



At the crossroads: critical race theory and critical geographies of race

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Abstract: Critical geographers of race and critical race theory share common theoretical, conceptual, and political goals, yet we have not engaged with each other in a substantive fashion. I discuss critical race theory's development within critical legal studies. I then discuss three points of mutually informative intersection: the all-pervasiveness of race, a difficult relationship with the black/white binary, and strategic deployment of narrative. Elián González is used to briefly illustrate these insights. In conclusion, I note that criticality, activism, and anti-racism are particularly vexed issues for critical geographers of race, and suggest further avenues of inquiry to address them.

Key words: critical geographies of race, critical legal studies, critical race theory, Latinos/as, legal geographies.

I Introduction: missed connections and potential intersections

Critical human geographers have for several decades emphasized the sociospatial dialectic at the heart of the construction, expression, and contestation of difference, a cornerstone insight that has crossed disciplinary boundaries and enriched cognate critical traditions (Soja, 1980; Massey, 2005). Though classed and gendered differences have long been mainstays of critical geographic scrutiny, geographies of sexuality, (dis)ability, age, nature, and myriad other differences have more recently come to the forefront of inquiry (Oakes and Price, 2008). Human geographers engaged in the study of ethnicity and race,¹ though not always (or all) a particularly critical bunch, have nonetheless contributed greatly

to the understanding that racialized processes are always and thoroughly spatialized ones (eg, Jackson, 1987; Kobayashi, 1990; Dwyer, 1997; Pulido, 2000; Zelinsky, 2001; Anderson, 2002; Berry and Henderson, 2002). In addition, geographers have insisted that diverse axes of difference are mutually constructed and thus intertwined. Feminist geographers, in particular, have been at the forefront of scholarship examining the co-construction of gender, race, and class (Dwyer and Jones, 2000; Kobayashi, 2003; Mahtani, 2006; McKittrick, 2006). 'Indeed, theorizing about the mutually constitutive qualities of "race" and gender, in addition to a much older tradition of class analysis, has provided much of the zing to our discipline' (Kobayashi, 2005: 32).

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Such is the excitement over recent developments in geographies of race that in their commentary on the topic at the turn of the new millennium Linda Peake and Richard Schein (2000) assert that questions of race and racism are undergoing a renaissance in geography, thanks in large part to theoretical developments spanning the social sciences. Catherine Nash (2003: 639) characterizes these developments as 'anti-essentialist perspectives on race which deconstruct race as a naturalized hierarchy of biologically distinctive human groups while exploring processes of racialization which place individuals and groups within racial categories and have material effects in terms of the unequal distribution of power and wealth', though she is skeptical of Peake and Schein's claim that this reinvigorated critical geographic research on race can or should maintain links to an older, less (or un-) critical tradition of what Wright and Ellis (2006) politely term 'mapping others'. I share in the excitement over the 'zing' of a vigorous critical geographic study of race, while also cautioning that our enthusiasm must not distract geographers from paving the road ahead in a manner that takes careful stock of the specific contributions of geographers to the critical study of race, as well as our failures, particularly to meaningfully and substantively extend our intellectual reach beyond the confines of our discipline. This last point is not intended to negate Peake and Schein's contention that geographers have benefited (and contributed) to larger, exciting trends in critical inquiry on race, rather that critical geographies of race have sustained persistent blind spots.

To this end, the principal objective of this paper is to provide an overview of critical race theory in its specific legal studies context, in order to (briefly and albeit partially) introduce this literature to a geography audience, and thereby address one of the more important interdisciplinary blind spots hindering the advance of critical geographies of race. With strikingly few exceptions (Delaney, 1998;

2002; Kobayashi and Peake, 2000), geographers have not engaged substantively with this literature. Though geographers do employ the term 'critical race theory' (eg, Skop, 2006; Anderson, 2007), the term tends to be understood in a broader sense, one more consistent with transdisciplinary critical race *studies*. Indeed, an awareness of developments in critical race studies has infused critical geographies of race (as well as critical race theory in legal studies) with the sort of theoretical insights iterated in the above quote from Catherine Nash: in short, critical race studies has insisted on the socially (and, geographers would add, the spatially) constructed nature of race (Omi and Winant, 1994). In addition, for some geographers, critical race theory invokes a praxis-centered approach to race: 'Critical race theory thus necessitates a social commitment to activism within the academy; nothing less will change our racialized past' (Peake and Kobayashi, 2002: 50).

Geographers have, however, been more willing to centralize the role of the law in the social construction of race in particular, and in processes of inclusion and exclusion more broadly.² According to its practitioners, legal geographies has faced a host of disciplinary and intellectual hurdles (Blomley, 1994) and as such has remained a relatively small subfield, but one with a significant potential for growth and exchange with other geographic subfields, such as critical geographies of race (Delaney *et al.*, 2001; see also the overview in Forest, 2000, and contributions to Holder and Harrison, 2003). Geographers who may not primarily identify as legal geographers have nevertheless worked extensively with primary legal documents (briefs, rulings, judicial opinions, and the like) to substantiate their arguments. Some of this scholarship deals directly with racialized processes, as with John O'Loughlin's (1982) and Benjamin Forest's (2001) work on US electoral geography, David Delaney's (1998) examination of the history of black/white race relations in the USA, Audrey Kobayashi's

(1990) and Kay Anderson's (1991) studies of Canadian race relations, and Monica Varsanyi's (2008a) analysis of immigrant day laborers in Phoenix, Arizona.

Another intersection of race and the law in geography is less specific, inasmuch as it is not limited to any particular geographic subfield, the scholars concerned may not extensively utilize primary legal documents, nor do they always centralize critical questions of race, racialization, and racism to the extent that such questions might be (the latter criticism pertains especially to work on immigration and the rescaling of citizenship and the state; see also Winant, 2001; Wright *et al.*, 2005). While one might suppose that the topics listed below can hardly be discussed without reference to both their racialized and regulatory aspects, geographers seem to be divided on the issue, and a clear coherence of race and the law has yet to emerge in this literature. Thus, though Kay Anderson remarked in reflection upon her earlier work on Vancouver's Chinatown, 'Undo the fixity of race, and a thick complex of scalar constitutings seemed to present themselves!' (Anderson, 2008: 157), Monica Varsanyi simultaneously claimed that 'geographers have given little attention to the ways in which law plays an important role in both the production of scale and neoliberal rescaling processes' (Varsanyi, 2008b: 878). Yet I will suggest that the overlapping contributions listed here potentially map a meaningful crossroads between critical geographies of race and critical race theory. These include: geographic studies of incarceration and criminality (Gregory, 2006; 2007; Herbert, 2006; Herbert and Brown, 2006; Gilmore, 2007); exclusionary and privatized spaces, particularly in cities, including topics such as access, mobility, protests, and segregation (Low, 2003; Mitchell, 1996; 1997; D'Arcus, 2004; Ellis *et al.*, 2004; Mitchell and Staeheli, 2005; Pulido, 2006; Price, 2007; Wilson, 2007; Herbert, 2008); immigration and borders (Sparke, 1998; Coleman, 2005; 2007;

Nevins, 2008); and the rescaling the rights and responsibilities of citizens and states in a global or neoliberal context (Brenner, 2004; Marston and Mitchell, 2004; Ellis, 2006; Varsanyi, 2008b). While the balance of this paper will begin to address these connections, there is clearly a much larger project awaiting full exploration.

Geographers are not oblivious to the missed connections between critical geographies of race and critical race theory. Nearly 20 years ago, Audrey Kobayashi (1990) underscored that 'the legal system plays a significant role ... and because it has been used as an agent of change either to establish, perpetuate, or combat racism, a geographical perspective on the power of law to effect racist outcomes addresses a significant dimension of the social construction of racism' (p. 448). Critical race theorists, too, acknowledge the importance of a spatial approach, noting that 'spatial organization has always been a mode of [racialized] social control and differentiation' (Ford, 1992: 117) at different scales of territorial organization: neighborhoods, cities, and states (see also Goldberg, 1994; Buchanan, 1995; Aoki, 1996; Valverde, 2009).³ Yet, nearly 20 years after Kobayashi's call to centralize law in geographic studies of race, and a subsequent iteration of a five-point agenda for an anti-racist geography that begins with 'clarifying relations between racism and the law' (Peake and Kobayashi, 2002: 52), critical geographers of race and critical race theory have yet to fully engage with one another.

In the next section, I will provide an abbreviated overview of the historical development of critical race theory in its specific legal studies context. Following that, I will focus on three themes common to critical geographies of race and critical race theory – the all-pervasiveness of race, the problematic engagement with the black/white binary, and the importance of narrative – in order to discuss the mutual contributions of critical geographic and critical legal studies approaches to the study of race. I then briefly

illustrate the utility of an approach informed by the intersection of critical geographies of race and critical race theory via a case study of Elián González, the Cuban boy whose stay in the USA provoked enormous political and cultural controversy, but relatively little critical academic analysis.

Because I am a geographer, my approach will skew toward a geography audience and a critical geographies of race literature. My choice of example – Elián González – belies my research interests in Latino/a studies. The partiality of my approach is unfortunate and probably inevitable, given the limitations of my training, interests, expertise, and space. Beyond the specific arguments I make here, however, critical geographies of race and critical race theorists need each other. Ideally, this is a two-way street, and a much broader one that I hint at in this paper. A closer and substantive engagement between critical geographies of race and critical race theory capitalizes on intellectual and political projects common to both. For critical geography and critical legal studies both have as a primary goal unpacking the naturalized order of things in order to reveal and address racialized injustice. ‘The point of argument is usually not simply to justify or critique; the point is to make something happen. The point is to actually change the world (or to prevent change) by enlisting the power of law’ (Delaney, 1998: viii). My conclusions will engage this notion, and point to other roads yet to be traveled by critical geographers of race.

II Critical race theory: a brief overview

Critical race theory, henceforth CRT, developed as an offshoot of critical legal studies. Critical legal studies arose in the early 1970s (for overviews, see Unger, 1986; Crenshaw *et al.*, 1995) as a critique of both mainstream liberal as well as conservative approaches, which understand the law as a neutral and objective set of rules. Drawing on their (sometimes direct) engagement with political conflicts of the day, including

second-wave feminism, the Vietnam war, and the Civil Rights movement, as well as theoretical insights of the Frankfurt School, French poststructuralism, and feminist theory, critical legal scholars – so-called ‘legal radicals’ – asserted that the law is built on binary oppositions that, if interrogated, reveal its instability (though whether this implies the utter indeterminacy of the law is the subject of debate; see Kelman, 1987). Furthermore, the law was understood by critical legal studies scholars and practitioners as a thoroughly political process that, more often than not, reproduces socio-economic privilege.

CRT, by contrast, emphasized the racialized aspects of advantage which were more often than not enshrined and upheld by the law. Early CRT, developing over the course of the 1970s, held that the experience of black Americans constituted the paradigm by which race and its redress must be conceptualized and enacted (Bell, 1973; 1976; Freeman, 1978). Within the broad critique initiated by critical legal studies, CRT scholars identified white privilege as the foundational hierarchy of American society, providing what Cornell West (1995) termed ‘a gasp of emancipatory hope that law can serve liberation rather than domination’ (p. xii) with respect to ‘the historical centrality and complicity of law in upholding white supremacy’ (p. xi).

The immediate project of CRT was to question the outcomes of Civil Rights era legislation, as well as the underlying approach to understanding and thus redressing the racialized injustice in the United States that framed this legislation (Crenshaw *et al.*, 1995). Early CRT contributors, composed mainly of legal scholars and practicing lawyers, were both troubled by what they viewed as erosion of early momentum of the previous decade of the 1960s, and skeptical of the mindset which held racial equality through the law as the mechanism and the goal of the civil rights movement. Advocating what Derrick Bell (1992) termed ‘racial

realism', early CRT focused specifically on the experience of black Americans in what was framed as a pervasively, thoroughly racialized society. Only through stepping entirely outside of the reformist, liberal paradigm of civil rights, and thus coming to terms with the all-pervasiveness of race in the USA, would real change ever be brought about. In her brilliantly poetic key text, *The alchemy of race and rights*, Patricia Williams (1991) writes 'this will be so because much of what is spoken in so-called objective, unmediated voices is in fact mired in hidden subjectivities and unexamined claims that make property of others beyond the self, all the while denying such connections' (p. 11). Thus CRT shifts paradigms from the goal of equality, to that of social justice through radical reform. 'In spite of dramatic civil rights movements and periodic victories in the legislatures, black Americans by no means are equal to whites. Racial equality is, in fact, not a realistic goal. By constantly aiming for a status that is unobtainable in a perilously racist America, black Americans face frustration and despair. Over time, our persistent quest for integration has hardened into self-defeating rigidity' (Bell, 1992: 363). Thus, from its outset and despite the central position of 'theory' in its name, CRT has explicitly centralized activism. It is not enough to critique, and thereby intellectually rework, racism; rather, racism must be addressed and redressed through action, what Crenshaw *et al.* (1995) term 'a desire not merely to understand the vexed bond between law and racial power but to *change* it' (p. xiii, emphasis in original). Many of the scholarly contributions to CRT have been fashioned and sharpened through the actual courtroom practice of law. For this reason, practicing lawyers are found among CRT's major contributors.

Its historical development within a nationally specific social, economic, political, and legal system makes CRT a uniquely US approach (Peters, 2004), though ties to broader intellectual and political currents

under way at the time – cultural studies and subaltern studies in the UK, the work of continental theorists Antonio Gramsci and Jacques Derrida, American studies and ethnic studies, as well as the Black and Brown Power movements in the USA – also influenced CRT (Crenshaw *et al.*, 1995). In addition, earlier developments in critical legal studies and radical feminism inspired as well as helped to frame the specifics of CRT. Even deeper roots in long-standing critiques of the racist nature of US society can also be traced. The foundational research of W.E.B. DuBois on black Americans in US cities in the late nineteenth and early twentieth centuries, and the writings and teachings of American scholar-activists Sojourner Truth, Frederick Douglass, Martin Luther King Jr, and César Chávez have all fed the wellspring of CRT (Delgado and Stefancic, 2001). However, as with any other praxis-centered movement, CRT's genesis and evolution largely within a US-specific legal context is to be expected, yet it is also limiting inasmuch as CRT's extension to other places is concerned.

The development of CRT since the 1970s has entailed a series of branchings, first from its roots in critical legal studies, and subsequently through internal schism. 'This earlier movement [critical legal studies], which conceived of itself as pluralistic and progressive, discovered that legal scholars from three overlapping communities or groups – women, people of color, and women of color – were profoundly disaffected with the tendency of Critical Legal Studies to slight "minority" scholars and communities even as it dedicated itself to improving the lot of the oppressed' (Valdes, 1996: 6). From the beginning, feminist critical legal scholars provided a counter to the CRT assertion that race was the primary axis of disadvantage in US society, arguing for a principal positioning of gender (MacKinnon, 1979; Wing, 2002). Thus critical legal studies quickly spawned substreams of dissenting voices, centered on race or gender or the intersection of both, which 'confronted the relative silence of legal

radicals ... who “deconstructed” liberalism, yet seldom addressed the role of deep-seated racism [and sexism] in American life’ (West, 1995: xi).

Within CRT, as well, divergence arose over the paradigmatic status accorded to the black American experience, what Delgado and Stefancic (2000) have gently termed ‘a somewhat uneasy relationship with the African American civil rights movement’ (p. 161). The black/white binary view of society simply did not encompass the historical or contemporary experiences of non-black minorities, or those who were marginalized for non-racial rationales. Understanding Khun’s notion of a paradigm as shaping the boundaries within which inquiry is permissible, Juan Perea defines the black/white binary as:

the conception that race in America consists, either exclusively or primarily, of only two constituent racial groups, the Black and the White ... If one conceives of race as primarily of concern only to Blacks and Whites, and understands ‘other people of color’ only through some unclear analogy to the ‘real’ races, this just restates the binary paradigm with a slight concession to the demographics. (Perea, 1998: 361)

Some aspects of CRT clearly resonated with non-black minorities; for example, the involuntary removal theme at the heart of trans-Atlantic slavery struck a clear chord with Chicanos/as, Asian-Americans, and Native Americans (Olivas, 1990). Yet the galvanizing experiences of non-black marginalized groups were conceptually overlooked by mainstream CRT; their redress was likewise thwarted (Valdes, 1996).

For Latinos/as, CRT’s omissions were particularly acute. Immigration, language, national origin, assimilation, and pan-ethnicity were simply not discussed by mainstream CRT, nor were they addressable by CRT’s insistence on the black/white binary as the primary conceptual tool. Yet these issues were central to the experiences of Latinos/as as a racialized group in the USA. Thus a small

group of Latino/a lawyers gathered in 1995 at the Hispanic National Bar Association meeting in Puerto Rico, inaugurating what would become known as LatCrit, ‘a new legal movement ... [which] represents a leftist, diverse, and inclusive approach to civil rights issues affecting the fast-growing Latino/a population’ (Delgado and Stefancic, 2000: 161).⁴

Thus, by the mid-1990s, gaps and silences within CRT itself stimulated the rise of cognate legal studies fields that emphasized Asian-Americans, Native Americans, and Latinos/as, as well as queerness, critical white studies, and critical race feminism (see Delgado and Stefancic, 2001, for an overview). Because the example in section IV below concerns Latinos/as, a LatCrit perspective will be centralized in that discussion. Next, however, I will turn to three overarching key notions arising from CRT, ideas that have also been utilized by geographers of race: the contention that we live in a thoroughly racialized world, the problematic relationship to the black/white binary framing much critical race inquiry, and the strategic deployment of narrative.

III Two-way traffic

Critical geographers of race and critical race theorists share common ground on at least three topics: the all-encompassing nature of race, debate over the primacy of the black/white binary, and the utility of narrative. The fact that both geographers and legal scholars utilize these key ideas, while at the same time they have not engaged substantially with each other, points to the genesis of these notions in a larger, interdisciplinary, broadly critical arena of contemporary race studies. Critical geographers of race and critical race theorists have emphasized different aspects of these topics, employed different methodological approaches, and taken diverse political stances toward them. I will emphasize that critical geographers of race and critical race theorists can glean important insights from each other’s disciplinary engagement with these

three topics. By bringing geography and CRT into conversation around these three themes, I will both illustrate the value of specific interdisciplinary exchange, and provide a road map of sorts for the following section, which discusses the case of Elián González utilizing insights from this exchange.

1 A wholly racialized world

In an important article, geographer David Delaney – one of the few geographers to substantively engage with CRT – utilizes the writer Toni Morrison’s phrase, ‘a wholly racialized world’ (Morrison, 1992: 4; quoted in Delaney, 2002: 6), to make the point that ‘there is no “outside” to racial geographies’ (p. 7) and to pose the provocative question ‘What does it mean for geographers to take this claim of a wholly racialized world seriously?’ (p. 6). Delaney’s observation echoes, in a spatial register, the contentions of critical race theorists, which tend to be of a historical nature. Though much of the scholarship on race has focused on the extraordinary – Nazi Germany, apartheid South Africa, Jim Crow segregation in the USA, skinhead anti-immigrant violence across Europe – CRT has insisted on the ordinary quality of race in framing and shaping the world around us (Goldberg, 2002). As with all violence, racism is everyday; as with evil, the banality of racism is most shocking. ‘[R]acism is ordinary, not aberrational – “normal science,” the usual way society does business, the common, everyday experience of most people of color in this country’ (Delgado and Stefancic, 2001). Audrey Kobayashi and Linda Peake, geographers who also substantively engage with CRT proper, make a similar observation: ‘Racialization is part of the normal, and normalized, landscape and needs to be analyzed as such’ (Kobayashi and Peake, 2000: 392; see also Schein, 2006).

I will suggest that, for both critical geographers of race and critical race theorists, the challenge posed by Delaney – to take the wholly racialized world seriously – is at once theoretical, methodological, and political.

For if race is all-encompassing, how can race be ‘got beyond’? If race is normalized to the point of invisibility, how can it be rendered visible? Critical geographic approaches to these questions have encompassed notions of scale, belonging, and displacement. Critical race theory has emphasized the historical trajectory of concession, and subsequent rescinding, of rights to non-whites. Both critical geographers and critical legal scholars have centralized activism in different forms, a point that I will take up in more detail in the conclusion.

Critical geographers have long worked with concepts of inclusion and exclusion to contend that what, and who, is socially valued enjoys a presence in the landscape, while that and those who are devalued are kept out of sight (Sibley, 1992; Cresswell, 1996). People and places that are racialized or otherwise stigmatized are literally and figuratively erased from the official landscape (Kobayashi and Peake, 2000; Foote, 2003). Importantly, most if not all of these processes of erasure are legally facilitated, justified, and normalized.⁵ Racial segregation, for instance, keeps racially devalued populations away from those in power (or, alternately, allows for spatial concentration by choice), and has long been a topic of study for geographers of varying critical bents (Li, 1998; Allen, 2002; Wright *et al.*, 2005). Racialized ghettos, a long-standing form of spatial isolation, concentrate and reinforce other dimensions of marginalization (Woods, 2002; Wilson, 2007). Literal removal from normative space, through incarceration, reservations, genocide/‘ethnic cleansing’, and – in the case of refugees and migrants – deportation, are other, extreme forms of racialized displacement (Sparke, 1998; Coleman, 2005; Gregory, 2006; Anderson, 2007; Gilmore, 2007; Nevins, 2008). Criminalization, through rendering a person or group ‘outside’ the law (illegal), is a related strategy of removal from normative space – a normativity defined in many aspects legislatively – and one that has been the focus

of much recent geographic scholarship that variously centralizes race (Coleman, 2007; Herbert, 2008; Hiemstra, 2008).

The recognition of inhabiting a thoroughly racialized world is also at the heart of CRT. It forms the basis of CRT's skepticism toward the civil rights paradigm, which understands racism as an exception to the principle of equality among all the nation's citizens, and thus takes a reformist stance toward redressing racialized injustice. CRT scholars note that although affirmative action may concede some gains to racialized minorities, these are rescinded as soon as larger economic or political conditions shift unfavorably. Thus full citizenship, and the rights and responsibilities that accompany it, is cyclical and contingent. In what Derrick Bell termed the 'Caucasian commitment' in American society, a form of collusive white supremacy operates on an unstated, but very real, understanding that whites of all socio-economic classes will tolerate disparities among themselves as long as they are allowed to shut blacks out, beyond those few black tokens who are held up as examples to chastise the bulk of the nation's black citizens for failing to 'make it'.

It works every time. It worked when rich slave owners convinced the white working class to stand with them against the danger of slave revolts – even though slavery condemned white workers to a life of economic deprivation. It worked after the Civil War when poor whites fought social reforms and settled for segregation rather than see those formerly enslaved blacks get ahead. It worked when most labor unions preferred to allow the plant owners to break their strikes with black scab labor rather than allow blacks to join their unions. (Bell, 1991: 84)

Thus the temporary and cyclical nature of rights is a central focus of CRT. In a complementary fashion, critical geographers of race have unpacked the all-pervasive racialization of society by insisting that scale, too, is a central concept for understanding the complex spatiality of the social construction

of race (Gilmore, 2002). As with the temporal focus of CRT, and place (discussed in section III, 2, below), scale – by providing a particular sort of place – lends additional support to critical race studies' general observation that, though pervasive, race is neither static nor immutable. Though scale has long provided a conceptual framework for critical geographers (but see Marston *et al.*, 2005), a constellation of recent work in geography has examined the rescaling of the state, and of the rights and responsibilities that accompany the modern state (citizenship, welfare, immigration, etc) in neoliberal context (Brenner, 2004; Marston and Mitchell, 2004). In the USA, immigration has long been the legal purview of the federal government, though of late – particularly in the post 11 September 2001 period, immigration has taken a back seat to other federal concerns (Ellis, 2006; Varsanyi, 2008b). Indeed, the legislative control of migratory ingress and expulsion, mobility through space (such as with driving), the right to congregate, work, reside in certain configurations, and even to make noise, has been devolved to state and city governments, as has the responsibility to provide services geared toward social incorporation (Varsanyi, 2008a; contributions to Singer *et al.*, 2008; contributions to Price and Benton-Short, 2008; contributions to Jones, 2008). Though much of this work takes the law into serious account, it fails to centrally address questions of race. For what is racialization if not a powerful social construction that renders a person or group impervious to belonging, mobility, and rights, due to a presumably immutable condition? If the primary scale of official belonging has, for much of modernity, been the nation state, what then does the rescaling of belonging imply for notions of racialized inclusion and exclusion? That much of this work deals in some fashion or other with immigration is not coincidental; indeed the racialization of immigrants (particularly Latinos/as in the USA) is an avenue that critical geographers of race have yet to fully explore.

By contrast, CRT's offshoots, particularly LatCrit, have centralized the cyclical racialization, deracialization, and reracialization of Latinos/as in US society, though again utilizing a primarily temporal approach. By doing so, LatCrit scholars have pointed to the problematic nature of framing the critical understanding of race around the black/white binary, suggesting instead that whiteness and non-whiteness have been historically contingent and mutable social formations. The following section further discusses critical geographic and CRT engagement with the black/white binary. The notion of citizenship, however, is one that will be taken up again in section IV in the analysis of Elián González, as it brings together notions of inside/outside, scale, and the law.

2 Beyond the black/white binary

The so-called 'black/white binary' refers to an approach to understanding race which places individuals and groups into one of two separate but unequal categories: white (superior, defined in opposition to blackness; ie, as not black) or black (for some, literally of black African ancestry; for others, any non-white or marginalized minority). The black/white binary is both powerful – it shapes laws, the content of textbooks, popular culture, and much scholarly inquiry on race – and paradigmatic in that it establishes the boundaries of permissible inquiry (Perea, 1998). Both critical geographers of race and critical race theorists have struggled with the dangers, strategic possibilities, and limitations of the black/white binary.

Mainstream CRT insists on the primacy of the black/white binary. Though diverse expressions of racialized injustice are recognized by mainstream CRT, all trace back to the master template of black oppression by white supremacist society which groups 'people of color' together (Bell, 1973: especially pp. 59–82). Though non-black minorities may be at times racialized while at other times treated (legally) as white, black Americans remain impervious to racialized inclusion and

therefore constitute the truly racialized in US society. Those who hold this position invoke the history of slavery, racialized violence, and oppression against black Americans to justify their stance. Thus those who defend the primacy of the black/white binary 'often counter with the concept of exceptionalism. This concept holds that the distinctiveness of injury suffered by a group justifies its placement at the center of analysis' (Delgado and Stefancic, 2000: 168). Mainstream CRT is nuanced in as much as it recognizes that whites as well as blacks suffer under white supremacy, that white lawyers and legal scholars can practice CRT to the extent that they are committed to forego their white privilege, and that black Americans are often elevated to high political office or economic status in a gesture of tokenism to show that we have 'got beyond race' and thus render racial injustice invisible and ineffable (Bell, 1991; 1992; 1999; Williams, 1991; Crenshaw *et al.*, 1995; Haney-López, 2006).

Whether to retain or abandon the black/white binary's paradigmatic status has constituted one of the most divisive issues in CRT; indeed, the various 'crit' offshoots mentioned above – LatCrit, FemCrit, QueerCrit, etc – arose in part over this issue. Those who defend the black/white paradigm maintain that the consequences of broadening beyond the binary politically weaken CRT, while those in favor of abandoning it argue that there are theoretical as well as empirical reasons for doing so. Crenshaw *et al.* (1995) term the former position 'racialist', and note that it essentializes one segment of the black male American experience and extends it to all. 'As a result, black racialism yields a flat, fixed image of racial identity, experience and interest, which fails to capture the complex, constantly changing realities of racial domination in the contemporary US' (p. xxxi; see also Crenshaw, 1992). Non-black minorities, black women, and non-racialized minorities (for instance, sexual minorities) do not find their experiences represented, nor can mainstream CRT offer legal redress

for their specific subordinations. 'Others, such as Latinos, Asians, and Indians, can receive redress for discrimination only insofar as their experiences and treatment can be analogized to those of blacks. Like other kinds of binary ... thinking, the black/white binary simplifies analysis, but sometimes to a dangerous degree' (Delgado and Stefancic, 2000). The danger is both legal, in as much as discrimination equivalent to that experienced by blacks cannot be demonstrated thus legal redress is thwarted, and conceptual, in that meaningful differences among (and between) blacks and other racialized minorities are simply compressed into the 'black' side of the binary (Perea, 1998).

Critical geographers of race have also engaged in contentious discussion over the black/white binary. Geographers of race have made particularly significant strides in the interrogation of whiteness as the often unseen, unspoken half of the black/white binary (see overviews in Bonnett, 1996; 1997). Part of critical geography's project of rendering race visible on the landscape is to denaturalize the place of whiteness upon it (Dwyer and Jones, 2000). In their discussion of the Columbine High School shootings in 1999, for instance, Kobayashi and Peake (2000) make the case that the landscape of Littleton, Colorado, where the shootings occurred, was rendered by the media as devoid of race, as naturalized through its seemingly normal whiteness. They contended that, in fact, 'Littleton reminds us that the entire US landscape is deeply racialized, even as its "whiteness" serves as a counterpart to the entrenched differences that mark more highly charged places of racialized conflict ... Processes of racialization are present throughout landscapes that are seemingly free from racial tension or diversity' (Kobayashi and Peake, 2000: 392). In a similar vein, Robert Vanderbeck's (2006) study of Vermont's 'Yankee' whiteness points out both the complex ways in which white identity is constructed and projected, and a larger point concerning the place-specific nature

of the construction of whiteness, which is a key dimension of its mutability. Other geographers have examined the mutual construction of whiteness and place, foregrounding divisions internal to the category 'white'. Lucy Jarosz and Victoria Lawson (2002), for instance, note that a pervasive distinction between 'rednecks' and 'sophisticated people' turns on class divisions among whites, as well as rural-urban distinctions, that share similarities as well as differences across place. Jamie Winders (2003) documents the equation of whiteness with racial privilege in the South, and unpacks it historically and theoretically in order to allow 'the same analytical processes to dismantle whiteness from within as have done so between whiteness and other groupings' (p. 45; see also Hoelscher, 2003). Geographic studies of whiteness have thus done a commendable job in revealing the contingent, mutable, and fractured nature of an often taken-for-granted racial formation.

Critical geographic studies of whiteness are not, however, without their own critics. Alastair Bonnett (1996), for instance, makes the (problematic) assertion that the tendency to focus on blackness or whiteness is a particularly 'American obsession' that does not reflect the subtler reality of race in other places. Yet there is very little intentionally comparative critical geographic research on race, such that Bonnett's claim is difficult to substantiate empirically. What is perhaps more troubling – and easier to document – is the remarkably persistent whiteness of geography's practitioners. According to some, the popularity of white studies in geography may in fact simply reflect the whiteness of geographers, and as such constitute a zone of racial solipsism, or worse, a comfort zone rather than a space of truly critical engagement with racism (let alone anti-racism; Pulido, 2002; Mahtani, 2006). The prominence of white studies in geographic studies of race may in fact not simply reflect but also unwittingly act to reinforce white dominance in geography (Nash, 2003).

Recent scholarship by critical geographers of race on the place-specific construction and mutability of blackness has made important strides toward nuancing and unpacking the black component of the binary (Woods, 1998; 2002; contributions to McKittrick and Woods, 2007a). Black Americans became significant objects of geographical inquiry in the 1960s (Dwyer, 1997). 'Race' in geography was (and, for some, still is) synonymous with blackness, and this research largely failed to interrogate the social construction of race or to foreground an anti-racist stance (see also Bonnett, 2000; Peake and Schein, 2000). As Katherine McKittrick (2006) observes, 'space and place give black lives meaning in a world that has, for the most part, incorrectly deemed black populations and their attendant geographies as 'ungeographic' and/or philosophically undeveloped' (p. xiii). These are precisely the critical geographies of blackness that address both the conceptual, and the political, concerns identified in previous decades (Dwyer, 1997), which push past 'identifying the "where" of blackness in positivist terms [which] can reduce black lives to essential measurable "facts" rather than presenting communities that have struggled, resisted, and significantly contributed to the production of space' (McKittrick and Woods, 2007b: 6).

The tendency to focus either on blackness or whiteness is itself an expression of the black/white binary as it has shaped geographic research. Yet critical geographers of race have begun to explore beyond the black/white boundary. Geographic work on mixed race, for instance, problematizes the socio-spatial stability of the binary opposition (Wright *et al.*, 2003; Houston *et al.*, 2005; Mahtani, 2005; Ellis *et al.*, 2007). Geographic work on Latinos/as emphasizes the diverse constructions of classed and gendered ethnic and racial identities within the category of Latino/a (Winders *et al.*, 2005), *vis-à-vis* other racialized populations in the USA (Pulido, 2006), as well as by place (Radcliffe, 1999; Winders, 2005; Oberle and Arreola, 2008).

Work on Latino/a, African, and Asian immigrants and their native-born children has explored their at times difficult interaction and identification with native-born blacks (Price and Singer, 2008; Smith and Furuseth, 2008; Chacko, 2008).

Thus, though responding to similar intellectual tendencies to push past binary thinking with respect to race (Lee and Lutz, 2005), critical geographers of race and CRT have taken different paths. As might be expected, geographers have emphasized the place-specific mutability of whiteness and, to a lesser extent, blackness; whereas CRT has focused on the historically variable legal construction of race as well as engaging in a richer, if more contentious, debate regarding the utility of the stark black/white binary. There is not a contingent of critical geographers of race asserting the continued salience of the black/white binary for political reasons, as there is in CRT, though this may simply be due to the lack of a critical mass of non-white geographers and/or an insufficiently activist stance on the part of anti-racist geographers. Also, critical geographic race research is only beginning to push beyond the binary in the research that we actually conduct, in contrast to CRT's longer engagement with diverse axes of racialized, as well as non-racialized, subordination.

3 *The strategic deployment of narrative*

Over the past two decades or so, there has been a decided narrative turn across the disciplines. Geographers and other social scientists have been early contributors to this narrative shift (Tuan, 1991; Cronon, 1992). While a focus on the written and spoken word fits within the humanistic tradition in geography, one that has long drawn on literature, poetry, film, and other forms of narrative expression, these more-recent contributions focus on narrative as strategy for negotiating spatial processes. In this, the recent attention to narrative also parallels another long-standing thread in human geography, one which approaches the landscape as a text of sorts

(Lewis, 1979; Daniels and Cosgrove, 1988; Duncan, 1990). Though much of the earlier critical work in this vein was concerned with issues of representation, the act of narration itself – through storytelling, conversation, performing, remembering, and writing – has become the focus of more recent work (Kearns, 1997; Meyers Skredsvig, 2002; Pred, 2004; Price, 2004; Hoskins, 2006a; 2006b). In this work, narrative is understood as a performance, one that is dynamic, fluid, contingent, and improvisational, akin to music, theater, and dance. The focus thus shifts from a static text that is unpacked, to the acts of constructing, conveying, interpreting, and circulating that text. Attention is focused on who tells what stories, whose voices are silenced and whose are heard, and the contingent crafting and recrafting of the plotline and casting and recasting of the actors. Dominant groups tell stories that construct, naturalize, and reproduce the *status quo*, while subalterns tell counterstories that can serve as correctives or even frontal attacks on the world-view circulated by those in power.

Only very recently have geographers begun to explore race utilizing narrative as the analytical lens (Kobayashi and Peake, 2000; Hoelscher, 2003; 2006; Winders *et al.*, 2005; Hoskins, 2006a; 2006b; McKittrick, 2006). Yet the law as a specific narrative/narrativized vehicle through which race is negotiated has yet to make much of an impact on critical race studies in geography. In CRT, by contrast, narrative has long constituted a strategic approach to understanding race, as well as to confronting racial injustice. Indeed, many claim that narrative is at the heart of CRT's critical practice (Delgado, 1989; 1995; Williams, 1991; Brook and Gewirtz, 1996; Bell, 1999; Delgado and Stefancic, 2001; Peters, 2004). The importance of narrative for CRT can be approached in several ways. First is the understanding of race not as a fixed ontological entity, but as a construction wherein race is taken to be fictional, yet powerful. Second is the use of storytelling as a narrative device by which

to frame and probe the *status quo*. Third, and related to storytelling *per se*, is the utilization of narrative theory in order to most effectively deploy storytelling. Finally, there is the practical political importance of narrative for redressing racialized injustice.

Derrick Bell, who is credited with launching legal storytelling in CRT, explains that:

I do not consider my stories a major departure in legal education. The use of hypotheticals is a staple of discussion in law school class-rooms. In addition, final examinations are generally presented in a series of fictional facts out of which law students are expected to recognize and apply legal precedents to support their conclusions. Building on this foundation, I began extending these fictional stories to reflect the contradictions and dilemmas faced by those attempting to apply legal rules to the many forms of racial discrimination. (Bell, 1999: 316)

In one of Bell's touchstone pieces, 'The space traders' solution' (Bell, 1999), he spins a fantastical tale of the arrival of a fleet of space ships to the USA. Their holds are laden with 'treasure of which the United States was in most desperate need' (p. 319): gold to pay the national debt, special chemicals to remove environmental pollution, a safe nuclear engine to address energy shortages. 'In return', Bell continues, 'the visitors wanted only one thing – and that was to take back to their home star all the African Americans who lived in the United States' (p. 319). Heated debate ensued, a secret vote was held, and ultimately the ships discharged their treasure and 'began to arrange in long lines some twenty million silent black men, women, and children ... Heads bowed, arms now linked by slender chains, black people left the new world as their forebears had arrived' (pp. 344–45). Bell uses this science-fiction parable to powerfully critique the lack of black representation in the American government, racial tokenism, the failure of civil rights to truly empower black American citizens, and the futility of liberal dissent.

The fluidly inventive nature of race as social formation lends it a pervasiveness. If

race is all-pervasive – again, if there is ‘no outside to racial geographies’ – we arrive once more at the problem of just how then to get inside racial geographies, intellectually and politically. Approaching race within a narrative framework has been successfully utilized by CRT scholars, who often refer to race (and related social formations) as fictions, in as much as there is no stable factual basis to their categories, however commonsense they may be made to appear. Yet this is not to say that because they are fictions such social formations are *fictional* or without substance or consequence. Indeed, CRT scholars observe that race is one of the most powerful fictions framing American society. This is noted by Richard Ford (1992), who sees ‘the deployment of race as a (perhaps *the*) regulatory fiction in late capitalist America’ (p. 117, emphasis in original), and by Roberto Rodriguez-Morazzani (1998), who notes that ‘while “race” might be a fiction, it is a fiction that informs and organizes the actions of people and the structures of power’ (p. 143). Geographer Ruthie Wilson Gilmore (2002) makes a similar claim in noting that what she terms ‘*fatal* power-difference couplings’ (p. 16, emphasis in original) turn not on an essentialized race, but a racism that, though it plays out differently in different contexts, is singular, abstract, and deadly. Race’s regulatory, normalizing, and taxonomic functions thus take it from mere story to powerful, encompassing social formation. CRT posits that the law itself is a narrative that is both constituted by and constitutive of racialized social relations (Williams, 1991; Bell, 1999; Delgado and Stefancic, 2000; 2001). Understanding it as such lends a fluid indeterminacy to the law that more readily allows for interrogation, and change.

The act of storytelling has provided CRT with a highly effective mode of framing the lived experience of racialization in America and sharing it with others. Recognizing the persuasive power of storytelling, at the level of both theory and practice, is central to the legal strategy of critical race theorists and

practicing lawyers informed by CRT. As Richard Delgado (1989) noted nearly 20 years ago, ‘Everyone has been writing stories these days. And I don’t just mean writing *about* stories or narrative theory, important as those are. I mean actual stories, as in “once-upon-a-time” type stories’ (p. 2411, emphasis in original). Bell’s futuristic parable of slavery, for instance, is used to powerfully convey the economic, political, and social devaluation of black Americans. The persuasive power of storytelling is strategically deployed by CRT to elicit empathy, to persuade, and to change opinions.

CRT often, and consciously, employs a technique known as counterstorytelling, which invokes an oppositional narrative practice long utilized by minority groups in the USA. ‘The new legal storytellers ... draw on a long history that includes slave narratives, tales written by black captives to describe their condition and unmask the gentility that white plantation society extolled. Indians, of course, were great storytellers who used history and myth to preserve culture, bind the group together, and remind it of its common destiny. In Latino societies, picaresque novelists made sly fun of social convention, puffed-up nobility, and illegitimate authority’ (Delgado and Stefancic, 2001: 38). Narrative is often used by marginalized groups to build up, as well as break down, community, shared understandings, and deeply held beliefs:

Many ... who have been telling legal stories are members of what could be loosely described as outgroups, groups whose marginality defines the mainstream, whose voice and perspective – whose consciousness – has been suppressed, devalued, and abnormalized An outgroup creates its own stories, which circulate within the group as a kind of counter-reality. (Delgado, 1989: 2412)

In courtroom practice, storytelling can be utilized to convey to white judges and juries the alternate reality of being minority in the USA, challenge deeply held racial beliefs, and provide voice for those silenced. Stories are also useful pedagogically (see Tate, 1996;

selections in Leonardo, 2004; selections in Dixson and Rousseau, 2006), and indicate a concern in CRT with the educational system more broadly (Delgado and Stefancic, 2000).

Related to the importance of storytelling *per se* is the importance of insights from literary theory, which have been consciously utilized by CRT (Delgado and Stefancic, 2001). Bell's racial realism, mentioned above, draws inspiration from realism in literature, whereby the accounts crafted are rooted in the details of real, lived lives (Bell, 1999). Deconstruction, a technique whereby the contradictions inherent in a narrative are exposed, is also utilized by CRT. Counterstorytelling, in particular, has as its goal the uncovering (and subsequent unsettling) of the unstable structures latent in dominant narratives surrounding race. Narrative techniques intended to more effectively deploy narrative, and strategically utilize the persuasive power of stories, are consciously employed by legal storytellers. Yet the aim of legal storytelling is not narrative for narrative's sake (and much less literary theory for literary theory's sake); it is pragmatic. 'The goal of storytelling in law is to persuade an official decisionmaker that one's story is true, to win the case, and thus to invoke the coercive force of the state on one's behalf' (Gewirtz, 1996: 5).

Though geographers have made significant contributions to understanding narrative as a powerful way in which the world is shaped and lived, we have yet to fully capitalize on the transformative power of storytelling. Audrey Kobayashi (again, one of the few to substantively engage with CRT), has noted the potential of counterstorytelling for providing transformative visions of the future, asserting that 'we need to tell the geographic counter-stories that will do much more than explain the world, but engage sufficient imagination to change it' (Kobayashi, 2005: 38). Her words are echoed by Katherine McKittrick, in her assertion that 'existing cartographic rules unjustly organize human hierarchies *in place* and reify uneven

geographies in familiar, seemingly natural ways ... [T]hese rules are alterable and there exists a terrain through which different geographic stories can be and are told' (McKittrick, 2006: x, emphasis in original). Stories are used to naturalize sociospatial formations, including race; they can also be deployed in order to contest, disrupt, and transform them.

IV Elián at the crossroads

For those who lived in the USA in 1999–2000, it was hard to overlook the unfolding drama of a young Cuban boy named Elián. In late November, 1999, a group of Cuban rafters capsized attempting to cross the Florida Strait as they fled Cuba on a homemade boat. Only five-year-old Elián González and two others survived; sadly, Elián's mother perished, along with 10 other passengers. Elián clung to an inner tube for two days before he was rescued a few miles out to sea from Fort Lauderdale, Florida. The Immigration and Naturalization Service (INS) placed Elián in the temporary custody of Miami relatives, while his return to Cuba and his father, Juan Miguel González, was arranged. Elián's Miami relatives, however, disagreed with INS protocol, thinking it best for the boy to stay in the USA. After months of debate and a protracted media spectacle, INS agents forcibly removed Elián from the González home in an early morning raid in April of 2000.

Elián's odyssey, while compelling on its own merits, lends itself well to analysis located at the crossroads of critical geographies of race and CRT, for the racialized legal and spatial politics of inside and outside were at the heart of the controversy. The cover of the 27 January 27 2000 issue of *Time Magazine* put it succinctly, asking 'Where does he belong?'. Where was Elián's rightful home – Cuba or Miami? Who was Elián's rightful family – his father in Cuba or his relatives in Miami? Where was Elián's rightful place in the world? Elián's liminal status as a child, and as a Cuban in the United States in the

post-cold war era, added to his indeterminate legal status. Because Elisabet Brotons' death had left him motherless, Elián was also, symbolically, nationless (Banet-Weizer, 2003: 154). Elián's fluid liminality, literally adrift in the Atlantic Ocean, added to perceptions of his lack of rootedness. As Bruce D'Arcus, one of the few geographers to analyze Elián González (see also Price, 2004), notes: 'Lines were drawn between good and evil, as well as us and them, certainly, but also quite literally with respect to the "here" and the "there" of a geographic morality play' (D'Arcus, 2006: 106). Thus Elián's was at its crux a border case, involving literal and figurative crossings that were moral, legal, and spatial in nature.

In this section, it is not my intent to provide a comprehensive discussion of the details of the case. Rather, I will illustrate how the key ideas elaborated in section III can be productively employed in a real-world example. The diversely scaled debates, the strategic deployment of narrative, and the media's role in shaping public perception of the racialized normalcy (or lack thereof) of Elián, all constituted specific aspects of this example that inhabit the intersection of critical geographies of race and CRT. In broader terms, as well, Elián's case exemplified the place-mutability of whiteness, and the contemporary racialization of Latinos/as in the USA, also important 'crossroads' topics. In short, the understandings, contestations, and ultimate resolution of the Elián González affair brought intrinsically spatial questions of belonging and exclusion into direct and productive conversation with the legal system in ways that turned, implicitly and explicitly, on race.

The narrativization of Elián González was the most patently obvious feature of his existence in the US popular imaginary. A view to the narrative structure of any series of events helps understand how they are lent a particular order and logic, as well as suggesting a conclusion that makes more sense than other possible conclusions. The case was crafted and presented in terms so

dramatic and compelling that the incident was likened to a soap opera or a circus (Bragg, 2000; del Carmen Martínez, 2003; Barry, 2007). The presence of 24-hour 'Elián-cams' positioned by local news media outside the González family home in Miami made Elián and his surrogate family's every move the subject of continuous discussion, dissection, and speculation. Much of this consisted of apparent gossip: was Aunt Marisleysis having an affair with Donato Dalrymple (the fisherman who plucked Elián from the Atlantic), or perhaps with a Cuban-American National Foundation official? Did Elián's visiting Cuban grandmothers really inspect his penis to see if it had grown? Was Janet Reno, the US Attorney General at the time of the case, truly an 'unnatural woman' (ie, a lesbian)? The media sexualization of Elián himself – 'a very sexy kid in a soap opera' (Banet-Weizer, 2003: 157) – was persistent in its obsessive, repetitive, 'near pornographic quality' (Martínez, 2003: 31).

These sexualized tidbits undergirded a family drama that deeply emplotted Elián's story. As geographer Heidi Nast (2000) has pointed out, the normative Oedipal family triad (mother/father/son) is coded as white, yet it has an additional, repressed, racialized member (the bestial). Though Nast's work focuses on the sexualized and familialized race relations deriving from US slavery, the notion of a racially normative (white) family that holds a racially repressed (black) tension at its center can certainly be extended to the Cuban (and Cuban exile) case, given that nation's history of African slavery and white supremacy. I will suggest that, in part, the sexualization of the Elián drama reflects precisely this racialized tension over who (and where) was Elián's 'proper' family: the Miami Gonzálezes or Elián's father Juan in Cárdenas, Cuba? On the one hand, his Miami relatives, though related to Elián's father, were not his immediate biological parents; on the other hand, his biological father Juan had divorced from Elián's mother Elisabet before her departure from Cuba. In addition – and in

a rare case of water being thicker than blood – the Miami Gonzálezes staunchly identified with the Cuban exile community. Among other issues, particularly their outspoken anti-Castro stance, Cuban exiles are noted for their racially white identification. Cuban-ancestry individuals were three times as likely to claim ‘white alone’ as their race on the 2000 Census than were other Hispanic-ancestry individuals (Committee on Transforming our Common Destiny, 2006).⁶ Juan Miguel, by contrast, had remained in revolutionary Cuba, which has become much blacker both demographically through the exodus of white Cubans, and through the revolutionary ideology which has promoted (in theory if not in practice) a racially tolerant national identity and anti-racist policies. Thus, not only was Elián’s return to Cuba viewed by the Gonzálezes as politically dangerous, it was tantamount to child abuse. Returning Elián to Juan Miguel was equivalent to sacrificing him to the (racialized) beast, repressed but always present, in the form of the Cuban island, Fidel Castro, and Juan Miguel.

The women in the Elián drama – Miami Aunt Marisleysis González, Elián’s deceased mother Elisabet Brotons Rodríguez, and Janet Reno – assumed various guises of motherhood depending on the narrator in question (del Carmen Martínez, 2003). The Cuban exile version cast Reno as the punishing phallic mother, ordering Elián’s ultimate return to Cuba; while those (including many Miami Cubans) who thought it best that Elián return to his father in Cuba viewed Reno as righteously enforcing federal law. Brotons, the good mother, was likened to the Virgin Mary for her selfless sacrifice on behalf of Elián’s freedom; though Cuban exiles elevated her to the status of a martyr who sacrificed her life for her son’s freedom.⁷ Aunt Marisleysis initially assumed the role of Elián’s caring surrogate mother, but as the case developed she was increasingly depicted, particularly by the media and those who wished to see Elián returned to Cuba,

as incompetent and verging on the histrionic (Molina Guzmán, 2005; D’Arcus, 2006).

For their part, the men involved – Miami great uncle Lázaro, Elián’s biological father Juan Miguel González, and Cuban revolutionary father figure Fidel Castro – were also cast in variously difficult paternal roles. Assuming the role of father, Miami great uncle Lázaro González was cast both as the voice of Elián, yet incestuously *vis-à-vis* his daughter Marisleysis in their surrogate parenting roles with respect to Elián. Juan Miguel González was often erased from the picture altogether, cast as the absent father, unable to speak English and thus represented to the US public only via translation (buttressing his ‘bestial’ perception), and viewed by Miami’s Cuban exile community as illegitimate for wishing his son’s return to Cuba. These tensions culminated in the so-called ‘hostage video’, broadcast nationally, depicting what many viewers interpreted as a staged rant in which Elián admonished Juan Miguel González – and, by proxy, the revolutionary father figure Fidel Castro – in a dramatic oedipal display (Fiore and Bauman, 2000). “That video,” said a medical ethicist, “was political kiddie porn. It’s clearly exploitation” (quoted in D’Arcus, 2006: 126).

Thus the battle for Elián was waged on various scales. In the sexualization of the family drama and various family members, including Elián himself, the body emerged as a key site of contention. The family home, too, became a key scale of literal and figurative contention, one profoundly intertwined with the bodily. As Bruce D’Arcus (2006) notes, there was a compelling ‘geopolitics of home’ at work in which the home emerged as a ‘complexly mediated space of dissent’ (p. 124). Round-the-clock vigils were held at Elián’s adoptive family home, the raid itself occurred there, and house was ultimately purchased by Lázaro’s brother Delfín González and converted into a museum dedicated to remembering the struggle to keep Elián in the USA and to preserving his toys and clothing as they were when he was taken.

Homes provide shelter, comfort, and privacy; they can also entrap their members literally, as well as figuratively, within the social relations they naturalize and subsequently hide from view. The iconic image of the armed federal agent extracting Elián from Donato Dalrymple's arms at gunpoint from the closet in which they were hiding fairly begs for further critical analysis. Suffice it to say that whether Elián's presence in the González home was legally and morally warranted, nurturing or abusive, normal or unnatural, it was the subject of vigorous, richly narrativized debate.

The city of Miami, too, constituted an important scale in the battle over Elián. The city itself underwent a protracted period of racially charged dissent among 'Anglo' (non-Hispanic white), black (both Caribbean and native-born), and Latino/a (immigrant and native-born) residents, who formed unexpected alliances (as well as internal fractures) over the question of whether Elián should stay in Miami or return to Cuba (see Stepick *et al.*, 2003, for a detailed discussion; also Croucher, 1997). After Elián's removal from the González home, protests involved blocked highways, labor stoppages, and physical exchanges (also often of a racialized nature) focused on paralyzing mobility within the city. In the national imaginary, the Elián González affair was an important chapter in the image of Miami as a city not quite within the spatial or moral territory of the USA.

Though people of Cuban ancestry constitute the third-largest Latino/a group in the USA, the exile community – those Cubans and Cuban-Americans who define themselves in opposition to Fidel Castro and his policies, and who (at least nominally) plan to return to Cuba upon his death – is spatially concentrated in Miami. The Miami-based Cuban exile community has a local, as well as federal, political influence far out of proportion with its numbers (Rieff, 1999; Torres, 1999; Bardach, 2002). Though on the wane after the end of the cold war, and through the demographic attrition of its aging leadership,

the Cuban exile influence on US foreign policy is notorious for its conservatism and strength. Thus the local – Miami – leverages the national, and such was the case with Elián. That Elián was eventually returned to Cuba was perceived by many as a signal of the waning influence of the Cuban exile lobby on the national political scene. Yet many critics also argued that if Elián had been any other 'boat person' attempting to enter the USA – a black Haitian boy, for instance – he would have been summarily sent back to his country of origin, particularly with a biological parent in residence there. Yet Elián's situation became a protracted multiscaled battle between the inordinately powerful Miami Cuban exile lobby (which turned Elián into a symbol of opposition to Castro's regime), the state of Florida (then governed by the exile-sympatico Jeb Bush), and the Clinton administration, noted for (among other things) the 'wet-foot/dry-foot' policy of allowing those Cuban immigrants who made it to 'dry land' in the USA to, in most cases, remain in the country.

Exceptionalism, which as we saw in the previous section is utilized by some critical race theorists to justify prioritizing a particular black male experience, has also been utilized by Cuban exiles to justify their superior economic, political, and social positioning *vis-à-vis* other Latinos/as in the USA. Legally speaking, Cubans enjoy an expedited process of entry to the USA when compared to other Hispanic ancestry immigrants. Because they are considered to be political refugees, Cubans are – if they reach US shores – entitled to a hearing and the likelihood that they will be allowed to remain in the United States, as well as to federal economic, housing, and service assistance not generally available to immigrants (García, 2007; Skop, 2008). Thus Cuban immigrants are much less likely to suffer the hardships of undocumented status faced by other Latino/a immigrants. This has elevated Cubans to a 'token minority' status among Hispanic ancestry groups. In this understanding, the

creed of Cuban exceptionalism holds that Cubans are active and welcome contributors to the US national project, and thus are unlike other national-origin Latinos/as. Cuban exiles, particularly the aging cohort of 'golden exiles' who arrived in the years immediately following Fidel Castro's takeover of the island, and their children, are viewed as economic enclave success stories who have surpassed all other Hispanic immigrants, and in some respects non-Hispanic ('Anglo') whites (Wilson and Portes, 1980; Alberts, 2005; Portes and Shafer, 2006). The very claiming of exile status has allowed Cubano refugees to distance themselves from other Latinos/as in the USA, because they do not intend to stay (Fox, 1997; Rieff, 1999; Hernández-Truyol, 2001).

Cuban exceptionalism can also be understood in racialized terms. As geographers have underscored, whiteness is by no means a straightforward racial formation, and its social construction for diverse groups of Latinos/as within and outside the United States is highly place-specific (Radcliffe, 1999; Arreola, 2004; Winders, 2005; Winders *et al.*, 2005; Oberle and Arreola, 2008). For Latinos/as, whiteness has constituted a relatively porous social formation, if variously so over time and across place (Almaguer, 1998; Martínez, 2000). Because of their demographic presence and socio-economic power – in other words, their occupation of space – Cubans in Miami have great power to define locally what constitutes 'white', and who will be included and excluded from membership. Yet 'whether a racial group exists is always a local question' (Haney-López 2000: 373), and white in Miami is not synonymous with white in most of the United States: generally understood to be Anglo-Protestant, English-speaking people of European descent. Once out of Miami, the parameters of 'white' shift rapidly: 'A Cuban who might be considered quite white in Miami suddenly changes complexion in say, Alabama' (Martínez, 2003: 34).

Thus the understanding of Elián González as a member of the Latino/a white elite, as a model minority, did not play universally to a national US audience, which tended to view him as just another brown border jumper. As Isabel Molina Guzmán (2005) documents, national and local media coverage of the event shifted over the course of the months that Elián was in the USA, from a view largely sympathetic to the Miami Cuban exile narrative, to a perspective much more in line with the majority Anglo-American sentiment. This shift turned, in part, on the issue of race. 'Indeed, Elisabet [Elián's mother] and Elián's perceived race and ethnic identity as white Cubans and the preferential immigration treatment accorded to Cubans eventually became contested ground in the general news coverage' (Molina Guzmán, 2005: 188). The media image of Marisleydis, too, shifted from that of a caring, stable surrogate mother walking hand-in-hand with him through Disney World to a woman given to public crying fits and hospitalized for stress, seeing images of the Virgin Mary in the living room mirror, and depicted as 'not only mentally unstable but as sexually predatory ... As with other elements of the case, representations of Marisleydis slid from the position of white-enough mother to that of an ethnically marked and sexually dangerous, inscrutable Other' (Martínez, 2003: 30–31).

By 1999, when Elián floated into US waters off Fort Lauderdale, the sharp distinction between inside and outside with respect to Cuban and all other Hispanic ancestry immigrants had become much less stable, both for the US public viewing the Elián spectacle on television, and for the US government, which had, over the course of the decade of the 1990s, adopted a much harsher stance toward all Hispanic immigrants, including Cubans (Johnson, 1998). The guilt was wearing off of the golden exiles, as new waves of poorer, blacker Cuban immigrants made it to the USA. Some of the scholars commenting

on the Elián González affair point to it as the watershed in the erosion of model minority status for Cubans. Berta Esperanza Hernández-Truyol, for example, asserts that the event marked a fall from grace in the eyes of the Anglo majority that could not comprehend the seemingly irrational desire of Cuban exiles to keep Elián from his father. The INS version of events that ultimately decided that Elián rightfully belonged in Cuba with his father had the effect of 'recast[ing] the image of *cubanos/os* from law-abiding, model minorities to fanatical freaks seeking to keep a father and son apart' (Hernández-Truyol, 2001: 708). María del Carmen Martínez echoes this sentiment, noting the racialized aspects of the drama:

In the US, debates about the boy's 'rightful' place in some ways represented larger anxieties not only about paternal privilege but about race and the Hispanicization of America. Once described as 'golden exiles,' Miami Cuban Americans have become, in the eyes of the press, an irrational, sweaty and vocal mob or 'banana republic.' And judging from talk of 'wet feet' Cubans have become the most recent *mojados* or 'wetbacks.' (Martínez, 2003: 23)

Others viewed Elián as just the latest in a series of slippages that had in fact begun 20 years previously with the Mariel boatlift of 1980, when Castro reportedly emptied his asylums and prisons, allowing a mass exodus of undesirable refugees to South Florida (Portes and Shafer, 2006; García, 2007). Though allegations of the overwhelmingly deviant character of the *Marielitos* were sensationalized, it is true that the demographics of Cuban migration had by then shifted from the earlier waves of professional families to darker, poorer, and mostly lone males (Martínez, 2003; Stepick *et al.*, 2003). Debates over the start date aside, it is clear that the ethnic capital of Cubanos *vis-à-vis* the Anglo mainstream has eroded, and they have become more like Mexicans in the US mainstream imaginary (Masud-Piloto, 1996; Alberts, 2005). In their legal

treatment as well as the broader perception of them, there is a closing gap between Cubanos and other Latinos/as, particularly Mexicanos/as.

When viewed as white, educated, middle and upper class, and refugees of communism, Cubans fared well. When the popular construction of the migrants changed around the time of the Mariel boatlift – as Blacker, poorer, and undesirable, the legal treatment became stricter. Similarly, the racialization of Mexican immigrants as dark, poor, and uneducated long has rationalized their harsh treatment under the immigration laws. Thus, over time, we see the evolving racialization of Cubans in a way that makes them more resemble Mexican migrants. (Johnson, 2001: 654–55)

In the United States, individuals from diverse Hispanic ancestry groups are typically perceived and treated by the Anglo majority as racialized Latinos/as, regardless of how they may self-identify. Though it runs counter to the official national designation of Hispanic as a category encompassing multiple races (Grieco and Cassidy, 2001), in practice the popular discourse on race in the United States includes 'brown' as synonymous with a racialized understanding of Latino/a. The quite commonplace enumeration of 'Hispanic' or 'brown' as one of the racial groups in the United States bespeaks just this sort of revealing slippage among racialized and ethnic categorizations, constituting what David Hollinger (1995) has termed the *de facto* 'ethnoracial pentagon' composed of the chromatic framing of race: yellow, red, brown, black, and white. This creates a situation of permanent foreignness for Latinos/as regardless of their place of birth, length of residency, or citizenship status (Perea, 1996).

Since the mid-1990s, the political-economic climate of the United States, within which Spanish-speaking immigrants from Latin America and the Caribbean are racialized, has grown increasingly inhospitable, and the attitude of the US public regarding all Latinos/

as, not just immigrants, has hardened notably (Muller, 1997; Perea, 1997). The (quasi-) academic literature has not been immune to this hostility (Brimelow, 1996; Buchanan, 2002; Dougherty, 2004; Huntington, 2004). Debates over belonging, voice, and visibility regarding Latino/a immigrants, and by facile popular extension, all Hispanics resident in the United States, have taken a decidedly racialized turn. Coupled with the end of the cold war, Cubans in particular were no longer widely seen as trophies in the battle for hearts and minds, or as relatively more desirable than other national origin Hispanic immigrants, but simply as Latino/a immigrants on a par with others – in other words, brown (Santa Ana, 2002).

Some observers of the Elián González saga claimed that, in the end, the case was a matter of simple scale: either the case should be tried as a child custody case in the Florida state court system, or as a matter of federal immigration law. And, though scale was central to Elián's saga, it was far from simple. Scale, along with place, and contending narratives of normalcy, combined in complex ways with the fluid and politicized legal system, to understand Elián – and, by extension, Latino/a immigrants (including, apparently, Cubans) – as a racialized outsider who did not belong in the USA. Racialized boundaries are decisive of citizenship – belonging to the modern nation state – and as such shape discourse and practice concerning immigration, property ownership, relationship to the State, and civic participation, among other things. To be racialized is to have one's physical, economic, social, and political mobility curtailed and policed. To be racialized is to be denied entry into the mainstream of power and privilege. As with geopolitical borders, race has checkpoints, guards, and requisite tokens for passage. Racial formations are constitutive components of modern nationalisms upon which citizenship is predicated. 'Race frames and imparts specificity to the polity, defining capacity for self-ownership and self-direction: it establishes who can be imported and who

exported, who are immigrants and who are indigenous, who may be property and who citizens' (Goldberg, 1994: 161; see also Burman, 2007). A reconfiguration of race is thus both symptomatic and constitutive of a reconfiguration of the nation itself, who is in and who is out. In the USA today, the creeping racialization of Latinos/as may well signal a closure of belonging that rescinds the basic tenets of citizenship (Klor de Alva *et al.*, 1998).

V Conclusions: are we there yet?

In this paper, I have argued that critical geographies of race and CRT engage similar issues from positions that are intellectually and politically overlapping, yet divergent in important ways. Thus insights from critical geographies of race concerning scale and place, and from CRT concerning the specific role of law in the making of race, can mutually inform and thereby enrich one another. I have demonstrated that the all-encompassing nature of race, the problematic status of the black/white binary, and the strategic deployment of narrative constitute key ideas for both critical geographers of race and critical race theorists, which allow us to explore how disciplinary differences might be brought to bear in mutually informative ways. Finally, the Elián González saga provided a brief illustration of how these insights can be productively applied to a real-life case study.

There are broader concerns to be addressed via substantive interdisciplinary engagement. With respect to the focus of this paper, and to reiterate a question posed earlier, what does it mean to be anti-racist if there is no outside to racialized geographies? How does one go about really *doing* anti-racist work in a wholly racialized world? Critical geographers of race and critical race theorists have proposed different approaches to this challenge. CRT has insisted that liberal approaches that strive for equality-oriented reform cannot effectively redress the hugely asymmetrical race relations that continue to perpetuate racialized injustice. Rather, CRT

advocates relentlessly exposing and confronting white supremacy, regardless of the rather David and Goliath nature of the task. Richard Delgado and Jean Stefancic (2000: 164) have termed this 'rebellious lawyering', a practice which, additionally, blurs the line between scholar and citizen. Derrick Bell utilizes a vignette from his days in the civil rights movement to underscore this point, recalling the words of Mrs Biona MacDonald from Harmony, Mississippi. Mrs MacDonald answered Bell's question about where she found the courage to continue her anti-racist organization efforts by saying 'Derrick ... I am an old woman. I lives to harass white folks' (Bell, 1992: 378). In her harassing well into old age, Mrs MacDonald is seen as much an equal contributor to the CRT project as is Bell; and, in foregrounding rebellious legal praxis, CRT frames white supremacy as paradigmatic, and punctures it from a radically conceived outside stance.

As far as I am aware, there is no systematic commitment to 'rebellious geography' among critical geographers. Indeed, a provocative criticism of critical geography is precisely that its criticality has become institutionalized and too widespread: ubiquitous, in a recent critique of critical geography's uncriticality, whereby 'we're all critical' (Blomley, 2006: 87; see also Castree, 2000; Peet, 2000). Individual geographers have certainly studied and participated in protests and demonstrations of a social justice nature, while social and cultural geographers have debated the possibilities and pitfalls of critical/radical/Left/action geographies (Kitchin and Hubbard, 1999; Peach, 2002; Pain, 2003; Nash, 2003; contributions to Fuller and Kitchin, 2004; Blomley, 2008). Critical geographers have underscored that the classroom can constitute a vital site of anti-racist geography, which resounds with CRT's focus on anti-racist pedagogy. 'One thing that geographers do, for better or worse, is teach' (Delaney, 2002: 11; see also Hay, 2001). Delaney goes on to suggest the

compilation of autobiographical materials of the experiences of living in a wholly racialized world as a pedagogical approach to anti-racist teaching. Notably, this involves the strategic deployment of narrative in the service of reworking racialized injustice.

Clearly, the practice of criticality is an important crossroads in and of itself, one that is actively debated among critical geographers and draws upon a wide latitude of inter- and intra-disciplinary contributions. The invigoration of a meaningful, engaged, and transformative anti-racist praxis should doubtlessly constitute a central tenet of the renaissance of geographies of race and racism invoked by Peake and Schein (2000) in the introduction to this paper. Though CRT by no means holds the answers to this challenge – indeed, intense debate within CRT reveals the problematic nature of its particular brand of praxis-centered critique of liberal reform – critical geographers of race have much to offer, and to gain, by engaging in substantive interdisciplinary exchange. As Mark Purcell (2003) claims, persistent inter- and intra-disciplinary insularity – what Purcell terms 'islands of practice' – constitutes a profound limitation to productive engagement.

By way of conclusion, let me suggest four additional avenues to be traversed by critical geographers of race as we contemplate our renaissance in light of the challenge of criticality. They are: (1) expanded and substantive exchange with critical interdisciplinary studies of race and ethnicity, such as Latino/a studies, trans-Atlantic diaspora studies, and American ethnic studies (see also Pulido, 2002); (2) the related intellectual and political engagement with provocative critiques of anti-racism and multiculturalism (see also Bonnett, 2000); (3) the need for truly comparative critical geographies of race (see also Wade, 2008); and (4) addressing the troublesome separation between critical geographies of race on the one hand, and on the other geographic scholarship on ethnicity

and immigration that has long failed to critically address difficult questions of race, racism, and racialization (see also Wright *et al.*, 2005). These are by no means the only roads out there, and by specifying them as I have I do not mean to suggest that they do not overlap, or contain forking paths within. The fact that geographers are cited after each of these suggested avenues for future research indicates that critical geographers of race are setting forth on these journeys already. That said, the paths ahead are long and undoubtedly intersect with others outside of our own disciplinary islands: let us be mindful of the crossroads.

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Notes

1. Throughout this paper, I use the term *race* to denote a complex social construction that is place- and historically specific and thus highly mutable across time and space. I refrain from enclosing the term in scare quotes, because doing so is meant precisely to convey the contingency of the term, which I choose to do instead through this footnote.
2. The following citation lists are in no way meant to be exhaustive, and I apologize to those whose work I have not cited here.
3. I thank David Delaney for providing several of these citations, and for noting that in his experience critical race theorists have been generally more receptive to the work of geographers than *vice versa*.
4. Proceedings from the 1995 HNBA meeting were published in 1996 in *La Raza Law Journal* 9 (Spring), 1–101.
5. The debate by geographers over Giorgio Agamben's notion of the creation of a space of exception through suspension of the law is an interesting extension (see, for example, Gregory, 2006; Mitchell, 2006).
6. The issue of black Cubans in Miami (and in Cuba) is an important one, but it is deeply subsumed in the Miami Cuban exile discourse which is based on whiteness, and has been little explored in the academic literature.
7. An alternative scripting was religious (see Hambrick-Stowe, 2000; Parikh, 2006).

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Erratum

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The following errors appear in this article:

del Carmen Martínez, 2003 should read Martínez, 2003

Banet-Weizer, 2003 should read Banet-Weiser, 2003

These errors were not the fault of the author. The publishers wish to apologise for them.