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Critical Race Theory and the Archaeology of the African Diaspora

ABSTRACT

The critical race theory movement, an outgrowth of critical legal studies, offers historical archaeologists a paradigm for a more sophisticated, politically engaged treatment of the issue of race. Unfortunately, an uncritical social constructionist analysis can result in the trivialization or appropriation of the concerns of minority scholars, activists, and communities, a position critical race theorists characterize as "vulgar anti-essentialism." Several examples of this process within historical archaeology are discussed. Historical archaeologists, particularly those studying the African Diaspora, need to develop community-based alliances that address common goals and enhance the relevance of their work. One potential mutually beneficial alliance would be with activists and scholars in the environmental justice movement.

Critical Race Critique

When historical archaeologists attempt to address the issue of race, the result is, all too often, condescension, trivialization, or—at best—superficial inclusion of the concerns and potential contributions of minority communities and scholars (for important recent counterexamples, see LaRoche and Blakey 1997; Perry 1997; Mullins 1999; Orser 1999; Paynter 2000; and Franklin 2001). In this context, the emerging field of critical race theory (CRT) poses important challenges for the archaeology of the African Diaspora, particularly in its definition and critique of "vulgar anti-essentialism" (Crenshaw et al. 1995:xxvi; also Fuss 1989 and McRobbie 1997). As an outgrowth of the critical legal studies movement, CRT acknowledges, analyzes, and challenges the fundamental role of the law in the construction of racial difference and the perpetuation of racial oppression in American society. As a movement comprised primarily, but not exclusively, of scholars and activists of color, critical race theorists (known as "race-crits" to

distinguish them from the "crits" and the "fem-crits") also believe that personal experiences of racial prejudice inform and strengthen theoretical analyses. They are therefore particularly interested in fostering and supporting the distinctive work and voices of minority scholars, and quite reasonably insist that the victims of racial oppression play a fundamental role in the analysis of that oppression. Some of the more famous race-crits include Derrick Bell (1987, 1996), Kimberlé Crenshaw (1995), Lani Guinier (1994), Ian Haney López (1994, 1996), Cheryl Harris (1995), Gary Peller (1985, 1995), and Patricia Williams (1991, 1995) (also MacFarquhar 1996; Wing 1997, 2000; and Delgado and Stefancic 2000).

The introduction to the 1995 anthology *Critical Race Theory: The Key Writings That Formed the Movement* explains the initial disjuncture between the critical legal studies scholars (the crits) and the emerging CRT movement:

To be sure, these crits positioned themselves in a discourse far removed from liberalism—a certain postmodern critique of identity. Yet the upshot of their position seemed to be the same: an abiding skepticism, if not outright disdain, toward any theoretical or political project organized around the concept of race. Where classical liberalism argued that race was irrelevant to public policy, these crits argued that race simply didn't exist. The position is one that we have come to call "vulgar anti-essentialism." By this we seek to capture the claims made by some critical theorists that since racial categories are not "real" or "natural" but instead socially constructed, it is theoretically and politically absurd to center race as a category of analysis or as a basis for political action (Crenshaw et al. 1995:xxvi).

While most race-crits emphatically reject the concept of biologically distinct races and embrace the premise that race is, indeed, socially constructed, they nonetheless argue that race is real, "... in the sense that there is a dimension and weight to the experience of being 'raced' in American society, a materiality sustained by law" (Crenshaw et al. 1995:xxvi; also Harrison 1995; Mukhopadhyay and Moses 1997).

The crits were not unique in equating race with identity, nor were the race-crits unique in rejecting this equivalency. David Bailey and Stuart Hall (1992, qtd. in Malik 1997:113) have

written: "Poststructuralist thinking ... suggests ... that identities are floating, that meaning is not fixed and universally true at all times for all people, and that the subject is constructed through the unconscious in desire, fantasy, and memory." Another author asserts, "[G]ender, age, disability, race, religion, ethnicity, nationality, civil status, even musical styles and dress codes" are all "very potent axes of organization. ... [A]n individual constructs and presents any one of a number of possible social identities, depending on the situation" (Cohen 1994, qtd. in Malik 1997: 113, 115-116).

However, as Kenan Malik (1997) points out in "The Mirror of Race," conceiving of race or class as an identity has serious consequences:

Social relations such as racial oppression become not social relations at all but personal attributes, or even lifestyle choices. When race is equated with "musical styles" or "dress codes," the "social" seems to mean nothing more than a particular decision that any individual may make, and "society" is reduced to an aggregate of individual identities (Malik 1997:115-116).

Incorporation, Trivialization, and Vulgar Anti-Essentialism in Historical Archaeology

Unfortunately, strategies of incorporation and vulgar anti-essentialism are frequently, if unconsciously, deployed by Euramerican archaeologists in struggles over intellectual authority and leadership in African American archaeology. It was with some eagerness that I first turned to a paper entitled "Descendant Community Partnering in the Archaeological and Bioanthropological Investigation of African-American Skeletal Remains: Two Interrelated Cases from Philadelphia." However, I was soon disappointed. After explaining that the involvement of the Afro-American Historical and Cultural Museum was limited to conducting "periodic tours of the site for interested members of the community," the authors (two white guys working for the same consulting firm) continue by saying:

Another significant area of community partnering centered on the present-day pastor, parishioners, and elders of the First African Baptist Church. ... The church was apprised early on of the research design planned for the investigation, and considerable interest in the scientific findings was generated among the church members. Although no direct research involvement

by church members resulted, much information pertaining to the early history of the church was provided by them. In addition, periodic briefings regarding the progress of the excavation and research were provided to church members by the scientific team (Roberts and McCarthy 1995:26).

This does not jibe with my dictionary's definition of *partners*. The authors indicate their true interest in "community partnering" when they state, "the project was characterized by a decided lack of dissent throughout its course."

The junior author of the 1995 article subsequently compared the Philadelphia First African Baptist Church (FABC) cemetery excavations with the early phases of the African Burial Ground (ABG) project in New York City (McCarthy 1996). As we all know by now, the ABG excavations were a marked contrast to the "decided lack of dissent" that characterized the FABC projects. According to McCarthy (1996: 10), "Procedural errors on the part of GSA [U.S. General Services Administration] and its initial consultant, and institutionalized insensitivity to community concerns allowed the substantive issues of the project to be blown out of proportion in an atmosphere of mutual distrust. The project then became a lightning rod for many tangential issues."

Unfortunately, this article gives short shrift to the genuinely, community-based research paradigm developed under the leadership of Michael Blakey and fails to mention the secondary role that McCarthy's employer (John Milner Associates, Inc.) was subsequently forced to accept. McCarthy draws two lessons from the FABC and ABG experiences. First, "Communities must be fully informed at all stages of project planning and implementation, allowed to comment on and participate in the project, and be assured that community values concerning the dead and the history of the community will be recognized and respected" (McCarthy 1996:11). The ancillary conclusion is that, "New York's complex social and political environment make it difficult to undertake a sensitive archaeological excavation there" (McCarthy 1996:9). Surprisingly, Laurie Wilkie and Kevin Bartoy (2000) reach a similar conclusion in a very different context. They note that their "community partners" at Oakley Plantation "were uncomfortable extending their participation into the realm of interpretation." They continue by explaining,

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This relationship is different from the proactive relationship between archaeologists and community partners that has developed during the analysis and interpretative phase of the African Burial Ground Project in New York ... and probably reflects the different political, social, and economic experiences of the two descendant populations (Wilkie and Bartoy 2000: 757; see also important critiques regarding descendant communities by Gero 2000 and McGuire 2000).

The Levi Jordan Plantation in Texas provides a second example of the processes of incorporation and superficial inclusion. We are told, "[t]he second phase of the research was to involve members of the community in planning and implementing the public interpretation, with the particular goal of insuring that both black and white descendants of the original residents participated in the planning process" (McDavid 1997). The archaeology director proudly explains how concessions to descendant community concerns have not affected the fundamental research paradigm:

[W]e have begun to "alter" our interpretations of life in the tenant community in our public presentations. For example, the presence of a Conjuror has been construed in a very negative light by a number of members of the general public. However, when this individual is presented as a folk-healer and a midwife, the negative connotation has not been observed ... [T]he descendant communities are much more comfortable with this approach, and there has been no violation of "scientific principles" (Brown 1997; quotation marks in original).

Far from being anomalies, these two cases exemplify what Blakey (1997:142) identifies as a common strategy, the inclusion of the other "in order to validate decisions already made by Euroamericans." Faye Harrison's criticism of postmodernism in *Decolonizing Anthropology* is also relevant to the practice of African American archaeology. Harrison (1991:5) notes that "dialogic relationships" are often viewed as "textual strategies rather than as concrete collaborations" between anthropologists and informants. If you think Blakey and Harrison are being hyperbolic, I would call to mind Larry McKee's statement: "I don't advocate avoiding input from the African American community, but I don't agree with ... assertions that they should define the questions to be addressed by archaeologists. What is involved here is not a matter of bias, but the issue of authority and control over interpretations of the past" (McKee

1994:5). This position is ameliorated slightly in McKee and Brian Thomas (1998). I would certainly agree that we are dealing with an "issue of authority and control," but I think my sympathies are with the other side. For example, the descendant community's act of "seizing intellectual power" (LaRoche and Blakey 1997) in the ABG project has resulted in a research program that is not only more responsive to the needs and concerns of the community but is also indisputably better science (Epperson 1996, 1999a; Mack and Blakey, this volume). This is a far cry from McCarthy's (1996:11) recommendation that descendant communities be "allowed to comment on and participate in the project."

I am also increasingly uncomfortable when Euramerican scholars explicitly link analysis of the social construction of race with struggles over control of African American archaeology. One recent example is M. Drake Patten's (1997) paper on the politics surrounding excavation of the Foster Homesite in Charlottesville, Virginia. I am somewhat sympathetic with her position. I agree historical archaeologists need to do a better job "in our public education about race and gender as cultural constructions." On more than one occasion I have also tried to explain (somewhat unconvincingly) that "Race may not be real, but racism is" (Epperson 1997:138). However, I part company with Patten when she deploys a social constructionist analysis to defuse criticism regarding the initial excavation and analysis of the site by an all-white crew. Catherine Foster, who purchased the property in 1833 and died in 1863, was enumerated as a mulatto on census forms. Following the Civil War, the neighborhood that developed on and around the Foster property was known as "Canada," probably in reference to the haven for escaped slaves. In describing the controversy arising from excavation of the site, Patten challenges the present-day definition of Foster as an African American and decries the manner in which Catherine Foster was "utterly appropriated by the local community, however they might be characterized." Patten (1997: 135) also regrets the use of the tee-shirt slogan "Ask me about African American archaeology in Charlottesville." However, as Theresa Singleton (1997:149) has noted, someone identified on 19th-century census forms as mulatto would

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probably self-identify today as African American or multiracial. Contrary to Patten's implication, the fact that Foster's living descendants are white negates neither the concerns of the African-descent community nor importance of this site for African American archaeology.

One of the fundamental tenets of CRT is the insistence that we, collectively, must allow ourselves "to know what we know" (Matsuda 1989). A common example is the issue of hate speech. We know that a white person's use of that most vicious of racist epithets is not the equivalent of a black person yelling, "stupid cracker!" This knowledge of social reality should be admitted and reflected in legal analysis. Therefore, a seemingly neutral law or campus code that punishes the use of all racial epithets equally, regardless of context, will, in fact, be inherently biased because it refuses to acknowledge the structural inequalities arising from racism. Therefore, it is particularly problematic when Patten asserts an equivalency between the racial identities ascribed to her and to Catherine Foster:

When the [*Washington*] *Post* condemned our project, the focus was not on the questions it raised, nor even on Catherine, but on me, on my racial identity as white. There is a certain irony to this: both Catherine Foster and I had become subject to the same external application of a category, even as our lives were temporally separated (Patten 1997:137).

Although it was a temporary inconvenience in the context of the project, Patten's identity as a white person is one that confers status, privilege, and power. The same cannot be said for the categories of mulatto or African American. The privilege bestowed by white identity must be acknowledged and challenged (Roediger 1998), particularly by those of us who happen to be Caucasian.

Activist Alliances

Earlier versions of this paper have been greeted by mixed responses, some of them understandably quite vehement. On more than one occasion I have been asked in effect to "put up or shut up," to demonstrate how I have been more effective at creating genuinely collaborative partnerships than the folks I criticize. This is a valid criticism since I am not, at the moment, a practicing archaeologist, nor can I point with

pride to my own ongoing community-based project. In fact, one of the (many) reasons I left the field of CRM was my apparent inability to transcend the alienation and bureaucratization that characterizes most CRM work. Nevertheless, a cultural critic with an outsider's perspective can often provide valuable insights. It is not my intention to engage in ad hominem attacks or to question anyone's goodwill or good intentions. In fact, it is precisely my point that goodwill and even the best of intentions will take us only so far in the absence of a genuine activist perspective and community base. I agree with Lakota anthropologist Bea Medicine when she writes, "To me, empowering people—especially 'people of color'—means teaching and researching issues of race, class, gender, and power relations in ways that can be understood and utilized by 'target populations'" (Medicine 1998:255–256).

In addition to seeking community grounding, guidance, and support, archaeologists of the African Diaspora need to develop cross-disciplinary alliances that will enhance the field's relevance and scope while challenging the inherent limitations of "archaeo-centrism" (King 1998). In keeping with the tenets of CRT, I would like to briefly explore a possible alliance between African Diaspora archaeology and the environmental justice movement (Calloway and Ferguson 1997; Guill 1998; Cole and Foster 2001). The environmental justice movement analyzes and challenges the disparate adverse environmental impacts (e.g., highways or medical waste incinerators) inflicted upon impoverished peoples and communities of color. The movement is particularly interested in understanding how practices of institutionalized racism are embedded and perpetuated in spatial relations (Verchick 1999). One of the most intriguing aspects of this analysis is the emphasis on "disparate impact" rather than "intentional discrimination," the latter being almost impossible to prove in modern civil rights cases (Kairys 1996). In the words of one analyst, "The environmental and civil rights movements are growing increasingly intertwined. The courts are also beginning to recognize that development projects must be understood and judged with an eye to their impact, both environmentally and racially" (Guill 1998:233). The movement received institutional support when then President

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Clinton signed an Executive Order on 11 February 1994, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (USCA 1994).

Maria Franklin (2001) recently wrote, "U.S. historical archaeology owes its phenomenal growth over the past thirty years in large part to the study of African Americans, particularly of the plantation South." On its face, this is a perfectly reasonable and valid statement. However, this "phenomenal growth" warrants further analysis. While many African Diaspora archaeology projects (e.g., Colonial Williamsburg and Hermitage) are conducted for strictly academic or interpretative purposes, most excavations of African American sites are federally mandated CRM projects. While we can all celebrate the burgeoning interest in African American archaeology, a more skeptical view is that this activity may reflect, in part, the disproportionate environmental impacts borne by minority communities. As was the case during the early stages of the ABG excavations, archaeological sites are frequently viewed as a "removable resource," an inconvenient impediment to the expeditious completion of a federally funded project. Under a narrow (but all too frequent) reading of Section 106 of the National Historic Preservation Act, archaeological sites are primarily repositories of scientific data; therefore, excavation and analysis constitutes appropriate and adequate impact mitigation (Epperson 1999a). However, we should remember that the National Register addresses criteria other than sites "that have yielded, or may be likely to yield, information important in prehistory or history" (King 1998).

In addition to the National Historic Preservation Act, most major cultural resource projects must also address requirements of the much more expansive National Environmental Policy Act (NEPA), which requires an analysis of all "major Federal actions significantly affecting the quality of the human environment" The environmental assessment process must "utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's [sic] environment" (42 USC 4332 [1994], qtd. in Calloway and Ferguson 1997:1153). The "human environment" provisions of NEPA provide the lynchpin for legal

challenges to the disparate impacts arising from environmental racism.

Therefore, it seems the environmental justice movement and archaeologists of the African Diaspora could learn a great deal from each other. Through a mutual grounding in CRT, both movements could explore the complex and contradictory nature of "race" as a social construct that nevertheless has profoundly material consequences. Both movements also share an explicit interest in the intersections of space and race. In fact, the emerging legal field of "critical space theory" (Verchick 1999) could benefit from the more sophisticated insights historical archaeology has to offer. Finally, at a practical, on-the-ground level, much of the African Diaspora archaeology practiced today is ultimately accountable to the same "human environment" provisions of NEPA that form the basis for many of the environmental justice movement's legal challenges.

Conclusion

Elsewhere I have written about the need to develop an archaeology of race that encompasses disparate early Virginia narratives (Epperson 1990a, 1990b, 1999b, 2001). We need a social constructionist account that challenges the apparent "naturalness" of race, an account that explains how, during the late-17th century, the Negro/Christian dichotomy was transformed into a Negro/white opposition. Yet, we also need a race-conscious account for the common ground claimed in 1710 by Bumbara Peter, Angola Peter, Salvadore, Scipio, and James Booth. We must understand how, in 1722, it was possible for "Free-Negros & Mulattos ... to adhere to and favour the Slaves," and why the rulers of Virginia found it necessary "to fix a perpetual brand" upon all free people of color.

Although the analysis of race as a social construction is valid and important, it should not be deployed to deny the "reality" of race or racism, nor should it be used to belittle the concerns of minority descendant communities. As we face the new millennium, the challenge posed by critical race theorists can be stated simply: *we must construct an African Diaspora archaeology that is simultaneously race-conscious and anti-essentialist.* The way will not be easy, but the task is crucial.

ACKNOWLEDGMENTS

I would like to thank Larry McKee and Maria Franklin for their invitation to participate in the 1998 Society for Historical Archaeology session, "Transcending Boundaries, Transforming the Discipline: African Diaspora Archaeology in the New Millennium." I would also like to offer my appreciation to discussants Laurie Wilkie and Kathleen E. Phillips Lewis and the other presenters in the panel. Finally, a heartfelt thanks to editor Maria Franklin for her patience and hard work on this project. Her expansive, holistic, and transformative vision of the field of African Diaspora archaeology is to be applauded and emulated.

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