INTRODUCTION

Black feminist thought cannot challenge race, gender, and class oppression without empowering African-American women. "Oppressed people resist by identifying themselves as subjects, by defining their reality, shaping their new identity, naming their history, telling their story."¹

The practice of storytelling or Narrative² is deeply rooted in African-American culture. It is a tradition based on the continuity of wisdom, and it functions to assert the voice of the oppressed. Storytelling is not merely a means of entertainment. It is also an educational tool, and for many, it is a way of life. For others, it is the only way to comprehend, analyze, and deal with life.

In this paper, I argue for the value of storytelling or Narrative in the broad and nebulous field of theory in general, with a particular focus on its utility in the area of Black Feminist Theory.³ Most students of "the law"—whether the practice of law or the theory of its construction—have come to recognize legal theory as a rather intimidating area of study. This intimidation is grounded in the inaccessible language and abstract application of theoretI
cal constructs. However, the importance of theory should not be dismissed, for theory is the key to growth and development in any discipline, and law is no exception. In constructing a theory which is to be applied to and understood by a particular part of society, the theory should be infused with that particular group’s experiences. Recognition of this seemingly basic proposition is what has prompted feminist and critical race theorists to develop their own respective theoretical streams, which function to fill in the gaps which mainstream (i.e. white male patriarchal) theory has sorely neglected.

The practice of Narrative functions to allow traditionally marginalized and disempowered groups, such as women and people of color, to reclaim their voices. In addition, by laying claim to personal Narrative (i.e. the telling of one’s own story), oppressed peoples are able to create their own sphere of theorized existence, and thus remove themselves from the marginalized position to which the dominant society has relegated them. The lessons of life are learned faster and told better by those who have experienced them. Sharing stories creates a network. The strength of the network stems from an understanding that human experience is the basis for Narrative, and that Narrative is, in turn, a credible basis for theory. In my view, it is the method of Black Feminist Theory. To this end, I will discuss the general understanding and application of theoretical discourse, how the voices of Black women will affect this traditional construction, and how necessary change in the perception, construction, and application of theory can be accomplished through the use of Narrative.

I. STORIES FROM THE MARGIN

Storytelling, which began as an oral tradition of passing on information and family wisdom, can now be seen as a means to confront and deny the myths of the dominant mainstream. Mainstream society exists within a margin, an outer limit separating power from powerlessness. Little attention or concern is given to those, who by virtue of circumstance, exist outside the margin. In the attempt to remove themselves from peripheral existence, marginalized groups analyze the characteristics of the mainstream and discount the validity of the basis for their exclusion by telling stories. Richard Delgado, a well-known Critical Race Theorist and a strong advocate of storytelling, explains that “[m]any...who have been telling legal stories are members of what could be loosely described as outgroups, groups whose

4. I emphasize the experience of oppression, believing that struggle in the face of oppression makes one stronger and wiser. Later, I will argue that this resistance is the organizing principle of Black Feminist Theory.
5. The exact origin of storytelling is unknown. However, it is a practice which is not unique to any one culture or part of the world. It is possible that, initially, storytelling was the only means of documenting and conveying historical information. With the advent of the printed word and permanent means of storing information, storytelling seemed to take on the characteristics of an art form or a leisure activity. It is this characterization that is perhaps at the root of storytelling’s less credible status.
Marginality defines the boundaries of the mainstream, whose voice and perspective—whose consciousness—has been suppressed, devalued and abnormalized.6 Stories, Delgado argues, reflect the outgroups' shared understandings and "circulate... as a kind of counter-reality."7 This practice of storytelling has enabled marginalized peoples to understand more about societal positioning than those who have imposed it.

The potential to challenge marginalization by using Narrative is evident in all aspects of life, but its potential for effective change is perhaps most visible in the legal realm, where everything is premised upon maintaining a clear distinction between margin and center, power and powerlessness. It is in the law that stories can be most empowering for marginalized groups, for it is the law which is predicated upon maintaining this marginalized status.8 Law is one of the most powerful or intimidating tools that the dominant society uses to maintain the status quo and the marginalized position of some groups. Law has a history of presenting justification for the ordering of things. Too often, or perhaps too consistently, this justification is taken for granted to be correct. Marginalized peoples, with their understanding of the politics of social positioning, seek to unsettle the law's presumption of righteousness and entitlement. This challenge is founded on their own experience that the law does not operate as it should. Ideally, the law should function to ensure equality among citizens.

The practice of relating one's own experiences is not at all new. But oddly enough, it is somewhat foreign to the legal arena. Perhaps because of law's hegemonic status, it is most resistant to storytelling. Often the law operates, or operates for some people, without any human context. It is the attempt to humanize the law and its application that has spawned the interest in legal storytelling that has been taken up by the Critical Race Theory movement in the United States. In fact, "Narrative has emerged as the preferred genre of scholarship for scholars of color..."9 This preference is rooted in the strong tradition of storytelling that exists in the African-American community. The history of this tradition arises out of centuries of being classified in direct opposition to the dominant society. It is no surprise that being placed in a marginalized position also leaves one with a marginalized voice. Richard Delgado refers to those people who exist on the margin as "outgroups," meaning

7. Id.
8. Law maintains and reinforces categories of difference. Quite often, "difference" translates as marginalized status.
those whose consciousness is other than the dominant one. Law is the tool which maintains social positioning, and Narrative is the tool which challenges this ordering. However, this does not mean that law and Narrative are incompatible. The two coexist; Narrative, the sharing of human experiences, can inform law so as to make it more humane and more responsive to human attitudes and behavior. Stories operate within the confines of the law and legal reasoning to challenge the dominant mindset and present new ways of viewing the world.

Although subversive, Narrative is also the harbinger of truth. Stories contain the truth of human experience, while law is little more than a legal fiction, a tale spun purely for the benefit of the dominant mainstream. An argument supporting Narrative is not necessarily a denunciation of the law. But rather, it is simply a statement that the law—or more precisely, the institutional ordering of individuals in society—needs to be rethought and restructured. As a vehicle for re-imagining, Delgado notes that stories “can show that what we believe is ridiculous, self-serving, or cruel. They can show us the way out of the trap of unjustified exclusion. They can help us understand when it is time to reallocate power.”

To begin to challenge and question legal reasoning may be seen by some as questioning their very existence, because it involves questioning foundations upon which people order their lives. This is a very real risk; but if your understanding of your position in society is falsely founded, then it is necessary that this ground be disturbed.

II. THE COMMUNITY OF STORIES

“Legal scholarship,” says Jerome Culp, “remains one of the last vestiges of white supremacy in civilized intellectual circles.” Despite its claims to neutrality and to objective standards of merit, traditional legal scholarship is no less a product of race than the works of critical race theorists, nor is it less subjective in its standards of value than the narratives that are still viewed with such distrust.

Perhaps the greatest hurdle that Narrative has to overcome in seeking its place of influence in the legal sphere is to make the convincing argument that theory should be founded on human experience. Human experience should be the basis for all learning. Unless we recognize the value of human experience,
then there is little chance that humanity will progress and develop to its full potential. One of the values of human experience is that you learn from your own experience, as well as from that of others. Storytelling presents itself as an effective means of sharing experiences. The sharing of experiences must be aimed at creating a new existence based on the knowledge derived from that sharing. In this way, then, Narrative is a constructive method, for it builds a new environment in which those who hear and learn from the stories can live. This is based on Delgado’s insight that

stories build consensus, a common culture of shared understandings, and deeper, more vital ethics . . . . They can open new windows into reality, showing us that there are possibilities for life other than the ones we live. They enrich imagination and teach that by combining elements from the story and current reality, we may construct a new world richer than either alone.16

This enrichment of imagination allows for theorizing ways of being which may not presently exist.17 In particular, it allows for the formulation about what was and what has come after. This is the theory of imagination-evolution,18 or perhaps even more precisely, the theory of human experience.

Viewed in this way, one begins to think about human experience in theoretical terms. Many believe that theoretical musings belong to the realm of the abstract, and have little or no grounding in reality, not to mention human experiences. However, theoretical underpinnings, when tempered with human experience, allow for a much more humanized construction of reality.

Part of this humanized construction of reality involves a recognition of the power of group solidarity. Particularly in the context of an outgroup, where marginalized status has created a feeling of despair and a wounding of the spirit, group solidarity is a necessary factor in the healing process. Before the healing process can begin, there must be a recognition that one has been wounded. If the cause of the injury is marginalized status, then those on the periphery must believe that they do not belong there. In other words, the group must believe that they have been relegated to a subordinate position in the social ordering of things, and that this allocation is not deserved or just. This belief is founded on an inherent sense of self-worth, value, and accomplishment. The injury arises when, despite one’s confidence in one’s own ability and one’s sense of self, the ordering of the status quo dictates a subordinate social position. This conflict is irreconcilable; either individual self-worth or margin/center hierarchies must prevail. In order to prevail, however, individuals must be made aware that they are not alone in their marginalized position; the most obvious way of learning about others who are similarly situated is to listen to their stories.

17. This is in essence a combination of what once was and what has come after; it is the fusing of time.
18. This assumes that the imagination is allowed to evolve or develop because the consciousness has been enriched by the stories of others. See generally Delgado, supra note 6, at 2439-40.
NARRATIVE: THE ROAD TO BLACK FEMINIST THEORY

[Stories about oppression, about victimization, about one's own brutalization—far from deepening the despair of the oppressed, lead to healing, liberation, mental health. They also promote group solidarity. Storytelling emboldens the hearer, who may have had the same thoughts and experiences the storyteller describes, but hesitated to give them voice. Having heard another express them, he or she realizes, I am not alone.]

Recognition that one is not alone is itself an empowering revelation. Once empowered, marginalized groups will not remain on the periphery for too long. Thus, in promoting group solidarity, storytelling also ensures group self-empowerment.

The practice of storytelling or Narrative also enables those on the margin to perceive the power structure in a different way. First, the storyteller realizes that the power she derives from telling her own stories was always in existence; she needed only to harness and exert it. Second, Narrative functions to challenge the "majoritarian mindset." Alex Johnson, quoting from Richard Delgado, notes that "a major stumbling block to racial reform is the majoritarian mindset—the group of 'truths,' myths and received wisdoms that persons in the dominant group bring to discussions about race. To analyze and displace these power-laden myths, CRT [Critical Race Theory] writers employ parables, narratives, and 'counterstories.'"

The basis for this challenge is human experience. Quite simply, if the "majoritarian mindset" is not reflective of one's experiences, then that mindset is open to be questioned.

The challenge Narrative makes to the "majoritarian mindset" often comes as the "Voice of Color," because race is the demarcation line which distinguishes the margin from the center/mainstream. Alex Johnson explains that

the Voice of Color is socially constructed; it is a product of the past and present which looks to the future. Most importantly, it looks to the future in such a fashion that if current racial categorizations, unfortunately, are maintained (which is highly likely if history is any guide), those categorizations will result in the continued subordination of African-Americans.

The Voice of Color, then, is that voice which speaks from the margins (and the reality is that the margin is populated by people of color). Johnson defines the Voice of Color as a type of scholarship with an outsider's perspective that takes account of the ways the social construct of race has been

19. Id. at 2437.
20. This notion of empowerment seems to contain within it the impression that those who practice the art of storytelling are powerless without it. This is not entirely true. For it is the inherent power of the group which initiated the storytelling to begin with.
22. This presumes, of course, that people will value what they themselves experience, witness, and feel over what they are told by those who have no connection (or interest) in their lives.
23. This recognition is the product of human experience at the margin.
24. Johnson, supra note 9, at 832 (footnote omitted).
and continues to be used to deny people of color equal membership in society.\(^{25}\)

The Voice speaks out to challenge the legitimacy of racial categorizing. This outspokenness is inspired by disagreement with the presumption that race is a worthy or necessary divider. The Voice of Color demands that it be heard, for it speaks of the possibility of a society which is not founded on racial lines. As it makes its demand, the Voice of Color is cognizant of the fact that such a society seems counterintuitive to the "majoritarian mindset." Given this, the Voice concedes that it may be difficult (if not impossible) to seek to convince the dominant society that race has no impact on societal ordering. The Voice itself does not believe this. For the Voice of Color speaks from a position that it has because of its race. So the Voice cannot seek to immediately eradicate any politics associated with race (identity politics in essence). Instead, it seeks to demonstrate how the Voice has been and continues to be marginalized by the history of the way in which race has been constructed.

Johnson, in exploring the identity of the Voice of Color, makes reference to Neil Gotanda’s mode of analysis called "historical-race,"\(^{26}\) which focuses on the way race has been used to

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ascibe attributes to members of the group based solely on their identification or membership in that group . . . . Historical-race focuses on how the racial group’s history affects current issues. Its focus is not on the individual’s present membership within the group, but rather on how the group’s historical treatment influences the present treatment received by either individual members or the group as a whole.\(^{27}\)
\end{quote}

Viewed in this way then, it is understandable that the historical treatment of people of color (African Americans in particular) as people of lesser human status, and in some cases as less than human, has greatly influenced the present day perception and treatment of people of color. On the basis of the historical-race argument, the Voice of Color asks that it be compensated for the discriminatory treatment that it was unfairly subjected to in the past. In order to achieve this in the present, race and its historical impact must be taken into account.

Johnson asserts that the Voice is the embodiment of a detailed and complicated history.\(^{28}\) He quotes Mari Matsuda as saying that outsider jurisprudence is

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grounded in the particulars of their [the outsiders’] social reality and experience. This method is consciously both historical and revisionist, attempting to
\end{quote}

\(^{25}\) Id. at 832-33.

\(^{26}\) See id. at 834-42 (providing a thorough discussion of other racial category arguments, including a comparative analysis of the notions of "historical-race," "status-race," "formal-race," and "culture-race").

\(^{27}\) Id. at 838.

\(^{28}\) See generally id. at 845.
know history from the bottom. From the fear and namelessness of the slave, from the broken treaties of indigenous Americans, the desire to know history from the bottom has forced these scholars to sources often ignored: journals, poems, oral histories, and stories from their own experience of life in a hierarchically arranged world.29

The Voice (particularly that of scholars of color) is driven by an inner longing to reclaim one's past. In essence, it is the desire to speak for those who came before who could not speak for themselves (or who could speak but were not listened to). It would seem then, that this knowledge of "history from the bottom" would give those who speak in the "Voice of Color" a better understanding of the operations of the world. From the position on the margin, one appears to have a wider scope of observation. If credit is to be given for experience, then the value of Narrative is emphasized. What is Narrative if not a recounting of one's history and experiences?

If value is to be given to the practice of storytelling, then the argument must be made that storytelling serves a functional purpose, or fills a void, unlike anything else can. Storytelling and the history of the oral tradition enable one to reconnect with one's past and one's ancestors in the process of asserting one's voice in the present. Ideally, this combination of reconnection and assertion will allow for the creation of a more equitable position in the future. The point is that the story—one's personal narrative—is essential to one's identity and one's sense of self. Not only are you the sum total of your experiences, but you are the total of the experiences of those who came before you; your experiences lay the foundation for that of those who will come after you. Thus, knowledge of the self is dependent upon knowledge of the past. This knowledge is most accurately and reliably passed on through the practice of storytelling.

Just as stories are a reflection of the society in which they are constructed, then so too can stories construct social reality. The perception of those on the margin is different from those in the mainstream, and it is those on the margin who engage in the practice of storytelling.30 As the practice grows, develops, and becomes popularized, these stories will impact upon societal thinking, and, by trickle down effect, the institutional construction of the ordering in society. As outsider Narrative presents itself in the form of counterstories or oppositional discourse (that which speaks against the mainstream, because the mainstream does not address the experiences of the speaker), then after a time, the "majoritarian mindset" will be eroded by the impact of stories. One might think that this would only succeed in perpetuating an endless cycle where the margin and the mainstream merely exchange positions, depending on whose stories are dictating the status quo. However, I doubt that this will be the case. Once the "Voice of Color" is able to assert itself and argue for the development of a progressive society which is not

29. Id. at 849 n.209.
30. See Delgado, supra note 6, at 2435.
strictly divided on the basis of race, then a truly equal and non-racially stratified society can become a possibility. This may be seen as an idealistically simplistic solution, but it is a solution which is premised on faith in the "Voice of Color" to bring the voice of reason into societal relations.

III. THE CONSTRUCTION OF THEORY

Since the time of antiquity, human beings have been obsessed with theorizing about their own existence. As long as theory has existed, Narrative too has existed as a form of expression. In fact, "Narrative is a methodological form of scholarship that Euro-American males have cited for generations. Its use currently may be in vogue by scholars of color and feminist scholars, but by no means was it historically their province."\(^3\) It is interesting that those whose province historically included Narrative are now so intent on discrediting it. Perhaps those critics were unable to capture the persuasive status quo altering characteristic of Narrative to the same extent that outgroups now are. Or perhaps even more likely, the persuasiveness of the dominant group's stories was so strong that they were accepted as the only reality. It would seem that

[empowered groups long ago established a host of stories, narratives, conventions, and understandings that today, through repetition, seem natural and true. . . . Today, newcomers are telling their own versions, including counter-stories, whose purpose is to reveal the contingency, partiality and self-serving quality of the stories on which we have been relying to order our world.\(^3\)]

Theory has presented itself as being inaccessible. Theory can interpret and guide human relations. But in order to properly do this, the theory must be comprehensible to those whose lives it is intended to affect. The broad realm of theory is abstract and inaccessible in and of itself, but legal theory is even more so. The law, despite purporting to progress with the development of the human mindset, is perhaps the most rigid area of academic theory. The rigidity of the law may be founded in some archaic belief that the world will fall into chaos if the law does not remain as its strong and steady foundation. This belief places far too much emphasis on abstract ordering and gives too little credit to human reason. Abstract ordering and human reason are two very distinct processes. Furthermore, the abstract ordering which characterizes the law is presented as reasonable and devoid of human emotion. This characterization of the law is founded on the erroneous belief that reasonableness and human emotion are contradictory.\(^3\) Thus the law, in seeking to maintain an artificial distinction between reason and emotion, results in a

\(^{31}\) Johnson, supra note 9, at 812-13 (footnotes omitted).


\(^{33}\) I believe that human emotion and human reason are not opposites; rather, human reason is functioning at peak form when tempered by human emotion.
very contrived, unnatural legal theory, which cloaks itself in inaccessible language so as to disguise its folly. Delgado explains that the assumptions underlying much legal writing are themselves stories, not the timeless first principles as which they are presented.34

Stories, then, have been behind legal theory all the time. In the effort to distort this reality, stories have been discredited. If the true value of Narrative were recognized and accepted, then the law would be much more responsive to human development.

Inaccessible language lends a certain type of credibility to theory. Those who write and speak in this genre are those brave undaunted souls who venture forth into the unknown and attempt to make sense out of it all. That is indeed the image that rests with most theorists, and I will argue that this image is sorely misconceived. In exploring the basis of the academic reverence for theory, Carole Boyce Davies discusses Catherine Lutz's view: "'theory' can be said to be writing which identifies itself . . . first, through self-labelling, second, abstract language, identified with level of difficulty, third, styles and modes of citation of others’ work . . . fourth, the text’s positioning of itself at, or in relation to, a moment of origin."35 In this way, then, "theory" can be seen to be audacious in its practice of self-labelling and self-positioning. If this is in fact the essence and nature of theory, then anything which takes on these characteristics can become "theory." Narrative fits this definition.

A culture’s folklore is indeed self-labelling and self-positioning. If written in vernacular, the language can be inaccessible and can present a certain level of difficulty for those not schooled in its nuances. If, as Lutz asserts, theory is defined as writing that is difficult, self-positioning, and self-labelling, then Narrative fits this definition.

Theory presents a particular way of both seeing and understanding concepts. This too is an adequate definition of Narrative. By presenting a particular way of seeing things, Teresa Ebert has said that "[t]heories produce concepts through which the world is made intelligible and specific social relations are validated, thereby benefiting certain groups while oppressing others, whether or not that is the intention of the theory."36 Part of the mystery and inaccessibility associated with theory is that not only does it reflect a particular way of seeing things (or the world in general), but it makes this reflection incomprehensible to those who reside outside of the sphere of the theorists. In this way, theory is not just about inaccessible language, but also about privilege—that is, the privilege of understanding and relating to the story of the theory. For, if a theory is merely a reflection of something, or even some bundle of things, then it is in essence little more than a story. And theorists are simply over-revered storytellers. As discussed

34. Delgado, supra note 6, at 2440-41.
36. Id. at 41.
in Part II, the key to storytelling is that it be based on experience—usually common experience so as to form a common bond between the storyteller and the audience. It is not difficult to conceive that power-imbalance are based upon theories; whether it be racism, sexism, classism, a combination of any or all three, or something entirely different, the power imbalance exists within a certain theoretical structure.

Somewhere along the line, the fallacy was conceived and perpetuated that only those who have the power are capable of understanding and theorizing about power. This presumes that theory is always developed from a position of privilege, and thus that oppressed peoples are incapable of theorizing about their own oppression. So it is done for them. The end result is that the theorists present their theories on their dominance (and somehow this becomes normal and justified), as well as theorizing about the experiences of oppressed peoples (and suddenly the oppression does not appear to be so bad). Earlier I argued that one of the characteristics of theory is that it be based on some sort of experience. This is not the case when the oppressor theorizes about the experiences of the oppressed. Moreover, this theory is presented in language that is inaccessible and incomprehensible to the oppressed peoples themselves.

Theory is imbued with the notion of knowledge—the theorists “know” that about which they are theorizing. I have argued that knowledge comes only from experience—either personal or someone else’s, passed down to you (usually verbally). However, mainstream theory pretends to a knowledge that is superior to and untainted by experience. This belief perpetuates the myth of theory’s credibility. Theory must be informed by the experiences of those on the margin. Failure to do so can only result in unchallenged and incomplete theories. In commenting on the lack of representation

37. In the field of literary criticism, Toni Morrison addresses
the validity or vulnerability of a certain set of assumptions conventionally accepted among literary historians and critics and circulated as “knowledge.” This knowledge holds that traditional canonical American literature is free of, uninformed, and unshaped by the four-hundred-year-old presence of, first, Africans and then African-Americans in the United States. It assumes that this presence—which shaped the body politic, the Constitution and the entire history of the culture—has had no significant place or consequence in the origin and development of that culture’s literature. Moreover, such knowledge assumes that the characteristics of our national literature emanate from a particular “Americanness” that is separate from and unaccountable to this presence. There seems to be a more or less tacit agreement among literary scholars that, because American literature has been clearly the preserve of white male views, genius, and power, those views, genius, and power are without relationship to and removed from the overwhelming presence of black people in the United States. This agreement is made about a population that preceded every American writer of renown and was, I have come to believe, one of the most furtively radical impinging forces on the country’s literature. The contemplation of this black presence is central to any understanding of our national literature and should not be permitted to hover at margins of the literary imagination.


The contribution of the “black presence” should not be interpreted as being limited to the “national literature.” But rather this can be extended to apply to that area which is thought to be the most sacred ground of “white male views, genius and power”: the law. If it is difficult to import the views and works of those who exist at the “margins of the literary imagination,” then it is almost impossible to hear the voices of those who exist at the margins of legal fiction.
and accountability, one cannot ignore Audre Lorde's question: "What does it mean when the tools of a racist patriarchy are used to examine the fruits of that same patriarchy? It means that only the most narrow perimeters of change are possible and allowable." 38 Those who are familiar with the origin and construction of a certain theory or theoretical structure are probably not its best (and certainly not its most impartial) critics. The theoretical process involves critiquing, defending, and reformulating the theory. Those who exist on the margin are perhaps the most qualified to critique the mainstream, because their experience reveals its limitations. Development of marginalized peoples' own theory in their own way and by their own standards will serve as more insightful criticism than that offered by members of the dominant majority. Most often this criticism will address shortcomings in the mainstream's theory—particularly that it does not take the needs of the minority into account. Yet this failure is the very thing that enables the power imbalance to operate in the way that it does.39

Currently, "Critical Race Theorists articulate concerns that may have been ignored or marginalized by the dominant discourse, problematize concepts that seem otherwise immune from scrutiny, and suggest resolutions that are frequently at odds with the prevailing demands of convention or fashion."40 One of the implied solutions to these concerns is that heed be paid to a new method of analysis and a new voice. A prime suggestion for a new method of analysis would, of course, be Narrative. "[N]arratives have the capacity to reveal truths about the social world that are flattened or silenced by an insistence on more traditional methods of social science and legal scholarship."41 Since theory does purport to be based on truths, Narrative is the most desired method of criticism because it gives a voice to the silenced and thereby is a tool of liberation.42 To be an effective tool of liberation and to have any grounding whatsoever in reality, heed must be paid to the experiences of the oppressed. Presumably, lived experience is the ultimate test of theory. Thus, "[t]o attempt to examine lives, experiences, consciousness or action outside of the narratives that constitute them . . . is to distort through abstraction and decontextualization, depriving events and persons of meaning."43 Theory, then, must be developed in dialogue with experience and practice.

There is a symbiotic relationship that exists between theory and practice, although the nature of this relationship is very rarely discussed, much

39. I am unsure whether the aim is for the margin to usurp the power position of the mainstream. For the time being, the margin is struggling simply to be heard in the effort to make its existence more tolerable.
41. Patrick Ewick & Susan S. Silbey, Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative, 29 L. & SOC’Y REV. 197, 199 (1995). This is referred to by the authors as the epistemological ground of Narrative.
42. Id. This is referred to by the authors as the political ground of narrative.
43. Id.
less discussed in any sort of academic fashion. That theory and practice feed off of one another is known in contemporary society and seems to be easily taken for granted. In the daily practice of life, "[w]e are always embroiled with theory—even when the word itself is absent."\textsuperscript{44} For people who exist on the margin, and particularly for Black women, the theory that dominates their lives is the theory of resistance. This is the theory that one formulates when trying to exist and survive in the midst of oppressive structures which seek to deny and destroy your very humanity. It is the theory of resistance which enables marginalized peoples to create an identity for themselves (an identity which does not factor in the relationship between margin and mainstream). Such a theory is guided by the influence of culture and tradition. The lessons of the past lay the foundation for the present construction of the theory of resistance. In African-American culture, tradition is documented in literature and oral folklore. Part of the African-American literary tradition explores the experience of being located in a society in which one is denied full belonging. The consequences of being denied full belonging are acute in the legal realm and in legal theory. "Academic writing is in many ways an insular type of discourse which circulates among the learned or initiated. So questions of audience are central to the issues of writing and theory."\textsuperscript{45} Because people on the margin are not the intended audiences of legal theory (although they are often the subjects of the discourse and are victimized by it), legal scholarship and theory have not been incorporated into their theory of resistance. However, legal theory cannot be ignored. In order to be fully effective as a tool of liberation, their theory of resistance must recognize legal theory and criticize its shortcomings in a response which can be classified as oppositional discourse. This is premised on the understanding that legal theory is nothing more than a type of story. "Dominant discourse, after all, can itself be viewed as narrative, albeit narrative in which much of the story remains clouded and from which much is omitted."\textsuperscript{46} Legal storytelling/academic discourse/theory\textsuperscript{47} is unsatisfactory because "[t]he story that is told in the prevailing legal literature is that of white people. Ordinarily, however, the underlying social experience is overlooked, denied, or unacknowledged. Legal scholarship thus becomes, for people of color, one more race-related experience."\textsuperscript{48} Viewing legal theory as a race-related story deflates the ego and image that legal theory has crafted for itself. If recognized for what it truly is ("one more race-related experience"), then the people whose experience of race is paramount to the legal theory will find themselves in an elevated position of knowledge.

\textsuperscript{45} Davies, \textit{supra} note 35, at 40.
\textsuperscript{46} Cook, \textit{supra} note 15, at 99.
\textsuperscript{47} In essence, all terms refer to the same thing. But the different connotations implied by "academic discourse" and "storytelling" illustrate the role that language plays in heightening inaccessibility and maintaining positions of margin and center.
\textsuperscript{48} Cook, \textit{supra} note 15, at 105 (footnote omitted).
needed to critique the theory. This elevation comes about from the outgroups’ recognition that their characteristic of race is the basis for a majority of legal reasoning (whether or not that reasoning or theory explicitly claims itself to be related to racial constructs) and thus they can come to view themselves, as not on the margin, but rather in the center of legal theory.\textsuperscript{49} And this coveted position of center allows one the privilege of telling stories—presenting views from that vantage point.

The current basis for viewing narratives “with such distrust” may be the realization on the part of those who dominate academic legal storytelling of just how vulnerable their position is. This vulnerability stems from the fear that the outgroups will recognize that all along there has been no legitimate justification for their marginality, and that in fact the stories which justify the dominance of the mainstream are nothing but legal fiction.

**IV. THE NARRATIVE THAT IS BLACK FEMINIST THEORY**

If theory is distilled to be little more than the stories of experience, then the argument can be made that Black Feminist Theory is reflected in the stories and Narrative of Black women. Given the symbiotic relationship between theory and practice discussed in Part III, Narrative is the basis or the sustenance of Black Feminist Theory. Narrative is both the theory \textit{and} the practice.\textsuperscript{50} The unity of theory and practice implies the unity of the theorizer and experience. Black women are informed and shaped not only by their own personal experiences, but the experiences of those around them and those that came before them. If the influence one’s own experience (or that of another) has on one’s vision and construction of the world in which one lives is acknowledged, then Black Feminist Theory is not simply a method for viewing, constructing, or even deconstructing social reality. Rather, it is a way of life and living in general.

Valerie Smith explains that Black Feminist Theory includes “a way of reading inscriptions of race (particularly but not exclusively blackness), gender (particularly but not exclusively womanhood), and class in modes of cultural expression.”\textsuperscript{51} The practice of “reading inscriptions” is a way of interpreting relations between one’s self and others. Whether consciously aware of it or not, this interpretation is a practice endemic to human existence. Life’s events, no matter how trivial or spectacular, are always interpreted as being in relation to something else. This notion of relational interpretation is essentially about experience. Experience dictates the way in which things

\textsuperscript{49} Legal theory here is referred to in the most basic sense of being about the allocation of power in society, and what the possessors of that power do with it.

\textsuperscript{50} I believe that disjunction between theory and practice does not in any way advance the development of either.

will be interpreted. And if interpretation is really about theorizing, then it is the basis of theory.

Those who set out to perfect and develop the study of Black Feminist Theory recognize that experience is paramount. Thus, "[l]iving life as an African American woman is a necessary prerequisite for producing black feminist thought because within black women's communities thought is validated and produced with reference to a particular set of historical, material and epistemological conditions." The Narrative theory of Black women incorporates both a gender and a race analysis into the storytelling. This combined perspective results in an altered form of the story, and the alteration may in fact challenge the validity of the story itself.

An alternative epistemology challenges all certified knowledge and opens up the question of whether what has been taken to be true can stand the test of alternative ways of validating truth. The existence of an independent black women's standpoint using an Afrocentric feminist epistemology calls into question the content of what currently passes as truth and simultaneously challenges the process of arriving at that truth.

This process assists one in understanding the "theory of truth," and conscientious theorists will question whether truth itself is little more than an often told story.

It is important to emphasize that Black feminist thought is indeed a tradition: unlike other types of thought or academic movements, it has long been in existence. Black feminist thought possibly even predated much of contemporary theory, including those which now seek to discount Black feminist theory. If nothing else, this pre-existence has provided a broader range of experiences from which to draw as the basis for theory.

Other theoretical modes do not pay enough attention to the reality of experience. There is a gap in the traditional theoretical realm: no one specifically speaks for Black feminists or the centrality of experience to theory. Furthermore, Black feminists assert that no one can adequately speak for them. Thus they seek to create space for themselves in theorizing about their own existence. This space will move with them from their position on

53. Id. at 352.
54. Namely those of white men, white women, and Black men.
55. During the slavery era, Mary Helen Washington wrote of Black women's writing: "it takes the trouble to record the thoughts, words, feelings, and deeds of black women, experiences that make the realities of being black in America look very different from what men have written." THE BLACK WOMEN'S GUMBO YA-YA: QUOTATIONS BY BLACK WOMEN 34 (Terri L. Jewelled., 1993).
56. For example, neither white women's experience of sexism nor Black men's experience of racism alone, nor simply adding the two together, is equivalent to Black women's experience of both. As Smith notes, "[s]uch a formulation erases the specificity of black woman's experience, constituting her as the point of intersection between black men's and white women's experience." Smith, supra note 51, at 47 (footnote omitted).
the margin as those who are outside of the traditional theoretical realm into the center, where they can engage in their own mode of theorizing.

In asserting the unique experience of Black women, one must be careful not to assume that all Black women share the same experience. To make this assumption is just as disrespectful as to assume that the experiences of Black women are not worthy of special attention. It is true that Black women may have more in common with one another than they may with either Black men or women of any other race. But this commonality allows for a broader basis of shared experience—it does not and should not imply that Black women have in common a monolithic experience. Yet, despite the resistance to being classified as a monolith, there are certain commonalities within the uniqueness of Black women’s experiences. In Beverly Guy-Sheftall’s introduction to her anthology of African-American feminist thought, she discusses five commonalities in African-American feminist thought:

1) Black women experience a special kind of oppression and suffering in this country which is racist, sexist and classist because of their dual racial and gender identity and their limited access to economic resources; 2) This “triple jeopardy” has meant that the problems, concerns and needs of black women are different in many ways from those of both white women and black men; 3) Black women must struggle for black liberation and gender equality simultaneously; 4) There is no inherent contradiction in the struggle to eradicate racism and sexism as well as the other “isms” which plague the human community, such as classism and heterosexism; 5) Black women’s commitment to the liberation of blacks and women is profoundly rooted in their lived experience.

These five elements can be seen as the framework for Black Feminist Theory. This paper has explored the fifth element: the connection between Black women’s liberation and their lived experience. Whatever personal differences may exist in the history of Black women’s experiences, there is the common experience of oppression. This common experience has inspired within Black women the common desire for liberation. Even as they endeavor to make their voices heard as being distinct from others who may have been similarly oppressed (i.e. Black men), there is still the recognition that the vision of liberation that Black women have is not just for themselves, but for Black men as well. This sentiment is reflected in Black scholar and educator Anna Julia Cooper’s often-quoted phrase: “When and where I enter in the quiet undisputed dignity of my womanhood without violence and without suing or special patronage, then and there the whole Negro race enters with me.”

Black feminist thought is not really a new theory (for Black women have always been theorizing about their existence), but it is a "rearticulation of a consciousness that already exists." 59

The strategy of rearticulation discussed here appears to be a necessary component of the theory of resistance. Resistance arises from a recognition that things need not remain the way they are. Thus the rearticulation allows for growth and development within Black Feminist Theory. Those who acknowledge the influence of Black women's writing on the formulation of their theory would most probably agree with Audre Lorde's characterization of the artistic process as one which affords Black women the comfort of being able to reach their true selves. That is, a self which exists without the constant fear of remaining in an oppressed position on the margin; a self which acknowledges the strength that will result from asserting one's own identity and formulating one's own theory. She states:

As we learn to bear the intimacy of scrutiny and to flourish with it, as we learn to use the products of that scrutiny for power within our living, those fears which rule our lives and form our silences begin to lose their control over us.

For each of us as women, there is a dark place within where hidden and growing our true spirit rises, "beautiful and tough as chestnut/stanchions against (y)our nightmare of weakness" and of impotence.

These places of possibility within ourselves are dark because they are ancient and hidden; they have survived and grown strong through that darkness. Within these deep places, each one of us holds an incredible reserve of creativity and power, of unexamined and unrecorded emotion and feeling. The womb's place of power within each of us is neither white nor surface; it is dark, it is ancient, and it is deep. 60

Lorde seems to be revering the purity of the Black woman's creative spirit for not having a history of exposing itself. Yet at the same time, she seems to be advocating its exposure, stating that it is time to release the "reserve of creativity and power of unexamined and unrecorded emotion and feeling." The difficulty comes in trying to reconcile the fact that the spirit will not lose its sanctity once it has been exposed. That which has developed for centuries in darkness and obscurity must step into the light, yet not allow itself to be tainted or destroyed by the public attention.

59. Black feminist thought... can encourage collective identity by offering black women a different view of themselves and their world than by that offered by the established social order. This different view challenges African American women to value their own subjective knowledge base. By taking elements and themes of black women's culture and traditions and infusing them with new meaning, black feminist thought rearticulates a consciousness that already exists. More important, this rearticulated consciousness gives African American women another tool of resistance to all forms of their subordination.

HILL COLLINS, supra note 52, at 341.

60. LORDE, supra note 38, at 36-37 (footnote omitted).
Given that the argument for a distinctly Black woman's perspective is becoming more accepted in the literary field, the argument for a Black Feminist Theory based on Black women's Narrative is not at all a far stretch. However, the problems that plagued the earlier movement to incorporate the works of Black women into the literary canon and also to value the criticisms of Black women in this area still remain. The basis for some of these problems is quite simply a resistance to alter standards of valuation. Yet, the standards must be altered if the works and criticism of Black women are to have any real meaning, for the present standards have no real bearing on the particular realities of Black women's lives. The reasoning for this is that:

[B]lack feminist theorists argue that the meaning of blackness in this country shapes profoundly the experience of gender, just as the conditions of womanhood affect ineluctably the experience of race. . . . [B]lack feminist literary theorists seek particularized methodologies that might reveal the ways in which that oppression is represented in literary texts. These methods are necessarily flexible, holding in balance the three variables of race, gender, and class and destabilizing the centrality of any one. More generally, they call into question a variety of standards of valuation that mainstream feminist and androcentric Afro-Americanist theory might naturalize.

In advocating for the credibility of Black women's theory and Narrative, it may be argued that in their attempt to speak of reality in understandable and applicable terms, and to be judged on their own basis and not compared to something to which they are in effect incomparable, then perhaps Black women can be seen to have the true connection to natural standards of valuation. For to be natural, standards cannot be contrived by those unfamiliar with the experience upon which the work is to be judged. Perhaps, Black women as the original true great storytellers were also the original theorists.

CONCLUSION

There is a need for a distinctive Black Feminist Theory. The Narrative method is the most practical way of filling that need. The Narrative tradition is a rich and varied one, just as are the individuals who sustain it. The beauty of Narrative is that it is in a constant state of growth and development, just as the lives of the storytellers are. As long as the world is comprised of individuals who encounter different experiences, then the Narrative tradition will never lack for stories. A unifying theme in Black women's stories is the quest for liberation and the importance of resistance. It is this desire to overcome which drives the Black woman's life, her story and her theory. This notion was perhaps best articulated by poet, author, and playwright Ntozake

61. "[C]ontemporary Afro-American literature . . . is the key manner available to black women to make known their views on history, sexuality and culture." MICHÈLE WALLACE, INVISIBILITY BLUES: FROM POP TO THEORY 220 (1990).
62. Smith, supra note 51, at 47.
Shange’s words: “... bein alive & bein a woman & bein colored is a metaphysical dilemma/ i haven’t conquered yet.”\(^6\) So long as there are dilemmas to conquer, there will be stories to be told.

**POSTSCRIPT**

When this paper first conceived itself in my mind, the original idea was to use the actual stories themselves and have them unfold the theory inherent in them. I truly believed that the stories could expound upon their worth and applicability far better than I. I still believe that. However, as I began to write, I found that the paper was structuring itself much like any other academic piece, and my visions of having the stories take center stage were quickly fading.

I began to fear that I was being complicit in the very thing that I set out to criticize: that I was valuing academic structure over the traditional Narrative genre. Despite my ambition, I had found myself so far removed from my own community’s traditional (and what I had believed was a natural) practice of storytelling that I could not coherently incorporate it into my work. Needless to say, I was terribly distraught by this realization.

But, all was not lost. For the seed of survival buried deep within me sprang forth and I came to a further and more complete realization: I have become so deeply entrenched in academic standards and mainstream versions of truth that the stories and the wisdom and the theories of my foremothers are no longer a part of my immediate repertoire. Yet, I did not despair; what I have managed to do is to use the centrist language and theory that I have been indoctrinated in and turn it on its head to boast of the importance of storytelling in the very same structure, style, and language that, were it not for my seed of survival, would have me discount the validity of stories. I have applied some of the most rigorous standards against the narrative genre, and in my opinion, it has passed without question. This process has enabled me to reconnect with the stories that were deep within my own psyche, and have now emerged at the surface. Indeed this paper did not take the form that I had initially envisioned, but I realize that that initial vision may have been a little ambitious. It was necessary that I go through the motions of this rigid academic process, and then discount it in favor of the more flexible (but no less theoretical) narrative style. What I have established over the course of this project is a building block for a paper that I was not yet ready for: a work written purely in the Narrative form. This would be a work imbued with theory and consciousness that I would have been unable to understand (much less write) before. I am ready now.

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