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The Crown Act

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The Crown Act

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Abstract

Communities of color within the state of Tennessee, based on the physical and cultural characteristics of hair texture and styling, have and are continuing to face injustices pertaining to the deprivation of opportunities within academic, recreational, and employment spaces. These instances of hair discrimination disproportionately impact Black individuals and other populations of color of whom come into contact with racial biases and prejudices due to a genetically predetermined factor. To combat these issues, bills HB0204 and SB0136 were proposed in January 2021 within the Tennessee General Assembly, and as introduced would establish the CROWN Act, or Create a Respectful and Open World for Natural Hair. These companion bills would, if enacted, definitively prohibit discrimination in employment and public accommodation settings based on but not limited to hair texture and protective hairstyles such as braids, locs, twists, cornrows, wearing headwraps, and other cultural influenced hairstyles. Those negatively impacted by hair discrimination would thus be protected by law and employers within the state of Tennessee would be prohibited from enforcing policy inhibiting employees from wearing their hair within protective stylings or in a manner consistent with the physical characteristics of their ethnic/cultural identification. Moreover, these bills amend TCA Title 4, Chapter 21 and Titles 8, 49, and 50 by clarifying that discrimination within the workplace and public accommodations also includes prejudiced behaviors/beliefs directed against natural hair and protective stylings. Presently, SB0136 has been passed within the Senate body, however, HB0204 continues to await deliberation within the House, prolonging a much needed revision to what classifies as discriminatory practices, and perpetuating lingering racist ideologies and cultural incompetence. This paper will demonstrate that failure to pass this legislation

perpetuates modernized aspects of oppression and will allow for the unethical practice of the stripping of opportunities due to a physical/cultural characteristic.

Keywords: CROWN Act, hair discrimination, cultural incompetence, protective styling, cultural identification