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WHO'S AFRAID OF TIGER WOODS?

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April 1997 marked the 50th anniversary of Jackie Robinson breaking the color barrier in major league baseball.¹ While I was mourning the fact that so little progress had been made in 50 years, the mainstream media was celebrating it as an important moment in the nation's narrative of racial progress.² It was, in some ways, a bittersweet remembrance as the nation was forced to recall the dark days of racial segregation. But the pain or guilt is softened because those dark days are represented in grainy, black and white newsreels, relegated to the safety of the past.³

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This is a lightly footnoted version of a talk presented at LatCrit II, St. Mary's University Law School, May 1-4, 1997. It is an effort to begin exploring how multi-racial identity affects LatCrit theory. The essay questions why issues of multi-racial identity have not been extensively analyzed. Since Latina/os come from a myriad of racial backgrounds, LatCrit theory must explore the relationship between law and multi-racial identity. This essay is meant to bring these issues to the LatCrit roundtable discussion. I hope to encourage LatCrit scholars to investigate how Latina/o multi-racial identity informs and affects the law.

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1. *Major League Baseball Dedicates Season to 50th Anniversary of Jackie Robinson's Breaking Color Barrier*, JET, Mar. 17, 1997, at 48 (reporting that twenty-eight major league umpires wore "Breaking Barriers" arm patches during the 1997 season to pay tribute to Jackie Robinson).

2. See Claire Smith, *On Baseball: Jackie Robinson—50 Years, A Baseball Celebration; Color Issue Reaches People in Seats*, N.Y. TIMES, Apr. 10, 1997, at B11. It is interesting to note that there was a limited amount of racial integration in the early days of baseball. See *Celebrating the End of Segregated Baseball: The Flaw in the Diamonds*, THE ECONOMIST, Jan. 18, 1997, at 81 ("black Americans played alongside whites during the sport's pioneering era in the mid 1800s, but the tentative integration of those early days changed into a rigid colour barrier that lasted from the late 1880s until . . . 1947"). However, several researchers disagree with the rigid color barrier assertion. For accounts of Latinos who made it into the major leagues before Jackie Robinson did in 1947, see Roberto Rodriguez, *Before Canseco: Early History of Latinos in Baseball Full of Hits and Runs Around the Colorline*, BLACK ISSUES IN HIGHER EDUC., Apr. 18, 1996, available in 1996 WL 15575662; Roberto Rodriguez & Patrisia Gonzales, *Latino Influence in Baseball Evident in Negro and Major Leagues*, FRESNO BEE, June 17, 1996, at B5; Mal Florence, *The Inside Track, Barkley Has Own Take on Tiger Phenomenon*, L.A. TIMES, May 28, 1997, at C2.

3. The past was also memorialized in a feature-length film made a few years after Jackie Robinson broke the color barrier. See THE JACKIE ROBINSON STORY (Alfred E. Green 1950). The film begins with the following quote: "This is the story of a boy and his dream, but more than that, it is the story of an American boy and a dream that is truly

The past is then contrasted with the present where sports, at least on the playing field and with the exception of ice hockey, represents one of our most highly integrated institutions.⁴ As an aside, I might ask, why sports and the military are two of the most highly integrated institutions in this country? Of course, there are some pockets of resistance—golf comes to mind. But even there, we have the nice coincidence of Tiger Woods' spectacular victory at the Master's, celebrated as another breach of the color barrier.⁵ We see then that even in the highly discriminatory world of golf, hard work and merit are the keys to success. Tiger Woods, like Jackie Robinson, didn't engage in the discourse of victimhood, they didn't ask for affirmative action.⁶ Instead, through their exceptionalism, they overcame. So when Jackie Robinson and Tiger Woods are held up as role models,⁷ what exactly are we being told? I am reminded of the way Asian Americans and Cuban Americans have been constructed as model minorities.⁸ And so other minorities and poor whites are told to be like us—if they don't succeed, it's their fault. They should stop engaging in the discourse of victimhood. Nothing is said, though, of the discursive formation known as the "innocent white male."⁹

Although I am not much into spectator sports, I am fascinated by the way sports is represented as a democratic institution where you are limited only by the extent of your abilities (read: content of your character). Sports represent a key component in our nation's narrative of racial progress.¹⁰ Sports becomes a model of how racial progress has been achieved through a system of merit.

American." *Id.*

4. See David Steele, *Isiah Thomas Brings Equality to Ownership; First Black in True Seat of Sports Power*, S.F. CHRON., May 6, 1997, at D2.

5. See Jerelyn Eddings, *Tiger's Triumph, America's Gain*, U.S. NEWS & WORLD REP., Apr. 28, 1997, at 8. This article celebrates the coming together of different races in the name of excellence.

6. See JOHN STREGE, *TIGER: A BIOGRAPHY OF TIGER WOODS* (1997) (discussing Tiger's rise to excellence); *Great Time Coming: The Life of Jackie Robinson, From Baseball to Birmingham*, PUBL.'S WKLY, Jan. 2, 1995, at 65 (book review).

7. See Steve Wulf, *The Lion and the Tiger: A Golfer Teaches Us a Lesson We Should Have Learned 50 Years Ago from a Baseball Player*, TIME, Apr. 28, 1997, at 86 (contending that sports is the common ground to unite the different races).

8. On Asian Americans, see Robert S. Chang, *Toward an Asian American Legal Scholarship: Critical Race Theory, Post-Structuralism, and Narrative Space*, 81 CAL. L. REV. 1241 (1993). On Cuban Americans, see Gloria Sandrino, *Los Confundidos: De-Conflating Latinos/as' Race and Nationality*, 19 CHICANO-LATINO L. REV. 69, 85 (1998).

9. See DAVID ROEDIGER, *TOWARDS THE ABOLITION OF WHITENESS: ESSAYS ON RACE, POLITICS, AND WORKING CLASS HISTORY* 14 (1994).

10. See *supra* note 6. See also THE JACKIE ROBINSON STORY, *supra* note 3 (in the closing scene, the voiceover states: "Yes, this is the Jackie Robinson story. But it is not his story alone, not his victory alone. It is one that each of us shares, a story, a victory that can only happen in a country that is truly free, a country where every child has the opportunity to become president or play baseball for the Brooklyn Dodgers."); Gerald Early, *Jackie Robinson and the Hollywood Integration Film*, in JACKIE ROBINSON: BETWEEN

So when I see mainstream media celebrations of Jackie Robinson and Tiger Woods, I worry about how this affects other discourses, other institutions. How does this affect our efforts to preserve affirmative action? Why isn't education like sports? How do we resist the nation's false narrative of racial progress that makes our efforts to overcome racial subordination more difficult?

Instead, we see different communities struggling over the body of Tiger Woods.¹¹ Is he African-American? Asian-American? Thai? Chinese? Native American? Why have certain communities become so invested in his racial affiliation or identity? What is to be gained? Should we let him "just be who he is" as he has requested? As a multi-racial figure, does he represent the deracinated national body?¹² Is the multi-racial Tiger Woods the anti-racist hero of the next millenium?¹³

Tiger Woods forces us to ask the "race" question, in a similar way that Latinas/os may open up the space for a discussion of race. Remember—Latinas/os may be of any race.¹⁴ The fear is that multi-racial figures like Tiger Woods and the any-race figures of Latina/os are complicating the already-overburdened racial taxonomy in the United States. This fear may account for the apparent conflict between "[t]hose advocating . . . [for official recognition of multiracialism on the Census who] are largely multiracial persons, parents in interracial unions who advocate on behalf of their mixed-race children, and multiracial advocacy organizations" whereas "[t]hose opposed to such changes are largely representatives of traditional civil rights groups."¹⁵ How are we to negotiate this tension? Are we ready to have such a discussion?

THE BASELINES 99, 100-01 (Glenn Stout & Dick Johnson eds., 1997) (asserting that Robinson was credited for integrating baseball, a sport that holds "tremendous cultural and mythological significance in American life.").

11. See Janet Strudwick Smith, *Am I Black, White or In Between*, EBONY, Oct. 1995, at 14. Tiger Woods was criticized by the some of the Black community for claiming to be "90 percent Oriental, more Thai than anything." *Id.*

12. I had heard that his father Earl had written a book, *Raising the Tiger*. What I hear, though, is "Race-ing" the Tiger, or as Ian Haney López said in a conversation during the LatCrit II Conference, "E-race-ing" the Tiger. Kendall Thomas used this term at the Frontiers of Legal Thought Conference at Duke Law School in 1990 to describe the constructed-ness of race. See Charles R. Lawrence, III, *If He Hollers Let Him Go: Regulating Racist Speech on Campus*, 1990 DUKE L.J. 431, 443 n.52; RACE-ING JUSTICE, ENGENDERING POWER: ESSAYS ON ANITA HILL, CLARENCE THOMAS, AND THE CONSTRUCTION OF SOCIAL REALITY (Toni Morrison ed., 1992). The book by Tiger's father, Earl Woods, is actually entitled, *TRAINING A TIGER: A FATHER'S GUIDE TO RAISING A WINNER IN BOTH GOLF AND LIFE* (1997).

13. Cf. Haya El Nasser, *Measuring Race Varied Heritage Claimed and Extolled by Millions*, USA TODAY, May 8, 1997, at 1A (explaining that Congressman Tom Petri has introduced the "Tiger Woods" bill, "asking for a multi-racial box on federal forms.").

14. See Robert S. Chang, *Racial Cross-Dressing*, 2 HARV. LATINO L. REV. 423 (1997).

15. Kenneth E. Payson, *Check One Box: Reconsidering Directive No. 15 and the*

But ready or not, multi-racial persons and Latina/os are here (and have actually been here for a long time). Fear about the complexity of the discussion should not make us shy away from the tough questions. As we explore the tough questions, we should get a few things straight. It would be naïve to believe that multiracialism operates solely in the realm of the descriptive. Like any other racial "descriptor," it is always already political. By this, I mean no more and no less than that there are no literal White, Black, etc., persons. If our racial categories are not naturally existing phenomena, then these categories have been created or constructed by human agents and human institutions through specific and diffuse enactments of power. I suppose that it is possible to imagine a world where "race" might simply be a descriptor without having the sort of political and material effects that it has in our world. However, this would require a different history, one that has yet to be written or lived.

Within our imperfect world, multiracialism may come to embody a new race-neutral position. It is neutral to race because it does not ask what your "component" races are; all it asks is that you be mixed. Christine Hickman notes that a multiracial category might include:

- Thirty to seventy percent of all African Americans. . . .
- The majority of Native Americans. . . .
- Virtually all Latinos.
- Virtually all Filipinos.
- A significant portion of Whites. . . .¹⁶

Multiracialism may constitute a new iteration of color-blindness where color will not matter because (most) everyone will be full of color. If careful attention is not paid to the political consequences of the multiracial category as it is constructed, it may become even more difficult to see and name the ongoing material impact of race on people's lives.

LatCrit scholarship is in a unique position to examine questions of multiracialism. LatCrit Theory explores and emphasizes a Latina/o subject position. The fact that Latina/os may be of any race, including mixed race, makes the issue of Latina/o identity central to the project. Much work has already been done in a very short time,¹⁷ but the issue of Latina/o identity remains contested.¹⁸

Classification of Mixed-Race People, 84 CAL. L. REV. 1233, 1235-36 (1996).

16. Christine B. Hickman, *The Devil and the One Drop Rule: Racial Categories, African Americans, and the U.S. Census*, 95 MICH. L. REV. 1161, 1255 (1997) (citing Maria P.P. Root, *Within, Between, and Beyond Race*, in *RACIALLY MIXED PEOPLE IN AMERICA* 3, 9 (Maria P.P. Root ed., 1992)).

17. See generally this Symposium; Colloquium, *Latino and Latina Critical Race Theory and Practice*, 9 LA RAZA L.J. 1 (1996); Symposium, *First Annual LatCrit Conference*,

Earlier, I asked if Tiger Woods is the anti-racist hero of the next millenium. I do not know,¹⁹ but a critical Latina/o theory will help us to answer this question.

2 HARV. LATINO L. REV. 1 (1997); Symposium, *LatCrit: Latinas/os and the Law*, 85 CAL. L. REV. 1087 (1997), 10 LA RAZA L.J. 1 (1998).

18. Compare Juan Perea, *Five Axioms in Search of Equality*, 2 HARV. LATINO L. REV. 231, 241 (1997) (suggesting that ethnicity rather than race may be a more useful analytic tool for understanding the position of Latina/os in the United States); with Ian F. Haney López, *Retaining Race: LatCrit Theory and Mexican American Identity in Hernandez v. Texas*, 2 HARV. LATINO L. REV. 279 (1997) (arguing for the continued salience of race in the emerging LatCrit discourse).

19. Some of my reservations stem from a discomfort with Tiger Woods' relationship with Nike and other corporate sponsors. See Robert S. Chang & Leti Volpp, *The Race for Global/Human Capital: The Politics of the Nike Swoosh* (Apr. 1998) (unpublished manuscript, on file with author).

