Eastern Kentucky University

Encompass

Online Theses and Dissertations | Student Scholarship

January 2017

Who Taught You to Hate Yourself?: The Racially Coded Language of Professionalism and its Detriment to the Black Community

Alexys Jones
Eastern Kentucky University

Follow this and additional works at: https://encompass.eku.edu/etd

Part of the Criminology and Criminal Justice Commons, Race and Ethnicity Commons, and the Social Control, Law, Crime, and Deviance Commons

Recommended Citation

Jones, Alexys, "Who Taught You to Hate Yourself?: The Racially Coded Language of Professionalism and its Detriment to the Black Community" (2017). *Online Theses and Dissertations*. 535.
https://encompass.eku.edu/etd/535

This Open Access Thesis is brought to you for free and open access by the Student Scholarship at Encompass. It has been accepted for inclusion in Online Theses and Dissertations by an authorized administrator of Encompass. For more information, please contact Linda.Sizemore@eku.edu.

"Who Taught You to Hate Yourself?": The Racially Coded Language of Professionalism and it's Detriment to the Black Community

By

Alexys Jones

Thesis Approved:

Dr. Judah Schept, Chair, Advisory Committee

Dr. Victoria Collins, Advisory Committee

Dr. Travis Linnemann, Advisory Committee

Dr. Jerry Pogatshnik, Dean, Graduate School

STATEMENT OF PERMISSION TO USE

In presenting this thesis in partial fulfillment of the requirements for a Master of Science degree at Eastern Kentucky University, I agree that the Library shall make it available to borrowers under rules of the Library. Brief quotations from this thesis are allowable without special permission, provided that accurate acknowledgment of the source is made. Permission for extensive quotation from or reproduction of this thesis may be granted by my major professor, or in his absence, by the Head of Interlibrary Services when, in the opinion of either, the proposed use of the material is for scholarly purposes. Any copying or use of the material in this thesis for financial gain shall not be allowed without my written permission.

Signature Alexis Jones

Date 7/5/2017

“Who Taught You to Hate Yourself?”: The Racially Coded Language of Professionalism and it’s Detriment to the Black Community

by

Alexys Jones

Bachelor of Arts
Kentucky State University
Frankfort, KY 2014

Submitted to the Faculty of the Graduate School of
Eastern Kentucky University
in partial fulfillment of the requirements
for the degree of
MASTER OF SCIENCE
August, 2017

Copyright © Alexys Jones, 2017
All rights reserved

Abstract

It is said that the Unites States is a post-racial society where race doesn't matter and colorblind rhetoric is used as a defense mechanism for perceived or committed discriminatory acts toward black people. In theory, color-blind ideology would help to eliminate racism by treating people equally without regard to race or ethnicity. In practice, colorblindness completely ignores the historical context of race in this country. Under the ideology of colorblindness, overt racism is translated into cultural criminalization. Laws and policies that are seemingly non-sinister nonetheless target the black population by using non-descript language and images associated with blackness. Research has shown how the connections between criminality and blackness were manufactured and, over time, made into a kind of common sense about crime. But this work does not necessarily extend an analysis to the ways that these same ideologies about race and crime have inscribed other social realms, have been reinforced by broader dominant society, and have been internalized by the targeted group. My research aims to connect the history of ideology and race to other social institutions outside of the criminal legal system and demonstrate the detriment to the black community that occurs in and through constructs of beauty and professionalism. Using grooming and dress code policies in places of employment and school systems, this paper illustrates how we not only criminalize, but also, devalue and demonize perceived cultural representations of blackness and what that means for society as a whole, especially the black community.

TABLE OF CONTENTS

CHAPTER PAGE

I. Introduction 1

II. Laying the Foundation: Making 'Blackness' 8

III. Extending the Analysis: A Point of Departure 16

IV. Hair is the New Black: Prohibiting Cultural Representations of Race in Professional Institutions.....19

A. The Workplace.....19
B. In Schools 25

V. "Your eyes are blue but you ain't white. Your hair is straight cuz' you pressed it last night": Cultural Assimilation in the Black Community 31

VI. "To be, or Not to be…": Resistance 37

VII. Fade to Black: Concluding Thoughts 42

Bibliography 44

CHAPTER I

Introduction

> The present system under the control of whites trains the Negro to be white and at the same time convinces him of the impropriety or the impossibility of becoming white
>
> Carter G. Woodson, *The Mis-education of the Negro*

> Who taught you to hate the color of your skin? Who taught you to hate the texture of your hair? Who taught you to hate the shape of your nose and the shape of your lips? Who taught you to hate yourself from the top of your head to the soles of your feet? (…)
>
> Malcolm X, 1962 speech

It is said that we live in a post-racial society where race doesn't exist and colorblind rhetoric is used as a defense mechanism for perceived/committed discriminatory acts toward black people. This discourse manifests through sayings such as "there are no overt laws against people of color, namely black people," "black people aren't getting lynched in the street any longer," and "hey, we even had a black president so racism couldn't possibly exist." In theory, color-blind ideology would help to eliminate racism by treating people equally without regard to race, ethnicity, etc. In

practice, colorblindness completely ignores the historical context of race in this country. Eduardo Bonilla-Silva (2006) defines colorblind racism as an ideology that explains today's "racial inequality as the outcome of nonracial dynamics" (p. 2). For instance, colorblind ideology enables the ahistorical and unscientific observation that black people or other marginalized groups are marginalized because "they haven't worked hard enough." But colorblind ideology affects more than just perceptions of social class. It also works through laws and policies as well. Colorblind ideology erases the social context of race without having remedied racial inequality.

Under the ideology of colorblindness, overt racism is translated into cultural criminalization. Laws and policies that are seemingly non-sinister nonetheless target the black population by using non-descript language and images associated with blackness. In one example, a seemingly non-descript rule posted in a corner store window that prohibits wearing hoodies inside can be and often is understood as a way to criminalize or target the wearer of the hoodie, namely black men (Jiang & Schuck, 2014; Leonard, 2012). The image of a black man, a dangerous thug, in a hoodie and baggy jeans entering the store to steal or vandalize comes to mind. Instead of overtly prohibiting black men from coming into the store, the hoodie is used as a symbol to accomplish the same affect without using directly racist speech. In the case of the shooting death of Trayvon Martin, his hoodie was a marker for suspicion. In a non-emergency call to his city police department, George Zimmerman reported what he assumed to be a black male 'suspiciously' walking around his neighborhood in a 'dark hoodie', 'up to no good' (Tienabeso, Gutman, & Loyd, 2013). Geraldo Rivera, a previous talk show host who appears regularly on Fox News, stated that Martin's "hoodie

is as much responsible for (his) death as George Zimmerman was" (Fung, 2012). The hoodie, through language and images, has become a signifier for criminal, especially in reference to black men (Russell-Brown, 1998).

Images of blackness as undesirable, ugly, dangerous, and criminal have been produced and reproduced by the dominant group to ensure that white supremacy is maintained. These images have produced a mass stigmatization of black bodies. Nicholas Mirzoeff (2011) uses the term visuality to explain this process.

> Visuality is an old word for an old project. It is not a trendy theory-word meaning the totality of all visual images and devices, but it is in fact an early nineteenth century term, meaning the visualization of history. This practice must be imaginary, rather than perceptual, because what is being visualized is too substantial for any one person to see and is created from information, images, and ideas. This ability to assemble a visualization manifests the authority of the visualizer. In turn, the authorizing of authority requires permanent renewal in order to win consent as the "normal" or every day because it is always already contested.

History has already dictated to us what we should know and believe about any given subject. History produces certain categories of perception that structure and normalize our mundane everyday exchanges. The dominant group, or who Mirzoeff calls the visualizer, has the power to create ideologies and reproduce those ideologies time and time again. hooks (1992) suggests that maintaining white supremacy is directly related to institutionalization via the mass media by producing representations of blackness. She suggests that these representations have been constructed since the beginning of the

United States of America. The Italian Marxist Antonio Gramsci had the same idea with his concept of hegemony (Litowitz, 2000). Images about any given subject are institutionalized, becoming 'common sense' and unquestionable. Putting hooks and Gramsci into conversation, we can understand that racial hierarchies built on representations of blackness have become a kind of unquestionable common sense.

Mass incarceration is a widely known and no longer debatable phenomenon. According to the Sentencing Project (www.sentencingproject.org), 2.2 million Americans are in prison and jails and some 5 million people are under some sort of correctional supervision (i.e. probation or parole). The United States makes up 5% of the world population but about 25% of the prison population, and of those figures black people are disproportionately affected. The African American population is roughly 13% of the US population but makes up 37% of incarcerated persons. One in 17 white men are likely to go to prison compared to one in six Latino men and even more staggering, one in three black men (www.sentencingproject.org). One might look at these statistics and possibly conclude that black and Latino men commit more crimes but that is not the case.

These statistics had been largely overlooked by mainstream society as they continued to grow unchecked. Only recently, within the last 10-20 years or so, has the racially disparate criminal justice system come under a lot of scrutiny (Donziger, 1996; Garland, 2001; Currie, 2013; Mauer, 2006). Michelle Alexander (2012) clearly explains in her work the disparate process of labeling, arresting, and convicting of African Americans. We now know that racial profiling, misrepresentation in the legal process,

and harsh sentencing laws unfairly affect African Americans among other people of color (POC) in the criminal justice system. But the laws are not entirely to blame.

My research aims to connect the history of ideology and race to other social institutions outside of the criminal legal system and demonstrate the detriment to the black community that occurs in and through constructs of beauty and professionalism. Research shows the manufactured connections between criminality and blackness but does not necessarily extend an analysis to the ways that these same ideologies about race and crime have inscribed other social realms, have been reinforced by broader dominant society, and have been internalized by the targeted group. I will use grooming/dress code policies in places of employment and school systems to illustrate how we criminalize all perceived cultural representations of blackness and what that means for society as a whole, especially the black community.

The following discussion examines the progression from overtly racist caste systems to more subtle changes in language and practice to maintain a racial caste without the overt racist language. As time went on it became less socially acceptable to be overtly racist and civil rights legislation began to be instituted. Colorblind ideology, which ignores the historical context of race in this country, became the prevailing rhetoric to target blackness without specifically mentioning race. By tracing the progression of language from one racial caste system to the next, the shift becomes apparent.

In my analysis I depart from the historical context of race and the progression of covert racist language to how that same language has been imbedded across different social institutions. Colorblind ideology is the dominant rhetoric and is incorporated in ideals of professionalism. Using employment and education I illustrate how grooming

policies have targeted cultural representations of blackness in the name of professionalism. For employment I use the legal framework of Title VII to show that while civil rights legislation seemingly protects historically marginalized groups, but in practice has a more nefarious effect. I identified seven cases in which black women were not hired, terminated, or threatened with termination because they chose to wear their natural hair or styles that maintain their natural hair. In all of the cases, natural black hair violated employers' grooming policies regarding professionalism. And in each case the courts agreed with the employers. For schools there wasn't such a legal grounding and less cases that specifically spoke to the legality of natural hair in schools. Children's rights are a clouded topic due to no cohesive agreement about what type of rights children should have and when they should have them. Nonetheless, there have been an increasing amount of black children, girls especially, that have been reprimanded due to their natural hair because it violates school grooming policies. Even though there is no specific legal grounding for natural hair in schools, I apply *Brown vs. Board* to demonstrate the discrepancy between legal precedence and real life experiences of black children regarding school policies. Using two very recent incidences in the news about black natural hair in schools we can see the discrepancy between policy and ideology.

After analyzing how racially veiled language manifests through constructs of professionalism, I examine how such constructs have been indoctrinated into the psyches of black people in the U.S. and serve as a check to maintain racial hierarchy through aesthetics. Black people have been taught over the course of centuries that their blackness is unacceptable and to become a successful, productive member of society one must acclimate to the dominant culture. This belief has created a skin-color and hair

texture hierarchy, known as colorism, in the black community. Colorism requires a certain opposition to skin tones and hair textures that identify an individual as black (King & Johnson, 2016). This creates tension in the black community which then reinforces predominant negative ideologies about blackness. Acclimation is not only seen as way to be accepted into the dominant culture but also as resistance. In conclusion, I pose other, possibly more effective ways to resist the dominant ideology.

Taken all together, these topics demonstrate the pervasive anti-black rhetoric that permeates societal consciousness while also revealing how the cultural criminalization of blackness has become tantamount to reinforcing and maintaining a system of racial caste.

CHAPTER II

Laying the Foundation: Making 'Blackness'

Much of the current research attempts to explain how 'blackness' has become a site for persecution and punishment through the manufactured connections to black peoples' perceived inherent inferiority (Muhammad, 2010). Race actually has no real scientific basis. Many scholars in different fields have come to this conclusion (Mayer, 2002; Montague, 1942; Boyd, 1950; Livingston, 1962; Brace, 1964; Shanklin, 1994; Marks, 1995; Templeton, 2013; Fields, 1982; Fields & Fields, 2012; Smedley and Smedley, 2005). Even more astonishing is that all humans are 99.9% alike and the .1% accounts for what has been termed race (Littlefield et al, 1982). The term 'race' implies that humans are produced in separate groups that can be specifically demarcated with things like intelligence levels or criminality, which is not the case. But just because race has no material basis does not mean that it does not have real, material consequences. Mass incarceration, and every other racial caste system in America, is in fact, those material consequences.

Blackness and criminality have a long (or maybe not so long) association (Alexander, 2012; Blackmon, 2008; Muhammad, 2010; Oshinsky, 1996, Singh, 2014). The Emancipation Proclamation of 1865 freed the slaves. Many newly freed black people had no place to go, no money, no education and no access to gain any of those things supposedly inherent to American citizens. There was an influx of a population that was already viewed as inferior and since slavery had now been abolished there was a need to control the 'new' population. Nathaniel Shaler, an American paleontologist and geologist, raised the question of the "Negro Problem" (1884). The

article written by Shaler attempts to analyze the American Negro and characterizes them as willful beings displaying a lack of morality, laziness, lack of familial ties, and illiteracy. He contemplates what should be done with them after the 'infinitely mild and most decent system' of slavery was abolished and could no longer keep the Negro in check. Shaler notes that the Negro population is 'unfit' for the advancement of the American people as a whole and equality between the American citizen and the American Negro was doomed to failure. He concludes that the Negro population is only good for labor under strict instruction and training, similar to enslavement. Shaler was not alone in his assessments. Somewhere between Emancipation and Reconstruction the narrative about black people began to change. Slaves had been described as a docile people, able to be managed and taught (Blackmon, 2008; Oshinsky, 1996) but after slaves were freed their amenable manner suddenly disappeared.

'Race science', the search for traits to demarcate human groups, became a movement (Fields, 2012; Oshinsky, 1996; Muhammad, 2010.) Assumptions about criminality, sexual urges, brain size, and premature development gained nationwide attention in hopes to justify the continued oppression of the Negro populace. At the same time harsh laws that specifically targeted freed slaves were enacted. Strict laws against vagrancy and minor property theft as well as other petty offenses were heavily endorsed; these laws caused an influx of black people in the jails, effectively governing black bodies under a different racial regime. The increase of black people in jails helped to legitimate race science, and although race science ultimately failed, the link between blackness and criminality was beginning to solidify (Muhammad, 2010).

The assumption of inherent inferiority and criminality became a way to keep black people in their place. After Emancipation, during Reconstruction many black people began to flourish politically and socially despite the social climate. This was met with anger and hostility from many white Americans that felt threatened by the advancement of the Negro race (Alexander, 2012; Blackmon, 2008; Oshinsky, 1996; Muhammed, 2010). The Ku Klux Klan retaliated with overt violence for such 'offenses' ranging from holding a political office, running your own business, to accusations of accosting white women. Strict vagrancy laws and other trivial offences, termed Black Codes, became enforced to the letter. Again, black bodies began to fill jails in the South. Even with the passage of civil rights legislation (Civil Rights Act of 1866, Fourteenth and Fifteenth Amendments) black people in the South were still subjected to violence and unequal treatment by white people and the south still needed a way to exploit the labor of freed slaves.

The system known as convict leasing became a widely used way to exploit the labor of 'free' black people now that slavery was against the law (except if you were a convict) and regarded as inhumane. The connections between the over-representation of black people in prisons and jails and the rise of convict leasing was sorely overlooked. This connection also fortified the ideal that black people were, in fact, inherently criminal. As the jails and prisons were filling up, northern elites were capitalizing on the phenomenon without realizing (or possibly realizing) that prisons were filling up with black people because of harsh sentencing laws targeting freed slaves. Muhammad (2010) described this occurrence as "writing crime into race" and it effectively sealed the link between blackness and criminality. Singh (2004) notes that

criminalization of blackness was essential to maintaining power, political or otherwise. This was the rise of Jim Crow, legislation that barred blacks from not only sharing public spaces but also disenfranchised them through violence. The belief that black and white people should be separated was justified by using studies and works of elite northerners studying crime and race.

Conservatives used the veil of white supremacy to gain political momentum against the advancement of African Americans (Alexander, 2012; Oshinsky, 1996; Singh, 2014). Negative ideals about black inferiority resurfaced, driving a wedge between poor whites and poor blacks who had begun to unite against white elites. The "evidence" produced by elite social scientists that blacks were innately criminal helped to widen that wedge. Whiteness was used as a link between poor whites and wealthy whites in order to establish a measure of control, namely, segregation laws. These laws were seen by poor whites as buttressing a level of superiority, separating them not only mentally but physically as well. By the turn of the 20th century Jim Crow laws had been instituted in every southern state. The institution of Jim Crow was entirely based on ideologies about blackness, allowing for the separation of the races for roughly 80 years. The system began to buckle in the early to mid-1950's with the rise of the civil rights movement and was legally dismantled with the passage of the Civil Rights Act of 1964 and significant subsequent civil rights legislation, but that did not mean the end of the criminalization of blackness.

The Civil Rights movement is now characterized by the fight for equality for people of color but at the time the views about the movement weren't always so righteous. The civil rights era is now highly regarded as a progressive and necessary time

in U.S. history but at the time many conservatives perceived the fight for equality as a criminal endeavor by black people rather than a necessary political movement against inequality (Alexander, 2012; Waquant, 2005; Garland 2001; Muhammad, 2010; Parenti, 1999). What Martin Luther King Jr. characterized as 'civil disobedience' was seen by those on the right as the leading cause of crime during that time. King's direct action methods were usually met with state-enforced violence and ended with many of the protesters in jail. There were also the not-so-peaceful protests happening across the nation that contributed to the continued development of notions of black criminality. Even after civil rights legislation had passed, riots erupted across the country in response to disproportionate police violence against and in predominantly black communities further galvanizing the imagined link between blackness and crime. In the racist imaginary, even though black people had been given equal rights they still could not control their violent natures (Alexander, 2012; Parenti, 1999; Peralta, 2008). The black power movement also helped to solidify blackness with criminality as the militant appearance and radical rhetoric of the Black Panthers, among other racial activist groups, was viewed as a threat and the physical representation of the deterioration of law and order (Alexander, 2012; Parenti, 1999; Camp, 2016; Culverson, 1998). To further emphasize the agenda of white supremacy, Churchill and Vander Wall (2002) illustrate that some of the more violent actions taken by the Black Panthers were a result of FBI infiltration and influence on the leaders of the BPP.

Although the riots, protesters and activist groups helped to secure civil rights legislation they were also setting the stage for the forthcoming 'law and order' movement specifically built on the linkage between blackness and criminality. During and

following the Civil Rights Movement the ideologies about race were seemingly reshaped. In most spaces, it was no longer socially acceptable to view, or more to the point, to speak, of black people as inferior. It was no longer acceptable to openly discriminate against black people. To ensure white supremacy there had to be a new way to subordinate blackness without expressly doing so. 'Criminal' would become the new black.

In 1966 President Nixon claimed that the rise in crime had to do with certain people picking and choosing which laws they wanted to follow (Parenti, 1999; Alexander, 2012). Everyone knew to which 'certain people' he was referring without specifically saying the words 'black people'. This racially coded language would become the new way to speak about blackness and allow for black people to be otherized and controlled without 'sounding' or being racist (Culverson, 1998; Alexander, 2012). Nixon and subsequent politicians capitalized on this new language seeming not to be too tough on black people while capturing the attention of white conservatives as well. This task was relatively easy due to previous and continued associations of blackness with certain negative qualities.

Nixon's racially coded rhetoric took off in the form of 'law and order' discourse. The (black) rioters and civil rights activist groups were blamed for the decline of order in America, linking civil disobedience inextricably to street crime (Alexander, 2012; Parenti, 1999). This aligned with white fears that blacks were advancing too far and too fast and that white working middle class issues would be forgotten (Alexander, 2012; Culverson, 1998). Even though drug use was not a major issue during the time Nixon was in office, he needed a symbol for his anti-crime legislation; his declaration of

the ‘war on drugs’ resonated with white consciousness. The drug users and pushers were of course tantamount to the unruly black population and the white community needed to be protected from them. Ronald Reagan followed suite with this effective racially veiled language. Fortunately for Reagan, the drug war did not need to be fabricated.

Simultaneously, as Reagan announced his war on drugs, crack was devastating black communities. Reagan used crime/drugs and welfare to separate poor middle and working class blacks and whites. Black people that used the system and committed crime were framed as undeserving and infringing on hard working taxpayers i.e. white people (Alexander, 2012; Parenti, 1999; Culverson, 1998). Presidents Bush and Clinton also followed up with similar tactics of dividing working and middle classes with covert racist language (Culverson, 1998; Black & Sprague, 2016; Levin, 2013).

During his 1988 presidential campaign, Bush capitalized on this new covert racist language during his campaign by using the case of Willie Horton, a black man convicted of murder who had been released from prison on a furlough, escaped, accosted a white couple and proceeded to assault and rob the man and repeatedly rape the woman. Bush used this incident to speak to disaffected, poor and working-class white voters that were still disgruntled over black progress. Bush spoke of the savage black man out to rape pure white women and pillage their communities, a racial construct of threat dating back at least to Reconstruction (Oshinsky, 1996). The images of Willie Horton and his crimes were enough that Bush did not have to name the race of people that needed to be “reigned in”. Bush’s successor, Bill Clinton, incorporated the same tactics during his campaign and throughout his presidency. Clinton moved beyond crime though and onto welfare. Clinton capitalized on the ‘welfare queen’ introduced by Reagan in his 1976

campaign. A Chicago woman had been charged with welfare fraud using two separate aliases, and had also been investigated for murder and kidnapping later on. This painted a picture of lazy, criminal black women, sitting at home making babies, scamming the system and living off hard-working Americans. Clinton utilized these tropes and would effectively "end welfare as we know it" (Culverson, 1998; Alexander, 2012; Parenti, 1999, Blake, 2012; Levin, 2013). Criminal was now indistinguishably connected to blackness. Melissa Hickman Barlow (1998) suggests that "talking about crime is talking about race" (pp. 151). Khalil Gibran Muhammad (2010) expands this ideal even more by tracing the historical progression of writing crime –largely through crime statistics- into race by white elites.

CHAPTER III

Extending the Analysis: A Point of Departure

What has resulted from and continues to reproduce this inextricable link of blackness to criminality is the phenomenon known as mass incarceration, which has overwhelmingly affected people of color, namely black people. Muhammad (2010) suggests that the criminal justice system has been used to control the black population since slavery's abolition. Alexander (2012) suggests that mass imprisonment is just another racial caste system like its predecessor's slavery and Jim Crow, although it has been tweaked to represent the claims of a 'post-racial' society. Our seemingly post-racial society makes it hard to pinpoint injustice because the language of legislation and policy are not explicitly racist.

The ideological and material work of colorblind racism extends out from the realm of criminal justice and has permeated most social institutions. Dress codes and grooming policies in employment and schools reflect hegemonic anti-black ideologies (Macon, 2014; Larson; 1977). The tie between blackness and criminality is signified in other social realms by excluding any and all cultural representations of blackness in most 'professional' settings. The racially coded language birthed in the 1960's has become a staple in the language of professionalism.

The 'simple' definition of professionalism is "the conduct, aims, or qualities that characterize or mark a profession or a professional person" (Merriam-Webster.com). Professionalism is almost completely discretionary and follows the dominant social, anti-black discourse. Larson (1977) notes that "Different professions, and different groups

within a profession, form different ties with the ruling class which itself consists of changing coalitions" and that the "'organic' or 'traditional' character of a category of intellectual workers is not a static feature, but the outcome of a complex historical situation and of ongoing social and political conflicts" (p. xv). She goes on to state that professionalism ignores race and class barriers and also is very much based on individualism and discretion when it comes to merit and advancement within a profession. Larson's analysis of professionalism sounds familiarly like the definition of colorblindness.

Civil rights legislation, namely Title VII, states in short, that one cannot be discriminated against in the employment process based on race, color, sex, religion or national origin (Civil Rights Act of 1964). The logical intent behind Title VII was to prevent any and all discrimination against anyone but especially those who have been historically treated unfairly in the employment process. The statute further decrees that it would be an "unlawful employment practice for an employer to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, or national origin" (Civil Rights Act, 1964). In effect, Title VII outlaws discrimination based on biological representations of race while ignoring the fact that race has been socially and culturally constructed. The courts have interpreted an 'immutability characteristic' into Title VII. This means the only valid claims of discrimination are based solely on perceived inherent characteristics that cannot be changed. This interpretation fully ignores the cultural, historical and social context of race and how those contexts are incorporated into daily exchanges between individuals.

Furthermore, ignoring how race has been constructed and wielded in this country effectively misses the mark of Title VII's intended purpose. For example, in a study done by Bertrand & Mullainathan (2004) it was found that people with 'black sounding' names were less likely to receive callbacks for job interviews. This study's results speak to the engrained negative cultural representations of race and how that manifests in daily life. Courts have taken the easy way out in that if your particular narrative doesn't fit neatly within the prevailing interpretation of the statute then your claim of discrimination is invalid. The courts have repeatedly accepted the defense of professionalism by employers to uphold discriminatory practices against cultural productions of race.

CHAPTER IV

Hair is the New Black: Prohibiting Cultural Representations of Race in Professional Institutions

A. The Workplace

While enjoying my morning ritual of perusing my Facebook timeline I came across an article that stood out against everything else I'd seen that morning. The title of the article read "Banning Locs in the Workplace Ruled Non-Discriminatory" (Pendleton, 2016). This intrigued me for a couple of reasons. First, it brought back a long ago memory of a time that I had applied for a job and received a call back for an interview. The interview went exceptionally well up until the end. The interviewer asked me what I would 'do' with my hair if I received the offer of employment. I was confused and offended. At the time I had what is called dreadlocks. They were shoulder length at the time but I had pulled them up into a bun for the interview. I said that I wasn't going to 'do' anything with them and promptly walked out. At the time I chalked it up to be an individual biased assessment. Nevertheless, I did not receive an offer of employment. Second, I currently have locs (shortened term for dreadlocks and refers to a culturally specific type of dreadlocked style). And I immediately wondered how this would affect my search of employment after my upcoming graduation. I clicked the link and read the article. I was stunned. An appeals court had indeed ruled that not being offered a job, rescinding an offer of employment or being terminated based on a person having dreadlocks was not discrimination.

Facebook isn't the most reliable source of information but as I delved deeper I realized that the ruling was undeniably true. The ruling came out of a lawsuit filed in 2013 by the Equal Employment Opportunity Commission (EEOC) on behalf of Chasity Jones. The initial lawsuit charged Catastrophe Management Solutions (CMS), an insurance claims company out of Alabama, with racial discrimination. Chasity Jones had gone through the application process, including an initial interview, and was offered a position with the company. Whilst speaking with the human resources manager about an unrelated issue, the manager asked her if she had dreadlocks to which Chasity affirmed. After confirmation the manager proceeded to tell her that dreadlocks were against their grooming policies because 'they tend to get messy' and that Chasity would have to do something else with her hair. When Chasity refused the hiring manager told her that the offer of employment was rescinded and to give back the hiring paperwork she had just received. Ms. Jones complied and left the premises. She later filed a complaint with the EEOC and the lawsuit ensued.

The EEOC's initial suit alleged CMS with racial discrimination against Ms. Jones under Title VII of the Civil Rights Act of 1964, which the district court dismissed under Federal Rule of Civil Procedure 12 (b) (6) 'because it did not plausibly allege intentional racial discrimination by CMS against Ms. Jones' (EEOC vs. CMS, 2016). The EEOC appealed.

The appeal stated the same allegation of racial discrimination against CMS and also included a disparate impact claim (the grooming policy would disproportionally affect black people), asking for a closer look at race as a social construct and a plea to amend the prevailing use of the immutable characteristic interpretation of Title VII. The

appeals court dismissed the suit, giving several reasons why the case had, yet again, been dismissed. The court stated that the allegation conflates the distinct Title VII theories of disparate impact and disparate treatment, that the court 'holds that Title VII prohibits discrimination based on immutable traits' and the complaint does not sufficiently explain how dreadlocks would create a disparate impact because, although culturally associated with race, are not an immutable characteristic. The court also included that EEOC's course of action had changed in the amended suit with no explanation as to why. And finally, the court claimed that no other court had accepted the EEOC's view of Title VII in this case or any like it or accepted any case resembling Ms. Jones' allegations that her hair was the cause of discrimination.

The use of the word 'precedence' in the court's decision to dismiss the suit intrigued me. So I followed up, searching for other cases with the same premise and outcome. My search results were filled with similar cases, the focal points of which were black 'natural' hair and styles in the workplace. This included braided styles, dreadlocks and even color, specifically blond.

There were many cases that involved hair (facial included) and dress code policies for both men and women and across cultures and in supposed public spaces, but the cases of black women and natural hair, I believe, are specifically relevant here because it points to the importance of hair in the black community, especially for black women. These cases set up a conversation about context and the historical meaning of hair in the black community and how those specific meanings came to be. They also speak to the unwillingness of the dominant society to accept 'blackness' in the form of cultural production.

I identified six other cases besides Ms. Jones' case that involved black women and natural hair in the workplace. *Rogers* v. *American Airlines Inc.*, 1981; *McBride* v. *Lawstaf, Inc*., 1996; *Santee* v. *Windsor Court Hotel*, 2000; *Wofford* v. *Safeway Stores, Inc*., 1978; *Campbell* v. *Alabama Dep't of Corr*., 2013; and *Pitts* v. *Wild Adventures, Inc*., 2008, all involved natural hair on black women and the styles used to maintain it. In these six cases the courts upheld that employers' grooming polices were not racially biased and did not affect black women disproportionality, virtually making natural black hair and the styles used to maintain it 'illegal' in the workplace under the guise of professionalism. All of the dismissals relied on the immutability characteristic interpretation of Title VII. Furthermore, the cases ignored the disparate impact on people of color, namely black people. In the case of Ms. Jones, CMS's policy stated "All personnel are expected to be dressed and groomed in a manner that projects a professional and businesslike image while adhering to company and industry standards and/or guidelines. . . . [H]airstyle should reflect a business/professional image. No excessive hairstyles or unusual colors are acceptable" (EEOC vs. CMS, 2016, p. 5). And this was the tune of so many other employers' grooming policies. This policy, and so many other policies, were termed 'race-neutral' and didn't presume to affect black people unequally. This presumption effectively backed up the court's claim of the conflation of the disparate impact and treatment theories related to title VII and the denial of disparate impact specifically.

Also of equal importance is the almost complete disregard of race as a social construct, although they do acknowledge that race as a social construct is a relatively new and contemporary idea. The courts question how the court would determine what

cultural aspects go with which race and how to determine which claims are valid. In addition the court claims that they can't possibly know how the creators of Title VII felt about race and how it should be interpreted. These arguments are completely hypocritical in that they deny 'new' interpretations of race for ones that we know are exclusionary and archaic.

The courts have effectively smothered black peoples' self-expression in the workplace in regards to natural hair and natural hairstyles. But this is not, by far, a new phenomenon. Natural black hair has been the site of much hate and has constructed a certain negative assumption about the people that choose to wear their hair natural. During slavery, black folks' hair was repeatedly described by whites as resembling 'wool', unkempt, and unmanageable. These attributes culturally identified you as a Negro, a slave, as property, someone to be treated with disregard (Byrd & Tharps, 2001). For men this wasn't as much of a big deal (although there have been cases of men who have been barred from employment for wearing locs/afros). Byrd and Tharps (2001) suggest men, especially lighter-skinned men, would just shave their head as a way to remove the cultural stigma of 'nappy' hair. This wasn't an option for black women as hair is deemed to be a measure of success (Patton, 2006; White, 2005; hooks, 1992; hooks, 2003; Thompson, 2009; Graham, 2000; Byrd & Tharps, 2001; Rosette & Dumas, 2007; Robinson, 2011).

Brownmiller (1984) poses that in American culture, long straight hair is one of women's greatest assets and holds women in a certain kind of 'bondage' by trying to attain beauty standards that aren't meant for everyone. These standards are a tool of white supremacy born out of slavery and continue today. The dominant culture controls

the standards of beauty to which we all adhere. Historically those standards of beauty derive from a white woman's image. Haley (2016) notes that the 'otherized' construction of black women throughout history has been instrumental in maintaining white supremacy. Black women have been negatively constructed in direct opposition to the image of white women. The standards of beauty and acceptability have been dictated to black women through different mediums and the end result is to become as close in resemblance to 'white beauty' as possible (Byrd & Tharps, 2001; Mercer, 1994; Rooks, 1996; Banks, 2000; hooks, 1992). In Toni Morrison's novel 'The Bluest Eye', Pecola the protagonist, strives to reach that standard of beauty her entire life: "Adults, older girls, shops, magazines, newspapers, window signs – all the world had agreed that a blue-eyed, yellow-haired, pink-skinned doll was what every girl child treasured" (1999, pg number?). Pecola believes that if she had blue eyes and pale skin she would be loved by all. Although this book is fictional it does have some biographical elements of many black women and represents the struggle of black women to become equal by acquiring the beauty of white women. This struggle to acquire a certain type of 'beauty' is a form of control by the dominant culture.

The state, through the court's rulings, has effectively, though covertly, maintained the ideology that blackness and cultural representations of blackness are not acceptable to professionalism and ultimately the dominant culture. Through the racially veiled language of professionalism and propriety blackness continues to be persecuted without repercussions. According to Bonilla-Silva (2006) this 'new' racially ambiguous ideology maintains the racial order without explicitly categorizing the problem by name. We should also understand that these rulings reinforce and serve the rules of capital. Like

any other American caste system, black labor is needed and useful but only under the strict terms of the dominant culture. And under those strict terms black people are forced to comply and if they don't, are deemed uncooperative, thereby reinforcing prevailing negative tropes about black people.

B. In Schools

> Our mission is to produce informed, responsible, contributing members of society. In order to do this, we offer a safe and structured learning environment that fosters a positive self-concept and perpetuates self-motivation and high academic achievement. After leaving Butler, alumni can rest easy knowing that they're better prepared for college and for the life they have ahead of them.
>
> Butler Traditional High School

Butler Traditional High School's mission statement resembles many others from schools across the country. 'To produce informed, responsible, contributing members of society…' sounds like an acceptable goal on its face but in 2016 the administrators of Butler Traditional High School decided that certain hairstyles would not help students to achieve that mission. Attica Scott, a mother of a student at Butler HS and a Kentucky House candidate at the time, was incensed and launched a Twitter campaign about the school's policy claiming it 'reeks of institutional racism' (Ross, 2016). The proposed policy banned dreadlocks, twists, cornrows, afros over two inches, designs cut into the hair, and braids, all styles traditionally associated with black culture. The administration

claimed that they believed that "student's academic success is directly correlated to appropriate attire and attendance" (nydailynews.com). Further, students would not be allowed to attend classes if they were in violation of the grooming policy. The African American student body population of BTHS is about 35% (Glick, 2016). The response to the policy was tremendous, ranging from agreement to downright anger and claims of racism. The policy was first suspended and eventually abolished after the community protested but even the production of the policy in the first place speaks to its assumed acceptability. The supposition that no one would question the policy mandates is a testament to how much, as a whole, we have accepted policies such as these in everyday life without even a backwards glance.

Children's rights in schools have been a highly controversial topic since around the 1960's when social activism was at its peak. Many high school students participated in the activism of the civil, women's, workers and other movements during that time (Raby, 2004). The Constitution doesn't specify an age when a person's rights 'kick in' so where is the line drawn or should there be a line? Children's rights advocates emphasize that children need to be protected but also state that they are autonomous beings and should be afforded the same inherent rights of thought and freedom of expression as adults, although in the US children's rights have not been systematically employed (Lansdown, 1994; Thorne, 1987; Mangold, 2002). Childhood has been demarcated as a time of incompetence and children are perceived as in need of guidance and protection, which forms the basis for rules like dress codes (grooming) and zero tolerance policies (Raby, 2004). In the covert racist language of policy and

professionalism, natural hair and natural hairstyles have become a marker of identification for undesirables, namely black people.

Whereas the cases regarding natural hair in employment have a legal grounding in Title VII, no such legal terrain exists for similar debates in the context of schools, natural hair and children. In the few cases that have been litigated the courts have sided with the school in determining the validity of banning natural hair in schools. But there are frequently incidents in the news about black children being punished for wearing their natural hair or in styles that maintain their natural hair and these cases have not likely gone to the courts because of tremendous backlash received after publication of the incidents (Macon, 2015). But nevertheless, the frequency of these exclusionary grooming policies in schools persists. Black children in schools across the nation have been threatened with expulsion, suspended, expelled, and even assaulted in the case of one incident where a teacher actually cut a few inches of a child's braids as punishment. Macon also notes that although courts should not make decisions "based on the dictates of American society's racial biases" (pp. 1277) they do. Exclusionary policies in schools "result in forced assimilation that is damaging to the psyche of black children" (pp. 1281), which completely disregards proposed children's rights to freedom of expression and thought as well as personal health and growth.

Although there is no legal framework such as Title VII in regard to natural hair in schools, Culp (1995) uses *Brown* v. *Board*, 1954 and 1955, to unpack the opposition between legal precedence and real life experiences regarding school policies. He states that although *Brown* made huge strides by *legally* prohibiting discrimination based on race in schools, "it failed to create the racial nirvana in our nation's classrooms and failed

to eliminate completely the vestiges of racial segregation and oppression in the nation" (p. 668). So in effect, *Brown* was a successful endeavor, but in practice it did not do what many people claim/believe it did, eradicate racism. Culp poses three common misconceptions of the *Brown* decision. First, that if the law changed then 'good' people would automatically adhere to it. Second, that there is such a thing as 'race neutrality' and we can all agree on what that is. And third, that there is one standard of assimilation and the assumption that black people will willing comply with it. He concludes that the current dominant ideology often overlooks race as "something outside of useful analysis" (pp. 662), which in practice translates to ignoring the historical production of race in this country. Educational institutions have adopted these misconceptions resulting in discriminatory grooming policies against black children.

There have been a couple of very recent incidents of prohibiting unprocessed black hair in schools. In an incident involving a charter school in Massachusetts, the administration forced twin sisters, Deanna and Mya Cook, to do daily detention for refusing to take down their braids, which were extensions. Upon further refusal the school removed the sisters from their sports teams and prohibited them from going to prom (Williams, 2017). Colleen Cook, their adoptive mother, said she received a call from the school informing her that students were not permitted to wear "anything artificial or unnatural in their hair". The mother of the twin girls also reported that the black students were subject to inspection of their hair to see if it was real or fake, as the grooming policy does not allow students to wear extensions. In another instance at a private school in Tallahassee, Florida, Jenesis Johnson was told her afro was "extreme and faddish and out of control," and that it violated the schools grooming policy which

states “No faddish or extreme hairstyles and should be neat and clean at all times. The administration will make a decision of any questionable styles” (Bennett, 2017). Johnson was told that she could finish the school year but if she did not change her hair she would be refunded the next semesters tuition.

In schools across the nation grooming policies are working hard to criminalize black children without expressly doing so. These grooming policies make it clear that failure to adhere to the standards of acceptability will result in punishment. Bonilla-Silva (2006) notes “color-blind racism serves as the ideological armor for a covert and institutionalized system in the post- Civil Rights era” (p. 3). This armor uses surreptitious language to demarcate certain populations as problematic due to their own failings. Scheurich (1993) describes schools as inherently racist spaces that are presumed to be based off individualism and merit while ignoring that whiteness is always already given more resources, power and is characteristically already acclimated to the dominant group (as whiteness is the dominant group). So when children of color (or any marginalized group) fail, don’t follow the rules, or don’t seem to ‘fit in’ it is simply, their fault.

Exclusionary grooming policies are extremely problematic because they miss the difference in hair texture across cultures. Black hair is naturally kinky and naturally grows up and out. There have been court cases that uphold wearing an afro in the workplace but employers are allowed to mandate the length and height it can grow. In the *Santee* case mentioned above, the court cites *Willingham v. Macon Tel. Publ’g Co*. (1975) as justification for employers grooming policies, stating that a grooming policy “is related more closely to the employer’s choice on how to run his business than to the

equality of employment opportunity," and that the courts should not be allowed to limit the right of the employer to use "informed judgment." Although this is about employment, it applies here also, as the 'judgment' used in professional institutions follows hegemonic ideals of behavior and aesthetics. To prohibit an afro is to prohibit the natural growth of a black person's hair. Braids, twists, and dreadlocks are means to maintain natural black hair; prohibiting those styles, again, is subordinating black people to the normative standards of whiteness. Black natural hair is a signifier for the unruly, untamed, and wild nature of blackness, representations that don't acclimate well in larger society. They do not present the socially constructed well 'groomed' or well-adjusted exterior, which is needed to become a professional and a productive member in society. Black natural hair represents something uncontrollable in a society that values control.

CHAPTER V

"Your eyes are blue, but you ain't white. Your hair is straight, cuz' you pressed it last night": Cultural Assimilation in the Black Community

Covert racial discrimination in policy has been discussed mainly through issues of crime and the criminal justice system, particularly the rise of mass incarceration. This "culture of control" attempts to connect "crime-control institutions to other social domains" (Garland, 2001, p. 2). Other scholars have expanded on this concept as the 'carceral state' and its overreach (Schept, Wall, and Brisman, 2015; Wacquant 2005; Beckett and Murakawa, 2012; Dolovich, 2011) or the ways that punitive policies target marginalized groups across social institutions. In this account I have pooled two of these social institutions to demonstrate a pattern of implicit anti-black rhetoric and practice that work to maintain a racial caste system. Operating within the larger racial caste system is an insidious racial hierarchy known as "colorism" (Walker, 1983, pp. 290). This system, which in the United States context is largely internal to the black community, categorizes worth based on assimilation to whiteness, especially when it comes to physical attributes such as hair. In comprising this work I hesitated to introduce a conversation about colorism because I did not want to reinforce the rhetoric that black people are the cause of their social position in society but ultimately decided it was important to the discussion in light of its historical and continuing relevance. Make no mistake, colorism is purely a result of white supremacy.

> Within white supremacist capitalist patriarchy, the social and political context in which the custom of black folks straightening our hair emerges,

> it represents an imitation of the dominant white group's appearance and often indicates internalized racism, self-hatred, and/or low self- esteem. (hooks, 1989)

hooks (1992) states that the system and people that maintain white supremacy recognized early on that the control over images was key in sustaining racial domination. Black women have been taught through images, ideologies and rhetoric that they are unworthy because their hair is 'nappy' and their skin is 'too dark'. During slavery, lighter skinned slaves and slaves with 'good hair' were more desired and worth more money (Byrd & Tharps, 2014). Women with these features would breed children with these features and went for more money. When slavery was abolished, lighter skinned women and women with 'good' hair would try to 'pass', a term used to explain black people trying to 'look white' (Mullen, 1994; White, 2005; Rosette & Dumas, 2007; Robinson, 2011). Those who did not have a light enough skin complexion to 'look white' tried to adhere as best they could by straightening their hair and these women were considered to be 'well adjusted' and 'good' black women (Mullen, 1994; Byrd & Tharps, 2014; White, 1994; Rosette & Dumas, 2007; Robinson, 2011). White women's images were constantly juxtaposed against black women. This comparison was not solely based on aesthetics but also in demeanor and behavior. Black women, though not for lack of trying, could never measure up.

White supremacist society capitalizes on this indoctrinated hatred of black people by other black people. The beauty industry is booming in the hair straightening and skin-lightening realm and has been for some time. Byrd and Tharps (2014) note that in the 1940's and 50's when hair straightening had become popular with black Americans,

white-owned companies dominated the market for black hair-care products and continue to do so. In current advertising the 'white is right' rhetoric continues to permeate. Shepherd (1980), Jackson and Ervin (1991) claim that blacks are under-represented in American advertising in general. When black people are represented the models often have 'white' characteristics and features. This makes acceptance of black people more palatable for whites in a society where overt racism is frowned upon and reinforces adherence to white standards of beauty. In a study done on *Ebony* and *Essence* magazines, Brown (1997) found that even though women of all shades were used in the magazines a disproportionate amount of light-skinned, light-eyed, long, straight-haired women we used to advertise beauty products and fashion. This could be interpreted as women with natural hair and dark-skin could not advertise beauty products and perhaps were not even considered as beautiful. These distinctions permeate even mundane places like the grocery store, where one sometimes finds a beauty aisle and an 'ethnic' section sometimes not even located in the beauty aisle but rather in the next aisle over with the toothpaste or some other unrelated good. The disparate advertising reinforces colorism in the black community.

Assimilation to white cultural norms was seen as the ultimate achievement in the black community. Hot combs and toxic lye relaxers were widely used to straighten hair and bleaching agents were used to lighten skin. Madame C.J. Walker, a black woman, promoted the straightening of one's hair to achieve the look of a 'well-adjusted' black woman and made a lot of money selling hot combs and hair softeners in the early 1900's. In 1954 a black man by the name of George E. Johnson invented the relaxer, a toxic chemical that 'permanently' straightened the hair (Thompson, 2009). These modes

of straitening black hair are dangerous and damaging to the hair and body, not to mention, quite costly (Byrd & Tharps, 2014; Stilson & Rock, 2009). In Malcolm X's autobiography, Alex Haley (1992), describes Malcolm's experience 'conking' (a term to describe the process of straightening black hair) his hair (pp. 59-63). The pain that Malcolm experienced in an effort to assimilate by straightening his hair speaks to the lengths to which black people resorted in order to conform to white standards of beauty. Chimamanda Ngozi Adichie asserts that "Relaxing your hair is like being in prison. You're always battling to make your hair do what it wasn't meant to do" (Sini, 2016). Colorism is the direct result of trying to adhere to the dominant cultural norms.

This skin color and hair texture hierarchy have continually been produced and reproduced by hegemonic ideologies of superiority and adopted by the black community. It has not only been linked to beauty but also to feelings of belonging, social mobility, political beliefs, and socioeconomic status. During early debates about how best for black people to gain equality among whites, leaders such as Marcus Garvey, W.E.B. Dubois, and Booker T. Washington were in opposition. DuBois, a free-born and mixed-race intellectual, believed in full integration and acceptance by whites and believed an educated 'Talented Tenth' would lead black people out of oppression and poverty. Washington and Garvey, both darker skinned men, criticized DuBois' vision as elitist and preferential to 'mulattoes' or mixed race blacks. Washington believed in 'racial uplift', the belief that black people would be accepted by white society if they bettered themselves in spite of disparate treatment toward black people at the time. Garvey believed that the black race would never been seen as equal to whites and advocated for entirely separate political, social and economic development (Harlan, 1998;

Stein, 1986; Walters, 2002; Alexander, 2012). These divides did not merely represent the political affiliations of the black community; they also constituted a debate about worth and success via skin color and by extension hair texture, pitting blacks against 'blackness'.

The quote used in the heading of this section is from a movie produced and written by Spike Lee entitled *School Daze.* The movie premiered in the late 80's shedding light on the colorism concept. It takes place on a fictional HBCU campus in the south. Vaughn 'Dap' Dunlap (Laurence Fishburne) is a pro-Black, politically conscious student activist trying to get the other students and administrators to divest in South Africa during Apartheid. He is in constant conflict with Julian Eaves (Giancarlo Esposito), the head of the all light-skinned fraternity Gamma Phi Gamma because of their uncaring attitudes about the suffering of other African/black people. The conflict is aggravated by the G Phi G's auxiliary, the Gamma Rays, led by Julian's girlfriend Jane Toussaint (Tisha Campbell). The Gamma Rays are made up of all light-skinned, 'good'-haired women that battle the 'conscious' darker-skinned, 'nappy'-haired women, led by Dap's girlfriend Rachel Meadows (Kyme Meadows). The film displays well, the tensions that result from the skin-color, hair-texture hierarchy in the black community.

Throughout history there has been ebb and flow in regards to assimilation and its effectiveness in being accepted by the perceived dominant race. The act of assimilating has gone in and out of favor during the rise and fall of different social and political movements and has been reinforced through every succeeding racial caste system from slavery to present under the guise of propriety. Carter G. Woodson (1993) proposes that the black race was expected to present 'whiteness' while facing the inevitability that they

would never be considered ‘white enough’ to be included. That struggle still persists presently.

In 2012 Gabby Douglas won a gold medal during the Olympics as the first African American to do so in the Level 4 all-around gymnastics category. Most black people across the country were filled with pride. However, across social media, there were some black women who criticized Douglas for her ‘unkempt’ hair. Black women were commenting negatively about her ‘nappy edges’ and ‘brown gel residue,’ proclaiming “ ‘gabby douglas gotta do something with this hair!’” (Miles, 2012). Sentiments such as these from black people reinforce the need to conform to dominant standards of beauty and acceptance to be presentable.

Khoury (2009) uses Foucualt’s ‘dressage’ to understand checks on black people’s psyches that maintain the systems of racial caste. These checks work to produce and reinforce the expected behaviors dictated by the ruling class for the marginalized. Colorism in this regard is a way to uphold racial hierarchy through assimilation. Racially exclusive policies in schools and employment demonstrate this same ideal. Black people who step outside socially accepted boundaries are labeled as not being ‘well-adjusted’ and are punished for their transgressions. In order to achieve social mobility one must ‘go along to get along’.

CHAPTER VI

"To be, or Not to be…": Resistance

The white supremacist ideal of beauty and propriety prevailed until the late 1950's and the dawn of the civil rights era. During the 1960's and 70's and at a time dominated by civil rights and black power, the image of black people, including black women, changed. During this time is was okay to be black. This was the age of positive 'blackness,' when black people exclaimed 'I'm Black and I'm Proud!" embracing a lyric from a James Brown song. For black people and black women especially, the afro was a proclamation of liberation, cultural identity, self-esteem and a rejection of oppression (hooks, 1989, Caldwell, 1991). Women proudly sported their 'natural' afros and raised fists.

> During the 1960s black people who actively worked to critique, challenge, and change white racism pointed to the way in which black people's obsession with straight hair reflected a colonized mentality. It was at this time that the natural hairdo, the "afro," became fashionable as a sign of cultural resistance to racist oppression and as a celebration of blackness (hooks, 1989).

Malcolm X and the Nation of Islam promoted black pride around this time. He pointed out that white people were the enemy of blacks and that black people should not seek their validation and sustenance, but instead create their own economic, social and political livelihoods. He also encouraged self-discovery and acceptance through religion, specifically Islam. Malcolm speaks specifically about his journey to self- acceptance

through his hair, discussing in his autobiography his transition from the 'self-degradation' of his 'conked' style to the 'self-pride' when he literally shed white supremacist ideals by cutting his hair. The Black Panther Party was another influential social activist group during this era. Created in 1966, the BPP endorsed social programs, self-determination, and self-defense in the black community. The members proudly donned black clothing and sported their afros while touting firearms and proclaiming 'black power!"(Churchill & Vander Wall, 2002).

Black cinema, 'Blaxploitation' films, was also introduced during this time. This was a series of movies and shows that had black characters in positions of power, resisting the 'mammy' and 'jezebel' characters for women and the 'Sambo' characters for men depicted in movies before the 1970's. Blaxploitation films were important in defining different roles for black people at the time. For black women this was especially important. Movies such as Coffy, Cleopatra Jones, and Foxy Brown portrayed women in more powerful light. The women on the covers of these movies sported their natural coifs, thrusting these images into the mainstream. Slogans like 'black is beautiful' and 'happy to be nappy' were widely used during this era of black pride (hooks, 2003). Although these movies were important to dispelling some myths about black women they also buttressed such tropes that viewed black women as overtly masculine and unruly, putting black women in direct opposition to white women.

But even as black people worked to socially liberate themselves, their acceptance and presentation of themselves was reinforcing their perceived unacceptability by dominant standards. Black people had been given equal rights. Segregation and racism had been legally dismantled and they still weren't 'behaving'. The leaders that were

fighting for black rights and equality were being killed, arrested, slandered in the media, and associated with violence and criminality. The 'black pride' appearance was associated with militancy and violence (hooks, 2003), thus black pride became associated with anti-whiteness. Old anxieties about blackness were beginning to resurface and being black, again, had become undesirable, and dangerous.

The resistance of the 60's and 70's was not sustainable due to the reintroduction of blackness as a threat to the social order. Many black people wanted to distance themselves from further invigorating the ideal that their blackness wasn't acceptable so they again began to try and assimilate (hooks, 1989, Ogbu, 2004). Scott (1990) concludes that assimilation as far as trying to gain physical likeness to whiteness is futile. Wallace (1979), Orbe and Harris (2001), Ogbu, (2004) and Scott (1990) challenge the idea of assimilation as purely an act of self-hatred and more as resistance in itself. It is a way to manage one's presented and hidden identities, a sort of 'double consciousness' (Dubois, 1903). But Scott also notes that while it may be an act of resistance, it must not be ignored that the 'act of deference' reinforces the dominant culture's ideals of inferiority and most often maintains the status quo.

Ogbu (2004) offers five modes of resistance to white cultural norms. The first is assimilation or emulation, which has been discussed in this work. The second is accommodation without assimilation, or learning how to 'act white' in order to succeed by 'white criteria' without losing black cultural identity. The third is ambivalence. This is the understanding of black people that achieving success is directly related to adherence to white cultural norms but also accepting that adherence will not necessarily lead to success. The fourth, resistance or opposition, is the belief that adhering to cultural

norms will cause a loss of black cultural identity and an unwillingness to follow the dominant rules of propriety in exchange for acceptance. The fifth and final mode of resistance is encapsulation. Black people in this category do not interact or associate with white people or culture at all. Ogbu notes that it may be because they have not learned to speak or behave in an acceptable manner for whites.

Most of these modes of resistance have been endorsed by political and social movements and reoccur and overlap throughout the course of history. Some have been more successful than others. More often than not the mode of resistance is based on the current social climate. But ultimately they have not been entirely efficient in gaining full acceptance of POC.

bell hooks offers a self-love and 'racial uplift' rhetoric through the acceptance of one's natural self, including skin color, facial features, and natural hair as remedy to oppression. She proposes nourishing the 'souls and psyche's of black folks' and not focusing on "how the white world saw us, but how we saw ourselves" (hooks, 1989, 2003). hooks talks about these solutions through segregation, and while blacks and white were segregated, black people focused more on their authentic self. Patton (2006) recommends constructing spaces for new cultural identities to oppose dominant ones and recognizing "intersections between beauty, body and hair" (p. 42). She suggests accomplishing this through her interpretation of Alice Walker's womanism.

> womanism also advocates the inclusion of the traditionally oppressed and marginalized, as well as promotes consciousness raising for both the oppressor and oppressed. Womanism recognizes that society is stratified by class, gender, ethnicity, race, and sexuality, however, the placement of

> race, the importance of race, and the experiences ethnic minority women have had to deal with regarding race and racism are central and key points in womanism (pp. 242-3).

Patton notes that all women are subjected to unattainable beauty standards and having spaces for women to discuss their various experiences at the intersection of race would be beneficial to informing larger ideologies about beauty and acceptability.

We see that social movements and protests have been beneficial to changing policy through the Civil Rights Movement and even more recently through backlash received from the public toward schools' racially discriminatory grooming policies, especially in schools. But as Culp (1995) warns, we must be aware that policies and legislation do not necessarily change ideologies. If ideologies do not change then the social climate will invariably remain the same.

CHAPTER VII

Fade to Black: Concluding Thoughts

This thesis has attempted to show the connections between ideology, race and the inscription of those across different social institutions. Research has proven the synthetic relationship between criminality and blackness but not necessarily extended the analysis to include what that means across social realms outside of the criminal and how that has affected and been internalized by the targeted group. I have tried to extend that analysis here. Examining grooming policies in schools and employment illustrates how dominant anti-black ideologies have inscribed other social realms in the name of professionalism. Those dominant ideologies have then been internalized by the black community, creating and maintaining a system of skin-color, hair-texture hierarchy, known as colorism, which causes an opposition to blackness by black people. Those that do not acclimate are seen as problematic by larger society, in turn, reinforcing the prevailing anti-black rhetoric. The bigger issue is though, that no matter what mode of resistance is used to combat racial adversity, it will fortify the dominant ideologies about blackness and continue to justify the use of control to maintain the status quo. Black people must realize that the dominant ideology must change, not them.

In the documentary *Good Hair* (2009), produced by Chris Rock, it is estimated that the black hair industry is a nine billion dollar industry. So while cultural representations of blackness are criminalized and persecuted our capitalist society absorbs blackness, however it manifests, for profit. In more recent years black people, women especially, have embraced their natural hair. Bates (2017) reports that in a study by Boston Globe it was found that relaxer sales have dropped from $206 million in 2008

to $152 million in 2013 and more natural black hair products have been introduced to the market. While that seems to be good news, non-black owned hair product companies have introduced natural black hair lines. This was also the case during the 50's when the relaxer became popular for black people. White owned companies saw the potential profit and began to monopolize the industry. So even something that could potentially represent resistance and thereby, change, is absorbed by capitalism. We live in a culture of control, racial/gender-based hierarchy, and profit and as long as those three foundations persist they will continue to work together to maintain the culture of white supremacy.

Bibliography

Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness.* The New Press.

Banks, I. (2000). *Hair matters: Beauty, power, and black women's consciousness*. NYU Press.

Barlow, M. H. (1998). Race and the problem of crime in" Time" and" Newsweek" cover stories, 1946 to 1995. *Social Justice*, 25(2 (72), 149-183.

Bates, K., G. (2017). '*Evidence shows there's still bias against natural black hair'*. http://www.npr.org/sections/codeswitch/2017/02/06/512943035/new-evidence-shows-theres-still-bias-against-black-natural-hair

Beckett, K., & Murakawa, N. (2012). Mapping the shadow carceral state: Toward an institutionally capacious approach to punishment. *Theoretical Criminology*, 16(2), 221 244.

Bertrand, M., & Mullainathan, S. (2004). Are Emily and Greg more employable than Lakisha and Jamal? A field experiment on labor market discrimination. *The American Economic Review*, 94(4), 991-1013.

Blackmon, D. A. (2008). *Slavery by another name: The re-enslavement of black Americans from the Civil War to World War II*. Anchor.

Blake, J. (2012) *"Return of the 'Welfare Queen'"*. www.cnn.com/2012/01/23/politics/weflare-queen/

Bonilla-Silva, E. (2006). *Racism without racists: Color-blind racism and the persistence of racial inequality in the United States.* Rowman & Littlefield.

Boyd, W. C. (1950). *GENETICS and the Races of Man An Introduction to Modern Physical Anthropology.*

Brace, C. L. (1964). A nonracial approach towards the understanding of human diversity. *The concept of race*, 103-152.

Brown, S. R. 1997. *'Embracing whiteness: Images of cultural hegemony and the color caste system in Ebony and Essence'*. Paper presented at the 1997 Speech Communication Black Caucus/African American Culture Division Summer Conference. Maryland

Brownmiller, S. (2013). *Femininity.* Open Road Media

Byrd, A., & Tharps, L. (2014). *Hair story: Untangling the roots of Black hair in America*. Macmillan.

Camp, J. T. (2016). *Incarcerating the Crisis: Freedom Struggles and the Rise of the Neoliberal State* (Vol. 43). Univ of California Press.

Churchill, W., & Vander Wall, J. (2002). *Agents of repression: The FBI's secret wars against the Black Panther Party and the American Indian Movement* (Vol. 7). South End Press.

Civil Rights Act of 1964 § 7, 42 U.S.C. § 2000e et seq (1964).

Craig, M. L. (2002). *Ain't I a beauty queen?: Black women, beauty, and the politics of race.* Oxford University Press, USA.

Culverson, D. R. (1998). *The welfare queen and Willie Horton. Images of color, images of crime,* 97-107.

Currie, E. (2013). *Crime and punishment in America*. Macmillan.

Dolovich, S. (2011). Exclusion and control in the carceral state. *Berkeley J. Crim. L.*, 16, 259.

Donziger, S. R. (1996). *The real war on crime: The report of the National Criminal Justice Commission* (pp. 115-21). New York: Harper Perennial.

Du Bois, W. E. B. (1903). *The souls of black folk*. Oxford University Press.

Equal Employment Opportunity Commission vs. Catastrophe Management Solutions, 11 F. Supp. 3d 1139, 1142-44 (S.D. Ala. 2014).

Fields, B. J. (1982). *Ideology and race in American history. Region, race, and reconstruction:* Essays in honor of C. Vann Woodward, 143-177.

Fields, B. J., & Fields, K. (2012). *Racecraft: The soul of inequality in American life*. Verso Books.

Fung, K. (2012). *Geraldo Rivera: Trayvon Martin's 'Hoodie Is As Much Responsible For [His] Death As George Zimmerman'* (VIDEO) http://www.huffingtonpost.com/2012/03/23/geraldo-rivera-trayvon-martin-hoodie_n_1375080.html

Garland, D. (2001). *The culture of control* (Vol. 367). Oxford: Oxford University Press

Garvey, A., & Stein, J. (1986). *The world of Marcus Garvey: Race and class in modern society.*

Gibran, M. K. (2010). *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America.*

Glick, F. (2016). *"Controversial hair policy at Butler High School temporarily suspended".* http://www.wdrb.com/story/32575768/controversial-hair-policy-at-butler-high-school-temporarily-suspended

Gottschalk, M. (2016). *Caught: The prison state and the lockdown of American politics.* Princeton University Press.

Haley, A. (1992). *The Autobiography of Malcolm X*. Ballantine Books.

Higginbotham, E. B. (1993). *Righteous discontent: The women's movement in the Black Baptist church, 1880-1920.* American Mathematical Soc.

hooks, b.1989. *Talking Back: Thinking Feminist, Thinking Black*. Massachusetts. Print

hooks, b. (1992). *Black Looks: Race and Representation*, London: Turnaround.

hooks, b.2003. *Rock My Soul: Black People and Self Esteem*. New York. Print

ioananemes.ro › interviews › steve-peralta-2008

Jiang, W., Schuck, G. (2014) *Some Harlem Businesses Display 'no hoodies allowed' signs* http://newyork.cbslocal.com/2014/10/27/some-harlem-businesses-display-no-hoodies-allowed-signs/

www.jefferson.kyschools.us/schools/profiles/butler

Khoury, L. J. (2009). Racial profiling as dressage: a social control regime!. *African Identities,* 7(1), 55-70.

King, R. D., & Johnson, B. D. (2016). A punishing look: Skin tone and Afrocentric features in the halls of justice. *American Journal of Sociology*, *122*(1), 90-124.

King, S. (2016). *"Louisville high school's ban on natural hairstyles such as dreadlocks and cornrows condemns black culture".* http://www.nydailynews.com/news/national/king-school-natural-hairstyle-ban-condemns-black-culture-article-1.2730091

Jackson, L. A., & Ervin, K. S. (1991). The frequency and portrayal of Black females in fashion advertisements. *Journal of Black Psychology,* 18(1), 67-70.

Lansdown, G. (1994). *Children's rights. Children's childhoods: Observed and experienced,* 33-44.

Lee, S., (1988) *School Daze*. United States. Sony Pictures

Leonard, J.D., (2012). *NewBlackMan: 'No [Hoodies] Allowed': The NBA's Dress Code & the Politics of New Racism* —Excerpt from After Artest: The NBA & the Assault on Blackness https://drdavidjleonard.com/2012/05/04/newblackman-no-hoodies-allowed-the-nbas-dress-code-the-politics-of-new-racism-excerpt-from-after-artest-the-nba-the-assault-on-blackness/

Levin, Josh (December 19, 2013). *"The Welfare Queen*".

http://www.slate.com/articles/news_and_politics/history/2013/12/linda_taylor_welfare_queen_ronald_reagan_made_her_a_notorious_american_villain.html

Littlefield, A., Lieberman, L., Reynolds, L. T., Azevêdo, E. S., Beals, K. L., Brace, C. L., ... & Łaska-Mierzejewska, T. (1982). Redefining race: The potential demise of a concept in physical anthropology [and comments and reply]. *Current Anthropology*, 23(6), 641-655.

Litowitz, D. (2000). Gramsci, hegemony, and the law. *BYU L. Rev*., 515.

Livingstone, F. B., & Dobzhansky, T. (1962). *On the non-existence of human races*.

Macon, A. L. F. (2014). Hair's the Thing: Trait Discrimination and Forced Performance of Race Through Racially Conscious Public School Hairstyle Prohibitions. *U. Pa. J. Const. L.*, 17, 1255.

Malcolm, X. (1965). *Malcolm X speaks: Selected speeches and statements*. Grove Press.

Mangold, S. V. (2002). *Transgressing the Border between Protection and Empowerment for Domestic Violence Victims and Older Children. Empowerment as Protection in the Foster Care System.*

Marks, J. (1996). Science and race. *American Behavioral Scientist*, 40(2), 123-133.

Mauer, M. (2006). *Race to incarcerate*. The New Press.

Mayr, E. (2002). The biology of race and the concept of equality. *Daedalus*, 131(1), 89-94.

Mercer, K. (2013). *Welcome to the jungle: New positions in black cultural studies*. Routledge.

Miles, T. (2012) *"Why focus on Gabby Douglas' Hair?"* http://inamerica.blogs.cnn.com/2012/08/06/opinion-why-focus-on-gabby-douglas-hair/

Mirzoeff, N. (2011). The right to look. *Critical Inquiry*, 37(3), 473-496.

Montagu, M. A. (1942). The genetical theory of race, and anthropological method. *American Anthropologist*, 44(3), 369-375

Morrison, T. (1999). *The bluest eye*. Random House.

Morrow, W. L. (1973). *400 Years without a Comb*. Morrow's Unlimited, Incorporated.

Oshinsky, D. M. (1996). *Worse Than Slavery*. Simon and Schuster.

Patton, T. O. (2001). Ally McBeal and her Homies The Reification of White Stereotypes of the Other. *Journal of Black Studies*, 32(2), 229-260.

Patton, T. O. (2006). Hey girl, am I more than my hair?: African American women and their struggles with beauty, body image, and hair. *NWSA journal*, 18(2), 24-51.

Pendleton, T. (2016) *"Banning locs in the workplace ruled non-discriminatory*." https://blackamericaweb.com/2016/09/19/banning-locs-in-the-workplace-ruled-non-discriminatory/

Prince, A. (2009). *The politics of black women's hair*. Insomniac Press.

Raby, R. (2005). Polite, well-dressed and on time: Secondary school conduct codes and the production of docile citizens. *The Canadian Review of Sociology*, 42(1), 71.

Reynolds, A. (2001). *Interracial communication: theory into practice*: Mark P. Orbe, Tina M. Harris; Wadsworth Thomson Learning, Belmont, CA, 2001.

Rogers v. American Airlines, Inc. (D.C.N.Y., 1981).

Rooks, N. M. (1996). *Hair raising: Beauty, culture, and African American women*. Rutgers University Press.

Ross, A. (2016) *"Attica Scott: 'hair policy stinks of racism"*".www.courier-journal.com/story/news/education/2016/07/28/attica-scott-hair-policy-institutional-racism/87656240/

Ross, A. (2016). *"Butler suspends hairstyle bans in dress code*". http://www.courier-journal.com/story/news/education/2016/07/29/hairstyle-bans-prompt-butler-dress-code-review/87680700/

Russell-Brown, K. (1998). *The Color of Crime: Racial Hoaxes, White Fear, Black Protectionism, Police Harassment, and Other Macroaggressions*. NYU Press

Santee v. Windsor Court Hotel. (E.D. LA. 2000). https://casetext.com/case/santee-v-windsor-court-hotel

Schept, J. (2015). *Progressive Punishment: Job Loss, Jail Growth, and the Neoliberal Logic of Carceral Expansion.* NYU Press.

Schept, J., Wall, T., & Brisman, A. (2015). Building, staffing, and insulating: An architecture of criminological complicity in the school-to-prison pipeline. *Social Justice*, 41(4), 96.

Scheurich, J. J. (1993). Toward a white discourse on white racism. Educational Researcher, 22(8), 5-10.

Scott, J. C. (1990). *Domination and the arts of resistance: Hidden transcripts*. Yale university press.

Shanklin, E. (1994). *Anthropology and race*. Wadsworth Publishing.

Shepherd, J.M, (1980). The Portrayal of Black Women in the Ads of Popular Magazines. *Western Journal of Black Studies* 4. 179-82

Sini, R., (2016) *"Wear a weave to work-your afro is unprofessional*". http://www.bbc.com/news/uk-36279845

Singh, N. P. (2014). The whiteness of police. *American Quarterly*, 66(4), 1091-1099.

Smedley, A., & Smedley, B. D. (2005). Race as biology is fiction, racism as a social problem is real: Anthropological and historical perspectives on the social construction of race. *American Psychologist*, 60(1), 16.

Smock, R. (Ed.). (2006). *Booker T. Washington in Perspective: Essays of Louis R. Harlan.* Univ. Press of Mississippi.

Stilson, J., Rock, C. (2009) *Good Hair*. United Sates. Chris Rock Productions

Templeton, A. R. (2013). Biological races in humans. Studies in History and Philosophy of Science Part C: *Studies in History and Philosophy of Biological and Biomedical Sciences*, 44(3), 262-271.

Tienabeso, S., Gutman, M., Loyd, B. (2013). *George Zimmerman jury hears key 911 tapes.* http://abcnews.go.com/US/george-zimmerman-jury-hears-key-911-tapes-start/story?id=19470272

Thorne, B. (1987). Re-visioning women and social change: Where are the children?. *Gender & Society*, 1(1), 85-109.

Wacquant, L. (2005). Race as civic felony. *International Social Science Journal*, 57(183), 127-142.

Wallace, M. (1990). *Black Macho and the Myth of the Superwoman* (Vol. 26). Verso.

Williams, J. (2017). *"War on Black Hair: Wearing Braids Gets Black Girls Banned From Prom at Malden Charter School in Massachusetts"*. http://www.newsweek.com/wearing-braids-sends-black-girls-detention-malden-charter-school-608303

Wolters, R. (2003). *Du Bois and his rivals*. University of Missouri Press.

Woodson, C. G. (2006). *The mis-education of the Negro*. Book Tree.

http://www.pbs.org/wgbh//amex/malcolmx/filmmore/pt.html