Resistance Tactics for Tokens

Regina Austin

*University of Pennsylvania Carey Law School*

Follow this and additional works at: [https://scholarship.law.upenn.edu/faculty_scholarship](https://scholarship.law.upenn.edu/faculty_scholarship)

Part of the African American Studies Commons, Civil Rights and Discrimination Commons, Higher Education Commons, Higher Education and Teaching Commons, Law and Society Commons, Legal Education Commons, and the Race and Ethnicity Commons

Repository Citation

Austin, Regina, "Resistance Tactics for Tokens" (1986). *Faculty Scholarship at Penn Law*. 810. [https://scholarship.law.upenn.edu/faculty_scholarship/810](https://scholarship.law.upenn.edu/faculty_scholarship/810)

This Book Review is brought to you for free and open access by Penn Law: Legal Scholarship Repository. It has been accepted for inclusion in Faculty Scholarship at Penn Law by an authorized administrator of Penn Law: Legal Scholarship Repository. For more information, please contact PennlawIR@law.upenn.edu.
Reading Derrick Bell’s *Chronicles* was a thrilling experience because I felt that I was participating in an intellectual exchange with other Black folks. I added my two cents worth to be sure. Naturally, I talk to myself. Who else is there to talk to?

The *Chronicles* made me feel the chill of the intellectual isolation of my token existence in a way that I have not for some time. Being a token is like being in solitary confinement, in a prison no one can enter even with the best behavior. The jailers are my colleagues who use insult as a disciplinary device. They zing and zap with abandon. The wounds heal, and the scars are the stories I swap in whispered tones and sardonic laughter with the other Black and working class women of the Law School (the cleaning ladies, the secretaries and the students).

Sometimes my own self-respect is the target. For example, one of my colleagues came into my office shortly after I was granted tenure and draped himself on my couch ready for conversation. He proceeded to inform me that he was glad that it had been unnecessary for him to write a memorandum in support of my promotion because he really did not know what he would have said about my articles. This colleague is, of course, our affirmative action officer.

More often, some other Black or minority person is the subject of the barb. I will not soon forget the day that a junior member of the faculty who teaches some variant of civil rights law asked in all seriousness exactly what was so special about Derrick Bell as an appointments prospect. Along the same lines, one of them said about the *Chronicles*: “Enough already! Why don’t they simply ask for reparations?” The students get their share of put-downs, too. For example, when the idea of adding a third student, a minority group member, to the appointments committee was being discussed, one of my senior colleagues wondered whether we should be sending a message to our minority students that it was appropriate for them to commit so much time to nonacademic pursuits.

I could go on. Any token could. I cannot imagine sharing my scholarly ideas with such people. But then, they cannot imagine that I have any ideas to share. They may be right, but for the wrong reasons. Whether I am smart, or whether Black people have an activist rather than an intellectual tradition is beside the point as far as I am concerned. My intellectual muteness is not the product of my acquiescence in their beliefs of my inferiority, but of my rejection of those very beliefs. Quite simply, responding to their abuse is a full-time job. It takes vigilance, cleverness and a great deal of self-constraint. Although it would often be more expedient to blast some idiot out rather than to employ one’s wiles in exacting revenge, my
resistance has to be measured. I am a tenured professor, and I know that there are other minority folks who are more vulnerable than I am. They often need what little protection I can provide through diplomatic moves on their behalf. Moreover ranting and raving, while useful, has its limits and varying one’s tactics keeps the enemy off guard. Thus, the best form of resistance is often covert, unsuspected and guerrilla-like. What I have in mind is the token's equivalent of poisoning the master’s coffee.

Beyond that, “token resistance” should not only challenge erroneous premises; it should also alter the terms of discourse entirely. It is not enough to show white male law professors that you too are cerebral. That merely reinforces their ability to set the standards for maintaining self-respect and to dictate the agenda for your own liberation. The best sort of resistance criticizes and wrestles power in favor of a substitute norm. It seems to me that the Chronicles does that. It has footnotes and other indicia of scholarly erudition, yet it is readable and it subverts the law review format by conveying the message that Black people ought to be giving more thought to extralegal liberation strategies.

The resistance tactics I employ are woefully inadequate in light of these goals. I look forward to learning others from folks who read this.

In a community where moral discourse is prized, silence can be an effective tool for seizing a measure of power. White legal educational institutions hire a token so that the token can be the spokesperson for minority concerns. Refusing to engage in the charade of collegial exchange is a way of diminishing the moral worth of the discussions. Refusing to interact with racist colleagues, who will complain about your snubbing them, is also a way of denying them the power to be the determiners of what is and what is not racism. Merely laugh when you are told that the “victim” of your silence is powerless and that you are taking the matter too personally. The sheer fact that they take up the “victim’s” defense is proof of the mighty solidarity of racists. Moreover, it is they who employ one person, you the token, to embody the entire race.

Symbolic action sometimes works as well as words. One of my student friends wears a different button every day. Today it was a picture of Malcolm X; occasionally it is a Farrakhan slogan. Lately I have taken to whistling “Dixie” out of recognition of the fact that I am waiting to be liberated by the white male “radical” lawyer whom my colleagues preferred to a young Hispanic appointments candidate who was not liberal enough.

Writing this essay is a form of resistance. They know that I am doing it, but they do not know what I am writing. Leaving them to wonder should upset them a bit. They may fear that I will embarrass them and expose them. They would like to know what I really think of them.

The significance of acts of “token resistance” such as I have described must be understood. Redefining social norms in the workplace and struggling to restructure power relationships is good practice for doing the same sort of things in other economic and political arenas. Working out what it means to be free in the close at hand is essential to imagining what it would mean to be free in the larger economic and political world. I do not believe that dreaming will change reality, but we should be prepared to exploit structural weakness, should we happen into them.