (Solorzano & Yosso, 2002). At the same time, assigning substantial weight to narratives and qualitative accounts has also proven precarious. Scholars Daniel Farber and Suzanna Sherry (1997), for instance, have expressed concern for legal theories founded upon lived experiences instead of empirically sourced claims. They have avowed that individual undergoings are difficult to testify and dismiss the notion that reason is paramount in law (Farber & Suzanna, 1997). Yet in spite of these rivaling views, CRT scholars have continued to defend

the use of storytelling, asserting that the inclusion of previously shunned voices has forged a new dimension to discourses surrounding race and law, all of which would have otherwise been ignored if social scientific observations were solely utilized (Paul-Emile, 2015).

Public Discourse on Critical Race Theory

By the twenty-first century, discourse on CRT had made its way to the general public, provoking controversy among the populace as it once did among academic elites. But in contrast to the academic community which has long housed discourse on CRT, the public has largely been left out of the discussion (Oputu, 2021). It was not until recently that CRT became prevalent among public discourse. Contemporary literature has credited changing population dynamics in the United States and the rise of social movements (Hiro & Torres, 2021) for bringing the theory to public attention. Parents, activists, and even news commentators had found themselves involved, expressing both praise and disdain for its possible implementation. However, while CRT has received greater acknowledgement, public opinion scholars have observed that a significant portion of the electorate—seven out of ten Americans (Safarpour et al., 2021)—remains unfamiliar with its tenets. Furthermore, among those aware of the framework, a multitude were misinformed about the theory's application, failing to realize that CRT has mostly been reserved for postsecondary coursework and has yet to be formally embedded into primary and secondary education (Hindmon, 2021). These survey findings have raised concerns about whether the electorate has the qualifications to judge the validity of critical race theory and its place in American education.

Though skepticism has been raised towards citizen competency, individuals, in spite of their appearingly limited comprehension of CRT, have remained involved in the discussion.

Many have aligned themselves along the three major sides of the debate: expressing approval,

objection, or indifference towards the theory. CRT proponents have emphasized the importance of confronting America's history and learning about the country's injustices (Delgado & Stefancic, 1993). When asked about resolving these grievances, they have maintained that promoting awareness among citizens can empower them to identify and obliterate the underpinnings of racial problems (Delgado & Stefancic, 1993). On the contrary, those opposed have identified critical race theory as a threat to America's tranquility and order (Blackwell, 2020). They have affirmed that America's laws and history have not been rooted in racism.

Rather, the nation was founded on liberal ideals and democratic principles (Smith, 2021), all of which have been significantly improved upon since the legal victories achieved during the Civil Rights Movement (Minda, 1995). Therefore, for numerous opponents of CRT, implementing education agendas discussing the history of racism encourages children to despise one another and perpetuates the notion that whites are oppressors and people of color are victims (Ray & Gibbons, 2021). They have worried that such a narration of history (Wolfe-Rocca & Nold, 2022) has the potential of socializing its future citizens into accepting a malign image of America.

To better understand the public's attitudes towards CRT, public opinion scholars have conducted both quantitative and qualitative based surveys in hopes of acquiring a finer grasp. One group of researchers in particular from Harvard University, Northeastern University, Northwestern University, and Rutgers University conducted *The COVID States Project* and discovered links between population demographics and attitudes towards critical race theory. Their initial findings reported a relationship between race and support for CRT. In their study, support for teaching CRT was higher among blacks at 42 percent and lower among whites at 23 percent. When compared to support for CRT, support for "teaching the legacy of racism," however, (Safarpour et al., 2021, p. 11) increased to 73 percent for blacks and 46 percent for

whites. The surveys also found individuals' political alignments as statistically significant. Support for teaching CRT was higher among Democrats at 44 percent and lower among Republicans at eight percent. Concurrently, support for "teaching the legacy of racism" (Safarpour et al., 2021, p. 10) increased to 73 percent for Democrats and 24 percent for Republicans. Besides race and political alignment, individuals' age and education also appeared to have a corresponding relationship with support for teaching CRT. Younger individuals and those with higher education were both documented to be more supportive of teaching CRT.

Group and Elite Debate on Critical Race Theory

Similarly to the American public, social coalitions and political parties were brought into CRT discourse as fluctuating tides of change began to encroach upon American society. Hikes in police brutality allegations in the early 2010s had led to the development of apolitical social alliances such as the Black Lives Matter (BLM) movement (Ray, 2022). Social enterprises such as BLM and The 1619 Project (Silverstein, 2019) have explored the role of race in American history and have offered alternative interpretations to racism, reidentifying the prejudice as systematic. By the peak of the anti-Black violence movements in 2020, social discussion surrounding CRT had shifted gears; suddenly, national attention was directed towards an unprecedented proposition: the history of racism ought to be taught in American schools (Winthrop, 2020). In response to the national climate, several school districts around the country began proposing diversity, equity, and inclusion (DEI) programs in their local schools. These programs have sought to address issues of social inequality and bias, attempting to "improve opportunities for disadvantaged groups" (Iyer, 2022). Amid its enactment, DEI programs were received with both support and dissent. Public attitudes were observed to be overall conflicted, in part because individuals and elites had erroneously identified the DEI programs or the teaching

of racism as synonymous and interchangeable with the idea of teaching CRT (Quilanatan, 2023). Conservative interest groups like the Heritage Foundation and the American Legislative Exchange Council began to push back against DEI and CRT related instruction, reiterating concerns about CRT's potentially divisive concepts. The Republican Party, as the embodiment of conservative thought, has aligned itself along opponents of CRT (Allen, 2022) and the teaching of its concepts. The party's counterpart, the Democratic Party, has positioned itself as a supporter of CRT and racial diversity programs (Allen, 2022). Liberal interest groups like the American Civil Liberties Union and Lambda Legal have also adhered to an analogous standpoint.

Shaping Public Opinion on Critical Race Theory

Critical race theory was initially envisioned as a non-partisan investigation of America's laws and social institutions. And while such a frame of mind was the intention of its architects (Hindmon, 2021), CRT has become increasingly politicized since its introduction to the public. Today, support or opposition towards CRT has become associated with stances of particular political parties and social factions. As one branch of critical theory, CRT has proven over its lifetime to be a revolutionary system of social analysis. Its ability to influence public perceptions of American history, laws, and institutions has granted it leverage over everyday citizens. Its novelty has made it unfamiliar and even mysterious; what the theory entails or how its concepts may be applied to education curricula has still remained foreign to most (Safarpour et al., 2021). These particular circumstances have created a strategic opening for the political elite, entrusting them with the authority to shape CRT into their desired image.

From 2020 onwards, GOP lawmakers began appearing before various television channels and social media platforms, characterizing CRT as a threat to the nation's founding principles (Meckler & Dawsey, 2021). They have asserted that the theory's tenets overly focus on divisive,

individual characteristics, espouse hatred towards whites, and generalize the country as inherently racist (Jamison & Noland, 2022). Some members have associated CRT with the "Great Replacement Theory" (Sivels, 2021), arousing fears among citizens about the loss of American heritage and the ideologically left's political agenda. Regardless of the reality behind these assumptions, the GOP's projection of CRT has seemed to appeal to the overwhelmed, undecided public. According to *The COVID States Project* (2021), public support for CRT and its implementation in educational settings has remained rather mediocre at 29 percent. Even if this figure was the result of a misleading correlation, public hesitancy towards CRT has remained favorable to the Republican Party nonetheless. NBC polls observed that members of the public were slightly more trusting of Republicans on education (Allen, 2022).

Sculpting public opinion on critical race theory has not been a one sided endeavor, however. The Democratic Party has attempted to consolidate its own reputation for CRT, responding to their political opposition with a defense of the theory (Allen, 2022). Comparably to Republicans, Democratic politicians have made use of mass media to connect with the public. They have fallen in line with CRT proponents, accentuating how the framework illuminates the truth behind the nation's dark, repressive past and will educate the country's future on the socioeconomic disparities that continue to hinder marginalized communities (Taylor, 1998). Elites have accused Republicans and CRT opponents of "whitewash[ing] history" (Hiro & Torres, 2021). Their rhetoric has predominantly aimed to appease minority populations, many of whom constitute a considerable portion of the party's supporters. Yet, as discussed precedently, support for teaching CRT has remained divided. Doubt towards the theory has endured (Druckman et al., 2022), leaving public opinion on CRT relatively unchanged across the years. Democratic policies have seemed to neither garner nor discourage support for CRT, at least to any remarkable extent.

Public Opinion as Means for Advancing Legislative Agenda

Apart from molding public perceptions of critical race theory, political elites from both sides of the aisle have also pushed for public policies regarding its place in education. Each party has taken advantage of public opinion, using the electorate's positions on CRT to justify laws allowing or prohibiting its teaching. Democrats and Republicans alike have recognized the public's ambivalence and have sought to appeal to individuals' emotions and ideological predispositions. After all, public controversy around CRT has been to an extent a function of personal affect. Individuals—especially parents—leaning right of the political spectrum have expressed fear for indoctrination and division among America's youth, associating their feelings of agitation with CRT (Smith, 2021). The Republican Party has responded to public anxieties with anti-CRT laws. By 2021, nine states had passed laws prohibiting schools from teaching CRT related concepts with more states in the process of introducing bills (Ray & Gibbons, 2022). Local lawmakers have cited parental fears as the grounds of these laws (Frey & Wheeler, 2022), but for scholar William Frey, such a line of reasoning has misled the public from what he has perceived as the GOP's ulterior motives. Conservative legislators, Frey argued, have employed "parental concerns" as an excuse to initiate laws that attract the Republican Party's predominantly "white, culturally conservative voter base" (Frey & Wheeler, 2022). To reiterate his words, public apprehensions have become justifications for political maneuvers.

Such a phenomenon has also been remarked among government executives at state and federal levels. In parallel with legislators, Republican governors have referenced fears among parents as rationale for anti-CRT laws and executive orders. Governors, similarly to other political actors, have utilized their election results to survey public opinion (Thomson et al., 2019). For executives who have achieved a large margin of victory, they may be convinced that

the public has bestowed them the mandate to facilitate their position on CRT. But even in more divided races, like that of Governor Youngkin's in 2021, a slim victory margin may also validate policies. Education appeared as a principal topic during the Virginia gubernatorial race. Youngkin's position on CRT arguably became the deciding factor in his triumph (Cooper, 2021) and later justified his executive order banning CRT. In other instances, executive policies have been promoted on mere assumptions of public opinion. President Trump's 1776 Commission was founded on a perceived necessity for "patriotic education" (Executive Order No. 13,958, 2020). The executive order presumed the public was largely against the teaching of CRT and hence initiated the program on this presupposition (Executive Order No. 13,958, 2020).

Democratic governors and legislators in response have charged Republicans for abusing the public's name, proposing that conservative elites have misused public concerns to legitimize CRT bans (Frey & Wheeler, 2022). They have propounded that for long, history has excluded people of color from salient, social discussions (Minda, 1995); now, they have avered, was the time for American society to confront its past injustices. As a result, the Democratic Party has attempted to conform to the interests of minority communities, many of whom constitute a significant bulk of their voters. And correspondingly to how Republicans have advocated for anti-CRT bans on the premise of "parental concerns," Democrats have pushed for CRT related curricula in the defense of supporting people of color and the pursuit of "truth about American history" (Gaudiano, 2021). While both sides of the debate have made use of public attitudes on CRT, political strategists have suggested that Republicans have utilized public opinion more diligently, skillfully setting public concerns as the bedrock of their CRT related legislation.

Democrats have strove to address Republican laws but have failed to propose bills in pace with their counterparts (Gaudiano, 2021).

Conclusion

The future of discourses on critical race theory have seemed to be as ambiguous as current public stances on CRT itself. What is certain, however, has been the extent to which the theory has deviated from the original intentions of its founding scholars. Over the course of its time in the national spotlight, CRT has been politicized and misrepresented into a partisan political instrument. Some political elites have characterized CRT as an essential component of a diverse society. The future of the country, they have insisted, must be aware of the nation's past and strive to right previous wrongs. Opposing political elites, on the other hand, have deemed CRT as a danger to the American way of life. Such a theory, they have held, only has the potential to categorize and separate the nation's young, breaking the harmony which has bound Americans together. Whether or not these two sides of the debate can find middle ground has been a question yet to be resolved. For as long as the theory continues to be subjected to political manipulation, the attention of public discourse will be directed towards partisanship rather than content. Only when do Americans transcend these political quarrels and focus on the theory's subject matter can public opinion be a truly accurate representation of the electorate's attitudes.

References

- Allen, J. (2022, July 13). Teachers union wants Democrats to fight back against Republicans' critical race theory attacks. NBC News. https://www.nbcnews.com/politics/2022-election/teachers-union-wants-democrats-fight-back-republican-crt-attacks-rcna38001
- Anderson, B. (2021, November 4). *Critical race theory is a flashpoint for conservatives, but*what does it mean? PBS. https://www.pbs.org/newshour/education/so-much-buzz-butwhat-is-critical-race-theory
- Banaji, M.R., Fiske, S.T. & Massey, D. S. (2021). Systemic racism: Individuals and interactions, institutions and society. *Cognitive Research*, 6 (82), 1–21. https://doi.org/10.1186/s41235-021-00349-3
- Blackwell, K. (2020, November 1). *Critical race theory cynically undermines racial harmony*. Family Research Council. https://www.frc.org/get.cfm?i=PV20K03
- Brooks, R. L. (2009). Critical race theory. *Racial Justice in the Age of Obama*, 89–108. Princeton University Press. http://www.jstor.org/stable/j.ctt7pfsm.9
- Cokley, K. (2021, July 15). Viewpoint: Teaching critical race theory is patriotic, not anti
 American. CourierPress.

 https://www.courierpress.com/story/opinion/2021/07/15/viewpoint-teaching-critical-racetheory-patriotic-not-anti-american/7982099002/
- Cooper, J. J. (2021, November 17). *Youngkin: Victory shows winning GOP path on education*.

 AP News. https://apnews.com/article/joe-biden-education-parental-rights-school-curricula-604edece27a483155c409187f258a058177
- Delgado, R., & Stefancic, J. (1993). Critical race theory: An annotated bibliography. *Virginia Law Review*, 79(2), 461–516. https://doi.org/10.2307/1073418

- Druckman, J., Lin, J., & Pippert, C. (2022, January 4). *The majority of Americans are concerned with how American history is taught*. Institute for Policy Research.

 https://www.ipr.northwestern.edu/news/2022/survey-majority-americans-concerned-with-how-american-history-is-taught.html
- Exec. Order No. 13,958, 3 C.F.R. 70951 (November 2, 2020).
- Farber, Daniel A. & Sherry, Suzanna (1997). Beyond all reason: The radical assault on truth in American law. Oxford University Press USA.
- Ford, C. L., & Airhihenbuwa, C. O. (2010). Critical race theory, race equity, and public health:

 Toward antiracism praxis. *American Journal of Public Health*, 100(Supp. 1), S30–S35

 https://doi.org/10.2105/AJPH.2009.171058
- Frey, W. H., & Wheeler, R. (2022, March 30). *Anti-CRT bills are aimed to incite the GOP base—not parents*. Brookings Institution. https://www.brookings.edu/research/anti-crt-bills-are-aimed-to-incite-the-gop-base-not-parents/
- Gaudiano, N. (2021, November 16). *Democrats plan an aggressive strategy on critical race theory claims*. Business Insider.

 https://www.businessinsider.com/democrats-critical-race-theory-strategy-should-be-aggressive-against-republicans-2021-11
- Hindmon, J. (2021, September 20). Myths And misunderstandings fuel controversy over critical race theory. KPBS. https://www.kpbs.org/news/midday-edition/2021/09/20/how-manufactured-critical-race-debate-attacks-ethn
- Hiro, B., & Torres, M. (2021, September 16). Ask the expert: The rise and meaning of critical race theory. CSUSM NewsCenter. https://news.csusm.edu/ask-the-expert-the-rise-and -meaning-of-critical-race-theory/

- Iyer, A. (2022). Understanding advantaged groups' opposition to diversity, equity, and inclusion (DEI) policies: The role of perceived threat. *Social and Personality Psychology Compass*, *16*(5), 1–14.
- Jamison, L., & Noland, C. (2022, September 1). *Myths and facts of critical race theory The Washburn Review*. The Washburn Review. https://washburnreview.org/39787/recent -stories/myths-and-facts-of-critical-race-theory/
- Johnson, S. L. (1998). Respectability, race neutrality, and truth [Review of *Race, crime, and the law*, by R. Kennedy]. *The Yale Law Journal*, *107*(8), 2619–2659. https://doi.org/10.2307/797352
- Ladson-Billings, G. (1998). Just what is critical race theory and what's it doing in a nice field like education? *International Journal of Qualitative Studies in Education*, 11(1), 7-24, DOI: 10.1080/095183998236863
- Leiter, Brian, and Jules L. Coleman. (1993) Determinacy, objectivity, and authority. *University of Pennsylvania Law Review*, 142(549), 548–637, https://scholarship.law.upenn.edu/penn_law_review/vol142/iss2/8/.
- Meckler, L., & Dawsey, J. (2021, June 21). Activist Christopher Rufo fuels GOP's critical race theory fight. The Washington Post.
- https://www.washingtonpost.com/education/2021/06/19/critical-race-theory-rufo-republicans/
- Minda, G. (1995). Critical race theory. *Postmodern Legal Movements: Law and Jurisprudence at Century's End*, 167–186. NYU Press. http://www.jstor.org/stable/j.ctt9qg2gf.14
- Mocombe, P.C. (2017). Against critical race theory. Explorations in Ethnic Studies, 37-38, 83 106.

- Oputu, E. (2021, August 5). Untangling the controversy around critical race theory. Temple

 Now. https://news.temple.edu/news/2021-08-05/untangling-controversy-around-critical

 -race-theory
- Paul-Emile, K. (2015). Foreword: Critical race theory and empirical methods conference. Fordham Law Review, 83(6), 2953–2960
- Quilantan, B. (2023, March 19). *The new Red Scare for red states: Diversity programs*. Politico. https://www.politico.com/news/2023/03/19/gop-culture-war-college-dei-florida-texas -00087697
- Ray, R., & Gibbons, A. (2022, March 9). Why are states banning critical race theory? Brookings Institution. https://www.brookings.edu/blog/fixgov/2021/07/02/why-are-states-banning -critical-race-theory/
- Ray, R. (2022, October 12). *Black Lives Matter at 10 years: 8 ways the movement has been highly effective*. Brookings Institution. https://www.brookings.edu/articles/black-lives-matter-at-10-years-what-impact-has-it-had-on-policing/
- Safarpour, A., Lazer, D., Lin, J., Pippert, C. H., Druckman, J., Baum, M., ... Qu, H. (2021, December 23). *The COVID states project #73: American attitudes toward critical race theory*. https://doi.org/10.31219/osf.io/crv95
- Silverstein, J. (2019, December 20). Why we published The 1619 Project. The New York Times. https://www.nytimes.com/interactive/2019/12/20/magazine/1619-intro.html
- Sivels, X. (2021, August 18). *Pushing 'Replacement Theory,' Banning CRT to Save White Supremacy*. Mississippi Free Press. https://www.mississippifreepress.org/14990/fear-of-a-black-brown-planet-pushing-replacement-theory-banning-crt-to-save-white-supremacy

- Smith, D. (2021, November 3). *How did Republicans turn critical race theory into a winning electoral issue?* The Guardian. https://www.theguardian.com/us news/2021/nov/03/republicans-critical-race-theory-winning-electoral-issue
- Smedley, A. (2007). Race in North America: Origin and evolution of a worldview (3rd ed.).

 Westview Press.
- Solorzano, D., & Yosso, T. J. (2002). Critical race methodology: Counter-Storytelling as an analytical framework for education research. *Qualitative Inquiry*, 8(1), 23–24. https://www.researchgate.net/publication/249735081_Critical_Race_Methodology_Couter-Storytelling_as_an_Analytical_Framework_for_Education_Research
- Subotnik, D. (1998). What's wrong with critical race theory: Reopening the case for middle class values. *Cornell Journal of Law and Public Policy*, 7(3), 682–756.
- Taylor, E. (1998). A primer on critical race theory. *The Journal of Blacks in Higher Education*, 19, 122–124.
- Thomson, R., Naurin, E., & Royed, T. J. (Eds.). (2019). Party mandates and democracy:

 Making, breaking, and keeping election pledges in twelve countries. University of
 Michigan Press.
- Wolfe-Rocca, U., & Nold, C. (2022, August 2). *Opinion: Why the narrative that critical race theory 'makes white kids feel guilty' is a lie*. The Hechinger Report.

 https://hechingerreport.org/opinion-why-the-narrative-that-critical-race-theory-makes-white-kids-feel-guilty-is-a-lie