



The Palgrave Handbook of Intersectionality in Public Policy

Edited by
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The Politics of Intersectionality

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Over the past 25 years, intersectionality has emerged as an internationally recognized approach to conducting research that takes seriously interlocking issues of gender, race, class, and sexuality. Building upon the worldwide interest among academics as well as political practitioners, THE POLITICS OF INTERSECTIONALITY will be dedicated specifically to intersectionality, bringing together theory with pragmatic politics to an international audience. Books solicited will draw insights from diverse scholarship and research in social divisions, including (but not limited to) inclusion/exclusion in global market relations, rural/urban, and nomad/settled. The idea that more than one category of difference is relevant to politics has been a longstanding if not always widely practiced claim in ethnic studies and women's studies, respectively, and this series looks to expand upon that existing literature.

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The Politics of Intersectionality

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Series Introduction: The Politics of Intersectionality

We are very pleased to introduce the first Handbook in our Palgrave series on the Politics of Intersectionality: *The Palgrave Handbook of Intersectionality in Public Policy*.

Edited by Olena Hankivsky and Julia S. Jordan-Zachery

The Politics of Intersectionality series builds on the longstanding insights of intersectionality theory from a vast variety of disciplinary perspectives. Indeed, intersectionality has evolved into a “field of study” in its own right (Cho et al. 2013). Previously we saw the imprint of intersectional analysis on innovations in equality legislation, human rights, and development discourses.

Given this evolution the time seemed right to offer a handbook to serve as a reference book regarding applications of intersectionality. The four of us—series editors Ange-Marie and Nira and handbook editors Olena and Julia—recognize the demands of this historical moment. A handbook focused on intersectionality and public policy is also relevant and necessary.

The history of what is now called “intersectional thinking” is long, originating from both the Global North and the Global South during the nineteenth century¹ (Hancock 2016; Bilge and Collins 2016). In fact, prior to its mainstreaming intersectionality analysis was carried for many years mainly by black and other racialized women who, from their situated gaze, perceived as absurd, not just misleading, any attempt by feminists and others to homogenize women’s

¹ Bilge, Sirma and Patricia Hill Collins (2016) *Intersectionality*. New York: Routledge. Hancock, Ange-Marie (2016) *Intersectionality: An Intellectual History*. New York: Oxford University Press.

situation, particularly in conceptualizing such situations as analogous to that of racialized others. As Brah and Phoenix point out,² many black feminists fulfilled significant roles in the development of intersectional analysis, such as the Combahee River Collective, the black lesbian feminist organization from Boston, who pointed out the need of developing an integrated analysis and practice based upon the fact that major systems of oppression interlock rather than operate separately. However the term “intersectionality” itself emerged nominally from the field of critical legal studies, where critical race feminist Kimberlé Williams Crenshaw wrote two pathbreaking articles, “Demarginalizing the Intersection of Race and Sex: A Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics”³ and “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color.”⁴ At nearly the same time, social theorist Patricia Hill Collins was preparing her landmark work, *Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment*,⁵ which characterized intersections of race, class, and gender as mutually reinforcing sites of power relations.

Both Crenshaw and Collins gave the name “intersectionality” to a far larger and more ethnically diverse trajectory of work that speaks truth to power sited differentially rather than centralized in a single locus. What could also be called intersectional analysis was in fact developing at roughly the same time among European and post-colonial feminists, including Anthias and Yuval-Davis (1983, 1992),⁶ Brah (1996),⁷ Essed (1991),⁸ Ifekwunigwe (1999),⁹ Lutz (1991),¹⁰ Meekosha,¹¹ and Min-ha (1989).¹² Indeed it seems that, in a manner

² Brah, Avtar and Ann Phoenix (2004) “Ain’t I a Woman? Revisiting Intersectionality.” *Journal of International Women’s Studies* 5:3, 80.

³ 1989, *University of Chicago Legal Forum*, 139.

⁴ 43, *Stanford Law Review* (1991).

⁵ New York: Routledge, 1990.

⁶ Anthias, F. and N. Yuval-Davis (1983). “Contextualising Feminism: Gender, Ethnic & Class divisions.” *Feminist Review* 15(November): 62–75; Anthias, F. and N. Yuval-Davis (1992). *Racialized Boundaries: Race, Nation, Gender, Colour and Class and The Anti-Racist Struggle*. London, Routledge.

⁷ Brah, Avtar (1996). *Cartographies of Diaspora*. London, Routledge.

⁸ Essed, Philomena. (1991). *Understanding Everyday Racism: An Interdisciplinary Theory*. Newbury Park, CA, Sage.

⁹ Ifekwunigwe, J. (1999), *Scattered Belongings*, London: Sage.

¹⁰ Lutz, H. (1991). Migrant women of “Islamic background.” Amsterdam Middle East Research Associates.

¹¹ Meekosha, H. and L. Dowse (1997). “Enabling Citizenship: Gender, Disability and Citizenship in Australia.” *Feminist Review* 57: 49–72.

¹² Minh-ha, Trinh T. (1989), *Woman, Native, Other: Writing Postcolonialism and Feminism*. Bloomington, IN: Indiana University Press.

parallel to that which Sandra Harding characterizes the evolution of standpoint theory,¹³ intersectionality was an idea whose time had come precisely because of the plethora of authors working independently across the globe to make vastly similar sets of claims. Around the world, those interested in a more comprehensive and transformative approach to social justice—whether sociologists, legal scholars, feminist theorists, policy makers, or human rights advocates—have used the language and tenets of intersectionality to more effectively articulate injustice and advocate for positive social change.

The books in this series represent an interrogation of intersectionality at various levels of analysis. They unabashedly foreground the politics of intersectionality in a way that is designed to both honour the legacy of earlier scholarship and activism and push the boundaries of intersectionality's value to the academy and most importantly to the world. We interpret the series title, *The Politics of Intersectionality*, in two general ways:

First, we emphasize the **politics** of intersectionality, broadly conceived. Cho, Crenshaw, and McCall¹⁴ articulate three streams of intersectionality work that overlap in a way that intimates the politics surrounding such debates. Is intersectionality a paradigm?¹⁵ Is intersectionality a normative political (specifically feminist) project?¹⁶ Is it a method or epistemological approach? Is it (merely) a concept with limited applicability beyond multiply marginalized populations?¹⁷ It is for precisely this reason that we include debates among scholars regarding the proper conceptualization and application of the term “intersectionality” as part and parcel of the series’ intellectual project. Our own idiosyncratic answers to these questions are far less important than the open dialogue we seek by including them within the scholarly discourse generated by the series.

What this means pragmatically is that rather than dictatorially denote an extant definition of intersectionality and impose it on every author’s manuscript, as series editors our task has been to meaningfully push each author to

¹³ Harding, Sandra (1997), “Comment on Hekman’s ‘Truth and Method: Feminism Standpoint Theory Revisited’: Whose Standpoint Needs Regimes of Truth and Reality?” *Signs: Journal of Women in Culture and Society* 22(2): 382–391; p. 389.

¹⁴ Cho, Sumi K., Kimberlé Williams Crenshaw, and Leslie McCall (2013) “Toward a Field of Intersectionality Studies: Theory, Application and Praxis.” *Signs*. 38:4, 785–810.

¹⁵ Hancock (2007) “When Multiplication Doesn’t Equal Quick Addition: Examining Intersectionality as a Research Paradigm.” *Perspectives on Politics*, 5:1, 63–79.

¹⁶ Yuval-Davis (2006) “Intersectionality and Feminist Politics” *European Journal of Women’s Studies* 13:3, 193–209.

¹⁷ Jordan-Zachery (2007) “Am I a Black Woman or a Woman Who is Black? A Few Thoughts on the Meaning of Intersectionality.” *Politics and Gender* 3:3, 254–263.

grapple with their own conceptualization of intersectionality and facilitate their interaction with an ever-growing body of global scholarship, policy, and advocacy work as they render such a conceptualization *transparent* to readers, *reflexive* as befits the best feminist work, and *committed* to rigorous standards of quality no matter the subject, the method, or the conclusions. As editors we have taken such an active role precisely because grappling with the politics of intersectionality demands our adherence to the normative standards of transparency, reflexivity, and speaking to multiple sites of power for which intersectionality is not only known but lauded as the gold standard. It is our honour to build this area of scholarship across false boundaries of theory and praxis, artificially distinct academic disciplines, and the semi-permeable line between scholarship and activism.

No less importantly we emphasize politics to mean, well, *politics*, whether everyday senses of justice; so-called formal politics of social movements, campaigns, elections, policy, and government institutions; or personal politics of identity, community, and activism across a broad swath of the world. While this general conceptualization of politics lends itself to the social sciences, we define social sciences in a broad way that again seeks to unite theoretical concerns (whether normative or positive) with interpretive and empirical approaches across an array of topics far too numerous to list in their entirety.

The second way we interpret the series title—simultaneously, as one might expect of intersectionality scholars—is with an emphasis on the word **intersectionality**. That is, the books in this series do not depend solely on 20-year-old articulations of intersectionality, nor do they adhere to one particular theoretical or methodological approach to study intersectionality; they are steeped in a rich literature of both substantive and analytical depth that in the twenty-first century reaches around the world. An emphasis on up-to-date engagement with the best and brightest *global* thinking on intersectionality has been the single most exacting standard we have imposed on the editing process. As series editors we seek to develop manuscripts that aspire to a level of sophistication about intersectionality as a body of research that is in fact worthy of the intellectual, political, and personal risks taken by so many of its earliest interlocutors in voicing and naming this work.

Currently intersectionality scholarship lacks a meaningful clearinghouse of work that speaks across (again false) boundaries of a particular identity community under study (e.g. black lesbians, women of colour environmental activists), academic disciplines, or the geographical location from which the author writes (e.g. Europe, North America, Southeast Asia). For that reason we

expect that the bibliographies of the manuscripts will be almost as helpful as the manuscripts themselves, particularly for senior professors who train graduate students and graduate students seeking to immerse themselves broadly and deeply in contemporary approaches to intersectionality. We are less sanguine, however, about the plethora of modifiers that have emerged to somehow modulate intersectionality—whether it be intersectional stigma,¹⁸ intersectional political consciousness,¹⁹ intersectional praxis,²⁰ post-intersectionality,²¹ paradigm intersectionality,²² or even Crenshaw's original modes of structural and political intersectionality.²³ Our emphasis has been on building the subfield rather than consciously expanding the lexicon of modalities.

It is thus with pleasure and pride that we invite you to join a global intellectual endeavour—that of *The Politics of Intersectionality* series. We welcome your engagement, submissions, and constructive comments as we move forward. We thank Palgrave Macmillan, our editorial team, and the global community of intersectionality scholar-practitioners for this opportunity to broaden the world's conversation in the direction of social justice.

We are particularly delighted to introduce this handbook on intersectionality in public policy, because it includes a timely, comprehensive exploration of some of the most important issues we consider in the politics of intersectionality, from the methodological to the normative while focusing on the most important arenas in public policies and community lives in which daily intersectional engagements and resistances are taking place, from education and health to the lives of domestic workers and refugees. It does so, using the differential situated gazes of researchers and researched in different social locations across the globe. While the various contributors to the book might have somewhat different articulations regarding intersectionality which is, as

¹⁸ Strolovitch, Dara (2007) *Affirmative Advocacy: Race, Class and Gender in Interest Group Politics*. Chicago: University of Chicago Press.

¹⁹ Greenwood, Ronni Michelle (2008) "Intersectional Political Consciousness: Appreciation for Intragroup Differences and Solidarity Across Diverse Groups." *Psychology of Women Quarterly* 32:1, 36–47.

²⁰ Townsend-Bell, Erica (2011) "What is Relevance? Defining Intersectional Praxis in Uruguay." *Political Research Quarterly* 64:1, 187–199.

²¹ Kwan, Peter (1997) "Intersections of Race, Ethnicity, Class, Gender and Sexual Orientation: Jeffrey Dahmer and the Cosynthesis of Categories." *Hastings Law Journal* 48.

²² Hancock (2011) *Solidarity Politics for Millennials: A Guide to Ending the Oppression Olympics*. New York: Palgrave Macmillan.

²³ Crenshaw (1989) "Demarginalizing the Intersection of Race and Sex: A Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *University of Chicago Legal Forum* 139.

we commented above, endemic to the field, they also all share a political solidarity based on the intersectionality approach to social and political justice which this series promotes. As such we consider this handbook an important contribution to our series in particular as well as to the field of intersectionality studies in general.

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Preface

In April 2014, we met for the first time in Vancouver at the *International Conference on Intersectionality at the Institute for Intersectionality Research and Policy at Simon Fraser University*. At the end of our time together, a group of us who had attended the conference, all women, met at a restaurant close by. During that time we talked, of course, about intersectionality and we shared about ourselves and some laughs. During our hours-long gathering, someone initiated the conversation of “so now what?” This was followed up by conference calls where some of us began to think through what product/products may result from the conference. This collaboration was birthed at that table back in 2014. Soon after, we organized a panel at the *International Conference on Public Policy* in Milan in 2015 and issued open call for submissions to an edited volume on intersectionality and public policy. Neither Olena nor Julia anticipated that the edited volume we initially conceptualized would result in a volume of 34 chapters from scholars/practitioners/thinkers from diverse geographical and social identity markers and spaces. What we can attest to is that we stayed true to our original vision of offering works that honour/recognize a history of intersectionality and works that are grounded in justice and liberation.

Before delving into the contributions made by *The Palgrave Handbook of Intersectionality in Public Policy*, we pause to situate ourselves in this analysis/project. In putting this collection together, we confronted the following: Who is intersectionality for and who can engage in intersectionality research? This is an ongoing debate. Cameron Glover (2017) in the blog *Intersectionality ain't for white women* wrote, “I am tired of seeing community-specific terms that Black women and femmes have created out of necessity being morphed into terms that centralize on the experiences of those who continue to oppress

us for their own gain.” We will not pretend that we can settle this debate. But we want to think of it as it relates to this particular project. We are two academics from different backgrounds who have decided to critically think about the applicability of intersectionality and public policy.

As an immigrant Black woman, Julia has long confronted the “travelling” of intersectionality and has explicitly asked will Black women be forgotten as intersectionality travels? As I (Julia) argue, the challenge is not necessarily that intersectionality is travelling, but who are we talking about how and who is of primary concern. In the article “I Ain’t Your Darn Help: Black Women as the Help in Intersectionality Research,” I (2014) confront this issue and show, via an analysis of key political science journals, that indeed Black women have disappeared in our uses of intersectionality. Furthermore, I argue that central elements of intersectionality, its focus on justice and prefigurative politics, are also disappearing in our quest to use intersectionality as a descriptor lens. So how did I reconcile my concerns in my approach to this collected volume? I have not been able to totally find a space of intellectual “comfort.” However, what I did ask is that the individual chapters speak to issues of justice and that the authors clearly articulate an understanding of intersectionality as used in their analysis. As a Black woman, I have accepted, somewhat, that intersectionality is going to travel, but my concerns remain that it is being used by those engaged in oppressive actions towards Black women and therein lies a tension that I have to navigate time and time again.

I (Olena) am aware of the space I take up as a white woman in a world of intersectionality and it is not something I have fully come to terms with or sorted out. It is complicated. And I know that despite my best intentions to be a self-reflexive ally, I have contributed to appropriative and racist patterns. Despite these missteps and impossible tensions related to being in this space, I remain fiercely committed to the possibility of change and social justice. In my own work, I have confronted and disrupted the hegemony of gender in the policy analysis of social and health inequities because I firmly believe that intersectionality does provide, as Hancock so eloquently puts it, “the best chance for an effective diagnosis and ultimately an effective prescription” (Hancock 2007, 73). I am also aware that privilege opens doors and opportunities. I have tried to use these to create spaces for bringing together interdisciplinary and intersectoral scholars, activists, and practitioners to grapple with the challenges of intersectionality. Drawing on the groundbreaking work of Black feminists who generated intersectionality, I am dedicated to building on and finding innovative applications of this work, including the contributions of this volume.

We both live on these lines of tensions. And as you read through this volume, you may also notice some tensions between and within the various chapters. The question that remains is how can we allow these tensions to exist while working towards a place of justice and freedom for all?

Vancouver, BC
Providence, RI

Olena Hankivsky
Julia S. Jordan-Zachery

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1

Introduction: Bringing Intersectionality to Public Policy

Olena Hankivsky and Julia S. Jordan-Zachery

Dare to look at the intersectionalities.
bell hooks

Grounded in Black feminist scholarship and activism (e.g. Collins 1990; hooks 1984; Combahee River Collective 1977) and formally coined in 1989, by Black legal scholar Kimberlé Williams Crenshaw,¹ intersectionality has garnered significant attention. Some scholars, from a range of disciplines/fields of study, have drawn on intersectionality to challenge inequities and promote social justice, as have government policy actors, human rights activists, and community organizers. A particularly growing area of interest is the study of public policy.

As it moves beyond siloed or single-category thinking (e.g. gender, race, class) to engage with interconnected domains of power, intersectionality is

¹For a comprehensive overview of the historic evolution of intersectionality, which takes into account different geographies and disciplinary perspectives, see Ange-Marie Hancock (2016) *Intersectionality: An Intellectual History*. New York: Oxford University Press.

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increasingly recognized as an innovative approach for understanding the differential impacts of policy on diverse populations. Specifically, intersectionality draws attention to aspects of policy that are largely uninvestigated or ignored altogether: the complex ways in which multiple and interlocking inequities are organized and resisted in the process, content, and outcomes of policy. In so doing, the exclusionary nature of traditional methods of policy, including the ways in which problems and populations are constituted, given shape and meaning, is revealed. Further, intersectionality positions public policies as constituting structural domains of power (Collins 2017, 26) that can be effectively harnessed for social change, including creating environments to support well-being, social inclusion, and equality.

However, the potential of intersectionality has not been fully realized in the fields of policy analysis/studies, largely due to the fact that it is still a relatively innovative approach. And while scholars and activists have started to advance conceptual clarity and provide guidance for intersectionality policy applications, more attention is still required to develop and examine the potential and pitfalls of bringing intersectionality to the analysis of public policy. There is also a pressing need for knowledge exchange in relation to methodological approaches and empirical work that demonstrates the value added of intersectionality to public policy. *The Palgrave Handbook of Intersectionality in Public Policy* fills these voids by highlighting the key challenges, critiques, and possibilities of intersectionality-informed approaches in public policy analysis and studies. This collected volume brings together international scholars, across a variety of sectors and disciplines, to consider how intersectionality informs policy research and analysis. Importantly, the collection offers perspectives from a variety of contexts and geographic locations, on the added value and “how-to” of intersectionality-informed policy approaches that aim to advance equity and social justice.

The suitability and applicability of intersectionality to policy are of particular relevance as we see, for example, the rise of the neoliberal and often conservative state, demographic shifts, environmental changes, conflict and violence, police brutality, human rights violations, and, importantly, the responses of those who are often most oppressed—immigrants, migrants, refugees, people of colour, indigenous communities, LGBTQ* groups, and so on. As we confront long-standing and current issues around sustainability, equity, and justice, there is an urgency to understand not simply the functioning of the state, and who is left behind as a result of existing structures and policies (as is now the focus, e.g. of the United Nations Sustainable Development Goals and the Black Lives Matter Movement), but how the policy-targeted groups are not simply responding but asserting their autonomy and power and understanding of the “good community” or what Tiffany Manuel (2006) refers to as the “good life.” According to Manuel (2006):

Intersectionality theory extends our understanding of how people pursue the “good life” by addressing the question: *how do gender, race, class, and other forms of identity and distinction, in different contexts, shape not only the way that we view policies meant to improve our lives and the choices we make in response to those policies but also our ability to envision the possibilities for living the good life?* (emphasis in original, 175)

The chapters that make up this collection offer us intellectual ground for understanding the utility of intersectionality by addressing this larger question posed by Manuel. They do so by considering the utility of public policy for improving lives but also by considering how those targeted by policy, in an increasingly complex and often unpredictable world, envision a policy approach that allows them to live a good life on their own terms.

Critical Policy Analysis Developments: A Brief Review

In recent years, the boundaries of traditional policy analysis have in fact been fundamentally challenged to better confront new trends and developments and to find ways to more precisely comprehend and respond to persistent political and social problems in an increasingly complicated and diverse world (Fischer et al. 2015; Hankivsky et al. 2012; Wagenaar 2014; Orsini and Smith 2007). Arguably, some of the most significant contributions to the advancements in progressive policy analysis have been generated within the field of critical policy studies (CPR). Rejecting the so-called neutrality of empiricism and positivism, this broad and multi-faceted field moves beyond conventional approaches to public policy inquiry with its focus on discursive politics, policy argumentation and deliberation, and interpretive modes of analysis (Howarth 2010; Fischer 2003).

CPR highlights the responsibility of inquirers to take account of social and political context—including present conditions, past trends, and prevailing power relationships—to advance inquiry that relies not only on experts but also on citizens in a manner supporting and encouraging democracy (Fischer et al. 2015). Not only does this entail rethinking the interplay of qualitative and quantitative methods, it also requires explicit attention to the role of values. Using a variety of methods, CPR seeks to identify and examine existing policy commitments against normative criteria such as social justice, democracy, and empowerment (Fischer et al. 2015, 1). Arguably, such normative criteria are essential to realizing the emancipatory potential of public policy and advancing equity (Paterson and Scala 2015).

Essential to the emancipatory project of policy is ensuring that policymaking processes, discourses, and content bring a comprehensive understanding of the social locations of the people they are targeting and how such locations are shaped and structured by existing and new policies (Jordan-Zachery 2017; Hankivsky et al. 2012; Hankivsky and Cormier 2011; Weber 2009; Manuel 2006; Yuval-Davis 2006). Increasingly, and rightly so, it is recognized that public policy should be inclusive of differently situated populations and groups and responsive to the needs of increasingly diverse societies, including how various actors understand themselves and are seen by others (Beland 2017). In line with intersectionality theory, an effective critical policy analysis should be instrumental in revealing harmful biases, assumptions, stereotypes, exclusions, and oppressive effects of existing policy interventions that prevent the realization of the individual and/or community's emancipatory goals.

Within the critical policy analysis thrust, feminist approaches have figured prominently, pointing out the extent to which traditional mainstream policy analysis results in "partial and perverse understandings" of the ways in which women's lives are affected by policy (Harding 1986). Recent Black feminist policy-centred research asks us to consider discursive practices and what they tell us about the policymaking process (Jordan-Zachery 2017; Isoke 2013; Berger 2004). Combined, these bodies of work have brought to the fore the extent to which the methods and theoretical frameworks that dominate policy analysis have been developed and implemented by those in power—largely white, male and well educated—and reflect their assumptions, world view, and values (see also Jordan-Zachery 2009; Bacchi 1999; Marshall 1997; Hawkesworth 1994; Marshall and Anderson 1994; Jewell 1993; King 1973). And the goal has been to make gender visible in the entire policy process, leading to the development of specific strategies—for example, gender mainstreaming and tools to better understand the ways gender is a central and fundamental category in the organization of human lives, including in the domain of public policy.

In comparison, race and ethnicity have been largely absent in many analyses of public policy. In recent times, there have been some important advances. Scholarship that analyses race and traffic stops (Rice and White 2010), the school to prison pipeline (Morris 2016), and wage inequality between women (Jordan-Zachery and Wilson 2014) points to the value of interrogating race as a central variable in understanding policy frames and outcomes. Jordan-Zachery (2017) more recently asked us to consider how the performance of intra-group intersectionality and policy invisibility, by centring how Black women speak (use identity to frame issues) on social issues affecting Black women (often perceived as non-prototypical Black women), affect the policy

suggestions they make. While race and ethnicity have been used to explain “gaps” in resources access and policy frames, for example, there remains a dearth of knowledge on how to use race (and specifically race-gender intersections) to inform analysis. Tiffany Manuel (2006, 183) argues, “most scholars who conduct scholarly research in the social sciences admit that race, gender, class, and other identity markers can be important variables to include, even if they do so only cursorily in their work.”

More recently, focus has also expanded to the class and sexuality gaps within public policy (e.g. Porter 2015; McClelland and Frost 2014; Benjamin 2013; Monro 2010; Strolovitch 2006; Bannerji 2005). For instance, Porter (2015) argues that power, including in the form of public policy, perpetuates a given structure of class through economic and political processes that shape education, income, and occupation opportunities, for example. In relation to sexuality, policies have been identified as powerful tools to regulate public and private spaces, at times implicit in their intentions to regulate sexuality, often policing some bodies and not others (McClelland and Frost 2014). Important questions for consideration are, according to McClelland and Frost (2014), both how and where policies intervene in the sexual sphere. These analyses ask the general questions of how to achieve more inclusive policies given the social location of policy-targeted groups. However, there is a dearth of knowledge in regard to the intersections, for instance, of class, sexuality, and other identity markers and the public policymaking process.

All of the above-mentioned lines of interrogation have squarely brought to the fore limitations of conventional policy analysis. They have made very visible the fact that if policies are to effectively reach populations they seek to help and serve, particularly those who have been pushed to the margins, power, context, and complex identities are unavoidable central considerations. However, such efforts are characterized by researcher and policy analysts often working largely in siloes, looking at factors such as race, ethnicity, gender, class, geographic location, migration status, and sexuality as linear, static, unconnected phenomena rather than multi-faceted, fluid, and intersectional (Atewologun et al. 2016; Hankivsky 2012; Hankivsky and Cormier 2011; Solanke 2011; Manuel 2006). These approaches do not adequately reflect the reality of multiple identities, how people experience their lives, and how their interacting social locations are shaped and formed by broader structures, processes, and relationships of power. Nor do they systematically consider how affected actors act strategically within these power relations to resist, if at all, unjust consequences of existing policies.

Indeed, while it is easier to simplify research, policy analysis, and practice by labelling people into single or separate (e.g. female, male), rather than multiple and interlocking categories (e.g. poor, female immigrant of colour),

or to treat marginalized groups as monolithic, it is increasingly apparent that such approaches accurately represent the complexities of social life (Jordan-Zachery 2017; Hankivsky et al. 2012). To advance conceptual and methodological richness within critical policy analysis, there is a growing interest in the promise of intersectionality, precisely because it transcends siloed and linear thinking. Instead it explicitly engages with the complexities of human differences—including the inseparability of social categories such as race, gender, and class—interrogates these within broader structures and processes of power, and demonstrates the pressing need to fundamentally transform mainstream equity-driven policy analyses in the twenty-first century.

Intersectionality Meets Public Policy

In one of the earliest articles looking at the relationship between intersectionality and public policy, Tiffany Manuel (2006) argued that intersectionality theory represents an incredibly useful analytical lens for policy scholars who wish to strengthen the explanatory power of policy models that evaluate policy impacts and outcomes because intersectionality theory extends our understanding of how people pursue the “good life” by addressing the question: how do gender, race, class, and other forms of identity and distinction, in different contexts, shape not only the way that we view policies meant to improve our lives and the choices we make in response to those policies but also our ability to envision the possibilities for living the good life? (175).

Until very recently, however, claims were made that “the development of an intersectionality policy analysis is still undertheorized” (Urbanek 2009, 3). The situation, however, is rapidly changing. Scholars are advancing conceptual clarity, precision, and guidance for intersectionality policy applications (see Jordan-Zachery 2017; Jordan-Zachery and Wilson 2014; Wilson 2013; Hankivsky 2012; Hancock 2011; Hankivsky and Cormier 2011; Parken 2010; Lombardo et al. 2009). Moreover, primers and tools for practical, step-by-step application for applying intersectionality to a broad range of policy issues have also been developed (OA 2017; CAWI 2015; Hankivsky 2012, 2014). The majority of recent intersectionality guides are issue-specific (though most lay out the basic principles or ideas of intersectionality in so doing). These span a range of topics including resource development and extraction (Manning 2014), legislation (PA 2016), organizations and organizing/activist processes (WFM 2017; IGLYO 2014; NUSW 2014), conference guidelines (USHRN & RCWGL 2013), equality-informed research and data analysis (Christofferson 2017), and health-related topics including family vio-

lence (GoV 2017), gender violence (VAWLN 2015), health research (Rouhani 2014; Grace 2014; Hunting 2014), and evaluating policy impacts on health equity (SOPHIE 2014). Together they highlight why a one size fits all in the realm of policy fails to properly address the fact that public policy is not neutral nor is it experienced in the same way by all populations.

Within this body of work, a number of key insights, summarized by Hankivsky (2014) and expanded on below, have been generated regarding the distinguishing features of intersectionality as a progressive and critical approach to policy analysis.

- Human lives cannot be explained by taking into account single categories, such as gender, race, and socio-economic status. People's lives are multi-dimensional and complex. Lived realities are shaped by different factors and social dynamics operating together. Consequently, no social problem that policy attempts to address can be seen as the product of one axis of discrimination or based on the needs and experiences of one homogeneous group.
- When analysing social problems, the importance of any category or structure (e.g. socio-economic status, race, or gender) cannot be predetermined; the categories and their importance must be discovered in the process of investigation. And, this includes all stages of policy analysis—the development, implementation, monitoring, and evaluation of public policy.
- Relationships and power dynamics between social locations and processes (e.g. racism, classism, heterosexism, ableism, ageism, sexism) are linked. When thinking about these linkages, intersectionality-informed scholars and practitioners consider interactions between locations and processes. This goes beyond simple addition. It requires exploring how systems and structures of power are mutually interdependent and interlocking; how they change and/or evolve over time; and how they take on different shapes and meanings depending on geographic, political, or economic settings.
- People can experience privilege and oppression simultaneously. This depends on what situation or specific context they are in. This can be a challenge for policymakers wherein policy contexts can vary significantly even within nation states.
- Multi-level analyses that link individual experiences to broader structures and systems are crucial for revealing how power relations are shaped and experienced. This type of policy analysis requires the voices of those affected by problems and policy to be meaningfully engaged with developing responses and effective solutions.

- Scholars, researchers, policymakers, and activists must consider their own social position, role, values, assumptions, and power when taking an intersectional approach. This “reflexivity” should be in place before setting priorities and directions in research, policy work, and activism.
- Intersectionality is explicitly oriented towards transformation, building coalitions among different groups, and working towards social justice.

At the same time, we agree with Salem (2016) when she argues “we should not spend time debating what intersectionality *is* but rather focus on what it *does*.” And herein lies the challenge in terms of policy. Some have argued that the potential of intersectionality-informed policy has been hampered by the challenges of operationalization. Manuel (2006) was the first to identify such obstacles. She argued that there are inherent tensions between public policy and intersectionality beginning with the very reductionist and incremental nature of public policy which requires quick, simple, and inexpensive solutions focused on “treatable issues” among populations perceived by policymakers as most “deserving.” Moreover, Manuel observed that the most politically feasible policy solutions are those that do not change the status quo, address complex intersectional differences, or advance social justice. In their review of the field, Hankivsky and Cormier (2011) also noted that the gap between the theoretical construct of intersectionality and its practical applications. In terms of operationalization, they highlighted the need for strong political will, adequate economic and human resources, comprehensive data and research evidence, and a broad base of stakeholder engagement to generate coalitions and alliances between equality-seeking groups. They concluded that relative to other approaches, methods for integrating intersectionality into policy development, implementation, and evaluation are in their very early stages of development.

In general, there is still much work to be done to better understand and then practically respond to how policy affects diverse populations—in their full complexity—including precisely identifying who is benefiting and who is excluded from policy goals, priorities, and related resource allocation (Hankivsky et al. 2014; SOPHIE 2014). As Rodriguez et al. (2016) correctly observe, there is still “little agreement” on what intersectionality actually means when bringing an “intersectional lens to the study of power, privilege and subordination” (Rodriguez et al. 2016, 204). Specifically, there are key issues regarding the application intersectionality to public policy that require more attention in order to move intersectionality from the margins of dominant policy analysis. While it is beyond the scope of this volume, we pause to highlight, in a cursory way, some challenges that we believe should be

addressed in future research as we advance intersectionality's reach into public policy. It should be noted that our intention is not necessarily to offer "solutions" to these questions/areas of contention.

First, we recognize that there is some contention as to the general "usefulness" of intersectionality. This has given way to debates such as how to define intersectionality (Rodriguez et al. 2016; Cho et al. 2013; Dhamoon 2011), how to apply intersectionality (Carastathis 2008; Nash 2008; McCall 2005), and whether or not intersectionality is being used with proper attention to its history, roots, and original intentions as opposed to an approach that emerged from gender studies in northern contexts (Hancock 2016; Salem 2016; Collins 2015; Bilge 2013). Some scholars and practitioners alike fail to provide accurate definitions and description of intersectionality, situate themselves in their work, or explain how intersectionality underpins and advances their work beyond other progressive approaches to policy analysis. Often, intersectionality is simply tacked onto existing approaches such as gender analysis and reduced for instance to "gendered intersectionalities" which advocate to bring attention to how gender is linked to identities such as race and class still nevertheless *a priori* privilege gender. This we argue, in part, gives way to some of the arguments regarding the usefulness and so on of intersectionality and arguably "deficiency models of intersectionality" (Rodriguez et al. 2016, 204). To address these concerns, we asked each author to explicitly define how they are using intersectionality and to speak directly to its origins. We also asked them to reflect on how an intersectionality approach differs from traditional approaches to analysing their policy issues and/or problems.

Little attention is also paid to the pitfalls of intersectionality. For example, the targeting of specific groups (e.g. Black teenage mothers, illegal border crossers, welfare recipients, transgendered men, sex workers, indigenous youth who use drugs, men who have sex with men, visible minorities, people with mental and physical disabilities) may lead to a competition focused on who is most deserving of policy attention, creating what Martinez (1993) has referred to as the "Oppression Olympics." Such framings can potentially obscure the reality that social identities—including within and across groups—are multiple and interlocking (May 2014; Bowleg 2012) and thus open the door to finding common ground for advocacy coalitions to make social change. Finally, to avoid the reification of negative stereotypes that are often associated with targeted groups that have been historically marginalized and/or require specific attention, the structures and processes that engender stigma and disadvantage must be confronted head-on (Hunting et al. 2015; Hancock 2007).

Further, there is more attention being paid to the ways in which intersectionality can be coopted and stripped of its transformative possibilities. For

example, Carbin and Edenheim (2013) have argued that institutionalization of intersectionality can occur in the context of the academy. Collins and Bilge (2016) have recently argued that intersectionality can be used in service to neoliberal agendas that uphold individual and market-based solutions as opposed to advancing collective solutions to social problems. Similarly Moore (2014) posited that the dangers of cooptation are real because the power of the market is stronger than the will to promote equality. A number of our contributors engage with the risks for bureaucratization and depoliticization, both within academic and public policy spaces needs, while at the same time offer strategies to resist such potential pitfalls.

Additionally, much of the work that has been produced is focused on North American and Western European contexts. Even when advancements in the context of public policy are being made, there is a pressing need for knowledge exchange in relation to empirical work that demonstrates how intersectionality, which centres identity markers, power, equality, and liberation, can be used to substantially reshape mainstream public policy beyond these geographical boundaries. And there is a need to interrogate, as do the contributing authors here, what kind of meaning and significance intersectionality takes on, including conceptualization of categories like race, gender, and class and other structures of privilege and domination (Patil 2013; Bose 2012; Purkayastha 2012), in different contexts, as a “travelling” theoretical construct and policy tool.

About the Collection

The Palgrave Handbook of Intersectionality in Public Policy does address some of these current omissions and challenges, although we recognize that this is not the central purpose of the volume. This collection brings together over 60 international scholars and practitioners at different career stages, across a variety of sectors and disciplines to consider the state of the art of intersectionality in the context of policy research and analysis. The examples from national cases from around the world highlight methodological pluralism in the application of intersectionality and thus contribute to giving “smart and agile attention to the alignment between intersectionality’s theoretical assumptions and the methods selected to study them” (Rodriguez et al. 2016, 207). Furthermore, the chapters illustrate the importance of contextualization by illustrating variations in meaning, significance, and effects of intersecting inequities within different policy sectors across multiple levels of society across place and time.

Importantly the collection offers multiple perspectives from around the globe, within and across nations, on the added value and “how-to” of

intersectionality-informed policy approaches that aim to advance equity and social justice. In so doing, the contributors highlight the importance of place as a key means through which relationships between policies and the specificities of intersecting social locations are structured. Further, they all provide insights into how the findings of an intersectionality-informed policy analysis can be put into policy practice to transform the dynamics of power and resulting inequities. And, they raise important challenges relating to the application of intersectionality and point to where future efforts need to focus.

Finally, in what we argue is the spirit of intersectionality; the collection centres the voices/experiences/lived realities of those who inform the cases and so on. Consequently, the researchers engage with how oppressed groups and those attempting to address inequalities understand the structures they are confronting. As Lisa Bowleg (2008, 323) argues, “approaches grounded in the experiences of ordinary people, in stark contrast to traditional top-down approaches hold incredible promise for helping researchers address and respond to the many methodological challenges of intersectionality research.”

More specifically, the selections in this collection address central questions of an intersectionality-informed approach to policy analysis: What is assumed and what is left out within convention framings of policy problems and affected populations? How does intersectionality improve on existing approaches and whose experiences are at the centre of analysis? How does intersectionality-informed analysis incorporate the voices of marginalized groups? And how does the analysis speak to liberation and social justice that is grounded in the needs of the community being targeted by the policy? It addresses these larger questions by focusing on the relationship between research and action with a primary goal of examining how marginalized communities, via policy, achieve justice and freedom.

Combined, the chapters centre an assertion that inequalities, grounded in identity, affect the lives of marginalized people with differing impacts; as such, they engage in analyses that explore how inequalities work and how equity can be achieved in relationship to individual/collective identities, institutions, broader systems, and structures of power. Paying explicit attention to the interplay between the individual level and institutional contexts is essential for understanding the way in which power operates in policy. As Gkiouleka et al. (2018) remind us: “privilege and disadvantage are not individual attributes but products of the power structures operating at the contexts we are embedded” (2018, 94).

While there are a number of elements of the collection that are worthy of attention, we draw attention to the following:

- Theoretical and methodological foundations and innovations
- Different ways that intersectionality can advance existing methods to improve policy analysis
- Examples from developing and transitional country contexts
- Contributions that reflect on key challenges, possibilities, and critiques of intersectionality-informed approaches across a variety of policy sectors

The chapters employ diverse definitions and understandings of intersectionality that are grounded in the specifics of their studies. However, the thread that binds the various deployments of intersectionality is one that centres the value of lived experiences. Each author reminds us that their understanding of intersectionality is grounded in the theorization of Black women and women of colour, including for example the work of Kimberlé Crenshaw. This understanding of intersectionality prioritizes lived experiences in the way suggested by Mullings in her research with African-American women. She argues that an intersectionality lens reveals the relational nature of intersecting axes of stratification such as race, class, and gender as relational so that they are not seen as “attributes of people of colour, the dispossessed or women but as historically created relationships of differential distribution of resources, privilege, and power, of advantage and disadvantaged” (Mullings 2005, 79–80). Mullings also emphasizes that engaging the voices and experiences of everyday lives generates more than different understandings of structural vulnerabilities. It also reveals different forms of resistance and potential for transformative work, elements which inform the policy directions advanced by the authors in this collection.

Further while recognizing the historical roots of intersectionality, each chapter also acknowledges what advances to date have been made in their particular field of analysis in terms of intersectionality-informed analyses. Contributors explicitly address the question: Why does the use of intersectionality-informed policy analysis advance understandings and responses not otherwise available by using other frameworks for policy analysis? To this end, they demonstrate how an intersectionality perspective improves an understanding of their specific policy issue not otherwise generated by other frameworks for policy analysis. This allows the collection, the individual chapters and collectively, to demonstrate the value added of the approach for those who may be inspired to think about how to apply intersectionality to their own research and policy analysis specifically.

Another thread connecting the individual chapters is in how the authors situate their work, to engage with trends, understandings, and responses to the policy area under investigation beyond local or national contexts to ensure

that links are made in a more international/global way. Doing such better helps to contextualize all the contributions and ensure that despite jurisdictional foci, the reach of each chapter will be broad, thereby enhancing applicability of the research.

Finally, each author explicates the policy implications of intersectionality for their particular areas of foci and analysis. One of the ways they do this is by including a discussion of *power* and *social justice*—key and essential components of any intersectionality-informed policy analysis. This helps readers to succinctly grasp the intersectionality intervention and transformative implications of the analyses. Combined, these threads linking the various chapters offer both theoretical and practical contributions.

Organization of the Collection

The volume is organized into six parts: Foundations in the Field; Innovative Methodological Directions and Implications for Policy Analysis; Different Perspectives on Persistent Problems; Community Engagement and Advocacy for Change; Challenging Colonization; and Responding to New and Pressing Challenges. Although we treat these parts as linear, we also recognize that they are indeed not neatly linear.

The volume begins with the part entitled “Foundations in the Field,” in which we feature six seminal contributions for understanding the relationship between intersectionality and public policy and the evolution of methods and techniques for applying intersectionality to public policy. It begins with Tiffany Manuel’s reflection on what has become a foundational piece for the thinking through the relationship between public policy and intersectionality (Chap. 2). In 2006 Manuel wrote *Envisioning the Possibilities for a Good Life: Exploring the Public Policy Implications of Intersectionality Theory* in which she discussed the ways in which intersectionality theory could extend efforts to elucidate public policy outcomes. As part of her reflection she asks us to think critically about our understanding of the “good” life in current times. This is followed by a reflection on one of the most cited articles in the *Politics and Gender*, by Jordan-Zachery—*Am I a Black Woman or a Woman Who Is Black? A Few Thoughts on the Meaning of Intersectionality* (Chap. 3). Jordan-Zachery offers more of a personal reflection on how she has grappled with some of the issues, such as essentializing differences, in her work that followed this piece. She concludes by suggesting that intersectionality is a lived experience and that this needs to be reflected in our analyses of policy.

Next in this introductory part is a 2011 publication by Hankivsky and Cormier: *Intersectionality and Public Policy: Some Lessons from Existing Models* exploring the challenges in applying intersectionality to policymaking and reviewing what were then three innovative approaches to applying intersectionality to policy development and analysis (Chap. 4). As part of this “Foundations in the Field,” we included Hancock’s 2013 *Empirical Intersectionality: A Tale of Two Approaches*, in which she discusses the history of intersectionality and prior research attempting to empiricize intersectionality and introduces a model of paradigm intersectionality as a promising alternative (Chap. 5). We then move on to feature a 2014 publication in which the authors (Hankivsky et al.) introduce an Intersectionality-Based Policy Analysis (IBPA) Framework and seven policy case studies that were originally intended to provide guidance and direction for researchers, civil society, public health professionals, and policy actors seeking to address the challenges of health inequities across diverse populations (Chap. 6). Since its publication, the IBPA has been applied across a variety of policy sectors beyond health, including in a number of chapters featured in this collection. Finally, included in this part is a more recent 2017 piece by Patricia Hill Collins *The Difference That Power Makes: Intersectionality and Participatory Democracy* (Chap. 7) which provides invaluable insights into how intersectionality’s focus on intersecting oppressions as the structuring principles of domination, its analysis of how social inequalities that flow from intersecting oppressions are ordered across domains of power, and the centrality of community as a template for the politics of dominance and resistance constitute important dimensions of a power analytic for intersectionality and potentially for participatory democracy as well as public policy. Together these pieces provide an important contextual grounding, foundation, and, in many instances, a reference point for the remainder of the contributions of the collection, including the challenges and opportunities for intersectionality application in the field of policy analysis.

The second part of the volume focuses on the theme of “Innovative Methodological Directions and Implications for Policy Analysis.” The chapters in this part make important contributions to advancing methods for intersectionality-informed research, which, as Dubrow and Ilinca argue in the opening chapter (Chap. 8), “is a revolution waiting to go mainstream” and with the potential to “wreak creative destruction on policy research.” In this part, readers will find invaluable suggestions for strategically utilizing existing data and improving data collection, including the potential role of intersectoral communities to enhance the capacity for generating new sources of data and knowledge. The authors featured here offer approaches to “capture” and “measure” the intersections of social locations and capture within- and between-group variations.

Significantly they concretely demonstrate how intersectionality can be applied to existing methodological approaches and the tangible difference that it makes to the research insights and evidence that are generated from such processes.

One of the more innovative examples is in the final chapter in this part (Chap. 11), by Ferlatte and Oliffe, in which they demonstrate how gay- and bisexual-identified men address the issue of suicidality. Through a photo voice project, the authors bring to the centre the voices of these men to show how they engage power in their understandings of self, how they understand and live various intersectional factors, and their strength in the face of structures that tend to make them invisible at best. One of their findings suggests that “participants rarely discussed internalized feelings of oppression; instead the themes of homophobia and enacted stigma were raised in multiple stories and photographs focused on how power, violence and homophobia external to participants increased their vulnerability for suicidality” (Chap. 11, this volume).

At the same time, important challenges and opportunities are also raised for public policy. Priorities for future work in the field include finding methods to effectively measure power and structures of power, the necessary conditions and processes for intersectional communities of praxis to be created and work effectively, and devising strategies for how to measure identities without necessarily knowing how research participants see themselves or how others see them (Dubrow and Ilnica, Chap. 8). Moreover, as work on capturing interlocking oppressions continues to evolve, special attention will need to be paid to tackling a variety of intersections in similar contexts, including capturing groups in the middle order—that is, neither very oppressed nor, alternatively, very privileged (Iyer and Sen Chap. 10)—the fluidity and shifts between identities over the life course, the risks of stereotyping and stigma for focusing on any one set of interlocking factors, and how to create spaces for intersectionality-informed projects that promote social justice in public policy (López; Ferlatte and Oliffe, Chap. 11).

The next part—“Different Perspectives on Persistent Problems”—engages with ongoing problems of public policy. In so doing, each chapter, in its own way, emphasizes an important question posed by intersectionality scholars, as articulated by Douglas—“how can policy be responsive if it is based on limited or partial evidence?” (Chap. 13, this volume). The authors, via their use of various case studies and approaches, show the dangers of such limitations, thereby providing a strong rationale for intersectionality. And in exploring this approach, each draws on the distinct defining element of intersectionality succinctly captured by Schmidt and Mestry: “one of the greatest strengths of intersectionality theory is the focus on context, which flies in the face of modern policy paradigms that ignore context and tend to view identity characteristics (e.g. race, class and gender) as linear, static and unconnected” (Chap. 15, this volume).

In context of Chinese society, Jiang and Gong show how “stigmatization and prejudice against single women are based their multiple identities or group memberships” (Chap. 12, this volume). What they show is that those who are romantically unattached, particularly women, experience segregation, which results in overall decline of their well-being. Using an approach grounded in intersectionality, which not only focuses on lived experiences but also context, they argue that “Community-based interventions can also be designed to strengthen the social networks of single women, provide more social support, and help bypass the segregated environment created by marriage institution.” Douglas also addresses this issue of context and its relationship to intersectionality in by asserting that “demonstrated that findings based on predominantly one ethno-cultural group do not necessarily translate to other groups, even if they live under similar material conditions” (Chap. 13, this volume). So although individuals may experience similar material realities, they may deploy different strategies, in this case cigarette smoking—consequently context matters. Rujumba and Kwiringira ask us to consider the response to violence against women in Uganda (Chap. 14). They argue that violence against women is the result of a multi-layered context that thrives in the context of deprivation, poverty, widespread acceptance, and concealment of violence against women and girls coupled with women’s dependence on men and male-dominated decision-making, sexual norms and marriage values, inheritance through patriarchy, lack of self-confidence, household and clan asset-holding structures that entrench male dominance over women. What this then suggests is that a policy response must address the multiplicity of conditions that give rise to women’s exposure to violence.

The final two chapters of this part call our attention to education in South Africa (Schmidt and Mestry; Chap. 15) and South and South East Asia (Chaudhuri, Thimm, and Mahler; Chap. 16). To demonstrate the “value added” of intersectionality, Schmidt and Mestry consider how curriculum and school fee policies influence democratic educational structures. What they show is that the “hidden context behind education policy” (Chap. 15, this volume) results in inequity and injustice, thus limiting the democratic potential of education. This they argue is only critically understood through the applicability of intersectionality. Similarly, Chaudhuri, Thimm, and Mahler examine “how historical and contemporary education policies have been gendered and ethnicised” (Chap. 16, this volume). Intersectionality, as both a method and theory, allows the authors to not simply explore the impact of gender and ethnic but also geography and how it influences access to education.

The various authors demonstrate how to apply intersectionality to the policy analysis of persistent issues. They highlight the “value added” of intersectionality for advancing new insights and pointing to new policy solutions. In

so doing, the contributors show the extent to which policy sectors are interconnected. Further, they consider the challenges of transforming policy with intersectionality-informed analyses including for example, as Chaudhuri et al. put it that “adding some people’s injustices often produces new injustices” (Chap. 16, this volume). Balancing competing interests of diverse intersecting groups is an area that definitely requires more analytic attention as the field continues to evolve. At the same time, each chapter engages directly with advancing ideas of how understandings generated by intersectionality policy analysis can promote the goal of social justice. By taking seriously the need to connect the application of evidence to the promotion of social justice, this part also helps to create better understandings of policy as a vehicle for furthering social justice. This brings into stark relief the fact that while policy can be made more responsive through the application of intersectionality, what is required for transformational change to social inequities that manifest in policy problems are fundamental changes to complex social structures of power which are shaped and maintained by forces and institutions beyond the realm of policy.

As approaches to public policy continue to evolve, public engagement has become increasingly important. More and more attention is being paid to how governments can work together with key stakeholders, including civil society, to solve pressing problems and achieve policy goals. Intersectoral collaboration is thought to lead to community empowerment and better information that can inform solutions that reflect the experiences and self-expressed needs of affected populations. Such processes are also thought to ensure that public policy decisions have widespread support and uptake.

The chapters in the fourth part of the collection—“Community Engagement and Advocacy for Change”—contribute to this important development in public policy by grappling with the question posed by Osborne, Howlett, and Grant-Smith—“what are the necessary conditions to ensure that engagement is in fact intersectional?” (Chap. 17, this volume). Accordingly, each chapter describes how community engagement can be made more authentic and effective through the application of intersectionality. The individual chapters focus on how related processes and final outputs of such engagement can be transformed.

Concerned with the often inadequate processes of consultation that are based on false assumptions of group homogeneity, lack of recognition of Australia’s first nations’ right to self-determination, and lack of acknowledgement of the processes of colonialism, Osborne, Howlett, and Grant-Smith (Chap. 17) propose a way for diverse indigenous populations—in all their diversity—to formulate, implement, evaluate, and revise policy processes that advance their

interests and needs. Verdonk, Muntinga, Leyerzapf, and Abma demonstrate the importance of intersectionality-informed participatory action research in the Netherlands for better understanding cultural practices and more accurately identifying complex inequities and plurality for health policy development (Chap. 18). Similarly, in her investigation of rural health in Ukraine, Vorobyova articulates how a different approach to community engagement can reveal within-group differences and, in particular, reveal the significance of age and the very different health-related needs of both younger and older cohorts of rural residents that are typically missed in homogenizing conceptions of “rural” health (Chap. 19). Marchetti poses the following question: “Could inequality be reproduced in the very organizations working to make the political process more equitable?” (Chap. 20, this volume). Using survey of US-based identity-based advocacy organizations, Marchetti explores the various factors that shape organizations’ intersectional advocacy. As argued, an intersectional analysis of advocacy and advocacy groups provides deeper and a more nuanced understanding of how organizations engage in intersectionality—that is, the privileging and/or attention to some identity markers relative to others. Lene discusses how community health planning, which integrates citizen perspectives in the Danish context, leads to expanded notions of class (Chap. 21). As argued, this ultimately improves understandings of the varied roots of health inequalities. Finally the part closes with Esguerra Muelle and Ramírez’s contribution that focuses on the participation of LGBT* actors and movements in the construction of LGBT* public policies in Colombia and the difficulties of applying intersectionality to this case (Chap. 22). As part of this discussion, the authors describe a unique approach, developed in Colombia, for addressing specific groups within public policy—a differential approach (*enfoque diferencial*)—and reveal the distorted view of intersectionality being adopted by the Colombia state which tends to conceal material and symbolic inequities.

Collectively then, these examples transcend what is typically achieved in community engagement processes—for example, recognition or accommodation of diversity through a focus on static approaches to groups or singular foci on important characteristics of groups. While using different methodologies and addressing various populations, the chapters of this part force us to critically engage with how marginalized groups and/or organizations live intersectionality in their activism and quest for agency. The chapters show how groups and organizations challenge static notions of power, by engaging in practices and producing knowledges that move them into the position of subject. The practical applicability of the research offered by these various authors rests in the functionality of intersectionality as it is not just a theory/world view but a practice of defining what Manuel terms the “good society” (Chap. 2, this vol-

ume). Theoretically, they bring us back to a central concern of intersectionality, as understood by Black feminist scholars and other critical scholars that argue that research should be grounded in the voices of the oppressed if in fact we are to enact substantive change in the distribution of power. However, as Verdonk et al. put it, “attention to intersectionality will never have positive effects unless different organizations and levels of government are prepared to accept the consequences of necessary changes” (Chap. 18, this volume). A key question remains then on how to persuade and/or convince those in power that transformative improvements to public policy require a readiness for fundamental changes to state bodies and mechanisms, including the very ways in which policy processes have traditionally been designed and implemented.

The part, “Challenging Colonization,” while taking up many of the themes covered in the preceding parts, centres on how policy balances “individual rights and community, collective, or cultural rights” in policy design and implementation (Cosgrove, Chap. 24, this volume). Collectively, the authors argue that policy must listen to and integrate into policy decisions the voices of the communities most impacted. Through a post-colonial intersectional frame, Cosgrove offers an analysis of “how multiple forms of difference affect the situation of women today in Mapuche communities in South central Chile” with the goal of offering “methodological tools” to enhance the representation of indigenous people (Chap. 24, this volume). Similarly, Burnett analyses “polarization and political fragmentation” via a case analysis of the experiences of Palestinians in the West Bank (Chap. 25, this volume). As Burnett argues, “Also, the occupation and current Palestinian rhetoric obscure the multidimensionality of social experiences by constricting gendered relationships to a particular form of feminism that does not provide space for authenticity and/or self-empowerment” (Chap. 25, this volume). Accordingly, this is what produces polarization and political fragmentation—discourses.

Magliano also looks at colonialism, and its long-standing impact, with her focus on how colonialism is ingrained in the judicial system. Through the case study of Reina Maraz, a Bolivian migrant woman, Magliano shows how the Argentinian public responds to intersectional identities. Magliano, via a critical analysis of the decision to condemn Maraz to a life sentence and a reconstruction of her life, shows how those who are not “heard” or “seen” are treated in the judicial system. When the system fails to listen to the individuals such as Maraz, it is likely to result in “intersectional blindness” (Chap. 26, this volume). Wiebe’s analysis addresses the question of how to create space for the integration of community knowledge in public deliberations (Chap. 27). As she argues, deliberative democracy is enhanced when indigenous communities are able to express their knowledges, via testimony, narrative, song, and image, and when these knowledges are used to inform policy.

Using various case studies and methodological approaches, the authors show how “democratic forms of political agency” (Chap. 23, this volume) emerge in different contexts and how such efforts may be stymied within institutions. Bringing together coloniality and intersectionality, Bernardino-Costa offers an analysis of the activism of domestic workers in Brazil. This analysis, using a series of interviews, articulates how “domestic workers recreated themselves as subjects” (Chap. 23, this volume). Accordingly, they were able to insert themselves as subjects into the larger discussion of workers’ rights by developing and engaging in a “decolonial project” that not simply resisted but offered alternative strategies for how they understood themselves as workers and more importantly as citizens.

Individually and combined, the chapters constituting this part address how power imbalances are produced and maintained within colonial, post-colonial, and liberal economic and development theory. They bring together intersectionality theory and practice with colonial and post-colonial, occupation, and theories to suggest in the words of Wiebe that “evaluation of the relationship between the expression of citizen concerns and their influence in the decision-making process fills a gap in deliberative democratic scholarship by assessing the inclusion and influence of ‘affected publics’ in public decision-making” (Chap. 27, this volume).

In “Responding to New and Pressing Challenges,” the sixth and final part of the volume, the chapters consider how values are linked to the policymaking process, resistance politics, and distributive justice. Clark and Vissandjée argue “values of equality cohabit with a liberal political discourse of gender parity” (Chap. 28, this volume). And it is these values that limit the policies, literacy policies in particular, effectiveness for integrating immigrant women into the society. According to Clark and Vissandjée, the mainstream focus on literacy fails to account for other oppressive structures that impact how immigrant women are integrated into society. Moodley also takes up the task of disentangling oppressions via an analysis of mental health policy in South Africa. As argued, “while their research adequately engaged gender and race disparities in mental health research, it failed to consider how disability overlaps with these axes to impact on mental health” (Chap. 29, this volume). As such there exists a theoretical and practical gap that leaves, for example, our knowledge of Black women who are disabled and suffer from mental illness rather limited.

Further, Sixsmith and colleagues ask, “How can we better inform policy to ensure that older people of diverse backgrounds and experiences are aging well in the right place?” (Chap. 30, this volume). They employ a community-based participatory research approach, to explore how older, low-income women and men of diverse backgrounds understand and navigate their sense of place while

transitioning into affordable housing. What they show is that traditional policy approaches tend to ignore the everyday lived experiences and often leave the elderly vulnerable to isolation, among other problems.

Using institutional intersectional feminist approach and environmental justice theory, Kleyn explores the nature of public deliberations and their role in policymaking (Chap. 31). As argued, public deliberations are only effective when it is met with “distributed decision-making power.” Thill, similarly to Kleyn, suggests that for policy to meet the needs of those who are marginalized as a result of identity, then policymakers must engage in “social justice-oriented listening” (Chap. 32, this volume). Engaging in this practice as Kleyn asserts allows policymakers or researcher to not decide “*a priori* what categories to analyze but rather how we might unlearn our privilege as experts without abdicating our responsibility for contributing to policy change,” thereby creating a more just society. Christoffersen studies the uses of intersectionality in policy documents in the UK and shows superficial, additive, and inconsistent conceptualizations which, in the UK as in other jurisdictions, leave intersectionality’s potential unrealized (Chap. 33). She ends by raising important questions and by suggesting recommendations for how to align intersectionality with its social justice orientation. And finally, Townsend-Bell explores a critically important topic—how intersectionality is travelling, its institutionalization, and its imposition in foreign contexts. She rightly notes that “There is not much point in promoting the spread of particular ideas, or values if they will not be organized around some shared core” (Chap. 34, this volume) and that, in the case of intersectionality, “The basis for real moves forward with intersectional norms will certainly continue to require attention to issues of sovereignty and contextual sensitivity, but it will also require a real dialogue, defined as an interaction in which at least two parties share their ideas in the spirit of interchange” (Chap. 34, this volume).

Conclusion

Clark and Vissandjée articulate the value of engaging in an intersectionality-based policy analysis with the following claim, “intersectional policy based analysis shifts the focus from any singular or fixed understanding to multiple ways of knowing and recognition of group differences without reifying any social groups” (Chap. 28, this volume). As demonstrated by the rich examples in this collection, what an intersectionality perspective does for public policy analysis is that it encourages a different way of looking at all aspects of policy: how problems are defined, how solutions are developed and implemented, who is included and how in decision-making, and how policy is ultimately

evaluated (Hankivsky 2005). This is largely due to the fact that an intersectionality analysis encourages looking beyond the most clearly visible dimensions of inequality (Weber 2009) to recognize multiple and intersecting disadvantages underlying the construction of subject positions. As a result, what is generated from this type of approach is new knowledge and evidence that is not only better reflective and responsive to people's actual lived experiences but far more accurate in terms of being able to target the oppressive forces at work in society and policy more specifically (Bedolla 2007; Hancock 2007). At the same time, however, this new information is not in itself a guarantee of transformation. Engaging in this type of work also requires an awareness of power in those groups who currently benefit from existing social structures and supportive policies; who control how social problems are understood, prioritized, and responded to; and who may be resistant to changes that may be brought about by intersectionality policymaking (Hankivsky and Cormier 2011, 226).

As a collective, the chapters encourage us to think critically about intersectionality and public policy and exactly how do we bring intersectionality to public policy. We suggest a few probing questions that should be taken up in future work.

1. As we engage intersectionality as a method, approach, and/or theory to policy analysis, how are we engaging the plurality of voice(s) of those targeted by policy?
2. How is intersectionality being deployed? As a researcher, practitioner, activist, are you employing intersectionality in all of its multi-dimensionality that includes not just analyses of identity but also power and justice?
3. As a research, practitioner, activist, who is engaged in intersectional analyses, have you taken the time to also engage in self-reflection and accountability? And this is simply more than recognizing your positionality in relation to those who are being studied. For example, how have you engaged your research subjects regarding accountability? This helps to address questions such as have you as a researcher captured their truth or simply your understanding of their truth.
4. Does your analysis engage the social functionality of intersectionality? Intersectionality involves more than theorizing as it is for changing the social, political, economic position of those on the margins. How does your research, policy decision, and/or activism integrate such and engender transformation and social justice?

We hope that this collection plays an important role in persuading other researchers, activists, and policy actors that an intersectionality-informed approach is key

to improving the efficacy, responsiveness, and ultimately efficiency of policy analysis and public policy more generally. The political and policy context suggests that we are not post-intersectionality, post-race, post-gender, post-class, and so on; in fact the context tells us that identity matters. As such, future research, activist, and policy decision efforts need to actively engage intersectionality. This requires confronting the challenges as to the use of intersectionality, but not allowing such challenges from limiting theoretical and practical applications. In doing so, movement will be made towards a state of equity and justice—we sincerely hope that this volume contributes to these larger efforts.

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Part I

Foundations in the Field

2

How Does One Live the Good Life?: Assessing the State of Intersectionality in Public Policy

Tiffany Manuel

The world is a complex, interconnected, finite, ecological-social-psychological-economic system. We treat it as if it were not, as if it were divisible, separable, simple, and infinite. Our persistent, intractable global problems arise directly from this mismatch.
—Donella Meadows

Introduction

A decade ago, as an assistant professor, I was writing about the paucity of a true intersectional lens in the science of public policy. As an African-American woman looking out at the complexity of my own life and the diversity of people and perspectives around me, it struck me that the discipline that I had given the better part of my professional life to did not really capture the complexity of my life. As a public policy scholar, working to study and advance policy solutions to address some of the most challenging social problems, it felt important that my work reflects the true contours of my life and the lives of those I was working to improve.

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In particular, I understood that my social location, although not exclusive or unique to me, had profound implications on my thinking, my scholarship, my activism, my family, and my relationship to the world around me. I understood my social location as having profound effects on my life outcomes (on the quality of my health, e.g., and the health of those around me) and on my sense of obligation to others, my sense of freedom, oppression, outlook, and often, my outrage at the social conditions around me.

Today, I know unequivocally that my social location and how it is perceived by others affects my children and the likelihood of their success in life. It challenges me, it excites me, it depresses me, and it haunts me. And with respect to the professional discipline of which I am a part of, it explains so much of how, why, and when I respond to the public policies meant to enhance, constrain, and otherwise shape the contours of my life and my community. Although public policy as a science and a practice may not yet be able to reflect the complexity and dynamism of my life (and my social location), the effort to embed an intersectional lens in the field is a necessary but slow-moving journey.

As many of the scholars in this volume will attest, public policy scholars and practitioners have cause for celebration after decades of hard thinking, advocacy, and organizing to get a deeper appreciation of the complexity of the human experience into our work. Even so, intersectionality theory remains mostly an elective in public policy—a “good to know” body of literature from across the social sciences but a nonessential intellectual thread.

Even so, what I hope you will read in this volume is the intentionality of a widening group of scholars who are committed on moving the idea and practice of intersectional scholarship forward and into the mainstream of public policy. They are the reason that I remain hopeful about the future of public policy as an academic discipline and as a practice that has relevance to a wide range of pressing social issues.

In this article, I revisit some of the key points I shared more than a decade ago about why public policy as a discipline is the “right” home for intersectional theory (Manuel 2008). I trace the origins of intersectionality as a set of conceptual ideas and discuss some of the reasons why it has been difficult for scholars using an intersectionality lens to integrate this perspective into the canon of scholarship in public policy. To illuminate the power of an intersectional lens, I provide two case studies—one applied and one more theoretical—to show the insights that an intersectional lens can offer to public policy analysts. I conclude by sharing ideas for what might help us to accelerate the integration of intersectionality into the theory and practice of public policy.

Why Public Policy Is the “Right” Home for “Intersectionality”?

Philosophers for centuries have wrestled with the existential question—*how does one live the good life?* Similarly, at the heart of public policy is a question that often undergirds the thinking—*how do we advance a society in which the good life is possible?* That is, how do we organize a society in which people can pursue a good life—to experience democracy, freedom, autonomy, connectedness, materials and social well-being, and a cascade of other social goods. Much of what functions as public policy debate around a variety of issues, especially in industrialized nations, is essentially deliberation about the state of our commitment to the idea that people ought to have the right and the audacity to pursue the “good life” of their choosing, how to structure our society and the institutions that preserve that commitment, and our ideological differences regarding how best to use limited public resources to ensure that they can.

Although public policy is one of the younger interdisciplinary subfields in the social sciences, it is one of the most promising in terms of its social relevance. Having made a significant transition from the esoteric ruminations of a few social scientists about the need to study the “activities of government” to an appreciated body of knowledge that blends the theory and practice of public governance, public policy has enormous potential for restructuring how we understand and mediate the conflicts about the good life. Public policy programmes are generally well-respected among the other social sciences and the scholarship emerging from the discipline often finds itself in actual policy debates in legislatures, elections, and news reporting. As I wrote in a 2006 reflection on the field, “In the process of building the discipline, public policy scholars have worked hard to develop: (1) precise (albeit limited) measures of social well-being; (2) research methods that detect appreciable changes in social well-being—especially those due to changes in public policies; and (3) analytical frameworks that elucidate how people make life choices under different political, institutional, and policy arrangements” (Manuel 2008).

Even with these advancements in the discipline, it is also clear that the public policy field has been slow to adopt an intersectional lens—a way to understand our lives and the choices as a consequence of our social location (i.e., the intersection of race, gender, class, and other markers of identity). As Malveaux (2002) and a growing chorus of scholars who use an intersectional lens have argued, “we don’t live linear lives, so we can’t think of or forge a

linear analysis ... our lives are all about intersections” (27). While policy scholars and practitioners have not ignored the context in which people make choices, the analytical frameworks commonly used to characterize and explain behaviour (identity characteristics like race, class, and gender) largely view identity as linear, static, unconnected phenomena rather than multifaceted, fluid, and intersectional.

Intersectionality theorists argue that when public policy scholars and practitioners use a lens that highlights social location, we get a much better understanding of how people perceive their own lives, why they make the choices they do, and how public policies shape both. Most of all, our work as policy analysts becomes more precise, more predictive, and ultimately, more impactful.

If we think about the benefits of intersectionality in this way (deepening the impact of our work), intersectionality is not an issue of semantics or, merely, an academic exercise. Rather, intersectionality represents a practical and meaningful useful tool to strengthen the explanatory power of public policy frameworks and models (especially those that seek to evaluate policy impacts and outcomes). Perhaps even more important, an intersectional lens can deepen our understanding of how people pursue the “good life” by addressing the question: *“how do gender, race, class, and other forms of identity and distinction, in different contexts, shape not only the way that we view policies meant to improve our lives and the choices we make in response to those policies but also, our ability to envision the possibilities for living the good life?”* (Manuel 2008). The latter is what led me to adopt an intersectional lens in my work and the reason I see it as a way to strengthen the impact and relevance of public policy.

How Is Intersectionality Defined and What Are the Intellectual Origins of This Approach?

One of the best definitions of intersectionality comes from George (2001) who describes intersectionality and its analytical contribution in this way: “Intersectionality goes beyond just looking at the gender aspects of racial discrimination. It seeks to provide a tool for analyzing the ways in which gender, race, class, and all other forms of identity and distinction, in different contexts, produce situations in which men and women become vulnerable to abuse and discrimination” (2).

At the core of intersectionality is the idea of social mapping or social location theory. Essentially, that the intersection of different markers of identity

and difference combines to “map” one’s “social location.” Hill Collins (1995) explains this best as she writes:

We clearly need new models that will assist us in seeing how structures of power organized around intersecting relations of race, class, and gender frame the social positions occupied by individuals and work in explaining how interlocking systems of oppression produce social locations for us all. (491)

Thoughtful, critical analysis can be used to measure and diagram one’s “social map” to understand how people make decisions in their own lives as well as the larger context in which those decisions are shaped and formed. As I will argue later in this chapter, a significant benefit of intersectional theory in the concept of the study of policy outcomes, then, is the potential ability to understand (and ultimately to explain) behaviour relative to policy change. By mapping the social location of the intended beneficiaries of public policies (and sometimes, of others impacted by those policies), we are better able to address the dynamic interplay between multiple forms of identity. Such analyses are critical for being able to explain why knowing only the gender, race, or class of a person is not enough to explain or predict behaviour—since such information in isolation of other social markers of identity reveals very little about his/her life experiences and even less about how he/she is likely to respond to changes in public policy.

Examining the Emergence and Early Writings on Intersectionality

Intersectionality is not an entirely new paradigm—scholars across the social sciences have been studying the cross-cutting and connected nature of race, gender, and class inequalities in the United States for decades. Yet to understand its relevance and power in the contemporary public policy contexts in which we work, it is important to trace the origins of the core ideas that undergird the lens.

Contemporary versions of the term intersectionality took root in the feminist movement of the 1960s and 1970s in the United States where women of colour found themselves among the most vocal constituents of the women’s movement but felt locked out of the mainstream voice of the feminist movement and at odds with other feminists who did not want to acknowledge race, ethnicity, or other identity markers as part of their activism (Landry 2006; Weber 1998; Hill Collins 1991; hooks 1984). By the mid-1980s and early

1990s, more serious discussion and writing began to emerge on “multiracial feminism” which lamented the “interlocking” and “interconnected” forms of discrimination that not only shaped the consciousness of women of colour separate and apart from white women and black men but rendered them invisible in political struggles for equality by each group (Zinn and Dill 1996; Naples 1998). Used interchangeably in the literature, the terms “interlocking,” “intertwined,” and “interdependent” were in heavy rotation within the scholarly literature; however, it was the term “intersection” that came to galvanize and represent this discourse. As the term “intersectionality” began to fan out across the social sciences—deployed by scholars in women’s studies, sociology, and cultural studies fields particularly receptive (Landry 2006).

Solidifying the discourse around the central terminology of “intersectionality” had significant impacts on the early scholarship of feminists in several discrete ways.

- **Early writings using the language of “intersectionality” tended to have a distinctly negative connotation—highlighting the ways in which multiple forms of identity rendered women *invisible*, more *vulnerable to discrimination and economic exploitation*, and the *victims of multiple forms of oppression*.** Although it is also true that as the definition expanded to cover more analytical ground, it took on a perspective of the “double edge” of intersectionality. That is, later scholars would note that while an intersectional lens can show how one’s social location can make one more vulnerable to oppression or abuse, it can concomitantly confer some social privileges as well (Browne and Misra 2003).¹ Donaldson and Jedwab (2003) argue, for example, that immigrant status or speaking English as a second language (while conferring vulnerability to abuse and exploitation in some contexts) may also be viewed as an asset in settings where there is a desire to build intercultural competence (e.g., knowing several languages). In this way, more recent intersectionality analyses underscore the “need to understand the operation of both oppression and privilege in peoples’ lives in order to construct appropriate strategies for advocacy” (Williams 2004, 63).
- **Early writings on intersectionality also tended to concentrate predominantly on the experiences of black women to the exclusion of other**

¹ Feminist scholars have had long debates about the extent to which dichotomies like “oppressor/oppressed” are situational to the extent that a person may be considered “oppressed” in one circumstance but exercise oppressive power over people in other situations. For example, see the discussion by bell hooks (1981).

women of colour and of men. In this way, the early remnants of intersectionality theory were powerfully shaped by women of colour looking for a means to describe the multi-layered, sometimes conflicting way they understood the contours of their own lives. Today intersectionality is employed by scholars from a wide range of backgrounds, yet the social location of intersectionality in the experience of black feminists shaped the discourse—the examples, the stories, the experiences critical to validating the perspective.² The fact that so much of the early provocative writings on the topic were produced by these women also shaped the pathway to a new discourse among feminists. “When Black women began to critique recent gender scholarship for its exclusionary practices, they focused on conducting analyses that began from the experiences of Black women, putting them at center stage” (Weber 1998, 15).

- **Early writings on intersectionality tended to highlight the places and spaces where women’s marginality could specifically be attributed to their invisibility to policymakers and in relation to specific laws or legislation.** Early writings show that when the term “intersectionality” is evoked, it tended to be applied to address policy issues where multiple and interlocking forms of identity made women invisible or ineligible for public resources. That is, women’s marginalization happened because of an interpretation of law or regulation that left them without access to public resources. So, the discussion of intersectionality became more relevant (with examples often given in writings) about the policy loopholes where public services hinged on the strict interpretations of legal codes (e.g., domestic violence, employment discrimination, sexual harassment, etc.) that rendered many women invisible.³

² See, for example, Segura (1989), Martinez (1996), Hossfeld (1993), Chabram (1994), Cordova (1990), Jorge (1983), and others who write about the intersectional dilemmas of Latin American women. Ralston (1991), Das (1994), Fong (1978), Cheng (1984), Chow (1989), Khandelwal (1998), Kibria (2002), and Ray (2003) write about the intersectional experiences of Asian American women. Greenebaum (1999) and Re’em (2001) discuss religious intersectionality; Prindeville (2003) has written about Native American women, and an extensive comparative literature exists among intersectional scholars elucidating cross-race/ethnicity group differences.

³ In particular, “courts have had difficulty in handling cases involving intersectional discrimination” (Wilkinson 2003, 7). Legal scholars have made substantial headway in highlighting areas where existing legal codes have been “traditionally developed to respond to the single markers” rather than the intersection of identity markers that determine people’s lived experiences, opportunities, and choices (Donaldson and Jedwab 2003, 5).

“According to the 2000 census (U.S. Census Bureau 2001), there are approximately 36.4 million African-Americans (12.9 percent of the population), 35.3 million Hispanics (12.5 percent of the population), and 11.9 million Asian-Americans (4.2 percent of the population)” (Friedman and Amoo 2004).

What Explains the Growing Interest in Intersectionality?

While the scholarship and practice of intersectionality has matured over many decades since the early writings, the underlying perspectives from which it emerged—invisibility, marginalization, inequality—have always catalysed public policy debate. In particular, much of contemporary public discourse around policy centres around these issues (especially inequality), if public policy can mitigate those inequalities and whose responsibly it is to initiate any remedial or corrective action.

Today, debates about how to drive policy change that mitigates inequalities across race, gender, and class markers of identity are louder and stronger than ever (e.g., Black Lives Matter and #MeToo social movements in the United States). These social movements have public policy and systems change at their core and have the potential to increase the visibility and influence of public policy as a science and practice. Yet, the latter is only realized to the extent that policy analysis, scholarship, and practice is able to address the dynamism, complexity, and fluidity of how those movements reflect the politics of identity.

It is also no coincidence that interest in intersectionality is growing at the same time that a cross-cultural revolution is taking place across the globe. With increased ability to travel and migrate across space and place as well as advances in information technology (that facilitate the sharing of data, information, and social media across great distances) and a globalizing economy (that facilitates the exchange of goods and services across nation-states), social outcomes are shaped by a wider array of factors. As a result, an intersectional lens (one that recognizes the dynamism of perspectives across cultures and the constructs of identity) is becoming more important for those looking to understand, explain, or predict social outcomes more broadly.

Among public policy scholars and practitioners in particular, the growing interest in intersectionality is also a result of the changing demographic composition of the faculty in the social sciences and in academia, more generally. That is, such interest is growing at the very same time that the racial/ethnic, gender, and class composition of academia has been diversifying. With wider

These numbers include individuals who either report belonging to only one race or in combination with another race.

Although the UN and other international organizations have recognized intersectionality, they have found the concept difficult to integrate into policy decisions—an issue that I return to at the end of this article.

numbers of women (and women of colour especially) in academia, a much broader range of perspectives, voices, and experiences are being reflected in published scholarship. Moreover, the fact that many of women of colour faculty are often facing their own forms of discrimination (as they come to populate the senior ranks of many predominantly white campuses) means that they have a great personal stake in illuminating how their social location in academia makes them more vulnerable. The contribution of these scholars, while somewhat motivated by personal and professional reflections, has resulted in a new generation of students and scholars better positioned to challenge the epistemology and ontology of knowledge production, not just in public policy but in a wide variety of professional fields. “Although inside the academy by virtue of their status as professors, writers, researchers, and scholars, these groups also have an outsider’s view of the knowledge that the academy has produced because they are women of color, come from working-class backgrounds, and/or are gays and lesbians” (Weber 1998, 16). Thus, while the number of women of colour faculty in American colleges and universities remains remarkably low compared to their composition in the general population, these faculty continue to be instrumental to the development and proliferation of intersectionality as an important, socially relevant lens.

It is also useful to point out that interest in intersectionality is growing in part because of the broader societal shifts in how “identity” as a social construct is understood and mediated. Donaldson and Jedwab (2003) take up this issue persuasively when they write that such interest in intersectionality is “due to changes in the way we understand the very phenomenon of identity. This pertains not only to how individuals choose to define themselves but also to the salience of identities under varying circumstances” (3). That people now self-define key categories of identity such as gender, sexuality, and race/ethnicity in new and previously undefined ways renders intersectionality (a lens through which such interlocking definitions might be understood as dynamic and fluid) as even more relevant.

As these new forms of identity form, they must also be “negotiated” in the public square (identity politics) to form alliances, collective identities, group boundaries, and the group consciousness leading up to collective action that make claims on governments (conferring rights) and allocating scarce public resources.⁴

⁴Rummens (2003) also notes that the term identity is derived from the French word *identité* and from the Latin noun *identitas*, which means “the same,” and underscores the comparative, relational, contextual nature of the term. Scholars who study identity formation argue that there are at least three stages in the development of one’s identity: formation (cognitive functions of the individual as he/she matures),

In so doing, this body of work considers the various strategies used by different social actors in their negotiation of social position through opposition, identity policies and the politics of difference—including the policies of articulation, representation, and recognition—and pays particular attention to the negotiation and evaluation of group identities. (Rummens 2003, 6)

Understanding the impact that “identity politics” has on policy development, inequality, and other social outcomes has long been of significant interest to policy scholars. The benefit of an intersectional lens is that it contributes to our understanding of how (and sometimes, why) identity politics gains currency, punctuates public policy discourse, and leads to policy change.

What Does It Mean to Say That I Am Using an Intersectional Approach?

To say that we are using an intersectional lens is to say that we recognize that the distinguishing categories (such as race/ethnicity, gender, religion, sexual orientation, class, and other markers of identity and difference) do not function independently but, rather, act in tandem as interlocking or intersectional phenomena (Zinn and Dill 1996; Crenshaw Williams 1995; Brewer 1993; Hill Collins 1993; King 1988). In a very practical sense, intersectionality has helped move scholars and practitioners away from debating race, gender, and class inequalities as oppositional forces. Moving beyond “oppositional, hierarchical divisions that often emerge from single axis analyses” (Williams 2004, 56) is both intellectually important from a scholarly perspective but is also critical for moving public policy discourse forward (e.g., releasing us from endless and unproductive debates about the declining significance of race versus the increasing significance of class).

Looking across the widening field of scholars using intersectionality as an approach provides a good picture of the common intellectual threads that, when understood collectively and woven together, show the power of the lens. One of the best efforts to summarize, synthesize, and bring together competing and conflicting threads represented in the scholarship is Weber (1998). Her work to outline the common conceptual threads alongside others in the field is critical to understanding what it means to use an intersectional lens.

construction (developing the notion of self in relationship to others in one’s social context), and negotiation (making conscious and sometimes unconscious choices about affirming or rebelling against the generalities associated with one’s own identity markers).

An intersectional lens understands identity markers that determine how people see themselves and are seen by others (like race, class, gender, religion, and other social defined categories) as:

- **highly contextual**—that is, their meaning varies across time and space;
- **social constructed**—where their meaning is often emerging out of group struggle over valuable resources;
- **representing power relationships**—where one group exerts control over other groups to gain substantial material and nonmaterial resources;
- **blending the macro (social structural) with the micro (social psychological)**—such that we experience the impact of identity at the individual level but also at the community, group, national, or institutional level;
- **simultaneously expressed, not mutually exclusive**—such that they are “on” all of the time and sometimes operate in opposite directions (i.e., explaining how one can be “discriminated against” and simultaneously be the subject of “discrimination”);
- **unlimited and non-hierarchical**—the range of identity markers is literally endless even though the categories of race, gender, and class show up in intersectionality most often; and those markers are constantly shifting in terms of how they are perceived or confer privilege in a particular social context.

As Donaldson and Jedwab (2003) explain, “Identities are neither fixed nor static and can, therefore, change over time. Identities are negotiated and renegotiated, a process generally influenced by a variety of factors including the respective importance of markers of individual identity and the conditions under which they are manifested” (2). In addition to the common identity categories, others are increasingly being in intersectional scholarship—for example, first language spoken, visible minority status, age, immigrant status, disability status, religious affiliation, region of residence, sexual orientation, family type, and marital status. Even less common (but no less descriptive) are analyses that highlight “economic markers, such as occupation, sector of employment, or labor force status indicators such as employment, wage rate, and the like” (Hum and Simpson 2003, 56). Finally, there are a series of other identity markers that are social constructed but more difficult to measure—the “most troublesome are markers that are latent, such as individual motivation, ambition, attitudes, and the like that can play important roles in determining behavioral response” (Hum and Simpson 2003, 5).

Beyond these basic elements of the perspective, intersectionality scholars tend to make the distinction between horizontal and vertical forms of inter-

sectionality (Donaldson and Jedwab 2003). Horizontal intersectionality describes within-group differences (such as the relationship between Vietnamese, Chinese, Japanese, and others when talking about “Asians,” or Jamaicans, Antiguan, black British, or black Americans when talking about “blacks”). In contrast, vertical intersectionality refers to between-group differences (such as blacks compared to Asians). While both forms of intersectionality are important, each interjects a different type of information into scholarly discourse and analysis. Moreover, it is this distinction that often offers up the potential to explain divergent policy outcomes even among similarly situated groups.

One of the most prominent writers in this space, Kimberlé Crenshaw Williams, extends the notion of horizontal and vertical forms of intersectionality by pointing out the distinction between *over-* and *under-*inclusion of identity markers (2000). Crenshaw describes over-inclusion as the extent to which the experiences of marginalized groups are claimed by larger mainstream groups. For example, “over-included to the extent that the aspects of the circumstances that render it an intersectional problem are absorbed into a gender framework without any attempt to acknowledge the role that racism or some other form of discrimination may have played in contributing to the situation in question” (Crenshaw Williams 2000, 6). In contrast, an experience by a small group of women that is not addressed or recognized by a larger group of women as a “gender” problem might be considered an example of under-inclusion.

Crenshaw Williams also makes an important distinction between structural and political forms of intersectionality that I find especially useful to public policy scholars (1995).⁵ Structural forms of intersectionality speak to the ways in which individuals with intersecting identities find themselves marginalized because of structural barriers (language barriers, poverty, citizenship status, etc.). Structural intersectionality can be dynamic (changing in different contexts) or subordinating. Political intersectionality, however, refers to being “situated within at least two subordinated groups that frequently pursue conflicting political agendas. The need to split one’s political energies between two sometimes opposing groups is a dimension of intersectional disempowerment which men of color and white women seldom confront” (Crenshaw Williams 1995, 360; see also hooks 1984; Hull et al. 1982).

⁵ The five forms of intersectionality that she outlines in her typology are: (1) targeted discrimination, (2) compound discrimination, (3) structural-dynamic discrimination, (4) structural subordination, and (5) political intersectionality.

Put together, these conceptual threads congeal to highlight an appreciable body of scholarship with a perspective that bridges theory and practice. Moreover, intersectionality scholarship characteristically blends academic scholarship with social activism (as evidence by the Crenshaw Williams quote above). Because an intersectional lens can be applied to theoretical as well as practical public policy questions, it holds significant implications for the practice of public policy and concomitant research, an issue taken up in the next segment of the chapter.

Integrating Intersectionality into Public Policy

In many ways, intersectionality is no stranger to public policy. Public policy has always had a more applied orientation—seeking to advance solutions to real-world, discrete problems that require thoughtful understanding of people. Public policy scholars studying identity politics and its relationship to policy outcomes have especially enjoyed the benefit of scholarly inquiry into the evolving landscape and dynamics around identity.

I argue as well that both intersectionality and public policy have a similar, fundamental (some might say, existential) question at their core: *how do we organize ourselves (our institutions, culture, norms, etc.) in a way that offers people the right to pursue “the good life”?* Public policy scholars often operationalize that question in this way: *how do we organize a set of political institutions and appropriate rules of governance that permit our citizens to pursue ends that maximize their individual and collective well-being?* While both intersectionality and public policy have improved social outcomes at their core, there are some important conceptual barriers that separate the perspectives and that have slowed their integration in theory and practice.

- **Public policy, by its very nature, is reductionistic and incremental.** Public policy analysts try hard to simplify policy solutions as much as possible, and simplicity often comes at the expense of comprehensiveness. That is, to simplify policy solutions and avoid conflict, public policy scholars often try to “boil down” the range of people’s experiences down to a single, “treatable” issue that can be resolved efficiently and relatively inexpensively. Additionally, public policy scholars tend to propose policy solutions that are “politically” feasible. That typically means solutions that appeal to the mainstream are simple and work within the existing institutional framework. This kind of reductionism and incrementalism has the

impact of narrowing the intentionally expansive and multifaceted perspective that intersectionality invites into our work.⁶

- **Public policy scholars try to work within the short time horizons of policymakers, but intersectional policies move in the opposite direction.** Resolving social problems that result from multiple identity markers may be more costly, time-consuming, and difficult to address. Wilkinson (2003) acknowledges that it often costs more to address the needs of constituents who experience problems because of multiple identity markers (e.g., women of colour with AIDS); although she argues that these costs may be recovered by their impact. In any event, an intersectional approach is likely to lengthen the time needed to craft, enact, and implement new legislation.
- **Public policy scholars have struggled to develop analytical and methodological approaches to capturing the complexities of intersectionality—both in empirical and theoretical work.** Even when public policy scholars have agreed that public policies need to be crafted in a way that better responds to a broad spectrum of identity markers, they often do not know how policy can be designed to do so. So, while public policy research may be better able to reflect intersectional differences, crafting public policies that do address them is a much more difficult task. How do we capture the broad range of people's experiences and then purposefully incorporate those experiences into our policy designs, projections, outcome measures, and impact analyses while at the same time respecting constitutionally bound notions of equal protections under the law?
- **Public policy (by drawing distinctions between beneficiaries and non-beneficiaries) must exclude some groups.** Who is "excluded" is often shaped by how "deserving" they are thought to be, rather than what their needs are.⁷ Perceptions of who is deserving affect how willing policymakers

⁶For example, the Family and Medical Leave Act (FMLA) defines "family" so narrowly that millions of American workers (who have the need for a leave to care for their loved ones) are ineligible for the benefits. In devising the legislation, it was easier for policymakers to just use existing notions of family (as a given) than to raise a fight about the extent to which the term applies to the incredibly diverse kinds of households in the United States.

⁷Hum and Simpson (2003) argue that the onus is on those groups who feel excluded from existing policy or institutional arrangements to make the case to policymakers that excluding them constitutes "multiple jeopardy." They also argue, however, that there should be as many policy instruments (programmes) as there are groups—known as the Tinbergen Principle in economics (after the first Nobel Laureate in economics)—so that all groups are in some way addressed by policy action. The work of a second Nobel Laureate economist (Robert Mundell) extends this discussion further by arguing that to maximize programme impact, the responsibility for designing the policy instruments is held by those in position to directly influence the long-term goal.

are to see the value of responding positively and thoughtfully to their needs (Mettler and Soss 2004; Schneider and Ingram 1997). Moreover, policy-makers communicate their willingness to understand and sufficiently address the needs of targeted groups through the policies that they consider, propose, and ultimately pass (Mettler and Soss 2004; Schneider and Ingram 1997).

Despite these difficulties, public policy scholars wanting to use an intersectional lens have begun to develop methodologies to overcome these conceptual challenges. More generally, policy scholars have become much more thoughtful about how qualitative methods contribute to (and can shape) analysis of policy issues and institutions—an important shift making more of the existing intersectional scholarship accessible and meaningful to policy audiences. While quantitative work still dominates the field, qualitative analyses are not sidelined as much as in the past, solely because they lack the “credibility” of quantitative findings, and as a result, one of the major impediments to integrating an intersectional lens appears to be (mostly) resolved.

With this initial methodological barrier relaxed, more policy scholars are cautiously wading into intersectionality and usefully embedding it into key analytical frameworks. For example, Cousins (1999) examines the extent to which notions of “respectability” and “underclass” identity are gendered in a predominantly black high school. Cole and Omari (2003) examine how African-Americans define and experience the concepts of social class and upward mobility. Manuel and Zambrana (2009) explore how the intersection of race, class, and labour market position differences explains variations in maternity leave-taking. Hum and Simpson (2003), Williams (1989), Browne and Misra (2003), and many others examine intersectionality from the standpoint of labour market inequalities. A wide range of scholars now examine domestic violence from the intersectional perspective, and others, such as Kohn and Hudson (2002), focus on mental health policy. Wortley (2003) presents a good examination of intersectionality as it relates to the over-representation of minorities both as the perpetrators of crime and also as crime victims. Xiao (2000) examines the intersection of class and gender categories in identifying parental values. Wilson (2000) explores intersectionality as it relates to government support for programmes and services. García Bedolla and Scola (2006) examine the recent gubernatorial recall election in California and find that while partisanship is still a strong predictor of vote choice, gender effects are significantly stronger among whites than all other racial groups.

So, while it is still true that intersectionality has not enjoyed widespread adoption or consideration by policy scholars, it is also true that the relationship is an evolving one. And, the hard work by intersectionality scholars is paying off in valuable insights for policy scholars that hold enormous possibilities for how an intersectional approach can deepen the impact of public policy.

In my own work, I have made substantial use of intersectionality as both a conceptual and analytical framework. To sharpen the discussion here, I provide concrete examples below. The first is applied research that I conducted on how women respond to maternity and family leave policies. The second is a more prospective looking application—attempting to outline how intersectionality could be applied to the political leadership dynamics of women of colour (particularly the conditions under which these leaders emerge, function, and subsequently impact policy development).

Intersectionality Applied: Understanding How Family Leave Policies Affect Leave-Taking Behaviour

Although public policies are specifically meant to change the behaviour of people and/or institutions, effective models for understanding and predicting behaviour in response to changes in policy remains scarce (Mettler and Soss 2004). Despite the importance of this central issue, we are still far from being able to capture (in the design of public policy and in the analysis of existing public policies) the full constellation of factors that shape responsiveness to policy change. Predictive models are considered quite good if they can predict 30 per cent of policy outcomes and impacts. Challenges in such models lead us to rethink how those models are formed and what they are missing that could improve their performance.

Intersectionality scholars suggest that some of what is missing from these analyses are the ways in which different characteristics in people's lives intersect to present different choices, produce different decisions, and manufacture different outcomes even among similarly situated groups. In other words, we have not been able to incorporate (in a dynamic way) the ways in which public policies affect people differently because of differences in where they are socially located.

A concrete example comes from the work on the Family and Medical Leave Act (FMLA) of 1993. The FMLA provides job protection for up to 12 weeks, while workers care for an ill spouse, child, newborn child, or their own critical illness. However, the legislation covers workers unevenly (only

half of all US workers are covered) and the leave is unpaid. As a result, public policy research has documented the relationship between poverty and lack of access to family leave benefits. We know, for example, that “one-quarter of all poverty spells in the United States begin with the birth of a new child” because low-wage-earning families simply cannot forego their wages at the very same time that they are “buying all the gear that babies need, plus food, diapers, and so on” (Waldfoegel 2001, 100). As a result, about 10 per cent of all family leave-takers resort to public assistance when they need to take a family leave. A significant proportion of low-wage workers report that they did not take a family leave when they needed to, or significantly shortened the duration of their leave, citing financial concerns as the primary reason (Cantor 2001; Commission 1996).⁸

The literature on family leave, while interesting and growing, has largely ignored the enormous disparities that exist *among low-wage workers* in terms of access and usage. This is true at a time when low-wage workers have especially tough choices to make about how to respond to periods of heightened family care (birth of a new child, a short-term illness, etc.) because they lack other financial resources with which to smooth over such episodes of instability and public assistance resources are drying up. Given how vulnerable these workers are to poverty, it is especially important to understand how they respond to policies that seek to improve their circumstances.

Manuel and Zambrana (2009) attempt to fill this gap in the literature using an intersectional lens to determine why such disparities across low-wage-earning groups exist and the conditions under which low-wage earners took advantage of the policies initiated to help them. In particular, we examine the extent to which disparities among low-wage earners are explained by where the wage earners are socially located: (1) in families of differing size and structure; (2) in different racial and ethnic groups that have different cultural expectations regarding work and family (especially in terms of attitudes about maternal employment); and (3) in different kinds of jobs, industries, and firms.

⁸In addition, Cantor (2001) found that about 29 per cent of family leave-takers borrow substantial amounts of money during family leave; 39 per cent put off paying their bills; 35.6 per cent use savings earmarked for other things; and 70.1 per cent dramatically limit family spending. Moreover, a significant proportion of low-wage earners work in jobs that do not offer any paid time off at all, and even when they do, low-wage earners must go completely without pay for some portion of their leaves because they do not have enough sick or vacation days to cover the time they need away from their jobs. Finally, more than 300,000 working families annually file bankruptcy specifically because they had no access to short-term disability leave when they needed it (Warren and Tyagi 2003).

One finding from this study clearly elucidates why an intersectional approach can be incredibly useful to public policymakers: among low-wage earners, family leave policies have almost no effect on the leave-taking behaviour of Hispanic women; these policies significantly lengthen the leave taken by white and black (non-Hispanic) women by an equivalent number of days; but the policies have the biggest impact on the leave-taking behaviour of Asian and Native American women—dramatically lengthening the time away from work they take following childbirth. Family leave benefits are a good example of how one policy tool used to help employees manage work and family conflicts results in very different outcomes for different groups of people.

Findings such as these have enormous implications for public policymakers and are especially germane given the level of policy attention regularly aimed at shaping the fertility and employment decisions of low-income mothers. In general, the intersectional approach specifically addresses the limitation of single-explanation approaches in public policy that have failed to capture the complexity of disparities across groups. That is, an examination of individual, family, and organizational dynamics as discrete explanations of the variation across groups would have missed some of the most important nuances that shape policy outcomes. An intersectional lens would also shed light on the larger structural questions as well, such as who is more likely to be in a job with paid leave, to be able to take longer leaves, and the extent to which leaves reduce overall vulnerability to poverty.

If a goal of public policy research is to improve the effectiveness of policies, our findings support the notion that it is important to utilize a wide range of work supports that explicitly address the differing social locations of women or, at very least, to acknowledge that those variations exist.

Intersectionality Applied: Women of Colour as Political Leaders

Intersectionality is also useful to the extent that it can explain the emergence of political leadership among unlikely candidates—women of colour. Generally, women of colour have higher rates of poverty, lower wages (on average), and are less likely to vote in US elections than white women, they serve in legislative bodies “at higher rates than women in the aggregate and white women in particular” (Scola 2005). An intersectional lens helps illuminate how race, gender, and other markers of identity and difference facilitate, constrain, or otherwise shape how women of colour leaders. Here I discuss this lens applied in three ways: (1) how women of colour emerge as leaders

and gain the legitimacy of their constituents; (2) how they identify, articulate, and advocate the needs of their constituents; and (3) how they affect (and are affected by) public policymaking.

Emerging as Leaders and Gaining the Legitimacy of Constituents

While there is a substantial literature on political leadership that answers some of the structural questions about who is likely to run for office and to have the political, economic, and social resources to become prominent leaders, an important gap in this literature could be filled by focusing on women of colour and by using a decidedly intersectional approach. Women of colour leaders often use different electoral strategies and take different paths to leadership than white women or men of colour in ways that may have enormous governance and policy implications. No political leader emerges completely in a vacuum, but the dynamics that typically produce women of colour leaders can be exceptionally complex and illuminate the value of an intersectional lens. For example, the “conventional wisdom” is less clear about how women of colour leaders emerge because, while some emerge as political leaders from deeply felt frustration at their invisibility in key public policy debates and/or from the discrimination that many have faced, other women of colour respond to the same circumstances by abandoning political participation altogether and by seeking other mechanisms to improve their lives. Understanding the conditions under which different groups of women emerge as leaders and gain political legitimacy in different settings is important for a number of reasons—not least of which is that the alternative paths they take to become leaders are also likely to affect how they identify, articulate, and advocate the needs of their constituents.

Identifying, Articulating, and Advocating the Needs of Constituents

Women of colour leaders are likely to use different strategies for identifying, articulating, and advocating for the needs of their constituents. This may be especially true when they represent more diverse communities. Crenshaw Williams (1998) argues that those strategies will be largely determined by the institutional context in which they make demands on behalf of their constituents. She argues: “People can only demand change in ways that reflect the logic of institutions they are challenging. Demands for change that do not reflect ... dominant ideology ... will probably be ineffective” (1341).

Moreover, issues of intersectionality are likely to be championed by women of colour. When women of colour leaders take the position that they ought to directly advocate for policy solutions that highlight the issues that emerge because of intersectionality, they face the inevitable “progression to the small” or the risk that their efforts preclude broader coalition building (Hum and Simpson 2003, 5). This is especially the case when and if such policy action requires proportionately higher spending for those groups or when those groups are negatively construed by other policymakers. Moreover, when they do take on these issues, women of colour leaders often have to “go it alone” because they are seldom able to tap into the same sources of political capital available to other politicians to fight such battles. So, despite the efforts of women of colour leaders, as “the number of diversity markers increases, there is the danger that groups who claim ‘too special’ a status by combining too many diversity markers will find their concerns ignored and their presence further marginalized” (Hum and Simpson 2003, 8).

There is also the danger that if they take on too many of these battles (taking policy positions that are advantageous to these smaller groups), they may be pigeonholed as only having expertise with regard to those populations and ultimately may not be as effective as other leaders in capturing benefits for their constituents (Smooth 2006). In other words, women of colour leaders may have to “choose their battles” even more carefully than other policy leaders, and those choices may have enormous policy implications that an intersectional lens would help to illuminate.

Affecting and Being Affected by Public Policymaking

Public policies also affect how women define themselves, the context in which they place policy demands on government for additional resources or other needs, how they articulate those demands, and how policymakers respond to them. Donaldson and Jedwab (2003) express this sentiment when they argue that:

The manner in which we choose to define ourselves often depends on where governments decide to distribute resources. Policy-makers can play a very important role in this regard by determining the identity basis upon which services care made available. ... It is the interaction between the state and the citizen that ultimately determines where government will put the emphasis when it comes to the identity needs of the population. (3)

An intersectional lens would help to estimate the magnitude of these effects on women of colour (both leaders and their constituents) as well as reveal the interplay between how groups define themselves, how others “see” them, and how public policy can shape both (Mettler and Soss 2004). Smooth (2006), for example, has argued that gender and race “play significant roles in determining whether women legislators are regarded as influential members of their legislature” (2).

Examining women of colour leaders with an intersectional lens could also elucidate the complicated issue of “rational self-interest” assumed in most public policy models. In particular, policy scholars assume that political leaders make decisions based on a clear set of “interests” that are reflected in their policy preferences—usually some combination of their own self-interest, powerful groups’ interests, and the interests of the communities they represent. For women of colour, vetting out the notion of a clear set of interests, even at the level of “self-interest,” is a much more difficult prospect. While most political leaders would say they face some *political intersectionality* (i.e., being beholden to more than one political or social community based on their identity characteristics), women of colour struggle with political intersectionality a great deal more. Recent disputes between the Congressional Black Caucus and the Women’s Caucus on abortion legislation is one example where the different “interests” of women of colour can be dialectically opposed and confusing. As a result, women of colour leaders often deal with being marginal in women’s caucuses/organizations and being portrayed as “traitors” when they break ranks on key political issues with members of other identity groups (hooks 1992).

Intersectionality could also substantially extend existing knowledge in understanding how markers of identity and difference affect leadership styles, policy preferences, and coalition-building strategies. For example, in terms of leadership styles, we know that the “number and composition of persons in a room can affect the salience of identity. Being the only woman in a group of men, for example, may make gender more relevant” (Donaldson and Jedwab 2003, 5). Some scholars such as Kathlene (1994) have examined this dynamic in the context of Congressional politics and found that women react differently to their minority status in Congress in ways that have implications not only for understanding the intersectional dynamics of leadership styles but also in terms of policy outcomes.

More than anything else, intersectionality reveals the double-edged sword of wielding leadership responsibilities as a woman of colour: intersectionality as asset and albatross. As Kimberlé Crenshaw Williams has argued, “the social power in delineating difference need not be the power of domination; it can

instead be the source of social empowerment and reconstruction” (1995, 357). Women of colour leaders may describe their social location both as a source of pride, strength, and uniqueness and as a representation of the basis of their marginality, oppression, and invisibility in the political sphere.

An examination of intersectionality helps us understand augmented experiences of oppression, but also identifies unique opportunities to make use of privilege. It is possible to benefit from available networks and resources to fight oppression when an individual or group is also able to make use of privileged strategies (Williams 2004, 63).

Ultimately, this suggests that the success of women of colour as leaders will be largely determined by their ability to make use of their “new” privileged standing as legislators, policymakers, and idea leaders. The ability of women of colour to influence public policy on issues related to their communities is often dependent on the nature of the political risks involved, the cohesion of the communities they represent, and access to informal circles of power in the institutions where they are trying to exert influence (Smooth 2006). As a result, while we are witnessing the emergence of women of colour leaders (as legislators, high-level civil servants, and the like), they still face enormous difficulties in securing policy benefits for their constituents (Smooth 2006). An intersectional approach can be a powerful tool in understanding the ways in which intersectional markers of identity and difference facilitate, constrain, or otherwise shape their ability to emerge and function as leaders; advocate for their constituents; obtain and wield political power; and to affect the policymaking process that shapes their lives. This information is missing from the scholarly literature in public policy but is wholly feasible within an intersectional paradigm.

Conclusions

Intersectionality offers important and necessary nuances to our work around race. We should embrace these nuances because we know that race matters, but we know that there are so many other factors that shape African American lives in the academy and in society. The nuances of intersectionality are important ways to make our scholarship more inclusive and focused. They remind us that neither the world, nor our lives, are one-dimensional. (Julianne Malveaux, “Intersectionality—Big Word for Small Lives”)

Public policy as an interdisciplinary science has enjoyed growth in its influence, stature in academia, and methodological sophistication. Many public policy scholars have intentionally worked to advance the extent to which we

understand the emergence, determinants, and impacts of policy across a wide variety of geo-political, nation-state, and institutional contexts. To strengthen the social relevance and impact of public policy, I have argued here that scholars should more fully integrate an intersectional lens—one that can address the dynamism and complexity of our lives. Such a lens would help us understand how people see themselves; how they envision their life options; why they respond to public policies in the manner in which we observe in our empirical work; and sometimes, how they emerge and function as leaders in their communities.

Additionally, I have outlined several questions that, at their core, are fundamental to both public policy scholars and those who use intersectionality as an analytical approach. In doing so, I have tried to outline the complementary and competing threads to be contended with as we broaden the lens. And, using both an applied policy example and a more theoretical one, I have sought to illuminate the benefits of an intersectional lens to the insights that might be gained.

I have also argued herein that while public policy scholars specialize in measuring social well-being (and by extension, understanding a good deal about the circumstances people find themselves in), we could benefit greatly by incorporating a broader conception of the factors that shape people's choices, decisions, and, ultimately, the circumstances in which they find themselves. While I have advocated that the public policy field incorporates essential notions of intersectionality, and believe that it is wholly possible to do so, there are still some fairly large methodological challenges integral to the public policy field that make this proposition an especially tough one. In an earlier version of this chapter (Manuel 2008), I outlined several of the core methodological challenges for policy scholars to overcome—lack of uniform empirical theories, difficulty of finding appropriate sample size (whether in quantitative or qualitative research), challenges of modelling interactions across and between identity markers, or determining “best practices” with respect to the number of identity markers that constitute an “intersectional” analysis. Many of these challenges are already being taken up (and in some cases, resolved) by scholars across the social sciences.

Yet, I pointed out these challenges not to make the overall proposition more daunting but to suggest that there is still more thinking that must be done to bring intersectionality into the fold of the public policy field. Although the challenge of integrating public policy and intersectionality is made difficult by these issues, I hope at the very least that the challenge is unambiguous: “the social sciences have traditionally encouraged analysts to think in terms of singular and multiple expressions of identity” (Rummens 2003). The task is

to develop innovative, multi-method research that thoughtfully responds to markers of identity and difference in ways that promote individual and collective well-being.

So how do policy scholars begin to incorporate intersectionality? The easy answer is—they already have! Since I began writing about these issues many years ago, much scholarly attention has been paid to navigating the conceptual and methodological challenges. While the early writings on intersectionality focused heavily on the way in which some markers of identity and difference (particularly those markers that denote minority status) make people more vulnerable to discrimination, abuse, and invisibility to policymakers, the applied work in this space has gotten much more ambitious and expansive.⁹ Scholars today are integrating stronger methods for studying distributional analyses in public policy and, in so doing, describing the plight of the “winners and losers” that result from shifts in political and policy arrangements. The advantage gained by using an intersectional lens is that the new analyses examine the intersection of factors that shape people’s decisions resulting from those shifts and how their lives are affected as a result.

The latter is incredibly important if public policy scholars are to design policies that more effectively improve individual and collective well-being. Public policy scholars cannot offer real policy innovations that improve well-being (particularly of marginalized groups) without first knowing a good deal about the social location of the people they are trying to help and how their social locations structure their responsiveness to policy change. I have argued that a first step towards moving to better policymaking is the production of research that can serve as the intellectual basis for more thoughtful deliberation and policymaking around social well-being. In more simple terms, *good public policy* takes stock of where people are located, where they want to be (*the good life*), and how the *good society* can build bridges to help them get there.

⁹ For example, an intersectional approach could examine the politics of public policies that seek to address sexual assault by making the conceptual leap between the increased vulnerability of women of colour to sexual assault in society overall with their increased vulnerability in specific arenas such as low-income workplaces and prisons. As Tyson Darling explains, women of colour represent the fastest growing prisoner population in the United States and sexual assault “that targets racialized women in U.S. prisons is largely invisible” (Tyson Darling 2002). Tyson Darling (2002) outlines other policy areas where an intersectional approach would contribute information that currently escapes examination by scholars and policymakers. In particular: (1) the disparity in surgical sterilization of minority women; (2) cuts in government spending on basic social services that fall disproportionately on poor women; (3) narrowly defined sexuality and reproductive rights for poor or marginalized women; and (4) the extent to which “women and girls enter trafficking networks because of the racial and social stratification and discrimination that marginalizes them, renders them far more vulnerable to racial, sexual, and descent-based discriminatory treatment in being targeted by traffickers” (18).

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3

Reflecting on Am I a Black Woman or a Woman Who Is Black? A Few Thoughts on the Meaning of Intersectionality

Julia S. Jordan-Zachery

In 2007 I wrote the short thought piece “Am I a Black Woman or a Woman Who is Black?” Some 11 years later I am now tasked with reflecting on this piece. So much has evolved in this time period that have challenged and affirmed my understanding of intersectionality and the work, academic and non-academic, that I do around Black women. For one, I no longer teach at a historically Black college/university (HBCU); I am now teaching at a predominantly white institution (PWI). My lived experiences at this PWI have been challenging in a number of ways and this has influenced my relationship with intersectionality and the type of writing I now find myself drawn to. My then 8-year-old daughter is now 18 and has found herself having her own relationship with identity, intersectionality, power, representation, and justice. She runs a Twitter account, with over 100K+ followers, that focuses on Black femaleness—the challenges and the joys. Our conversations about the value of Twitter as a means of advancing Black women’s cultural and political behaviours have often caused me to reflect on the type of work I do. It has been an amazing 11-year journey since I wrote this piece that I will now attempt to reflect on. During this time, some of the issues/concerns I asserted in the initial piece are still germane to me and I am still confronting how I do intersectionality. In this chapter, I am less concerned with “updating” or “talking

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back” to “Am I a Black Woman or a Woman who is Black”; instead I want to focus a bit more on how I have grappled with the questions/issues I raised in that piece. I conclude with a critical reflection of where I am with my relationship to intersectionality—both personal and professional. This will not be a “perfect” reflection, but it will be my truth (a cornerstone for me as I practise intersectionality).

* * *

As such, intersectionality has allowed us to stop essentializing differences. Therein, in my estimation, is the value of the concept. (Jordan-Zachery 2007, 257)

As I reflect on the scholarship that I have produced, I do have to say that this issue of essentializing differences has in recent times been front and centre for me. There are moments when I attempt to critically assess my own scholarship regarding how I do intersectionality as a scholar and I notice that one thing I have done is often collapse Black women into one category. Yet, Black feminist thinkers, such as Angela Davis, bell hooks, and the authors of the Combahee River Collective, realize that there is a danger in essentializing differences within Black womanhood and have warned us (as researchers and users of intersectionality) to avoid such. There are moments when I give a nod to this recognition that there is no monolithic Black woman with statement such as “I am not arguing that all Black women have this experience.” However, I like others, sometimes use intersectionality while engaging in intersectional invisibility. Intersectional invisibility results from:

the general failure to fully recognize people with intersecting identities as members of their constituent groups. Intersectional invisibility also refers to the distortion of the intersectional persons’ characteristics in order to fit them into frameworks defined by prototypes of constituent identity groups. (Purdie-Vaughns and Eibach 2008, 381)

But how do I, and others, truly grapple with intersectional invisibility? How do we represent this in our theorization, methodologies, and approaches? How, for example, do we account for intragroup differences among marginalized groups? As I and my research on Black women have evolved, a question I was plagued by is how, for example, a focus on a Black/white dyad that undergirds much of the research on intersectionality limits how we understand intragroup differences. Audre Lorde (1984, 187) encourages us to deal not only with “the external manifestations of racism and sexism” but also

“with the results of those distortions internalized within our consciousness of ourselves and one another.”

So what I have found myself doing is focusing less and less on the arrow that looks at white oppression (although I recognize that we can never fully exclude such in our analyses) and instead truly focus on Black women, bringing them from the margins to the centre to grapple with the question of how do they (to borrow from hooks) “gaze back.” To this end I analyse Black women’s intragroup practices, vis-à-vis the body, of intersectionality in *Shadow Bodies* (2017). *Shadow Bodies: Black Women, Ideology, Representation, and Politics* asks: How do discursive practices, both speech and silences, support and maintain hegemonic understandings of Black womanhood, thereby rendering some Black women as shadow bodies? (5). I consider the policy invisibility of some Black women, regarding HIV/AIDS, domestic violence, and mental illness, in the discourses of Black female elected officials, *Essence* and *Ebony* magazines, and among Black female bloggers. This I argue gives us a different insight into the functioning and performance of intersectionality.

bell hooks (1991) invites us to enter a space in our research via her critique of how we go about studying difference. She states:

I am waiting for them to stop talking about the “Other,” to stop even describing how important it is to be able to speak about difference. It is not just important what we speak about, but how and why we speak. Often this speech about “Other” is also a mask, an oppressive talk hiding gaps, absences, that space where our words would be if we were speaking, if there were silence, if we were there. This “we” is that “us” in the margins, that “we” who inhabit marginal space that is not a site of domination but a place of resistance. Enter that space. (151–152)

How do we enter that space with attention to difference—in- and out-group differences? I suspect that the answer is not easy. But what we can do is really pay attention to the types of questions we pose. We need to think as to whether we are simply replicating already-existing research in order to be published. And we also need to think of our approaches. Over the 11 years I find myself thinking more and more of doing community-based participatory research where I and the community determine the methods, find the theories, and so on. I also find myself using Black feminist auto-ethnography. In thinking about Black feminist auto-ethnography, Griffin (2012) writes:

Black feminist autoethnography as means to voice is obligated to: raise social consciousness regarding the everyday struggles common to Black womanhood; embrace self-definition as a means for Black women to be labeled, acknowledged, and remembered as they wish; humanize Black women at the intersections of

multiple forms of oppression; resist the imposition of controlling images; and self-reflexively account for how Black women can reproduce systemic oppression. (12)

Not only is much knowledge to be gained from lived experiences, the work of auto-ethnography also moves Black women from object to subject, a key objective of Black feminist thought. Auto-ethnography has allowed me a space, maybe not perfect, of putting me alongside the women I am passionate about as we strive side by side in different arenas for our liberation.

* * *

I started the presentation by asking, “When you look at me, what do you see: a woman who is black or a black woman?” In my eyes, this is a moot question since my blackness cannot be separated from my womanness. In fact, I am not sure if I want them to be separated. What I want is for individuals not to use my social location to justify punishing me or omitting me from the structures and practices of society. (Jordan-Zachery 2007, 261)

Some of us who do a “particular” type of intersectionality research have been categorized and at times criticized for wanting to hold onto a “traditional” form of intersectionality. To me this ignores much of my concerns—some of which I take up in the article, “I ain’t your darn help: Black women as the help in intersectionality research” (2014). Yes, I am concerned about how Black women are disappearing in our research on intersectionality, but my concerns extend beyond that (see Jordan-Zachery 2013). According to Bilge (2013), some feminist academics are “depoliticizing” or “undoing” intersectionality by dislodging/separating it from its social justice goals. Hill Collins (2015) has also spoken on the tendency for some intersectionality-based research to centre identities as opposed to social inequities and social justice. She writes that “intersectionality as a knowledge project faces the fundamental challenge of sustaining its critical edge” (17). To focus the critique on the notion that others and I are holding onto some form of what we consider “pure” intersectionality that is grounded in Black feminism loses sight of this larger concern.

* * *

Black feminists and Black women (and I am not making the claim that all have done such), relying on lived realities, have historically and contemporaneously fought to be seen so that they may achieve justice. We see this with

the use of Black feminist hashtags or what Marlo David, in “What Does #BlackGirlMagic Look Like? The Aesthetics of Black Women’s Afropunk Citizenship,” refers to as *affirmation codes*. According to her, affirmation codes are hashtags that “emphasize optimism, self-definition, media visibility, creativity, and wellness as sources of resistance” (Forthcoming). These affirmation codes include for example #BlackGirlMagic. Affirmation codes work alongside other hashtags such as #IfIDieInPoliceCustody and #SayHerName which bring attention to state-sanctioned violence and the trauma experienced by Black femmes, girls, and women. While it is important to have discussions on the functionality of intersectionality and so on, we also need to realize that Black women are dying and it is because they have historically faced death—physically and as a result of soul murder that Black women and other women of colour spoke and speak passionately about intersectionality. We cannot lose sight of the need to speak on justice and that our research, in my estimation, has to be socially functional and be able to be used by the communities we write about in service of their liberation.

* * *

As I developed as a scholar, I was both elated and frustrated to be able to grapple with these types of questions. The elation came as I was able to access theories on the functioning of the intersection of race and gender. My frustrations result from the fact that intersectionality is something I live everyday. (Jordan-Zachery 2007, 258)

As I mentioned in the “introduction,” I am now teaching at a PWI and this has implications for my relationship to intersectionality. In “Beyond the Side Eye: Black Women’s Ancestral Anger as a Liberatory Practice,” I use Black feminist hauntology as a means of theorizing my experiences with race-gender oppression (2017). As defined by Viviane Saleh-Hanna (2015):

Black Feminist Hauntology is an anti-colonial analysis of time that captures the expanding and repetitive nature of structural violence, a process whereby we begin to locate a language to speak about the actual, not just symbolic or theorized violence that is racial colonialism. (n.p.)

As I write, “I investigate how hauntology provides an entry into the ways relationships forged out of trauma and anger give way to Black women’s political actions—a way of asserting Black women’s subjectivity” (63).

While I composed this chapter for an academic journal, it was a part of my resistance to soul murder from what felt like the constant attacks I faced for daring to speak out against state-sanctioned violence and white supremacy and nationalism. Soul murder occurs when what is most essential to the person, in this case freedom and human dignity, is killed but the body is alive (see Schwab 2010). Being a Black woman in this space, just like being a Black woman in other spaces outside of academia, involves a constant negotiation with death. As I write this last sentence, I notice the tension in my body. My shoulders move closer to my ears. I literally have to just pause and allow my sense of self to come into being. This is what I alluded to when I wrote that I live with intersectionality on a daily basis.

While I live with the challenges of being a Black immigrant woman in the United States, I also live alongside an ancestral lineage of Black women, known and unknown, that allows me the space to do this work and to exist. If we look closely at the work of Black women who centre intersectionality in their writings, we will see references to this ancestral lineage of Black women. The writings of Black women “saved” me from soul murder. As the Combahee River Collective writes in the Combahee River Collective Statement, “Black feminists often talk about their feelings of craziness before becoming conscious of the concepts of sexual politics, patriarchal rule, and most importantly, feminism, the political analysis and practice that we women use to struggle against our oppression.” The work done by Black women, whether in the academy or in culture via artistic expressions, helped me to name the “craziness” I encounter—this has been a gift of intersectionality.

* * *

In essence, intersectionality articulates a politics of survival for black women. (Jordan-Zachery 2007, 256)

Intersectionality, to me, represents a way for Black femmes, girls, and women to resist tropes and stereotypes that collude with oppressive structures to result in their invisibility. This is the resistance element of intersectionality that sometimes goes unnoticed in some research. We sometimes focus on the tropes and the resulting inequalities while ignoring the resistance work that Black women do to survive; doing such can result in us missing so much about how marginalized communities live.

The nature of the academy sometimes limits what we are able to study and how we approach these studies. As a consequence, we tend to reproduce the

same types of research—methods, questions, and so on. When we dare to do different, we can be penalized by those in power.

But as a result we limit our research and ourselves. Based on my lived experiences with anger, I decided to search scholarly literature to get a sense of how researchers theorize Black women's political use of anger. Much of the research focused on the image/stereotype of the angry Black woman. But what about the emotion of anger? What can it tell us about Black women's political and cultural expressions and work? As I started upon this journey to help me understand my anger, the image that would often surface was that of Nina Simone and her rendition of "Mississippi Goddamn." One cannot convince me that anger was not present in this expression against state-sanctioned violence. I found myself having to theorize Black women's political use of anger—although they have been several examples of this emotion.

Audre Lorde tells us that, "every Black woman in America lives her life somewhere along a wide curve of ancient and unexpressed angers" (Lorde 1984, 145). bell hooks (1995) speaks about the value of such anger. How do we deploy intersectionality to help us better understand the "psychological toll of being a Black woman and the difficulties this presents in reaching political consciousness and doing political work"? As is, "there is a very low value placed upon Black women's psyches in this society, which is both racist and sexist" (Combahee River Collective n.d.).

It is through my experience with trauma and the resulting anger that my political project for justice and liberation of Black women and their communities has been changed and now includes more of a focus on healing. Anger can give way to a radical performance of intersectionality. Attending to how Black women and other marginalized communities use emotions such as anger, to both resist and as a form of resilience, can help us to better understand how they are responding to (as opposed to simply reacting) intersecting oppressions and inequalities. This can hopefully bring us closer to addressing their overall well-being.

Conclusion

I choose to write this chapter without some of the usual elements that tend to accompany academic writings. For example, I did not use headings and sub-headings. Simply put this form of writing has never sat well with me. It always felt that it reinscribed Western notions of knowledge production and the ways of translating "knowledge." But more importantly, I simply wanted to write this part of my story on intersectionality in a way that was reflective of my

identity—a Black woman from Barbados. I learned about lived realities long before I even read a text on Black feminism from the women in my life and the way that they tell stories. For example, my grandmother would sometimes tell a part of a story and years later offer another part to the same story. Sometimes, she did not neatly connect these parts; instead, she left them dangling for us to connect them with the threads that we had available to us. What she taught me was that knowledge is cyclical and circular—there is often no beginning and no end. As stated in the Combahee River Statement, “Even our Black women’s style of talking/testifying in Black language about what we have experienced has a resonance that is both cultural and political.” I wrote this chapter in a way that I believe reflects the style of storytelling I was introduced to as a child. This is part of my intersectional, Black feminist political project. I also wrote this piece in this manner to push us to think critically about how we bring intersectionality to public policy—whose voice gets privileged, how we use (or not) voices of those we study as we think of policy impacts. Finally, I am hoping, in the context of policy, that we think critically about how we understand policy vis-à-vis intersectionality. Consequently, some things/thoughts are left dangling for you and me to pick up, or not, in the future. Intersectionality for me has become a practice, not just a framework/method/approach that I occasionally pick up to meet the neo-liberal demands of academia. As a practice, I am committed to self-reflection, community empowerment, truth telling, and most importantly justice and liberation.

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4

Intersectionality and Public Policy: Some Lessons from Existing Models

Olena Hankivsky and Renee Cormier

As is now well established, intersectionality has become a primary analytic tool for theorizing identity and oppression (Nash 2008). Despite ongoing methodological challenges, this perspective is recognized as an important research paradigm (Hancock 2007), and increasingly the theoretical framework of intersectionality is being applied to research practices across a variety of disciplines. In comparison, less attention has been paid to applying intersectionality to public policy (Bishwakarma et al. 2007; Manuel 2006; Wilkinson 2003). Because of the complexity and relative newness of this approach, “the development of an intersectionality policy analysis is still undertheorized” (Urbanek 2009, 3), and methods for integrating intersectionality into policy development, implementation, and evaluation are in their very early stages of development.

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The purpose of this chapter is to (1) define intersectionality and demonstrate the need for an intersectionality approach in public policy, (2) outline the challenges in applying an intersectionality approach to policy making, and (3) describe and evaluate three innovative approaches to applying intersectionality to policy development and analysis. The chapter fills an important void for policy scholars and decision makers who have recognized the importance of an intersectionality perspective but who are grappling with fully understanding its transformational promise and are seeking more concrete methods of incorporating this critical approach into policy development, implementation, and evaluation. This discussion therefore provides a foundation and illustrative examples for ongoing dialogue and future work for those who seek to bring an effective interpretive framework of intersectionality to policy analysis across a variety of sectors.

The Public Policy Promises (and Challenges) of Intersectionality

The goal of intersectionality policy analysis is to identify and address “the way specific acts and policies address the inequalities experienced by various social groups” (Bishwakarma et al. 2007, 9), taking into account that social identities such as race, class, gender, ability, geography, and age interact to form unique meanings and complex experiences within and between groups in society. These are further affected by multiple systems of power and oppression that Collins (1990) refers to as “the matrix of domination” and that change over time and place and in different institutional domains. The need to focus on numerous differences and complex realities using a multilevel analysis to uncover exclusions and vulnerabilities can be considered both a strength and a challenge for those seeking to work within an intersectionality paradigm.

In the specific context of public policy, this perspective reveals the limitations and exclusionary nature of traditional methods of creating policy. To begin, intersectionality recognizes that to address complex inequities, a one-size-fits-all approach does not work (Parken and Young 2007; Canadian Research Institute for the Advancement of Women [CRIAOW] 2006; Hankivsky 2005). In this way, it shares similarities with other critical frames that have revealed that policy is not neutral as it is not experienced in the same way by all populations and that important differences and concomitant needs have to be taken into account when developing, implementing, and evaluating public policy. However, intersectionality differs from approaches designed to accommodate difference by targeting single identity markers such as gender, immigrant status, and Aboriginal status (Hicks 2003, 5, cited

in Wilkinson 2003, 30). It begins with the premise that focusing on single markers leads to a false classification of people that simply does not reflect lived realities. People's lives, their experiences, and subject positions vis-à-vis policy are created by intersecting social locations. As the African American Policy Forum (AAPF 2009, 2) so aptly explains, "Contemporary immigrants are not all Latino; prisoners are not all men; affirmative action beneficiaries are not all African American; and LGBT are not all white and middle class." It logically follows then that no social problem that policy attempts to address can be seen as the product of one axis of discrimination or one homogeneous group. From an intersectionality viewpoint, targeted policies are often as ineffective as general policies in that both fail to address multiple identities and within-group diversity, that is "constituencies within constituencies" (AAPF 2009, 2).

The significance of recognizing intersecting social locations in policy is well illustrated by the examples of violence against women and crime policy. Focusing on the gendered nature of violence, traditional policy responses to violence against women have emphasized the common experiences of battered women (Sokoloff and Dupont 2005). Policy interventions have sought to extend to all women without taking into account that violence does not have a single cause and that women who experience it are differently situated. Violence against women cannot be read through the lens of gender without accounting for the intersecting factors that shape the lived realities of affected women and determine their needs and help-seeking patterns (Lockhart and Danis 2010; Oxman-Martinez et al. 2002). Crime policy provides another illustration of how the focus on a one-dimensional lens and mode of inquiry, in this instance race, has led to research and policy responses that reify racism because they obscure the multilayered social reality of crime and fail to respond to the ways in which race, ethnicity, gender, sexuality, and class relate in the context of criminality (Barak et al. 2007). In sum, the examples of violence against women and crime both reveal the limits of policy making designed to assist target populations who should theoretically benefit from either gender-targeted or race-targeted public policy but in reality benefit from neither (Hancock 2007, 66) and demonstrate the need for an intersectionality-approach that is grounded in lived experiences and that captures the complexities of interdependent social locations.

An intersectionality policy analysis also differs from policy approaches that attempt to understand and address issues of diversity by starting with one identity category, such as gender, to which others are added. These analyses assume unitary categories that are based on a uniform set of experiences (Hancock 2007; Hankivsky 2007a) that can be simply brought together to

understand differences. This type of “additive approach” is typical but inadequate for “getting at the layered interrelationships between wider social inequalities and individual experience of discrimination” (Parken and Young 2007, 27). In the context of policy, the pitfalls of an additive approach are that “policy makers can pick their categories of interest, and deal with them in isolation, without paying attention to how they intersect with other social division” (Thorvaldsdóttir 2007, 6). One specific area where this has been true is in the field of gender mainstreaming, which has focused on the differential effects of policy on the lives of men and women, without properly recognizing the diversity among men and women. When differences are taken into account, they are treated as constituting an add-on to the variable of gender, a process that perpetuates policy privileges to affluent, educated, white women (Hankivsky 2007a). Consequently, there have been numerous calls to replace gender mainstreaming with different forms of diversity mainstreaming informed by an intersectionality lens (Hankivsky 2007b; CRIAW 2006).

An additive approach may also lead to “oppression Olympics” where marginal groups compete with one another for fringe levels of resources instead of cooperating with one another to work for systemic reform that could alter the entire logic of distribution (Hancock 2007, 70). Substituting class for race-conscious affirmative action policy in the United States provides one such illustration. Rather than pitting the importance of race and socio-economic status against each other, an intersectionality-informed analysis points to the relationship and indeed interdependence between these and other social locations and why these should be front and center in any effective affirmative action program. Using this approach not only prevents interventions that disproportionately benefit a small subset of the population but also opens the door to creating policy that may be far more effective in responding to all those in need of, for example, affirmative action. Hancock (2007, 66) has similarly challenged those charged with policy making by posing the question, “Instead of designing policies that create a talented tenth or a fortunate fifth of a marginalized group, how might we redesign domestic and foreign policies to ensure that all members of any marginalized group are enabled to empower themselves?”

And finally, an intersectionality analysis reveals how policy itself reifies the oppressive consequences of intersecting social locations. In the U.S. context, Simien (2007, 269) has demonstrated the utility of using intersectionality to better understand the construction and perpetuation of inequities within public policy by tracing how certain persons get labeled as “different, troubled and in some instances, marginalized” (Staunæs 2003). Simien explains, “Public identities such as the ‘welfare queen’ and ‘crack mother’ are modern

examples of intersecting categories, as they both function as constructs that attend to the ways in which race, class, and gender interact to provide the ideological justification for specific policy measures that produce undemocratic outcomes in the United States.” In a similar vein, Hawkesworth (2003, 542) describes how processes of “racing” and “gendering” affected legislative practices and policy decision making with regard to changes to welfare reform in the United States in 1996. For example, despite attempts by a congresswomen of color to advance legislation designed to address the structural causes of poverty, the changes to the welfare system instead deliberately targeted unwed mothers and single-women heads of households, making it more difficult for them to access benefits—a move interpreted as a “thinly veiled attack upon poor women of color.”

The examples highlighted above show the distinct features of intersectionality and how it can reveal essential information that often remains hidden in policy analysis. But these examples are only tips of the iceberg. There is no area of policy that would not benefit from the application of intersectionality. And if one considers the aftermath of Hurricane Katrina, the consequences of the economic recession and the growing concerns about emerging health epidemics internationally, such as H1N1, Weber (2009, 4) is correct in observing that the time has never been more critical for understanding how powerful social systems, including but not limited to race, class, gender, geography, sexuality, ability, and religion, operate and for deploying that knowledge to create socially just policies and outcomes for all people.

In sum, what an intersectionality perspective does for public policy analysis is that it encourages a different way of looking at all aspect of policy: how problems are defined, how solutions are developed and implemented, and how policy is ultimately evaluated (Hankivsky 2005). This is because an intersectionality analysis encourages looking beyond the most clearly visible dimensions of inequality (Weber 2009) to recognize multiple and intersecting disadvantages underlying the construction of subject positions. Within this broader framework then, who is at issue, and indeed the social construction of many populations, matters just as much as what is at stake (Hancock 2007, 65). And to fully understand who is at issue also requires, as is explored in the three examples below, that the voices of vulnerable and marginalized individuals and groups be represented within the policy-making process. This in turn can lead to reflexive analyses that reveal meaning-making processes of privilege and exclusion in policy making and ultimately lead to the reconstruction of harmful and oppressive policies. Similarly, Rummens (2003, 25) has argued that the “identification of different socially-situated perspectives will not only provide more precise information but also yield

greater insights into systems of marginalization and oppression. This will assist policy makers and services providers alike to deliver more effective and efficient programs and services to better meet the needs of those individuals and groups most dis-advantaged by social inequities.”

Challenges of Adopting an Intersectionality Approach to Policy Making

Despite the promise of opening “new spaces for knowl-edge production” (Weber and Fore 2007) and emerging research from many policy domains, intersectionality, to date, “has failed to reshape substantively mainstream public policy” (Manuel 2006, 187), largely because of the salient challenges of operationalizing this perspective. As early as 1999, Cuádriz and Uttal (1999, 158) observed that “translating the theoretical call for studying the interlocking systems of oppression and intersectionality ... into methodological practices is not easy.” More recently, a significant number of scholars have acknowledged the lack of effective intersectionality methodologies. For example, Phoenix and Pattynama (2006, 189) have noted that the most formidable challenge to engaging with the intersectionality perspective is that it “does not have any methods associated with it or that it can draw upon.” Hancock (2007, 74) has argued, “One area of research that remains under-explored within intersectionality is the development of research designs and methods that can capture effectively all of the tenets of intersectionality theory.” And Nash (2008, 4) has concluded that there is a “lack of clearly defined intersectional methodology.”

Although the relationship between research and public policy is complicated and that research often fails to provide definitive answers for tackling complex social policy problems (Hankivsky et al. 2007; Nutley 2003a, 2003b), there is no doubt that in the era of evidence-based decision making, policy makers rely on and draw on the knowledge generated from research. Thus, the lack of a clearly defined intersectionality methodology may undermine the generation of appropriate information for policy application. At the same time, however, the methodological challenges transcend the domain of research and also present formidable challenges for those engaged in critical policy development and analysis. In the words of Rönnblom (2008, 2), because of the question “How is it done?” there is “a demand for a more explicit methodology for carrying out policy analysis in an intersectional way.”

Not surprisingly, then, even when the importance of diversity is noted and recommendations are made to include an intersectionality approach in policy, some decision makers continue to espouse one-dimensional approaches, such as gender mainstreaming or gender-based analysis, which a number of scholars and activists (CRIAW 2006; Hankivsky 2005; Verloo 2006) have argued elsewhere, cannot be adapted to address multiple inequalities. Efforts to move beyond “one-dimensional” and “additive” policy analyses have included equality mainstreaming, diversity mainstreaming, intersectional feminist frameworks, intersectional public policy analysis, and multistrand mainstreaming. These “multi-pronged, multi-dimensional” (CRIAW 2006) approaches, which reject binary thinking in policy, share the logic that meaningful attention to diversity changes the policy questions that are asked, the kind of data that are collected, how data are collected, and how data are disaggregated. They are concerned with evaluating the efficacy of policy initiatives in addressing the problems faced by different intersecting identities (Center for Women’s Global Leadership [CWGL] 2006).

Even with this progress, a number of key issues have been identified as needing further attention. First, there is the lack of certainty as to how, when, and where intersectionality frameworks should and can be applied (Davis 2008; Hankivsky and Christoffersen 2008; Hankivsky et al. 2007; Lorber 2006). Policy makers are not clear about how to (re)consider their approaches to research and policy in light of the variety and density of multiple differences. Related to this is the question of which intersectional categories to include in any given investigation. This has not been fully resolved beyond recognizing that there should be no a priori assumption of the importance of any one category. The lack of meaningful direction on this issue is, as Thorvaldsdóttir (2007, 3) has rightly noted, “a vital matter in terms of policy making.” Not surprisingly then, although various bodies within the UN system have recognized the idea of intersectionality, no specific policies have been developed to address intersectional inequalities (CWGL 2006). In Canada, as in most other countries, with a few key exceptions (CRIAW 2006; EGale Canada 2002; Hankivsky 2005; Ontario Human Rights Commission 2001) intersectionality remains a relatively unknown and underdeveloped concept in policy discourse and application. Consequently, it is not enough to signal contemporary policy debates that would be well served by this approach. At this juncture, it is crucial to also consider the advances that have been made to deal with the challenges of operationalizing intersectionality in the realm of public policy and that further the development of concrete methodological approaches to intersectionality-informed policy.

Approaches to Incorporating Intersectionality into Policy Making and Application

The complexity and relative “newness” of intersectionality approaches remain a challenge for policy makers. Nevertheless scholars continue to work on developing various tools that can be used to operationalize intersectionality. To date, three important and distinct approaches, which are detailed below, have been developed for specifically applying intersectionality to public policy. The first approach, space as an analytical dimension in intersectionality policy analysis (Rönnblom 2008, 2), seeks to generate a more explicit methodology for doing intersectionality policy analysis by “stressing the dimension of context and replacing (and stretching) context with space.” The second approach, intersectional policy process analysis (Bishwakarma et al. 2007), is focused on reconceptualizing the typical policy cycle using the case study of education. This approach is based on the premise that policy “proceeds in distinct stages from policy formulation to implementation” (John 1998, 204) and can be broken down and analyzed in the context of its constituent parts. The third and final approach, the Multi-Strand Project (Parken and Young 2007, 2008), was developed, using the example of social care, in the U.K. context, where emerging legislation is prompting pro-gressive work to develop policy models that are able to address multiple grounds of inequality. Each approach differs in terms of its development. For example, the first approach is largely theoretical, whereas the last two approaches attempt to operationalize their methods using the specific policy examples of education and social care. And arguably the third approach represents the most fully developed and promising method. Despite their differences, however, all of the methods are united by the fact that they attempt to “unravel how social categories of difference intersect in constantly changing ways in order to crack open oppressive dialogues, structures and practices” (CRIA 2006, 10).

Approach 1: Space as an Analytical Dimension in Intersectionality Policy Analysis—Rönnblom

The first approach to applying intersectionality to public policy, developed by Swedish researcher Malin Rönnblom, targets a specific element in policy analysis. She explains that, in relation to policy studies, “there is a need of situating the analysis to make studies of how different power relations intersect possible—and coherent” and that “including a spatial dimension in policy studies is a useful methodology for doing this” (Rönnblom 2008, 4). In the opinion of

Rönnblom, a key challenge of an intersectionality analysis comes in trying to determine how the relationships among the different dimensions of power should be conceptualized including whether, for example, one dimension should be given priority in relation to another. She argues that one possible solution is to use space as a way of contextualizing policy analysis so that different power relations and their mutual production in policy are better understood.

According to this approach, context, as it is typically approached in policy analysis, is seen as overly descriptive and static whereas the concept of space is relational, interactive, fluid, and constantly under construction, leading to the possibility to see both “subtle tinges of the production of power and the several dimensions of power” (Rönnblom 2008, 7). Bringing space into the analysis also provides a way to examine how the political is produced in policy. Most importantly, these types of shifts, gained by using space to create new meanings of context, are essential when doing intersectionality policy analysis.

Key questions in Rönnblom’s spatial analysis include the following: What kind of space is regarded as interesting and powerful? How are space and place constructed in the text, and what are the implications of these constructions for how policy is represented? How are the different subject positions constructed in a spatial manner? Who has agency in different constructions of political space? What kind of geographic imaginations are used in relation to the policy at hand? and What kind of political imaginations of space are constructed in the same policy? Although Rönnblom does not systematically apply these elements of an intersectionality policy analysis to a detailed case study, she summarizes that her elaboration of context into space means the following for the intersectional dimension of policy analysis:

- It brings the researcher “closer” to the material—through the spatial analysis the theoretical understandings of power constantly need to be clarified in relation to the policy at hand
- By situating the analysis in more depth the researcher has an increased possibility of creating a more fine-tuned analysis

Spatial dimension is therefore intended to work as an effective “intersectionality tool” for policy analysis by revealing four additional dimensions of (spatial) contextualization, summarized by answering the following questions:

1. How has this policy area being produced over the years (i.e., contextualizing the policy area in relation to the historical development, the more “traditional way” of contextualizing an analysis)?

2. What kind of text is this (i.e., contextualizing the text as such; Who has written it? For what purpose? etc.)?
3. How is space/place produced in the text (i.e., analyzing territorial power dimensions in the text)?
4. How is space, in terms of relationships of power and agency, produced in the text?

For Rönblom (2008), the answers to these questions have concrete implications for understanding how space is produced “both within and outside the policy text”, and ultimately shedding new light on power, power relations, and their dimensions within policy analysis.

Approach 2: Intersectionality Policy Process Analysis—Bishwakarma, Hunt, and Zajicek

The second approach draws predominantly from the work of Bishwakarma et al. (2007, 1), in which the authors strive to systematically integrate intersectionality in the policy-making process using a typical policy cycle. Their premise is that “since governing bodies, both national and international, as well as different nongovernmental organizations have a vested interest in developing social policies leading to inclusion of the most marginalized groups, they must integrate intersectionality at all phases of policymaking process.” The authors draw on a conceptual policy framework adopted from Dunn (1994) to develop questions and criteria for an intersectionality analysis in four stages of policy making.

In their proposed framework or model, they argue that an intersectionality policy process analysis should include an examination of each stage of policy process to determine the extent (if any) to which an intersectionality approach is needed and, if it is, whether it is included (Bishwakarma et al. 2007, 9). Moreover, they argue that to be done effectively, “representatives of intersectionally-defined target populations should be included proportionately in the policy process, including the implementation and evaluation stages” (Bishwakarma et al. 2007, 21). This helps to avoid policies that are worked out for rather than with politically excluded constituencies (Phillips 1995).

Bishwakarma, Hunt, and Zajicek present a practical guide to policy creation using an intersectionality paradigm, which they apply to a case study of education in Nepal. Their approach consists of four stages of policy making detailed below. Each stage integrates key questions and issues for consider-

ation, which we have expanded on using other emerging methods and examples (CRIAW 2006; Hankivsky and Cormier 2009) and which demonstrate the advantages of the intersectionality perspective for informed policy making.

1. Agenda setting (problem structuring). The first stage represents the problem definition stage that draws the attention of the policy makers to a problem that requires governmental action and that subsequently morphs into a policy issue. Because there are so many key stakeholders with various knowledge, biases, and understandings of inequalities involved in agenda setting, it is critical to understand who defines when, where, and why certain policy issues become important and which do not. The first stage also entails establishing whether a defined policy problem is experienced differently by various social groups and therefore requires an intersectionality approach to problem definition (Bishwakarma et al. 2007, 9). This involves probing beyond a single identity to examine what other identities may be interacting to create a situation of disadvantage (CWGL 2006). In the process, an intersectionality approach resists any group generalizations and focuses on layered interrelations between social inequities and within category diversity.

This step may involve taking into account a historic account of the issue as well as a situational analysis of the problem. The historic account may involve considering the effects of colonialism, nation building, and economic globalization (CRIAW 2006). The situational analysis is a comprehensive diagnosis that focuses on the interaction of both individual and institutional factors (Hancock 2007, 71) that can illuminate systems of domination and individual experiences of discrimination. It entails determining which categories of experience are prevalent in the context of the policy in question. And it also leads to determining whether a current policy addresses certain disadvantages but creates competition and discrimination for others. As CWGL (2006) asks, “Does a policy initiative addressing racial discrimination and economic opportunity for one group of women create further tensions with other racial or ethnic women, thus creating a competition and hierarchy of minorities that serves to perpetuate the domination of a majority group?”

2. Policy formulation (alternatives and recommendation). In the second stage of a policy cycle, official proposals or alternatives are developed for dealing with policy issues and a policy proposal or alternative is adopted by a form of government (legislative majority, agency directors, or court decisions). The policy formulation phase must determine if the official policy proposals address the problem through an intersectionality perspective. Informative

questions in such an exercise include the following: What kind of program or policy is envisioned? What are the desired or intended results? (Bishwakarma et al. 2007, 8). Importantly, decision makers should consider the foreseeable impacts on members of vulnerable and marginalized groups. At times, this may require the collection of more information and the undertaking of intersectionality research that accounts for the simultaneous operation of various dimensions of inequality.

In proposing policy options, Bishwakarma, Hunt, and Zajicek acknowledge that some might argue that national policies cannot be written to include every group within the short narratives of policy framework. However, the question becomes whether there is, has been, or will be a process examining whether and how the status quo and/or general or homogenous policies address the specific consequences of oppression for the different groups of “disadvantaged” people (Bishwakarma et al. 2007, 19). Their point is that while the challenges of intersectionality are numerous, a more complex view of social reality in policy formulation is required.

3. Policy implementation (monitoring). In the third phase, an adopted policy is carried out by an administration unit(s) through mobilization of finances and resources in compliance with the policy. This phase involves evaluating if an adopted policy is implemented by an administrative unit(s) or relevant government department in compliance with the intersectional nature of the problem and policy. For example, evidence of the intersectional nature of policy regarding its implementation would include, among other things, the targeted population’s membership (and membership responsibilities) within the implementing agency or administrative unit (Bishwakarma et al. 2007, 10). This of course highlights the importance of having extensive and meaningful inclusion of affected key stakeholders throughout the policy process.

4. Policy assessment (evaluation). Through policy assessment or evaluation, governmental units determine whether all relevant policy actions are in compliance with the statutory requirements of the policy and whether policy objectives have been achieved. In the final phase of a policy cycle, Bishwakarma et al. (2007) explain that a decision needs to be made whether policy objectives have been achieved given the intersectional nature of the problem. That is, they argue, we need to take into account baseline conditions and compare the results gained through the evaluation or assessment stage following policy implementation to assess whether the policy objectives have been realized.

Approach 3: Multi-Strand Project—Parken and Young

The third approach is based on a project that was developed in response to the “six-strand” equal treatment legislation covering gender, disability, race, sexual orientation, age, and religion (in training and education) in the United Kingdom and the need to develop a road map for a cohesive and integrated approach to promoting equality. These U.K. changes were prompted by developments within the European Union and in particular Article 13 of the EU Treaty of Amsterdam, which took effect in 1999 and necessitates that member states must protect citizens from discrimination on a number of grounds including gender, race or ethnic origin, religion or belief, disability, age, and sexual orientation. In 2006, the United Kingdom passed the Equality Act, and one year later in 2007 the government established a single equalities body—the Equality and Human Rights Commission—that oversees a full spectrum of inequalities.

While it has been acknowledged that “attending to the specificities of different forms of equality within a single framework poses considerable difficulties” (Ben-Galim et al. 2007, 21), the requirement to move beyond siloed approaches toward the design and adoption of “an approach that can incorporate and manage the differences in origin and outcomes between strands” (Parken and Young 2007, 26) is at the foundation of this path breaking work. As the authors explain, “Our research began from the premise that what was required was an inclusive method capable of promoting equality through policy design, informed by evidence. We have created a multi-strand approach, which avoids ‘strand’ issues but values the different knowledge and approaches of ‘strand’ voices” (Parken and Young 2007, 29).

The multistrand model presented in Fig. 4.1 has four distinct stages: mapping, visioning, road testing, and monitoring and evaluation. Each of these stages is demonstrated through the description of the case study detailed below. The multistrand approach involves a range of expertise in policy, equality, and human rights and is intended to engage with all relevant stakeholders. It is “based upon the collection, collation, analysis and synthesis of equality evidence for all equality ‘strands’ and human rights and those outside of ‘strands’” (Parken and Young 2007, 50). According to Parken and Young (2007, 50), “It works to promote equality in a positive, proactive and creative way.” This approach is elaborated on further in the example described in the next section.

As described above, the purpose of the Multi-Strand Project (Parken and Young 2008), undertaken in Wales and funded by the Welsh Assembly and

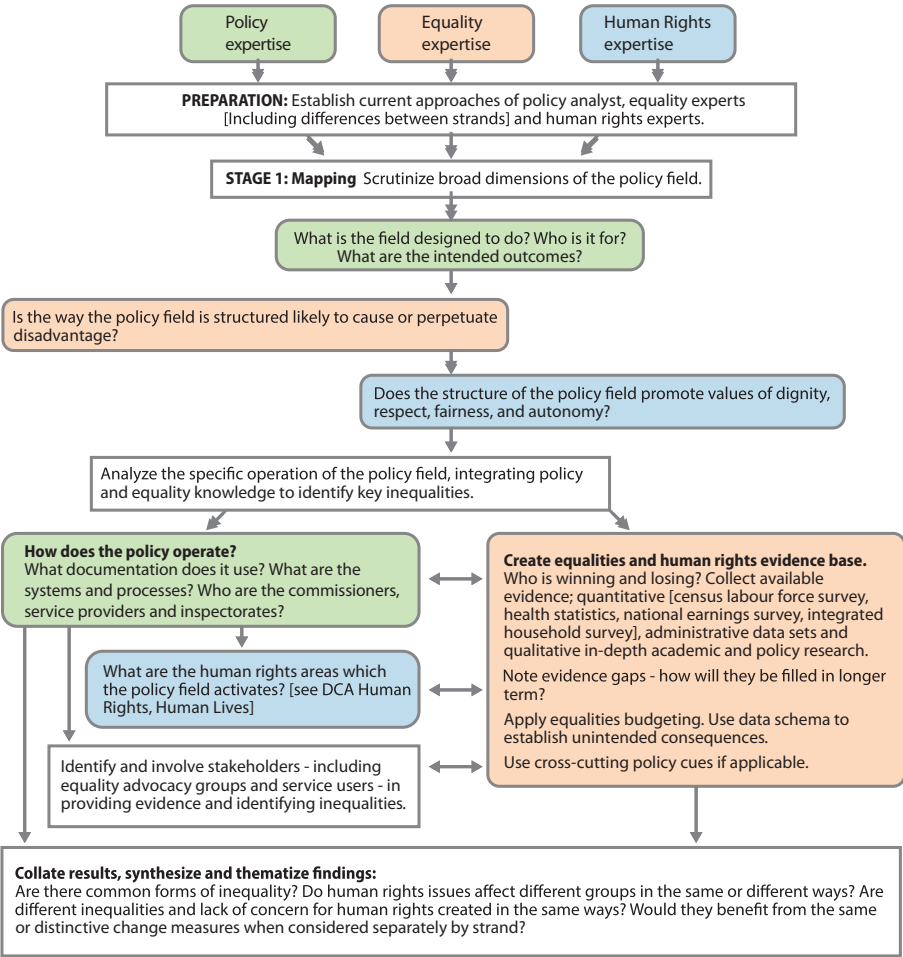


Fig. 4.1 Multistrand working model for the promotion of equality and human rights in a policy field (Source: Parken and Young 2007. Used with permission)

the Equality and Human Rights Commission, was to explore how to achieve equality and human rights across six equality strands: gender, race and ethnicity, ability, religion and belief, age, and sexual orientation. Historically, in Wales, each individual strand has had differing aims and objectives as well as varying degrees of political clout and success in influencing the policy-making process in each respective area of concern. The Multi-Strand Project brought representatives from each strand together and used an “equality mainstreaming” approach, which builds on the gender mainstreaming work of Rees and Parken (2002, 2003), to explore the field of unpaid, informal caregiving in

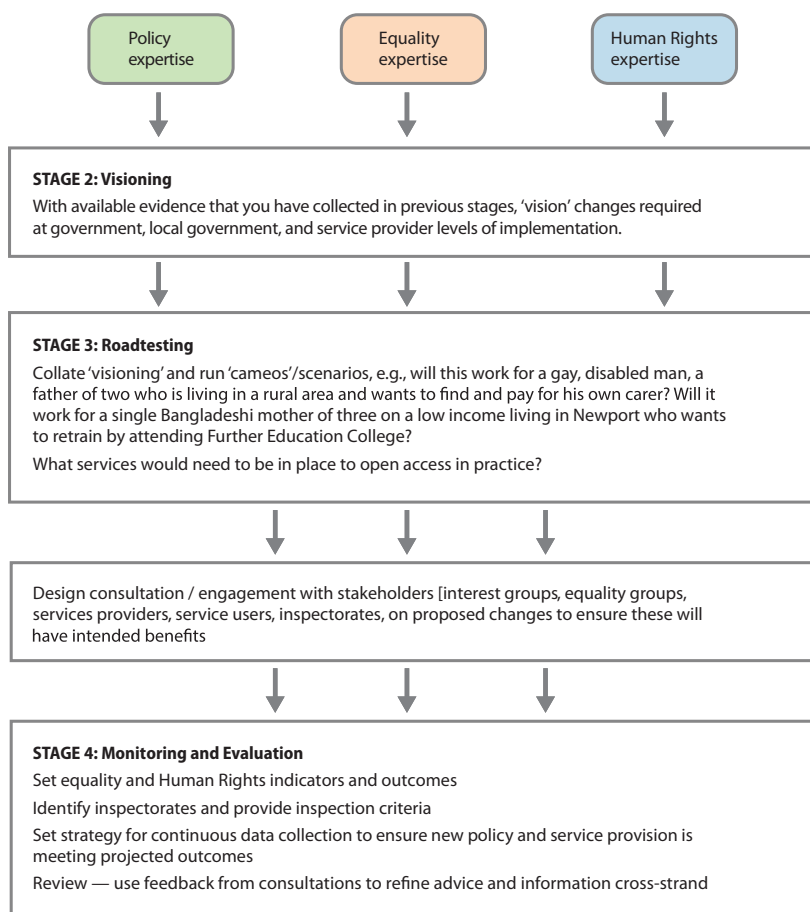


Fig. 4.1 (continued)

Wales. It is designed to promote cross-strand work, and the basic assumption underlying an equality mainstreaming approach, in contrast to a gender mainstreaming approach which systematically prioritizes gender, is that each strand is equally important in the policy investigation process and that equality in outcomes for all groups who may be affected by the decision(s) is the principle underlying the process.

The Evidence Panel of the Multi-Strand Project represented experts from key organizations with a combination of equality knowledge and policy knowledge and with vested interests in one or more strands. Following initial training in the principles underlying an equality mainstreaming approach and how to apply this approach in the policy-making process, the Evidence Panel worked collaboratively through a number of distinct stages to explore social

care policy with regard to unpaid, informal carers. The first step involved identifying a policy field, in this case social care, and exploring issues within that field from the perspective of each strand. The second step involved using an equality mainstreaming approach to “mapping” information about each strand within the field of social care. For example, this involved (1) analyzing qualitative and quantitative data from secondary sources (e.g., census data, the Labour Force Survey, and local authority figures) to determine who is providing social care, (2) examining current policies (e.g., Carers’ Strategy; Welsh Assembly Government 2000) that may have an impact directly or indirectly on caregivers, and (3) reviewing research findings from various stakeholder groups, which in general the authors found to be narrowly focused on one strand.

The third step in the process involved “visioning,” or, as stated by Parken and Young (2008, 10), “asking ourselves what we can do to make transformative change by creating policy or services that will promote equality and human rights.” The process of visioning involves collapsing the findings from the mapping stage by strand to identify commonalities among strands. So instead of investigating how best to address issues of equality for each individual strand, visioning entails revealing commonalities among the different strands and striving to identify common solutions that will benefit all strands. For example, the work of the panel revealed that financial support from the government provided to family members who stopped working or worked less to care for someone would be particularly beneficial to women and older and disabled people.

The fourth step involved “road testing,” whereby unintended consequences of proposed policy solutions were explored using the input of key stakeholder groups. In short, this step in the process consisted of “putting one-self in someone else’s shoes.” A number of vignettes were developed by the researchers, and the Evidence Panel was asked, for example, to consider how their policy solutions would affect “‘a divorced disabled Welsh speaking man living in rural Wales with two children,’ or on ‘a single, older woman living in Cardiff who works part time and cares for 30 hours per week,’ or ‘a Muslim student living in Bangor, caring for his father’” (Parken and Young 2008, 12). From the perspective of each strand, issues of accessibility and inclusion were examined, and the examples reflect the complexity in, and multifaceted aspects of, caregivers’ lives.

The fifth and final step, “monitoring and evaluation,” involved identifying and measuring markers of improvement in achieving equality goals once a new policy implemented, with the understanding that each strand may have individual indicators and varying degrees of success. Among the proposed activities

for monitoring and evaluation included identifying equality indicators (e.g., increase in use of a service, improvement in quality of service), continued data collection to track the impact of policy changes, and ongoing consultation with key stakeholder groups. With regard to unpaid, informal caregivers, information about “how many carers who are women of working age, older people, or disabled people have been recruited and retained in good quality jobs through employment support, including flexible working arrangements and provision of respite care” represents a measurable outcome of the success of a change in policy and/or practice (Parken and Young 2008, 12).

Discussion

To date, there exists little guidance and no synthesis of “best practices” resources for scholars wanting to apply intersectionality methodologies. The knowledge gap between the theoretical construct of intersectionality and its practical application has been identified as a priority area of concern. The three examples highlighted in this chapter provide direction for policy makers and public policy researchers who are interested in applying intersectionality theory to their own work but who struggle with how exactly to do it. These examples provide important insights into how the public policy process itself may be transformed by the adoption of an intersectionality perspective. And while they represent nascent developments in developing intersectionality policy analysis, they do reveal why others have concluded that “the policy prescriptions and discourse arising from such an analysis will be more true to people’s actual lived experiences and therefore more effective and better able to target the actual location of oppressive forces at work in society” (Bedolla 2007, 246).

The distinctions, however, are also apparent. For instance, in her approach, Rönnblom targets a very specific element in policy analysis—space—to understand different power relations and their mutual production in policy. According to Rönnblom, political space reflects dominant ways of thinking about society, politics, and change, and she provides a number of guiding questions to help interrogate the role of power, a key element in any intersectionality analysis, in producing policy and policy problems. However, this is far from a comprehensive approach to the various dimensions of policy-making processes. In comparison, the last two examples, Bishwakarma et al. (2007) and Parken and Young (2008), both call for situating the policy issue within the broader historical and social context (agenda setting or problem structuring and mapping the context). Also, both models stress the importance

of anticipating the possible consequences of policy. Significantly, however, there are noteworthy distinctions between these models as well.

Bishwakarma, Hunt, and Zajicek's approach provides some direction in terms of how to integrate elements of intersectionality within a four-step policy cycle, including the implementation and monitoring of alternative policy options. However, applying intersectionality to a policy cycle requires a certain rigidity that recognizes each stage as having "a distinctive characteristic and mannerism and process that give the individual stage a life and presence of its own" (John 1998, 21). This type of conceptualization of policy is often critiqued as flawed inasmuch as it exaggerates the tidiness of a process that is altogether more complex, fluid, and nuanced. For example, the linear description of the stages is inaccurate since the process often reveals many elements of the stages in different order; the model is far too top down in nature and fails to factor in the interaction of multiple differing or competing policy cycles that have an impact on the cycle under analysis and on its formulation and implementation (Sabatier 1999, 7). This type of rigidity is antithetical to an intersectionality approach that by its very nature requires fluidity, flexibility, and attention to the interaction of various levels of analysis. Most importantly, however, this approach leaves open the option that intersectionality may not necessarily be required at each stage of the policy cycle. An intersectionality perspective may therefore be treated as an add-on to an existing conventional approach rather than being a transformative source for policy making.

The multistrand approach differs from the other two approaches as it uses a more comprehensive approach to policy and policy change and introduces a unique methodology—an investigation of a policy field (not "proofing" an existing or new policy). It then proceeds to gather evidence of inequality with the aim of creating new policies that are able to address identified inequalities. Accordingly, this approach "does not begin with 'strand issues' or existing policies, which have their own way of framing debates. This method [attempting to capture the central distinguishing feature of intersectionality] prevents the distinctions between forms of inequities from being lost and provides for an inquiry that would capture both individual and group disadvantage" (Parken and Young 2007, 28). The authors of this approach explain the distinctive aspects of this approach:

We consciously avoided beginning with one strand and adding others. Neither did we begin from a theme of issue and look for connections across "strands." We began with investigating a policy field—social care, and then focused on the situation of carers—asking who are Wales' carers by quantitatively and qualitatively using the "strands" to who they were and what inequities they may be subject to. (Parken and Young 2007, 28)

The potential strength of the multistrand approach vis-à-vis operationalizing intersectionality, which has yet to be applied to public policy areas other than social care, is that it proposes an altogether new approach to policy that places front and center intersectionality at all stages of analysis. Accordingly, it has the capacity to (1) identify the underlying (sometimes complex) sources of inequality; (2) be citizen focused, taking into account the whole person and not just a single aspect of identity or experience; (3) maintain the distinctions between the origins of inequality between “strands” but provide an integrated method of working that will enable resources to be targeted toward reducing the greatest inequalities; and finally (4) enhance the forms of democratic participation that recognize the equal worth and dignity of all “strands.”

While the multistrand approach continues to be developed and refined and can be considered superior to the other two approaches, there are a number of questions that can be raised in relation to its analytic steps. First, there is no clear explanation for how an issue is identified as a policy problem or priority, a process that is no doubt political and involves various institutional power dynamics. Second, while being inclusive in terms of all equality strands is commendable, this process does not allow for a decision-making process that would allow for choosing particular intersections to focus on nor the possibility of recognizing what social locations may be the most “significant explanatory through-lines” (Shields 2008, 307) in any given context or situation. Third, it is not clear that it sets out an adequate process for ensuring the full diversity of representation from relevant stakeholders, especially those who may be most marginalized in terms of human and financial resources and their relationships to formal power structures of politics. And finally, the approach could arguably be improved if in addition to “strand” experts the process would allow for the cross-sectoral participation of those who have insights and expertise in how to conceptualize and work across interactive strands. It nevertheless remains a promising approach as it represents an altogether innovative approach to policy analysis.

To further illustrate the potential of this approach, one can consider U.S. policy debates on education and health. Obama’s education policy in the United States is currently focused on improving the quality of education by increasing the number of high-quality charter schools, rewarding effective teachers (linking pay to students’ standardized test scores), and reforming low-performing public schools. This program fails to fully understand the effects of social location on educational achievement. For instance, seeking improvement on standardized tests through incentive pay for teachers does not recognize that the problem of performance cannot always be explained by poor teaching. Powerful forces affect educational achievement, and this can

be observed by considering those who are at risk of dropping out of school: students from minority groups who often live in low-income homes with little food security. Similarly, those with low performance typically have lives that are shaped by the intersections of race, class, gender, and geography and that impede their educational achievements.

From an intersectionality perspective, then, educational policy reform would not be limited to school-based solutions or test score results to improve the achievement gap in education. It would link educational outcomes with the context of people's lives—that is, where they live and how this is linked to job and food security, unemployment, and health insurance. Fully understanding the context of those lives would require that those who are directly affected inform policy makers about the multiple barriers that policy should start to address to improve educational outcomes and achievement. In other words, intersectionality, through the use of a process such as the multistrand approach, would prioritize identification of and effective response to the multiple social structures of oppression that fundamentally shape all aspects of education.

The current movement to reform health care in the United States is another important example of how a multistrand approach can be used to undertake an intersectionality analysis of policy. To date, the debate has focused on the number of Americans and specific marginalized groups who do not have any form of health insurance. At first glance, the passage of the health insurance bill—the Affordable Health Care for America Act—can be seen as an important step toward recognizing social locations and divisions that create and perpetuate health disparities, and many have argued it is an opportunity to correct past injustices in the context of public policy. What is often missed from the debate, however, is that while health insurance is important, it is not a panacea for the poor health outcomes and persistent health disparities in the United States because these are dependent on more than access to medical care. Health insurance reform, by itself, will not likely diminish the inequalities that exist and that are caused by intersecting factors such as race, gender, sexuality, geography, and class that shape the broader determinants of health such as people's education, incomes, access to healthy food, safe housing, and recreation. A multistrand approach to health policy would help to recognize this reality along with the intersections between different equality strands because it helps to reveal “how to better conceptualize the cumulative, interlocking dynamics that affect human experiences, including health” (Hankivsky and Christoffersen 2008, 276). Most importantly, an intersectionality multi-strand method has the potential to shift the terms of the health policy reform debate by signaling the need to identify the interacting determinants of health beyond the health care system itself and to address the broader

structures of inequality that affect not only access to health but also health experiences and outcomes.

In the final analysis, however, it is thus important to acknowledge that moving toward applying intersectionality in a systematic and effective manner is fraught with challenges and requires more than the development of effective tools. It also requires political will and cannot be realized or managed on a purely administrative level (Parken and Young 2007). Here, it is important to recognize that the typical way of “doing” public policy is antithetical to an intersectionality approach: “Public policy, by its very nature is reductionist and incremental,” whereas intersectionality seeks to “see and respond to the more multifaceted ways that identity markers shape ... experiences” (Manuel 2006, 194–195).

Moreover, for intersectionality policy analysis to be brought into the mainstream, adequate resources are required. For example, successful integration of intersectionality requires appropriate training because “multi-strand working requires ‘strand’ advocates to be trained in the different forms of inequality and different approaches to remedy in play between ‘strands’” (Parken and Young 2007, 8). This can be both costly and time-consuming, whereas public policy strives to solve issues within short time frames. Furthermore, to move toward effective integration, policy makers need to draw on a solid base of research evidence, have access to appropriate data, secure appropriate human and economic resources, and be able to engage in ongoing intersectoral debates that include both policy and equity knowledge from a range of stakeholders. As the CWGL (2006) has argued, national and international bodies can play a role in implementing and reviewing intersectionality policy initiatives. Ultimately, however, those who engage with this work will need to be aware of issues of power in that those groups who currently benefit from policy initiatives may be resistant to the changes that may be brought about by intersectionality policy making.

And finally, the ways in which policy priorities and programs get positioned within processes of rescaling and the role that equality seeking groups and advocates can play in such processes are critical. As Crenshaw (1995, 357) puts it, “The political demands of millions speak more powerfully than the pleas of a few isolated voices.” However, there exists a unique “challenge of creating complex alliances across intersecting inequalities” (Bishwakarma et al. 2007, 25). At the same time, there has been increasing attention to exploring the potential of intersectionality as a coalition-building tool that unites individuals as they work toward a common agenda (Cole 2008; Miller et al. 2007). For example, intersectionality can be applied to acknowledge and understand difference and to illuminate both overt and subtle similarities (Cole 2008). This implies moving beyond conceptions of identity and exploring

shared experiences and interests and ultimately identifying “spaces for shared mobilizations” (Cole 2008, 447) in a common pursuit of social justice. Clearly, there is an important role for coalition building and complex alliances in enabling the operationalization of intersectionality and making transformative change in the sphere of public policy.

Conclusion

As this chapter has demonstrated, by drawing on intersectionality to bring to the foreground the various background dimensions that interact to create layers of inequality, a more complete and sophisticated analysis can be developed, one that better captures the ways in which public policy is experienced by various groups of women and men who may experience multiple forms of discrimination (Hankivsky 2005). Policy makers may be persuaded to incorporate this approach into their work if they understand that it has the potential to lead to more effective, responsive, and therefore efficient policy decisions. The challenge now is to build on these initial developments and in particular the multistrand approach to further develop the application of intersectionality in relation to a range of social and political issues across a variety of policy sectors. The promise of intersectionality policy analysis is great; it does make available a novel way of understanding inequity as both experienced and systematically structured in a multiscalar way. In the end, intersectionality does provide, as Hancock (2007, 73) so succinctly puts it, “the best chance for an effective diagnosis and ultimately an effective prescription.”

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5

Empirical Intersectionality: A Tale of Two Approaches

Ange-Marie Hancock

Introduction

Over the past thirty years, the intersectional turn has critically shifted how we conceptualize and interpret patterns among analytical categories¹ like race, gender, class, and sexuality as more than identities to be adopted, rejected, or imposed. Instead, these categories are analyzed as social constructions that, through the diffusion of power relationships, have vastly material effects. Moreover, intersectionality theory challenges the logic of how processes of racial, gender, class, and sexuality disparities are produced and remedied.²

¹ The idea of analytical categories of race, gender, sexuality and the like is deeply complicated based on the fundamental contention that such categories are, at heart, social constructions. I use “category” and “inegalitarian tradition” here, while acknowledging their complexity mostly in the interest of space. At the same time, these social constructions—carried around in our minds, enshrined in our federal, state, and local policies, and collective sociopolitical discourses—have material effects like deportation, deaths in police custody, and environmental degradation.

² Ange-Marie Hancock, *Trayvon Martin, Intersectionality and the Politics of Disgust*, 15 *Theory & Event* (2012), http://muse.jhu.edu/journals/theory_and_event/v015/15.3.hancock.html.

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Intersectionality theory has been characterized as the most significant intellectual contribution of gender studies to the world.³ Surprisingly, at least part of its success has been attributed to its vagueness.⁴ Nowhere is this more true than in the empirical applications of intersectionality. When enacted empirically, intersectionality theory is usually conceptualized as a theory that fits four standards of empirical social research: (1) It explains a phenomenon. (2) It is grounded in a substantive literature. (3) It is falsifiable. (4) It is methodologically agnostic.

Is this, however, the most appropriate way to empirically operationalize the legal theory of intersectionality? This chapter examines two contrasting empirical operationalizations of intersectionality theory and suggests a series of trade-offs between them, including preservation of theoretical integrity and current litigational utility. To do so, I use an ongoing research project concerning same-sex marriage, or marriage equality as it is termed by advocates, to illustrate distinct empirical methodologies that are compatible with the intersectionality-as-testable-explanation and paradigm intersectionality approaches, respectively.

By now it is well-known that Kimberlé Williams Crenshaw first publicly coined the metaphor of intersecting streets in her 1989 article, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Anti-Discrimination Doctrine, Feminist Theory and Antiracist Practices*.⁵ Her article has now sparked nearly twenty-five years of academic work, equality legislation, and human rights advocacy around the world. Crenshaw, a long-time law professor, emerged from a critical race theory (CRT) movement that is grounded in litigational strategies and legal praxis. Those legal roots are clearly reflected in that 1989 article about intersections through its emphasis on anti-discrimination doctrine.⁶

Empirical scholars have interpreted Crenshaw's argument in that article to claim that "race plus sex" discrimination was a previously unaddressed alternative explanation for disparate workplace outcomes.⁷ Although this way of operationalizing intersectionality for empirical research is critically important as a strategy that can document discriminatory practices, experiences, or

³ Leslie McCall, *The Complexity of Intersectionality*, 30 Signs: J. Women & Culture Soc'y 1771, 1771 (2005).

⁴ Kathy Davis, *Intersectionality as Buzzword: A Sociology of Science Perspective on What Makes a Feminist Theory Successful*, 9 Feminist Theory 67, 77 (2008).

⁵ Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Anti-Discrimination Doctrine, Feminist Theory and Antiracist Politics*, 4 U. Chi. Legal F. 139, 139 (1989).

⁶ *Id.* at 140.

⁷ See, e.g., Rachel Kahn Best et al., *Multiple Disadvantages: An Empirical Test of Intersectionality Theory in EEO Litigation*, 45 Law & Soc'y Rev. 991, 1004–07 (2011).

policies, it is just one of two ways of operationalizing intersectionality, and not without its costs. I call this approach the “intersectionality as testable explanation” approach.

Although intersectionality has traveled from legal studies to other empirically driven disciplines,⁸ it remains rooted in the tenets of CRT, which articulate a more comprehensive, systemic critique of the U.S. legal system’s pervasive reinforcement of racial hierarchies and perpetuation of injustice. While the “intersectionality as testable explanation” approach is instrumentally valuable, the prior assumptions required to enact it, which I discuss below, venture quite far from the theoretical tenets of intersectionality itself.

Even as early as Kimberlé Williams Crenshaw’s second landmark article, *Mapping the Margins*, intersectional analysis is represented as “an approach”⁹ and as a “way of framing the various interactions” rather than simply as an assertion of relevant identity content.¹⁰ Sociologist Patricia Hill Collins also uses the word “analysis” in her definition of intersectionality. In the glossary of her tenth anniversary edition of *Black Feminist Thought*, she refers to intersectionality as an “analysis claiming that systems of race, social class, gender, sexuality, ethnicity, nation, and age form mutually constructing features of social organization, which shape Black women’s experiences and, in turn, are shaped by Black women.”¹¹ If we operationalize intersectionality in this way—as an approach to conducting empirical legal analysis rather than a theory to be proven—it is no longer a falsifiable theory. It is, as philosopher of social science Thomas Kuhn suggests, a research paradigm that identifies relevant questions left unanswered by prior race-only or gender-only approaches to empirical legal analysis.¹² I term this way of operationalizing intersectionality the paradigm intersectionality approach, and it too has certain trade-offs.

⁸This “traveling” of the theory across fields and its ramifications are not unilaterally accepted. This evolution is a subject of vast debate. See Nikol G. Alexander-Floyd, *Disappearing Acts: Reclaiming Intersectionality in the Social Sciences in a Post-Black Feminist Era*, 24 *Feminist Formations* 1, 3 (2012); Davis, *supra* note 4, at 74–76; Ange-Marie Hancock, *Intersectionality as a Normative and Empirical Paradigm*, 3 *Pol. & Gender* 248, 248 (2007); Ange-Marie Hancock, *When Multiplication Doesn’t Equal Quick Addition: Examining Intersectionality as a Research Paradigm*, 5 *Persp. On Pol.* 63, 63 (2007) [hereinafter Hancock, *Multiplication*]; Julia S. Jordan-Zachary, *Am I a Black Woman or a Woman Who is Black? A Few Thoughts on the Meaning of Intersectionality*, 3 *Pol. & Gender* 254, 255 (2007); Evelyn M. Simien, *Doing Intersectionality Research: From Conceptual Issues to Practical Examples*, 3 *Pol. & Gender* 264, 264–65 (2007).

⁹Kimberlé Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 *Stan. L. Rev.* 1241, 1245 (1991).

¹⁰*Id.* at 1296.

¹¹Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* 299 (2nd ed. 2000) (emphasis added).

¹²Thomas S. Kuhn, *The Structure of Scientific Revolutions* 43 (3rd ed., 1996).

An Abbreviated History of the Intersectional Turn

What Collins and Crenshaw thus appear to share is twofold: (1) an analytical approach; and (2) a project to render previously invisible, unaddressed material effects of Black women's sociopolitical location visible and remediable. The title of Crenshaw's 1989 article clearly identified the nature of her critique as not simply "feminist" but "Black feminist," thus refusing to subordinate race to gender in the title as well as the analysis.¹³ More importantly for the purposes of this chapter a Black feminist critique was taken to be a unified whole, not disaggregable into a "Black" part and a "feminist" part.

With a similar emphasis on a "both/and" understanding of Black feminist analysis (instead of "either/or"), Patricia Hill Collins' landmark work, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, published in 1990, closely followed Crenshaw in terms of publication date.¹⁴ Yet, given typical time lags in publishing, Collins and Crenshaw were likely preparing specifically Black feminist analyses using very similar intersectional logic simultaneously—during the years from 1988 to 1990. Thus, perhaps the best way to frame the "moment of naming" is as a moment that occurred nearly simultaneously in legal studies and sociology. To say this does comparatively little violence to the notion that Crenshaw said it first in print, for certainly many other influences led to just such an outcome.

The point here is twofold. First, I suggest that intersectional metaphors originate from normative theory. Normative theories and empirical theories vary in their correspondence to the theoretical standards listed at the start of this chapter. Most notably, while empirical theories must meet the standard of falsifiability, normative theories—particularly grand theories like critical theory, from which intersectionality emerged—do not. While we can logically conclude that, in order to empirically operationalize a normative theory, some amount of translation is required, it is not at all clear that the only way to do so is through an embrace of positivist falsifiability.

Second, intersections of race and gender (and at times class or sexuality) were at the heart of the metaphor's origin as *non-disaggregable* standpoints or

¹³ Crenshaw, *supra* note 9, at 1241 (emphasis added). At the time of the Crenshaw article's publication, the University of Chicago Legal Forum was but four years old, with a format of a hosted symposium in the fall of each year and submission of articles for publication in the following spring. Crenshaw's first article featuring the intersectionality metaphor, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Anti-Discrimination Doctrine, Feminist Theory and Antiracist Politics*, was published in volume 1989, which began with a symposium in 1988.

¹⁴ Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (1990).

social locations. The commitment to analyzing social locations of groups at the intersections—as Crenshaw, Collins, and many others supported in the decades leading up to *Demarginalizing the Intersection of Race and Sex* and *Black Feminist Thought*—changes the first-order question by making the existence of such intersectional sites of difference, agency, discrimination, and injustice a logical prior to any empirical analysis. The differences between the intersectionality-as-testable-explanation and the paradigm intersectionality approach are located in different interpretations of these points in the intellectual history of intersectionality.

As noted above, the claims that together are commonly called “intersectionality” are traced to Crenshaw, who first coined the term in the late 1980s. However, intersectional metaphors have been multidisciplinary from the start. Scholars in a variety of disciplines¹⁵ and geographical locations¹⁶ drew upon their situated experiences and recognized the limitations of extant social movements and conventional strategic litigation to adequately address their structural marginalization. All of these scholars are part of a larger intellectual discourse about race, gender, class, and sexuality.

The claims that are commonly attributed to intersectionality emerge from a larger historical narrative about race and gender that dates back to the eighteenth and nineteenth centuries in the United States¹⁷ and to the efforts in the 1960s that culminated in the 1976 United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in the international context.¹⁸ Some who are steeped in Black women’s studies trace the idea of simultaneously attending to race and gender oppression to Anna Julia Cooper’s 1892 publication, *A Voice from the South*.¹⁹ Fewer scholars of intersectionality are familiar with Maria Miller Stewart’s 1830 work, *Religion*

¹⁵ See, for example, Patricia Hill Collins, Bonnie Thornton Dill, Ruth Enid Zambrana, and Lynn Weber in sociology.

¹⁶ See, for example, post-colonial feminists like Israeli-born Nira Yuval-Davis of the University of East London.

¹⁷ See Duchess Harris, *Black Feminist Politics from Kennedy to Clinton*, at xi (2009).

¹⁸ Nira Yuval-Davis, *Introduction* to Ange-Marie Hancock, *Solidarity Politics for Millennials: A Guide to Ending the Oppression Olympics*, at xii (2011) (“Around the world, those interested in a more comprehensive and transformative approach to social justice—whether sociologists, legal scholars, feminist theorists, policy makers, or human rights advocates—have used language and tenets of intersectionality to more effectively articulate injustice and advocate for positive social change.”).

¹⁹ See, e.g., Paula Giddings, *When and Where I Enter: The Impact of Black Women on Race and Sex in America* (HarperCollins 2009) (1984); Beverly Guy-Sheftall, *Words of Fire: An Anthology of African American Feminist Thought* (1995). See generally Anna Julia Cooper, *A Voice from the South* (Oxford Univ. Press 1990) (1982). Scholars like Deborah Gray-White, who wrote about Black women in slavery, and Paula Giddings, whose famous 1984 book, *When and Where I Enter*, which took its name from what are by now Anna Julia Cooper’s most famous words, were pioneers.

and the *Pure Principles of Morality*, a collection of writings about the “unique” challenges facing Black women,²⁰ or Harriet Jacobs, author of the 1860 slave narrative, *Incidents in the Life of a Slave Girl*.²¹ All three of these authors—Cooper, Stewart, and Jacobs—wrote in voices that were focused on the political ideal of self-determination and grounded in the life experiences of Black women. This intellectual tradition had three hallmarks that continue to be part of the Black feminist tradition: (1) Goals of empowerment and liberation; (2) Focus upon Black women’s experiences and knowledge—what Collins later termed “Black feminist epistemology”²²; and (3) Commitment to Black women’s self-determination—power over their political, economic, reproductive and artistic lives as *Black women*, not as disaggregable identities of Black + woman.

Thus, Crenshaw and Collins’ decidedly Black feminist interventions in the late 1980s were, without a doubt, part of a Black female intellectual and sociopolitical tradition that challenged rather than suborned a framing of their sociopolitical location as disaggregable into race + sex difference or discrimination. That tradition included activists like the Combahee River Collective and the National Black Feminist Organization (NBFO), who articulated a race-gender analysis that expanded to meaningfully include sexuality²³ and class.²⁴ These interventions in the narratives and agendas of the civil rights and second-wave women’s movements used language like “double bind” and “multiple jeopardies” to critique the movements and explain the sociopolitical location and challenges facing Black women in the United States.²⁵

This language and logic expressed what was conventionally thought of as unique to Black women. However, women-of-color feminists contending with post-colonial gender and ethnic politics in the context of international development were similarly struggling with the notion of whether a single category movement could meaningfully empower them to have autonomy

²⁰ Maria Miller Stewart, *Religion and the Pure Principles of Morality, the Sure Foundation on Which We Must Build*, in *Classic African American Women’s Narratives* 5 (William L. Andrews ed., 2003) (1831).

²¹ Harriet A. Jacobs, *Incidents in the Life of a Slave Girl* (Simon & Brown 2012) (1861).

²² Collins, *supra* note 11, at 256.

²³ Harris, *supra* note 17, at 6–7; see Avtar Brah & Ann Phoenix, *Ain’t I a Woman? Revisiting Intersectionality*, 5 J. Int’l Women’s Stud. 75, 78 (2004) (“The Combahee River Collective ... pointed, as early as 1977, to the futility of privileging a single dimension of experience as if it constituted the whole of life. Instead, they spoke of being ‘actively committed to struggling against racial, sexual, heterosexual and class oppression’”).

²⁴ The inclusion of class was also due to the efforts of the National Welfare Rights Organization.

²⁵ Frances Beale, *Double Jeopardy: To Be Black and Female*, in *The Black Woman: An Anthology* 109 (Toni Cade Bambara ed., 1970); Deborah K. King, *Multiple Jeopardy, Multiple Consciousness: The Context of a Black Feminist Ideology*, 14 Signs: J. Women & Culture Soc’y 42, 42 (1988).

over their lives. While not grounded in the U.S. Black female traditions per se, Anthias and Yuval-Davis, as well as Trin T. Min-ha, were contending with similar questions of narrative logic and agenda setting.²⁶ For some, like Molar Ogundipe-Leslie, the gender analysis in “feminism” was so steeped in White Western womanhood that a new concept, termed “stiwanism,” was deemed necessary.²⁷ Stiwanism stemmed from concerns akin to those that led to the emergence of Alice Walker’s “womanism” in the U.S. context.²⁸

This need and desire to develop new conceptual lenses to better account for the pragmatic²⁹ and theoretical challenges facing women of color also proceeded in U.S. history.³⁰ In cultural studies, bell hooks produced two books—*Ain’t I a Woman? Black Women and Feminism* (1981), and *Feminist Theory: From Margin to Center* (1984)—during an era steeped in standpoint theory that again sought to adequately theorize a very specific set of Black women’s experiences.³¹ Although not all of these scholars were doctrinaire standpoint theorists, responses to their work centered upon who can speak, and who must step back, in order to bring those on the margins of movement(s) into the center. Black feminists like hooks and Gloria Joseph articulated a visual metaphor of a center and margins³² that was, in fact, the central metaphorical influence for Black feminist theory, and much multicultural feminist theory, prior to the intersectional turn sparked by Collins and Crenshaw.

²⁶ Floya Anthias & Nira Yuval-Davis, *Racialized Boundaries: Race, Nation, Gender, Colour and Class and the Anti-Racist Struggle* (1992); Trinh T. Minh-Ha, *Woman, Native, Other: Writing Postcoloniality and Feminism* (1989). In *Woman, Native, Other*, Trinh interrogates the hierarchies of power in discourses like anthropology, postcolonial literary studies, and feminist theory to examine the challenge women of color pose to dominant narratives of gender, postcoloniality, and identity. Yuval-Davis and Anthias co-edited a series of case studies from around the world—Britain, Australia, South Africa, Uganda, Israel, Iran, Turkey, Cyprus and Italy—to demonstrate the point that gender constructs race and ethnicity, and both are deeply imbricated with nationalism and the state. *Woman-Nation-State* (Nira Yuval-Davis & Floya Anthias eds., 1989).

²⁷ Molar Ogundipe-Leslie, *Re-Creating Ourselves: African Woman & Critical Transformations* 229–30 (1994).

²⁸ Alice Walker, *In Search of Our Mothers’ Garden: Womanist Prose*, at xi (1983).

²⁹ Pragmatic challenges may include the implementation of litigation or international development strategies.

³⁰ Giddings, *supra* note 19; Deborah G. White, *Ain’t I a Woman? Female Slaves in the Antebellum South* (1979). Of course, there are many more scholars in this tradition than can be explicitly named here. Often cited are pioneering anthologies like *All of the Women Are White, All of the Men Are Black but Some of Us Are Brave* (Gloria T. Hull et al. eds., 1982), and *This Bridge Called My Back: Writings by Radical Women of Color* (Cherríe Moraga & Gloria Anzaldúa eds., 1981).

³¹ bell hooks, *Ain’t I a Woman? Black Women and Feminism* (1981); bell hooks, *Feminist Theory: From Margin to Center* (1984) [hereinafter hooks, *Feminist Theory*].

³² hooks, *Feminist Theory*, *supra* note 31, at ix–x; Gloria I. Joseph & Jill Lewis, *Common Differences: Conflicts in Black & White Feminist Perspectives* 276 (1981).

It is also just as critical to note that Collins and Crenshaw wrote as members of multi-racial communities of female colleagues. Collins is part of a generation of feminist sociologists that includes Bonnie Thornton Dill, Ruth Enid Zambrana, and Lynn Weber, who was a trained psychologist who migrated to sociology. This intellectual community began to talk about intersecting or interlocking structures of oppression as it investigated women's engagement with low-income occupational sectors, as well as their family lives, throughout the 1980s. In a similar vein, Crenshaw was joined in the legal academy by Mari Matsuda, Adrien Katherine Wing, Margaret Montoya, and Trina Grillo, who were all thinking about a variety of domestic and international legal domains. They paid attention to evidentiary questions, which produced an often-overlooked call to revalue narrative forms of testimony at trial.³³ And they examined broad questions of access to representation, services, and rights awareness.³⁴ Both intellectual communities seemed to fundamentally rethink the margin-center metaphor simultaneously but separately from each other, as well as from post-colonial feminists.³⁵ That these intellectual communities spoke more within themselves than across disciplinary boundaries as the ideas emerged makes it all the more remarkable that the concerns and ideas were so similar.³⁶

Importantly, these intellectual communities were distinct—albeit not mutually exclusive—from equally productive intellectual communities in history, English, political science, and others, who sought to revalue Black women as historical actors, literary figures, and political agents.³⁷ While this inclusion project, as it has been named by a number of different scholars,³⁸

³³ Critical Race Feminism 3 (Adrien Katherine Wing ed., 1997).

³⁴ Id.

³⁵ See, e.g., Chandra Talpade Mohanty, *Under Western Eyes: Feminist Scholarship and Colonial Discourses*, in *Third World Women and the Politics of Feminism* 51 (Chandra Talpade Mohanty et al. eds., 1991); Gayatri Chakravorty Spivak, *Can the Subaltern Speak?*, in *Marxism and the Interpretation of Culture* 271 (Carey Nelson & Lawrence Grossman eds., 1988).

³⁶ By identifying the similarities, I do not intend to lump all of these very nuanced arguments together; however, there is enough overlap concerning questions of power, access, voice, and visibility that I think a relevant grouping is worthwhile. To do so in a comprehensive manner is beyond the scope of this chapter.

³⁷ See Alexander-Floyd, *supra* note 8, at 16 (listing a cadre of Black female political scientists who also pursued their own inclusion projects). Producing this list relates to but is distinct from “producing” intersectionality or conducting intersectional analyses.

³⁸ Gudrun-Axeli Knapp further characterizes these studies, stating that:

[M]ost of the actual studies have concentrated more or less on micro-level analyses. The predominant perspective has been looking at how different categories interact in shaping subjective experiences, often experiences of discrimination, how they determine access to resources and options and how they are taken up in constructions of identity. (Gudrun-Axeli Knapp, *Race, Class, Gender: Reclaiming Baggage in Fast Travelling Theories*, 12 Eur. J. Women's Stud. 250, 259 (2005))

continues to be an important part of the Black feminist project, it remains conceptually distinct from a project of rearticulating the relationships between and within analytical categories. Even though moving from a center-margin frame to one of intersections first occurred in specific disciplines, the shift has since traveled far and wide throughout a variety of disciplines.

Based on this history of intersectionality, there are two key interventions intersectionality contributes to how we understand demographic difference and forms of discrimination grounded in such differences. First, identities and the differences that are attributed to them are not fundamentally disaggregable. There is something about being a woman of color that cannot be decomposed empirically into a “race” part and a “sex” part. Second, the shift from a margin-center metaphor to one of intersections reshapes the way in which scholars conceptualize power distributions. One’s membership on some single axis of disadvantage (for example, being a member of racial minority group) does not prevent one from having privilege on another axis of disadvantage (for example, being heterosexual). The primary question this chapter examines is, “What are the trade-offs for the two primary approaches to empirically operationalize intersectionality?” Empirical scholars have attempted to translate the two above normative insights into testable propositions, despite intersectionality’s existence as a normative theory that takes these insights as logical priors to research questions. Table 5.1, below, is instructive in understanding how prior research has attempted to empiricize intersectionality.³⁹

In my previous work, I identified three distinct ways scholarship in political science, sociology, ethnic studies, and gender studies have conceptualized categories of difference like race, gender, class, and sexuality across methodological operationalizations as variables (for example, self-report race or sex), longitudinal formations or historical processes (for example, racial formations, gendered political development), and multilevel drivers of disparate outcomes (for example, individual or structural heterosexism).⁴⁰ Each conceptualization strategy in Table 5.1—unitary, multiple, intersectional—has important ramifications for research design and methodology that have not yet been systematically interrogated in the intersectionality literature.

³⁹ See also Hae Yeon Choo & Myra Marx Ferree, *Practicing Intersectionality in Sociological Research: A Critical Analysis of Inclusions, Interactions, and Institutions in the Study of Inequality*, 28 *Soc. Theory* 129, 145–47 (2010) (interrogating empirical treatments of intersectionality).

⁴⁰ Hancock, *Multiplication*, *supra* note 8, at 67.

Table 5.1 Three empirical approaches to conceptualizing categories of difference^a

	Unitary approach	Multiple approach	Intersectional approach
Number of relevant categories/ processes	One	More than one	More than one
Posited relationship between categories/ processes	None	Predetermined and conceptually distinguishable relationships	Relationships are open empirical questions to be determined
Conceptualization of each category	Static at individual or institutional level	Static at individual or institutional level	Dynamic interaction between individual and institutional factors
Case makeup of category/class	Uniform	Uniform	Diverse; members often differ in politically significant ways
Approach to intersectionality	Lip service or dismissal	Intersectionality as testable explanation	Intersectionality as paradigm/research design

^aId. at 64

The Standard Approach: Intersectionality as Testable Explanation

The intersectionality-as-testable-explanation approach seeks to subject the claims regarding discrimination or lack of access asserted by normative intersectionality theorists to a standard positivist empirical examination.⁴¹ Thus, the approach takes a so-called objective position, which first requires that evidence of material discrimination be documented as real. Given intersectionality's origin in the legal academy, it is certainly logical that one popular operationalization would emphasize empirical demonstrations that discrimination, or discriminatory outcomes exist. This kind of approach is perfectly consistent with what Crenshaw and others call the "standard story" in litigation.⁴² The standard first-order question, therefore, would be formulated as follows:

⁴¹ For a trenchant critique of this approach, see Alexander-Floyd, *supra* note 8.

⁴² Crenshaw, *supra* note 5, at 145.

Unitary Quantitative Formulation: Did the litigant's race (or some other single category) have the strongest net effect on the dependent variable?

Unitary Qualitative Formulation: What role does the litigant's race (or some other single category) play in the outcome of interest?

In other words, does race matter? The underlying assertion in these formulations centers upon the "but-for" veracity of the claim. For example, would a litigant have otherwise been hired but for his race? There have been popular challenges made by Black and other women of color feminists to account for gender, class, and sexuality as equally important. These challenges have been met with early attempts that sought to incorporate the content of additional categories but preserved the mutually exclusive logic of old identity politics. This has resulted in the following reformulations:

Multiple Quantitative Formulation: Did the litigant's (a) race, (b) sexuality, or (c) race + sexuality together have the strongest net effect on the dependent variable, all other things being equal?

Multiple Qualitative Formulation: How did the litigant's race and/or sexuality correspond to the outcome of interest?

My point in enumerating these formulations is to illustrate that all four formulations can be worthy ways to interrogate substantive issues often discussed by intersectionality theory. These substantive issues include questions of equal employment access, commensurate representation, opportunities for remedy, or successful institutional reform. The intersectionality-as-testable-explanation approach has been extremely popular across disciplines.⁴³ The primary methodological strategy of scholars who embrace the intersectionality-as-testable-explanation approach is the inclusion of additional variables and a relevant interaction term. Empirical scholarship in this vein usually claims to

⁴³ As a broad sample of how popular this approach is across multiple fields of study, see Leslie McCall, *Complex Inequality: Gender, Class, and Race in the New Economy* (2001), Kathleen A. Bratton et al., *Agenda Setting and African American Women in State Legislatures*, 28 *J. Women, Pol. & Pol'y* 71 (2006), Joshua Kjerulf Dubrow, *How Can We Account for Intersectionality in Quantitative Analysis of Survey Data? Empirical Illustration for Central and Eastern Europe*, 17 *Ask: Res. & Methods* 85 (2008), Claudine Gay & Katherine Tate, *Doubly Bound: The Impact of Gender and Race on the Politics of Black Women*, 19 *Pol. Psychol.* 169 (1998), Tanya Katerí Hernández, *A Critical Race Feminism Empirical Research Project: Sexual Harassment and the Internal Complaints Black Box*, 39 *U.C. Davis L. Rev.* 1235 (2006), Melanie Hughes, *Intersectionality, Quotas, and Minority Women's Political Representation Worldwide*, 105 *Am. Pol. Sci. Rev.* 1 (2011), Calvin Morrill et al., *Legal Mobilization in Schools: The Paradox of Race and Rights Among Youth*, 44 *Law & Soc'y Rev.* 651 (2010), and Evelyn M. Simien & Rosalee A. Clawson, *The Intersection of Race and Gender: An Examination of Black Feminist Consciousness, Race Consciousness, and Policy Attitudes*, 85 *Soc. Sci. Q.* 793 (2004).

empirically investigate or operationalize intersectionality by leaning heavily on the substantive literature and methodological expertise of the scholar's main research interest (for example, race or gender), and giving a passing mention to, or superficially mobilizing, the second category by introducing a dummy variable (1 = female, 0 = male). This operational logic has also affected operationalizations of intersectional claims, extending to modeling of intersections of race, gender, and class variables as interaction terms. This strategy usually constitutes the primary or sole method of capturing the force of intersectional claims made by theorists, depending on the author. In other words, the reconceptualizations of power (from margins and centers to intersections) is left unaddressed by this strategy.

While not explicitly conversant with empirical legal studies, this empirical operationalization strategy represents a well-intentioned merging of standard social science methods with intersectional claims that follow the social science examples of large-N studies of race and large-N studies of gender. For example, most quantitative empirical approaches to identifying causal mechanisms for disparities of race, gender, or class have clumsily or myopically attended to race and ethnicity this way. These approaches most often fit them as one or two variables into pre-existing models, despite cautions against incorporating race/ethnicity as a static categorical variable.⁴⁴ Usually, the argument for such an inclusion is couched in the assumptions of quantitative modeling, which privileges the generalizability and broader statistical power associated with such methodologies as particularly helpful for “scaling-up” local solutions to the state or the federal level.

A Net Effects Analysis of Intersectional Support for a “Gay Marriage” Ban

In order to illustrate the intersectionality-as-testable-explanation approach, I selected an issue where other categories of difference—both previously explored in the intersectionality literature and not—were posited as explanations as well. The 2008 Collaborative Multiracial Political Study (CMPS) provides an outstanding large-N dataset from which an empirical model can be constructed.⁴⁵ In contrast to the 2008 American National Election Study,

⁴⁴ See David Chae et al., *Conceptualizing Racial Disparities in Health: Advancement of a Socio-Psychobiological Approach*, 8 Du Bois Rev. 63, 73 (2011), and Taeku Lee, *From Shared Demographic Categories to Common Political Destinies: Immigration and the Link from Racial Identity to Group Politics*, 4 Du Bois Rev. 433, 437–39 (2007), which build upon pioneering work on racial formation by Michael Omi and Howard Winant.

⁴⁵ 2008 Collaborative Multi-Ethnic Post-Election Survey, CMPS Study, <http://www.cmpstudy.com> (last visited Feb. 25, 2012).

which oversampled Black and Latino voters, and was only available in Spanish and English,⁴⁶ the CMPS was available in six languages and contains robust samples of the four largest racial/ethnic groups: Whites, Latinos, Blacks, and Asian Americans.⁴⁷ The CMPS contains 4563 respondents who voted in the November 2008 election who self-identified as Asian, Black, Latino, and White.⁴⁸ The survey was offered in English, Spanish, Mandarin, Cantonese, Korean, and Vietnamese, and respondents were offered the opportunity to interview in their language of choice.⁴⁹

Further, the CMPS collected data on a number of political issues where race had been previously situated as a predictive factor—including same-sex marriage.⁵⁰ Two questions are available on the issue of same-sex marriage in the dataset—one collecting attitudes regarding a U.S. constitutional amendment asked of all respondents, and one asking only California respondents about Proposition 8.⁵¹ I use the question asked of all the respondents in order to more truly replicate the intersectionality-as-testable-explanation approach. This question seeks, in a general context, to target a dependent variable with both strong variation and the largest possible N:

Now I'm going to read you a list of statements about different policies. For each statement, please tell me if you strongly agree, somewhat agree, neither agree nor disagree, disagree somewhat, or disagree strongly with each policy.

...

Q15E. We need an amendment to the U.S. Constitution that would ban marriages between gays or between lesbians.

The literature on attitudes about same-sex marriage as the primary contemporary element of a progressive LGBT rights agenda suggests several factors for which the CMPS has data. Prior literature has suggested that men are more likely to favor a ban on same-sex marriage than women (sex variable), that young people are more likely to oppose a ban on same-sex marriage than older people (age variable), and that African Americans and Latinos resist

⁴⁶ Id.

⁴⁷ Id. The Asian American sample includes the six largest national origin groups: Chinese, Asian Indian, Filipino, Korean, Vietnamese, and Japanese.

⁴⁸ Id.

⁴⁹ Id.

⁵⁰ 2008 Comparative Multi-Racial Survey Toplines, CMPS Study <http://www.cmpstudy.com/uploads/9/0/2/9/9029704/cmps-toplines.pdf> (last visited Feb. 25, 2012).

⁵¹ Id. at 5, 9. Though the CMPS asked only California voters their votes on a statewide amendment regarding same-sex marriage, Arizona and Florida—two other CMPS states—also featured such initiatives. Thus, the idea of a U.S. constitutional amendment may have been particularly salient among these voters, although I have not yet tested that possibility.

same-sex marriage more than Whites and Asians (race variable), as do religious folks (religiosity/evangelical identity variables).⁵² From this literature I constructed the following general model regarding attitudes on the Gay Marriage Ban:

Although this general model is clearly not desirable for continued study given its low R², the general ways in which variables are combined into a linear regression model are nevertheless illustrative of the traditional intersectionality-as-testable-explanation approach to determining whether race, gender, religiosity, and other factors play a role in predicting support or opposition to a U.S. constitutional amendment to ban marriages for gays and lesbians.⁵³ According to most scholars working in this approach to operationalizing intersectionality, the next step is to then insert an interaction term as an alternate, competing explanation (as opposed to a race-variable explanation or a gender-variable explanation) for the variation among respondents.

This model, illustrated as Model 2 in Table 5.2, selects the two most common variables used in such interaction terms regarding matters of intersec-

Table 5.2 General models of attitudes regarding amendment of the U.S. Constitution to ban gay marriage^a

	Model 1	Model 2
(Constant)	3.202	2.931
Ideology	-0.278*** (0.023)	-0.278*** (0.023)
Race/ethnicity	0.093** (0.035)	0.191* (0.113)
Gender	0.203** (0.080)	0.381* (0.211)
Evangelical identity	-0.005** (0.002)	-0.005** (0.002)
Religiosity	0.219*** (0.024)	0.218*** (0.024)
Race × Gender		-0.063 (0.362)
R ²	0.156	0.157
N	1660	1660

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

^aStandard errors are in parentheses

⁵² See, e.g., Kenneth Sherrill & Patrick J. Egan, California's Proposition 8: What Happened and What Does the Future Hold? (Jan. 2009), http://www.thetaskforce.org/downloads/reports/reports/pi_prop8_1_6_09.pdf.

⁵³ In addition to the model discussed here, the author ran other versions of the model and found that political party, age in 2008, religious identity, income, education level, and other possibly relevant variables were not significant and did not substantively change the variation explained in the models, so they are not reported or discussed here.

tionality, race, and gender. Model 2 suggests that Race $\times$ Gender is not a statistically significant explanation of positions on a constitutional amendment banning gay marriage. Further, the benefit to the explained variation is barely recognizable. This suggests that the rule of parsimony should be followed and that with regard to gay marriage bans, race and gender are autonomous rather than intersectional effects.⁵⁴

However, many scholars would contend that Crenshaw's original formulations of political and structural intersectionality hide diversity within larger racial and gender groups. Another part of the intersectionality-as-testable-explanation approach, building on this particular claim, usually creates differentiated models for multiple race-gender groups, to examine whether the general model explains the variation equally well for all groups.⁵⁵ I conduct exactly that analysis in Models 3 through 6 (Table 5.3), constructing dummy variables for the race and gender variables as well as interaction terms. All models feature a dummy variable for gender (1 = male), and each contains a dummy variable for a specific race group (for example, Model 3 contains a dummy variable for Black, Model 4 has one for Latino, and so on). Each

Table 5.3 Models of attitudes regarding amendment of the U.S. Constitution to ban gay marriage differentiated by Race $\times$ Gender^a

	Model 3 (Black men)	Model 4 (Latino men)	Model 5 (Asian American men)	Model 6 (White men)
(Constant)	3.968	3.896	3.769	3.908
Ideology	-0.289*** (0.024)	-0.269*** (0.023)	-0.270*** (0.023)	-0.292*** (0.024)
Evangelical identity	-0.005** (0.002)	-0.005** (0.002)	-0.005** (0.002)	-0.005** (0.002)
Religiosity	0.214*** (0.024)	0.223*** (0.024)	0.224*** (0.024)	0.209*** (0.024)
Dummy—Race	-0.125 (0.119)	-0.342** (0.132)	0.418** (0.150)	0.123 (0.111)
Dummy—Gender	-0.131 (0.092)	-0.235** (0.090)	-0.150* (0.088)	-0.343***
Race $\times$ Gender	-0.352* (0.185)	0.141 (0.199)	-0.397* (0.216)	0.355** (0.164)
R ²	0.158	0.157	0.157	0.160
N	1660	1660	1660	1660

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

^aStandard errors are in parentheses

⁵⁴ See S. Laurel Weldon, Intersectionality, in *Politics, Gender, and Concepts: Theory & Methodology* 193, 203–04 (Gary Goertz & Amy Mazur, eds., 2008) (defining each effect type).

⁵⁵ See, e.g., Best et al., *supra* note 7, at 1010, 1015; Pei-te Lien, Does the Gender Gap in Political Attitudes and Behavior Vary Across Racial Groups?, 51 *Pol. Res. Q.* 869, 877, 879, 881, 883, 884 (1998).

model reveals that indeed Crenshaw's original intuition was correct: the model operates differently for each race-gender pairing.

One look at this table and we notice several factors that continue to stand out as common to both a general and a race-gender differentiated set of models. First, Ideology, Religiosity, and Evangelical Identity all stand out as robust and significant predictors across all of the models regarding prediction of attitudes to a constitutional amendment to ban same-sex marriage. However, the differentiated models by race-gender pairing indicate that the most parsimonious approach—to focus on ideology, religiosity, and evangelical identity as the most important factors for every group of men—does not ring true. Indeed, for Black, Asian American, and White men, the interaction effects are larger than the autonomous effects of ideology, religiosity, and evangelical identity, though not all have necessarily higher statistical significance.

Based on these four comparative models, Crenshaw's argument for intersectionality as an explanation of the world appears to apply not simply to women of color, but to men as well. That is, there is some diversity within racial/gender groups as to the explanatory factors for support for a ban on same-sex marriage. This set of models, with improved specification and variation explained of course, could absolutely be heralded as an effective operationalization of intersectionality at the large-N level, particularly in top academic journals of political science and sociology.

Pragmatic Uses of the Intersectionality-as-Testable-Explanation Approach

Three uses of this kind of operationalization strategy immediately come to mind. First, this approach could support voir dire strategies for cases like *Perry v. Brown*, the case recently granted certiorari by the U.S. Supreme Court,⁵⁶ or *Lawrence v. Texas*, the 2003 case that invalidated sodomy laws in thirteen states.⁵⁷ While earlier approaches to voir dire have been limited by “pragmatic” judges who apply *Batson v. Kentucky*⁵⁸ and *Georgia v. McCollum*⁵⁹ to jury selection by preventing little, if any, “searching” voir dire, the comparative model approach could possibly be used for exclusion of jurors for cause. While *Batson* and *Georgia* focus solely on race, *J.E.B. v. Alabama ex rel. T.B.*⁶⁰

⁵⁶*Perry v. Brown*, 671 F.3d 1052, 1063 (9th Cir. 2012), cert. granted sub nom. *Hollingsworth v. Perry*, 133 S. Ct. 786 (2012).

⁵⁷*Lawrence v. Texas*, 539 U.S. 558, 578 (2003).

⁵⁸*Batson v. Kentucky*, 476 U.S. 79, 96–98 (1986).

⁵⁹*Georgia v. McCollum*, 505 U.S. 42, 59 (1992).

⁶⁰*J.E.B. v. Alabama ex rel. T.B.*, 511 U.S. 127, 146 (1994).

extends Batson to cover gender. It is not clear whether it is preferable to extend Batson to sexual orientation; one of the central issues at stake in Perry is whether sexual orientation should rise to the level of race as a suspect classification.⁶¹ What the intersectionality-as-testable-explanation approach does is to provide greater nuance regarding the studies of bias in a jury pool that could provide cause for dismissal of potential jurors.⁶² It is currently an open question as to whether intersectional empirical analyses using intersectionality as a testable explanation could be used to support dismissal for cause of potential jurors.

Second, and more broadly, this kind of data analysis could support claims for expanding the set of protected categories meriting strict scrutiny to include sexual orientation, in that it demonstrates ongoing generalized hostility to basic rights for LGBT individuals. This data analysis could be part of a larger litigational strategy. However, in this instance, it is not clear how much value an intersectional analysis versus a generalized, non-race-gender-specific analysis would provide in making the case.

Third, and finally, we might consider this kind of data especially relevant for pursuit of hate or bias crime certification in the criminal context, which offers certain sentencing enhancements for defendants who are ultimately convicted at either the state or federal level.⁶³ Although hate crimes at both the state and federal level represent a small percentage of criminal cases, that small subset of cases is, nevertheless, a politically salient one—that is, such cases are frequently covered in the media.⁶⁴ Here, the racial impact of using this data in such a way would likely have to contend with the application of

⁶¹ Perry, 671 F.3d at 1082.

⁶² Law professor Abbe Smith has advocated a “vigorous defense” approach that can include the strategic use of stereotypes, in Abbe Smith, “Nice Work if You Can Get It”: “Ethical” Jury Selection in Criminal Defense, 67 *FORDHAM L. REV.* 523, 530–31 (1998) [hereinafter Smith, *Nice Work*]. See also Abbe Smith, *Homophobia in the Halls of Justice: Sexual Orientation Bias and Its Implications Within the Legal System*, 11 *Am U. J. Gender Soc. Pol’y & L.* 101, 108–09 (2002–2003); Aaron M. Clemens, *Executing Homosexuality: Removing Anti-Gay Bias from Capital Trials*, 6 *Geo. J. Gender & L.* 71, 95–96 (2005) (exploring the problem of sexual orientation bias in the court system). But Smith admitted that social science research on race and gender bias in jury trials was not particularly reliable. Smith, *Nice Work*, *supra*, at 547. In the decades since Smith’s article, such research has become much more reliable, particularly through widely accepted tests like the Implicit Association Test (IAT). Such tests acknowledge the susceptibility of self-report data to social desirability bias, and instead measure subconscious bias. Most of the work in IAT, however, has been of the single category variety, rather than of intersectional groups.

⁶³ See, e.g., Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009, Pub. L. No. 111–84, 123 Stat. 2835 (codified as amended in at 42 U.S.C. §§ 3716–3716a, 18 U.S.C. §§ 249, 1389 (2006 & Supp. III 2010)); Cal. Penal Code § 422.75 (West 2005).

⁶⁴ Most recently, a promising elected official running for higher office as an openly gay, Black male in Mississippi disappeared and was soon found dead. The disappearance and subsequent discovery of his death made the national news, and pressure immediately mounted for the case to be certified as a hate crime. *Man Charged in Mississippi Mayoral Candidate’s Death*, Wash. Post, Mar. 1, 2013, at A2.

such data to criminal defendants who are, broadly speaking, more likely to be disadvantaged people of color themselves.⁶⁵ For CRT scholars, advocating for these kinds of jury selection rules may run directly counter to CRT's struggle against a prison industrial complex that already houses so many of the intersectional groups that have been identified in this analysis as more likely to support a ban on LGBT individuals' right to marry.⁶⁶ The intersectionality-as-testable-explanation approach thus has immediate, pragmatic uses for lawyers and the clients they represent, but those uses may cut both ways. It is also easy to understand its broader academic appeal in the legal academy, given its compatibility with, if not fluency with, standard empirical legal studies more broadly.⁶⁷

Limitations of the Intersectionality-as-Testable-Explanation Approach

The intersectionality-as-testable-explanation approach to empirical intersectionality suffers from two limitations that question the conventional wisdom of simply applying standard empirical strategies to account for the shift in logic that intersectionality theory demands.

First, it translates the claims of intersectionality into narrow questions of identity influence. However, Crenshaw did not contend that intersectional identity as a social fact causes the limitations and outcomes she discussed. Instead, she noted that the limitations stem from two intertwined phenomena: legal structures of power and social movements' strategies for pursuing remedies, which are not incorporated into these standard empirical analyses.⁶⁸ For example, the racing-gendering processes described by Crenshaw do not equal Race $\times$ Gender effects.⁶⁹ Net effects analysis requires the assumption that each independent variable (race, gender, and sexual orientation) competes with the others, holding everything else equal.

⁶⁵ See Devon W. Carbado, *The Construction of O.J. Simpson as a Racial Victim*, in *Black Men on Race, Gender, and Sexuality* 159, 159–62 (Devon Carbado ed., 1999).

⁶⁶ See Christopher Chorba, *The Danger of Federalizing Hate Crimes: Congressional Misconceptions and the Unintended Consequences of the Hate Crimes Prevention Act*, 87 Va. L. Rev. 319, 344–45 (2001).

⁶⁷ For a comprehensive look at empirical legal studies, see generally *The Oxford Handbook of Empirical Legal Research* 901–1001 (Peter Cane & Herbert M. Kritzer eds., 2010) (discussing the parallels between the intersectionality-as-testable-explanation and standard empirical legal studies).

⁶⁸ Crenshaw, *supra* note 5, at 145–50.

⁶⁹ *Id.* at 151.

Not only does this assumption not hold in the real world, it is tied to a further assumption that there is a single causal combination—a single equation's solution—that can explain the most variation. Thus, the second limitation is this approach's blindness to the reality that most of the policy challenges raised by intersectionality theory address social problems that are causally complex.⁷⁰ That is, there are multiple causal recipes that sets of individuals can pursue to the same outcome of interest, whether that outcome is dismissal of criminal charges, delay of deportation proceedings, access to proper HIV/AIDS medical treatment, or high school graduation. This is an important and relevant consideration. The intersectionality-as-testable-explanation approach assumes that there is a single causal combination of factors, which is problematic for a theory that explicitly articulates wide within-group variation. In other words, the combinations of processes and disparities faced by Latinas, White females and Asian American males, may not simply feature quantitatively different roles for race and gender on the same question, but qualitatively different roles as well.⁷¹

This second limitation is particularly important. Net effects analysis is not well suited to address the three broad domains of intersectionality. According to Crenshaw, an intersectional analysis provides greater clarity about marginalized women's constrained sociopolitical location in these domains.⁷² The first domain, structural intersectionality, highlights the contextual factors that produce an inability to obtain legal remedies that are presumed to be available to legal subjects.⁷³ The second domain, political intersectionality, highlights the degree to which using a single group member to serve as a prototype for policy remedies prevents the comprehensive representation, and by extension, remedy, of the obstacles created by the drivers of racial, gender, class, and sexuality disparities.⁷⁴ The third domain, representational intersectionality, addresses the ways that people who straddle multiple social locations are culturally constructed.⁷⁵ When framed as an "analysis" or "approach," intersectionality necessitates attention to all three domains in order to comprehensively explain a causal outcome of interest.

⁷⁰ See Charles Ragin, *Fuzzy-Set Social Science* 88 (2000) [hereinafter Ragin, *Fuzzy-Set*]; see also Charles Ragin, *Redesigning Social Inquiry: Fuzzy Sets and Beyond* 9 (2008) [hereinafter Ragin, *Redesigning*] (defining "causally complex").

⁷¹ Weldon, *supra* note 56, at 204–08; see also Lee, *supra* note 45, at 449.

⁷² Crenshaw, *supra* note 9, at 1283.

⁷³ *Id.* at 1245.

⁷⁴ *Id.* at 1252.

⁷⁵ *Id.* at 1283.

One option we have is to turn away from large-N, quantitative research entirely, toward smaller-N qualitative research, to test intersectionality's explanatory value. Qualitative research in this vein has usually focused on that general spirit, if not the letter, of Crenshaw's original articulation. As with the net effects analysis, qualitative strategies are also prevalent among intersectionality scholars,⁷⁶ including those in political science,⁷⁷ sociology,⁷⁸ and psychology.⁷⁹ However, this work shares some of the same challenges as the quantitative intersectionality-as-testable-explanation approach.

Crenshaw's overall point in both *Demarginalizing the Intersection of Race and Sex*⁸⁰ and *Mapping the Margins*⁸¹ emphasized the degree to which both legal structures and social movements' attempt to reform legal structures or change policy outcomes renders those whose lives are located at the intersection of two or more axes of marginalization (for example, those who are affected by racial processes and gender processes) invisible to the institutions and people with the power to change the rules of the game. Consistent with the inclusionist goals of Crenshaw's and Collins's project to render the invisible visible and commit to widescale social change on Black women's behalf, qualitative intersectionality-as-testable-explanation research's intent has mostly been to reveal the invisible struggles of women of color. Unfortunately, it has been limited by its general lack of attention to the historical context in which such individuals live, and the focus on the marginalized aspects of such individuals' social locations. That is, there is no concomitant analysis of social locations where there is agency or even privilege.⁸² For example, most women of color are straight and possess a complicated form of heterosexual privilege, an important oversight for which Fogg Davis took Black feminist theorists to task.⁸³

⁷⁶ As with the IVIT approach, examples abound. See, e.g., *Emerging Intersections: Race, Class and Gender in Theory, Policy and Practice* (Bonnie Thornton Dill & Ruth Enid Zambrana eds., 2009) [hereinafter *Emerging Intersections*]; Julia Jordan-Zachary, *Black Women, Cultural Images, and Social Policy* (2008); Elizabeth Cole, *Coalitions as a Model for Intersectionality: From Practice to Theory*, 59 *Sex Roles* 443 (2008); Elizabeth Cole & Zakiya T. Luna, *Making Coalitions Work: Solidarity Across Difference Within U.S. Feminism*, 36 *Feminist Stud.* 71, 74 (2010). As a matter of full disclosure, my early work also fell victim to these kinds of oversights. See Ange-Marie Hancock, *The Politics of Disgust: The Public Identity of the Welfare Queen* (2004); Ange-Marie Hancock, *Contemporary Welfare Reform and the Public Identity of the "Welfare Queen,"* 10 *Race, Gender & Class* 31, 40 (2003).

⁷⁷ Hancock, *supra* note 79; Jordan-Zachary, *supra* note 79; Hancock, *supra* note 79.

⁷⁸ *Emerging Intersections*, *supra* note 79.

⁷⁹ Lisa Bowleg, *When Black + Lesbian ≠ Black Lesbian: The Methodological Challenges of Qualitative and Quantitative Intersectionality Research*, 59 *Sex Roles* 312 (2008); Cole, *supra* note 79; Cole & Luna, *supra* note 79.

⁸⁰ Crenshaw, *supra* note 5.

⁸¹ Crenshaw, *supra* note 9.

⁸² Choo & Ferree, *supra* note 39, at 136–37.

⁸³ See Cathy J. Cohen, *Punks, Bulldaggers and Welfare Queens: The Radical Potential of Queer Politics*, 3 *GLQ: J. Gay & Lesbian Stud.* 437, 440 (1997), for an earlier description of complex straight privilege;

Moreover, Lisa Bowleg tellingly reveals how her original questions seeking rank-orderings from her interview subjects about which identity is more important—their race, their gender, or their sexuality—failed miserably to capture the answers to the questions she sought.⁸⁴ In other words, the attempted disaggregation—dictated by conventional empirical social science—obscured far more than it revealed. Such research is usually limited to one level of analysis—either the individual level or the structural level—which ignores Crenshaw's assertion that individuals attempt to navigate structural levels of power in a dynamically interactive manner.

These challenges have multiple ramifications that strongly suggest that a mere turn to qualitative methods is an incomplete response to the shortcomings of this testable explanation approach. First, the oversight has led to a conceptualization of individuals as frozen in time. Prior qualitative intersectionality research has been criticized for being inattentive to historical context. Second, the mobilization of multiple categories has been incomplete. Prior intersectionality research has been criticized for presumptions of some categories' relevance (for example, race, class, gender) over others as well as an incomplete treatment of social locations (focused solely on disadvantage without concomitant attention to sources of agency or privilege).⁸⁵

In addition to this critical oversight, the qualitative intersectionality-as-testable-explanation approach has two other shortcomings. First, the approach makes it difficult to develop policy solutions that are scalable beyond an extremely localized level. Though of course qualitative research is not usually targeted towards vastly generalizable claims, the relevant question here is whether such research can be sufficiently attentive to the structural intersectionality domain and offer a critical eye to the social movements that purport to represent intersectionally stigmatized populations. One particularly troubling finding suggests that Crenshaw's critiques of both extant legal structures and the responses of identity-driven social movements are still justified. Dara Strolovitch found evidence of secondary marginalization, even as social movement elites expressed support for comprehensive representation of their constituencies, particularly concerns about over-stretching movement organizations' already over-taxed resources.⁸⁶ Elsewhere, fears of division of the movement have also

see also Heath Fogg-Davis, *Theorizing Black Lesbianism Within Black Feminism: A Critique of Same Race Street Harassment*, 2 *Pol. & Gender* 57, 72 (2008).

⁸⁴ Bowleg, *supra* note 82, at 322.

⁸⁵ See Choo & Ferree, *supra* note 39, at 136–37; Nancy Wadsworth, *Intersectionality in California's Same Sex Marriage Debates: A Complex Proposition*, 64 *Pol. Res. Q.* 200, 203 (2010).

⁸⁶ See Cathy J. Cohen, *The Boundaries of Blackness: Aids and the Breakdown of Black Politics* 27, 54 (1999) (providing an extant definition of secondary marginalization); see also Dara Strolovitch, *Affirmative Advocacy: Race, Class and Gender in Interest Group Politics* 15–45 (2007) (referencing findings).

emerged.⁸⁷ While many qualitative studies echoed this finding, the evidence for a change in strategy has emerged from experimental evidence and applied analysis.⁸⁸ A mere turn to qualitative data and methods in this context thus has three central limitations: (1) it still does not comprehensively attend to all three domains of intersectionality; (2) it adds an obstacle—the potential for scalability from a policy perspective is limited; and (3) like net effects, it is almost invariably susceptible to a lack of attention to historical context and comprehensive plumbing of categories' meaning to the lives of the subjects studied.

The above analysis of public opinion concerning bans on same-sex marriage illuminates the trade-offs involved in conducting a standard net-effects analysis to empirically operationalize intersectionality. The net effects approach, listed as “the multiple approach” in Table 5.1, requires three assumptions that take logical priors of intersectionality theory and turn them into testable hypotheses:

(a) predetermination of categorical relationships; (b) static conceptions of each category; and (c) uniformity of cases within each category. All three assumptions are hallmarks of good positivist net effects scholarship, but they are not necessarily in line with normative intersectionality theory, which posits non-disaggregability and intersections as *a priori* assumptions within the theory. Another empirical approach allows the relaxation of these three assumptions and is discussed below.

The Paradigm Intersectionality Approach

While the implications of the shift from a metaphor of center-margin to a metaphor of intersecting oppressions have not been as widely interrogated as needed, I think it is key to understanding the shift in intellectual tradition and logic that intersectionality represents. Moreover, I think the shift points in a different empirical direction. My intent is not to dislodge intersectionality

⁸⁷ See Angela Glover Blackwell et al., *Searching for Uncommon Common Ground: New Dimensions on Race in America* 146–47 (2002); see also Manual Pastor Jr. et al., *This Could Be the Start of Something Big* 8–10 (2009); Cole & Luna, *supra* note 79, at 96.

⁸⁸ For experimental evidence, see Ronnie Michelle Greenwood, *Intersectional Political Consciousness: Appreciation for Intragroup Differences and Solidarity in Diverse Groups*, 32 *Psychol. Women Q.* 36, 36–47 (2008), and Ronnie Michelle Greenwood & Aidan Christian, *What Happens When We Unpack the Invisible Knapsack? Intersectional Political Consciousness and Intergroup Appraisals*, 59 *Sex Roles* 404, 404–17 (2008). See Sonia Ospina & Celina Su, *Weaving Color Lines: Race, Ethnicity, and the Work of Leadership in Social Change Organizations*, 5 *Leadership* 131,141 (2009), for applied evidence.

from its history, nor, as Nikol G. Alexander-Floyd warns against, to risk rendering Black women's contributions invisible,⁸⁹ but instead to understand the intersectional turn as exactly that—a turning point onto a new road. This new road endures thanks to both technology and the vagaries of traveling theories.

Crenshaw, Adrien Katherine Wing, Mari Matsuda, Trina Grillo, and others in the legal theory community specifically proposed revisions to a standard jurisprudential logic of mutually exclusive status categories to a relational logic that connects structural practices of racism, sexism, classism, and homophobia.⁹⁰ It is important to note that Crenshaw did not contend that intersectional identity as a social fact causes the limitations and outcomes she discussed. That is, the trouble is not with the intersectional bodies or identities of women of color she placed at the center of the analysis, rather, the trouble is with the politics that surround such bodies. As Crenshaw explicitly noted “Although racism and sexism readily intersect in the lives of real people, they seldom do in feminist and antiracist practices. And so, when the practices expound identity as woman or person of color as an either/or proposition, they relegate women of color to a location that resists telling.”⁹¹ Though Crenshaw later modestly said that she did not intend to offer intersectionality as a “new, totalizing theory of identity,”⁹² she repeatedly refers to the intersectionality as “dynamics,”⁹³ an “approach,”⁹⁴ a “way of framing interactions,”⁹⁵ or a “basis for reconceptualizing race.”⁹⁶ In this regard, intersectional analysis is proposed in order to answer questions left unanswerable by prior analytical approaches to race or gender, suggesting a contention that intersectionality can be thought of in paradigmatic terms by focusing on the logical shifts intersectionality theorists have made, not simply the empirically verifiable claims that emerge from such an approach.⁹⁷

Thinking about intersectionality as a research paradigm proposes approaches to solving the aforementioned unanswerable questions and establishes standards

⁸⁹ Alexander-Floyd, *supra* note 8, at 19.

⁹⁰ See, e.g., Critical Race Feminism, *supra* note 33.

⁹¹ Crenshaw, *supra* note 9, at 1242.

⁹² *Id.* at 1244.

⁹³ *Id.* at 1245.

⁹⁴ *Id.*

⁹⁵ *Id.* at 1296.

⁹⁶ *Id.* at 1299.

⁹⁷ *Id.* at 1245–52.

by which solutions can be evaluated.⁹⁸ In accordance with this set of precepts, paradigm intersectionality in this chapter is broadly defined as a justice-oriented analytical framework for examining persistent sociopolitical problems that emerge from race, gender, class, sexual orientation and other sociopolitical fissures as interlocking, process-driven categories of difference.⁹⁹ When intersectionality is implemented as a paradigm it has the potential to meaningfully analyze complex causality—the reality that multiple causal paths can simultaneously lead to the same outcome.¹⁰⁰ In this sense, a paradigmatic approach to empirical intersectionality can provide a fount of ideas to transform the structures of legal institutions, including but not limited to judicial oversight, litigation strategies, and the kinds of remedial relief sought. In a historical moment that features the persistent retrenchment against civil rights and CRT approaches to structural change, paradigm intersectionality enables a visioning process more attentive to the current obstacles faced while remaining true to the theoretical integrity of intersectionality.

In contrast to Crenshaw's three domains of intersectionality—structural, political, and representational—paradigm intersectionality does not locate a particular domain where intersectional analysis emerges as the superior analytical lens. Instead, it is intended to provide a comprehensive empirical operationalization of intersectionality. In other words, paradigm intersectionality sets empirical standards of research for structural, political, and representational intersectionality—suggesting how we might empirically investigate the language barriers facing limited-English speaking immigrant women, how we might examine evidence of systematic failures of interest group elites to craft a political agenda that comprehensively represents an entire group's needs, or how we might document public identities like the strong Black woman, jezebel, or video vixen as social constructions that continue to constrain real-life women's abilities to get just verdicts in rape cases.

Paradigm intersectionality challenges Occam's Razor—the idea that the simplest answer is always the best. Indeed the claims of intersectionality theorists introduce complexity into empirical research in a number of challenging ways, particularly methodologically.¹⁰¹ Although incompatible with net effects

⁹⁸ This definition of a paradigm is consistent with the arguments of Thomas Kuhn. See Thomas Kuhn, *The Structure of Scientific Revolutions* 10 (3rd ed. 1996). Kuhn is by no means the final word on research paradigms, but his definition is consistent with the positivist approaches enacted on some level by most empirical intersectionality scholars.

⁹⁹ Even though I wholeheartedly acknowledge the dynamic processual elements of such categories as constitutive of their roles in persistent social problems, for reasons of space I refer to them in a shorthand version as categories of difference throughout this chapter.

¹⁰⁰ I identify this operationalization of intersectionality at the level of paradigm to distinguish it from other scholars who conceptualize intersectionality as a concept, method, and/or normative theory.

¹⁰¹ McCall, *supra* note 3, at 1772.

approaches, paradigm intersectionality provides useful ways to think about how to simultaneously incorporate five relevant dimensions of intersectional complexity, including: complexity within categories (Diversity Within) and between categories (Categorical Multiplicity, Categorical Intersection); complexity in a given historical moment as well as over time (Time Dynamics); and complexity in terms of how categories like race, gender, class, and sexual orientation are shaped by dynamic processes engaged in by individuals, groups, and institutions (Individual-Institutional Interactions).

In this Part I outline paradigm intersectionality and its tenets and then turn to an examination of the same CMPS dataset using fuzzy-set qualitative comparative analysis (fs(QCA))¹⁰² to explore its causal stories regarding support or opposition to a constitutional amendment banning same-sex marriage. In so doing, I illustrate the distinct design and data demands of a paradigm intersectional approach, noting where relevant its distinctions from the intersectionality-as-testable-explanation approach to empirical intersectionality. The brief discussions of each dimension below illustrate the core improvements asserted above.¹⁰³

Paradigm intersectionality demands that Categorical Multiplicity be engaged at a level concomitant to the other dimensions of intersectionality. That is, scholars are pushed to engage in a formal thought process examining which categories are worthy of inclusion in the research design according to transparent standards,¹⁰⁴ rather than simply assuming that race-gender are the only relevant categories for women of color and are somehow irrelevant to other populations—for example, class, sexual orientation, national status, and religiosity are but a few additional possibilities that can apply to those on all sides of the power axes within them. Parsimony remains encouraged without being reified, as deep substantive and theoretical knowledge of each sociopolitical category allows it to be conceptualized in the design in interaction with the other four dimensions of paradigm intersectionality.¹⁰⁵

Paradigm intersectionality's components, Diversity Within, and Categorical Intersections, facilitate comprehensive attention to what populations share in common and systematic variation within a sociopolitical category of difference,

¹⁰²Ragin, *Fuzzy-Set*, supra note 73, at 322 (explaining that the fuzzy-set approach assesses the “sufficiency of all possible combinations of causal conditions”).

¹⁰³See Hancock, supra note 18, at 33–62, for a comprehensive definition of each dimension and additional policy case studies.

¹⁰⁴Rita Dhamoon lays out several standards in her work. See Rita Kaur Dhamoon, *Identity/Difference Politics: How Difference Is Produced and Why It Matters* 1–17 (2009); Rita Kaur Dhamoon, *Considerations on Mainstreaming Intersectionality*, 64 *Pol. Res. Q.* 230, 235 (2011). There has been at least one normative application: the Trayvon Martin murder case. Hancock, supra note 2.

¹⁰⁵This focus is an important improvement to the IQIR approach to intersectionality work (design).

contingently conceptualized. For example, if one seeks to understand the race-gendering experiences of women of color in Congress, the common processes affecting all of them are part of Categorical Intersections. Any systematic variation in such processes, whether attributable to individual orientations (like personality or prior career background) or group orientations (like political party or district characteristics) is classified as Diversity Within. In other words, attention to Crenshaw's notion of political intersectionality is incorporated a priori as a relevant lens to use in all research questions through Categorical Intersections. Likewise, Crenshaw's notion of representational intersectionality can fit into the Diversity Within element.

This decomposition of intersectional analysis into Categorical Intersections and Diversity Within builds on the arguments of Laurel Weldon¹⁰⁶ and others, but in a framework that is distinct from net effects. Instead, we reprise Crenshaw's formulation of "racism" and "sexism" discussed in the introduction to this chapter, rather than rely on independent race and sex variables.¹⁰⁷ The fs(QCA) analysis of the CMPS data in the next Part will illustrate how to create causal conditions and causal recipes regarding attitudes regarding same-sex marriage.

This dual-dimension framework can more faithfully account for the roles of agency and collective action among populations who may choose different strategies or have different resources available to them for utilization. The final two dimensions flesh out this conceptualization featuring two distinct processes and incorporate Crenshaw's sense that individuals and groups engage in legal structures within historical contexts. Time Dynamics focuses on the relevance of sociopolitical development across time and within a particular historical context, while Individual-Institutional Interactions join with Categorical Intersection and Diversity within to more fully engage agency and collective action by analyzing outcomes as products of ongoing, dynamic interactions between and among individuals, groups, and institutions. In other words, Crenshaw's notion of structural intersectionality is incorporated into the analysis through Individual-Institutional Interactions, again as something to be analyzed in all empirical intersectionality research projects. Figure 5.1 outlines the five components of paradigm intersectionality as a proposed rubric for an empirical intersectionality research design.

¹⁰⁶Weldon, *supra* note 56, at 201–03.

¹⁰⁷In the broader project from which this analysis is drawn, I articulate benefits for qualitative researchers. Consciously attending to both Categorical Intersections and Diversity Within pushes qualitative intersectionality-as-testable-explanation researchers to more fully engage with their rich data for potentially generalizable categorical intersections without sacrificing the uniqueness contained in Diversity Within aspects of their data.

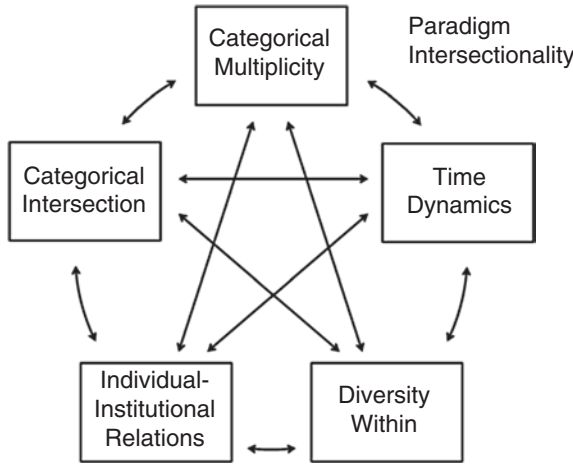


Fig. 5.1 Schematic diagram of paradigm intersectionality dimensions and their possible empirical relationships

Paradigm Intersectionality's Methodological Companion: Fs(QCA)

Prior work on intersectionality as a research paradigm suggests that fs(QCA) is a complementary methodology for paradigmatic intersectionality research designs¹⁰⁸ based on their shared commitment to fully address complexity. Fs(QCA) empowers empirical researchers to make four new moves: (1) configure cases in a way that fully acknowledge the intersecting roles of racism, sexism, homophobia, and other processes of marginalization; (2) improve the operationalization of such processes by using case-oriented rather than variable-oriented empirical analysis; (3) incorporate the reality that there are multiple paths, even within race or gender groups, to the same outcome of interest; and, (4) where applicable, better incorporate the richness of narratives and other interpretive data into scalable policy proposals for social change.

Fs(QCA) is a technique amenable to paradigm intersectionality research for several reasons—most of which center upon the level of transparency, reflexivity, and calibration capacity for many measures that are often used with an alarming lack of attention to all three standards of research. Values associated with levels of membership are assigned to each of the causal conditions and outcomes. These values are based on a standardized and transparent

¹⁰⁸ Hancock, *supra* note 18.

set of cutpoints, which are created and implemented using substantive and theoretical knowledge of the topic rather than simple numeric variables at the interval or ordinal levels. Furthermore, fs(QCA) is capable of analyzing social problems with any number of causal conditions (k), which produce 2^k possible causal combinations that may produce the outcome of interest. I use the language of causal conditions rather than “causal factors” and “net effects” because original data is collected and analyzed¹⁰⁹ in a manner different from traditionally conceived single or multiple-measure variables. Empirical data collection (of any size N) and thorough theoretical and substantive knowledge shape the process of calibrating and assigning fuzzy values on each condition to each case—an activity to which we now turn.

Using set theory, we create sets of people who support or oppose the ban on same-sex marriage via constitutional amendment in a way that is quite different from a variable oriented approach. To create each causal condition, we assign one of four possible values between zero and one through synthesis of the entire case. To reiterate, such assignments are not based on adding up the number of “yes” or “no” responses to a list of questions to create a continuous variable (as is often done to create an index variable) but again, through synthesis of the entire case. Neither is the fuzzy-set equivalent to an ordinal scale.¹¹⁰ Creating this multi-value fuzzy set provides two intermediate points between the extremes of either fully in or fully out of the set as opposite ends of the spectrum—(0, 0.25, 0.75, 1).

We generally create two or more sets (fuzzy or crisp) out of each variable from the CMPS dataset. For example, in calibrating sets that account for the role of income (or education) in a particular causal condition (say, employment type), it makes more sense to create a set of high-earning individuals and a set of low-earning individuals, particularly because one of the strengths of fs(QCA) is that it does not require mutual exclusivity or corrections for what in variable-oriented logic is called “multicollinearity.” Using our ongoing example of same-sex marriage, calibrating sets in this manner might allow us to answer a key question with greater precision—is it having a high income that is linked to opposing a ban on same-sex marriage, or is it not having a low income that matters?¹¹¹

¹⁰⁹ The focus in this chapter is on the difference in how the data is analyzed, and the data used to illustrate both approaches was collected using standard rigorous quantitative survey methods.

¹¹⁰ See Ragin, *Redesigning*, *supra* note 73, at 32, 82–84, for a comprehensive explanation of the difference between index variables and fuzzy sets.

¹¹¹ See *id.* at 195, for another example of this logic.

From a paradigm intersectionality perspective, assuming that each of these sets would negate each other is problematic because we want to account simultaneously for both systematic commonalities (Categorical Intersections) and variation (Diversity Within) at multiple levels of analysis. It is possible to do so using fuzzy-set analyses of complex causality because set relations are not framed in a relative context or assumed to be mutually independent—they are also not assumed to be symmetric, as bivariate and multivariate correlations demand. That is, one causal condition isn't presumed to be in competition with other possible causal conditions but is instead constructed in relation to the outcome in a qualitatively distinct manner. This is particularly relevant to the study of social problems and their solutions because the structural forces related to the outcomes are accounted for in a complex way in the analysis. As Charles Ragin puts it,

The key issue is not which variable is the strongest (i.e., has the biggest net effect) but how different conditions combine and whether there is only one combination or several different combinations of conditions (causal recipes) capable of generating the same outcome. Once these combinations are identified, it is possible to specify the contexts that enable or disable specific causes.¹¹²

This understanding of complexity is very similar to assembling evidence for a particular legal case, where familiarity with the available details permits attorneys to assemble a particular understanding of how the evidence fits together. Certainly opposing counsel will have a different understanding of how the evidence fits together. Fs(QCA) looks at each case and determines which causal recipe from the universe of possible causal recipes each case fits in, then assigns it to that particular recipe, as we will see below.

An Fs(QCA) Analysis of Support for a Ban on Same-Sex Marriage

As even the prior net effects models of different race-gender groups illustrate, support for or against a ban on same-sex marriage is not necessarily a simple causality question. This analysis uses the same large-N dataset described above—the CMPS—along with the same truncated literature review, which was limited to specific variables (net effects analysis) and causal conditions (fuzzy-set analysis). The sets are constructed from the responses to CMPS

¹¹²Id. at 114.

Table 5.4 Calibration and constructions of fuzzy sets

Causal condition	CMPS variables	New fuzzy or crisp sets
Ideological orientation	Ideology	Liberal ideology (fuzzy) Moderate liberal ideology (fuzzy) Moderate conservative ideology (fuzzy) Conservative ideology (fuzzy)
Culture of religiosity	Religiosity Religious denomination Charismatic church	Religious (fuzzy) Non-religious (fuzzy)
Gender assignment	Sex	Male (crisp) Female (crisp)
Evangelical orientation	Evangelical identity	Evangelical (crisp) Non-Evangelical (crisp)
Racialized subjectivity	Race/ethnicity Linked fate Neighborhood composition Income Education	African American (fuzzy) Asian American (fuzzy) Latino (fuzzy) White (fuzzy)

survey questions, thus using exactly the same data in an entirely different way to provide a focused comparison on design and method. Based on our same review of the prior literature on same-sex marriage that was used for the net effects analysis, the following calibrations and set constructions are possible. Again, in order to focus on the method, I have deliberately limited the number of causal conditions and for the purpose of this CRT-oriented chapter describe in greatest detail the causal condition of racialism. Table 5.4 outlines the transformations.

The CMPS Ideology variable is calibrated into four separate three-value fuzzy sets: “Liberal,” “Conservative,” “Moderate Liberal,” and “Moderate Conservative.”¹¹³

Religiosity as a variable in the CMPS is likewise converted into multiple fuzzy sets—“Religious” and “Non-Religious.” Again the distinction here is that using other variables in combinations that are not simply additive (religious denomination plus or multiplied by charismatic church attendance) accounts for varying relationships between church members and their churches. Theoretically and sub-

¹¹³ While it might be easy to come up with the values for each end of the spectrum (for example, survey values six and seven, “conservative” and “very conservative,” clearly receive full membership in the set of conservative ideology respondents, while survey values one and two, “very liberal” and “liberal,” are fully out of the set and the opposite arrangement for the set of liberal ideology respondents), it is not absolutely clear that we should rely only on the middle value of four for crafting a set of moderates. We might also include answers to questions regarding political party and strength of partisanship, both of which are in the CMPS dataset, to better understand the moderate set in particular, due to the rise in independent party affiliation over the past decades.

stantively, the question of same-sex marriage is very much tied to religious organizations. Consequently, being able to meaningfully distinguish religious denominations of CMPS respondents can make all the difference in understanding the results in two ways. First, two religious denominations—the Catholic and Mormon churches—are extremely hierarchically organized and have taken extremely public positions on same-sex marriage through their leadership. Other Christian denominations have taken comparatively lower profile positions and are less hierarchically organized in terms of communicating that message. This is especially true among evangelical, nondenominational churches, which may reach thousands if they are a megachurch, but again do not have a hierarchical, geographically dispersed leadership on the scale of the Catholic or Mormon faiths. Creating the fuzzy sets of “Religious” and “Non-Religious” as higher-order constructs that include attendance at charismatic churches and religious denomination allow for us to better incorporate the individual-institutional interactions dimension of paradigm intersectionality. Second, the higher order set constructions empower us to, in Crenshaw’s terms, explicitly recognize the intersectional locations of LGBT people of faith, who traditionally keep those aspects of their lives separate because anti-gay churches are mostly used in that political intersectionality way—as prototypes for all churches among the advocates of marriage equality in the LGBT community.¹¹⁴ This again serves the companion purpose of making the hidden or invisible—LGBT people of faith and their faith-based allies—visible in the analysis.

Building on Taeku Lee’s work,¹¹⁵ the Racialized Subjectivity causal condition¹¹⁶ consists of two higher-order constructs¹¹⁷ to account for the role of race as an identity, a context, a process, and a behavior. I eschew the overreliance on the question that asks for self-reported race/ethnicity by adding

¹¹⁴ See Mignon Moore, *Invisible Families: Gay Identities, Relationships, and Motherhood Among Black Women 180–214* (2011), for additional detail about religion and the Black LGBT community. Another substantive reason why a more robust fuzzy measure is useful is that, although we can expect Catholics and many conservative Protestant denominations to share some political attitudes, including one on gay marriage, structurally, Catholic churches and Protestant churches are set up differently in terms of schedules of offering services. The religiosity variable starts with “every week” and includes “a few times a month,” but does not include “once a month” as an option. In other words, Catholics who attend a few times a month get communion, a very important part of Christian practice, have multiple opportunities to get communion, whereas someone who attends a church that delivers communion monthly may be just as religious (because he or she shows up on the important Sundays). Accounting for the different frequencies of communion offering allows us to more comprehensively operationalize religion as a category of difference in a third way to account for the individual-institutional interactions dimension of paradigm intersectionality, expanding our precision where net effects cannot.

¹¹⁵ Lee, *supra* note 45, at 438–39.

¹¹⁶ I have conceptualized this subjectivity as both a union of individual report measures (like linked fate and contextual factors like the racial makeup of a neighborhood) and as an intersection of the same two measures. The analysis that follows uses the former; the latter will be tested at a later date.

¹¹⁷ See Ragin, *Fuzzy-Set*, *supra* note 73, at 321, for a definition of higher-order constructs in fuzzy set theory.

considerations from CMPS variables that measure respondents' levels of engagement with their communities at the individual and structural levels to create combinations of racialization-based causal conditions. In addition to the more traditional self-reported questions of racial identity and perceptions of linked fate among members of the same racial group, this racialism condition includes activities that are under the respondents' control, such as the sources they sought out for political information (the CMPS asks the questions in a very useful way about whether they consume their own ethnic group's media outlets) and the ethnic composition of their neighborhoods. While most can choose their own place to live (within boundaries of course), the services available or the threat experienced around the issue of same-sex marriage varies in ways that are not fully within respondents' grasp, allowing us again to build in structural influences that account for Individual-Institutional Interactions. In addition to scores on these variables, the CMPS also collected information about respondents' personal experiences of racial and ethnic discrimination, something that is not completely within their sphere of control that can also become part of this causal condition.¹¹⁸

Although our net effects analysis for the intersectionality-as-testable-explanation approach did not lead us to believe that respondents' level of education or income was significantly related to positions on same-sex marriage, building such factors into this causal condition can add substantive leverage on the question in connection with neighborhood context (for example, it might be harder for one to successfully argue that one has been racially discriminated against in a neighborhood filled with co-ethnics if one is White, but in communities of color there is quite likely a heightened risk of structural racial discrimination like police or shop owner harassment; middle and upper class minorities may also be more familiar with what constitutes discrimination or harassment). These variables are also brought into consideration for creating each fuzzy-set of Racialized Subjectivity: African American fuzzy set, Latino fuzzy set, Asian fuzzy set, White fuzzy set.¹¹⁹

¹¹⁸ Admittedly, a more contrarian position could contend that the interpretation of the event is well within their control, but we are limited by the survey orientation of the data in this regard—no triangulation or follow up with other sources was possible at the time by design.

¹¹⁹ This method also allows us to account for non-exclusivity among racial cohorts beyond the neighborhood context question. The net effects assumption of non-exclusivity of these sets in relation to each other can be fully relaxed in fs(QCA). For example, an African American living in an Asian American neighborhood is counted in some way in the Asian American set (although not full or almost full membership barring other Asian-oriented details). The reverse would be true as well. Why? Because, again, thinking about how Diversity Within, Categorical Intersections, and Individual-Institutional Interactions are all mutually constitutive dimensions of paradigm intersectionality, the neighborhood in which one

Due to data limitations, “Evangelical Identity” and “Sex” are each transformed into two crisp sets based on their corresponding CMPS variables. Of course, this limitation in the variable-oriented dataset can be counteracted in the case-oriented context of the legal academy, which could better accommodate the variation in power, access, and privilege among women and men. Additionally, with the right data collection efforts, fuzzy gender sets could be constructed to include transgender people, who are perhaps excluded or possibly improperly assigned in this version of our dataset, which asked the survey questioner to mark the sex of the respondent rather than ask the question explicitly.¹²⁰ That said, I do not want to underestimate that such a data collection process would be onerous, requiring review of transcripts of proceedings, in addition to poring over decisions. As well, variances in gender conformity even when biological sex remains consistent (for example, a woman who “acts like a man” in corporate settings) could also, in a case-oriented dataset, be part of this set’s calibration.

The final set calibration concerns the outcome of interest—support for a constitutional amendment to ban same-sex marriage.¹²¹ Again, because we are not “counting” in order to create the sets, we are not concerned about giving too much weight to the responses from people from California in calibrating this set, because we are making within-case comparisons. Thus, we could include the answer to the variable question we used in the net effects model, which inquired about strong agreement or disagreement with a constitutional amendment-level ban. We could use the answers on California’s Proposition 8 as part of how we create this set—ranking those who voted “Yes” as closer to full membership because they have not simply expressed the opinion of agreement but also took the step of voting their beliefs. Between the two questions, we can think of several ways in which there could be different levels of set membership: a respondent could be consistent in his or her attitude and action, or a respondent could be inconsistent in his or her answer, meaning perhaps they voted in a way inconsistent with their expressed attitude.

lives plays a significant role in life outcomes. Therefore, to exclude that person completely from the set would be intellectually dishonest.

¹²⁰ If we were using different datasets or combining the CMPS with in-depth interviews from archives like the ONE archive at USC, the Center for the American Women in Politics at Rutgers, or the Global Feminisms Project at the University of Michigan, we might have a broader way of calibrating these sets regarding gender in particular. However, for this chapter, I’m focusing on the CMPS dataset’s amenability to fs(QCA).

¹²¹ We could just as easily have chosen opposition to same-sex marriage as the outcome of interest. For political organizing purposes on the marriage equality side, we may also have chosen to create an entirely different set, those who are open to persuasion for marriage equality.

There are other elements of the dataset that could prove relevant,¹²² but again for simplicity's sake, and to provide a direct comparison to the net effects models above, I focus the calibration for this chapter on these causal conditions. It bears repeating that this fuzzy-set calibration is interpretive, and therefore not the standard net effects construction of index variables. It is interpretive because it gives more meaning to the categorical variables, like religious denomination generally, and interpretive in a paradigm intersectionality context because the interpretations pursued adhere to the interrelationships between four of the five dimensions possible in the data (Categorical Multiplicity, Categorical Intersections, Diversity Within, and Individual-Institutional Interactions).¹²³

Fuzzy-Set Analysis and Discussion

Boolean truth tables are the key analytic tool for identifying combinations of causal conditions that produce the outcome of interest—the set of voters who favor a ban on same-sex marriage. Two key measures, consistency and coverage, provide standards for assessing whether these causal recipes are worthy of attention in a manner akin to—but qualitatively different from—statistical significance (consistency) and the empirical relevance of the hypothesized set-theoretic connection in a manner akin to—but qualitatively different from—coefficient strength (coverage).¹²⁴ The truth table permits us to identify for which causal recipes there is strong empirical evidence and to measure the consistency of that evidence. The solution to the truth table provides measures of coverage and consistency for each recipe and the overall solution (model) as a whole.

With three causal conditions, there are 25, or thirty-two possible combinations. The truth table displays all thirty-two possible combinations of the variables, but not all are represented empirically in the CMPS data. Table 5.5 thus shows a mid-stage truth table that emerged from the consideration of the set of CMPS pro-ban respondents, with the four causal combinations that accounted for 100% of the cases that are members of the set of pro-ban respondents. It is analyzed below.

¹²² One particular option might include exploring consistency across social issues, like abortion, for which the CMPS has an identically constructed question. Other datasets might include marital status or other features that could be used to calibrate this set.

¹²³ Time Dynamics as a dimension is omitted for the purposes of this chapter because we only have data at one point in time.

¹²⁴ See Ragin, *Redesigning*, *supra* note 73, at 44–45, for a more comprehensive explanation of the similarities and differences between the two sets of standards.

Table 5.5 Truth table of causal outcome of interest: set of pro-marriage ban voters

RS	R	C	G	EI	No. of cases	Pro-ban	Raw consistency	PRI consistency	Product
1	1	1	1	1	636	1	0.645155	0.565648	0.364931
1	0	1	1	1	193	1	0.557837	0.355373	0.19824
1	1	0	1	1	178	0	0.531087	0.349592	0.185664
1	0	0	1	1	115	0	0.45889	0.174853	0.080239

RS RaceSub1, R Religious, C Conservative, G Gender, EI Evangelical Identity

Table 5.5 lists four possible causal combinations that can be submitted to create a standard solution to the truth table. The consistency figures express the degree to which membership in that corner of the vector space is a consistent subset of membership in the outcome. Like significance, consistency “signals whether an empirical connection merits the attention of the investigator.”¹²⁵ Coverage assesses the empirical relevance of the necessary condition at issue, in a manner akin to strength in net effects analysis.¹²⁶ The truth table permits us to assess raw consistency first, using a low threshold of fifty percent in order to proceed with the analysis. Two causal recipes meet that threshold:

1. Racial Subjectivity* Religious* Gender* Conservative Ideology* Evangelical Identity,
2. Racial Subjectivity* Gender* Conservative Ideology* Evangelical Identity.

Table 5.6 provides the standard solution to the truth table analysis, where these two causal recipes are flagged (marked with a “1” on pro-ban in Table 5.5). Of the thirty-two causal combinations that were logically possible, two combinations were identified in the solution. Surprisingly, the solution offers three possible causal recipes, all of which feature the same solution coverage and consistency.

There are a number of reasons for this outcome,¹²⁷ but the key point for the purposes of this chapter is that the solutions going forward, from a policy perspective, may all explain the relevant causal conditions leading to inclusion in the set of people who are pro-marriage ban by U.S. constitutional amendment. Comparison of Table 5.5 and Tables 5.2 and 5.3 highlights the conceptual distinction between net effects analyses. Each of the models in Tables 5.2 and 5.3 is considered the best sole causal path that fits the data. On

¹²⁵ Ragin, Redesigning, supra note 73, at 45.

¹²⁶ Fuzzy-set analysis is likewise amenable to probability testing and other statistical methods.

¹²⁷ The standard threshold for inclusion is 0.75, but these recipes were significantly lower (0.65, 0.56). As well, the model again may not yet have all of the relevant causal conditions—for simplicity’s sake and space purposes, the logic of the method was privileged here.

Table 5.6 Solution table for pro marriage ban truth table

		Raw coverage	Unique coverage	Consistency
Complex	RaceSub*Conservative Ideology	0.779356	0.779356	0.581296
Intermediate	Evangelical Identity* Gender*Conservative Ideology*RaceSub	0.779356	0.779356	0.581296
Parsimonious	Conservative ideology	0.779356	0.779356	0.581296
	Solution coverage	0.779356		
	Solution consistency	0.581296		

the other hand, Table 5.5 permits three distinct causal recipes to describe the same data, with identical consistency and coverage. In this way, the notion that the arrival at support for a ban on same-sex marriage may not proceed for all survey respondents identically—that same-sex marriage is a causally complex subject—is accounted for in the fuzzy-set methodology.

It is this causal complexity approach—a multiple causal path solution—that has the most purchase for the kinds of questions examined by CRT and intersectionality scholars alike. Moreover, this approach to analyzing complex social problems where racialism plays a persistent role can facilitate the implementation of legal theories like John A. Powell’s “targeted universalism,”¹²⁸ allowing judges and juries to develop targeted remedies, particularly in class action cases. In contrast to a search for the single strongest variable’s net effect, the analysis here would suggest three empirically documented causal recipes that produce the outcome—respondents being included in the set of pro-ban supporters. The analysis here highlights both the suitability of fs(QCA) to paradigm intersectionality as an analytical framework and paradigm intersectionality’s applicability to a challenging social justice problem of our time, one that is coded with racial, gender, class, and sexuality norms heading in multiple directions.¹²⁹ Fuzzy-set qualitative analysis thus not only presents the opportunity to include additional detail in classifying each respondent, but is also quite amenable to higher-level quantitative analyses without the trade-offs associated with net effects analyses like bivariate and multiple regression, making it more useful for policy-related data analysis from a paradigm intersectionality perspective.

¹²⁸ John A. Powell, *Post-Racialism or Targeted Universalism?*, 86 *Denv. U.L. Rev.* 785, 803–06 (2009).

¹²⁹ Hancock, *supra* note 18, at 63.

Conclusions: A Tale of Two Approaches

The intersectionality-as-testable-explanation approach, though currently dominant in empirical intersectionality research, is by no means the only approach to empirically operationalizing intersectionality. Its pragmatic utility to current legal practice is clear, as its results are already part of standard legal evidentiary guidelines in most U.S. courts. However, this approach, thanks to its consistency with widely practiced empirical methods of legal scholarship, incompletely operationalizes intersectionality, which thus limits its ability to fully challenge the legal structures that critical race and intersectionality theorists incisively critique.¹³⁰ Thus, its strength—its potential for immediate mobilization in the current legal system—is also its devastating limitation. For these reasons, I would contend that there are strong institutional incentives for legal scholars to conceptualize intersectionality in this way.

Yet, even in this incentive structure, there are equally strong norms of accurate theory translation. Intersectionality as a testable explanation has, as I have demonstrated, several significant inconsistencies with the basic tenets of CRT and intersectionality. These include, but are not limited to, a disaggregation strategy in net effects analysis and a simplistic, overly reductive orientation to how race, gender, sexuality, and class operate at the micro-level. If the goal is strong empirical operationalization of what intersectionality suggests about the role of narrative, the role of structures and invisibility, and the fusion, rather than the dissolution, of a race-gender-sexual-class sociopolitical location, this strategy misses the mark. For this reason, it is unlikely to produce the structural impact sought by intersectionality scholars. However, that structural impact is as much a political effort as a legal one, and perhaps other empirical strategies are better suited for that task. Would intersectionality-as-a-testable explanation have as much reach as it does if it were named, as in Table 5.1, a “multiple approach” rather than an “intersectional approach,” given the buzz surrounding intersectionality scholarship of late? Perhaps not.

In contrast to intersectionality as a testable explanation, paradigm intersectionality is far more consistent with the tenets of intersectionality theory, both as originally outlined by Crenshaw and Collins and in the years since by other normative theorists. It opens up methodological choices beyond standard net effects analysis and, when paired with fs(QCA), offers an equally rigorous method of large-N or small-N data analysis to answer research questions. Moreover, using fs(QCA) enables more comprehensive usage of narrative data in their entirety and all of their complexity, given its grounds in qualitative research.

¹³⁰ See sources cited *supra* notes 71–91.

That said, paradigm intersectionality, because it uses an unfamiliar method and is more associated with deconstruction and critique, is not as easily integrated into current legal praxis. Evidentiary standards could require changes before formal inclusion of the approach as a standard approach to empirical legal scholarship, particularly its strong connection to history (Time Dynamics) and structural critique, instead of exclusive focus on the individual claimant. For this reason, paradigm intersectionality requires greater vetting and honing at the same time that efforts must be made on multiple fronts to transform the legal system at the structural level.

Given the current political landscape of polarization and retrenchment, it may not be possible to reject either method. To reject intersectionality as a testable explanation would “cede ground,” in the language of Neil Gotanda,¹³¹ that CRT scholars cannot reasonably afford to lose—claimants are seeking relief and must use all available and permissible strategies to remedy the injustices that continue to pervade our society. On the other hand to ignore paradigm intersectionality would risk losing some of the most valuable structural insights of legal scholarship in a generation. Moreover, it is critical to avoid playing small ball—that is, we should eschew constantly struggling to manufacture victories by exclusively defensive play at the expense of building a strong and visionary offense. To do otherwise will limit our future ability to transform the society we sought to change by becoming change-oriented scholars in the first place.

¹³¹ Comments made in response to an earlier version of this chapter at the UC Irvine Law School’s “Critical Race Theory and Empirical Methods” symposium, April 2012.



6

An Intersectionality-Based Policy Analysis Framework: Critical Reflections on a Methodology for Advancing Equity

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Introduction

In the field of health, numerous frameworks (e.g., sex and gender based analysis, health equity impact assessments) have emerged over the last fifteen years, all attempting to advance better understandings of the differential impacts of health policies and to produce inclusive and socially just health outcomes (Cole and Fielding 2007; Haber 2010; Health Canada 2010; Mahoney et al. 2004; Signal et al. 2008; Simpson et al. 2004). Despite progress made to date, there is still much work to be done to better understand how policy affects diverse populations, including precisely identifying who is benefiting and who is excluded from health policy goals, priorities and related resource allocation. As part of the ongoing efforts to move forward work in

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this field, there is a growing interest in the theory of intersectionality and its potential to improve current equity-driven health policy analyses (Hankivsky 2011; Hankivsky and Cormier 2009; Sen et al. 2009; Weber and Fore 2007). To date, however, this potential has not been realized, largely due to the fact that few methods have been developed to operationalize intersectionality in the context of health policy.

In this chapter we describe an innovation for policy analysis that fills this gap: the Intersectionality-Based Policy Analysis (IBPA) Framework. Developed and refined through an iterative, participatory process inclusive of multiple sectors, IBPA is intended to capture and respond to the multi-level interacting social locations, forces, factors and power structures that shape and influence human life and health. Its aim as a policy tool is to better illuminate how policy constructs individuals' and groups' relative power and privileges vis-à-vis their socio-economic-political status, health and well-being. Significantly, we also present a synthesis of seven health-related policy case studies based on this Framework. The purpose of this synthesis is not to provide a detailed overview of each case study, which is available elsewhere (Hankivsky 2012) but rather to clearly and succinctly distill the value and benefit of conducting IBPA in relation to these diverse areas of policy. As such, the analysis of each

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case study is focused on explaining how IBPA: (1) provides an innovative structure for critical policy analysis; (2) captures the different dimensions of policy contexts including history, politics, everyday lived experiences, diverse knowledges and intersecting social locations; and (3) generates transformative insights, knowledge, policy solutions and actions that cannot be gleaned from other equity-focused policy frameworks. The aim of this chapter is to inspire policy practitioners and actors to recognize the potential of IBPA to foreground the complex contexts of health and social problems, and ultimately to transform how policy analysis is undertaken.

Intersectionality

Rooted in a long and deep history of Black feminist writing, Indigenous feminism, third world feminism, and queer and postcolonial theory (Bunjun 2010; Hill Collins 1990; Crenshaw 1989, 1991; Van Herk et al. 2011), intersectionality has emerged as a widely respected, albeit variously defined research and policy paradigm (Hancock 2007). Nevertheless, there are a number of central tenets that capture the unique nature of this paradigm. These are:

- human lives cannot be reduced to single characteristics;
- human experiences cannot be accurately understood by prioritizing any one single factor or constellation of factors;
- social categories/locations, such as ‘race’/ethnicity, gender, class, sexuality and ability, are socially constructed, and dynamic
- social locations are inseparable and shaped by interacting and mutually constituting social processes and structures, which, in turn, are shaped by power and influenced by both time and place; and
- the promotion of social justice and equity are paramount (Hankivsky and Cormier 2009; Hankivsky 2012).

Intersectionality encourages critical reflection that allows researchers and decision makers to move beyond the singular categories that are typically favoured in equity-driven analyses (e.g., sex and gender in sex and gender based analysis) and also beyond the kind of enumerated list of determinants of health often found in health impact assessments to consider the complex relationships and interactions between social locations such as Indigeneity, sexuality, gender expression, immigration status, age, ability and religion. This enables an examination of the simultaneous impact of and resistance to systems and structures of oppression and domination, such as racism, classism, sexism, ableism and heterosexism (Hankivsky and Cormier 2009).

Intersectionality is concerned with bringing about a conceptual shift in how researchers, civil society, public health professionals and policy actors understand social categories, their relationships and interactions. It requires a consideration of the complex relationship between mutually constituting factors of social location and structural disadvantage so as to more accurately map and conceptualize determinants of equity and inequity in and beyond health (Grace 2010).

An ongoing challenge in advancing this body of work is the further development of explicit and user-friendly methods that can more effectively translate intersectionality theory into practical approaches to be understood and used by decision makers and policy researchers. Taking on an intersectionality study/analysis can be incredibly intimidating. Bowleg (2008) states, although intersectionality theory provides a conceptually solid framework with which to examine the social locations of individuals and groups within the broader interlocking structures of power relations (Hill Collins 2000; Weber and Parra-Medina 2003), the methodological choices available to do so and/or guidance offered on how to do so are severely limited (Hankivsky et al. 2012; Hankivsky and Cormier 2011; Phoenix and Pattynama 2006; Rönnblom 2008; Yuval-Davis 2006). In response to this gap, a handful of tools have recently been developed for applying intersectionality to public policy (Hankivsky and Cormier 2009; Rönnblom 2008; Bishwakarma et al. 2008; Parken and Young 2007; Parken 2010) which have started to illuminate the potential of intersectionality. None to date, however, have specifically been developed for health and health-related policies and programs, making the IBPA detailed below, a significant contribution to the literature.

Methods

The Intersectionality-Based Policy Analysis (IBPA) Framework and corresponding case studies were developed in an iterative, participatory process. Beyond the input of the authors, the final Framework reflects the feedback received from emerging and established scholars in the field within academic, governmental and community settings. In particular, it responds to feedback from policy actors across provincial and federal departments who increasingly report having ‘lens fatigue’ navigating an increasingly numerous terrain of policy lenses focused on various factors and considerations such as gender, geographic location, illness status, age, and ability.

Based on a series of meetings and peer feedback, as well as on critical reflection into current gaps and trends in equity-promoting public policy analysis,

a draft IBPA Framework was collaboratively developed to guide the development of the case studies. This draft was further revised near the completion of the case studies, as the intention of the group was to engage in an ongoing process of refinement to ensure that the IBPA is a usable and practical guide for policy analysis.

The IBPA Framework has two core components: a set of guiding principles (see Fig. 6.1) and a list of 12 overarching questions to help shape the analysis (see Fig. 6.2). The guiding principles are intended to ground the 12 key questions, including their supporting sub-questions, in order to ensure that each is asked and answered in a way that is consistent with an intersectionality-informed analysis.¹ Put succinctly, the principles are designed to be used in concert with the questions.

The questions are divided into two categories: *descriptive* and *transformative*. Their combined effect is intended to expand and transform the ways in

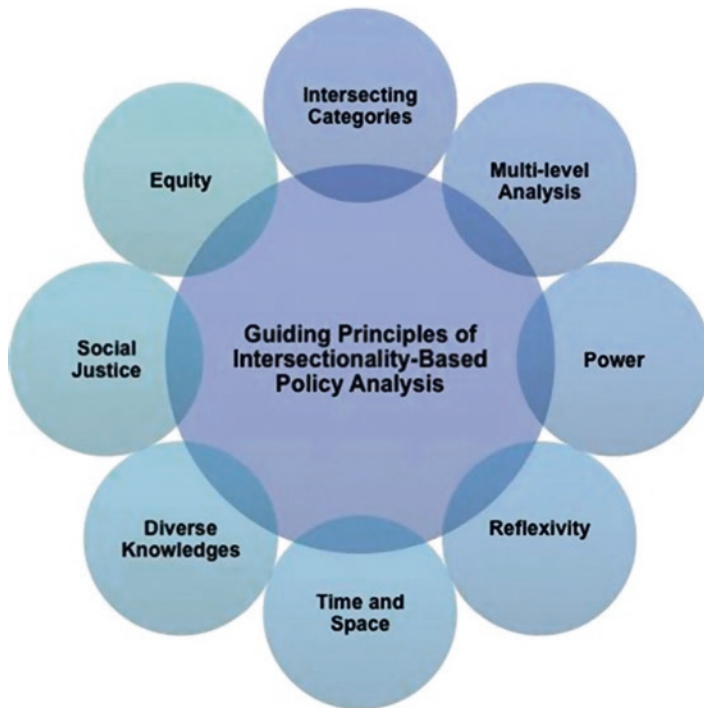


Fig. 6.1 Guiding principles of intersectionality-based policy analysis

¹ The IBPA Framework contains sub-questions relating to each overarching question to help guide analyses. Please see Hankivsky (2012) for more details.



Fig. 6.2 Descriptive and transformative overarching questions of IBPA

which policy problems and processes are understood and critically analyzed in order to ensure fine-tuned and equitable policy recommendations and responses. The first set of *descriptive* questions is intended to generate critical background information about policy problems in their full context, with specific attention to the processes and mechanisms by which policy problems are identified, constructed and addressed. Their purpose is to reveal assumptions that underpin existing government priorities, the populations targeted for policy interventions, and what inequities and privileges are created by current policy responses. The second set of *transformative* questions is intended to assist with the identification of alternative policy responses and solutions specifically aimed at social and structural change that reduce inequities and promote social justice. The questions in this section prompt users to consider actions that will ensure meaningful uptake of equity-focused policy solutions as well as the measurement of the impacts and outcomes of proposed policy responses.

Simplicity and flexibility are key features of the Framework. While some users may ultimately ask all 12 questions to help guide their analysis, others

may focus on certain questions, tailoring them to specific policy contexts. Some questions may be more or less relevant depending on the policy under examination, its history, and its stage of development and implementation. At the same time, it is critical that the questions be grounded in key intersectionality principles to ensure IBPA's transformative effects on how policy problems and issues are understood and responded to.

Each of the case studies, briefly described in the following section, utilizes IBPA to analyze key health and health related policy areas. Collectively they demonstrate the added value of engaging with intersectionality for analyzing social and health inequities. At the same time, each author applies the IBPA in very different ways, demonstrating the flexibility of this Framework. However, they each also make explicit—concretely and persuasively—why IBPA allowed them to discover new insights and knowledge about particular policy problems.

Results and Discussion

To date, the authors of the IBPA Framework have applied this mode of critical policy analysis to seven different health policy fields. Elsewhere (Hankivsky 2012) these policy examples are presented in full detail. In this chapter, however, we highlight what we consider the most salient components of the IBPA and use these to frame the discussion of each unique case study. Our goal is to clearly and succinctly demonstrate—across a diversity of health and health-related issues—the advancements that can be realized by using intersectionality in the analysis of policy.

The first component that each policy example discusses is the *structural innovation* of the IBPA Framework. This component is characterized by three defining elements of an IBPA-informed analysis: the interrogation, using diverse sources of information and knowledges, of the implicit assumptions underpinning policies; the attention to historic developments and contemporary framings of social issues and policy problems; and the self-reflexive method for capturing complex multi-dimensional power dynamics that shape everyday lived experiences.

The second component that the case studies highlight is the *transformative effects* of IBPA. This part of the discussion seeks to demonstrate how an IBPA generates new perspectives and insights about policy issues and affected populations. As all the authors show, new knowledge and evidence has significant potential to disrupt and challenge the status quo, including the most progressive approaches to policy development, implementation and evaluation. Finally, the

case examples also illuminate why an IBPA provides directions for renewed advocacy efforts aimed at social change and social justice.

The first two case studies focus on policy issues typically understood as highly gendered phenomena. Both authors, however, draw on IBPA to illustrate the importance of multiple social locations and structures of power, including but not limited to gender, that influence the availability and delivery of health services. To begin, Rudrum examines current maternity care policy, revealing inequities in access to high-quality appropriate care for differently situated women across geography, ethnicity, Aboriginal identity, and socioeconomic status. In the process, this author challenges the idea that there are fixed norms or standards in the care that women require in pregnancy and childbirth. Next, Giesbrecht focuses on palliative care policy, revealing the current inequities in access to services and supports, and demonstrating the extent to which ‘choices’ at the end of life by those who need and provide care are inextricably linked to interactions between socioeconomic status, service provision, cultural discourses, and emotional, spiritual and relational factors infused with physical and social aspects of place.

Three of the case studies specifically focus on issues relevant to Aboriginal health. Hunting’s examination of Fetal Alcohol Spectrum Disorder (FASD) shows why Aboriginal populations continue to experience health inequities in relation to current policies. She argues that a sole focus on women as a category, a narrow conception of risk, and a lack of attention to intersecting processes of oppression within FASD policy discourse undermine the development of IBPA-informed policy processes and reforms that can more effectively address the experiences, needs and perspectives of diverse populations affected by substance use. Second, in reviewing policy processes of the Kelowna Accord—an Aboriginal health policy initiative in Canada that was developed but never implemented—Fridkin demonstrates how IBPA can be applied to issues in Aboriginal health policy to promote the inclusion of Aboriginal peoples and knowledges in policymaking processes, which may contribute to agendas of decolonization. Fridkin illustrates how IBPA can be used to analyze not just policies themselves, but policy processes, thus highlighting the potential of IBPA to expand what is typically constituted as policy analysis. Third, using an IBPA lens, Clark shows that even policies that forefront Aboriginal needs fall short because they often fail to consider the multiple and intersecting layers of Indigenous identity, such as age, rurality, gender-expression and experiences of trauma, including interactions with multiple policy systems. Clark’s contribution is also important in that she draws significant parallels between intersectionality and Indigenous ways of

knowing, while raising critical questions about the relationship between IBPA and Indigenous epistemology.

The final two case studies in the collection tackle various issues relating to HIV. First, Grace draws on IBPA to advance understandings of complex issues facing sexual minority populations by considering both current understandings and testing technologies surrounding HIV and the criminalization of HIV non-disclosure. He makes a persuasive argument for using IBPA to advance an equity-focused understanding of the 'problem' of HIV transmission that places front and centre the structural drivers that produce differential vulnerabilities among affected populations. Lastly, Ferlatte uses an intersectionality lens to evaluate HIV prevention funding for gay men. The examination includes consideration of discourses around HIV, funding application processes and funding decision outcomes. His analysis highlights the structural barriers involved in securing support for HIV prevention. Importantly, Ferlatte discusses possible alliances with other groups to work for policy change rooted in understandings of the power dynamics that currently shape the HIV funding system.

Case 1: Maternity Care

In October 2012, a labouring woman in the Ottawa-Carleton Correctional Institute in Ontario Canada was denied care and moved to segregation, where she gave birth to a breech baby unattended, after hours of labour. She had been checked by prison nurses who believed she was in 'false labour.' A minister of parliament called on to respond to the case described it as similar to an unplanned home birth, clearly overlooking the power disparities that contributed to the failure to provide care (CBC). Canadian policy makers and care providers agree that pregnant women should have choice, autonomy, and control over their health care, but, as this example demonstrates, experiences of care are in fact characterized by inequities related to social position and geographic location. While this scenario may seem exceptional, both national and provincial policy documents acknowledge a crisis in maternity health care (Peterson et al. 2007). This case study reviews the 2004 report, *Supporting Local Collaborative Models for Sustainable Maternity Care in British Columbia* by BC's Maternity Care Enhancement Project (2004) and two documents published as a result of this report, *Aboriginal Maternal Health in Canada: A Toolbox* (BC Aboriginal Maternal Health Project 2006), and the *Obstetric Guideline 19: Maternity Care Pathway* (BC Perinatal Health Program 2010).

Structural Innovation

Explicit attention to history and context is inherent in the IBPA principles on *Time and Space* and *Diverse Knowledges*. Applying these principles to the report yielded two major critiques: first, that human resource shortages are addressed in a manner that reinforces physician privilege while failing to contest gendered and racialized power imbalances within the health care professions; and second, that the approach to difference among maternity care clients does not adequately address differences among women or health inequities.

The first critique was generated through an examination of the history of midwifery and how the marginalization of midwives and their care negatively affects maternity care clients. Midwives have had to advocate for their profession to be formally recognized and publicly remunerated, and their presence in BC and elsewhere, has not always been welcomed by obstetricians or by other doctors providing maternity care, even though they attend births at home as well as in hospital, and see their clients more frequently and for longer visits than is typical for physicians. Addressing one group of providers' concerns (e.g., physicians) shapes access to quality care, by promoting growth in provider group while restricting growth in another in a way that does not coincide with the needs of birthing women. Since choice in provider type and birth location is considered an important element of quality care, and since midwifery care is so unevenly available outside of urban areas, failing to address midwifery's low numbers is also a failure to address a gap in quality service provision.

Second, the IBPA Framework helps orient policy to the concerns of people in their everyday lived experiences. IBPA encourages a focus on how groups are represented and conceptualized, through questions such as *What differences, variations and similarities are considered to exist between and among relevant groups?* An IBPA revealed that in the case of BC's maternity care recommendations, the talk about diversity sounded hollow specifically because inequities that currently exist in maternity care provision and maternal health outcomes were not adequately considered. For example, challenges for rural women seeking care were alluded to but not adequately addressed. In comparison, an IBPA brings to the fore the lack of access to comprehensive and appropriate maternity care in rural and small communities. It also highlights the intersections with ethnicity: Aboriginal communities, including reserves, are often rural, and smaller communities have less access to health care decision-making bodies (Benoit et al. 2002). Refugee women also often have social and health concerns that can make pregnancy a uniquely vulnerable time (Gagnon et al. 2006). Age also is an important intersection as young

single women are often subject to social stigma, and are susceptible to risk labeling and accompanying surveillance and interventions.

Within the report and guidelines, while it is noted that health problems in pregnancy are related to addiction, experience of intimate partner violence, youth and poverty, these different factors are mostly presented as if affected women are part of a cohesive group. At the same time, the concerns of these women are also individualized as 'lifestyle' issues. This process of creating risk groups or individualizing social problems is relevant to another sub-question of IBPA question 4, *How do the current representations shape understandings of different groups of people?* Despite the good intentions of including guidelines related to various social factors, the potential benefit of these recommendations to groups experiencing health inequities is diminished by this tendency towards creating risk groups and individualizing health concerns whose dimensions are largely social. IBPA attends to the patterns and differences among affected women by locating them in context of systems of power, and this focus on differentials would travel throughout the policy process on maternity care.

Transformative Potential

Despite identifying 'women-centred care' as an important model for maternity care, the report does not elaborate on recommendations related to health inequities or on the range of needs of women in British Columbia. A women-centred approach is valuable in identifying that women should have a degree of choice, autonomy and control regarding their care and birthing practices. However, from an IBPA perspective, the model presented did not address how choice and autonomy are constrained by power systems of privilege and oppression.

Reviewing policy using the IBPA tool, with its ability to better address issues of power and inequity, a number of benefits for maternity care policy and delivery in BC can be realized. At the level of tools for care providers, such providers working with the broader population would benefit from information about issues including lack of local care, teen pregnancy, and addiction, for example, presented in a way that is not stigmatizing would benefit providers working with the broader population.

While policy in this area tends to treat women as a generic group, in practice, women are a diverse group who vary in their approaches to pregnancy, their health care needs, and their life circumstances; to ensure equitable access to quality care, maternity care policy needs to attend to the differences among

women. This would include moving away from stigmatized understandings of ‘groups requiring additional care’ or vulnerable women, by starting from an understanding that there is not one fixed norm for the care women may require in pregnancy.

Case 2: Palliative Care

Reflecting a demographic trend witnessed in many nations, Canada is experiencing rapid population aging. This increase raises many concerns for health care planners and administrators, particularly in regard to the impending increased need for palliative care. Within Canada, this is offered across a range of sites, including nursing homes, acute care hospitals, respite facilities, and hospices by a variety of providers who can include family doctors, nurses, specialists, community volunteers, spiritual leaders, and family members (Carstairs 2005). However, reflecting neoliberal and social trends experienced in much of the global north, the ‘place’ where palliative care occurs in Canada is increasingly moving away from hospital settings and into the community, especially the home (Skinner and Rosenberg 2005; Stajduhar 2003).

Currently, over 259,000 Canadians die each year; however, only 15 percent access palliative care services prior to death (Quality End of Life Care Coalition of Canada 2010). This statistic raises many concerns regarding the awareness, accessibility, and meaningfulness of palliative services for dying Canadians and their families (Quality End of Life Care Coalition of Canada 2010). Given the rapidly aging population and that a large percentage of dying Canadians, including British Columbians, and their caregivers are not accessing adequate palliative care, it is clear that a timely and significant need exists to enhance existing palliative care services and supports.

Structural Innovations

The diversity of participant experiences explored in this analysis was exceptionally vast as *everyone*, at some point in some way, will experience death and dying. Considering this, the potential diversity that exists among this population group may seem daunting for researchers who wish to employ intersectionality-based analyses. However, the structured guidance offered by the IBPA Framework was effective by uniquely guiding the researcher via particular questions and prompts, while simultaneously permitting flexibility and embracing complexity. For example, the *descriptive* questions prompt the reader to identify the context and what the policy ‘problem’ is. The ‘problem’

explored in this case study involved examining current BC palliative care policy that is directed towards supporting more British Columbians to die in the home, rather than in formal institutions, such as hospitals. However, it was the selected descriptive question that asks *How are groups differentially affected by this representation of the 'problem'?* that provided the spring board for this case study analysis.

Much caregiving research tends to focus on the gendered nature associated with this role, however, because the Framework emphasizes that analyses must be anchored in the everyday lives of those the who the policy and resulting programs aim to serve, it embraced the diversity that actually exists among those in need of palliative care services. For example, as caregiving is generally seen as a 'woman's' issue, the IBPA Framework revealed that gender is not necessarily the most important variable when considering needs and access to palliative care supports. More specifically, it may be one's geographic location of residence, housing status, or access to social networks that *together* create a greater impact in shaping experiences of palliative caregiving, than simply being a woman. Additionally, findings revealed that recipients of palliative care are not a homogenous population group either, but rather carry a range of needs in regard to the types of palliative care supports they require. Furthermore, commonalities across groups also become visible due to the multi-dimensional lens of the Framework. For instance, the Haida people's spiritual preference to not have a death occur in the home, those with insecure housing status, or those who are dying and do not have access to a family caregiver would *all* benefit from directing palliative care efforts towards enhancing meaningful access to palliative care supports *outside* of the home, for example by creating more hospice houses. Overall, the IBPA Framework provided a map for employing an intersectional approach to palliative care policy by providing valuable suggestions regarding where to begin (i.e., descriptive questions) and ultimately, where to go (i.e., *transformative* questions) during the analytic process.

Transformative Effects

In this case study, the IBPA Framework enhanced the visibility of those who are generally not acknowledged within the palliative care policy realm. Its application revealed that some groups face higher barriers in accessing supports and experience greater stresses and burdens in regard to having to provide informal palliative care in the home than others. For example, those who are located in rural and remote areas in BC, who are at great distances from services, who are

socially isolated or stigmatized, and who may be complexly located under any of the existing arms of oppression (e.g., cultural minorities and/or First Nations, among other groups) face greater barriers to accessing palliative supports, and for the care recipient, achieving a death with dignity. On the other hand, this analysis also exposed characteristics of those who are situated in relatively privileged social and physical positions, for whom such policies are working—namely, those who have a relatively predictable prognosis and middle to high class status, who are located near a larger urban/town area, are home owners, and socially connected, married, and/or have an educated (preferably with a medical background) woman friend or family member who is healthy, willing, capable and available to take time to provide care in the home. Thus, using the Framework disrupted the common policy discourse that tends to assume that those in need of palliative care are a homogenous group of middle class, Anglo-European (white western), British Columbians who have safe and secure housing and live in nuclear family structures.

Generally, BC's 'one-size-fits-all' approach to palliative care is tailored to a 'standard person', who arguably does not exist. Although current palliative care policy is directed towards assisting palliative care to take place in the home, the site of the home for palliative care may, or may not be, a viable and desirable option. The Framework uncovered the complexity of this issue and revealed that the preference for the home as a site for palliative care was intertwined with access to outside formal supports, spiritual beliefs, housing security and associated costs. More specifically, the findings point to the home as a highly contested site for palliative care, one characterized by intersecting political, cultural, economic, social, geographic and historical dimensions. By unpacking the policy directive towards enhancing supports for palliative care in the home, it also becomes apparent that the house, home and family have become conflated in the policy realm and are based on an ideologically laden perspective where families are seen as white, middleclass, heterosexual and nuclear.

Two principles of the IBPA Framework are *Social Justice* and *Equity*, and in order to address these principles, avenues for advocacy must be acknowledged. Explicitly from this case study, findings reveal valuable information that can be used to inform policy decision makers on directions and ways to provide more meaningful, equitable, and inclusive palliative care supports and services. More implicitly however, this case study casts a spotlight on a branch of health care that too often is undervalued and overlooked. This may simply be due to our society's contemporary western view of death and dying, which has been characterized by some as being in 'death denial' (Seale 1998; Exley 2004; Williams et al. 2010). Western health care delivery is characterized as being both highly curative and bio-medical in nature and, thereby, more interested

in healing the bio-physical body than in addressing the psycho-social, cultural, and spiritual needs of the dying and their family members (Williams et al. 2010; Turner 1995; Armstrong and Armstrong 1996). Advocacy is needed to advance palliative care policy in BC. Here, the valuable work of community hospice organizations, together with citizen advocacy, has the potential to assist with minimizing the cultural and social taboos around death and dying prevalent in both our society's psyche and the Canadian health care system (Williams et al. 2010).

Case 3: Fetal Alcohol Spectrum Disorder

Critical analysis of policy addressing Fetal Alcohol Spectrum Disorder (FASD) in Canada is particularly pressing given increasing health and social inequities, increased evidence of substance use among certain populations and increased public attention to FASD as a “a national public health, education, economic, and social concern” (Health Canada 2006). Recent critical analyses have highlighted the failure of FASD policy in Canada to account for the historical, structural and social contexts that situate substance use. Consequently, substance ‘users’ have been framed as the ‘problem’ requiring government intervention (Hunting and Browne 2012; Salmon 2004). Converging with such constructions is the prevailing assumption, permeating the media, FASD prevention campaigns and public discourse, that FASD is predominantly an ‘Aboriginal problem’ (Dej 2011; Fiske and Browne 2008; Tait 2008). Importantly, an IBPA Framework provides an innovative structure to examine how such discourse can reinforce relations of equity for people who use substances, while also providing transformative opportunities to rectify such tendencies.

Structural Innovations

This case study reveals how FASD-related policy (and research) to date have consistently perpetuated certain assumptions of who is affected and how (e.g., that FASD is a problem of Aboriginal mothers). The analytical guidance provided through the overarching questions of the IBPA Framework problematized such assumptions of what the problem is and who is affected. For example, asking *how* representations of the ‘problem’ of FASD have come about reveals the research and policy discourse surrounding FASD as often reflecting gaps, biases, and discriminatory assumptions. Pursuing this question can reveal, for instance, that: (a) FASD-related research has historically focused

on particular Aboriginal reserve communities where substance use rates were known to be elevated, to the exclusion of research that could reflect the prevalence of FASD within and across Aboriginal and non-Aboriginal populations; and (b) the diagnostic indicators of FASD, and the identification of mothers who use substances have been argued to be racialized. Acknowledging this entrenchment of discriminatory practices can allow for policy actors to resist and reframe what the 'problem' is.

The IBPA Framework also allows one to ground their analysis with the question that asks: *What knowledge, values and assumptions do you bring to the area of policy analysis?* This acknowledges that all stages of policy processes and policy analyses occur are situated within intersecting social locations and contexts experienced by the analyst. Being reflexive as to ones assumptions about particular policy problems and what types of evidence and knowledge one considers valid allows for possible gaps and limitations in policy response to be revealed. This is particularly relevant to FASD-related policy, which has often reinforced dominant constructions of FASD as an issue of 'Aboriginality' while inadequately addressing the contexts of substance use. The critical reflection encouraged by IBPA in this case study is a necessary starting place in reforming discriminatory assumptions and practices, while better understanding and addressing the conditions situating FASD.

Importantly, IBPA guidance allows for the intersectional contexts of both maternal substance use and diagnosis of FASD to surface. The guiding principles that ground the questions are central to this. For instance, the principle of *Intersectional Categories* recognizes that looking at policy populations via singular categories is inadequate. In the recent 10-year Plan for FASD in BC (Ministry of Children and Family Development 2008), there is an exclusive focus on 'women' and 'cultural and ethnic groups' as populations of relevance in addressing FASD. IBPA highlights the need to move beyond such a priori foci (for which approaches such as GBA and cultural sensitivity have been criticized) towards relational understandings of such categories. Reinforcing the discourse of at-risk women or cultures perpetuates the assumption that substance use and FASD are experienced in homogenous ways within these groups. This ignores the evidence that both women and certain 'cultural groups' are differentially affected by substance use and FASD due to their shifting and intersecting social locations. For instance, the majority of women who have a child diagnosed with FASD also experience poverty; a fact that is often ignored in dominant FASD discourse. An IBPA unpacks 'one-size fits all' assumptions of policy problems and their impact on particular populations, highlighting that such assumptions risk reinforcing essentializing and discriminatory responses to particular people. This also promotes the urgent

need to fill the gap in current knowledge/evidence about how substance use and FASD occurs and affects people across intersecting social locations.

Beyond bringing attention to the intersecting social locations that situate substance use and FASD, IBPA also highlights the processes of power that shape such experiences. For instance, FASD-related policy has often sought to address the social determinants or individual ‘risk factors’ situating maternal substance use, such as housing, nutrition and stress. Yet, without contextualizing such determinants as produced within proximal and systemic power dynamics (e.g., the racialization of poverty, gendered violence, etc.), the ‘problem’ becomes located within particular women, reinforcing reductive understandings and responses to ‘problem’ populations. For instance, highlighting FASD as predominantly being an issue of Aboriginal women, while failing to address the intersecting processes of power that can situate substance use (e.g., socioeconomic discrimination, neocolonialism, racialization, criminalization, etc.) serve to construct and stigmatize Aboriginal people as a problem population, reinforcing the conditions creating inequity.

Transformative Effects

The transformative thrust of IBPA can allow for policy analysis to move beyond naming inadequacies in policy towards reforming them to better reflect the differential experiences of populations and in turn, improve relations of inequity. While the *descriptive* questions employed in this case study set the stage for improving understandings and responses to maternal substance use and FASD, the *transformative* questions seek to answer the ‘how’ question. For instance, the first Transformative Question asks: *What inequities actually exist in relation to the problem?* With respect to FASD-related research and policy, this question must be asked and better addressed in order to broaden conceptions of the problem, overturn discriminatory constructions, and better address the relations of inequity that often situate understandings of and responses to substance use and FASD. Some key ‘action steps’ that can be taken in this regard include:

1. promoting reflexivity and critical dialogue surrounding what is ‘known’, why, and whose interests are served with respect to current FASD research, policy and practice. This involves actively resisting moralizing and discriminatory conceptions of ‘problem holders’ which reinforce relations of inequity;
2. meaningfully integrating diverse knowledges and experiences of those affected by maternal substance use across intersecting social locations within policy processes to better reflect the intersectionality of FASD.

3. better accounting for the range of intersecting processes that can affect maternal substance use and FASD—research and analysis within and across shifting social locations—while placing the importance of power “front and centre” throughout such work (Hankivsky et al. 2010).

Case 4: Policy Processes Surrounding the Kelowna Accord

Despite the implementation of many health policies aiming to improve the health of Aboriginal people, inequities affecting Aboriginal people in Canada continue to increase, as illustrated by Indigenous peoples’ longstanding disproportionate burden of: infectious and chronic disease; mental health problems and suicide; substance use, trauma and violence; and inequitable access to housing, education, employment, food security and health care (Loppie-Reading and Wien 2009). These health inequities are deeply tied to the history of colonialism in Canada and addressing such health inequities at their root thus calls for new ways of analyzing Aboriginal health policy issues that attend to underlying structural inequities (Adelson 2005). With its attention to structural relations of power, intersectionality provides a useful theoretical lens for analyzing Aboriginal health policy issues with a view to addressing inequities.

Structural Innovations

The flexibility of IBPA allows the analyst to tailor the analysis to fit the policy problem being examined. For example, in this policy case study, the analysis relied primarily on the guiding principles and the most relevant IBPA questions; the flexibility of the Framework meant that not every question had to be answered. This was especially important for tailoring the Framework to support an analysis of policy processes, instead of the content of a particular policy. As an example of this tailoring, *descriptive* question 4, *How are groups differentially affected by this representation of the problem?* was reframed to read *How are groups differentially affected by their representation in the policy process?* Tailoring the Framework to suit analysis of policy processes, as opposed to content, illustrates how IBPA can serve as a framework for analyses that expand the boundaries of what is typically analyzed in policy analysis. Broadening the spectrum of what can be analyzed enables an analysis of various aspects of policy that are often taken for granted, such as the policymaking process. Consequently, this expanded approach to policy analysis has the

potential for arriving at recommendations that are relevant beyond the scope of a single policy issue; rather the insights gained from IBPA may inform various aspects of policy and policymaking.

IBPA also provides structured guidance for applying critical perspectives to policy analysis. For example, the question, *What knowledge, values and experiences do you bring to this area of policy analysis?* prompts analysts to be transparent about their own held assumptions and political motivations, which are important given the overt political orientation of much critical policy analysis (Eppley 2009). By providing a structure for articulating the political orientation of policy analysis, which is essential for ensuring rigor and scientific integrity (Reimer-Kirkham and Anderson 2010), the structure of IBPA helps to ensure the rigor of critical policy analysis as well transparency in how policy solutions are reached. IBPA thus makes a significant contribution to the critical policy literature, which contains many applications of critical policy analysis, yet few that provide a detailed articulation of how critical policy analysis is done and how rigor in this form of analysis is achieved.

Unlike conventional “context-stripping” approaches to policy analysis where policy problems are typically analyzed in isolation of broader social and political contexts (Bryant 2009), the IBPA Framework provides a deepened contextual analysis, which can be useful for identifying underlying assumptions in the way policy problems are defined, including the way policy problems historically, politically and socially construct groups of people. For example, in this case study IBPA is used to unpack assumptions within the Kelowna Accord’s focus on the “gap between Aboriginal and non-Aboriginal Canadians” (Patterson 2006). The IBPA principle of *Intersecting Categories* challenges the assumption that Aboriginal and non-Aboriginal Canadians are two neatly defined and mutually exclusive groups positioned at opposite ends of the health and social spectrum. The IBPA-informed questions prompt the analyst to think about how the policy problem might be reframed in a way that challenges such assumptions and considers social and historical contexts. IBPA, for example, might lead to a reframing of the policy problem in the Kelowna Accord as “addressing structural barriers to Indigenous peoples’ health”, which draws attention to the root causes of health inequities rather than differences between Aboriginal and non-Aboriginal people. Additionally, the IBPA tailored question, *How are diverse groups differentially affected by their representation in the policy process?* and the IBPA question, *How have representations of the problem come about?* prompt the analyst to consider how a history of intersecting oppressive systems such as colonialism, sexism and racism, operate through policies to produce layers of inequity across a spectrum of people with diverse identities.

Another example of how IBPA provides a deepened contextual analysis is by providing questions to help unpack the assumptions behind key concepts used in policymaking. In this policy case study, IBPA is used to unpack assumptions within the notion of collaboration. An IBPA approach draws attention to the social and historical context of Aboriginal health policymaking in Canada and enables a critical examination of how collaboration has occurred in policymaking. An IBPA-informed question might be, *How has collaboration been historically constructed within policy processes and what assumptions underlie these constructions?* IBPA reveals that although collaboration between governments and Indigenous leaders was a key component of the agreements reached in the Kelowna Accord, the ultimate federal government decision to not fund the proposed policies is reflective of inherent power inequities within such “collaborative” policymaking processes. In challenging key policy concepts such as collaboration within policy processes, IBPA can generate understandings that provide insight into improving policy processes, such as insights into what constitutes effective collaborative policymaking.

Transformative Effects

The IBPA *transformative* questions help to structure an analysis that arrives at action-oriented policy recommendations to address structural inequities. While other forms of critical policy analysis often result in a detailed description of the complexity of power inequities, IBPA facilitates the analyst in arriving at actionable policy recommendations that aid in transforming social structures. For example, this policy case study drew on the IBPA principle of *Diverse Knowledges* in order to focus on how diverse Indigenous peoples and knowledges were included in the Kelowna Accord policymaking processes, and how policymaking processes could be transformed to foster meaningful inclusion in the future. Including Indigenous people and knowledges in policymaking is an important step towards transforming and decolonizing policymaking processes (Fridkin 2012).

Action-oriented policy responses are an essential part of decolonizing work, thus the transformative nature of IBPA makes it a useful decolonizing approach or methodology for policy analysis. However, the IBPA *description* questions also contribute towards the Framework’s decolonizing potential. For example, the *descriptive* questions may help to identify colonial assumptions within the definition of the policy problem and to reframe the policy problem in ways that not only resist such assumptions but also are further grounded in Indigenous perspectives. Including Indigenous peoples and perspectives in the definition of policy problems is an essential step towards self-determination and decolonization (Fredericks et al. 2011), and is also necessary for developing policies that address health inequities at their core.

Case 5: Building Transformative Anti-Colonial Policy Processes—Lessons from an Indigenous Intersectionality-Based Policy Analysis

Provincial, national and international trends demonstrate increasing criminalization and medicalization of Indigenous girls. Indigenous youth are over-represented in the child protection system and within the justice system of Canada (Representative for Children and Youth and Office of the Provincial Health Officer 2009). In this case study, an IBPA was applied to examine historical and current construction of Indigenous girls and structural violence done through policy, and specifically the *British Columbia Child and Youth Mental Health Plan* (Ministry of Children and Family Development 2003). The plan was the first of its kind in Canada, specifically focused on addressing underserved populations, in particular Indigenous children and youth.

The case study is written from the author's reflexive position as a woman of Metis ancestry and part of the Secwepemc community, as a social worker, trauma therapist and activist who has directly witnessed the ineffectiveness of policies such as the British Columbia Child and Youth Mental Health Plan (CYMH) in addressing the intersecting vulnerabilities of Indigenous girls. The author argues that, "I have also seen how the policy itself has in fact constructed this vulnerability, which I maintain is a form of state structural violence. Such violence occurs in the failure to act and/or in interventions of the state, via policies and systems, that lead to a culturally unsafe environment for Indigenous girls and to further violence" (Clark 2012). The case study reveals how policies not only fail to protect Aboriginal girls from victimization, but actually contribute to this victimization in many cases. It underscores that in order to understand the violence today experienced by Aboriginal girls and women, it is necessary to situate this violence within the violence of colonization, and particularly within the intersection of policies such as the *Indian Act* and other federal and provincial policies such as child welfare and youth justice policies.

Structural Innovations

The most useful aspect of the IBPA Framework for examining the *Child and Youth Mental Health Plan* is the set of *descriptive* questions about representations of the 'policy problem', in this case, violence against Indigenous girls. These questions investigate how a problem is framed, by whom and why (questions 2 and 3); what groups are most affected (question 4); and current policy responses that maintain inequities (question 5). These sets of questions provide

an important starting place for policy development because they advance new understandings of violence against Indigenous girls and the mental health and wellbeing of Indigenous girls by focusing attention to the often overlooked intersections of age, geography, gender-expression and Indigeneity. An IBPA analysis also locates the source of the girls' challenges within structural and systemic problems such as colonialism and neo-colonialism, including racism, poverty, sexism and the intersections of these in her life.

However, the greatest challenge for intersectionality, and indeed for IBPA policy analysis, is the relationship to colonization of Indigenous peoples worldwide. Given the historic and ongoing colonization of Indigenous nations within Canada, and other countries such as Australia, New Zealand, and the United States, together with post-colonial and transnational issues of colonization impacting policy throughout the world, colonialism needs to be critiqued as a central component of any policy while at the same time, resisting any kind of essentialization of Indigenous experience. So while IBPA is important for attending to many intersecting factors, including gender, sexuality, geography, age, and because it advances a commitment to social change, it does not centre Indigenous sovereignty. Until intersectionality acknowledges its own colonial history it is not well situated to address the challenges that Indigenous communities experience, in particular, violence against Indigenous girls.

This case study therefore calls for an Indigenous IBPA that is intersectional, inherently activist, responsive to local and global colonization forces, and theorized for the emergent "multifarious, polyvocal" Indigenous identity within a clear goal of sovereignty (Grande 2004). To do this, the author develops an Indigenous IBPA (IIBPA) situating mental health and trauma among Indigenous girls who have experienced violence within a broader context and acknowledging their resistance and agency at the intersection of colonialism, poverty, patriarchy, racism and discrimination, among other systems. This expanded approach understands and locates Indigenous policy analysis within the context of colonialism, past and current, and within community and relationships within the community.

Transformative Effects

Centering colonization, sovereignty, agency and resistance through an expanded Indigenous IBPA Framework, leads to the recognition of the multi-generational impact of colonization and trauma and points towards policy solutions that acknowledge sovereignty, build on resistance and emerge from

the strengths within the community and within girls themselves. Indigenous girls and women are the best guides of determining their own needs in this respect, as they are already engaging in daily acts of understanding, negotiating and resisting colonial policy. Numerous examples of such capacity and strength are highlighted by examples including survivance stories of Angel Streets, the film *Highway of Hope* (Smith and Yee 2009), Indigenous girls groups and in individual Indigenous girls' stories.

An IBPA within an Indigenous framework understands the diversity that exists within communities and across Indigenous cultures. An Indigenous IBPA (IIBPA) argues for policy processes to be rooted in a deep awareness of the forces of colonial oppression, past and present, situated and developed in the local Indigenous community and knowledge, and include a holistic understanding of health policy as including mental, spiritual, physical and emotional, and would build on the strengths and resistance that exist within Indigenous communities, blending traditional and contemporary approaches. And, by focusing on the agency of individual Indigenous girls and women, the implementation of an IIBPA would support the development of more ethical, anti-colonial and ultimately less violent policies for dealing with violence against Indigenous girls.

Case 6: HIV Testing and the Criminalization of HIV Non-Disclosure

To the dismay of many public health actors, the Supreme Court of Canada recently ruled that the duty for an individual with HIV to disclose her/his serostatus can be dispensed only when: a condom is used and the individual has a low viral load (Grace and McCaskell 2013). This case study helps to illuminate some of the reasons that the recent decision is regressive and highly dangerous from a public health and equity perspective. It examines the possible relationship between innovations in laboratory technologies that can detect HIV during early stages of infection and the increasing use of the criminal law to prosecute alleged cases of HIV non-disclosure in Canada. The case study argues that both targeted HIV testing initiatives and the prosecution of alleged HIV non-disclosure cases in Canada ignore the structural drivers of the epidemic and problematically conceive of the 'problem' which must be addressed. The analysis has international implications given the growing trend globally to criminalize people living with HIV in cases of HIV non-disclosure where exposure and/or transmission occurs (Grace 2013).

Structural Innovations

The flexible nature of the IBPA Framework allowed a multilevel analysis to be conducted across two complex policy domains. An IBPA reveals not only the unintended effects that policies may have on differentially situated actors (for example, the ways in which HIV-disclosure may be particularly difficult for some groups of women) but also the unintended effects health and health-related policy responses may have upon one another for example, how a culture of criminalization may serve as a deterrent to getting tested for HIV. By considering complex public health issues together, key tensions can be identified *within* and *across* different health and health-related policy areas. This exploratory IBPA provides both in-depth, historically situated analysis of these policy domains as well as summary tables that concisely review key issues both separately and in relation.

Critical analysis reveals the importance of reflecting on the idea of *standpoint* when thinking about the ‘value added’ of the IBPA in three interrelated respects. First, an IBPA accounts for the standpoint of the policy actor/researcher performing the analysis. Conducting an IBPA demands ‘doing’ reflexivity and accounting for one’s intersectional standpoint and the place from which one views a policy issue. Second, the notion of standpoint is important in considering the range of actors (or standpoints) that should be engaged when conducting an IBPA and the diverse sources of evidence need to get a robust picture of the policy problem. Third, the conception of standpoint helps to elucidate the imagined standpoints and subject positions of persons within policy. As reviewed, policies have the ability to ‘create’ people and an IBPA helps to reveal the possible disjunctures between imagined/constructed standpoints within policies and the everyday actualities of persons who sit at varied axes of oppression and marginalization.

Transformative Effects

IBPA underscores how building on the lived experiences and knowledges of persons has transformative potential and is central to thinking about how policy actors use categories of ‘most-at-risk populations’ (MARPs) in policy strategies—e.g., what groups like ‘gay’, ‘MSM’ (men who have sex with men) or ‘Black MSM’ may reveal and/or erase. Building on this point, the author argues:

Intersectionality can help make visible the kinds of mutually constituting intersections that must be considered in complex policy fields ... an IBPA demands that policy actors consider the complex, dialectical nature between systems of penalty and privilege and the individuals and groups who have intersectional standpoints along various social identities and lived actualities. (Grace 2012)

The generation of these new, equity-focused perspectives is a key advantage to intersectional thinking.

While testing is an important albeit insufficient aspect of HIV-prevention efforts, this analysis demonstrates the ways in which the increasing trend towards criminalizing HIV non-disclosure cases in Canada poses significant public health challenges for mobilizing an effective response to the epidemic. As noted above, using an IBPA allowed for an exploration of why HIV/AIDS policies and governmental strategies must be understood as relational processes. Further, this IBPA provides an explication of the ways in which medical technologies have significant implications for sexuality and the law across diverse policy fields.

Echoing the analysis advanced in this case study, civil society groups internally have been working to underscore the many reasons why the “creep of criminalization” is problematic and highly stigmatizing for people living with HIV (Grace and McCaskell 2013). This IBPA engages with current advocacy efforts in Canada and internationally to illuminate the advocacy strategies used and challenges faced by actors seeking to challenge and transform dominant modes of disease governance. Placing analytic attention to these efforts, such as the campaign for prosecutorial guidelines in Ontario, Canada reviewed by Grace, creates an opportunity to consider opportunities for coalition building and intersectoral action.

Case 7: Funding of Gay Men’s HIV Prevention

For three decades, gay men have remained a key population dramatically impacted by HIV in the province of British Columbia. However, despite this well documented inequity, policies and investments to support prevention activities among this population have generally fallen short. An audit conducted in 2001 concluded that only 1% of the HIV funding went for gay men’s prevention (Marchand 2001). This neglect was subsequently reported by activists, researchers and policy makers (Community-Based Research Centre 2006)—however, there has been little discussion to why this state of neglect is allowed to persist as gay men continue to account for over half of

the HIV infections in the region (British Columbia Centre for Disease Control 2009). This case study applied the IBPA Framework to explore the current state of funding and identified the processes and key issues that prevent adequate funding for HIV prevention with gay men.

Structural Innovations

This review, like previous ones, demonstrated a lack of investment in gay men's HIV prevention. However, the IBPA Framework was useful in identifying some issues that were not raised in previous analysis and discourses on HIV prevention funding. These issues were revealed through qualitative interviews with key informants that were guided by the Framework's questions. The IBPA questions were also carefully adapted to the specificity of the topic to guide the analysis.

Working through the questions from the Framework helped identify some key tensions in the funding allocation process for HIV prevention. One of these tensions was identified by the Framework's attention to diverse knowledges. Indeed, there were dramatic differences between the community and public health's definition and understanding of HIV prevention. While, the public health definition emphasizes clinically based approaches such as the expansion of testing and treatment, community described prevention as the promotion of health and wellness from a holistic and right-based perspective. When reviewing funded initiatives, the vast majority of the interventions subscribed to the public health definition of prevention; with most prevention dollars for gay men going to activities related to HIV testing. However, research and observations to date suggests that a singular focus on testing and treatment is unlikely to resolve the epidemic among gay men (Wilson 2012). Other strategies must be promoted to reduce gay men's inequities in terms of HIV infection, including community led initiatives since they have been generally much more successful at reducing HIV transmission than public health interventions (Dowsett et al. 2001).

The IBPA Framework also helped reveal multiple assumptions behind the distribution of HIV prevention funding. For example, it is often assumed in prevention that gay men form a monolith and that the "at risk populations" described by public health (such as gay men, injection drug users, Aboriginal population etc.) are all-distinct. The IBPA Framework emphasizes that individuals and communities are constituted of multiple and interacting social locations and that therefore may belong to multiple "at risk" categories and therefore can potentially find themselves at greater risk of HIV infection. However, when reviewing currently funded initiatives, none address gay men

who belong to multiple “subordinate” or “at risk” group such as gay men of colour, Aboriginal gay men, gay men in prison, gay men who inject drugs. These groups tend to be left without any interventions, therefore increasing inequities within the gay community.

Transformative Effects

The common explanation from gay men’s advocate has generally been that homophobia, and homophobia alone, is the cause of the lack of resources for HIV prevention. However, the application of the IBPA revealed a pattern of systemic discrimination against gay men that is defined at the intersection of heterosexism, medicalization of prevention and sex panic. The application of the Framework’s questions showed a complete lack of funded interventions that address the sexual health needs and sexual rights of gay men—in fact, there was evidence that governments refrain from funding sexualized interventions. The increased support for medical intervention as noted by this analysis may be directly linked to the discomfort of governments and public health institutions at being perceived as supporting homosexuality or sexualities they see as perverted.

By illuminating these factors and providing a new perspective on the factors preventing funding for HIV prevention, the IBPA Framework can help propose radically different solutions for advocacy and to reverse the situation. Several scholars have noted that intersectionality has the potential to help identify less obvious similarities among populations and groups that can lead to coalition building (Cole 2008; Hancock 2011). In this case, gay men have generally been alone within the HIV movement to denounce homophobia within governments. However, this isolation could shift if the focus is diverted away from the subordination associated with a gay identity and towards a focus on sexual rights that intersect with gay health, but also Indigenous health, women’s health, etc. Gay men may have been mostly alone to cope with the impacts of homophobia within the AIDS infrastructures, but other groups have suffered of moralistic views on sexuality with whom gay advocates could partner to see their sexual rights promoted within the HIV field.

Conclusion

In this chapter we aim to expand current paradigms of policy analysis by introducing an IBPA Framework and importantly, demonstrating its worth in a variety of health related policy areas. The case studies strive to bring issues of

equity to the fore and ultimately inspire other policy practitioners and researchers to use this approach in their own policy work. While the examples here show the potential and significance of operationalizing intersectionality, it is important to note that the IBPA Framework is not without its challenges.

First, the very process of implementing such an approach can be resisted by those who are not open to social justice oriented change and/or asking difficult questions about power and structural asymmetries in the context of politics and policy. Second, even among those committed to such change, the IBPA may be rejected for its purposeful movement away from prioritizing—a priori—certain factors, often seen as central to shaping inequities, such as gender or Indigenous sovereignty and resistance, and instead leaving the determination of what is important to the process of discovery. Third, new types of expertise are required to move beyond the status quo of specifically focusing on single or even additive approaches (e.g., gender + age + race) and instead capturing multiple and intersecting locations and social structures. Often the evidence required for an IBPA application is either absent or in very nascent stages of existence. Related to this is the challenge of ensuring that when possible all relevant lived positions in relation to a policy problem or priority are captured and that in the process, appropriate types of data are collected and analyzed.

As illustrated by the diverse case studies in this chapter researchers chose which IBPA questions to focus on. While providing important flexibility, this flexibility also raises the issue of whether something was missed from the final analysis because of the avenues of inquiry that were chosen or alternatively left out. And finally, even if the IBPA is rigorously applied and new ways of thinking about a policy problem or issue are revealed there still remain obstacles in terms of translating complex knowledge into accessible condensed messages for policy actors to digest and understand. Ultimately there are no guarantees that such critical research will lead to action or more precisely structural change. Processes of social transformation have to involve many kinds of interventions, actions and actors, including but not limited to the realm of policy analysis.

Nevertheless, the IBPA Framework, as demonstrated by the case studies presented here, is an innovative mechanism for analyzing the operation of power and processes of stigmatization in policy making. It is important to highlight that the architects of the IBPA envisioned it to be a living document that will change and evolve over time as a range of end users pilot test and provide feedback on how the Framework can be improved and made more practical, effective and precise. The IBPA Framework and case studies presented in this chapter are thus a first step in contributing to the emerging literature in the field,

expanding current paradigms of policy analysis, and allowing policy actors to see themselves as critical and potentially transformative players in the development, implementation and evaluation of policy.

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7

The Difference That Power Makes: Intersectionality and Participatory Democracy

Patricia Hill Collins

No standard definition of intersectionality exists, yet most people would associate one or more of the following principles with intersectionality: (1) racism, sexism, class exploitation and similar systems of oppression are interconnected and mutually construct one another; (2) configurations of social inequalities take form within intersecting oppressions; (3) perceptions of social problems as well reflect how social actors are situated within the power relations of particular historical and social contexts; and (4) because individuals and groups are differently located within intersecting oppressions, they have distinctive standpoints on social phenomena (Collins and Bilge 2016, 25–30).

There may be general agreement on intersectionality's contours in the abstract, yet intersectionality's incorporation into and increasing legitimization within the academy has catalyzed far less consensus among academics. Despite the contributions of frontline social actors, both outside and inside the academy, intersectionality confronts a growing backlash as a critical form of

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inquiry and praxis (see, e.g., Alexander-Floyd 2012). Revisionist narratives of intersectionality aim to erase the ideas and actions of Black women, Latinas, poor people, LGBTQ people and similarly subordinated groups from intersectionality's legitimate narrative, arguing that the visibility of these groups within intersectionality erodes its universal appeal. This re-writing of history, one Vivian May skillfully analyzes as "intersectionality backlash," both relies on overt resistance to intersectionality, as well as more subtle and indirect ways of undermining it (May 2015, 6–12). Such efforts aim to de-politicize intersectionality and place its ideas in service to neoliberal agendas that uphold individual and marketplace based solutions to collective social problems (Collins and Bilge 2016, 63–87).

This shifting political landscape shapes contemporary understandings of power and politics within intersectionality. On the one hand, within some segments of intersectional scholarship, references to power appear to be everywhere; power is constantly mentioned, referenced and cited. Yet merely mentioning power may do more harm than good. Within intersectional discourse, conventions that substitute "race" for racism, "sex" for sexism and "class" for capitalism foster abstract references to power that neglect what specific combinations of systems of oppression mean in reality. Relying on a series of shorthand terms to invoke intersecting power hierarchies, much as "race, class and gender" became reduced to a slogan through overuse, the phrase "intersecting systems of power," itself a replacement for intersecting oppressions, may be headed for a similar fate. Phrases such as intersecting systems of power that circulate as hyper-visible signifiers render power as a descriptive, placeholder term with ostensibly minimal political impact. The hypervisibility granted abstract power-talk simultaneously limits the kind of politics that become possible within these abstractions.

On the other hand, for scholars and activists who see the links joining intersectionality's inquiry and praxis, power and politics take on a different demeanor. Social actors within social movement contexts often use intersectionality as a touchstone for political action. Frontline social actors within bureaucracies as well as those working in grassroots organizations often look to intersectionality to help solve thorny social problems such as homelessness, health disparities, mass incarceration, educational disparities and ever-present violence. Social workers, teachers, lawyers, nurses and similar practitioners engage intersectionality to help solve social problems. Despite their technical expertise, power hierarchies that create social inequalities and concomitant social problems seem evident. Within bureaucratic contexts, social actors who claim intersectionality seek guidance for how it might inform their problem-solving strategies. Blacks, women, Latinos/as, indigenous people, women,

undocumented people and other similarly subordinated groups who are most affected by social problems often see intersectionality as essential for their political projects (Roberts and Jesudason 2013; Terriquez 2015).

In the U.S. context, this uneven emphasis on power and politics across intersectional scholarship and practice illustrates significant shifts in intersectionality's close association with the social justice ethos of mid-twentieth-century social movements. Robust understandings of power and politics that framed civil rights, feminist, anti-war and similar social movements for social justice persist, albeit unevenly from one intersectional project to the next. Core ideas of intersectionality developed in conjunction with these social justice projects continue to circulate within academic settings. Yet despite the growth of the corporate university (see, e.g., Nash and Owens 2015), social actors inside and outside the academy increasingly turn to critical understandings of intersectionality to inform their praxis. Then and now, social actors who are subordinated within multiple systems of power are in a better position to see how the power hierarchies, social inequalities and social problems that characterize one system of oppression not only resemble those of other systems, but also that multiple systems work together to shape their experiences.

Intersectionality might address neoliberal pressures to depoliticize it by examining how other projects confront a similar set of challenges. Here, participatory democracy offers some suggestive ideas. Intersectionality and participatory democracy are both aspirational social justice projects that take form through problem-solving and praxis, the hallmark of grassroots political activism and social movements. Intersectionality and participatory democracy both have been prominent during similar temporal periods, most notably the mid-twentieth-century U.S. social movements for racial, gender and economic justice as well as the resurgence of contemporary global social justice movements (Polletta 2014). Like intersectionality, participatory democracy faces a similar set of challenges as it aims to protect democratic governance within increasingly neoliberal nation-states. Participatory democracy also confronts new challenges associated with neoliberalism, specifically, how its historic association with the social justice movements of subordinated populations confronts pressures to recast itself as a technical project of the state. Exploring these historical and conceptual ties between intersectionality and participatory democracy potentially yields new insights about both areas. Specifically, more complex understandings of power and politics might help each project individually, but more importantly, catalyze an important dialogue between them (Palacios 2016).

This essay explores how developing more complex analyses of power and politics sheds light on important themes for both intersectionality and participatory democracy. Drawn from intersectional inquiry, Part I, “Hidden in Plain Sight: Hyper-22 Collins, P. *Investig. Fem* (Rev.) 8(1) 2017: 19–39 visible Power and Invisible Politics,” outlines three focal points of a power analytic: (1) how analyses of intersecting, structural oppressions underpin systems of domination; (2) how a domains-of-power framework provides a set of conceptual tools for analyzing and responding to intersecting power relations; and (3) how a more robust analysis of the collective illuminates the political action of subordinated groups. Part II, “Black Feminism, Flexible Solidarity and Intersectionality,” builds on this power analytic by examining power and politics from the standpoint of the resistance traditions of historically subordinated groups. By no means the only or universal case, African American women’s political action provides an alternative analysis of power and politics. Black feminism conceptualizes intersectionality and politics in flexible, pragmatic terms with an eye toward an overarching vision rather than in the static, ideological terms of political theory. It thus constitutes an important site for seeing the deepening commitment to participatory democracy as an alternative to technical agendas of the state. Part III, “The Difference That Power Makes: Implications for Intersectionality and Participatory Democracy,” discusses implications of intersectionality’s power analytic for projects for intersectionality and participatory democracy.

Hidden in Plain Sight: Hypervisible Power and Invisible Politics

Because intersectionality understands power as a multi-dimensional phenomenon, this section outlines three frameworks from my own work on power and politics that provide distinctive entry points for analyzing intersecting power relations. They are: (1) the matrix of domination framework that explains how intersecting systems of power constitute strands or components of political domination (Collins 2000, 227–228); (2) the domains-of-power framework that categorizes how structural, disciplinary, cultural, and interpersonal dimensions of power operate singularly and in combination in shaping the social organization of power (Collins 2000, 276–288; 2009; Collins and Bilge 2016, 5–13; 26–27); and (3) the construct of community as an analytical tool for investigating resistance and other forms of political behavior (Collins 2010). I initially developed each framework by

analyzing power relations from the situated standpoints of African American women and similar groups who were subordinated within intersecting systems of power. As a result, collectively these three frameworks map out a power analytic that both explains oppression and suggests strategies for resisting it.

The matrix of domination refers to how political domination on the macro-level of analysis is organized via intersecting systems of oppression. Heteropatriarchy, neo-colonialism, capitalism, racism, and imperialism constitute forms of domination that characterize global geopolitics, that take different forms across nation-states and that influence all aspects of social life. Intersectionality's emphasis on intersecting systems of oppression suggests that different forms of domination each have their own power grid, a distinctive "matrix" of intersecting power dynamics. For example, intersections of racism, capitalism and sexism within the U.S. will differ from those in Brazil, producing a distinctive matrix of domination within each nation-state as well as relations between the two nation-states. Both nation states may share general histories of domination, for example, how their extensive engagement with the African slave trade, as colonies and as free-democratic nation-states was integral to their incorporation in global capitalism. Yet the distinctive patterns that domination has assumed within each nation-state differ dramatically. Racial, class and gender domination in the U.S. and Brazil cannot be reduced to one another, nor to some general principles of domination absent the specifics of their histories.

The domains-of-power framework provides a set of conceptual tools for diagnosing and strategizing responses within any given matrix of domination. The framework is deliberately non-linear. There is no assumed causal relationship among the domains such that one determines what happens in the others. This is also especially useful for analyzing specific social problems that affect specific populations within a given matrix of domination, for example, how immigration policies articulate with citizenship. The domains-of-power framework enables a more finely-tuned analysis of how unjust power relations are organized and resisted. The domains-of-power heuristic provides a set of diagnostic tools that help individuals within subordinated groups/communities analyze and develop action strategies in response to the social inequalities that accompany intersecting systems of oppression. In essence, the domains-of-power framework connects the broader analytical space of a specific matrix of domination with the social dynamics of how it organizes individual and collective political behavior across varying social contexts.

The idea of community constitutes an integral dimension of power relations; it is the bedrock for theorizing the resistance of subordinated groups as well as the political action of individuals within such groups. Because subor-

minated groups are routinely excluded from formal institutions of governance and knowledge-construction, the resulting social inequalities that they experience limit their ability to exercise power within and across multiple domains of power. This exclusion in turn limits effective problem-solving because the perspectives of the people who are most affected by social problems are silenced. Yet the ability of a group of people to band together to ensure their own survival constitutes the bedrock of politics to resist these practices of exclusion and suppression.¹

Collectively, these three frameworks reflect my own efforts to conceptualize power in ways that advance intersectional inquiry and praxis, both inside and outside the academy. Intersectionality's focus on intersecting oppressions as the structuring principles of domination, its analysis of how social inequalities that flow from intersecting oppressions are ordered across domains of power, and the centrality of community as a template for the politics of dominance and resistance constitute important dimensions of a power analytic for intersectionality and potentially for participatory democracy.

Domination and Resistance as Objects of Investigation: Unpacking the Matrix of Domination Framework

Intersectionality's focus on the relationality among intersecting oppressions, and its search for the common features that reappear across multiple oppressions potentially deepens understanding of disparate forms of domination and resistance. In this regard, the construct of the matrix of domination provides one way of drawing insight from various literatures on domination, with as well as developing analytical clarity concerning their interconnections. Stated differently, political domination may rely on similar principals that are organized differently across imperialism, patriarchy and similar forms of domination. Moreover, drawing upon intersectionality to examine the matrix of domination in any given setting potentially sheds light on the relationship between intersecting systems of power, domination and political resistance.

How has political theory understood the concept of domination? Colonialism, postcolonialism, imperialism, heteropatriarchy, capitalism,

¹ Scholarly work either romanticizes communities as safe havens that lie outside the purview of electoral politics that form the building blocks of civil society, or romanticize communities as private, safe-havens from the public sphere. Analysis often stops at the borders of the construct. Here I take a less sanguine view, claiming that community is the template for an everyday politics that frames how people understand and participate in politics. In this sense, the rhetoric of community serves as a surrogate for a everyday language of politics.

nationalism, racism and neocolonialism constitute recognized forms of political domination. The expansive literature on political domination provides important clues concerning shared dimensions of macro-level, historically constituted forms of domination. For example, by distinguishing racisms of extermination or elimination (exclusive racisms, such as Nazi Genocide), from racisms of oppression or exploitation (internal racisms, such as racial segregation in the U.S., racial apartheid in South Africa and colonial racisms), Etienne Balibar provides a crucial intervention in critical racial theory (Balibar 1991). Balibar argues that these ideal types are rarely found in isolation, and that connections among these types are more common. Zygmunt Bauman's classic book *Modernity and the Holocaust* develops this thesis of a racism of extermination, extending Balibar's argument beyond nationalism to link racisms of extermination to modernity itself (Bauman 1989). Political theorist Hannah Arendt had little theoretical interest in racism, yet her parallel histories of domination within the magisterial *The Origins of Totalitarianism* resonate both with Balibar's thesis of internal and external racisms and Bauman's analysis of racism and modernity (Arendt 1968). These three examples from political theory suggest that, whether intentional or not, these works provide important tools for thinking through the contours of political domination.

Placing this literature on political domination in dialogue with intersectionality's idea of intersecting oppressions provides a useful rubric for imagining a matrix of domination that takes form via the interconnections of particular systems of power. Oxford dictionaries offer varying and related meanings of the term matrix that bring nuanced meanings to the construct. A matrix can refer to "the cultural, social, or political environment in which something develops;" or "a mould in which something, such as a record or printing type, is cast or shaped;" or "something (such as a situation or a set of conditions) in which something else develops or forms." These meanings cast the construct of matrix as a structuring structure—it is not a benign container in which something happens, but rather shapes and gives structure to dynamic phenomena. Yet intersectionality adds a political analysis to these generic understandings of a matrix. As Vivian May points out, "Intersectionality ... contests several taken-for-granted ideas about personhood, power, and social change: in particular, its multidimensional 'matrix' orientation is often at odds with 'single-axis' sociopolitical realities, knowledge norms, and justice frameworks" (May 2015, 1).

Some key dimensions of the matrix of domination framework flesh out this notion of the structuring structure of domination and resistance. First, all contexts of domination incorporate some combination of intersecting oppressions, yet domination and resistance are organized differently across social

contexts. Matrices of domination may take different form across national settings—the aforementioned example of the U.S. and Brazil—yet the concept of a matrix of domination refers to the universality of intersecting oppressions within particular local realities. Just as intersecting oppressions assume historically specific forms that change in response to human actions—racial segregation persists, but not in the forms that it took in prior eras—so the shape of domination itself changes (Collins 2000, 227–228).

Second, while systems of power are theoretically present and potentially available within a matrix of domination, in actuality, some power are more salient than others within particular social contexts. Intersectionality provides a template for seeing multiple systems of power as imminent, yet not all systems of power as equivalent or even visible within a given matrix of domination. A finely-tuned analysis of saliency is essential for intersectional analysis as well as political actions to resist domination. In the U.S., for example, race, gender, class and nation have been tightly bundled together, with race often operating as proxy for class. Social movements can cast their agendas in relation to struggles over the meaning of American national identity, in essence, problematizing nation in ways that highlight neglected systems of power. Feminism has had an important impact within U.S. politics, precisely because it politicizes gender relations by showing how gender and sexuality shape what seemingly universal national policy. Gender and sexuality were there all along, yet they became salient in response to feminism as a social movement.²

Finally, when informed by intersectionality's focus on intersecting oppressions, the matrix of domination framework better captures the complexities and instabilities that characterize how domination and resistance coexist. Whether racism or sexism, resistance is always present, even if it seems to be invisible. Resistance is embedded within domination—a specific matrix of domination takes shape within the recursive relationship links its reliance on intersecting oppressions and resistance. A particular matrix of domination contains a tapestry of intersections of privilege and disadvantage that shape political behavior. Because individuals and groups all participate in these dynamic social relations, coming to terms with the contradictions of privilege

² At one point, a lively feminist literature engaged nationalism, examining topics such as how the public policies of nation-states were inherently intersectionality, and how the national identities of various nation-state relied on intersecting systems of power. With the emergence of post-structuralism and neo-liberalism in the 1990s, scholars moved away from the literature on nationalism, especially its emphasis on state power. For a core text from this literature that took a structural approach to intersectionality and nationalism, see Anthias, Floya, and Nira Yuval-Davis. 1992. *Racialized Boundaries: Race, Nation, Gender, Colour and Class and the Anti-Racist Struggle*. New York: Routledge.

and penalty across these complex social locations constitutes another angle of vision both on power and on political actions that occur within these locations.

Because intersectionality emerged within various resistance traditions, developing a power analytic with the idea of a matrix of domination at its core can shed light on strategies of resistance. Subordinated groups have a vested interest in uncovering, analyzing and evaluating how domination shapes their experiences with social inequalities and social problems. In contrast, elite groups have a vested interest in minimizing and erasing the workings of domination in all domains of social organization. Because elites control much scholarly work, political domination is treated as being so common as to be mundane and ordinary. Yet viewing domination as normal and routine positions resistance to domination as unusual and exceptional. In this regard, the matrix of domination framework highlights the significance of the recursive relationship among domination and resistance, as organized across domains of power.

Tools for Analyzing Power Relations: The Domains-of-Power Framework

The domains-of-power framework is a heuristic device for examining the organization of power relations. This heuristic can be used to analyze systems of power, either singularly or in combination, e.g., the organization of racism as a singular system of oppression (see, e.g., Collins 2009, 40–81), as well as intersecting systems of power. The heuristic can also be used to analyze resistance to oppressions, for example, the singular histories of anti-racism or feminism, as well as their convergence within intersectional feminism.

Briefly stated, the heuristic has four main elements. Public policies that organize and regulate the social institution constitute the structural domain of power. Social hierarchy takes forms within social institutions such as banks, insurance companies, police departments, the real estate industry, schools, stores, restaurants, hospitals and governmental agencies. When people use the rules and regulations of everyday life and public policy to uphold social hierarchy or challenge it, their agency and actions shape the disciplinary domain of power. Increasingly dependent on tactics of surveillance, people watch one another and also self-censor by incorporating disciplinary practices into their own behavior. The cultural domain of power refers to social institutions and practices that produce the hegemonic ideas that justify social inequalities as well as counter-hegemonic ideas criticize unjust social relations. Through traditional and social media, journalism, and school curriculums, the cultural

domain constructs representations, ideas and ideologies about social inequality. The interpersonal domain of power encompasses the myriad experiences that individuals have within intersecting oppressions.³

The domains-of-power heuristic potentially makes several contributions for developing a power analytic. First, because the domains-of-power framework is a heuristic and not an explanatory model, it makes no causal theoretical claims about intersecting oppressions. No one domain is deemed to be more important than another. Power relations within each domain can be analyzed, as well as those that straddle two, three or all four domains. The heuristic suggests that all domains of power are present and influence the organization of power within any social context. Yet because in actual social practice the political weight placed on one domain over others is historically and contextually expressed, the heuristic highlights the significance of historical and spatial context in analyzing intersecting power relations. This becomes especially important in conceptualizing intersecting power relations, precisely because they are so complex. The heuristic is effective because it is flexible. Actions within one domain can be compared across varying historical periods or geographic locations. Alternately, the synergy between varying domains can be compared across varying periods of time.

Second, the heuristic guards against reductionism because the synergy among domains of power illuminates complex forms that domination and resistance can take across the domains (Collins 2009, 54–56). For example, efforts to suppress Black and Latino votes within in the 2016 U.S. Presidential election can be mapped across all four domains of power; namely, legal action to declare such voters ineligible (structural); spreading fake news about widespread voter fraud with no evidence to create a perception of unworthy citizens (cultural); creating a hostile environment for low-income Black voters via practices such as moving their voting site inside the local sheriff's office (disciplinary); and encouraging white citizens to patrol polling places to intimidate possible minority voters (interpersonal). These sets of practices lend themselves to domain-specific forms of resistance as well as trans-domain political activism.

³I have published various of this heuristic, with minor revisions. Earlier versions stressed domination and oppression as themes, leaving less room for resistance. For example, the 1990s edition of *Black Feminist Thought* describes the cultural domain as the “hegemonic”. Yet the emergence of cultural studies that examines how culture constitutes an important site of political resistance highlighted my overemphasis on domination. Similarly, my term “interpersonal” aimed to express the dynamics of the social self within the context of community, yet the term “experiential” domain better captures my current thinking.

Finally, by considering how a specific action, policy, social institution or disaster rarely can be explained via one domain of power or by using one system of oppression, the domains-of-power heuristic builds analytical complexity into intersectional analyses of power. Theoretically, power relations can be analyzed both via their mutual construction, for example, of racism and sexism as intersecting oppressions, as well as across domains of power, namely structural, disciplinary, cultural and interpersonal. At the same time, the simplicity of the domains-of-power heuristic helps navigate the complexity that accompanies intersectional analyses of power. The framework enabling us to bracket domains based on the needs of specific intellectual and political projects, to focus on one or more domains, all the while cognizant that the others are there. This is the same kind of conceptual bracketing that sheds light on the priority granted to specific forms of oppression within a particular matrix of domination. Prioritizing systems of power based on their saliency for particular historical and social settings means that one can begin analyzing racism or sexism without the burden of considering all systems of power at the same time.

Collective Political Behavior and the Politics of Community

Community provides a construct for theorizing collective behavior. At its core, people practice behaviors of submission and resistance to social hierarchy in communal settings of shared, patterned ideas and practices. Liberal democracies point to individual citizenship rights as the bedrock of democratic politics, presenting promises of personal freedom to those who leave the strictures of various collectivities behind. Yet social inequality means not only that individuals from oppressed groups cannot exercise these rights, that they are unlikely to gain such rights without sustained collective action. In this sense, communities constitute a necessary albeit maligned the bedrock of politics (Collins 2010).

Several characteristics of the construct of community make important contributions to understandings of politics. First, communities constitute major vehicles that link individuals to the social institutions that organize complex social inequalities. Complex social inequalities take form intersecting oppressions as organized through domains of power, yet communities provide the context in which people experience these power relations. Individuals do not have unmediated relations with power relations. Instead, multiple and cross-cutting communities do the work of situating individuals within social contexts. Conceptually, communities are neither models of democratic participation nor deeply-entrenched hierarchy. While communi-

ties are imagined in varying ways for many political projects, they are constructed by their members who make them what they want them to be or disband them altogether. Whether intentional or not, people use the construct of community to make sense of and organize all aspects of social structure, including their political responses to their situations. Similarly, social institutions use the symbols and organizational principles of community to organize social inequalities.

Second, ideas about community often move people to action, often by catalyzing strong feelings about the members of one's own group as well as others. Community is not simply a cognitive construct; it is infused with emotions and value-laden meanings. Whether an imagined community is a place-based neighborhood; a way of life associated with a group of people; or a shared cultural ethos of a race, national or ethnic group, or religious collectivity; people routinely feel the need to celebrate, protect, defend, and replicate their own communities and ignore, disregard, avoid, and upon occasion, destroy those of others (Anderson 1983). This ability to harness emotions means that the construct of community is versatile and easy to use. Yet these same characteristics foster unexamined and taken-for-granted assumptions about how communities are and should be (Cohen 1985). In everyday life and within much academic discourse, the term community is used descriptively, with minimal analysis or explanation. As a result, community can be imagined in many ways, from the micro-level of analysis so prominent within social psychology to the macro-level analysis of nations as imagined communities. One can imagine community through the lens both of multicultural inclusion as well racism, sexism and similar categories of belonging and exclusion (Yuval-Davis 2011).

In this way, because people exercise power in their everyday lives as individuals within communities, people use the construct of community to think and do politics. Stated differently, the construct of community provides a template for describing actual power relations as people live them and conceptualize them. People use the idea of community to organize and make sense of both individual and collective experiences they have within hierarchical power arrangements. A community is more than a random collection of individuals. Rather, communities constitute important sites for reproducing intersecting power relations as well as contesting them. Within a given nation-state, social inequalities organize its national identity or sense of national community, with individuals embedded in actual communities as a way of thinking about their placement in intersecting power relations. Thus, community constitutes a core political construct because it serves as a template for political behavior.

Finally, looking to community as a framework for collective political behavior highlights the significance of collective action. Collectivities that are oppressed as identifiable groups often provide more space for individuality and humanity within the confines of racial, ethnic, religious and/or class communities than is offered in wider society. Oppressed groups need durable collective units that map onto actual social relations. In essence, community as template for power relations emphasizes collective politics over the valorization of the individual as the primary recipient of citizenship.

The power analytic presented in this section offers a top-down analysis of power and politics. Yet beginning with the political behavior and analyses of subordinated groups provides a different angle of vision on power and politics. In the next section, I examine how the resistance traditions of historically subordinated groups provide a distinctive angle of vision on both the meaning of power and the contours of politics.

Black Feminism, Flexible Solidarity and Intersectionality

Communities do not solely provide respite from oppression, they can become site of resisting it. African American women have seen their fathers, brothers and sons murdered, have lost their children to guns and drugs, cared for their adolescent daughters' children and visited their brothers in jail. Much of this has occurred within the boundaries of racial segregation, but not all of it. Black women's individual experiences with oppression, witnessing the personal suffering of their loved ones, and understanding the patterned nature of assaults targeted toward Blacks, women, poor people and LGBTQ people as collectivities have provided significant catalysts for action. Via these multiple modes of entry into political action, African American women typically developed a sensibility for women's issues by broadening preexisting analyses concerning racism and social class exploitation to include the additional oppression of gender as it affected their own lives and those in their communities. Moreover, as is the case of Black feminism, when political communities do not exist, people create them.

Black feminism constitutes an important case for studying how a subordinated population continues to empower itself within the U.S. context of domination. African American women developed Black feminist thought as an oppositional knowledge project, one that reflects the political interests and resistance traditions of Black women (Collins 2000). Such knowledge empha-

sized complex understandings of how domination is organized and operates (intersecting oppressions) as well as complex perspectives on political possibilities within such contexts, e.g., Black feminist understandings of solidarity. In this sense, Black feminist thought's connections to the genealogy of intersectionality make this case especially significant for examining the difference that power makes (Carastathis 2016; Collins and Bilge 2016, 63–87; Hancock 2016).

Historically, this broader project of Black feminist thought as oppositional knowledge drew from and influenced the everyday political behavior of African American women in families, jobs and civic participation. It also shaped how Black feminist leaders, intellectuals, and/or activists understood power and politics. This is important because Black women bring a distinctive sense of the political both to intersectionality and, potentially, to participatory democracy, a sensibility that reflects how those on the bottom of the social hierarchy flesh out the preceding power analytic.

Racism, capitalism and heteropatriarchy constituted highly salient forms of domination for African American women (Marable 1983). Black women's deepening analysis of intersectionality and its connections to political action, e.g., flexible solidarity, reflect the specific organization of intersecting power relations within segregated African American communities as well as within U.S. society. Black women came to intersectionality and to flexible solidarity both as individuals and as members of an historically constructed community. Because Black women experienced race/class domination in gender-specific ways, they were better positioned to see how gender and sexuality affected their lives within intersecting oppressions of racism and capitalism. Over time, African American women intellectuals advanced more complex understandings of intersecting oppressions as well as pragmatic perspectives concerning political engagement with them. This matrix of domination of intersecting oppressions of race, class, gender and sexuality organized power relations both inside and outside African American neighborhoods. In the following sections, I draw upon the power analytic to explore how Black feminism reflects African American women's intellectual activism, with intersectionality and flexible solidarity emerging as important dimensions of a maturing Black feminism.

Black Women's Community Work and Black Feminist Thought

The changing contours of Black women's community work illustrate the trajectory that Black feminist thought took within African American communities (Collins 2006, 123–160). Prior to the post-civil rights period, African

American women's community work lay at the heart of African American politics. For African American men and women, working to change segregated schools, biased election procedures, racial steering in housing, and discriminatory employment policies constituted one path to personal dignity and individual freedom. At the same time, Black women also contributed to African American communities by working collaboratively with Black men, by pointing out the internal contradictions of violence and love within African American civil society, and by speaking out against violence against Black women and other similar social problems. As a form of survival politics, Black women's community work made important contributions to communal well-being. Thus, Black women's political activism was expressed by working for institutional transformation and group survival within a larger framework of collective struggles for social justice (Collins 2000, 201–225).

Prior to mid-twentieth-century social movements, Black women's community work occurred primarily within racially segregated communities, and encompassed both protest and survival politics, with survival taking the lion's share of resources.⁴ Community work included an array of activities, a form of reproductive labor that was designed to (1) ensure the physical survival of African American children; (2) build Black identities that would protect African Americans from the attacks of White supremacy; (3) uphold viable African American families, organizations, and other institutions of Black civil society; and/or (4) transform schools, job settings, government agencies and other important social institutions. During the slave era and through the mid-twentieth century, individual African American intellectual-activists did gain recognition within broader society. For example, Anna Julia Cooper, Ida Wells-Barnett, Mary McLeod Bethune, Pauli Murray, Ella Baker and Anna Arnold Hegeman clearly were exceptional individuals, yet their ideas and actions also reflected understandings of Black women's intellectual activism as being part of some aspect of local, national and/or transnational Black communities (Bay et al. 2015).

⁴Within democratic societies, *institutional politics* examine the mechanisms of governance, viewing elected officials, bureaucrats, voters and citizens as bona fide political actors. Lacking citizenship rights, at one time being defined as less than human, Black women have historically been denied positions of power and authority within U.S. social institutions. *Protest politics* in the public sphere complements liberal definitions of institutional politics, typically framed through a focus on social movement activism. In contrast, *survival politics*, the hard work needed to ensure that a group of people is prepared to enter public institutions and/or is capable of protest, constitutes the bedrock of community politics because it is associated with the private sphere, is black, female and poor. Mid-twentieth century social movements created opportunities for many Black women to enter institutional politics.

Within the confines of African American neighborhoods, many women exerted leadership that was designed to help individuals within their communities survive, grow, and reject the practices of anti-Black racism across all domains of power. Black women's motherwork, an important site of Black women's community work, illustrates the multi-layered texture of Black women's politics. Although motherwork resembles care work, especially understandings of care work as a set of principles for democratic participation (see, e.g., Tronto 2013), because motherwork is deeply embedded within the survival politics of African American communities, it has been infused with broader political intent. Whether they had biological children or not, the work that Black women did in caring for their communities constituted an important site that simultaneously politicized African American women and served as the primary location for their activism.⁵

In a world that devalues Black lives, to defend the lives of Black youth and aim to give those lives hope is an act of radical resistance. In this sense, contemporary expressions of motherwork that invoke these deep cultural roots bring a more politicized notion of care to political projects. Then and now, motherwork takes diverse forms (see, e.g., Story 2014). Like Fannie Lou Hamer, Ella Baker and members of the Black Panther Party, some women choose to become "mothers of the community" and contribute their reproductive labor to the survival politics of their local communities. Local grassroots activists who struggle for clean water, better schools, job training and more responsive police and social services for their neighborhoods care about and care for their communities by taking action. Certainly men have and continue to perform motherwork, but in the face of differential policing and mass incarceration that removes so many Black men from African American communities, motherwork continues to fall on Black women. When joined to an organizational base provided by Black churches and other community organizations, African American women often find institutional support for social justice initiatives. African American women's importance within Black churches as fundamental organizations of Black civil society provided an important arena for Black women's political activism as well as their consciousness concerning the political. This moral, ethical tradition encouraged African American women to relinquish the so-called special interests of issues as women for the greater good of the overarching community. Within this interpretive framework, fighting on behalf of freedom and social justice for

⁵ More information: <http://kgou.org/post/doctor-patricia-hill-collins-works-expand-platform-black-womensvoices> (Consulted on 10 March 2017).

the entire Black community and for a more inclusive society based on social justice was in effect fighting for one's own personal freedom. The two could not be easily separated.

Why Flexible Solidarity? Why Intersectionality?

Flexible solidarity and intersectionality constitute two interdependent dimensions of Black feminism that emerge from community politics. Each deepened over time in response to new constraints and opportunities of dominance and resistance across domains of power. Rather than viewing Black feminism as a static set of ideas that sprang from the minds of a few Black women intellectual-activists, situating Black feminism within the changing contours of Black women's community work suggests that contemporary Black feminism draws on sedimented forms of inquiry and social action. Intersectionality as a named discourse came to prominence in the 1990s (see, e.g., Crenshaw 1991), with analytical attention to solidarity emerging more recently (see, e.g., Shelby 2005). Yet the ties between intersectionality and flexible solidarity within Black feminism both predate this contemporary recognition.

Engaging in Black women's community work fostered a commitment to Black solidarity as a core feature of African American women's political engagement both within and on behalf of Black communities. Without solidarity among African Americans, political struggles to upend racial domination were doomed. Yet for Black women, an unquestioned solidarity could be neither inherently desirable nor effective when it rested on male-dominated, intergenerational gender hierarchies. Such solidarity was hierarchical, rigid, often backed up by religious theology or tradition, and created roadblocks for effective political action. Black women saw the need for solidarity, yet calibrated their ideas and actions to hone critical understandings of solidarity that were better suited for political projects. Solidarity was not an essentialist category, a bundle of rules that was blindly applied across time and space. Instead, a flexible understanding of solidarity enabled Black women to work with the concept, molding it to the challenges at hand.

Working within Black organizations often sensitized African American women to inequalities of gender and sexuality within Black communities as well as within broader society. This awareness catalyzed intersectional analyses. Yet the contexts in which people do intellectual work are just as important as the content of the ideas themselves. In this case, like intersectionality, understandings of solidarity were also worked out through everyday and organized political behavior within African American communities. Stated differ-

ently, sustaining political vigilance in the face of political domination where racism was especially salient required being attuned to the political implications of strategic choices.

African American women were not of like mind in sharpening their understandings of intersectionality and solidarity. For example, many African American women who worked in SNCC (Student Nonviolent Coordinating Committee) during the civil rights movement experienced a growth in feminist consciousness as a result of the organization's gender politics (Anderson-Bricker 1999). In contrast, others failed to challenge hierarchies of gender and sexuality, arguing focusing on issues that seemingly lay outside civil rights agendas would dilute anti-racist action. Similarly, African American women have long held multiple perspectives on and taken an array of actions within Black religious organizations. Many African American women used the theology of a male-run church to advocate for gender equity whereas others questioned their ministers' interpretations of Christian scripture on the rightful place of women (Higginbotham 1993). Some left churches altogether, finding other faith traditions more suitable to their political perspectives. Black women were more likely to encounter women's issues via daily interactions within organizations that formed the public sphere of African American communities than within formal feminist organizations.

Despite the united front presented to the public, within African American communities Black women often questioned a solidarity politics that demanded their loyalty to Black men who not only failed to understand the social problems that Black women encountered, but who were often implicated in creating them. Rather than rejecting solidarity politics outright, a stance that has only now become available to many African American women, they chose to massage that solidarity, sometimes working with Black men, and other times opposing them. Flexibility that was tethered to principled social action did not mean that women valued obedience, but rather that social context mattered. In essence, intersectionality coupled with more contingent, flexible notions of Black solidarity shaped Black women's participation in broader projects of mid-twentieth century social movements, as well as to challenge understandings of solidarity long extant within African American politics.

A compelling case can be made that early-twentieth-century Black feminist intellectual-activists not only developed intersectionality in crafting theoretical analyses of specific social problems, but that they also practiced a flexible solidarity that had an important influence on their intellectual production. For example, in her 1892 volume *A Voice from the South*, Anna Julia Cooper (1858–1964) provides an intersectional analysis that precedes both modern

Black feminism and intersectionality. Contemporary scholars increasingly study Cooper as a foundational intellectual within Black feminism, pointing to her intersectional analyses of social inequalities that took power relations of race/class/gender and nation into account. Cooper also took a global perspective on social inequalities, with her work on revolutions in Haiti and France illustrating her understandings of colonialism and imperialism as forms of domination (May 2007). Ida B. Wells (1862–1931), another important African American feminist intellectual, also advanced intersectional analyses in the context of political action. Using the compelling case of lynching to point out how sexuality was intertwined with racism and sexism, Wells critiqued prevailing theories of social inequality that focused on African American biological and cultural deviancy (Collins 2002).

Cooper and Wells were also visible community organizers, and both women sustained close ties to African American communities. In the process of developing their intersectional analyses of the status of Black women and of lynching, Cooper and Wells were deeply embedded within African American communities and saw the potential effects of their intellectual work first hand. Yet their intellectual activism also reached beyond Black women's community work to broader domestic and international feminist and anti-imperialist projects. Their respective careers demonstrate a flexible solidarity where they entered into coalitions with Black men, White women, middle-class African Americans, and other political actors who could help solve the problems that concerned them.

The reemergence of a vibrant Black feminism in the early-twentieth century highlights the persistence of intersectionality and flexible solidarity within African American women's intellectual activism. Contemporary Black feminism explicitly self-defines in intersectional terms and draws on flexible solidarity in its organizational practices. The emergence of Black Lives Matter in 2012 illustrates the centrality of Black women as political actors and the resurgence of Black feminism as a social movement (Cobb 2016). Initially led by three queer African American women who created the hashtag #BlackLivesMatter, the stellar growth of Black Lives Matter from 2012 to 2016 illustrates how the legacy of Black feminism has been brought to bear on the contemporary social problem of state-sanctioned racial violence. The web site of Black Lives Matter has undergone substantial updating as the organization has grown, yet the description of their mission has remained constant:

Rooted in the experiences of Black people in this country who actively resist our dehumanization, #BlackLivesMatter is a call to action and a response to the virulent anti-Black racism that permeates our society. Black Lives Matter is a

unique contribution that goes beyond extrajudicial killings of Black people by police and vigilantes. Black Lives Matter affirms the lives of Black queer and trans folks, disabled folks, black-undocumented folks, folks with records, women and all Black lives along the gender spectrum. It centers those that have been marginalized within Black liberation movement. (blacklivesmatter.com)⁶

Black Lives Matter illustrates the interconnectedness of intersectionality and flexible solidarity as well as the continued challenges of using these ideas in contemporary inquiry and praxis. The movement as laid out by the founders of #blacklivesmatter is clearly intersectional by highlighting how all Black individuals within Black communities were worthy of political protection. Their intersectional mandate deepens analysis of how different sub-groups within Black communities experience racial domination. Significantly, the practices of Black Lives Matter also illustrate the challenges of using flexible solidarity both within a political community as well as among/across political communities. As the movement has evolved, it has rejected hierarchical institutionalization that characterizes traditional civil rights organizations in favor of a more fluid decentralized organizational structure.

Via its ideas and activities, Black Lives Matter advances a counter-narrative concerning intersectional power relations and counter-politics grounded in collective action that emphasizes the synergy of ideas and action. It includes tools of analysis of social problems, e.g., intersectionality as an analytical tool for understanding the organization of state-sanctioned violence across domains of power. Black Lives Matter also advances the idea of flexible solidarity as the bedrock of political action.

The type of Black feminism advanced within Black Lives Matter illustrates the significance of how collective social movements from below bring an oppositional standpoint to questions of participatory democracy. Advancing a social justice agenda requires deepening democratic participation, actions that highlight the creative tension between the desirable, the possible, the probable and the practical. With each iteration of a particular vision, in this case, intersectionality, or of ever-changing particular ways of experiencing the world, for Black women the lessons of flexible solidarity, everyday life is experienced as rooted, grounded, contingent, dynamic, and holistic. It is characterized by infinite opportunities to engage in critical analysis and/or take action. In everyday life, principles give life meaning and actions make it meaningful.

⁶ In: blacklivesmatter.com (Consulted on 15 February 2017).

The Difference That Power Makes: Implications for Intersectionality and Participatory Democracy

Because intersectionality and participatory democracy share a common historical trajectory, placing them in dialogue potentially benefits both projects. Both projects gained renewed visibility during mid-twentieth-century social movements for civil rights, feminism and the New Left (see, e.g., Collins and Bilge 2016, 65–77; D’Avigdor 2015). Intersectionality and participatory democracy also share a common set of concerns; both aspire to imagine new social relations of equality, fairness, inclusion and social justice. For both projects, achieving these ethical ends requires building equitable communities of inquiry and praxis that can survive within yet challenge intersecting oppressions. Stated differently, both projects confront the thorny question of building intellectual and political solidarities across differences in power.

Within these commonalities, intersectionality brings particular resources to the specific task of building inclusive intellectual and political solidarity that potentially benefits both its own project and that of participatory democracy. The power analytic presented here suggests a distinctive view of collective action that in turn fosters more complex understandings of political solidarity. Using the construct of community as a flexible, structural vehicle for complex solidarities supplements existing emphases on building political solidarity among individuals with a renewed attention to how structures and groups are equally if not more significant in political action. Power accrues to and is exercised by individuals, but those individuals are located within structures that serve as silent negotiators in political action. Attending to groups and collective processes creates new avenues of investigation, for example, building political solidarity (1) within and among historically distinct collective entities, e.g., communities that have a shared history and culture within systems of domination; (2) within specific domains-of-power as well as across such domains, e.g., communities of scholars and practitioners who recognize the necessity of collaboration; (3) within local, regional and national governmental units, e.g., projects to solicit citizen participation in public policy; and (4) social movements such as feminism, unionism and civil rights movements that make demands upon the nation-state or economic institutions. This renewed focus on power and politics that is grounded in communities of inquiry and praxis suggests several implications for intersectionality and/or participatory democracy.

First, scholars of intersectionality and participatory democracy alike must guard against relying too heavily on the questions that most interest elites, to

the exclusion of those that concern subordinated populations. For intersectionality, the shift from social movement settings into the corporate university has encouraged vigilance in protecting the ideas of Black feminism and social justice. In contrast, the demands on participatory democracy to refashion itself within neoliberalism as ideology of elites may be more muted, in part, because the ideas of participatory democracy are more directly threatening to state power. Because ideas matter, much is at stake within academia and government institutions alike in negotiating the seemingly antithetical standpoints of elite and subordinated groups.

Taking on the perspective of elites who enjoy far more access to and control over the state can unwittingly recast participatory democracy as a technical problem to be solved by the state rather than a political project that aims to empower subordinated groups. By conflating equality of citizenship rights with the ostensible equality of actual citizens who aim to actualize their rights, state-centered approaches use a power evasive framework. Diversity initiatives in colleges and universities that counsel students, faculty and staff to uncritically assimilate into academic power hierarchies rely on a power-evasive framework that emphasizes changing the person rather than the institution. Participatory democracy projects face similar pressures. When equality of rights becomes the taken-for-granted backdrop of democratic politics, social inequalities among citizens disappear as well as social inequalities within democratic institutions themselves. Resembling academic diversity initiatives, state-sanctioned projects can aim to encourage, train, and/or coach ostensibly equal citizens on how to better participate in democratic processes. Yet assuming that the citizen is the basic unit of analysis, and bundling citizens together in artificial units called publics unmoors Black people, women, indigenous people, Latinas, poor people and other disenfranchised groups from collective and historically effective forms of political engagement. On paper, all individuals are equal, yet in practice, this is rarely the reality.

For intersectionality and participatory democracy alike, bracketing issues of domination as background variables instead of structuring features of democratic processes facilitates managerial solutions to technical problems. Often the decision is clear-cut, but more often it is not. As suggested by the case of Black women's intellectual activism presented here, social actors and the projects they espouse can uncritically accept interests of elite groups, cast in their lot with subordinated groups, and/or work out some sort of pragmatic engagement with both sets of actors. This historical and social context catalyzed a distinctive intellectual and political sensibility within Black feminism, one that over time propelled it toward intersectional analyses that stressed the

significance of solidarity in the face of a dangerous enemy, and that conceptualized community in political terms.

Second, intersectionality's focus on intersecting power relations suggests that prevailing theories of power and politics are far less universal than imagined. Neither liberalism, with its valorization of individual rights, nor participatory democracy as a philosophy of how citizenship should work to ensure equality, was designed with subordinated populations in mind. Blacks, women, ethnic groups, and similarly subordinated groups often served as markers for the absence of rights that defined citizenship. Political theory that relies on assumptions of an imagined, ideal and normative citizen may seem universalistic. Yet political theories that ignore intersecting power relations that routinely exclude large segments of the population from first-class citizenship present particularistic theories that masquerade as universal. Relegating subordinated populations to second-class citizenship, or denying them any kind of citizenship, is part of the very definition of normal, first-class citizenship.

Intersectionality's focus on power relations provides an important oppositional lens for engaging mainstream social and political theories, yet the limitations of seemingly universal theories can also plague oppositional projects. Take, for example, how assumptions concerning individual citizenship that underlie both Western feminism and participatory democracy can misread the influence of social context on Black feminism. For many white, Western middle-class feminist thinkers, *individuals* constitute the primary social actors, with women organizing around personal advocacy for one's own interests. But this model flattens differences among women. The group-based treatment afforded people of color, immigrant populations, poor people and others whose group membership denies them rights of first-class citizenship have far fewer opportunities for political actions solely based on individual citizenship rights. This is not a choice between either the individual or the collectivity, but rather seeing how they work together. Black women certainly did advocate on their own behalf as individuals, yet an equally if not more prominent form of political engagement lay in involvement in community work *both* on behalf of themselves as individuals *and* others in their communities.

Third, robust projects of intersectionality and participatory democracy develop via practice, primarily within communities of inquiry and praxis that, while they emerge and subside within specific historic and social contexts, never disappear. Treating participatory democracy as a set of decontextualized principles that can be exported either into the academy or applied to preexisting state agendas misreads the significance of how and why freedom, justice, democracy and similar ethical ideas persist. Within intersecting oppressions,

invitations from the top for token inclusion in social institutions, for example, diversity initiatives in the academy or shared governance of hand-picked citizen participants in state institutions, do not ring true. Token inclusion is not the same as gaining political power. Representatives from subordinated groups may seemingly participate in all levels of governance, yet possess visibility without authority. Participatory democracy from the perspective elected officials differs from that of subordinated groups. Both may embrace principles of participatory democracy, especially if such principles are hegemonic, yet belief in the same value systems cannot override highly unequal possibilities for participation across multiple domains of power. In contrast to top-down managerial ethos, bottom up understandings of participatory democracy deepen through use. The case of African American women's intellectual activism suggests that Black feminist ideas about intersectionality and flexible solidarity have roots in the late 1800s. Over many decades, when Black women encountered familiar social problems in new circumstances, they drew upon and recast these ideas, testing and revising them via social action. Conceptions of intersectionality and flexible solidarity persisted, albeit with varying degrees of visibility to elites, in large part because such ideas were embedded in Black women's communities of inquiry and praxis.

Finally, building inclusive democratic communities requires rejecting permanent hierarchy in favor of intersectional understandings of solidarity that facilitate coalition-building. Intersectionality and flexible solidarity can both be useful in thinking about the kinds of alliances and coalitions that might effectively foster participatory democracy. Solidarity may be an admirable political goal, but can have within it entrenched social hierarchies that routinely privilege and penalize designated individuals and/or sub-groups. Instead, flexible solidarity can facilitate coalitions among groups who have a shared commitment to a social ideal, e.g., freedom, social justice or democracy, or to a shared social problem, yet who take very different paths into coalition building. Intersectionality counsels that coalition building requires recognizing how intersecting oppressions shape how individuals and groups experience and understand social inequality. Flexible solidarity suggests that solidarity is a worthwhile goal, but that rigid models of groupthink where members must uncritically accept a permanent hierarchy are unsustainable in the long run. Flexible solidarity can accommodate social hierarchy within it, but not as an absolute and intractable feature of collective politics.

To survive, participatory democracy and intersectionality must develop roots within existing communities of inquiry and praxis as well as build new coalitional communities. Such communities can draw upon flexible solidarity to help withstand the tests of time. Unless ideas become sedimented in politi-

cal and intellectual communities that can sustain themselves over extended periods of time, such communities may need to be repeatedly built anew in response to new challenges. Starting anew may not be the best option, yet when it comes to social inequality and the lack of democratic participation, there may be no other options.

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Part II

Innovative Methodological Directions and Implications for Policy Analysis

8

Quantitative Approaches to Intersectionality: New Methodological Directions and Implications for Policy Analysis

Joshua K. Dubrow and Corina Ilinca

Since the mid-2000s, methodological research into quantitative approaches to intersectionality has grown. Today, quantitative researchers still face numerous challenges to apply intersectionality and test its concepts and theories (Bauer 2014; Bowleg and Bauer 2016; Dubrow 2008, 2013; Hancock 2013; Hughes 2015; Hughes and Dubrow 2017; Else-Quest and Hyde 2016; Weldon 2006). As with all major intellectual projects, there is little agreement on definitions. How quantitative researchers define intersectionality is ably represented by Else-Quest and Hyde (2016: 320): “Intersectional research (1) attends to the experience and meaning of belonging to multiple social categories simultaneously, (2) includes an examination of power and inequality, and (3) attends to social categories as properties of the individual as well as the social context and considers those categories and their significance or salience as potentially fluid and dynamic.” Similar ideas are found in Winker and Degele (2011, 52–54).

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That people are composed of multiple identities and demographics rooted in social structure challenges every concept, theory, and method used by social scientists and policy researchers (Hankivsky and Cormier 2009). The foundations of democracy and society—who can participate, whose voice is heard, who in the policy process benefits and how, who has freedom of choice—rely on the actions of intersectional groups who simultaneously operate within and struggle against a reluctantly changing social structure.

The concepts and theories of the “who” of the policy creation, implementation, and impact process—the actors who simultaneously shape and are shaped by policy—are historically based on the either-or model: either gender or class, either race or sexuality. The classic theoretical literature on policy is compatible with an intersectional approach, but it is not explicitly stated. The contemporary empirical literature could deal with the complexity that intersectionality demands, but it overwhelmingly favours models in which demographics are added, one at a time. As popular as it is (Davis 2008), and as contested as it is (Cho et al. 2013), quantitative researchers have only begun to understand how to approach intersectionality.

In this chapter, we approach the quantitative methodology of intersectionality and view it as a way to approach the collection and use of information and as a way to explain data patterns. As others do, we contend that intersectionality, in all of its conceptual manifestations, should be widely studied. To study it, we should also develop methods that are flexible, giving intersectionality’s empirical researchers the widest array of choices for data, measurement, and analysis. We argue that for intersectionality to be studied by the majority of policy analysts, we need to better identify and contend with intersectionality’s biggest methodological challenges (Hughes and Dubrow 2017). The methodological challenges that we address in this chapter are (a) matching optimal methodological solutions to analyse each of intersectionality’s different theoretical strands, (b) appropriate measurement of intersectional groups and accounting for power structures, and (c) the small *n* problem (Bauer 2014; Dubrow 2008, 2013; Hughes 2015; Hancock 2013). To help move intersectionality into the mainstream of policy analysis and other social sciences, we need more methodological research that carefully maps the various conceptions of intersectionality to the various methodological approaches popular with them. We should try to use existing statistical procedures, such as structural equation modelling, to determine the extent to which they can account for intersectionality.

Conceptual and Methodological Challenges of Intersectionality

Demographics Versus Identity

Almost every article that features quantitative analysis of survey data with individuals as the units of analysis employs regression equations that include gender as a “standard demographic” to capture an important social dimension. Most quantitative researchers, it appears, assume that these standard demographics are stand-ins for identity, and this prompts a debate over the conceptual relationship between demographics and identity. At the outset, we know that identity and demographics are conceptually different (Weldon 2006; Bauer 2014).

The concept of identity is prominent in intersectionality research, for example, as discussed in Winker and Degele (2011), Bauer (2014), Collins (2015), Else-Quest and Hyde (2016). Whereas there are thousands of articles that use the concept of identity, scholars who invoke it rarely define it. From what we understand, identity, in its most basic sense, involves the perception individuals have of themselves and the characteristics that others project onto the individual. Writing in the *American Sociological Review*, Burke (1991) defined it: “An identity is a set of ‘meanings’ applied to the self in a social role or situation defining what it means to be who one is. This set of meanings serves as a standard or reference for who one is” (837). Identity is a subjective phenomenon that influences how they think and act.

Survey research generally uses demographics to measure intersectional categories, and thus demographics are meant to represent identities. Demographics are characteristics of respondents that allow researchers to locate them in the social structure—gender, age, sexuality, disability, race, ethnicity, and class, for example. The “standard demographics” of gender, age, and so on have been, with minor variations, present in surveys for decades (see also Simoes 2015). There is little rigorous scientific exploration of identities with new cross-national survey instruments that are potentially better suited to an intersectional approach (by now a long-standing problem; see the critique by Bowleg 2008).

The conceptual mismatch between identity and demographics has long been considered problematic (Weldon 2006; Bauer 2014). How can quantitative-oriented intersectionality researchers adequately measure identities without knowing how the respondents see themselves and how others see them?

To illustrate this problem, we examined how “gender” is known in cross-national surveys. Gender is a very common variable—how do we know the gender of the respondent? To find out, we examined the Survey Data Recycling database that come from “Democratic Values and Protest Behavior: Data Harmonization, Measurement Comparability, and Multi-Level Modeling in Cross-National Perspective” conducted by the Polish Academy of Sciences and The Ohio State University. The full description of these data appears in Tomescu-Dubrow and Slomczynski (2014) and Slomczynski et al. (2016), and these data are archived in Harvard’s Dataverse.

In the Survey Data Recycling database, researchers selected nearly all publicly available academic international survey projects that contain items on trust in institutions and political participation. The researchers selected 22 international survey projects, including the World Values Survey, European Social Survey, Eurobarometer, International Social Survey Programme, Life in Transition Surveys, and many others. Altogether the dataset includes selected variables from 1721 national surveys from 1966 to 2013, and a total of ca. two million respondents. Through an ex-post harmonization process,¹ the researchers selected source variables from national surveys and created a series of target variables, including participation in demonstrations, trust in institutions, as well as the standard demographics of age, gender, urban/rural residence, and education.

We examined detailed reports produced by the research group (available with the data documentation in Dataverse) on how they harmonized gender out of these 1721 national surveys (Slomczynski et al. 2017). To harmonize items into variables, the researcher first sees how the item appears in the questionnaire.

Not surprising, gender is a very popular survey item. It appeared in some form in all 22 international survey projects for 142 countries from 1966 to 2013. There are four national surveys out of 1721 where gender is not available, and the total item non-response for gender is 8062 cases that, out of 2.3 million, are obviously very small (non-response can appear for many reasons, from item refusal to administrative errors by the original survey researchers).

¹ While ex ante harmonization means that surveys are fielded in different countries with the design intent of an easier harmonization after the data are collected, ex-post means that the surveys were not designed specifically for harmonization (Granda et al. 2010). There is no common definition of ex-post, but from the literature, we can generically say that it is a process (a) in which different survey datasets that were not specifically designed to be compared are pooled and adjusted (i.e. recoded, rescaled, or transformed) to create a new integrated dataset that could be analysed as a typical single-source dataset; and (b) that is based on clear criteria that specifies which datasets are included into the new dataset and clear methods for how variables in the new dataset are created (Slomczynski et al. 2016).

How did the administrators of these international survey projects code “gender” in the national surveys? Sometimes the questionnaire refers to it as “sex,” sometimes as “gender.” The dataset almost always records fixed choice categories as “male” or “female.”

How do we know the gender of the respondent? This is the key to whether “demographics” as they appear in surveys are anywhere close to identity. There are no strict rules on whether the interviewer reports the gender of the respondent based on observation or whether they asked the respondent directly. In the Americas Barometer for 2006, the questionnaire reads: “Sex (note down; do not ask): (1) Male (2) Female.” In the International Social Survey Programme (ISSP) 2004, the item is “sex of respondent” and it assessed through “Interviewer observation.” In the World Values Survey 2010–2014, it is “(Code respondent’s sex by observation): 1 Male, 2 Female.” In some international survey projects, how gender is assessed varies by country. In ISSP 2006, in some countries the question is asked, “Are you male or female?” or “Are you a man or a woman?” In other countries, it is “Interviewer observation.” Some projects do not specify how gender was assessed.

If a core idea of “identity” is how the person sees themselves, then many surveys do not capture gender as an identity.

Measuring Power Relations in the Social Structure

Power is also fundamental to intersectionality. As Cho et al. (2013) write:

The recasting of intersectionality as a theory primarily fascinated with the infinite combinations and implications of overlapping identities from an analytic initially concerned with structures of power and exclusion is curious given the explicit references to structures that appear in much of the early work. (797)

The approaches commonly used to analyse survey data often assume structural power relations between individuals, groups, and the state—and as such are often not explicitly measured (a critique also made by Bowleg and Bauer 2016). The obvious problems of quantitatively measuring a power structure abound: Power is notoriously difficult to directly observe, let alone measure (Bachrach and Baratz 1962). Sexism, racism, and so on are a description of the structures of power, and some form of them should be directly accounted for. If we are to explicitly model power relations, we need to devise measures of it that are comparable across nations and that are appropriate to the theoretical model undergoing the empirical test.

Quantitative accountants of intersectionality who do not directly measure power relations may not be contending with a core aspect of intersectionality. Else-Quest and Hyde (2016), at the very end of their two-article treatise on quantitative methods and intersectionality, discuss “attention” to power. They only mention that one should “interpret” the results in terms of power and inequality. Bauer (2014) argues that we should make power explicit in our models. According to Bowleg and Bauer (2016, 337),

Bauer (2014) highlights the importance of intersectionality researchers attending not just to individual-level identity group effects, but also to the role of social positions and processes that give rise to social-structural discrimination. Understanding group-level effects (e.g., at the institutional, neighborhood, local, state, or national level), and how to measure and account for them, is essential to conceptualizing and measuring structural inequality.

How to measure power structures? First we need to identify which power structures are at work. One structure is patriarchy. How to measure it? Savolainen et al. (2017), though not an intersectional work, is instructive. They used aggregated survey questions on gender equality:

Participants in various waves of the WVS2 [World Values Survey round 2] have been asked to respond to three statements about the role of women in society: (1) “Men should have more right to a job than women”; (2) “university is more important for a boy than for a girl”; and (3) “men make better political leaders than women do.” The percentage of the respondents who agree with the statement (either strongly or somewhat) serves as an indicator of the level of patriarchal normative order in the nation.

One can also use administrative data. Savolainen et al. (2017) use United Nations’ Gender Inequality Index (GII): “The Gender Inequality Index (GII) describes gender-based disparities in areas of human development and social achievement across nations (United Nations Development Programme 2015). Three dimensions are assessed: reproductive health, empowerment, and economic status.” Bowleg and Bauer (2016, 338) also suggest these kinds of contextual variables: “Intersectionality researchers can integrate the structural into their design and analyses of individual-level data through linkages with relevant structural-level local, state, and federal data (e.g., geographic information system, U.S. Census Bureau).”

Bowleg and Bauer (2016) also suggest policy variables. It is not quite clear how to implement this, as policies can be very specific. In cross-national research, one can measure whether the country adopted Committee on the Elimination of Discrimination against Women (CEDAW) or other international conventions of gender, or perhaps national policies on reproductive rights.

Accounting for power structures can be done theoretically, but requires careful attention to the measurement of the power structure or, at a minimum, a multi-level approach (Winker and Degele 2011).

We must be clear as to what a power structure is. Power is a relationship. Power, in the classic formulations by Max Weber and Robert Dahl, is the ability to do what you want despite the resistance of others. A structure of power is a structure in which some groups consistently get what they want, despite resistance. But power is also manifested when there is no overt resistance—when people don't try, power is at play (Bachrach and Baratz 1962). When people feel powerless, power is at play. We can't observe it, but power is there.

Contexts are not necessarily power structures. Power lies behind context, but it can be indirect. Is economic inequality a power structure? Is gross domestic product (GDP) a power structure? Is the level of democracy a power structure? Is adopting a policy to improve the lives of women a power structure? All of these are contexts and power relations are there, but these are not direct power relationships. It would stretch the term "power structure" to unrecognizable dimensions.

Some Quantitative Methodological Problems of Intersectionality and Some of Their Solutions

A challenge for intersectional survey research is the small *n* problem—when there are too few observations in the sample to permit the desired analysis. To perform the multivariate quantitative techniques popular in analyses of survey data, we need an adequate number of cases in each category. For instance, if gender and class are necessary for our study, and we want a detailed class schema (i.e. more than two nominal categories), then we face the problem of having too few cases in a given gender*class category. With extant survey and administrative data, we generally have too few cases to allow rigorous intersectional analysis with the extant statistical techniques (see Hancock 2013 for QCA methods).

Solutions to the Small n Problem

To solve the small n problem using cross-national surveys, we have six main options (each option has its own cross-national data and measurement comparability issues):

1. Limit the number of intersections and the content of intersections, that is, create only those that have a sufficient number of cases;
2. When analysing a concept with multiple categories, such as social class, meaningfully combine those categories, that is, “pooling categories”;
3. Pool countries within one survey wave, that is, “pooling countries”;
4. Pool the same country across multiple survey waves, that is, “pooling time”;
5. Pool countries and time;
6. Harmonize different datasets of the same country, that is, “pooling international survey projects.”

Pooling International Survey Projects, That Is, Survey Data Harmonization

We now go in-depth on *ex-post* cross-national survey data harmonization (SDH) as a solution to the small n problem.

Up to now, the largest and most widely available cross-national survey data sources allow researchers to pool both countries and time (World Values Survey, European Social Survey, International Social Survey Programme, and the like). What if you want to analyse one country within a comparable time period, and still need a large enough number of cases to create and analyse intersections? What if, in the construction of intersections, you do not want to be limited by intersectional categories and do not want to be forced to pool categories within the concept? Important implications for social policy arise from these questions. What intersectional categories are of interest and how many cases are available for policy analysis?

One solution is to pool international survey projects. This requires the harmonization of multiple cross-national survey projects. Cross-national survey data harmonization combines surveys conducted in multiple countries and across many time periods into a single, coherent dataset. It is a generic term for procedures that aim to achieve, or at least improve, the comparability of surveys over time and of surveys from different countries (Granda and Blasczyk 2010; Granda et al. 2010). *Ex-post* survey data harmonization is an especially

complex process because it combines projects that were not specifically designed to be comparable. Though fraught with a daunting methodological complexity, *ex-post* harmonization can tap the great wealth of cross-national surveys produced by the international social science community in ways that influence our substantive and methodological knowledge (Slomczynski et al. 2016; Dubrow and Tomescu-Dubrow 2015).

In essence, we could analyse a single country within a reasonable time frame if we combine the international survey projects in which that country appears. For example, if we want to analyse Poland, we can analyse the European Social Survey in 2002, where *n* is approximately 1500, which is too small for fine-grained analysis of a class schema with greater than two or three categories. But, if we pool Poland European Social Survey (ESS) and World Values Survey (WVS), for example, for the years 2000–2003, our *n* increases to approximately 3500. If we add more survey projects, we add more cases. Our modelling choices increase.

The Survey Data Recycling project, from the Polish Academy of Sciences and The Ohio State University, produced a large-scale harmonized dataset that we discussed above (for a description of the project, see Tomescu-Dubrow and Slomczynski 2016).

Survey data harmonization has a lot of promise and a lot of challenges. It is a tremendous time, effort, and money-consuming endeavour and the outcome is a target dataset with a very large *n* and a few harmonized variables. Methodological problems are even more daunting. To identify all of the methodological challenges inherent in survey data harmonization, it is best to start with the overarching methodological challenge in data comparability and then recognize that there are numerous methodological problems and room for error at each step of the harmonization process (Tomescu-Dubrow and Slomczynski 2016). In harmonization, this means moving from source variables—the original variables in the datasets of particular surveys—to target variables, that is, the harmonized, common variable produced from the source variables. The challenge of cross-national survey data harmonization is to produce meaningful data that accounts for all of the error produced in the data lifecycle (Granda and Blasczyk 2010). This lifecycle begins at the initial data source (e.g. each country involved in the international survey research project) to the harmonization decisions undertaken by the survey data harmonization project (creation of the target variables), to data cleaning of the final master file (the harmonized data). Thus, not only do survey data harmonization projects inherit the errors of the initial data source, but they may create their own in the harmonization process (see Tomescu-Dubrow and Slomczynski 2016 on explicitly accounting for errors using the Survey Data Recycling approach).

The implications for the future of the analysis of intersectionality using existing cross-national surveys are clear: By pooling international survey projects can we create, for a single country or a group of comparable countries, a sufficient number of cases within comparable time period.

Big Data and Intersectionality

Pooling international survey projects creates a very large n . The idea and the resulting dataset invite comparisons to the big data wave that is now popular in business and science and has been aggressively reported on in the mass media. There is a recent journal published by Sage, *Big Data & Society*, and many books are published about it (e.g. Mayer-Schonberger and Cukier 2013). Like intersectionality, big data is a concept of no common definition. In general, it refers to any dataset that has an unusually large number of cases and is composed of a diversity of sources. The number of variables can be very small, there is no limit on time or space coverage, and there is no specification of how diverse “diversity of sources” should be (Jenkins et al. 2016).

Survey data harmonization of a certain size becomes big data, but does not necessarily embrace the big data ethos embraced by big data enthusiasts, especially those working in the business sector. In cheerleading big data, Mayer-Schonberger and Cukier (2013) argue that we should not care about the errors in the data (in their words, “messiness”). Since their data allegedly captures everyone, they assume the data are representative of the population (in their words, “ $n = \text{all}$ ”). They also advocate for correlation over the search for causation.

Big data produces large enough numbers of cases for all sorts of analyses that are popular with quantitative social scientists. As Mayer-Schonberger and Cukier (2013, 189) put it in their discussion of exit polls,

exit polls on election night query a randomly selected group of several hundred people to predict the voting behavior of an entire state. For straightforward questions, this process works well. But it falls apart when we want to drill down into subgroups within the sample. What if a pollster wants to know which candidate single women under 30 are most likely to vote for? How about university-educated, single Asian American women under 30? Suddenly, the random sample is largely useless, since there may be only a couple of people with those characteristics in the sample, too few to make a meaningful assessment of how the entire subpopulation will vote.

What they call “drill down into subgroups” is what advertising companies have done for a long time. Targeted advertising is built on finding “subgroups.” The difference between the pre-big data era and now, besides the ubiquitous invasion of privacy by social media and other internet companies, is a combination of very large numbers of cases with the technological and statistical sophistication that enables researchers to use statistical software such as Hadoop to derive correlations. In thinking about policy, Stone (2001) underlines the importance of recipients’ characteristics, among the rule of distribution and the actual item of distribution (see also Preda 2002). In order to develop a meaningful policy for particular groups, the more characteristics available, the better one can identify them.

Knowing all this, there is no straight line from big data to “intersectionality.” Big data and “drilling down into subgroups” do not mean that we understand the identities of the people and groups, and it does not mean that we account for power structures. Without identity and power structures, we may not have intersectional analysis.

Structural Equation Modelling

Weldon (2006) argues that interaction terms are inherently incapable of capturing the central idea of intersectionality and that we should not confuse multiplicative models with intersectional models. However, Weldon does not explain how to construct an intersectional variable. If the intersectional model includes the constituent effects—the interaction term and the intersectional variable—then what is that variable composed of? Is it a scale or index? Can it be created using existing data reduction techniques such as factor analysis or structural equation modelling?

We argue that factorial analysis should be more widely used to account for intersectionality. Intersectional groups are complex groups, and factorial analysis aims at capturing constructs that are too complex to be measured directly (see more details on constructs and factorial analysis at Edwards and Bagozzi [2000] and Duntzman [1989]).

To demonstrate its potential, one should consider the connection between the anti-categorical approach to intersectionality (McCall 2005) and assumptions behind two factorial approaches, that is, a reflective factor and a formative factor. We construct the intersectional factor using three indicators—gender, ethnicity, and class—and we investigate statistics about the intersectional advantage measure, perhaps in a larger model, and without taking a look at the actually observed indicators. The assumption would be that the construct cre-

ated based on the indicators is relevant to capture the complexity of intersectionality, and the indicators play the role of constructing it.

The reflective and formative types of factors (for more details and examples, see Tufiş 2012; Diamantopoulos et al. 2008; MacCallum and Browne 1993) may be two different ways of accounting for intersectionality in a quantitative methodological design. The indicators we are using here to construct the factors called *intersectional advantage* are gender, ethnicity, and class, but other indicators can be added as well. In order to keep the example simple, we consider each of these three indicators as dummy variables, having the following codes: gender with (1) men and (0) women; ethnicity with (1) individuals belonging to the majority ethnic group and (0) to individuals belonging to the minority ethnic group; and social class with (1) individuals belonging to a privileged class and (0) individuals belonging to a disadvantaged class. Our construct compares between groups considered more advantaged than others, and this position of advantage needs to be theoretically established prior to the construction of the model (see Dubrow [2013] for two theoretical hypotheses of disadvantage applied to intersectionality).

Discussions about differences between reflective and formative indicators (Bollen and Lennox 1991) should be taken into account when reflecting upon which kind of factor would be more appropriate when measuring a construct. We define intersectional advantage as a comparison of more advantaged groups to less advantaged ones. In measuring intersectional advantage, both reflective and formative approaches may be considered (see Fig. 8.1).

There are similar characteristics between the two types of factors: both use the same observed measures, that is, gender, ethnicity, and class; both factors aim at measuring the theoretical concept of intersectional advantage; both use class to scale the factor, that is, the number 1 on the arrow between class and intersectional advantage (this choice was arbitrary here). The reflective indicators factor (Fig. 8.1a) brings about the assumption that each of the indicators

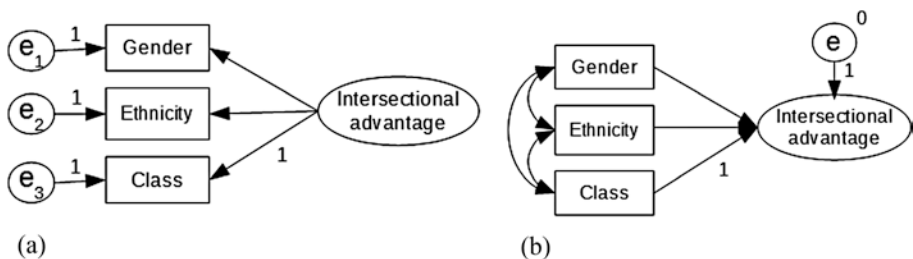


Fig. 8.1 Illustration of reflective (a) and formative (b) indicators of a factor measuring intersectional advantage

is not perfectly measured and the error terms associated capture measurement error. Moreover, these errors are considered as uncorrelated.

The formative indicators factor (Fig. 8.1b) does not account for these errors, but it captures the error in measuring the factor that represents intersectional advantage. If this factor is not a cause of at least two other variables in a larger model, we need to set the variance of the error term to 0 as to be able to have the model identified (MacCallum and Browne 1993). This assumption implies that there are no other variables measuring the intersectional advantage concept. Another assumption of the formative model is that we assume the indicators to be correlated between them and the intensity of the correlation may depend on the context (see Bollen and Lennox 1991). Even if the design implies causality, the interpretation is not based on causality. The design acts as a tool for constructing the intersectional advantage factor in an anti-categorical approach. Both the reflective and the formative factors bring advantages and drawbacks and we think that further reflections and tests should be considered in the area of intersectionality.

Mixed Methods and Intersectionality

Methods are tools and tools have limits. The classic arguments of quantitative and qualitative methods go like this: Quantitative analysis allows us to generalize across populations, but is less well suited to a deep discernment of the meanings and thought processes of the respondents and the social structures and political institutions in which they live. Qualitative analysis offers a deeper discernment of the lived experience, but it cannot be meaningfully generalized.

A mixed method approach allows researchers to not only combine diverse data sources but also synthesize concepts, theories, and methodologies that best suit the central premise of the research. The mixed method approach offers insights that would be missing from a quantitative-only, or a qualitative-only, approach. It fills in the research gaps of the quantitative-only approach by accounting for both the process of intersectionality and generalizing findings across populations. Quantitative approaches do not measure well the kinds of identity important to intersectional researchers, and they rarely explicitly model the structural inequalities in power and privilege that influence individual and group thoughts and behaviours. A qualitative approach can explore identity and the structures of power in a detailed and nuanced way.

As an example, consider that we would want to understand the different ways that men and women participate in the policy making process within government agencies. In the quantitative part of the research design, we use

an existing survey that uses demographics to build the intersection (e.g. gender*age*class) with the available items. In the qualitative part of the research design, we can use a series of in-depth interviews with individuals composed of the intersectional identities of interest and ask them about the ways in which they participate. Using qualitative analyses of various types—for example, interviews, participant observation—can also explore the facets of the structures of power and privilege that influence gendered differences in political participation. This approach is useful for building theory and for building better quantitative models within the research project, and to inform future research projects.

Conclusion

Intersectionality complicates everything, including the choice of survey data, the measure of empowerment, and even what countries we study. Inequality in the World Science System, including country coverage in international surveys, limits the choices of countries one can study (Slomczynski and Tomescu-Dubrow 2006). Surveys have item, time span and coverage limitations, as well as uneven data. Pooling international survey projects is a solution, but as discussed above, it carries with it its own limitations. A mixed method approach can address some of the core deficiencies of the quantitative-only approach. It does so by providing detail on identities and the structures of power and privilege that are important to the research problem. The knowledge attained from the qualitative part can help build a better, more nuanced quantitative model.

Quantitative approaches have implications for policy analysis. For social insurance, either private or public, policy makers may take into account actuarial calculus also for intersectional categories, not only for each characteristic at a time. For example, Roma women belonging to a low social class present a higher risk of unemployment or low income than each of these types of people taken separately as independent groups: Roma people, women, or people belonging to a low social class.

But are we doing intersectionality? The answer depends, of course, on how intersectionality is defined. Quantitative researchers typically use demographics as found in surveys to measure identity. To say that you are then doing intersectional research, you would have to believe, without evidence, that the items available in surveys now are substantially similar to identity. You'd have to believe, if you were to somehow ask the same respondents a different set of questions designed to measure the intersections of their gender, age, race/

ethnicity identity, and so on, that you would get a substantial match and the results from your quantitative models would be the same. There's no evidence of this, so it's a matter of belief.

With power structures, you'd have to believe that being unable to directly measure power structures is acceptable, so long as they are interpreted in the results. You'd have to believe that simply interpreting the results in terms of "power structures" is enough to call it "intersectionality."

What quantitative researchers typically do is to use old data to discover new patterns. Some apply a kind of cumulative disadvantage theory (e.g. Dubrow 2013). Cumulative disadvantage argues that groups can be ranked according to some resource scale, such as socioeconomic status, and the groups with the least are at the bottom of the social ladder. In short, this theory says that the more disadvantaged demographics represented by the individual, the fewer the socioeconomic resources. This approach has been criticized by various intersectionality scholars (e.g. Purdie-Vaughns and Eibach 2008; Walby 2007). To say who would be the most disadvantaged, some have relied on the empirical literature that shows the relative disadvantages of being male versus being female, of being in an ethnic minority or not, and of membership in disadvantaged classes, and so on.

What we usually end up finding is "group-specific" disadvantage. Like cumulative disadvantage, this theory says that some combinations of demographics—that is, intersections—have higher socioeconomic resources than others. According to group-specific disadvantage, however, resource allocation depends on the specific combination of demographics and allows for the possibility that disadvantage is not necessarily cumulative. In this theory, "group" means the specific intersection of demographics; for example, gender is not a group, but gender-ethnicity-class is a group.

In these analyses we may find that women and men do not differ much on some dependent variable, but when we intersect gender and class, we do find significant variation. Is this intersectionality?

The controversy over the definition of intersectionality is long standing (e.g. Mooney 2016: 2),² but extant survey and administrative data were not designed to deal with the main strands of intersectionality as discussed by

²Mooney (2016) wrote: "Bilge (2013) argues that a methodology designed to explore the oppression of black women has been commandeered by European feminists (e.g. Lutz et al. 2011), as an intellectual exercise to explore other dimensions of difference, such as disability. Nash (2008) contests this perspective; to associate the method only with black marginalized women is as blinkered as the former privileged white middle-class feminist lens. Crenshaw considers the differences between theoretical positions are less important than the diverse aims and accomplishments of intersectional studies and projects across various disciplines."

Crenshaw and Collins and many other theorists. If we cannot account for intersectionality with extant quantitative data, what should we do with this basic and powerful idea with the data that we have? Simply ignore this idea? Be inspired by intersectionality but call it something else? Hancock (2013, 296) cautioned against both ignoring the problems of extant quantitative data and not using it:

To reject intersectionality as a testable explanation would “cede ground” ... that CRT scholars cannot reasonably afford to lose—claimants are seeking relief and must use all available and permissible strategies to remedy the injustices that continue to pervade our society. On the other hand to ignore paradigm intersectionality would risk losing some of the most valuable structural insights of legal scholarship in a generation.

In the end, what quantitative researchers often do is look for new patterns in old data. This is a good thing—re-using, re-analysing, or re-purposing data leads to new insights. In this way, science makes progress. But whether what we are doing is intersectionality depends on the definition of intersectionality.

Intersectionality is a paradigm, but needs methodological innovations. We need to develop methods that provide intersectionality’s empirical researchers the widest array of choices for data, measurement, and analysis. The best place to start is with existing methods, but methods advance. Methodological advances as a result of survey data harmonization, big data, and mixed methods will continue to push intersectionality into the mainstream and change how social scientists conceptualize and conduct their empirical research.

We need much more research on how to match the various conceptions of intersectionality with the various quantitative methodological techniques popular with social scientists. This is the type of project that can only advance by small increments and painstaking work: through accumulated practicalities and knowledge based on careful testing. The challenge is to empirically demonstrate that the intersectionality framework reveals new insights and patterns of policy making, impact, and effectiveness. To meet the challenge, we need to re-think how we are using existing data and how we can design data collection to account for varieties of intersectionality. We need an interdisciplinary perspective on our methods to discover how best to analyse the complexity of intersections, and ideal ways to present this research. Intersectionality is a challenge to policy research as usual. We need to develop methods that balance our desire for parsimonious explanations with the complex messiness of reality.

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9

Cultivating Intersectional Communities of Practice: A Case Study of the New Mexico Statewide Race, Gender, Class Data Policy Consortium as a Convergence Space for Co-creating Intersectional Inquiry, Ontologies, Data Collection, and Social Justice Praxis

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Introduction

At Southwest Public University (SPU),¹ a collective of senior white women faculty convened a meeting with high-level university administrators, all of whom were white men. The purpose of the meeting was to air a list of demands outlined in a memo entitled “What Women Want.” During the question and answer period, one of the few racially stigmatized visible minority women faculty members in the room queried “How will the administration ensure that future pay gap studies take into account the experiences of women of color?”

¹ Southwest Public University (SPU) is a pseudonym.

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Visibly perturbed by the question, one of the senior white male administrators in attendance retorted: “First, we’ll deal with the women, then we’ll deal with the minorities.” The gasps and utters of disbelief were audible. One of the few senior women of colour faculty members in the audience clenched one hand on her seat and the other hand over her mouth in disbelief: “Did he just say that? I cannot believe that he just said that. I’m having a Sojourner Truth moment: Ain’t I a Woman?”

After what appeared to be a deafening silence, a courageous ally, a white woman faculty member, intervened: “With all due respect Dr. Smith (pseudonym), I want to point out that there are a plethora of studies that show that the experiences women of color faculty in the academy are qualitatively different than that of White women faculty. Women of color faculty are often subjected to heavier mentoring, teaching and service loads than similarly situated White women faculty, regardless of rank. They are also subjected to race-gender hostilities in the classroom, in their teaching evaluations and their voices and perspectives are often marginalized in their departments. There are also issues of race-gender pay equity and the list goes on.”

Red-faced and incoherent, Dr Smith apologized.

The scenario above speaks volumes about the importance of engaging in what Crenshaw calls “Mapping the Margins,” or interrogating who is left out of the picture when we ignore intersectionality or the *simultaneity* of race, gender, class as intersecting systems of privilege, inequality and resistance (Crenshaw 1991). This scenario is also illustrative of the need to cultivate communities of practice around intersectional inquiry, ontologies, data collection, analysis, and liberatory solidarities (Viruell-Fuentes et al. 2012; Hankivsky and Cormier 2011; Jordan-Zachery 2013). It compels us to consider how despite the best of intentions of the senior white women faculty who organized the meetings, the lack of on-going critical self-reflexivity about their positionality and social locations in systems of power, privilege, and inequality may inadvertently contribute to the centring and universalizing of the experiences of white women, while making the experiences of visible racially stigmatized women in the academy invisible (Zambrana 2018; Baca Zinn et al. 1986; DeLeon et al. 2017; Zambrana 2018). It also shows the power of intersectional allies and accomplices that engage in troubling the status quo (Hardy-Fanta et al. 2016).

How can intersectional scholar activists and practitioners cultivate communities of practice that embrace intersectional inquiry, ontologies, and data collection for the advancement of equity and social justice for marginalized communities? What role can ethical data collection, inquiry, analysis, policy, and praxis (action and reflection) play in advancing intersectional social justice

transformations? The purpose of this chapter is to provide a case study of the birth and work of the New Mexico Race, Gender, Class Data Policy Consortium. We argue that transformative intersectional possibilities can be accomplished with little if any funding if you create a community of practice committed to intersectional empowerment in your sphere of influence. A necessary precursor for cultivating a community of practice and eventually institutionalizing intersectionality as a new “gold standard” for policy and praxis is critical ongoing self-reflexivity about one’s social location in systems of privilege and disadvantage vis-à-vis systems of race, gender, class, ethnicity, sexual orientation, and other axes of power, privilege, and inequality. A second and important part of institutionalizing intersectionality is instituting explicit policies including legislation that supports building a data infrastructure with capacity for intersectional analysis. This would mean that separate questions that would not flatten the difference between race as analytically distinct from ancestry, ethnicity, tribal status as well as gender, sexual orientation, sex assigned at birth as well as income, wealth and parental educational attainment would be included in all data collection efforts and they would also shape analytical strategies for distinct social locations as categories of experience (López et al. 2017a, b; López 2013; López 2018; Collins 2007; McCall 2005; Huyser et al. 2009).

This chapter is organized into three parts. First, we describe intersectionality and the important role of ongoing critical self-reflexivity. We also provide visual tools for advancing intersectional inquiry and ontologies as a necessary first step for engaging in intersectional praxis. Next, we describe the sociohistorical context of settler colonialism, systemic racism among other systems of inequalities as the backdrop for glaring intersecting inequities in New Mexico. Third, we describe the birth, vision, and mission of the New Mexico Race, Gender, Class Data Policy Consortium as well as illustrate how we can use Census data to advance intersectional knowledge projects related to education and income inequality. We end with an invitation to researchers, scholars, practitioners, and community members to consider creating their own Race, Gender, Class Data Policy Consortium in their own local contexts for the purpose of cultivating intersectional institutional transformations at the local, municipal, state, federal levels in the US and beyond as a policy imperative.

Got Intersectionality? An Invitation to Developing Your Intersectional Lens and Praxis

Intersectionality can be described as a knowledge project that is anchored in on-going critical inquiry and praxis (continual action and reflection). Collins and Bilge (2016) explain:

When it comes to social inequality, people's lives and the organization of power in a given society are better understood as being shaped not by a single axis of social division, be it race or gender or class, but by many axes that influence each other. Intersectionality as an analytic tool gives people better access to the complexity of the world and of themselves. ... People use intersectionality as an analytic tool to solve problems that they or others around them face. (p. 2)

Intersectionality examines the simultaneous workings of systems of oppression/resistance such as race/structural racism/white supremacy, class/classism, nativity/nativism, ethnicity/ethnocentrism, sex and gender/sexism and patriarchy, sexual orientation/heterosexism, nativity/nativism, and other systems of oppression and their links at individual/micro-, institutional/meso-, and structural/macro-levels (Collins 2009). Intersectionality is not simply about *adding* "race," "ethnicity," "nativity," "gender," or other individual-level descriptive characteristics to conventional multivariate quantitative statistical models (Bowleg 2008; Hancock 2016; López and Gadsden 2017; López et al. 2017b). Instead, intersectional analysis advances greater understandings about diverse categories of experience (Collins 2007).

We can advance ontologies of intersectional social justice through ongoing deep critical self-reflexivity. Figure 9.1 depicts a tool that we can use to visualize and engage in critical self-reflexivity about how our identity, values, social locations, and lifelong cumulative experiences within structural systems of power, privilege, and disadvantages shape our inquiry, ontologies, cognition, epistemologies, ethics, positionality, standpoint, narratives, and praxis (action and reflection).

We (co-authors: two Latinx women, one Latinx man, and two white men, ranging in age from 30s to 50s) recognize that although we all experience intersectional privileges as US-born, able-bodied, heterosexual people with graduate degrees, we have very different intersecting social locations. Three Latinx research members vary in terms of how we would be racialized in terms of our race/colour/street race or how other Americans who do not know us would automatically ascribe our race based on what we look like (For more on "street race" see López et al. 2017a, b); we also have different ethnic backgrounds and tribal statuses (e.g., Black/Afro-Latinx, white Latinx, Brown Latinx; Dominican, Puerto Rican, New Mexican Chicana, and Sandia Pueblo tribal status). Although we all have graduate degrees, we come from very different class origins (e.g., some of us grew up in concentrated urban poverty with parents who were only able to go to elementary school, while others grew up in poor rural communities; some of us have parents with graduate degrees). We all have varying parental statuses and caregiving responsibilities (some

What's *your* intersecting social location and experience in social structures of inequality?
An Invitation to On-going Critical Intersectional Self-Reflexivity About
Difference, Power, Privilege, Discrimination, Resistance and Social Justice Praxis

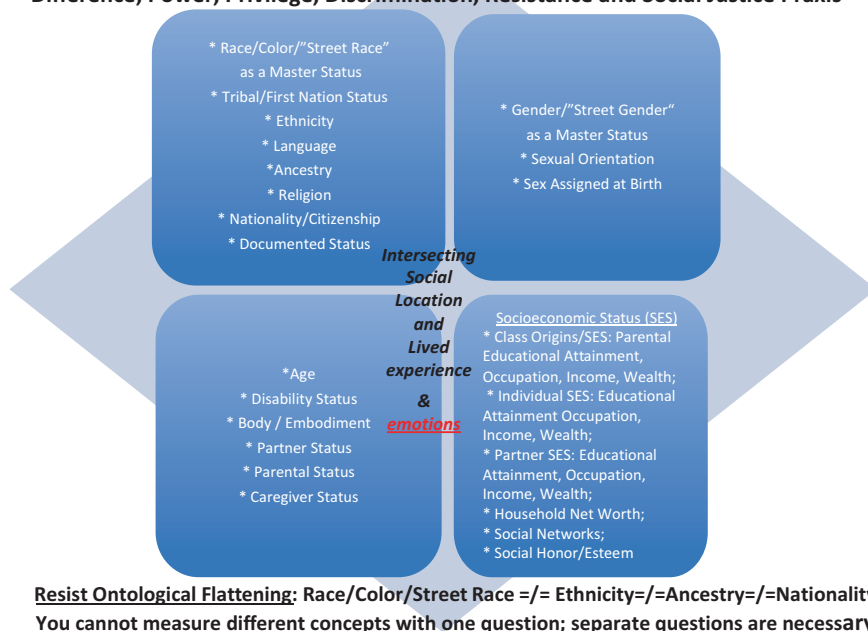


Fig. 9.1 A tool for visualizing and engaging in ongoing intersectional self-reflexivity

have no children others have several children under the age of 18). The point of being attentive to our intersecting social locations is that we are well aware of the ways in which regardless of “good intentions” privilege blinds; therefore, we make every effort to always be attentive to how we are relationally situated within systems of power and inequality as a moral and ethical imperative.

In addition to recognizing how one is situated in systems of power, privilege, and disadvantage, Fig. 9.2 below depicts the importance of visualizing how these systems of inequality intersect and how power is structured and organized at multiple levels beyond and above the individual. We provide a visual of intersectionality or what Collins (2009) refers to as the matrix of domination. The matrix of domination consists of two parts. First a particular configuration of intersecting structural systems of inequality and second, a particular arrangement of power. Power relations (oppression/resistance) are visible at multiple levels—from the interpersonal level of consciousness, narrative, cognition, and lived experience, to the disciplinary level where the “rules of the game” and “techniques of surveillance” are negotiated, to the structural level in the form of institutional and other organizational arrangements.

VISUALIZING THE MATRIX OF DOMINATION (Collins 2009)

Part 1: Intersecting Systems of Oppression: **Setter Colonization-White Supremacy-Structural Racism-Patriarchy-Heterosexism-Nation/Nativism-Ableism-**

Part 2: Arrangements of Power

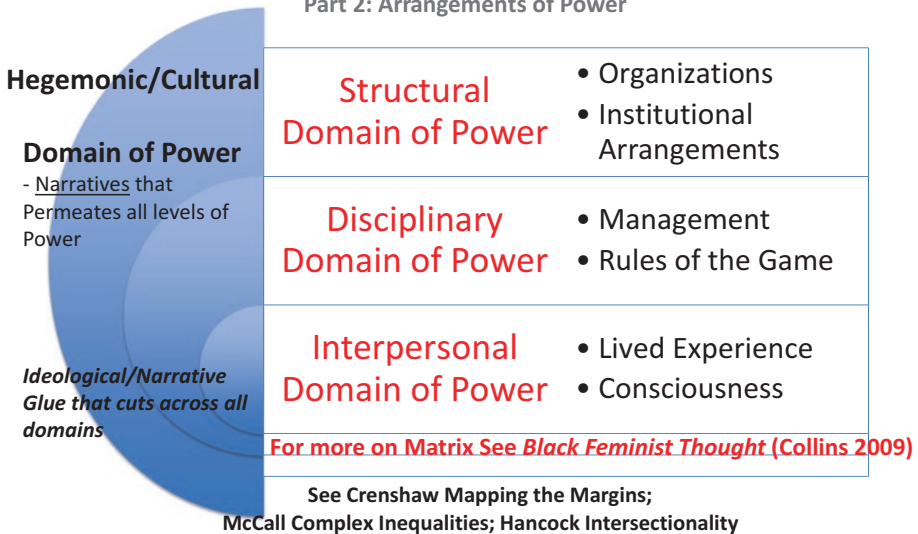


Fig. 9.2 Visualizing intersectionality through the matrix of domination

Ideology serves as the “glue” that permeates all of the aforementioned domains of power. The cultural/hegemonic domain of power serves as the thread that connects the interpersonal (micro), disciplinary (meso), structural (macro) domains of power (Collins 2009; Collins and Bilge 2016). It is important to underscore that resistance to oppression is possible in any of the aforementioned domains of power.

The purpose of these visual tools (Figs. 9.1 and 9.2) is to invite you and hopefully others to engage in ongoing self-reflexivity to reach a deeper understanding of your social location in structural inequalities. This on-going critical praxis (action and reflection) at the individual level and at the community level is a necessary first step for cultivating what we call “Transformational Intersectional Capital.” The formation of Transformational Intersectional Capital (TIC) can occur in at least two levels: First, at the individual level, one can reach a deep understanding of how one’s own values, identity, social structural locations, and accompanying cumulative lifelong experiences within intersecting systems of power, privilege, oppression, opportunity structures and resistance shape our ontologies, epistemologies, narratives, and praxis (action and reflection). Second, at the community level, groups can create a deep and complex tapestry of understanding that is enhanced when people from different walks of life, institutional and community sectors, come

together to create innovations for empowering marginalized communities. The formation of Transformational Intersectional Capital at both the individual and community levels serves to advance a deeper understanding of the complexity of intersecting inequalities that centres the lives of marginalized communities. It also contributes to the formation of programmatic innovations that would not ordinarily be possible without the commitment to intersectionality as a praxis. It is our hope that these tools can interrupt the paralysis that often characterizes well-intentioned individuals and organizations from advancing innovations in social justice policies, praxis, and eventual transformations of unjust conditions for marginalized groups.

Before describing the birth of the New Mexico Statewide Race, Gender, Class Data Policy Consortium, it is important to take stock of the historic and ongoing dynamics of settler colonialism in the US Southwest or what McCall (2001) refers to as “complex configurations of inequality” in the New Mexico context. The next section illustrates how radical contextualization of a given sociohistorical context is a necessary first step for mapping the roots of inequities and advancing social justice (Chapman and Berggren 2005).

Settler Colonialism in the New Mexico Landscape

New Mexico is a case study in settler colonial projects in the US context. Nakano Glenn (2015) defines settler colonialism as an ongoing and ever-present social structure that continually impacts the lives of neocolonial subjects. The largest metropolitan centre in New Mexico, Albuquerque, is comprised of over 600,000 residents in a state of just over two million people. The Sandia Mountains is a visible reminder that Albuquerque was founded in 1706 by Spanish settlers on territory of the Sandia Pueblo (first nation) (see Fig. 9.3). Indeed the word “Sandia” means watermelon in Spanish and it references the fiery red sunsets visible at sunset on the mountains.

By the mid-nineteenth century, a second set of settlers arrived. New Mexico became a territory of the US in 1848 and finally became a state in 1912 (Gonzales 2016; Nieto-Phillips 2008). Albuquerque had its name changed from the original Spanish spelling “Alburquerque” to Albuquerque because the correct spelling of the word was deemed “too difficult” to pronounce by English-speaking white Anglo settlers in the late nineteenth century. In her book, *Manifest Destinies: The Making of the Mexican American Race*, Gómez (2018) argues that part of the reason why it took so long to bestow statehood on New Mexico was that a necessary prerequisite was the presence of a critical mass of white settlers in positions of power in the state.



Fig. 9.3 New Mexico landscape, Sandia Mountains (2015); picture by Nancy López

Settler colonial logics and power structure anchored in white supremacy permeate the politics of curriculum in the state. In an open letter from indigenous student organizations to the high-level administrators at SPU, students clarified that SPU was established on Sandia Pueblo territories; they demanded the abolition of the official institutional seal depicting a white male settler and a Spanish conquistador. They demanded the dedication of resources in the form of scholarships and cluster hires of Native American faculty. Students also pointed to the need to collect data on tribal status as separate from race and ethnicity data; they argued that Native Americans should be understood as a sovereign political status that is tracked differently from race or ethnicity.

White male SPU high-level administrators responded to students' demands by ignoring or trivializing the long history of settler colonialism and oppression of indigenous sovereign nations in the state. SPU administrators signalled that the question of the university seal was not worthy of change because in the eyes of some of the administrators, Native American students represent a "minority interest group," like any other racial or ethnic group (see Martinez 2010 for a description of how settler colonial logics impact high

school education for urban Native American youth).² A key feature of settler colonial structures is the “denial and disavowal of the history of violent dispossession of the indigenes” (Hixson 2013: 12, quoted in Nakano Glenn 2015).

In a similar vein, when hundreds of faculty, students, and other SPU community members collected hundreds of signatures calling for SPU to join the growing list of sanctuary campuses for undocumented students across the country, these requests also fell on deaf eyes. Instead a conservative student organization invited a renowned white supremacist speaker known for urging everyone to report undocumented immigrants to Immigration and Customs Enforcement (ICE). Despite SPU’s administration’s affirmation that it was a bastion of free speech, police officers on horses, equipped with pepper spray, and the looming threat of violence served to deter the free speech rights of protesters.

The artwork depicted in Fig. 9.4 references the contemporary nativist racist and settler colonial violence visited on neocolonial subjects in the US landscape. This installation entitled “The Border” by Augustine Romero references Lou Dobbs, a former CNN newsanchor, who routinely dehumanized undoc-



Fig. 9.4 “The Border,” by Augustine Romero, Colorado State University (2008)

²A similar logic prevailed when the directors of the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community on campus met with administrators to demand the collection of LGBTQ data for equity and inclusion. In response, some high-level administrators responded that LGBTQ students and community members are akin to an interest group or a hobby group, again ignoring the ongoing homophobia and heterosexism LGBTQ students, faculty, and staff navigate on a daily basis.

umented immigrants as subhuman “illegal aliens.” What made Lou Dobbs particularly dangerous is that he continually spewed venomous hateful and dehumanizing rantings calling for the militarization of the US-Mexican border through drones.

In protest to Dobb’s racist and nativist bluster, a number of Latinx-focused civil rights organizations coalesced around a campaign entitled “Basta Dobbs!/ Enough Dobbs!” Dobbs did eventually leave CNN, but the flames he fanned in the US body politic served as the foundation of the ongoing nativism and racism directed against immigrants, children and families from Mexico and any other racially stigmatized visible minorities, including those who are seen as Arab, Muslim, or other racially stigmatized visible minority categories.

These national discourses have had a visceral impact on the immediate SPU community. Immediately after the US 2016 presidential election of Donald Trump, a number of SPU students reported that they were subjected to anti-Mexican and anti-Muslim epithets on campus. One student reported that another student tried removing her hijab, while yelling: “This is America!!!” Several SPU Latinx-focused organizations and offices were also targeted for attacks and Black students and faculty reported being subjected to racial epithets while on campus. To counter images of insensitivity and indifference to marginalized communities, SPU’s administration prominently displayed an interactive collage of photos of students representing a variety of racial, ethnic, and religious groups on the main university webpage with a caption that read: “#Everyone is welcome at SPU”; however, SPU’s administration’s (in)actions on issues of tribal sovereignty and human rights speak louder than words.

In an ethnography of urban Native American youth in a large public high school district in the state, Martinez (2010) documents the active resistance of Native youth to colonial projects visible in the curriculum. DeLeon et al. (2017) also illustrate the ways in which women of colour faculty a large public university in the U.S. Southwest navigated resistance to anti-oppressive curriculum in higher education (Zambrana 2018). These two examples are important because they illustrate how domination is never complete; in any given oppressive circumstance, there is room for what Collins (2009) refers to as “working the cracks” and resisting oppression. The creation of the New Mexico Statewide Race, Gender, Class Data Policy Consortium is meant to contribute to resistance to settler colonialism and its intersections with other systems of inequality, including racism, patriarchy, neoliberal global capitalism, heterosexism among other structural inequalities and accompanying violations of human rights.

An Invitation to a Dialogue: The New Mexico Statewide Race, Gender, Class Data Policy Consortium as a Community of Intersectional Praxis

The idea for a New Mexico Statewide Race, Gender, Class Data Policy Consortium was birthed from an abortive 2013 proposal to a federal agency that funds research on data improvements (López 2016a, b). The founding members of the Consortium included key members of the Diversity Collaborative as well as staff from the Health Policy Research Center that shared common research interests in intersectionality. A fundamental assumption of the Consortium is that race-only, gender-only, ethnicity-only, or class-only approaches are inadequate for mapping and ultimately interrupting inequality.

We first invited the directors and managers of data centres on campus in July 2014. We began by establishing our core values:

Inclusive Leadership: Diversity is our strength
Interdisciplinary, Transdisciplinary Research
Multiple Epistemologies & Methodological Approaches
Transparency and Critical On-going Self-Reflexivity
Equity-Based Accountability
Community Collaboration, Education & Outreach
Attention to Power Dynamics & Commitment to Power Sharing
Justice & Social Responsibility
Do No Harm

Our first meeting agenda included the following questions: What data do you currently collect, analyse, and report? What needs to be improved for advancing the relevance of this data for civil rights and social justice policy-making? How can we establish high-quality data infrastructure that allows for examining the simultaneity of race, gender, and class and other social statuses in systems of privilege and inequality for effective statewide policy in strategic policy arenas such as early childhood, preschool-elementary-high school, and higher education; health and housing; and employment and criminal justice. Other questions included:

1. How can we harmonize data collection, analysis, and reporting on race, gender, class, and ethnicity to guide effective policy? What data collection instruments and data sets do we already have in place for race, gender, class, ethnicity, and so on?

2. What innovations in data collection, analysis, and reporting do we need? What statewide data collection tools can be developed that could be of value to the entire state?
3. What are the common structural inequalities that undergird inequities in health systems, education, criminal justice, housing, and employment? How can policies address them?
4. What are the barriers to and opportunities for advancing sustainable institutional transformations, policies, and practices that advance economic, education, housing, employment and health equity?

At subsequent meetings we invited students, staff, faculty, state agencies, researchers, as well as community-based organizations throughout the state. We clarified that there are no membership fees and that everyone is welcome. No advance reservation is ever necessary. We always provided the option of calling in via a toll-free number. We also announced that all of our meetings take place in buildings that are accessible to those that may have a physical disability.

Eventually Consortium partners included a broad array of research centres. The affiliated centres included some that focused on institutional analytics for institutions of higher learning as well as primary and secondary schooling. Other research centres focused on statewide health policy, economic and business research and universitywide offices for equity and inclusion as well as race and social justice. And another group of centres included academic programmes in ethnic studies as well as feminist studies.

It is important to underscore that members of the Consortium continually meet with university leadership to request support in the form of an operating budget or staff support, but this has not materialized. To get our work done, we are an all-volunteer initiative. Our affiliated partners share their resources to advance the mission of the Consortium. For example, the director of one of the ethnic studies academic programs shared their work-study students to complete a project related to research on how other universities collect parental education attainment and other demographic data in the state. This information was pivotal in getting the administration to collect parental educational attainment for all enrolled students as we had compiled evidence that our national peers had created common applications in their states that had detailed data on parental educational attainment. Just a year later after we began the Consortium we had our first deliverable: all Southwest Public University applications would collect parental educational attainment on all applications for admission. We are still working with the Department of Higher Education to

make this a reality in all the institutions of higher education in the state including the community colleges and private and public four year institutions as well as in primary and secondary schools throughout the state. Through funding from the Center for Regional Studies and in-kind support from the Bureau of Business and Economic Research offered office space for a small grant available via the Center for Regional Studies that provided funding for graduate students co-authors conducting intersectional analysis using Census data that will produce demographic profiles that engage intersectional ontologies and knowledge projects. We also actively pursue other funding opportunities that align with Consortium goals. We regularly invite speakers from a cross section of state agencies to share their intersectional praxis with the Consortium in monthly lunches, such as the New Mexico Department of Health and the New Mexico Data Collaborative. Several meetings have been focused on our efforts to collect ethical LGBTQ (lesbian, gay, bisexual, transgender, and queer) data to better serve our diverse community of students, staff, faculty and community partners. Sample questionnaire formats were shared across agencies. At another meeting the New Mexico Data Collaborative presented their data tools for community members and they described how after our conversations on intersectionality they were looking at racial gaps in outcomes by examining intersection of race-class for exploring disparities in infant mortality and incorporating this analysis in their analytical reports and maps.

Again, if we had waited for dedicated institutional support in the form of operation funds, we would never have gotten off the ground. While there are many centres, institutes, and so on that engage intersectional praxis, to our knowledge, the New Mexico Statewide Race, Gender, Class Data Policy Consortium is the first in the country to be specifically dedicated to creating communities of practice around intersectional data collection, ontologies, analysis, and praxis.

Perhaps what is most compelling about the Consortium is the exchange of ideas and innovations related to intersectionality and praxis that brings together people from very different social locations into regular conversations about intersectionality praxis. For example, at one meeting a Consortium partner spoke about the importance of formally including classes on intersectionality. Two years later we established our first catalogue course on intersectionality race, gender class, and social policy class—open to undergraduates and graduate students. This course also counts towards the university undergraduate diversity requirement and graduate degree in public policy, as well as certificates in race and social justice as well as women studies.

Developing Our Intersectional Lens for Examining Demographic Portraits of Inequality

How can we begin to flex our intersectional lens for understanding the complex configurations of inequality in New Mexico? As documented in the 2010 Census, just under half of the residents in New Mexico are of Hispanic/Latinx origin and 10 per cent of residents are Native American. The percentages of Asian and Blacks are in the single digits. Table 9.1 presents an intersectional

Table 9.1 New Mexico 2010 Census

Subject	Number	Per cent
Hispanic or Latino		
Total population	2,059,179	100.0
Hispanic or Latino (of any race)	953,403	46.3
Not Hispanic or Latino	1,105,776	53.7
Hispanic or Latino by type		
Hispanic or Latino (of any race)	953,403	46.3
Mexican	590,890	28.7
Puerto Rican	7964	0.4
Cuban	4298	0.2
Dominican (Dominican Republic)	492	0.0
Central American (excludes Mexican)	6621	0.3
Costa Rican	342	0.0
Guatemalan	2386	0.1
Honduran	657	0.0
Nicaraguan	493	0.0
Panamanian	625	0.0
Salvadoran	2051	0.1
Other Central American	67	0.0
South American	4481	0.2
Argentinean	653	0.0
Bolivian	229	0.0
Chilean	569	0.0
Colombian	1347	0.1
Ecuadorian	548	0.0
Paraguayan	53	0.0
Peruvian	913	0.0
Uruguayan	81	0.0
Venezuelan	394	0.0
Other South American	54	0.0
Other Hispanic or Latino	338,297	16.4
Spaniard	65,045	3.2
Spanish	57,021	2.8
Spanish American	10,051	0.5
All other Hispanic or Latino	205,730	10.0

Source: U.S. Census Bureau, 2010 Census. Summary File 1, Table PCT 11

approach for a demographic profile of Latinxs/Hispanics, the largest minority ethnic group in the state (Table 9.1).³

Indeed over a quarter of residents in the state identify as being of Mexican origin, while another 16 per cent identify as being of Spaniard, Spanish or Spanish American origin, most likely the descendants of the Hispanic families that have resided in the state centuries before the US was established. The rest of the Hispanic community is comprised of much smaller numbers of Latinx/Hispanic communities, including Puerto Ricans, Cubans, and South Americans. Unlike other destinations with more recent Hispanic settlements, only 10 per cent of the state is foreign born. Seventeen per cent of Latinxs/Hispanics are foreign born.

One glaring inequality is that although 60 per cent of Latinxs/Hispanics in the state are eligible to vote, only 40 per cent of eligible voters in the state are of Hispanic origin. It is also important to note that over a third of the residents in the state speak a language other than English. Over 40 per cent of Hispanics/Latinxs speak *only* English. Sixteen per cent of Latinxs/Hispanics in the state report speaking English less than very well. Among foreign-born Latinxs, 61 per cent report speaking English less than very well.

Poverty rates among Hispanics/Latinxs are close to three times higher among Latinxs (37 per cent) under the age of 17 than among Non-Hispanic whites (13 per cent). The same pattern is discernible among Hispanics ages 18–64 where the poverty rate is one in four, but among non-Hispanic whites it is 13 per cent. One in four Hispanics lacks health insurance compared to 11 per cent of non-Hispanic whites; however, this pattern varies dramatically by nativity. While 17 per cent of Native-born Hispanics lack health insurance, this figure triples for foreign-born Hispanics where 60 per cent lack insurance. Eleven per cent of Hispanics under the age of 11 lack insurance compared to 4 per cent of non-Hispanic whites. These stark inequities in poverty and health insurance are the backdrop for the aspirations and strengths showcased in a public mural in one of the oldest neighbourhoods in Albuquerque, New Mexico. Figure 9.5 depicts a public mural entitled “A Good and Healthy Life.” It showcases the aspirations and strengths of communities that have historically experienced and continue to navigate settler colonial dynamics that have been under construction in New Mexico for centuries (Gómez 2007).

³ We are grateful for funding from the Center for Regional Studies and the Southwest Hispanic Research Institute and in-kind support from the Bureau of Business and Economic Research at the University of New Mexico.

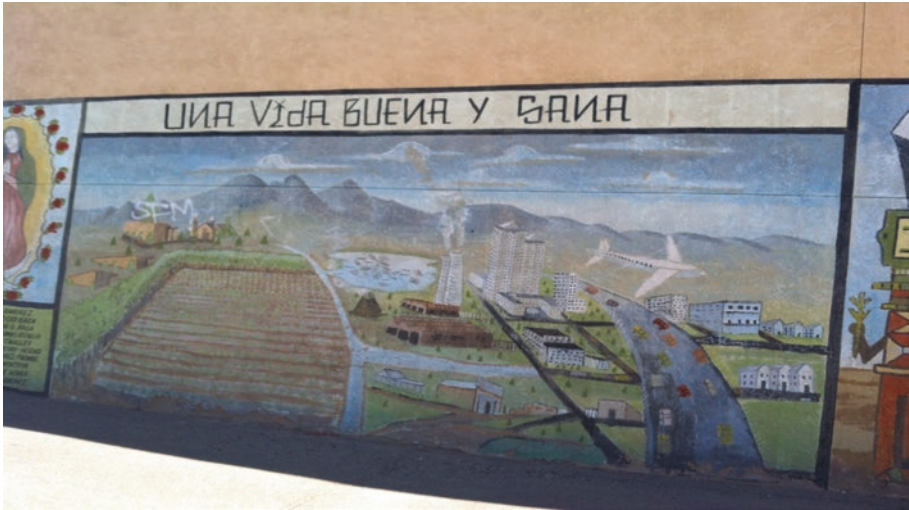


Fig. 9.5 “Una Vida Buena y Sana/A Good and Healthy Life,” public art mural in a historic neighbourhood in Albuquerque, New Mexico (2017). Picture by Nancy López

In keeping with the aspirational nature of the public art in Fig. 9.5, the next section includes three tables that engage intersectional knowledge projects for social justice policy. Based on the existing social scientific evidence on the existence of a colour line within Latinx communities that maps on to social inequalities, we decided to represent Hispanic/Latinx as an ethnicity or national origin group that includes individuals from a variety of racial statuses, namely white, Black, Native American, and so on (López et al. 2017a, b; Hogan 2017; Saenz and Morales 2015). We recognize that this is a significant departure from existing studies that lump all Latinx/Hispanic communities into an aggregate “race/ethnic” [sic] category. This mechanistic lumping of very different concepts, namely Hispanic origin and race/colour or what I call street race (e.g., social meanings ascribed to differences in physical appearance and ethnicity which refers to differences in culture), ignores the fact that Latinx communities are of many races/colours/street races and include white Latinx, Brown Latinx, and Black Latinx. Even in the same families, Latinx individual can and should mark the race question differently to reflect their unique racial statuses (López et al. 2017b). Regardless of intent, the uncritical use of the Latinx category without interrogating the colour line may inadvertently contribute to colour-evasive and power-evasive structures of domination and opportunity structures for the most vulnerable.

Consider Table 9.2. How many unique social locations/categories of experience are now visible when you explore distinct intersecting combinations of

Table 9.2 Population counts for New Mexico, ages 25–64

Race	Summary by race (count)	Native or foreign born?	Population counts			
			Men		Women	
			Non-Hispanic	Hispanic	Non-Hispanic	Hispanic
White	782,498	Native born	213,082	125,355	216,095	131,408
		Foreign born	6582	41,353	7175	41,448
Native American	96,497	Native born	43,447	3100	47,120	2380
		Foreign born	18	269	13	150
Black	22,093	Native born	11,201	680	7605	880
		Foreign born	944	125	632	26
Asian	17,648	Native born	1488	170	1958	284
		Foreign born	5461	58	8131	98
Other	117,874	Native born	970	42,256	771	43,041
		Foreign born	152	16,243	96	14,345
More than 1 race	25,051	Native born	5390	5753	5889	5136
		Foreign born	880	940	339	724
Summary (by sex and Hispanic ethnicity)			289,615	236,302	295,824	239,920
Summary (by sex)			525,917		535,744	

Source: American Community Survey 2011–2015, five-year estimates

Hispanics and distinct racial statuses, nativity statuses, as well as gender statuses? How does this presentation of data allow for a more nuanced understanding of how lived experiences and social inequities may vary among New Mexicans according to a particular constellation of intersecting social statuses as categories of experience? What do you notice about the number of Hispanics identifying their race as white compared to the numbers identifying their race as “some other race,” “Native American,” “Black,” and so on? Consider why it may be important to interrogate if there is a colour line operating among Hispanics that is independent of national origin or ethnicity when examining social inequalities (Telles 2015; López et al. 2017b). Why would engagement in intersectional knowledge projects be of particular importance for serving vulnerable communities within diverse Latinx families and communities? Consider how the experiences of Latinxs/Hispanics may differ according to their “street race” or how others interpret their race according to a conglomeration of physical characteristics, including skin colour, hair texture, and facial features. How might the lived experiences of Hispanics/Latinxs that are

phenotypically indistinguishable from whites vary from those who are seen as visible minorities that are racially stigmatized as “Brown” and “Black”?

Next, we invite you to consider how intersectional knowledge projects can enhance our ability to discern inequities in educational attainment (Saenz and Morales 2015). When you examine the data for New Mexico, are there differences in educational attainment by the simultaneity of nativity, gender, and race among diverse racial and ethnic groups in New Mexico? Table 9.3 includes descriptive statistics that may add value for those interested in developing equity-based policies for expanding opportunities for earning a four-year degree in New Mexico.

If Table 9.3 had only provided the percentages of four-year degrees held by each racial and ethnic group, we would miss some very different patterns by racial status, gender, and nativity or social locations/categories of experience

Table 9.3 Proportion of four-year college degree or higher in New Mexico, ages 25–64

			College (proportion)			
Race	Summary by race (college proportion)	Native or foreign born?	Men		Women	
			Non- Hispanic	Hispanic	Non- Hispanic	Hispanic
White	29.1%	Native born	36.6%	15.9%	41.9%	20.1%
		Foreign born	52.7%	7.3%	47.3%	8.0%
Native American	10.1%	Native born	7.9%	9.0%	11.7%	20.8%
		Foreign born	0.0%	10.4%	0.0%	0.0%
Black	29.3%	Native born	24.8%	40.4%	29.3%	23.5%
		Foreign born	60.8%	12.8%	60.9%	0.0%
Asian	52.2%	Native born	56.9%	25.9%	47.2%	17.6%
		Foreign born	59.3%	69.0%	49.4%	46.9%
Other	10.7%	Native born	26.1%	8.3%	24.9%	16.2%
		Foreign born	36.2%	4.3%	13.5%	6.8%
More than 1 race	28.4%	Native born	31.7%	19.4%	37.5%	25.5%
		Foreign born	39.0%	16.7%	50.1%	12.4%
Summary (by sex and ethnicity)			32.7%	12.3%	37.0%	16.6%
Summary (by sex)			23.5%		27.9%	

Source: American Community Survey 2011–2015, five-year estimates

(Covarrubias 2011). For example, when we look at whites as an aggregate, we find that 29 per cent have a college degree; however, when we look at US-born Non-Hispanic white men and US-born Non-Hispanic white women, we learn that that figure is substantially higher (37 and 42 per cent, respectively) than for their US-born-white Hispanic counterparts (16 and 20 per cent, respectively). For US-born Non-Hispanic Native American men and women, these figures become even more disturbing at 8 and 12 per cent, respectively. Taken together we can appreciate how nuanced intersectional descriptive statistics that take seriously the simultaneity of race, gender, class, and nativity can yield more effective targeted approaches for advancing equity that serves vulnerable communities (Saenz and Morales 2015; López et al. 2017b). Another layer of complexity that is not represented in these data is isolating those who are simply US-born from those who are born in New Mexico as those US-born coming to New Mexico from different states may come with very different experiences and educational credentials than born and raised in New Mexico (see López et al. 2017a for analysis of race-gender-class gaps at a large public university in New Mexico; it is important to note that the data analysis only included students who graduated from a New Mexico high school).

Table 9.4 shows the complexities of inequality when we flex our “intersectional lens” for examining the intersection of income and educational attainment.

What is striking about Table 9.4 is the very similar racialized-gendered patterns in earnings for US-born residents with a four-year college degree and those with less than a four-year college degree by race, gender, nativity, and Hispanic/non-Hispanic origin. For example, among US-born women with a four-year degree or more, the income gap between non-Hispanic white and white Hispanics is significantly less (\$39,000 vs. \$38,000) than between US-born non-Hispanic white women and US-born Black Hispanics with a college degree. This points to a race-gender colour line even at the same level of education. While these tables are merely descriptive and they do not differentiate between those who were born in New Mexico and those that may have migrated to New Mexico later in life, they do provide fertile ground for interrogating the unique patterns of inequality that characterize the state of New Mexico. They also provide baseline data and a roadmap for examining local configurations of inequality in different parts of the state, whether in the large metropolitan areas or in the more rural parts of the state. If our goal is to develop tailored interventions, then geographically based configurations of inequalities of distinct regions are necessary for advancing equity-based policies, whether it's race-gender pay equity in metropolitan areas or rural areas (see McCall 2001; for more on racial inequities even among college educations, see Hamilton et al. 2015; Davis et al. 2015; Baca Zinn and Thornton-Dill 1993).

Table 9.4 Average wages for New Mexicans aged 25–64

Race	Summary by race	Native or foreign born?	Men				Women			
			College ^a		No College ^b		College ^a		No College ^b	
			Non-Hispanic	Hispanic	Non-Hispanic	Hispanic	Non-Hispanic	Hispanic	Non-Hispanic	Hispanic
White	\$30,393 (253)	Native born Foreign born	\$66,592 (1410)	\$55,944 (2124)	\$31,840 (582)	\$25,859 (646)	\$39,173 (844)	\$37,926 (1063)	\$17,556 (414)	\$16,581 (389)
Native American	\$18,017	Native born	\$65,326 (6005)	\$49,277 (4594)	\$33,548 (4784)	\$22,701 (824)	\$38,022 (4320)	\$32,391 (5435)	\$15,504 (1972)	\$8162 (340)
	(404)	Foreign born	\$41,110 (3896)	\$47,694 (17,193)	\$17,010 (651)	\$16,896 (2650)	\$38,899 (2314)	\$31,490 (5683)	\$14,150 (420)	\$14,930 (2215)
Black	\$30,953	Native born	N/A	\$135,000	N/A	\$18,208	N/A	N/A	N/A	\$5977
	(2378)	Foreign born	N/A	–	N/A	(3642)	N/A	N/A	N/A	(3492)
Asian	\$32,679	Native born	\$52,748 (5565)	\$96,244 (18,121)	\$26,049 (2771)	\$11,405 (3782)	\$45,658 (6242)	\$22,539 (6164)	\$16,201 (2681)	\$10,257 (3046)
	(1820)	Foreign born	\$96,303 (38,326)	\$45,625 (9044)	\$13,893 (6887)	\$15,202 (6612)	\$39,496 (4695)	N/A	\$30,065 (10,325)	\$34,962 (5466)
Other	\$21,716	Native born	\$48,324 (7224)	\$60,795 (9855)	\$38,008 (10,563)	\$17,775 (10,450)	\$36,500 (8344)	\$85,260 (14,026)	\$18,818 (4582)	\$21,070 (3712)
	(486)	Foreign born	\$63,700 (6922)	\$60,950 (41,082)	\$26,526 (3970)	\$40,000	\$31,533 (4236)	\$14,609 (8722)	\$11,723 (1217)	N/A
More than 1 race	\$27,711	Native born	\$87,634 (41,094)	\$46,581 (4179)	\$27,766 (5349)	\$22,674 (813)	\$33,631 (9375)	\$41,792 (3057)	\$18,501 (4237)	\$17,187 (782)
	(1110)	Foreign born	\$33,364 (4438)	\$37,936 (7679)	\$19,824 (11,469)	\$24,584 (1302)	\$21,231 (23,543)	\$25,952 (5388)	\$11,571 (4939)	\$8115 (607)
		Native born	\$60,375 (6734)	\$51,660 (8976)	\$27,045 (3402)	\$22,341 (2846)	\$35,988 (4198)	\$33,152 (4229)	\$19,178 (2061)	\$16,055 (2322)
		Foreign born	\$50,668 (11,203)	\$42,841 (14,113)	\$18,314 (4962)	\$29,291 (3764)	\$69,441 (13,657)	\$10,467 (7580)	\$299 (299)	\$8878 (2253)

Summary (by sex, education, and ethnicity)	\$65,004 (1260)	\$53,844 (1850)	\$28,347 (430)	\$24,349 (422)	\$38,925 (842)	\$37,499 (980)	\$16,625 (300)	\$14,445 (251)
Summary (by sex and education)	\$62,375 (995)		\$26,288 (302)		\$38,544 (662)		\$15,496 (203)	
Summary (by sex)	\$34,777 (345)				\$21,925 (244)			

Source: American Community Survey 2011–2015, five-year estimates

^aCollege = four-year college degree

^bNo college = no four-year college degree

Conclusion: Cultivating Opportunities for Advancing Intersectional Data Policy and Praxis

New Mexico has already made infrastructure investments in creating a collaborative pool of researchers invested in creating a critical mass of professionals and community leaders committed to working on this effort. The Consortium outreach efforts include dialogues with and presentations to the state-level agencies on higher education, data collaboratives, early childhood education initiatives, high school to higher education pipeline programmes, tribal governments, and offices focused on racialized poverty. Through federal funding one of the hospital networks has already engaged in the creation of a two-question format that distinguishes Hispanic origin from race that brought New Mexico into compliance with the Office of Management and Budget guidelines for the collection of racial and ethnic data. This project also modelled pilot questionnaires for detailed tribal data on the 19 pueblos, 2 Apache nations, and Navajo nation in all hospitals.

In the field of education, we already have state laws that were passed in New Mexico in 2010 that specify that state agencies should engage in data sharing. Specifically HB 60 sponsored by Senator Rick Miera and HB 70 specify that a statewide data warehouse is needed. In addition there is also a state law that provides that all school districts employ a standardized state identification that will travel with students as they move across districts. And finally, civic organizations and health equity organizations that have spearheaded coalitions to address the social determinants of health (e.g., Senate Bill 269/Anti-Racism Bill passed the Senate in March 2017) and address the need for all state policies to analyse whether they are contributing to institutional racism. For example, for the last several years, Anti-Racism Day is held in solidarity with different partnerships across the state in January during the 30- and 60-day session of the state legislature. Also, House Bill 112 calls for the disaggregation of education data by race, gender, limited English proficiency, as well as disability (see Hardy-Fanta et al., for an empirical study of women and racial and ethnic minority leaders anchored in intersectional knowledge projects). The City of Albuquerque launched an office of equity and inclusion in 2018. There is also a nascent partnership between the local public school district in Albuquerque and university research on the optimal implementation of ethnic studies in high schools as a districtwide policy. It is noteworthy that intersectionality is one of the key pillars of the implementation and community-based participatory research practice for the advancement of equity for youth and their families.

To continue to leverage and build on this momentum, we must go beyond data collection that is anchored in the imperative of “aesthetic accuracy for compliance only” to “ethical accuracy for civil rights and social justice” (López 2016a; Johnson et al. 2017). “Ethical accuracy for civil rights” is the idea that accuracy should be assessed by how a particular question format sheds light on structural/systemic racism and other inequities in housing segregation, voting rights, employment, law enforcement, education, and many other civil rights uses. “Ethical Accuracy for civil rights” is very different from “aesthetic accuracy for compliance only.” Aesthetic accuracy is a decontextualized accuracy that is solely anchored in federal data compliance guidelines and mandates (Johnson et al. 2017). An example of “aesthetic accuracy” would be ensuring that the “some other race” category disappears statistically without interrogating whether those Hispanics that check “White,” “Some Other Race,” or “Black” in the Census experience the same level of poverty, residential segregation, discrimination in employment, education, law enforcement, and healthcare access (for studies that embody ethical accuracy for civil rights, see Hogan 2017; Saenz and Morales 2015; Massey and Denton 1993; LaVeist-Ramos et al. 2011).

Conclusion: Intersectional Data Policy for Social Justice as the New “Gold Standard”

We began this chapter with a vignette about the cost of not engaging intersectionality when trying to address equity issues in academia. The status quo of examining race-alone, gender-alone, ethnicity-alone, sexual orientation-alone and/or class-alone for addressing social inequalities must be challenged (Collins 2007; Falcon 2016; Krizsan, Skjeie and Squires 2012; AAPC 2005; McCall 2001).

Consider the research and policy transformations that could occur if you invite state agents, scholars, policymakers, and other researchers as strategic partners in their institutions as well as state agencies to an ongoing dialogue about creating a Statewide Race, Gender, Class Data Policy Consortium. One policy goal could be moving from compliance-based data collection and analysis to equity-based research that is guided by the insights of intersectionality across institutional sectors.

We are fully cognizant of the reality of the resistance to intersectionality. Our challenge for advancing social justice praxis is cultivating convergence spaces for conversations with those who may be ignorant, resistant, or indifferent to intersectional knowledge projects and equity-based policy and praxis.

Some of this resistance is visible in funding agencies and institutional curriculum that eschew challenges to business as usual in one-dimensional analysis of social inequalities. The quotes below come from a white male programme officer at a prestigious funding agency responding to Dr López's query about funding a potential intersectional study of health equity:

When many researchers discuss race, gender and class (and claim they're going to deal with inequalities in race, gender and class), they often intend (by default) race AND gender AND class. But ... what often happens in execution (in pictorial terms) looks something like this

RACE ... maybe gender ... then class if we get around to it

Race ... GENDER ... and maybe class if we get around to it

And that's really it. Intersectionality is a stand-in for analytical laziness.

Perhaps the better way to approach this (and the [national] reports on health disparities would back this up) would be to focus on

Race OR Gender OR class

Include individuals who represent disadvantage in one of these groups (but not the others, since there are serious health-based consequences for that), or two of these groups, or all three at once.

This would do two things; (1) it's more in line with what health disparities research says—there are problems with being poor (independent of race and gender), there are problems with gender (irrespective of race or class), and there are problems/ disparities with race (irrespective of gender or class); and (2) it gets you out of the now familiar public policy dilemma of appearing to care only for specific identity groups regardless of whether they have any money or not (there are plenty of poor white men/women who suffer from serious health problems our system doesn't address ... as an advocate for social change, we should care about them too and if we don't we're kidding ourselves that widespread change in health delivery will result in better welfare for the rest of us ...).

This email is ripe for interpretation of many kinds, but we will reserve our comments to a couple of potential insights. It illustrates why scholars, researchers, policymakers, practitioners, and community leaders need to continually create convergence spaces for ongoing dialogues with programme officers and funding agencies who may not be familiar with the foundations of intersectional theory and praxis as a social justice project anchored in human rights (Hancock 2016; Collins and Bilge 2016). It also points to why on-going critical intersectional self-reflexivity about our own social locations in systems of power, privilege, and disadvantage and how this affects our ontologies, epistemologies is a necessary first step for engaging in transforming existing power structures. *And finally, it shows why we must strive to incorporate intersectionality*

as a household word that also impacts the curriculum in elementary, middle, and high schools as well as higher education, including professional schools. Our hope is that if this potential funder [white male] had been part of a Consortium on intersectional data policy and praxis, he would have reached a much more complex understanding of intersectionality as a social justice project for *all* vulnerable communities, including working-class white men, women and transgender communities (Fine and Weis 1998; Weber 2010).

We are also sensitive to the fact that the mere creation of intersectional data policy consortia across policy-making sectors and institutions in the US and beyond will not automatically lead to empowerment. We believe that these convergence spaces can plant seeds for transformation. They can lay the groundwork for catalysing deep critical self-reflexivity and ontological shifts that are the precursors for multisectoral communities of practice that move from compliance-based data collection and analysis to equity-based transformational intersectionality research, policy and praxis for social justice.

One thing is clear: In order to eliminate disparities among vulnerable communities, we need better data collection, analysis, and reporting on race, gender, and class in ways that will allow for integration to determine complete profiles of the population in context. These issues and suggestions are relevant outside the US as important work in Latin America and the Caribbean, as well as Europe and the Global South (Telles 2015; Falcon 2016).

Imagine the possibilities if “intersectionality” inquiry and praxis became part of all efforts to advance social justice in the US and across the globe. Intersectional praxis takes a village! The possibilities for intersectional praxis innovations are limitless when you create a space of dialogue and shifts in thinking and practice. It is our hope that intersectional knowledge projects vis-à-vis inquiry and praxis will become the new “gold standard” for assessing our progress and creating policies that advance social justice for all. Who will you invite to ongoing dialogues about improving data and advancing intersectional knowledge projects and policy-making that centres the lives of marginalized communities in your context?

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10

Beyond Economic Barriers: Intersectionality and Health Policy in Low- and Middle-Income Countries

Gita Sen and Aditi Iyer

Introduction

Research and policy attention to the challenge of weak health outcomes and status in both low-/middle- and high-income settings has often been driven by concerns and evidence for the links between economic poverty/inequality and health (Townsend et al. 1992; van Deurzen et al. 2014). The influential work of Wilkinson and Pickett (2010), which focused on multiple indicators of well-being including health, for a group of high-income OECD countries, identified economic inequality as the main explanatory factor. In low- and middle-income country (LMIC) settings, economically poor regions and households below an income- or consumption-based poverty line are often the targets of health policies and programmes. For instance, many government programmes in India are directed at the so-called Empowered Action

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Group (EAG) states, the C-category districts,¹ and/or households below the official poverty line (NRHM 2013; Swarup and Jain *n.d.*).

The body of evidence in low-/middle- and high-income settings about the importance of multiple dimensions of social power and inequality and how they interact with each other and with economic power and inequality has been growing. While its scope is as yet uneven across these settings, this points to the global recognition and importance of this work. More recent work mainly from high-income countries has also focused on translating these concepts and empirical evidence into the policy sphere (Bassel and Emejulu 2010; Hankivsky and Cormier 2011; Lombardo and Agustin 2012; Manuel 2006; Smooth 2013; Wilson 2013). There is increasing research interest on intersectionality—a framework for understanding how multiple sources of power and disadvantage, such as economic poverty, gender, caste, ethnicity, interact and the pathways through which this can influence behaviours, practices, and outcomes. Although there is more attention now to policy implications, actual policies all too often continue to treat each type of disadvantage as an independent and separable process.

The expanding literature on intersectionality highlights the fact that multiple axes of power and socioeconomic inequality do not work together in simple additive ways. They may also reinforce or counteract each other, and in the process have significant impacts on how people live, what they believe, and what practices and institutions they create and reproduce (Davis 2008). Research has been breaking new conceptual, methodological, and empirical ground (Hancock 2007; Hankivsky et al. 2014; Joe 2014; Krieger 2005; Krieger and Smith 2004; Sen and Iyer 2012; Sen et al. 2009; Walby et al. 2012). Policy directions and approaches are being identified. For instance, Hankivsky and Cormier (2011) find great promise in Parken and Young's (2007) four-stage model to assuring equality and human rights across what the authors term 'six equality strands'—gender, race and ethnicity, ability, religion and belief, age, and sexual orientation. Smooth (2013) also sees the potential of substantial contributions from individuals (political scientists, policy scholars) and institutions of governance to emerging policy debates on intersectionality. Still, continued attention is needed to direct actual policies and programmes to address intersectionality (Damoon 2011).

Communication between researchers and policymakers tends to be weak in many countries and contexts. As a result, policies are often uninformed by

¹ EAG states in India and C-category districts in the state of Karnataka refer to the regions that lag behind in the demographic transition and are socioeconomically backward.

insights from research and sometimes may even conflict with existing evidence; the relationship between research and policy is rarely straightforward. There are three levels at which work is needed to establish such relationships and to consolidate them—communication, uptake, and institutionalization (Sen et al. 2017). Since explicit policy recognition of intersectionality in LMIC contexts is inadequate, this chapter is intended to address the first level—communication of ideas, concepts, and the value of focusing on the subject.

In this chapter, we deepen concepts developed in our earlier work (Iyer et al. 2007; Sen and Iyer 2012) and outline some of their policy implications. Intersectional analysis allows us to address many questions that have policy significance. For instance, it is well established that poor people have weaker access to affordable and quality services, while bearing higher burdens of ill health due, *inter alia*, to where they live (more polluted environments with inadequate shelter), what they eat (less nutritious food with insufficient calories, proteins, and micronutrients), and the work they do (unsafe, unhealthy, and abusive conditions of work) (CSDH 2008). These burdens may arise not only from poverty *per se* but from factors such as caste, ethnicity, or gender *inter alia*. In many high-income countries, economic poverty is crosscut by other dimensions. For example, in the US, economic poverty intersects disadvantages by gender and race/ethnicity, with African-Americans, Native Americans, and some groups of migrants being disproportionately affected. Do similar ethnic, caste, religious, or gender intersections in the burden of health inequity among poor people exist in LMIC (Government of India 2006), and if so, what would it mean for policy focus?

The traditional focus on economic poverty has tended, furthermore, to stay at the level of the household (Sen 2010), while an intersectional focus directs our lens at whether all household members carry equally the burden of the ‘medical poverty trap’ (Whitehead et al. 2001) regardless of factors such as gender, age, disability, income earning, or marital status. When health resources are scarce, what criteria are used to determine who gets access to them within the household? Even when policies are designed to augment household resources through public insurance or other schemes, are they sensitive to power relations and distributional challenges within households and across different sets of households, and do they attempt to mitigate them?

Positionality and Voice: Deep Poverty, Hyper Entitlements, Rationing, and Leveraging

This section of the chapter addresses some of these questions by exploring the concepts of *deep poverty*, *hyper entitlements*, *rationing*, and *leveraging* as linked to the positionality and voice of different groups in the intersectional socioeconomic order. In previous work, we had particularly focused on the concepts of leveraging (Sen and Iyer 2012) and rationing (Iyer et al. 2007) to refer to two pathways through which intersectionality affects the experiences and outcomes for different groups.

Both positionality and voice are important in determining what policies are enacted, how they come into being and are implemented, and what their impact might be on particular groups in the population. We argue that for groups at both extremes of the socioeconomic order, important sources of inequality tend to work together and reinforce each other, albeit in opposing directions. Synergies of this kind do not hold for groups in the middle of the order for whom different sources of advantage and disadvantage may work *against* each other. These differences also account, we argue, for the shifting positionality and voice of particular groups across geographic locales and time. They shape the fluidity of relations among groups, as manifested in complex politics of accommodation, negotiation, collaboration, and opposition, with important implications for policy formulation and implementation.

Deep Poverty

Our field experience in India suggests the existence of a phenomenon that can be observed at the bottom of the socioeconomic order that may be termed ‘deep poverty’. The concept of deep poverty counters the belief that poverty and inequality are largely economically driven, to the exclusion or marginalization of other sources of deprivation. Deep poverty usually characterizes those at the very bottom. What defines deep poverty is that it is often *not* a purely economic phenomenon but involves the interpenetrating workings of multiple relations of power, disadvantage, and oppression.² It is this conjoint

² The concept of *multidimensional poverty* comes closest to such an approach, but it has tended thus far to identify the presence of different dimensions with less attention to the interactions among them (Bourguignon and Chakravarty 2003). It has also focused more on outcomes such as health or education (Alkire et al. 2016), rather than on the underlying power relations such as caste or gender that define intersectionality.

working of different social forces that is often the most challenging barrier to policy interventions. *Deep poverty is intersectional*. Its 'victims' suffer multiple and reinforcing forms of oppression, some of which, like caste or gender or ethnicity, may be long-standing and deeply embedded in social systems and structures of belief and practice.³ What is more, because such intersecting and enmeshed power relations and oppression can be difficult to tackle, programme implementers may tend to direct their attention to groups higher up the ladder just because they may have fewer barriers to transcend.⁴

An intersectional approach could help us understand why, even if the programmes in themselves are delivered well, sustained programmatic attention to the health of those suffering from economic poverty may not yield the desired outcomes, without more nuanced and multidimensional approaches that are sensitive to the intersections of deep poverty. For instance, a conditional cash transfer requiring poor women to bring their children for immunization may be ineffective for women suffering from deep poverty, whose caste, ethnic, or indigenous background may mean that they fear disrespect or mistreatment in the health centre, or who live in hamlets that are ill-served by public transport or do not have help to care for other children, older, or sick or disabled people at home. The conditional cash transfer programme incentivizing institutional deliveries ('Janani Suraksha Yojana') as part of India's National Rural Health Mission is intended to cover all pregnant women below the poverty line. But our own fieldwork among such groups leads us to question the extent to which it reaches women who are not only economically poor but are also disadvantaged by their caste or tribal status.⁵ The intersectional nature of deep poverty can result in weak programme outcomes because such intersections have not been adequately addressed.⁶

³ We do not mean to suggest that these multiple relations of power and privilege do not affect (for better or worse) those who are higher up the socioeconomic spectrum. We discuss this phenomenon later in the chapter.

⁴ Of course, programme implementers may focus on low-hanging fruit for other reasons including their own beliefs, practices, and biases.

⁵ The term tribal has a long and complex history in the context of India, which we cannot get into here. However, it may be seen as the rough equivalent of an ethnic or an indigenous minority in other contexts.

⁶ Lack of attention to intersections may not be the only reason that conditional cash transfers may not work.

Hyper Entitlements

Just as different dimensions of deprivation and oppression work together and reinforce each other at the bottom of the spectrum, a corresponding but positive synergy may work to entitle those at the upper end. The combination of wealth and different kinds of power—gender, ethnicity, caste, or other—can favour those at the top more than any single advantage on its own. Those at the top are not only able to access the best and most expensive services, they are also better networked with others of their kind through their position in the social hierarchy, are treated better by service providers by virtue of their perceived caste or ethnic superiority, and can draw on non-economic sources of advantage through social connections and long-standing social status. Such positive combinations of social and economic positionality also determine their voice—to demand quality services, to complain and seek redress in case of mistreatment, to use legal or other institutional mechanisms, to use the media or social networks to good effect.

Rationing and Leveraging

The ability of those at the top of the order to demand and obtain quality treatment as an entitlement becomes attenuated as one moves down the order. The power to demand and insist transforms into a weaker (though still possibly potent) capacity to bargain and negotiate, which characterizes the so-called middle groups (Sen and Iyer 2012) who lie between the two extremes of the socioeconomic spectrum. The ability to leverage their advantages to counteract their disadvantages is a key feature of these groups.

The simplest description of middle groups is that they are the groups that are not at the extremes. A more meaningful definition, however, is that a middle group is one whose members have a combination of advantages along one or some dimensions of inequality while being disadvantaged on others. Typically, those at the bottom of the socioeconomic order have little to bargain with, while those at the top don't need to bargain with anyone. But the middle groups have a mixture of both, and have the possibility of benefiting from the rationing of scarce resources within the household, and of leveraging their advantages to overcome or compensate (partially or fully) for their disadvantages. While rationing happens with scarce resources (such as the household's health budget), which could potentially be allocated to different household members (Iyer et al. 2007), leveraging also refers to those advantages (such as household headship or the male ability to be in public spaces) that cannot be redistributed in this way to other household members (Sen and Iyer 2012).

The middle groups themselves vary greatly, and so do their leveraging possibilities. For instance, poor Dalit men have two disadvantages (being poor and Dalit) but can use the advantage of their gender positioning to access the household's healthcare or education resources or to exercise other claims. Economically better-off African-American girls may be able to buy access to quality education despite having two disadvantages (gender and race). Thus, there can be considerable variation among the middle groups themselves, with some being nearer the upper end of the spectrum, while others are closer to those suffering from deep poverty. There is no reason to suppose that the statistically significant and often-wide differences thrown up by a comparison of the extremes of the socioeconomic spectrum will hold for groups in the middle (e.g., Sen and Iyer 2012). Our earlier work (Sen and Iyer 2012) found surprising similarities between two important middle groups—non-poor women and poor men—in their rates of non-treatment when ill, treatment discontinuation and treatment continuation, and the amounts they spent for treatment, even though these two groups are the obverse of each other in terms of gender and economic class advantage and disadvantage.

It is also important to note that neither advantages nor disadvantages can be universally defined but are very dependent on context, although this varies by the particular dimension. For instance, in the Indian context, a particular caste may be viewed as a subordinate caste in one region but may be dominant in another. Similarly, a given level of income or assets may be viewed as poor or middle, depending on the context. This highlights the fact that, while the study of intersectionality may raise fascinating conceptual questions, its actual workings are profoundly contextual and empirical.

Over time, there can be a churning in socioeconomic hierarchies in the middle as groups struggle for position, entitlements, and rights. This churning can occur even though the extremes may remain fixed and largely stable. In India, for instance, some of the deepest political struggles over educational access and government jobs involve the attempt of so-called other backward castes (OBCs) to be included in mandated quotas for seats in institutions of higher education and for government jobs. The OBCs are an illuminating example of the attempt by middle groups to use their positionality and political voice to leverage their middle position in the caste order and/or their economic muscle.⁷ The politics of leveraging can, therefore, be complex. It is

⁷These struggles have been part of the political landscape since at least the setting up of the Mandal Commission in 1979, and bubble up regularly as in the current so-called Patidar movement in Gujarat (Gavaskar 2015; Tilche 2016).

worth noting that, depending on the political, economic, and social contexts, leveraging may be progressive, involving solidarity links between groups in the middle and those at the bottom. But it can also lead to fiercely competitive struggles among them.

Because gender power relations are typically played out within households as much as outside them, men are often able to leverage their gender advantages without overt political battles. Thus, while education tends to generate some of the most politically vocal and volatile attempts by middle groups,⁸ the processes of leveraging healthcare resources tend to be more quiet because they are often played out within the household. For instance, our earlier work (Sen and Iyer 2012) had found that the poor men in our survey⁹ were able to leverage their gender power within the household to ensure for themselves rates of treatment for illness as good as the men at the top of the order. This was not true for the women in the same households, implying thereby that household resources are not equally distributed among members. Rather, they are rationed unequally. Such inequalities in intra-household resource allocation have been long recognized by feminist economists in multiple contexts (Agarwal 1997; Bennett 2013; Folbre 1986; Katz 1997; Vijaya et al. 2014).

The policy implications of these variations in positionality, entitlement, and voice can be significant. For instance, a focus on health access at the level of households may seriously miss unequal distribution within households due to gender power inequality and hence the need to direct attention there. Nevertheless, despite their apparent policy relevance, long-standing methodological barriers have tended until recently to limit the ability of intersectional analysis to provide adequate analytical or policy answers.

Rich qualitative analysis along multiple dimensions had not been matched by correspondingly agile quantitative techniques. The main problem was that, with more than two dimensions of inequality, traditionally used regression techniques allowed the comparison of each subgroup with a chosen reference subgroup, but did not allow meaningful comparisons with other subgroups. The challenge had been how to extend analysis beyond two dimensions.

This limitation channelled most quantitative work towards either bivariate analysis or graphical description. It also encouraged such bivariate comparisons to focus comparative analysis on groups at the extremes of the inequality spectrum, who typically have only disadvantages or only advantages along the

⁸As exemplified by the continuing challenges to the US Supreme Court's *Brown vs Board of Education* ruling favouring affirmative action, or the middle-class struggles against the recent Right to Education Act in India (Sarin and Gupta 2014).

⁹Though not the very poorest.

dimensions studied, for example, poor Dalit girls at one end versus rich upper-caste boys at the other. A comparison between such groups generates large and statistically significant differences as might be expected but tells us little about the groups that are in the middle where the biggest policy battles may be waged. Fortunately, breakthroughs in quantitative methodologies (Sen et al. 2009) have now made it possible in a relatively simple way to handle large data sets and, importantly, to compare multiple groups directly with each other, instead of being limited to two-by-two comparisons. When combined with qualitative analysis, we now have the possibility of much richer understanding and conclusions with significant policy relevance.

Health Policy Implications: India as an Illustrative Case

In this section, we draw from different sources of evidence about the allocation of health resources within and between households to illustrate how deep poverty operates in the context of India's healthcare system. We argue that caste and income poverty work together to limit the access of those households that are disadvantaged by both, while gender works to limit the entitlements of girls and women within households, including poor households, to the advantage of boys and men. We illustrate our arguments via a consideration of a relatively recent public health insurance scheme targeting poor households in India.

Despite many stated commitments to strengthening the system of publicly provided healthcare in order to ensure 'health for all' (Sen 2012), public funding for health in India has been among the lowest in the world (around 1%) as a percentage of the country's GDP (Sen and Iyer 2015; World Bank 2016). In the period since neoliberal economic reforms began in the late 1980s and early 1990s, costs of both inpatient and outpatient care have soared (Sundararaman and Muraleedharan 2015), and shortages of personnel, especially in rural and remote areas, have become severe despite the expansion of private medical colleges (Anand and Fan 2016; Rao 2013).

Despite various government attempts to address key challenges through large programmes such as the National Rural Health Mission and its successor, the National Health Mission, access to medical care in India's underfunded, poorly governed, and commercialized health system depends heavily on the ability of households to make out-of-pocket payments at the point of care. Indeed, out-of-pocket payments account for around 70% of total health

spending, one of the highest ratios in the world (Berman et al. 2010). With rising costs of healthcare and supplier-induced demand, these payments are often unaffordable and can be catastrophic in their consequences for both poor and middle-income families (ibid.). The government's policy response to the problem of how healthcare is financed has been mixed, combining direct public provision of funding and services, public-private partnerships with a mix of services and financing, and health insurance. While private health insurance covers only the small fraction of the total population who can afford and are willing to pay the premiums, publicly funded health insurance has begun to provide partial coverage since 2008 to families whose incomes fall below the official poverty line and to some categories of informal-sector workers.

In 2004, before publicly funded insurance was significant, only 3.9% of hospitalizations in urban areas and less than 1% of hospitalizations in rural India received any form of reimbursement, and these were mainly clustered in the upper deciles of the economic spectrum (Narayana 2010). Accordingly, access to in-patient care was positively correlated with the household's socio-economic status in urban India (Dutta and Husain 2013). Middle class and poor households tended to have neither private health insurance nor any form of employees' health insurance. While there has been, as yet, no specific policy response to the problem of households in the middle of the economic spectrum, the need at the bottom was sought to be filled by the introduction of the National Health Insurance Scheme (*Rashtriya Swasthya Bima Yojana*—RSBY) in 2008.

The RSBY is a pan-India scheme that is much wider in its coverage than the few pre-existing community health insurance schemes that have catered to the needs of poor and informal-sector workers in parts of some states. In a few states, the RSBY has been supplemented or replaced by other more elaborate, publicly financed health insurance schemes.¹⁰ The RSBY and its state-level counterparts are so-called floater¹¹ schemes that insure families with Below Poverty Line (BPL) cards. The scheme makes it possible for up to five members of each insured household to receive cashless, in-patient services in

¹⁰ These include the *Rajiv Aarogyasri Scheme* in the state of Andhra Pradesh (since 2007), the Chief Minister's *Kalaighar Insurance Scheme* for life-saving treatments in Tamil Nadu (since 2009; rechristened Chief Minister's Comprehensive Health Insurance Scheme since 2011), the Vajpayee Arogyashree Scheme in Karnataka (since 2011), and the *Rajiv Gandhi Jeevandayee Arogya Yojana* in Maharashtra (since 2012).

¹¹ 'Floater' refers to the fact that all members of the household are registered under a single card, and the amount available can be used for any one or any combination of them.

empanelled public and private hospitals. The ceiling on these expenses is Rs. 30,000 per household each year.

Analysis of the functioning of RSBY suggests that the insurance scheme does not protect poor families from falling further into poverty, since it does not cover expenses incurred on medicines and on outpatient consultation fees, which account for most of the out-of-pocket payments that households are expected to make and prove catastrophic (Berman et al. 2010). RSBY has also been criticized as having the flaw of targeted rather than universal coverage. Kidd (2014: 29) argues that ‘when schemes are designed and implemented for socially excluded groups alone—often referred to as “the poor” or “extreme poor”—they are likely to generate greater opportunities for exclusion’.

Furthermore, a number of questions come up when RSBY is viewed through the lens of intersectional equity. Assessments conducted in different parts of the country have found that enrolment rates are distinctly lower in certain social geographies: in hamlets on the periphery of villages (Borooah et al. 2015) where the Dalits typically live, in remote villages and blocks (Rathi et al. 2012) inhabited by tribal communities, in districts that have a higher share of socioeconomically backward castes (Nandi et al. 2013). Further, certain categories of poor families eligible for inclusion in the scheme are systematically kept out: those without BPL cards, those that have lost the ‘household head’ whose name appears on the government’s list,¹² and migrants who cannot present themselves during enrolment drives (Jain 2013). In the western Indian state of Maharashtra, RSBY cards were more likely to be found in the possession of better-off Hindu households than among poor Dalit and non-Hindu households (Borooah et al. 2015). Women in these uninsured households—products of multiple intersecting sources of disadvantage—are also the ones most likely to suffer from deep poverty, an amalgam of economic, caste, and gender disadvantages.

Even among insured households, more male members tend to get enrolled than their female counterparts. At a national level as estimated on 31 March 2012, the ratio of male to female enrolees was 3:2 with significant state-level variations (Cerceanu 2012). Gender relations may determine the selection of the three dependents to be included in the five-member list for each eligible household (other than the head of household and his/her spouse). Women

¹²This list is based on population-based surveys of BPL households conducted by state governments across India in 2002. Each BPL family is identified by the member designated as the household’s head (Ram et al. 2009). Households excluded in this way will also include female-headed households whose former male head may have either died recently or who may have abandoned the household.

have very little influence on this selection (Cerceanu 2012), which is usually biased against daughters in families that have more than five members (Sun 2011). In joint families, the brothers and sons of the household head may make it to the list at the expense of unwanted girls, daughters-in-law, and widows.

Even if all members of the family are insured, the ceiling on the in-patient expenses per household may result in ‘gender biased household rationing’, a phenomenon in which women and girls drop out of treatment prematurely in order to allow men and boys to continue receiving treatment. Our analysis of household survey data from a poor disadvantaged district in the southern Indian state of Karnataka revealed this process to be at work in resource-poor households (Iyer et al. 2007). In addition, women from insured households have been noted to encounter rudeness and unresponsiveness from healthcare providers in hospitals, especially if they are illiterate or minimally educated (Cerceanu 2012).

Clearly, RSBY is not adequately geared to reach out to families that are in deep poverty. As discussed above, the design and implementation of RSBY clearly contributes to the exclusion of deeply poor individuals and families. This exclusion additionally stems from its weak foundation: the faulty list of BPL cardholders used to enlist eligible families based on the findings of a 2002 population-based survey (Jain 2013). The result is that around three-fifths of all poor households did not have BPL cards in 2005–06, and an estimated 44% of the BPL cards were issued to non-poor households (Ram et al. 2009).

Addressing such problems resulting from intersectionality requires RSBY’s design to be modified to recognize deep poverty and the intersecting bases for exclusion across households and within them. It also requires identification of the specific corrective actions needed to redress the exclusion of such groups.

Forward Directions for Intersectional Evidence-Based Policy

Research on intersectionality has come a considerable way in the last decade or so. From focusing on multiple parallel dimensions of socioeconomic hierarchy and disadvantage, it has moved the agenda towards a recognition that these dimensions may interact to amplify and create positive or negative synergies, whose combined result may be greater than the sum of their parts. We make the argument in this chapter that groups at the bottom of the socioeco-

conomic order experience this negative synergy in complex ways that work both between regions, across groups, and within households. For groups mired in deep poverty, only focusing on economic barriers to access is unlikely to be sufficient. Other intersecting dimensions of oppression and disadvantage such as gender, caste, or ethnicity *inter alia* act as barriers that must be dismantled through focused policy measures. Analysis of the way in which intersectional advantages provide the basis for strong positionality and voice in relation to policy advocacy and implementation tells us how the absence of such advantages works against those at the bottom.

How policies and programmes might address the needs of groups in the middle who use their advantages to counteract their disadvantages is a more complex question because of the great variability among such groups. It may be appropriate to treat the middle groups that have a much greater weight of disadvantages than advantages similarly to groups at the very bottom. Groups higher up the socioeconomic order often clamour for attention because of their greater voice but, on grounds of fairness and equity, may not merit the same treatment as the much more disadvantaged groups that are in or just above deep poverty.

Our analysis of RSBY in India as well as insights drawn from our fieldwork over 15 years in northern Karnataka point to needed policy actions to support those whose weight of social and economic disadvantages far outweighs their advantages:

- Policymakers and programme implementers need to recognize and acknowledge the existence of intersectionality as a key barrier to policy success.
- This includes recognition that exclusion and inequitable outcomes occur both across households and within them, for example, by gender, age, household headship, widowhood, income earning, disability, or other criteria.
- Data collection should enable identification of critical groups in the population differentiated by varying combinations of economic and social attributes, such as income/wealth, caste, gender, religion, ethnicity, and others¹³ in order to allow for better analysis of the drivers of inequality and inequity.
- Identification of the specific corrective actions that may be needed for such groups.

¹³The relevant social criteria will obviously vary depending upon the context.

- Focused experimentation via carefully monitored and evaluated pilot projects incorporating strategies to diminish, or even dismantle, deep poverty and/or its ill-effects.
- Scaling up such projects by designing or fine-tuning programme interventions to take corrective actions and thereby ensure more equitable coverage, access, treatment, and outcomes.

Through such measures, an intersectional lens can contribute in important ways to making policies and programmes more equitable and evidence-based.

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11

Lobbying Suicide Prevention Policy for Gay and Bisexual Men: An Intersectionality-Informed Photovoice Project

Olivier Ferlatte and John Oliffe

In this chapter we examine how arts-based research can be used to advance knowledge on health inequities and lobby policy solutions that are grounded in the lives of affected individuals. Explored are the processes amid sharing some empirical products drawn from a study focused on the issue of suicidality¹ among gay and bisexual men. The study drawn on for this chapter used photovoice, a participatory action research (PAR) methodology soliciting photographs, narratives, and stories with the intent of driving discussions and lobbying targeted policy to reduce suicide among gay and bisexual men.

Suicide is a major health issue globally with over 800,000 people worldwide dying by suicide each year and many more struggling with suicidality (World Health Organization [WHO] 2014). Our interest in exploring suicidality among gay and bisexual men was driven by several concerns. First, over 50 empirical studies have found that gay and bisexual men are at increased risk of suicidality compared to heterosexual men in Western countries (Hottes et al. 2016; King

¹ We used the term suicidality as an umbrella term to describe and acknowledge a diversity of experiences and struggles with suicide, including suicide ideation, making suicide plans, and suicide attempts.

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et al. 2008). Yet there is no national strategy that explicitly attends to the unique experience of gay and bisexual men, and there are very few suicide prevention policies or programmes focused on this vulnerable sub-group of men. Second, the lack of qualitative and PAR studies addressing suicidality among gay and bisexual men, which is fueled by the high levels of stigma surrounding minority sexual identities and mental illness, has resulted in significant gaps in our understanding of the issue (Hjelmeland and Knizek 2010). Third, the aggregating of gay and bisexual men as a unitary sub-group has obscured the diverse array of social positions and potential contributing factors rendering gay and bisexual men at heightened risk for suicidality (Ferlatte et al. 2017).

Thus, our research sought to address a couple of questions: (1) What factors, particularly those related to intersecting aspects of identity and power, heighten gay and bisexual men vulnerability for suicide? and (2) How can participant-produced photographs and narratives be used to reduce stigma and advance gay and bisexual men's suicide prevention policy and targeted programmes? This chapter begins with a brief description of intersectionality and its application to the field of gay and bisexual men's health to date. This is followed by the detailed description of our photovoice project and PAR approaches to data collection and knowledge dissemination. Finally, the benefits of integrating photovoice and intersectionality to influence policy are discussed.

Intersectionality, Gay and Bisexual Men's Health, and Suicide

Intersectionality is an important framework for the advancement of public health research and the understanding of health inequities (Bowleg 2012b). Specifically, it can be used to advance the knowledge base for the health of sexual minorities (Institute of Medicine [IOM] 2011). The term intersectionality was coined by black feminist scholar Kimberlé Crenshaw in the late 1980s (Crenshaw 1989), but its underlying principles have a long and rich history within black feminist writing, indigenous feminism, international and transnational feminism, queer theory, and postcolonial writing and theorizing (Dhamoon and Hankivsky 2011).

Multiple definitions of intersectionality have been proposed, but in the context of the current project, we conceptualized intersectionality as a flexible effectual research framework for investigating and understanding "how multiple social identities including race, gender, sexual orientation, socio-economic status and disability intersect at the micro level of individual experience to

reflect interlocking systems of privilege and oppression at the macro social-structural level” (Bowleg 2012b, p. 1267). Intersectionality brings a radical shift in gay and bisexual men’s health to how researchers investigate inequities by moving beyond behaviours and beyond typically preferred categories of analysis (i.e., gay men/sexuality) to expand the work to consider a full set of potentially intersecting identities (i.e., gender, race, class, sexuality) and influences (such as gender, hegemonic masculinity, racism, classism, homophobia).

More so, we see adopting intersectionality as a political action that is rooted in social justice because it brings a commitment to ameliorating inequitable relations of power that maintain inequity, relations that are often ignored in dominant public health research and policy approaches (Hankivsky et al. 2012a). This is in line with photovoice, of which a central tenet is emancipation (Wang and Burris 1997), wherein participants share what is important to them through images and narratives to draw attention to health inequities and lobby change.

Thus far, only a handful of articles have used intersectionality to investigate the health of gay and bisexual men (Brennan et al. 2013; Bowleg 2012a; Ferlatte 2012; Grace 2012; Walker et al. 2015; Mereish and Bradford 2014), and fewer still have combined photovoice and intersectionality. Though emergent, the first applications demonstrated that new, nuanced, and context-specific knowledge can be generated when an intersectionality framework is applied, and that issues of power and diversity are at the forefront of the analyses. For example, a qualitative investigation of US-based black gay and bisexual men by Bowleg in which a participant excerpt was shared poignantly illustrated the point: “Well it’s hard for me to separate [my identities]. When I am thinking of me, I’m thinking of all of them as me. Like once you’ve blended the cake you can’t take the parts of black to the main ingredients” (Bowleg 2012a, p. 758). Explicit here are the existence of multiple axes of identity which counter claims for abstracting single social determinants of health (i.e., gender, class, race, sexuality) to explain specific health and illness issues.

Situating Ourselves

A critical step in disrupting power and addressing intersectionality within the context of policy research is reflexivity (Hankivsky et al. 2012b), a process that “challenges researchers to explicitly examine how his or her research agenda and assumptions, subjects locations, personal belief and emotions enter into their research” (Hsiung 2008, p. 212). Through active self-examination, reflexivity helps researchers locate themselves in the dynamic

interrelationship of the research process (Ryan and Golden 2006) and disrupt power by providing an opportunity to check in regarding the multi-layered power relationships that emerge in research. Specifically, reflexivity assists in identifying how a researcher's own privileges and penalties influence how questions are asked, which issues are highlighted, and how results are reported and shared.

We are two white settler, cisgender, middle-class, able-bodied, male-identifying scholars who are deeply aware of the privileges these position affords us as researchers and as we navigate the world. We both have the privilege to be employed at a university, Olivier as a post-doctoral fellow and John as a tenured professor. Olivier is a gay man who has dedicated his career to the elimination of health inequities among gay and bisexual men. He feels a deep personal connection to the topic through his personal experience of homophobia, his community activism, and having lost gay men to suicide. John has over 15 years of experience working in men's health; his work focuses on masculinities as it influences men's health behaviour, including suicide behaviour, and illness management, and he too has lost men to suicide. His work in men's health has included gay and bisexual men's health issues and he self-identifies as an ally to gay and bisexual men. John is committed to using his experience, expertise, and resources to advance work in the area.

Despite our different positionalities and experiences, we both share a commitment to social justice and the reduction of health inequities among marginalized populations. We recognized that gay and bisexual men continue to experience stigma, homophobia, and discrimination within a continuum of individual experiences, and that homophobia and oppression faced by sexual minorities are major causes of health inequities within this population (Ferlatte and Oliffe 2016). We also acknowledge that gay and bisexual men are a diverse population with intersecting identities and imbalances of power on an institutional, communal, and individual level. Recognized also is that the literature on gay and bisexual men has been largely focused on the community's deficits, a reflection of negative biases against gay and bisexual men, and that it is equally important to reveal and celebrate the strengths and resilience of gay and bisexual men. Finally, we believe that the complexity of gay and bisexual men's lives can be best illustrated by gay and bisexual men themselves, and that providing gay and bisexual men the means to do so is a critical step towards social justice.

Photovoice

Photovoice is an innovative research method that draws on the principles of PAR wherein community members are encouraged to document and share their experiences through photographs and narratives. Wang (1999) and Wang and Burris (1997) pioneered photovoice working with marginalized groups to lobby policy and practice towards addressing important health inequities. The application of photovoice to men's health has addressed prostate cancer (OliFFE and Bottorff 2007), smoking cessation (OliFFE et al. 2008), and male grief and loss (Creighton et al. 2013). In the specific context of mental illness, a review by Han and OliFFE (2015) revealed photovoice as an effective but underutilized methodology.

The philosophical underpinning of photovoice is well aligned with the principles of intersectionality. First, photovoice democratizes the research process and disrupts power between "researchers" and "subjects" by putting the image making in the hands of the participants (OliFFE and Mroz 2005). Second, it makes it feasible to investigate sensitive and complex issues in bypassing a reliance on words alone as a means of expressing oneself and one's experiences (Wang 1999). Third, it allows participants to represent and report aspect of their life and identity that are important to them (OliFFE et al. 2017). Finally, while the predominant ways of sharing qualitative research findings are through journal articles and conference presentations that describe the major themes and share illustrative quotes, photovoice offers innovative community-based knowledge translation opportunities that can drive social change by sharing participant-produced photographs in exhibits (Wang 1999). Such exhibits can draw a great deal of interest from community and policymakers as well as to provide an opportunity for audience members to actively engage with the photographs (OliFFE and Bottorff 2007). As such, photovoice aligns well with the intersectionality goal of bringing social justice.

How We Did It?

The research was conducted in Vancouver, Canada, a city characterized by its housing density, high living costs, and large indigenous population and multiculturalism. Following ethics approval, we invited gay and bisexual men with a history of suicidality, or who had lost a gay or bisexual man to suicide to take photographs to illustrate their experiences, with the prompt to

thoughtfully consider intersecting aspects of identity and issues of power. A total of 21 men with a past history of suicidality and eight men who had lost a man to suicide were recruited and completed the photovoice project (for a total of 29 participants). The age of participants ranged from 25 to 71 years old (mean age = 45), and 21 identified as gay, five identified as bisexual, and three as two-spirit. Sixteen participants were single, while six were in relationships, and three were separated or widowed. Less than half (14) had completed a university degree and 13 were employed or self-employed, while others were retired (4), unemployed (5), or on disability (4). In terms of ethnicity, the majority were Caucasian, but four identified as East Asian, three as Aboriginal, and one as Metis. Among those with a history of suicidality, 15 had previously made a suicide plan and 11 reported one or several suicide attempts. Seven did not seek out any formal help or service for their suicidality. From those who lost someone to suicide, five had lost a friend, while two lost a partner, and one lost his father.

Participants were provided with a camera and invited to take specific photographs in response to a set of questions focusing on their experience with suicidality or losing a man to suicide. The participants had two weeks to take their photographs and then they reviewed their photographs with an interviewer. This process disrupted some of the power dynamics typically experienced within the research process by having the participants guide the interview, describing their photographs and the meaning behind them, rather than having the researcher asking direct pre-determined questions. This also allowed the participants to decide which aspects of their life, experiences, and identities were most salient and relevant. The interviews were intentionally conversational, where clarification and probe questions were asked if needed to elaborate on the details and perspectives shared by the participants.

The interviews were digitally recorded, transcribed verbatim, and checked for accuracy. The participants' photographs were inserted into the corresponding narratives in the transcribed interviews as we treated the images as data to be analysed with the same rigour given to narratives as per other researchers (Oliffe et al. 2008). While there is no set method for conducting intersectionality-informed analyses (Hankivsky et al. 2012b), we used Bowleg's insights for analysing qualitative data (Bowleg 2008), which outlines the analytic frame for distilling intersections of social inequality separately, as well as simultaneously.

Educating and Mobilizing Community Through Art

Together, the participants contributed over 350 photographs to the project, which in combination with their narratives offered innovative mechanisms for knowledge translation, community-based interventions, and community mobilization. We hosted a five-day exhibit in Ottawa (Canada's capital city) and a ten-day exhibit in Vancouver, events that attracted policymakers, influential community advocates, the gay and bisexual men community, and the broader public to discuss the issues of suicide among gay and bisexual men, and the need of targeted prevention programmes. Reached were over 500 people. These exhibits also provided important forums for gay and bisexual men affected by suicidality to share their lived experiences and perspectives with individuals. To complement and extend the reach of the exhibits and related media, a book of the photographs, titled *Still Here* with accompanying essays, was produced along with an online exhibit (www.stillhereproject.ca.com).

While the photographs are diverse, three inductively derived themes underpinned the exhibited collection: (1) stories of power, (2) pictures illustrating intersectional factors, and (3) evidence of strength. In the following paragraphs, presented are nine participant-produced photographs and quotes to illustrate how they pointed to issues specific to intersectionality and the need for targeted policy. We invite the readers to visit www.stillhereproject.com to view the entire collection.

Stories of Power

Internalized homophobia has emerged as a strong determinant of gay and bisexual men's health, including mental health, in the scientific literature (Meyer 2003; Newcomb and Mustanski 2010). Linked to this are suggestions that to "fix" gay and bisexual men the solution likely resides in "curing" them from their internalized oppression, rather than changing the social environments and structural power dynamics (including homophobia) oppressing gay and bisexual men (Aguinaldo 2008).

In contrast to this, the study participants rarely discussed internalized feelings of oppression; instead the themes of homophobia and enacted stigma were raised in multiple stories and photographs focused on how power, violence, and homophobia were external to participants and the relationships to suicidality. Participants, in essence, spoke to the need to change society, not gay and bisexual men.



Fig. 11.1 Dirty words

Jamie,² a 54-year-old gay man, photographed a computer keyboard cover in dust (Fig. 11.1) to represent the homophobia that prevented him from being “out” or openly gay. He experienced suicidality as he was coming to terms with his sexuality, and he described that he learned at a very young age that being gay was “wrong” and “dirty.”

I called this one dirty words. [...] I couldn't talk about being gay in high school and be open about it and be who I was, because it was bad. It was dirty. It was wrong.

Similarly, a 25-year-old gay man named Clint submitted Fig. 11.2, a photograph of him in the closet amid describing how the constant exposure to heterosexist discourses within society forced him to hide who he was, fearing the consequences of openly residing within a gay community. Forced into the closet, he experienced an array of oppressive issues that fueled his negative emotions.

I am locked in the closet and hope to free myself out, but I am scared ...

Enacted forms of violence and stigma were also common among the participants. For example, Bobby, a 39-year-old gay man, narrated a photograph of his school, a place where “it all started.” Like many other participants, Bobby experienced various forms of violence from other students that led him to develop mental health problems. He described how the lack of policy to protect sexual minority students in his school allowed students to torture him without consequence.

²To protect the confidentiality of participants, we have assigned pseudonyms in linking the men's illustrative quotes and photographs.

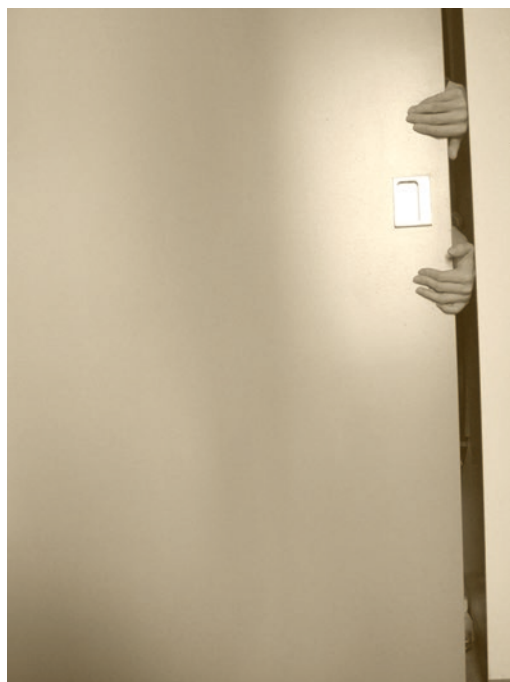


Fig. 11.2 The closet

Pictures Illustrating Intersectional Factors

While gay and bisexual men are often depicted in research or within health policies as a homogenous population, the participant photographs and narratives highlighted a diversity of experiences along several social location axes. Ross, a 49-year-old bisexual man, shared Fig. 11.3, a photograph of his mailbox with several bills piling up, in describing the socio-economic stresses he encountered as a by-product of being under-employed and unable to cope with the cost of living in Vancouver. He described how his depression and suicidality increased after he became unemployed and his debt load increased.

I hate looking inside. I hate seeing what it is. It's like demands for payment, demands for bills to be paid, and it brings very little good news; it's usually bad news.

Ross' struggle was not unique. Many other participants described stories of poverty, financial challenges, and difficulties sustaining employment, which shaped and were shaped by their suicidality. More so, these socio-economic challenges often intersected with their sexuality wherein many participants were bullied out of school without the credentials to secure well-paid jobs or garner careers.



Fig. 11.3 The mailbox

Evident were the intersections of race and culture with gay and bisexual men's suicidality. For example, three Aboriginal and two-spirited men participated in the study, and while Aboriginal people in Canada are disproportionately impacted by suicide (Elias et al. 2012), little is known about the two-spirit experience of suicidality. David, a 42-year-old Aboriginal participant, shared a photograph of the totem poles (Fig. 11.4) to describe the importance of his Aboriginal ancestry to his life and history with previous suicidality. David was a residential schools survivor and experienced violence within the residential school system. He also endured pain on First Nation reserve, which was invoked by other Aboriginal people, because of the erasure of two-spirit



Fig. 11.4 The totem poles

people's history and culture within Aboriginal communities that occurred through the process of colonization.

I was a proud two-spirited aboriginal who was raised traditionally. However, the older I got the abuse worsened not only from family member but from peers: mental, emotional, spiritual and physical abuse.

For David and the other Aboriginal participants, being native was also key to how they recovered from the violence and trauma and to how they managed their suicidality. For example, David also submitted a photograph of his medicine feather and necklace to illustrate this (Fig. 11.5). He described how he was able to end “the path of self-destruction” he was on by reconnecting to his culture and traditions.

When times seem unbearable or shadowy, listening to songs of my childhood, speaking my language, or practicing medicines allow the healing process from within to overpower a darker self-destructive path.

Stories of Strength

Research on gay and bisexual men has tended to focus on health problems, the individual factors and behaviours that caused them (e.g., drug use, etc.), and their inability to adjust to living in a predominantly heterosexual society.



Fig. 11.5 The remedy

As such, depictions of gay and bisexual men have been deficit-based and by extension this perpetuates homophobic and biased views towards gay and bisexual identities. Moreover, literature that celebrates the assets, strengths, and resiliency of the gay and bisexual male community is scant (Herrick et al. 2011; Kurtz et al. 2012).

Many photographs spoke to the resiliency of gay and bisexual men. For example, Todd, a 27-year-old man who identified as gay, queer, and “homo-flexible,” contributed a photograph of him wearing a necklace with the tag “I am enough” (Fig. 11.6). He described how he wore the necklace every day for over a year to remind himself of his worth and qualities. This necklace was a symbol of the obstacles he overcame including struggling with a dysfunctional family, mental illness, and physical, emotional, and sexual abuse.

Learning to love my body, scars and all.

In their photographs and narratives, many men described the challenges to seeking help and support, which stemmed from limited access to free and low-barrier services, the lack of gay-specific counselling services, and homo-

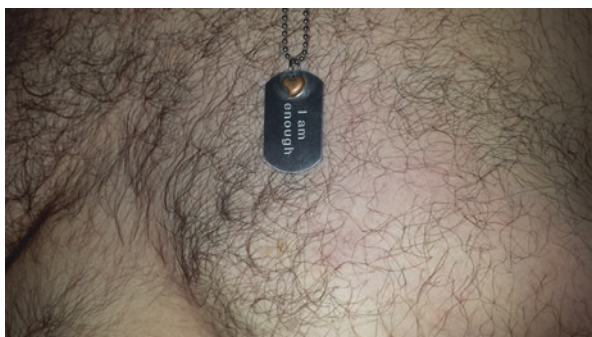


Fig. 11.6 I am enough



Fig. 11.7 Friendship

phobic attitudes of health care professionals. However, many men found alternative and often creative ways to counter the effects of stigma and to manage their suicidality. For example, Clint was able to recover from depression through the support of his community and family (Fig. 11.7), Ross engaged in art (Fig. 11.8), while Todd challenged dominant ideals of masculinity to practice self-care (Fig. 11.9).



Fig. 11.8 Therapy

*The love and care of family and friends encourage me to truly accept who I am.
So that one represents effort on my part to takes out some of the worries and simplifies
things.
Those huge, little moments of self-care and wonder.*

The stories of strength spoke to gay and bisexual men's resilience in messaging viewers that significant and specific challenges endured by many gay and bisexual men can be overcome. Implicit was the strength to speak up and out against oppression and draw on internal and external resources to garner recovery, and the grit to quell suicidality and speak up about those lost to suicide.

From Pictures to Art

Along the photographs, we invited several participants to work collaboratively with a local visual artist who was interested in social justice, to create art installations based on their stories and photographs. Participants represented a diversity of experiences and identities, and contributed were six art installations that extended the discussion on the issues and challenges around suicidality as a means to explore potential solutions to reduce suicide among gay and bisexual men.

Abuse/bully (Fig. 11.10) was an art installation by Bobby wherein he critiqued the use of the terms "bully" and "bullying" within the public and pol-



Fig. 11.9 Self-care

icy discourse on school-based violence. Reflecting on his own experience within the school system, Bobby's piece challenged viewers to reflect on how the term "bullying" often diminished the experience of those subjected to violence. His art piece was also a platform to critique the popular viral campaign "*It Gets Better*", where LGBT community members and allies posted videos encouraging youth that are bullied to get through school. For Bobby, things did not get better once he left school and he felt the campaign did too little to address power. A video of Bobby's story was produced to raise awareness of this issue and can be viewed at www.stillhereproject.ca.

Balancing act (Fig. 11.11) was devolved by Ryan, inspired by the loss of a friend who died tragically by suicide following years of struggle with sex addiction, drug abuse, and mental health problems. His piece spoke to the difficulties of accessing services within the public health care system. With his art, Ryan denounced the significant barriers to mental health services for the vulnerable, critiquing the lack of resources prioritized to mental health promotion.



Fig. 11.10 Bully/abuse

Conclusion

This formative conclusion is shared amid the second exhibit having recently ended and numerous requests to bring the work to other places in Canada and beyond. It is not possible to describe the direct impact on people, health practices, and/or policy decisions; however the exhibits have facilitated important conversations that break the silence, stigma, and sanitization that has permeated gay and bisexual men's suicidality. Mainstream media has also picked up on the need to continue those conversations, and the 1500 visitors to the online gallery suggest that there is an appetite to talk about the issues as a means to addressing them. In that regard our goal to break the silence and



Fig. 11.11 Balancing act

raise public awareness about the need for policy and actions towards addressing the issue of suicide among gay and bisexual men's suicide has been achieved. The challenge of course is to sustain and scale the conversations in ways that lobby actions for addressing the long-lasting inequity of suicide faced by gay and bisexual men.

The combination of photovoice and intersectionality produced new knowledge and, by extension, avenues for transforming policy. To date, much of the knowledge informing suicide prevention have been drawn from epidemiological and public health data focused on retelling long-standing population patterns typically abstracted by sex and/or age (Nock et al. 2008). Differently, by adopting intersectionality with photovoice, the power dynamic in our research was disrupted by positioning gay and bisexual men affected by suicide as experts and facilitating their creative control and freedom to set the agenda of what was depicted and discussed. Their photographs went beyond trends to explain the causes of suicide. This also resulted in photographs that challenged the belief, often reinforced in suicide research and prevention writ-

ing, of a universal gay and bisexual men's experience by presenting diverse self-representations that were informed by the intersections of multiple identities. The photographs and stories also disrupted the dominant construct that negative mental health outcomes among gay and bisexual are the results of internalized oppression (Newcomb and Mustanski 2010) and illuminate issues of power at the micro and macro levels. Also, rather than highlighting deficiencies and weaknesses typically emphasized in research on gay and bisexual men, the photographs signalled strength and resilience as individual- and community-based qualities capable of providing hope and strategy to others experiencing similar issues.

Despite numerous calls for a national strategy for suicide prevention, Canada remains the only G8 country without one. This is an important gap considering that suicide has dropped considerably in countries that have adopted such strategy (Matsubayashi and Ueda 2011). As evidence in the WHO recommendations, suicide must be combatted both on an individual and population level to realize a large-scale impact (WHO 2014). As such, it requires a strategy that engages stakeholders in the mental health system as well as broader public health policy actors. While some countries including Australia, Ireland, and Brazil have developed national suicide prevention strategies and policies that focus on men, Canada might be better served by focusing on multiple issues and vulnerable sub-groups who are disproportionality affected by suicide. What we learned from gay and bisexual men in this project is that a focus on men alone and a "one-size-fits-all" solution would probably do very little to reduce their vulnerabilities to suicide. Differently, the plurality of stories and pictures from the study participants suggests that working from a basis of recognizing the intersecting aspects of identity with a focus on macro-level changes might best advance the mental health of gay and bisexual men. While we have lobbied key Canadian mental health and public health stakeholders to thoughtfully consider intersectionality and to address gay and bisexual men's suicide prevention along with other "at risk" populations, the progress is slow. However, in a country that celebrates and embodies the social determinants of health, a strategy focused on intersectionality should be achievable. This would require a shift in how social determinants have been traditionally considered, one at the time and in isolation from one another (Hankivsky and Christoffersen 2008). Expanding policy to address multiple axes of inequity will benefit multiple marginalized populations and has the potential to greatly reduce suicide.

Finally, amid the wait for such or similar policy action, the work of *Still Here* will continue as an intervention in and of itself. Many participants reflected on the transformative and empowering effect of taking the photo-

graphs and sharing their stories. The project allowed gay and bisexual men to use photography as an extension of themselves and as a tool to safely share their stories and have a voice. Many men had never spoken about their suicidality to anyone or with another gay or bisexual man. Many participants had also remained silent about the harmful effects of homophobia, poverty, colonialism, and racism on their lives. As such, photovoice offered an elixir of sorts, helping participants to speak up against their social inequities and for targeted suicide prevention.

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Part III

Different Perspectives on Persistent Problems

12

Understanding Single Womanhood in China: An Intersectional Perspective

Crystal Li Jiang and Wanqi Gong

One of the major demographic changes over the past decades is the dramatic increase in the population of singles across the globe. In the United States, England, and Wales, unmarried individuals outnumber married ones for the first time ever by the year of 2016 (Traister 2016). In North Europe, West Europe, and developed societies in Asia (Japan, Taiwan, and South Korea), one-person households account for about one third of all households (Yeung and Cheung 2015). The number of unmarried women has sharply risen to a surprisingly high level in the conservative Arab world, with several Gulf states (e.g., the United Arab Emirates, Saudi Arabia) reporting to have a percentage up to 75% of the unmarried women (Mohammed 2014). In China, the proportion of Chinese singles has increased from 6% in 1990 to 16.8% in 2010 (Yang et al. 2010). This phenomenon is often paralleled with several other demographic changes, including increasing age at first marriage, increasing number of single-person household, long-term cohabitation in replacement of marriage, and low fertility. Deeply embedded in the complex processes of globalization, the traditional institution of marriage and family is under transformation in many parts of the world, particularly in places where women aggressively seek for upward mobility and greater equality (Giddens 2000).

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The second demographic transition, a concept first coined in Western societies to capture institutionalized individualism and increasing acceptance of alternative marriage and sexual values (Lesthaeghe 2014) is not only the “Western idiosyncrasy”. Over the years, it has spread outwards to advanced Asian and Latin American populations. While ascribing greater value to self-actualization, autonomy, and freedom, singles now are likely to consider marriage and childbearing as a personal choice rather than a family and social duty (Jones 2012).

Both men and women in marriageable age may delay marriage or choose not to get married for similar reasons (e.g., better education or career); however, single womanhood is still viewed in a much more negative manner compared to single manhood. Single women are viewed as outliers from traditional gender roles and are frequently stereotyped as “deviant”, “incomplete”, “immature”, and “unhappy” (Collins 2007, 2013). Such double standard even magnifies in older age groups because single women aged above 35 are more likely devalued for missing the best time for reproduction and failing to fulfil their presumable role in nurturing. Single women in lower socioeconomic sector face more pressure for getting married because marriage or long-term relationship remains a much stronger marker of success for them. In patriarch or collectivistic societies, single ladies experience more stigmatization and discrimination because they place their personal and often “selfish” needs over family values.

That said, stigmatization and prejudice against single women are based on their multiple identities or group memberships rather than the stand-alone gender identity. The intersectionality perspective (Collins 2000b; Crenshaw 1991) provides a useful framework to address multiple and intersectional systems of privileges and oppressions. It criticizes linear thinking that uses stand-alone categories to understand superiority and suppression and argues that the multi-layered disempowerment could create completely new social status and experience for marginalized individuals and groups in the society. Drawing on this framework, this chapter provides a systematic examination of single womanhood by elucidating and interpreting the intersecting systems of oppression faced by single women. It begins with a brief overview of the intersectionality perspective and presents an interlocking matrix of oppression against single women. The proposed matrix is later elaborated in the context of Chinese society, which has experienced a significant increase in the population of single women in the past few decades. The chapter concludes with reflections on research agenda and policy recommendations for single womanhood.

The Interlocking Matrix of Oppression on Single Womanhood

The concept of intersectionality has a long history since the 1960s, largely attributable to the scholarship on women of colour in the United States, which aimed to criticize the dichotomization perspective that privileged gender as the most defining category (Hankivsky and Christoffersen 2008). Crenshaw (1991) first coined this term and defined it as the overlapping or intersecting social identities and social divisions that create multi-layered oppression and discrimination. The perspective suggests that women face multiple, simultaneous, and interacting oppression from being subordinated among other social identities, such as race, class, age, ability, sexual orientation, religion, nationality, and other social identities (McCall 2005; Shields 2008). On multiple and often simultaneous levels, these identity axes interact to produce intersectional oppression, which is deeply embedded and manifested in various interpersonal processes (e.g., social exclusion/inclusion), bureaucratic practices (e.g., policy and welfare), hierarchical structures (e.g., socioeconomic stratification), and hegemonic ideologies (e.g., masculinity and patriarchy) within a society (Collins 2000a). This line of inquiry was later intensively applied to decompose public policy-making with the goal of ameliorating intersecting inequities created by multiple sources of dominant power in a society (Hankivsky et al. 2012). Intersectionality-based policy analysis is suggested to go through several steps, including mapping different forms of inequity as well as resulting disadvantages, visioning the transformative approach to set the agenda on the structural level, road-testing of policy by engaging civil society actors, and monitoring as well as evaluating the effectiveness of policy implementation (Parken 2010).

In the past few decades, intersectionality has moved from the exploration of the oppression on black women in America to a wide range of applications pertaining to all possible social categories in various contexts. For example, this perspective has been frequently used in discussions of gender, ethnicity, ability, and power, with a much wider coverage of ethnicity and minority groups (Bograd 1999; Browne and Misra 2003; Woodhams et al. 2015). Research has also moved beyond the contours of gender, race, and class to look at more permeable social divisions because individuals can be “disabled” or “disadvantaged” in so many ways, and social divisions concerning factors like social roles also greatly contribute to produce oppression and discrimination (Yuval-Davis 2006). In some sense, all the statuses can be viewed as ranging from totally irreducible (e.g., race, gender) to relatively permeable (e.g.,

occupation, marriage status, immigration status). For instance, in marriage studies, marriage migration is believed to create intersecting identities and has been theorized as a complication of gender, marriage status, immigration, and culture in both Western and Eastern contexts (Charsley and Liversage 2015; Chiu 2016). In the context of single womanhood, scholars have similarly argued that “the category of singlehood is a contingent notion which varies by gender, age, class, religion, ethnicity, ableness and sexual orientation” (Lahad 2013, p. 25). Jiang and Gong (2016) pinpoint that Chinese single women face multiple and intersecting oppressions rooted in sexism, marriage norm, ageism, and patriarchy culture. Based on these arguments, below we offer a systematic analysis of single womanhood from the perspective of intersectionality (see Fig. 12.1).

Singlism and sexism may have constituted a major explanation for why singlehood is so much damaging to women. Despite the growing size of the single population across the globe, marriage norms remain strong throughout the world. The pervasive preference for the institution of marriage has created an overt but barely acknowledged prejudice against the unmarried ones called

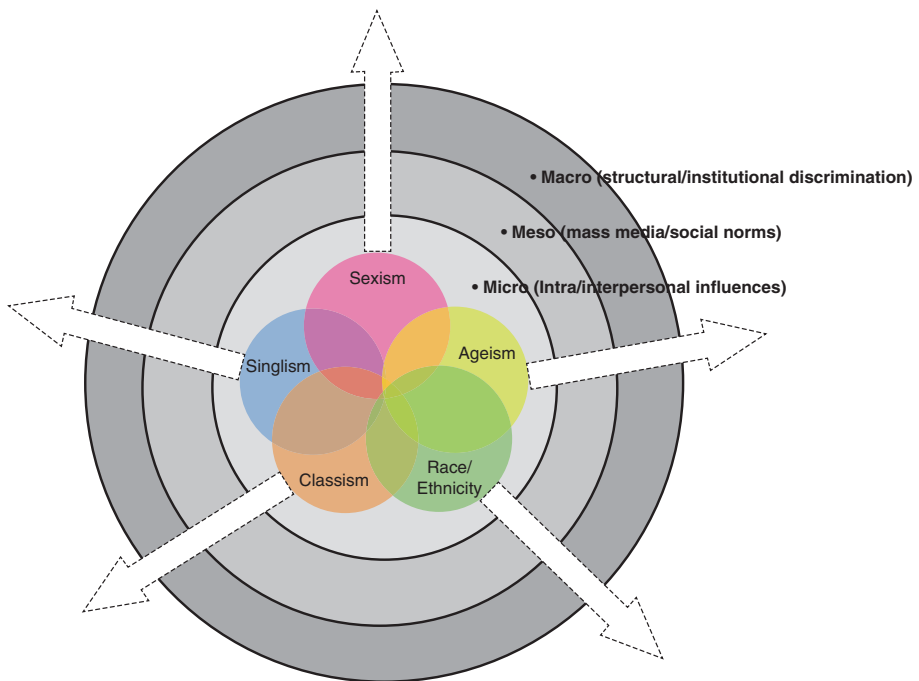


Fig. 12.1 Systematic analysis of single womanhood from the perspective of intersectionality

“singlism” (Bryne and Carr 2005; Morris et al. 2008). Compelling evidence shows that singles, particularly individuals who are not romantically attached, are constantly stereotyped, devalued and unfairly treated (Davis and Strong 1977; DePaulo and Morris 2005, 2006; Greitemeyer 2009; Hertel et al. 2007; Krueger et al. 1995). While married individuals are described in positive terms (e.g., loving, mature, and dependent), singles are described as ugly, lonely, shy, inflexible, and unhappy. Singles are perceived as having more risky personality and higher chances for sexually transmitted diseases, while there is no solid evidence supporting such a notion (Conley and Collins 2002). It is interesting that people view their bias against singles as more legitimate than other forms of discrimination such as racism, sexism, and homophobia, perhaps because the public tend to view marriage as a status by personal choice. Like other stigmatized identity, the labelled individuals experience discrimination and social isolation, which in turn causes negative consequences in physical, psychological, and economic well-being. For example, Bryne and Carr (2005) demonstrate that the stigma of singlism persists and manifests the most among never-married, unpartnered individuals compared to formerly married individuals and unmarried cohabitants. Spielmann et al. (2013) found that the fear of being single consistently predicted romantic interest in less responsive and less attractive dating targets as a means of attempting to avoid ending up alone.

The stigma of singlehood is further complicated by gender given that social judgements consistently suggest that marriage means more for women than for men. A vast literature suggests that women often represent sex object, motherhood, and virtue, and they are less likely associated with career and personal development. Females’ domesticity identities are considered more important than other kinds of female identities (Elasmar et al. 1999). When women fail to fulfil their domestic roles, they receive harsh penalty for being the deviant. Across cultures, single women are connected with a “second-tier” life trajectory in contrast to the “ensured” happiness experienced by married women. The society does not acknowledge their social contribution, criticize them for competing with men “in the wrong place”, and stereotype them as “incomplete”, “immature”, “unhappy”, and “deviant” (Collins 2007, 2013). The denigration also reflects in the lack of empathy in understanding the predicaments faced by single women. The society normally attributes individual responsibility for women’s single status (e.g., they have “unrealistic” expectation about marriage).

Ageism, another form of common stigma, refers to prejudice and discrimination against individuals on basis on their age (Palmore 1999). Ageism takes many forms, such as derogatory attitudes towards the elderly and discriminative

behaviours and institutional practices against the elderly and the ageing process. The central premise of ageism lies on the assumption that people should behave in certain ways because of their age. Most societies have various unspoken criteria regarding timing and sequencing of life events (e.g., career and family transitions) and, in general, discourage heterogeneity in individual life courses. Single women frequently face an additive oppression of ageism because a woman at a marriageable age is expected to find a husband, get married, give birth to children, and raise them up. Single women aged above 35 are often given insulting names for not being on time for marriage and childbearing. They are “Aanissat” in Arabic, “Shengnv” in Chinese, “Spinsters” in English, “Vieillesfilles” in French, “AlteJungfer” in German, “Bareraniot” in Hebrew, “Makeinu” in Japanese, or “Dakhtartarsheed” in Persian (Flah 2012; Sakai 2003; To 2013). By contrast, public opinion is much more tolerant about single manhood and the timing for marriage. Middle-aged single men are perceived as choosing to be single, and middle- or upper-class single men in advanced age are even respectfully called as “golden bachelors” (Wang and Nehring 2014).

Classism, the system of inequity and oppression based on socioeconomic status, has long been an intersecting factor that complicates various gendered social processes including marriage choices and family planning (Hankivsky and Christoffersen 2008). Different classes create their own language and symbolic meanings in marriage and family planning. For example, Halberstam (2005) argues that the middle class is more conscious about age and reproductive temporality than the upper or lower classes. Terms such as “family time” and “time of reproduction” are constructed based on sexism and ageism perceptions (e.g., there is a biological clock for women) and define what normative practices are within the class. Studies have also identified differential interpretation of single status among young women across class. In Western context, upper-class single girls tend to downplay the importance of relationship and frame their single status as positive and self-enhancing, and mock others, particularly those from lower classes, for wasting time on conversational gender roles (Armstrong and Hamilton 2013; Maxwell and Aggleton 2010). Unfortunately, except the studies mentioned above, most research so far focuses on how class-privileged women negotiate their single status at different life stages. The predominant perspective seems to acknowledge the stigma and challenges related to singlehood, negotiate with domesticity roles, and justify single womanhood as “by choice”. It remains unclear whether midlife females from lower class share similar perspective as their voice is missing.

Racism, as one of the most discussed stigma in both public discourse and academia, reflects prejudice, favouritism, and discrimination founded on ethno-racial differences (Shorter-Gooden 2004). Racism endorses strong preference for dating partners from the same racial or ethnic group, and cultivates rejection for interracial marriage and relationships, regardless of the fact that a large proportion of singles are seeking for self-actualization and independence as “global citizens”. Such ideology functions on a continuum from institutionalized law-making (e.g., the case of India) to well-shared preference in marriage ideal. For example, middle/upper Jewish females have voiced out the challenge of finding someone who is Jewish and at the same time matches their ideals for life partner (Bokek-Cohen 2016; Lahad 2013). Ironically, the society often neglects this challenge and accuses “the attractive, educated, independent and liberated females” for being overly selective. Similar misattribution can be frequently found in many immigrant or ethnic communities. Single women are not allowed to “marry out”, but at the same time they are criticized for not striving enough for finding a husband. In multi-racial societies, complex and differentiated systems of legitimacy appear to the single population. The “White”- hegemonic context formulates the normative expectation of assimilation, which confronts racially and/or ethnically distinct migrant communities (Sokolová and Kolářová 2007). For example, girls in the second generation may go through intensive intergenerational conflicts because of their internalization of the “White” feminism and their pursuit of a different life trajectory from what her parental culture defines (e.g., motherhood).

Multi-layered Intersectionality on Single Womanhood

On the other hand, individual experiences need to be connected to broader structures and systems because what we see in the individual experience is the outcome of intersections of different social locations, power dynamics, and structure inequity. As illustrated in Fig. 12.1, intersectionality operates and produces oppression on multiple levels, including across micro-, meso-, and macro-levels (Dhamoon 2011).

At the meso-level, intersecting factors include social networks, media portrayal, and community as well as social norms. In various cultural contexts, single women, particularly those in advanced ages, report intensive experiences of social exclusion. They are excluded from family-based and/or

child-related social networks, and consequently heavily rely on other single peers in similar stage of life for social support (Collins 2013). The exclusion based on marriage status is likely to create a “segregated environment” that largely marginalizes the group of never-married females and reduces their social capital.

Media portrayals of single womanhood have long been accused as highly stigmatized and prejudicial. Collins’ (2013) analysis of popular US television shows from the 1960s to the 2000s clearly demonstrates the dynamic changes in media coverage of single women. In line with their hidden identities, single women were in general invisible in TV depictions back to the 1970s. They became more visible in the media since the 1990s, but are still described as being “without” a husband, partner, child, family, and ultimately happiness. TV shows and movies tend to depict single women as selfish, picky, condescending, as well as immature, and the storylines would focus on their transition to more mature and responsible person. When they complete their transition, they would be rewarded with husbands and families (Hume 1997, 2000). Meanwhile, the way popular media depict courtship defines a variety of parameters for dating scenes, including relationship initiation, marriage proposal, and gifting. For example, in movies and TV dramas marriage proposals are normally initiated by men (Collins 2007), which implies that women are picked up by men in marriage and single men choose not to get married.

Community and social norms are prevailing powers that “singles out” those who are romantically unattached. Without any exception, all the cultures associate the married status with personal growth, and reward individuals who step into the marriage institution with big ceremonies and gifts (Thornton and Young-DeMarco 2001). Pro-marriage norms widely exist across nations and cultures via various ideologies. For example, the Standard North American Family (SNAF; Smith 1993) is an ideological code that describes marriage ideals as legally married heterosexual couples sharing a household. The husband supports the family and the wife is responsible for the care of the husband, household, and children. The SNAF has been criticized for depicting a White, middle-class marriage life as the role model and forcing people in racial/ethnic minorities and lower classes to follow. It also stigmatizes individuals who do not follow such a life course as “disnormers”.

The intersecting influences of policy, institution, and social structures on the macro-level are far more complex. The emergence of single womanhood occurs as part of wider post-industrial transformation. However, there is little recognition of this population in terms of social policy, legislation, and even academic interests. The society further legitimates such privilege via various

kinds of preferential policies in tax (e.g., more tax reduction for married ones), housing (e.g., restricted eligibility for singles to apply for public housing), healthcare (e.g., free premarital medical examination), employment (e.g., spousal hire), civil rights (e.g., singles cannot adopt child), and so on (Joslin 2013; Nock et al. 2002). These policies are all set up based on the assumption that married people contribute much more than singles to the society, although such assumption has been recently challenged by accumulating evidence (Barrett and McIntosh 1982; Cherlin 2003; Gerstel and Sarkisian 2006). On the other hand, empirically it is evident in many countries that these social welfare policies have a significant impact on females' marriage expectation, marriage desire, and the average marriage age of a certain generation (Alstott 2013; Li and Wang 2017; Lichter et al. 2004). For example, the "income-splitting" tax policy, whereby married individuals could reduce the tax bill through splitting his/her income with his/her spouse and children, factually advocates traditional gender roles, because couples with only one working partner gain the largest tax benefits and the nonworking spouse is usually the wife.

More direct institutional acts are also observed to boost marriage rates, particularly in societies with strong authoritarian power. For example, the Singapore government has provided matchmaking service to facilitate partnering since 1984. To promote marriage, the United Arab Emirates (UAE) offers a marriage fund for dating couples and has launched a campaign to persuade fathers of prospective brides to accept smaller dowries and plain weddings. Such interventions have long been criticized for being a traditional and ineffective remedy and for producing a number of negative effects on marriage values and singlehood. Institutional acts often come with policy specifications, for example, the UAE's marriage fund aims to encourage UAE men to marry UAE women, which indirectly promotes racism in marriage choice (Olidort 2008). In Singapore, the Social Development Unit (SDU) was formed to facilitate matchmaking among highly educated singles in an attempt to enhance population quality (Jones 2012). Its excessive matchmaking campaign has reinforced the stigma associated with single women as exemplified by the anecdote that SDU is interpreted as "Single, Desperate, and Ugly".

There is no doubt that there are significant internal, multi-dimensional biases against single women in contemporary policy-making in many countries. Mapping out such inequalities is the first step in correcting the stigmatization and achieving transformative decision-making. However, paradigm shift or reshaping can be very difficult and long-lasting given that the marriage institution and the patriarchy regime have been the default position for so long (Collins 2013). New barriers also keep on emerging, for example, many

nations are less tolerant about single, particularly childless women because they stand against the national goal of increasing birth rate and labours. With the hope of reducing the ageing process, these governments hence refuse to implement more inclusive policy for singles, which aggravates the segregated environment for single women. In contrast, neoliberalism and post-socialist regimes permit the construction of more diversified female identities in sub-cultural groups (Bay-Cheng and Goodkind 2016). This permits the destruction of various stigmas along the way of deeper social transformation.

Understanding Chinese Single Womanhood from the Intersectional Perspective

In this section, we move from the general discussion to a contextual analysis of Chinese single womanhood because the understanding of oppression on single women should be situated in specific social structure. As with many other countries, the advanced education and economic empowerment of women make Chinese women, especially professional women, postpone their marriage and enhance mate selection standards (Berg-Cross et al. 2013). The proportion of never-married women aged between 25 and 29 has risen from 8.7% in 2000 to 21.6% in 2010, whereas the proportion of singles aged above 25 only increases from 4.6% in 2000 to 5.9% in 2010 (PCO 2002, 2011). The rise of proportion of singles is accompanied by high accelerating ageing rate and low fertility rate of population in China (Zhang et al. 2012). The Chinese government hence faces several challenges caused by such a demographic shift. First, as a result of rapid social economic development and one-child policy, the young generation has less motivation, time, and resources to take care of the ageing people (Guo et al. 2009). The Chinese government has to invest more resources to take care of the older population if the ageing process accelerates (Attane 2002; Zhang et al. 2012). Another serious concern is that China's rapid economic growth heavily relies on a large number of cheap labour forces (Zhang et al. 2012). The increase of single population and the decline in birth rate are likely to be barriers to long-term economic growth. Social stability may also become an issue if single men, particularly those in lower class, experience difficulty in finding a wife, and the increase of single women will definitely accelerate the gender imbalance in marriage market. For the above reasons, the Chinese government and society have placed heavy demands on strengthening marriage and increasing population sustainability.

The vast size of unmarried marriageable population clearly stands against governmental and societal expectations for population sustainability. Like what happens in other societies, singles are stigmatized and discriminated in many aspects, including media image, professional career, and private lives. As an authoritarian government, Chinese state power and its institutionalized bodies are critical agents that create the controlling images and cultivate hostile public opinion of Chinese single women. For example, All-China Women's Federation, a state-led organization that aims at protecting women's right, first coined the terms of "leftover men" and "leftover women". After this flagship, the media reports on singlism vanished. Singles are blamed for violating the Chinese convention that emphasizes "settling oneself in a family before developing a career".

The singlism stigma is far more detrimental for Chinese single ladies than for Chinese men, even though the number of single men is more than single women in every marriageable age group (PCO 2002, 2011). One of the reasons is that, unlike other societies, the growth of single women in China occurs within a very short period, leading to an intensive discourse in family, community, and public settings regarding single women. The images of independent, highly educated, and career-focused women challenge long-lasting Confucian values, which advocate male dominance, family loyalty, conformity, and social harmony. Confucianism has long been considered as a patriarchal, sexist ideology that contributes to severe oppression and discrimination of women (Chasteen 1994; Maeda and Hecht 2012). For example, Confucianism defines a set of controlling images for a traditional Chinese woman as being subordinate to her father in adolescence, her husband in adulthood, and her son in old age.

Controlling images of singles are particularly concerned about age. Chinese laws and social norms expect young women to pursue certain life events in the given sequence and retaliate mercilessly against outliers such as women who have nonmarital births. This leaves single women no choice other than hastening up into marriage. Marriage market perhaps is the place that vividly manifests the intersecting discrimination based on marriage status, age, and gender. Youth, beauty, fertility, and marriage record are all pricing factors that determine a lady's mating value on the marriage market. Young women without any marriage record apparently are perceived as having more advantages over the older ones and the divorced ones. All-China Women's Federation arbitrarily defined the leftover men as unmarried men aged above 30 and leftover women as unmarried women aged above 27. Accordingly the slang term of 3S, which means single, seventies (born in the 1970s), and stuck, was invented to refer to this group of women. There is no official justification

about why 27 was chosen as the cutting point, but cross-cultural comparisons show that this criterion is unrealistically low and can cause very stressful experiences. Nearly 40% of women in United States and more than 50% of women in United Kingdom are unmarried in their 30s. Even in other Asian countries and regions such as Japan, South Korea, Singapore, Taiwan, and Hong Kong, the average age of marriage for females is also significantly higher than 27 (To 2013).

Women who receive higher education find this criterion of 27 years old particularly discriminating because when they finish the undergraduate education they are already 23 years old. If they choose to pursue postgraduate degrees or use a few years to build up their career, they are likely to remain unmarried when turning 27. The competitiveness they seek for from higher education is even mocked by ageism statement. For example, All-China Women's Federation had posted (later removed) insulting judgement on its website by describing the pursuit of higher education as "tragedy" because "as women age, they are worth less and less". The upper-class, unmarried women are further labelled as "3H" women, which means "high education", "high income", and "high socio status". In public opinion, 3H women usually hold high and often unrealistic expectation for "Mr. Right", and they tend to be self-centred, dominant, lack feminine qualities, and challenge masculinity.

Race or ethnicity is not a relevant factor in Chinese single womanhood given that China is not a multiethnic society. Oppression related to race and/or ethnicity instead reflects in the influence of conservative and patriarchal view of marriage. As To (2013) pinpointed, most Chinese women, including those highly educated ones, still express interests in marriage. Their main barrier is that the traditional patriarchal system shows little tolerance for personal choice and self-actualization (Dumont 1983; Lindenbaum 1981). The collective part in this society, including family and social networks, becomes the source of embarrassment, exclusion, criticism, and discrimination. It is not surprising that one of the unique features about oppressions against singlism in China is that Chinese family is the major agent that pushes and punishes the singles. The family has taken the major role in elder care in traditional Chinese society (Attane 2002; Zhang et al. 2012). Filial piety and familyism are core values of Confucian culture and still function as crucial social norms in China (Zhang et al. 2012). The Chinese family, which is called stem family, usually includes their parents and married children, and sometimes includes several married children (Thornton and Fricke 1987; Zhang 2004). For one thing, the extended family structure allows people to marry before they are self-sufficient and get enough resource to support their own family (Thornton and Fricke 1987; Zhang 2004). On the other hand, the meaning of marriage

is more important for the whole family in Asia, because marriage implies cooperative relationship and extensions of kin networks beyond the wishes of the couple themselves (Fruzzetti 1982; Thornton and Fricke 1987). Although economic reform has brought great change to Chinese society and largely enhances Chinese people education and income level (To 2013), these changes brought more autonomy in mate selection for male than female (Thornton and Fricke 1987). Chinese parents still hold stringent control on their unmarried daughter (Ting and Chiu 2002). Under the one-child policy, Chinese parents are inclined to invest more on education and career development of their brotherless daughters, especially in urban area, because their daughters are the only investment target and the only caring staff of their old age (Fong 2002; Zhang 2004). They also hope marriage can be an upward path for their daughters and even the whole family (Fong 2002) by excessively intervening their daughter's mate selection process. Intensive anecdotal evidence has shown that the Chinese parents are anxious about their single daughter's marriage choices and have taken initiatives to interfere with the matchmaking (To 2013).

As another stakeholder on the meso-level, the Chinese mass media greatly contribute to the stereotyping of single women. Matchmaking programme has emerged as the main theme with numerous Chinese TV and entertainment shows depicting single women and their pursuit of marriage (Luo and Sun 2015). One of the most famous dating TV shows is called "Fei Cheng Wu Rao" (FCWR, translated as "If You Are the One", Luo and Sun 2014), which features 24 attractive single women from different backgrounds meeting and reviewing male candidate one by one (Luo and Sun 2014). Scholars criticize the show for framing courtship in many biased ways, such as presenting an unrealistic perception that bachelors are a kind of scarce resource single women should fight for, stereotyping single women as overly selective, and highlighting ageism in mate selection (Lahad 2013; Li 2015; Luo and Sun 2014). In a related vein, Gong et al. (2015) suggest that Chinese newspapers have covered single womanhood intensively and prejudicially in the past decade. The news coverage has shown little empathy or perspective-taking for single women, attributed more individual responsibility for their single status, and neglected most of the social reasons. Chinese media also dramatized single womanhood by depicting individual life stories and family conflicts over singlehood.

Recently the new-launched policy that aimed to further boost marriage and fertility rates (e.g., the two-child policy) resulted in dissatisfactory impacts, which has triggered pluralistic reflection on population policy. Criticism pinpoints that the lack of consideration for unmarried individuals' marriage con-

cern and personal preferences, such as tax benefits, divorce property protection, and nursery and education welfares, contributes to the ineffectiveness of marriage-promoting schemes. On the other hand, it has been argued that transformative changes in industry structures would reduce its heavy dependency on labour-intensive industry, thereby reducing the increasing pressure on population sustainability. These alternatives and recommendations help shape a relatively constructive discourse for challenging of privileges in the current policy and avoiding the stigmatization of Chinese single women. But it is important to note that Chinese women face very challenging situations in enhancing the visibility of their inequitable experiences because the political system and the civil society sectors in China are not conducive to problem articulation and structural changes. While a “women-centred” discourse is likely to engage different stakeholders in policy-making in democratic systems, the lack of transformative mechanisms and public consultation exercises may have prevented applying the analytical lens of intersectionality into practices. Much needs to be done to develop awareness for inequities and disadvantages and to challenge privileges and biases in media coverage, social norms, and institutional acts.

Conclusion

This chapter has several theoretical implications on intersectionality perspective. First, we suggest that intersectionality research needs to consider more permeable social categories and propose marital status, one of the most salient social divisions in our society, as a new factor that complicates gender inequity. Social beliefs about marriage status create singlism, a kind of stigma that stereotypes, discriminates, and punishes unmarried individuals. Singlism intersects with other stigmas to create interlocking systems of oppressions and contribute to the construction of unpleasant single womanhood. In particular, discrimination and oppression over single womanhood get extremely intensive for those in lower classes, of relatively advanced age, and from conservative or patriarchal subcultures to justify why they are single. These stigmas also work on multiple levels. Single women experience hostile judgements on the interpersonal level (e.g., family, peers, social networks), are constantly stereotyped and stigmatized by media and pop culture on meso-level, and face a variety of institutional penalties on the macro-level. We hope that the intersectionality framework we proposed and explicated here can serve as a guide for future research on single womanhood. So far studies on single womanhood predominantly focus on the intersections of singlism and sexism, with only a few exceptions that consider ageism, class, and racism. As discussed above, the power

dynamics in single womanhood is complex, and scholars should scrutinize how single womanhood is constructed in relation to the contextual interpretation of legitimacy and hegemony along these dimensions. In other words, we should embrace such complexity and seek for developing more situated knowledge regarding single womanhood and social inequity in general.

We believe that a clear understanding of the complexity in single womanhood can effectively inform what can be done to reduce the multi-layered stigmas and improve the well-being of female singles. On the one hand, more stigma-reduction interventions can be developed to respectively speak to each of the oppression sources. Practitioners, researchers, and policy-makers may critically analyse the specificities faced by single women in a particular society and operationalize the stigma-reduction process with tailored strategies. On the other hand, they should be aware of the interlocking nature of oppression against single woman and seek for comprehensive, multilevel initiatives and interventions to address the intersection of stigma. For example, advocates may challenge different stigmas on the individual level through personal counselling and educational outreach. Motivational interviewing, a method that has been extensively used in public health to uncover inner forces and feelings, can be adopted as a useful tool to encourage single women to explore their anxiety and desires. Community-based interventions can also be designed to strengthen the social networks of single women, provide more social support, and help bypass the segregated environment created by marriage institution. Perhaps mass media and social media campaigns that advocate the legitimacy of single womanhood could also contribute to the reduction of stigma, and such actions are likely to be supported by corporate social responsibility actions because single women have long been regarded as powerful consumers. Last but not the least, to produce changes on the structural level, advocates must actively engage in policy discourse to influence policy-makers, presumably through presenting empirical evidence to elucidate misperceptions and biases, inviting international collaboration, and enhancing the dialogues with multiple stakeholders.

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13

An Intersectionality-Based Framework for Tobacco Control

Jenny Douglas

Pederson et al. (2014) propose a gender-transformative health promotion framework for action. While this framework is based on a range of sources of evidence, it prioritises gender and seeks to ‘depict a pathway through which health promotion could transform gender and health inequities’ (Pederson et al. 2014: 143). The authors recognise that gender is not ‘a simple, binary categorical variable’ (2014: 143) and that sex and gender intersect with ‘race’, ethnicity, class, age, disability, and culture. However, ‘race’ and ethnicity and an intersectional approach are not central to their model as gender is prioritised. This approach can serve to mask and obfuscate the health inequities experienced by black women at the expense of privileging gender.

The gender-transformative framework of Pederson, Greaves, and Poole is mirrored by Paterson and Scala (2015) who sought to make gender visible by proposing a feminist approach to policy studies. Paterson and Scala further purport that feminist policy analysis recognises and acknowledges the intersection of gender with ‘race’, class, sexual orientation, and other forms of oppression which may shape women’s smoking behaviour.

In this chapter, I review the literature on young people and cigarette smoking, focusing specifically on the gaps in the literature and the absence of research studies on African-Caribbean young women and cigarette smoking in the UK. Following this, I discuss the relevance of an intersectional approach

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to tobacco research and present a summary of my study on cigarette smoking amongst African-Caribbean young women in the UK which uses Cole's (2009) questions in developing an intersectional research methodology. Finally, I present an intersectionality-based framework for tobacco control arguing that while gender-specific frameworks for tobacco control have been proposed, intersectional frameworks are of the utmost importance if we are to develop tobacco control policies that are relevant to global tobacco use in the twenty-first century.

This chapter explores how an intersectionality-informed research study can be used to develop tobacco control policies that are relevant to the experiences of black women in the UK. It draws on a study that used a multi-method, interdisciplinary research design that combined approaches from health promotion, women's studies, and sociology (Douglas 2014) to explore how 'race', class, and gender intersect with cigarette smoking. In the first stage, data on patterns and influences on smoking behaviour in young African, African-Caribbean, and white women were collected using a self-completion questionnaire to compare the influence of gender, ethnicity, social class on cigarette smoking behaviour and perceptions of cigarette smoking. In the second stage, seven focus groups were conducted with young African-Caribbean women to collect qualitative data on factors that influence smoking behaviour and the meaning that smoking has for this group of young women.

The study concluded that while there is a body of literature on gender and smoking which demonstrates an association between social disadvantage and cigarette smoking in white women, this explanation does not necessarily apply to black women. This research demonstrated that findings based on predominantly one ethnocultural group do not necessarily translate to other groups, even if they live under similar material conditions. An exploration of gender, 'race', ethnicity, class, and cigarette smoking in this study highlights the need for new directions in health promotion research and tobacco control policies with young women that utilise an intersectional framework.

This chapter explores how an intersectionality-informed approach can be applied to tobacco control policies. The distinctiveness of this approach is that it challenges theoretical and conceptual explanations for cigarette smoking among young white women that have focused particularly on class and to some degree on gender, and have not considered 'race', 'ethnicity', culture, or religion. Thus cigarette smoking has mainly been associated with economic disadvantage. While this may be true for young white women, there is a need to develop an intersectional theory of cigarette smoking which recognises the impact on cigarette smoking of 'race', ethnicity, cultural factors such as religion, and other contextual dimensions in conjunction with class and gender,

in order to develop effective tobacco control policies. Young black women's relationship to cigarette smoking is under-researched. Indeed, research on young African-Caribbean women and health has not been commonly undertaken. This study widened the base of understanding on this group of women in relation to smoking as the prevailing literature in this field very prominently discusses material deprivation as an indicator of cigarette smoking. My study demonstrated contradictions to this in relation to young African-Caribbean women, and this constitutes another significant original contribution to the field. Black women's lives were different from white young women's lives in a number of important ways and demonstrated that the factors that are perceived to be indicators of or counter-indicators to cigarette smoking need to be revised for culturally different groups. Furthermore, data gained from white populations cannot necessarily be applied to all cultural groups. Health research needs to consider the ways in which groups differ and how this might impact on one's research. Health research that makes pronouncements on one ethnic group is not bound to be relevant to other groups. In adopting an intersectionality-informed research study, the intersections of 'race', gender, class, and ethnicity are central to the analysis.

Rationalist approaches to policy making are based on collecting appropriate research evidence that is deemed to be both sufficient and appropriate in relation to the public policy issue under consideration. Such approaches have been critiqued as they are often based on incomplete evidence (Collingridge and Douglas 1984). If there is limited evidence on 'race', ethnicity, and cigarette smoking, how can effective policies for tobacco control be developed? If policy makers purport to take a synoptic approach, how can they do so if they do not have research information on all sections of the population? This is particularly true of tobacco control policies which have been based on research which has been conducted on white women predominantly, and as such these policies may not be relevant or effective with black, Asian, and minority ethnic women. An intersectional framework was explicitly designed to address the paucity of research on cigarette smoking among black and minority ethnic women and explores the specificities of race, culture, ethnicity, religion, gender on cigarette smoking.

Background

Despite the growth of surveys on young people and cigarette smoking in the UK, in the 1990s and the early part of the twenty-first century, few studies included black and minority ethnic young people in general and African-Caribbean young women in particular. Even in fairly recent research on young

people and smoking in the UK, ethnicity often goes unremarked (Amos and Bostock 2007). Some researchers, recognising the dearth of information on cigarette smoking and young people from minority ethnic groups, have endeavoured to address this.

Research on cigarette smoking and young people conducted in the UK in the 1970s and 1980s demonstrated that smoking was heavily demarcated along ethnic and class dimensions and was associated with being white and working class. From the limited data on smoking in black and minority ethnic communities in the UK in the 1970s and 1980s (Bhopal 1986; Balarajan and Yuen 1986; Ahmad et al. 1988), it appears that smoking prevalence was particularly low among women from black and minority ethnic communities and that smoking in the UK was not associated with membership of a black and minority ethnic community. Despite the limitations of more recent studies on cigarette smoking in black and minority ethnic communities, they demonstrate that cigarette smoking is no longer just associated with being white and suggest changes in the ethnic patterning of cigarette smoking among young women in the UK (Rogers et al. 1997; Karlsen and Nazroo 2000; Best et al. 2001; Bradby and Williams 2006; Bradby 2007; Cullen 2010). In terms of specific research on African-Caribbean young women and cigarette smoking, empirical research is patchy. Rodham et al. (2005) reported that there was a lower prevalence of regular smoking among black females compared to white females, but there is little information on the smoking behaviour of African-Caribbean young women specifically.

In the UK, 'race' and ethnicity have been largely absent from research on young people and cigarette smoking. Apart from the few studies that specifically explore minority ethnic young people and cigarette smoking, many of the studies on young people and cigarette smoking do not record 'race' and ethnicity, including fairly recent research (Amos and Bostock 2007). The exploration of the literature on smoking and identity also revealed that where 'race' is mentioned in research articles, authors reviewing such research ignore this and do not include the 'race' or ethnicity of the young people involved in the study or do not use that information as part of their data analysis. This suggests that in research on young people, smoking, and identity, there is an implicit assumption that findings from white young people can be generalised to all young people irrespective of 'race' and ethnicity.

The influence of religion and tradition on cigarette smoking in young people of Asian heritage has been explored in several papers (Bradby 2007; Croucher and Choudhury 2007; Viner et al. 2006), but this issue has largely been ignored in relation to African-Caribbean young people. In addition, there is no discussion of the cultural differences between black British, African,

and African-Caribbean young people. There is a relative lack of evidence and research on African-Caribbean young women and cigarette smoking as the surveys on cigarette smoking and young people rarely include large numbers of young people from black and minority ethnic communities. Research that has been conducted on black and minority ethnic young people and cigarette smoking has tended to focus on Asian young people, and research on gender and smoking has focused on young white women or adult white women and social class. Hence African-Caribbean young women are largely absent from current research on young people and cigarette smoking. Further research is needed to explore changing patterns of smoking in African-Caribbean young women and to develop an understanding of the cultural and socio-economic factors affecting smoking behaviour among African-Caribbean women. There is a need for more quantitative research on smoking to include black and minority ethnic groups so that we can start to map the changing ethnic and gender identity of smoking. We also need more qualitative research on the meaning of smoking and the purpose that smoking serves. While there is a need to undertake studies specifically with African-Caribbean young women, there is also a need to include African-Caribbean young women in sufficient numbers in national surveys to be able to develop an understanding of possible changing patterns of cigarette smoking in this population.

The research focus on cigarette smoking and young women commenced in the 1980s when cigarette smoking amongst young women in Western industrialised countries seemed to overtake that of young men (Charlton and Blair 1989). Policy makers sought to develop tobacco control policies to stem this tide of cigarette smoking amongst young women. Eakin et al. (1996) argued that the epidemiological data provided evidence that the rates of cigarette smoking started to increase amongst young women, who were considered to be 'hard to reach' and 'at risk'. There was a perception that existing health promotion strategies and tobacco control policies aimed at reducing cigarette smoking were not effective with young girls because the existing policies did not consider gender differences. This required a refocusing of health promotion research to try and understand whether the motivation for cigarette smoking was different among young girls compared to young boys in order to develop effective tobacco control policies. In this early research there was no attempt to differentiate within the group of young women and the body of literature on gender and smoking which developed and demonstrated an association between social disadvantage and cigarette smoking in predominantly young white women. This body of research did not explore differentiation amongst young women in relation to 'race', class, or culture. The case study research on cigarette smoking in African-Caribbean young women presented

in this chapter demonstrates that this explanation does not necessarily apply to black women.

Early research on young people and cigarette smoking focused on large-scale surveys (Boreham and Shaw 2001; Charlton 2001; Boreham and McManus 2003; Fuller 2006) which sought to describe patterns of cigarette smoking and developed theories about why young people start smoking, why they continue to smoke, and when they establish smoking careers. There is, however, another discourse on young people, cigarette smoking, and identity. This more recent research explored the relationship of cigarette smoking and young people's social and cultural identities (Denscombe 2001; Plumridge et al. 2002; Amos and Bostock 2007; Gilbert 2007; Bradby 2007; Cullen 2010). Overall, there is limited research in the UK that examines cigarette smoking and gendered and racialised identities. Many research studies on smoking in the UK have implicitly explored a white racialised identity. Although there is a literature on gender identities and smoking, it is the intersections of 'race', ethnicity, and gender that are neglected.

Over the last two decades, health researchers have investigated young (white) women, identity, and cigarette smoking. This research has increasingly incorporated sociological approaches that have sought to explore femininity and cigarette smoking (Wearing et al. 1994; Michell and Amos 1997; Amos and Bostock 2007; Gilbert 2007). In this research on white young women and femininity, there is an assumption that the findings and analysis of researchers in this field can be extended to *all* young women as the category 'gender' is universalised. Although Amos and Bostock (2007) concluded their study by arguing for the need for gender-sensitive approaches to health promotion and acknowledged that there is a 'wider social world', they did not discuss 'race' or ethnicity. Hence they argue:

In conclusion, tobacco control programmes need to be developed within broader gender-sensitive approaches to health promotion which are congruent with adolescent boys' and girls' experiences of smoking and their wider social worlds. (Amos and Bostock 2007: 779)

The Importance of Intersectionality

Developed by black feminists, intersectionality theory tries to address the complexity of social life by recognising that individuals simultaneously occupy multiple social locations. Black feminism is concerned with power relations, racialised boundaries, and the lived realities of black women. In response to

second-wave feminism that privileged gender, but did not give significance to 'race' or ethnicity, black feminist researchers critiqued white feminists for ignoring the interaction between 'race', class, and gender (Davis 1982; Crenshaw 1989; Hill-Collins 1990; Mullings 2000). Although the term 'intersectionality' was coined by African-American legal scholar Kimberlé Crenshaw (1989), it built upon a tradition of black feminist scholarship which can be traced to Sojourner Truth (Robinson 1851).

Intersectionality proceeds from the recognition that these demographic dimensions, such as 'race', class, and gender, are not isolated, independent variables that are additive but rather that they are interlocking and interactive. In discussing the oppressive nature of these variables, Patricia Hill-Collins (1990) refers to them as the 'matrix of domination'.

Embracing a both/and conceptual stance moves us from additive, separate systems approaches to oppression and towards what I now see as the more fundamental issue of the social relations of domination. Race, class, and gender constitute axes of oppression that characterize Black women's experiences within a more generalized matrix of domination. Other groups may encounter different dimensions of the matrix, such as sexual orientation, religion, and age, but the overarching relationship is one of domination and the types of activism it generates. (Hill-Collins 1990: 226)

Adopting an intersectional approach meant recognising that gender does not exist as an independent category but is always connected to 'race', class, and ethnicity (Phoenix and Pattynama 2006). My research design drew on a black feminist research tradition; by this I mean a way of knowing which brings black women to the centre of the analysis and examines black women's experiences in terms of 'race', class, and gender (Mullings 2000). Mirza argues that:

Black British feminists reveal *other ways of knowing* that challenge the normative discourse. In our particular world shaped by processes of migration, nationalism, racism, popular culture and the media, black British women, from multiple positions of difference, reveal the distorted ways in which dominant groups construct their assumptions. As black women we see from the sidelines, from our space of unlocation, the unfolding project of domination. (Mirza 1997: 5)

Although the application of intersectional approaches to research methodologies is challenging and continues to be debated (McCall 2005; Phoenix and Pattynama 2006; Jordan-Zachery 2007), intersectionality seeks to simultaneously analyse and explore aspects of social difference and identity (e.g. 'race'/ethnicity, gender, class, age, sexuality) as well as different axes of oppression

(e.g. racism, sexism, classism, heterosexism). In relation to developing appropriate intersectionality-informed research methods, MacKinnon (2013) argues that:

Intersectionality both notices and contends with the realities of multiple inequalities as it thinks about 'the interaction of' those inequalities in a way that captures the distinctive dynamics at their multidimensional interface. (MacKinnon 2013: 1019)

In exploring the implications of intersectionality theory to policy, Manuel (2006) argues that often policy analysis ignores 'the ways in which different characteristics in people's lives intersect to present different choices, different decisions, and manufacture different outcomes even among similarly situated groups' (Manuel 2006: 188). This is particularly relevant to developing tobacco control policies, as I will demonstrate that although black women and white women in my study occupy similar material positions, they make very different choices about cigarette smoking and policy makers must recognise this in developing appropriate and relevant tobacco control policies.

The Importance of Intersectionality to Tobacco Research

Intersectionality has subsequently been used as an organising category for feminist inquiry in many different disciplinary fields in social sciences and humanities (Lewis 2013). It has only recently been applied to health research (Hankivsky 2012a; Bowleg 2012) and is relevant to understanding the way in which 'race', ethnicity, class, age, and gender interact with cigarette smoking behaviour.

The aim of my study was to develop an understanding of cigarette smoking among African-Caribbean young women and to explore how 'race', ethnicity, class, and culture intersect to influence cigarette smoking among African-Caribbean young women. In order to do this I chose to compare two groups of young women in this research—young black women and young white women. These young women come from the same socio-economically disadvantaged backgrounds in Birmingham and attended the same schools. However, it is important to acknowledge the heterogeneity of both groups of young women. In examining cigarette smoking among African-Caribbean young women, I shall discuss the intersections between ethnicity, class, age, and gender with regard to youth identities and tobacco use.

I developed a methodology designed to interrogate the ways in which gender, 'race', and class influenced cigarette smoking behaviour. I therefore brought an intersectional perspective to this research, informed by understanding the relationship between these factors. My empirical study thus constitutes one of the first studies on black and minority young people and cigarette smoking focusing specifically on African-Caribbean young women in the UK. I developed an intersectional approach that enabled me to explore the patterns and influences on cigarette smoking behaviour of African-Caribbean young women in contemporary urban Britain and also the meaning that cigarette smoking had for these women, to examine cigarette smoking within the social and cultural context of the lives of African-Caribbean young women, to investigate the meaning that smoking has in the texture of the lives of young African-Caribbean women, to describe and explore smoking patterns of African-Caribbean young women, and to determine whether or not smoking patterns among African-Caribbean young women in the UK mirror smoking patterns for young white women from the same class, whether they are different, and if they are different why they are different.

Methods

I used a multi-method approach which involved a cross-sectional survey followed by focus groups. By using both methods—a cross-sectional survey and focus groups in a multi-method research design—the intersection of these two methods provided insights that I would not have gained using one method alone. Intersectionality provided a theoretical framework for examining and theorising the reported experiences of the black women and offered a way of capturing the complexity of cigarette smoking among black women and the multiple and simultaneous ways in which gender, ethnicity, 'race', class, culture, and religion interact with and influence cigarette smoking. Multi-method and mixed-methods approaches are therefore possibly better suited to intersectional research. My study explored how 'race', class, and gender intersected with cigarette smoking. In the first stage, data on patterns and influences on smoking behaviour in young African, African-Caribbean, and white women aged 15 years old were collected using a self-completion questionnaire to compare the influence of gender, ethnicity, social class on cigarette smoking behaviour and perceptions of cigarette smoking. In the second stage, seven focus groups were conducted with young African-Caribbean women to collect qualitative data on factors that influence smoking behaviour and the meaning that smoking has for this group of young women. Comparing

young white women and African-Caribbean young women from the same geographical area, the study utilised an intra-categorical approach to intersectionality (McCall 2005).

However, trying to develop an intersectional approach for social research presents a challenge. Denis (2008) comments that the practice of developing appropriate intersectional methodologies has not caught up with the theory.

The challenge of integrating multiple, concurrent, yet often contradictory social locations into analyses of power relations has been issued. Theorising to accomplish this end is evolving, and we are struggling to develop effective methodological tools in order to marry theorising with necessary complex analyses of empirical data. (2008: 688)

My study offers one possible solution in terms of developing intersectional research methodologies to interrogate cigarette smoking in black women.

Findings

My study has demonstrated how 'race', class, gender, ethnicity, culture, and religion intersect in the smoking behaviour of young black women. These dimensions reportedly influenced the leisure activities of the young women. Although the young black women attended the same schools and lived in the same areas as the young white women, their smoking behaviour was very different. The young black women started smoking later than their white female peers, and fewer black women than white women became regular smokers. The young black women appeared to have fewer opportunities to smoke as well as make the choice not to smoke. This study demonstrates the importance of using an intersectional approach that recognises and acknowledges the ways in which young black women are differently positioned than young white women. My study has shown that the orthodoxy of the correlation between material disadvantage and cigarette smoking does not apply to African-Caribbean young women.

From the survey, family life, religion, and cultural identity emerged as important factors in the psychological wellbeing of African and African-Caribbean young women. They were more likely to spend more time with their families and to attend a religious organisation. Thus African and African-Caribbean young women were under adult supervision and hence had less opportunity to smoke cigarettes. Furthermore, in other circumstances, African-Caribbean and African young women did not smoke to the same

extent as their white peers although their backgrounds were more deprived socio-economically.

Cole (2009: 170) proposes that ‘an intersectional framework does ask researchers to examine categories of identity, difference, and disadvantage with a new lens’ and that researchers adopting an intersectional approach should ask three questions: ‘Who is included within this category? What role does inequality play? Where are there similarities?’ (Cole 2009: 172). Utilising Cole’s three questions (Cole 2009), my study demonstrated that, although young African-Caribbean women in this study were as disadvantaged as young white women, they were not smoking to the same extent. The fact that a number of young African-Caribbean women were choosing not to smoke disrupts the research orthodoxy on cigarette smoking and social disadvantage and contradicts previous research on young women, cigarette smoking, and disadvantage. I analyse the differences between African, African-Caribbean, and white young women who appear to be in the same socio-economic location and yet make different choices about cigarette smoking. Through the research process and in my analysis of the findings, I addressed Cole’s three questions, paying particular attention to the differences and similarities between African, African-Caribbean, and white young women and the role that disadvantage plays in their lives. Cole (2009) sets out the implications for research when adopting an intersectional approach to research. These are outlined in Table 13.1.

These stages of the research process were relevant to my study where I used quantitative and qualitative methods to explore diversity within the category ‘gender’ in relation to cigarette smoking. Whereas current research has focused on gender and class, I introduce ‘race’, ethnicity, and culture to the analysis, outlining the social and historical context of the lives of African-Caribbean young women in the UK and thereby examining the social and historical contexts of African-Caribbean young women in the UK and their relationship to cigarette smoking. I further explore and interpret the data from an intersectional perspective examining the differences in cigarette smoking in relation to ‘race’, ethnicity, gender, and class, recognising that these dimensions intersect.

As the research suggests, these categories intersect and shape and influence each other and cannot be viewed as individual, independent entities or individual variables. Hence research methodologies must capture the interconnections between variables.

In relation to developing an intersectional framework, difficulties may be encountered with analysing social surveys where gender, ‘race’, and class are seen as independent variables, as an intersectionality framework sees these

Table 13.1 Implications of Cole's three questions for each stage of the research process

Research stage	Question		
	Who is included within this category?	What role does inequality play?	Where are there similarities?
Generation of hypothesis	Is it attuned to diversity within categories?	Literature review attends to social and historical contexts of inequality.	May be exploratory rather than hypothesis testing to discover similarities.
Sampling	Focuses on neglected groups.	Category memberships mark groups with unequal access to power and resources.	Includes diverse groups connected by common relationships to social and institutional power.
Operationalisation	Develops measures from the perspective of the group being studied.	If comparative, differences are conceptualised as stemming from structural inequality (upstream) rather than as primarily individual-level differences.	Views social categories in terms of individual and institutional practices rather than primarily as characteristics of individuals.
Analysis	Attends to diversity within a group and may be conducted separately for each group studied.	Tests for both similarities and differences.	Interest is not limited to differences.
Interpretation of findings	No group's findings are interpreted to represent a universal or normative experience.	Differences are interpreted in light of groups' structural positions.	Sensitivity to nuanced variations across groups is maintained even when similarities are identified.

Source: Cole 2009: 172

variables as interconnected, influencing and shaping each other. While some researchers may suggest that quantitative methods are antithetical to an intersectional analysis, Cole argues that 'an intersectional analysis hinges on the conceptualization of race, gender, and other social categories, rather than the

use (or avoidance) of particular methods' (Cole 2009: 178). In my study I explore the social categories used in the survey through the discussions in the focus groups, and I am able to explore the intersections between different social categories to provide deeper insights when examining cigarette smoking.

This study demonstrates that although all young women in the schools involved in my study have a common relationship to the social and institutional power within the school, the experience of young black women is racialised as well as gendered. Intersectionality was therefore a key perspective which informed the research design.

The literature review presented in the first part of this chapter demonstrated that although there is research on gender identities and smoking, it is the intersections of ethnicity and gender that are neglected. I have drawn attention to the gaps in the literature and the ways in which discussions about 'race', ethnicity, and cigarette smoking have been omitted from the research on young women and cigarette smoking. Through this I have indicated how my own research extends, and departs from, the existing studies. My study has developed an understanding of cigarette smoking among a certain group of African-Caribbean young women and has explored how 'race', ethnicity, class, culture, and religion intersect to influence cigarette smoking among these African-Caribbean young women. I compared two groups of young women in this research—young black women and young white women. These two groups came from the same socio-economically disadvantaged backgrounds in Birmingham and attended the same schools but had different aspirations which were shaped by their different social and cultural, 'racial', and ethnic locations.

I brought an intersectional perspective to this research, informed by wanting to understand the relationship between gender, 'race', class, and cigarette smoking behaviour. My empirical study was designed to address the gaps identified in the critical analysis of the literature. I adopted a multi-method approach utilising quantitative and qualitative methodologies to address the research questions as no one research method can examine both patterns and meanings of cigarette smoking effectively. I undertook a cross-sectional survey among 15-year-old young people in selected schools and at a later stage focus groups with African and African-Caribbean young women from two of these schools. Adopting an intersectional approach, I analysed the differences between African, African-Caribbean, and white young women who appeared to be in the same social and socio-economic location and yet make different choices about cigarette smoking. The survey resulted in data on patterns of cigarette smoking, while the focus groups provided

extended rich data on social identity and meanings and perceptions of cigarette smoking. Here I adopted research methods that allowed me to capture the reported experiences of young black women. This work demonstrates the importance of adopting an intersectional framework which allowed the possibility of capturing the complexity of what may be perceived as one-dimensional categories such as 'race' and ethnicity when exploring identity (Harper 2011).

Developing an Intersectional Approach to Public Policy

This research was influenced by a health promotion research perspective as well as an intersectional approach. However, Reid et al. (2012) suggest that health promotion and health promotion research are under-theorised and hence still dominated by biomedical, psychological, and behavioural theories. They called for the introduction and development of more critical social theories in health promotion research and policy. Furthermore they proposed that applying intersectionality theory to health promotion could increase its rigour and applicability to diverse populations and could address inequity more effectively. This study on cigarette smoking is an example of the way in which intersectionality should be integral to health promotion and public health research. Although health promotion programmes aim to reduce social inequalities, health promotion research, upon which such programmes are based, has often ignored the needs of black and minority ethnic communities, and this was certainly true in relation to the earlier research on cigarette smoking. Addressing social inequality and promoting social justice were central to questions which emanated from the absence of research in this area and the seeming blindness of social researchers to cigarette smoking among black and minority ethnic young women. A health promotion perspective is enshrined in the Ottawa Charter which states that:

Health is created and lived by people within the settings of their everyday life; where they learn, work, play and love. Health is created by caring for oneself and others, by being able to take decisions and have control over one's life circumstances, and by ensuring that the society one lives in creates conditions that allow the attainment of health by all its members. (Ottawa Charter on Health Promotion, World Health Organisation 1986)

The above quote from the Ottawa Charter for health promotion acknowledges the social context of health. However, public health research on cigarette smoking and other health behaviours often ignores the social and cultural contexts of people's lives, and health promotion programmes and tobacco control policies are sometimes developed that are not culturally or socially relevant to the population they are targeted at. The results of this research point to the need to move beyond gender-sensitive frameworks for public health and health promotion and in particular tobacco control, to intersectional frameworks for public health and tobacco control. Power and social justice are integral to health promotion and intersectionality. Hence an intersectional policy framework for tobacco control strives to address inequalities in health and the complex ways in which multiple oppressions are intertwined. Health promotion and public health research approaches should develop public health interventions in a more sustained manner from a social-determinants-of-health perspective (Whitehead and Dahlgren 2006). An intersectional approach is distinguished from a social-determinants-of-health-approach (Reid et al. 2012) by the recognition that social categories are not simply additive (e.g. gender *and* 'race' *and* class) but that something new is created and experienced at the intersection of one or more categories (Hankivsky et al. 2010). The results of this research suggest that these categories intersect and shape and influence each other and cannot be viewed as individual, independent entities or individual variables. Public health and tobacco control policies should reflect this complexity and strive to incorporate social justice.

However, in the gender-transformative approaches proposed by Pederson et al. (2014), 'race', ethnicity, and the specificity of the experiences of black women are once more obscured and subsumed into the category of 'gender'. On the one hand, the values of these approaches in understanding and thinking about gender relations cannot be denied. On the other hand, it can be argued that they are profoundly problematic because of their tendency to invisibilise issues of 'race', ethnicity, and culture. What is needed is a policy framework that can integrate an intersectional approach to social relations which avoids the mistake of attributing priority to gender while at the same time relegating 'race' and ethnicity to a position which at best can be deemed as secondary. It is this more nuanced and sophisticated approach which requires a much more urgent and sustained intellectual public policy focus.

The intersectionality-based policy framework developed by Olena Hankivsky (2012b) does just this. It goes beyond social-determinants frameworks and gender-specific frameworks, placing social location and social justice at the centre of the framework. The intersectionality-based framework for tobacco control that I propose extends and develops Hankivsky's framework.

Intersectionality-Based Framework for Developing Tobacco Control Policies

It could be legitimately argued that UK public policy dealing with issues concerning the control of tobacco has been heavily shaped by a form of research which was framed within a deracialised discourse that has operated at every stage of the research process. One important consequence has found expression in the marginalisation of patterns, experiences, meanings, and motivations for cigarette smoking. In these circumstances, it could be argued that if public policy dealing with the control of tobacco is to become more inclusive and relevant to all sections of the population, in ways that reflect the diversity of contemporary Britain, then intersectionality has to be at the centre of research which aims to deliver more relevant and effective public policy outcomes. This gap in research and policy lies at the centre of my own research, and I have demonstrated how my work can improve tobacco control public policy, by incorporating the following principles in advancing an intersectionality-based framework for developing tobacco control policies:

- Tobacco research and research on all health behaviours should understand the social and cultural context in which those behaviours emerge and are sustained.
- Findings based on predominantly one ethnocultural group, that is, white women, do not necessarily translate to other groups, even if they live under similar material conditions.
- Health research needs to recognise the intersections between 'race', ethnicity, class, culture, age, sexuality, and the interlocking social locations of different communities and individuals.
- This approach starts with obtaining evidence from research on cigarette smoking and black Asian and minority ethnic communities which documents how race, class, gender, culture, and ethnicity intersect and does not assume that patterns of cigarette smoking are the same for all ethnic and cultural groups.
- An analysis of comparative research on patterns of cigarette smoking which examines how the incidence of cigarette smoking varies across ethnic groups is required.
- Research on the meaning of cigarette smoking to different ethnic, cultural, and racial groups using qualitative methods is important to determine the focus of tobacco control policies to be implemented.

- Tobacco control policies developed must be culturally relevant recognising the cultural and religious context of the group targeted.
- Cigarette smoking cessation programmes which recognise the specificity of the group targeted must also be developed.
- Monitoring and evaluation of the effectiveness of tobacco control policies and interventions in different racial and ethnic groups should be ongoing.

In this chapter I have demonstrated the need for intersectional research on cigarette smoking to inform an intersectionality-based framework for tobacco control which examines cigarette smoking amongst black women. My study has deepened our understanding of cigarette smoking among African-Caribbean young women in the UK and demonstrated the importance of researching the social and cultural contexts of cigarette smoking in order to inform effective tobacco control policies. This is of relevance when examining other health behaviours, such as alcohol use, illegal drug use, and a range of other health behaviours. It cannot be assumed that findings from research that has been conducted on health behaviours in predominantly white populations can be extrapolated to other ethnic and cultural groups. In terms of developing effective public health interventions, programmes must be culturally relevant in order to be meaningful. Tobacco control policies in the UK and Euro-America have been developed and are based upon research on cigarette smoking in predominantly white young people and therefore do not recognise or include the smoking patterns, experience, reasons for smoking, and motivations of young black and minority ethnic people. It is only from an evidence base that includes research on black and minority ethnic young people that an intersectionality-based framework for tobacco control can be developed.

While intersectionality theory and methodology requires a great deal more development, it does provide a theoretical framework to explore the ways in which different social categories interact and enables researchers to ask different questions (Cole 2009). Cho et al. (2013) discuss the possibility of 'a template for a collaborative intersectionality' (Cho et al. 2013: 792). Here they suggest that the methodological and theoretical foundations of intersectionality can be formalised by building from empirical studies within particular disciplines. This is certainly a possibility within the discipline of public health and health promotion as this chapter elucidates, demonstrating the relevance of intersectionality to health promotion and public health policy and specifically in relation to tobacco control policies.

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14

'If They Beat You and Your Children Have Eaten, That Is Fine...' Intersections of Poverty, Livelihoods and Violence Against Women and Girls in the Karamoja Region, Uganda

Joseph Rujumba and Japheth Kwiringira

Introduction

Violence against women and girls (VaWG) is a significant public health problem, as well as a fundamental violation of women's and girls' human rights (Turshen 2000; World Health Organization 2013). While violence occurs in settings of conflict and displacement, it also occurs in peaceful settings with women, children and elderly persons bearing the physical blunt, sexual and psychological abuse (World Health Organization 2013, 2014). Globally, estimates indicate that a quarter of all adults have been physically abused as children. One in five women reports having been sexually abused as a child, and one in three women has suffered physical and/or sexual violence by an intimate partner at some time in a lifetime (World Health Organization 2014). Violence has profound impacts on the social relationships, social identity, mental health, reproductive health, physical, psychosocial and economic welfare of women, as well as on child health (Kishor and Johnson 2004). Violence

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affects women's and girls' life chances (Turshen 2000). The elimination of such violence has been increasingly recognized as a priority for the international community especially the United Nations Development Programme. The global development agenda reflected in the Sustainable Development Goals includes a specific target to eliminate all forms of violence against women and girls (Rosche 2016; Klugman 2017). On the African continent, the Maputo Protocol on Human and Peoples' Rights prohibits gender-based violence (GBV) as part of women's rights to life, integrity and security of the person and dignity (African Union 2003).

Uganda has a supportive policy and legal framework for the prohibition of various forms of sexual and gender-based violence and for the promotion of the rights of girls and women. These include the Prohibition of Female Genital Mutilation Act, Domestic Violence Act and the Uganda Gender Policy (Ministry of Finance Planning and Economic Development 2015). Even with this policy and legal framework, violence against women and girls is a reality in Uganda (MGLSD 2007; Rujumba and Kwiringira 2010; FIDH 2012). Violence is a grave reality in the lives of many people most especially women in Uganda (UWONET 2011). The Uganda Demographic and Health Survey (UDHS) 2011 (UBOS 2012) indicated that 56% of women aged between 15 and 49 years in Uganda have experienced physical violence at some point in life, and 28% of women in the same age group had experienced sexual violence, compared to 9% of men (UBOS 2012). A similar national survey conducted in 2016 revealed that 22% of women aged 15–49 in Uganda and 8% of men in the same age group report experiencing sexual violence at some point in time (UBOS 2017a).

Violence against women occurs in various forms including physical, sexual harassment, trafficking, rape and defilement and occurs in families, communities, workplaces and institutions (MGLSD 2007). Thus, VaWG is a serious human rights and public health issue which results from negative gender norms, social and economic inequities that give privilege to males over females (UWONET 2011; World Health Organization 2014). Most cases of violence against women in Uganda are perpetrated by an intimate partner. For example, according to the UDHS 2006 (UBOS 2007), 68% of the women in marital relationships had experienced one kind of gender-based violence, more commonly by an intimate partner. Five in ten women had experienced physical violence from their current husband or intimate partners (UBOS 2017a, b).

Girl children who later become women are prone to violence especially from harmful social norms and practices such as female genital mutilation/cutting (FGM/C) and forced and early marriages. What is culturally called early marriage is in most cases underage marriage and therefore legally defilement which is a crime in the penal code. Although the minimum legal

age for a woman to get married is 18 years in Uganda, marriage among girls under 18 years is a widespread practice. This legal provision is difficult to enforce given the intersecting context of ineffective birth registration, illiteracy, poverty, implied material gains and wide acceptance of early marriages in most Ugandan societies. Even then, this sexual union is a nullity under the law as well as a crime. In Uganda, among women aged 20–49, 15% were married by age 15 and 49% by age 18 (UBOS 2012). This scenario reflects a difference between legal provisions and day-to-day realities in which girls and women lead their lives without ability to take independent decisions. On the contrary, among men aged 25–49, only 9% were married by age 18 (UBOS 2012). It is important to note that early marriage greatly impairs the quality of life for girls who later become women, through changing the girl's focus from education as a key social determinant of future life chances to engaging in early family life and motherhood and family roles (Mensch et al. 1998).

Violence against women and girls is normalized in most parts of Uganda. For instance, in a nationally representative survey, 58% of women and 44% of men aged 15–49 years in Uganda approved wife beating (UBOS 2012). This overview shows that violence against women in Uganda is a common reality and highly normalized for many women and girls.

The Karamoja Region Context

The Karamoja region is in the north-eastern Uganda and covers about 10% of Uganda's land mass (Fig. 14.1). The region borders South Sudan in the north and Kenya in the east. Karamoja is made up of seven districts with a com-



Fig. 14.1 Map of Uganda with Karamoja highlighted

Table 14.1 Comparative human and development indicators—Karamoja compared to Uganda

Comparative human and development indicator	Uganda average	Karamoja region
Life expectancy (UNICEF 2017)	60 years	**
Population living below poverty line (UBOS 2016)	27%	61%
Maternal mortality rate (per 100,000 live births) (UDHS 2006)	435	750
Infant mortality rate (per 1000 live births) (UNICEF/WHO 2008)	76	105
Under 5 mortality rate (per 1000 live births) (UNICEF/WHO 2008)	134	174
Global Acute Malnutrition (GAM) rate (UNICEF/WFP 2008)	6%	9.5%
Immunization (children 1–2 years, fully immunized) (UBOS 2017a)	55%	73%
Percentage of children under 5 using Insecticide-Treated Nets (ITNs) (UBOS 2017a)	62%	47%
Access to sanitation units (UBOS 2017b)	90%	31%
Access to safe water (UNICEF 2008)	63%	30%
Literacy rate (UBOS 2017b)	74%	27%

**Indicate missing data

bined population of about one million people (2.8% of the national population) (UNDP 2015). There are nine ethnic groups in this region. The Karamoja region is the poorest and least developed region of Uganda (Gelsdorf et al. 2012; UNDP 2015) and is host to the worst human development indicators in key areas, including primary school enrolment, maternal and infant mortality and poverty (Table 14.1). The population living in poverty is estimated at 61% far higher than the national average at 27% (UBOS 2017a, b).

The region is semiarid with rainfall patterns experienced only between April and September. Livestock is a fundamental form of capital, wealth and power in this region. Livestock is a source of food, status and a basis for family formation. Women and girls are central to acquisition and distribution of livestock mainly through payment of dowry upon marriage. This political economy forms the basis for perceiving women and girls as a source of wealth, while suitors and husbands begin to see their brides and wives in relation to the number of cows that they parted with (Mkutu 2008). Viewing women and girls in terms of cows paid or expected is at the heart of violence against women in Karamoja. In this context women and girls are at the intersection of investments and assets, respectively.

Men often move from place to place in search of pasture and water while women and children remain behind. Insecurity where ethnic groups confront each other, both in attempted cattle raids and in defence of their cattle, is

common. Various ethnic groups in the Karamoja region raid and counterraid to revenge for previous cattle raids or to retrieve stolen livestock from other clans or to try and acquire more cattle as a means of restocking. Other raids largely occur to acquire cattle for paying dowry (Mkutu 2008). Cattle raids between neighbouring ethnic communities are characterized by shooting, killing, fighting, destruction of property, rape and abduction of women and girls. Although women and girls are not active participants in cattle raids, they are often targets of violence. Communities in this region are also vulnerable to raids from other ethnic neighbouring groups like the Turkana from Kenya and the Dinka from South Sudan. Taken together, internal and cross-border raids situate women and girls at the intersection of wealth acquisition, insecurity and livelihoods (Ayoo et al. 2013).

Among the Pokot and the Tepeth in Nakapiripirit and Moroto districts, respectively, a girl's social identity is defined by undergoing FGM, a practice which has been carried out for a long time. FGM is also practised across the neighbouring communities of the Sabinu in Kapchorwa, the Marakwet and Kalenjin in Kenya. FGM is a defining feature of a young girl and marks the girl's transition from childhood to adulthood and therefore eligibility for marriage. This rite of passage is based on physical features like breasts and menstruation and not the legal notion of age. In 2010, the Uganda government outlawed FGM (Republic of Uganda 2010) although this has not translated into an end to the practice. In 2011, at least 5% of women in Karamoja reported having experienced FGM compared to 1.4% across Uganda (UNDP 2015). Indeed, FGM/C is a manifestation of gender inequality (World Health Organization 2008) and is associated with physical and psychological harm (Utz-Billing and Kentenich 2008).

The intersectionality of acute poverty, vulnerability to drought, poor socioeconomic and health infrastructure, illiteracy, inadequate basic social services and the widespread negative gender, sexual and cultural norms compounds the vulnerability of women and girls to VaWG in this peripheral location. Nevertheless, the situation is slowly improving owing to the disarmament process by the government of Uganda as well as the implementation of several interventions by government, UN agencies and civil society actors. The major challenge however is that most such interventions are often project based and short-lived and thus unlikely to effectively address the inherent and long-term structural drivers of VaWG in Karamoja region.

Manifestations and Intersecting Drivers of Violence Against Women in Karamoja Region

We draw upon intersectionality as an analytical framework to investigate the interlinkages between social categories assigned to females and the circumstances under which women and girls lead their lives in Karamoja region specifically the violence they endure. Intersectionality relates to the *interactions* and *intersections* of multiple identities, or what has been referred to by Kathy Davis as ‘categories of difference’ (Davis 2008) produced and reproduced in individuals, institutions and social relations of power, as well as in cultural ideologies and social practices in the social structure. These intersections result in complex but skewed, multilayered and multidimensional experiences of oppression and domination on one hand and power and privilege on the other and their attendant consequences, in this case, including violence against women. Intersectionality was advanced by ‘feminists’ to challenge the unitary concept of ‘women’. For example, feminists argued that race and gender interacted to shape the multiple dimensions of black women’s employment experiences (Crenshaw 1991), and to speak of ‘women’ as a homogeneous group that faced the same issues ignored other categories of oppression (Crenshaw 1991; Shields 2008).

Intersectionality also relates to the multidimensional nature of identity (Crenshaw 1991; Shields 2008) and focuses on differences among groups and seeks to illuminate various interacting social factors that affect human lives and experiences (Hankivsky et al. 2010). The basis for intersectionality is that various dimensions of social stratification and categorization including socio-economic status, gender, marital status and age, among others, can add up to great disadvantage for some people and advantage for others (Warner 2008; Hankivsky et al. 2010). Intersectionality theory strives to elucidate and interpret multiple and intersecting systems of oppression and privilege (Hankivsky and Christoffersen 2008). An understanding of how gender intersects with economic inequality or a number of other social markers is important for an awareness of how gender power relations work to produce and sustain health inequality (Gita and Ostlin 2010). Intersectionality is particularly relevant to the understanding of drivers of violence against women and girls in Karamoja, a region characterized by a harsh physical and socio-cultural environment that has implications for women’s and girls’ exposure to and experience of violence.

Physical Violence: A Common Occurrence

The commonest form of violence against women and girls in Karamoja is physical violence including beating of a partner mostly perpetuated by masculinities. The causes of physical violence in Karamoja include poverty, lack of communication and respect among couples, excessive consumption of alcohol, neglecting family responsibilities, sexual denial and polygamy. While people were aware of wife beating as a form of violence against women, only severe cases involving injury or sometimes death were reported to authorities/elders. Women often engaged in weighing the potential costs and benefits of reporting or not reporting. Some of the key concerns of women that kept them from reporting VaWG cases include fear of being abandoned which would translate into loss of care for women and their children; being denied access to land, being chased away, a man marrying another wife; as well as fear of being rebuked by relatives in view of a requirement to refund the bride price (usually many cows) that they do not have and therefore through which they are made destitute. These anticipated costs discouraged women from reporting incidences of violence hoping that the man will one day 'change'. Even when the man could not change, many women had seen or heard of many other women who endure this situation of female subjugation. Women had been socialized to bear such conditions that embedded the acceptance of VaWG in fragile livelihoods, negative cultural and sexual norms amidst service delivery deficits as intersecting factors for women's vulnerabilities.

Sexual Violence

This was mainly linked to cultural practices, gender inequality, societal breakdown, violent masculinities and competition over resources. The commonest forms of sexual violence in Karamoja region include rape, defilement, forced and early marriages. Only married women were considered raped, while in the case of girls once raped they were considered engaged. An otherwise illegal practice per the laws of Uganda but a permissible cultural practice in Karamoja. As such, many cases of rape were not reported to relevant authorities.

The major setbacks to reporting were linked to compensation offers from offenders; the direct and indirect costs involved in litigation such as transport, meals and accommodation amidst poverty; and a lack of effective legal institutions. Even when some community members were motivated to report, the long time-lag in dealing with VaWG cases distorted evidence while also increasing costs on the survivor, in practice, denoting a denial of justice. As a

coping mechanism, some community members preferred to settle cases of VaWG through compensation and negotiations with the offender taking an upper hand especially when compensation was in the form of cows. The traditional justice mechanisms were in favour of men who being elders and opinion leaders were unlikely to convict one of their own. This scenario reflects how the inadequacies within the economic, social and legal structures in the Karamoja region work in intersection to sustain VaWG as a form of structural violence (Farmer et al. 2004; Farmer et al. 2006).

Many cases of VaW are settled outside the legal system. Many times, even if one reported the process takes very long and many people cannot afford transport and all other costs involved. So many parents and guardians and family members are compensated by offenders and because of being poor, they accept the compensation and do not proceed with reporting (Men FGD)

Regarding reporting cases of violence, a community leader added:

Rape cases seem 'normal' to many people here and reporting depends on the wealth status of the perpetrator and the outcome of the rape incident. If the perpetrator is rich, the victim's family will negotiate or report so that they get something. ... the victim normally reports when they see no chance of compensation.

The above narratives bring to the fore how nonfunctional justice systems intersect with the social structure and poverty to sustain VaWG in Karamoja but also keep it hidden. The widespread structural failings within Karamoja as a form of structural violence (Kohler and Alcock 1976) serve to sustain VaWG, but also when violence occurs, services are not sought or are not effective. The structural violence relates to situations where persons are harmed or killed due to poverty and other unjust social, political and economic institutions, systems and structures (Kohler and Alcock 1976; Farmer et al. 2006); many of these factors work in an intersecting manner to sustain VaWG and other forms of inequality.

Violence against newly married women was entrenched due to a lack of status and power within their marriages and their households largely due to age differences among co-wives, pressure from parents and relatives to give birth to avoid demands to refund the bride price and the need to compete for the men's favour including giving birth to a boy child—hence an heir. In this, giving birth to a boy child/heir elevates a woman's status in relation to others. Preference for a boy child has been previously reported in other Ugandan settings (Beyeza-Kashesya et al. 2010). Study participants revealed that some parents force their underage girls into marriage for material benefits, again

reflecting how poverty, culture and societal expectations intersect to sustain VaWG and girls. Such intricacies usually expose women and girls to a sub-culture of subservience, domestic violence (DV), sexual abuse and isolation from their families and communities.

Economic Violence

This form of violence included acts of discrimination, denial of economic opportunities or services, social exclusion especially among women and girls. The commonest form of economic violence is related to denying women 'the right over' productive assets and 'a right to own property' (usually through inheritance but also outright acquisition such as buying) and a right to work outside the home. Some men also denied their wives to work or run income-generating activities reflecting men's control over women's lives.

In some instances, men were reported to sell farm produce that was a result of women's efforts. In some cases, household assets were sold off mainly to marry other wives or buy alcohol. Enterprising women such as those involved in Village Savings and Loan Associations (VSLAs) or Savings and Credit Cooperative Societies (SACCOS) and those owning small-scale businesses or in employment were often the target for violence by spouses. Husbands/partners of such women often demanded custody of financial returns as well as accountability for women's income. Male partners of enterprising women at times abdicated responsibilities related to provision for their families. This scenario contradicts the expectations of women economic empowerment where proceeds from women economic empowerment are expected to advance the wellbeing of women and their families. Some men and women alike argued that some economically empowered women also neglected their roles as mothers and spouses which became a trigger for violence. In many ways an economically empowered woman was perceived as a challenge to male dominance. Property ownership was a preserve of men.

Care Work Unequally Allocated to Women and Linked to VaWG

Care work refers to direct care of people (in households and communities) and housework (often unpaid for) such as cooking, collecting firewood, fetching water, washing clothes, digging, caring for children and other chores among others (Gerstel 2000). Within Karamoja, care work especially

childcare, firewood collection, cooking, cultivation, weeding (except for harvesting) and fetching water are highly gendered and women-specific tasks. The heavy and unequal responsibilities including housework and care that women shoulder limit their participation in economic, political and social activities. For girls, care work often leads to school absenteeism, and they eventually drop out of school (UNICEF 2003).

Inequality between females and males owing to care work in Karamoja region is compounded by the widespread poverty and poor availability of social services especially water, health and education. Many women are often physically or sexually abused as they travel long distances in search for water, fuel (firewood or charcoal) and food. The community setting of vulnerability and deprivation intersects with womanhood and the related expectations to expose women to violence. As noted earlier, Karamoja has poor access to public services. Failure by girls and women to meet the care work obligations also results in conflict and violence against women and girls.

Emotional Violence

Women were subjected to behaviours and actions that at times resulted into psychological trauma, including anxiety and depression. Common examples of emotional abuse were quarrelling, verbal insults, demeaning gestures and references, abandonment by their spouses and relatives, and alienation from children. It should be noted that all other forms of abuse usually lead to emotional violence.

VaWG Overshadowed by More Pressing Survival Needs in a Harsh Environment

Over a long time, communities in the Karamoja region have endured conflict and drought leading to a continuous erosion of livelihood assets. This context is associated with increased cases of violence especially against women owing to factors such as chronic food insecurity, poverty and lack of income-generating activities with the attendant excessive alcohol consumption that also soothes the widespread disenchantment. A combination of natural, environmental and man-made factors limits the role of human rights. While violence against women and girls is a common occurrence, the daily struggles to meet survival needs take precedence over rights and freedoms among women and girls. Most respondents believed that violence against women and girls

was not a major community problem in view of more pressing survival challenges especially lack of food, water stress, household and community poverty, maternal and childhood diseases. The most pressing need was 'survival now' and not 'later' or in future for women and their children. One study participant observed thus:

if they beat you, and there is food in the house and your children have eaten, that is fine. But if they beat you and you are hungry, children are crying ... it is worse. Many of us withstand abuse in exchange for food and wellbeing of our children.
(GBV survivor Kotido district)

The survival imperative took precedence over rights and freedoms and should be central in the design and implementation of the VaWG interventions. Motherhood roles and expectations also made women to withstand violence for the sake of their children.

Gender Inequalities and Negative Community Norms Supportive of Wife Abuse

Gender-related norms that support male superiority and entitlement and female subordination and tolerate or justify violence against women lead to and sustain VaWG. The dependency of women on their husbands was responsible for concealment of violence especially intimate partner violence (IPV). Most women could not imagine themselves without their husbands and were therefore ready to bear anything so long as the husband would not abandon them. The practice of widow inheritance was widespread, with clan and family members partly pitching in with contributions to help pay the high bride price; this made a woman belong to the extended family and not only to her spouse. Once bride price was paid, a woman was in general perceived as the property of the man and, by extension, of the extended family.

Most aspects of culture (hard and soft) were to the disadvantage of women; for instance, beating a woman was seen as an attempt to instil discipline, while beating a man was seen as criminal, abominable and contemptuous. Some cultural views worked against imagination and creativity, for instance thinking that a girl was better placed when not educated, illiterate, unskilled and therefore unemployed. Such narrow and short-term perspectives co-existed with persistent disadvantages especially isolation, powerlessness and widespread poverty. Out of these repeated and patterned behaviours evolved a dominant culture even among the educated as one key informant noted:

A man reserves the right to administer discipline and order in his household; the gender issues that you people are bringing can only be compared to the notorious International Criminal Court—ICC!. This ‘woman’ and ‘girl’ thing cannot run in my home. You mean that you love my daughter and wife, more than me the husband and father!? This is disguised interference in the name of human rights. If I am not fair to my wife and daughters; my neighbours, in-laws and clan heads will discipline me, or the LC will take me to police. We love our wives and they love us too, just give us the means to love them; where is water for our wives, where are jobs for our daughters that have completed school? Who are you to claim that you have merely come all the way to tell us how to love our wives and children? I am now very suspicious about your presence here. (Male, retired civil servant Kotido district)

Most study participants attested that a man is justified to beat his wife if she denies him sex, goes out without informing him, argues with him, burns food or neglects children. Important to note is that child neglect had the highest appeal in support of wife beating. This further depicts the complexities of VaWG as intertwined in gender roles especially childcare and power relations in a household and the inferiority of the woman at household and community levels. The culture of silence and acceptance of VaWG as the norm kept it hidden and underreported. Indeed relative disadvantage (Hearn et al. 2016) in our case of women compared to men in form of limited access to resources, motherhood expectations and unequal power relations work in an intersecting manner to cause and sustain VaWG.

The Seasonality of VaWG

The financial pressures due to poverty and food insecurity exacerbated VaWG. Thus, when basic needs could not be met, cases of violence against women and girls in the form of early marriages and intimate partner violence were numerous. Physical violence increased in times of food scarcity but also after harvest. The VaWG after harvest depicts struggles over control and use of household resources as a driver of VaWG in both times of scarcity and plenty, both as an exercise of power over resources or a measure of ‘power over’ another person perceived to have not performed their duty of food provision. Disagreements among couples were also reported as usually resulting out of how to ‘best use’ the limited food stocks and income. The debates and male unilateral decisions often resulted into physical violence against women than did for men. In comparison, VaWG was lower when schools were open than when students were on holiday. Part of this violence related to elopement and defilement which was at times orchestrated by (male) parents and male relatives.

Violence was also lower during ploughing and planting seasons than in harvest time. The paradox about VaWG and harvest in comparison with the scarcity season was that the causes differed with *harvest* and *plenty* resulting in drunkenness, not buying gifts for lovers and conflict over the control of proceeds from the harvest. The abundance—VaWG nexus contrasted with famine where violence was linked to strife and scarcity; in some cases austerity caused some convenient harmony and sanity in view of few choices. Although this scenario was linked to household power relations, this paradox needs further investigation.

When the money from harvests is finished, people sober up and regret their actions while others plan their rounds of revenge. This forms the cyclic nature of violence against women. (Official Kotido)

The fact that VaWG was ever present in times of scarcity and plenty in part would explain why it is perceived as a norm and widely accepted.

The Relationship Between Land Rights and VaWG

A critical element in the interrelationship between poverty, hunger and VaWG is the issue of land rights, a factor that is underpinned by gender inequality. Evidence shows that violence against women was related to the denial of access to land for many widows that attempted to access or repossess their husbands' or parents' land. Within the Karamoja region and many Ugandan settings, women have to renegotiate access to land through patriarchal structures that are often biased in favour of keeping land within male lineage for ownership and control. The process of negotiating access to land often involved acts of violence including early marriages, defilement and transactional sex. In situations where women and girls regained rights over land usually owing to the intervention of civil society organizations, men often resorted to violence. Indeed Hearn and colleagues noted that violence can be a result of a possible loss of power (Hearn et al. [2016](#)).

Conclusions and Recommendations for Effective Policy and Programming to End VaWG

For policies and programmes to be effective in addressing violence against women and girls, caution needs to be taken to ensure that vulnerability intersections are challenged and changed. Being female, unresourced and having no control and access to productive resources as dimensions of poverty; being

a mother, uneducated, dependent on a male partner; and being married and without access to justice, law and order services intersect to sustain VaWG and must be addressed at household and community levels. Intersectionality requires the design and implementation of policies and programmes to make all forms of violence and their intersecting drivers visible and actionable. Thus, policies and programmes targeting single drivers or forms of violence against women and girls are unlikely to give the desired impact.

Men play a key role in community leadership structures, ownership and control of resources and are often in privileged positions at family and community levels. Such inequalities at family and community levels intersect and lead to VaWG. In such a setting, programmes that exclude men are unlikely to succeed. Thus, men and boys need to be targeted and engaged as viable partners in the fight against VaWG. Men ought to be brought to a point where they are convinced that their privileges are best utilized in the empowerment of girls and women and that 'equity benefits men and women as well as boys; girls and the entire community'.

An end to violence against women and girls requires actors including donors to engage in advocacy, design and implementation of policies and interventions to deliver the needed basic services especially in the areas of food security, water, better energy sources, poverty reduction and transport and farming systems. These interventions should also centralize sustained behaviour change communication involving men and women, boys and girls as well as community gatekeepers to continuously appraise and challenge inequitable gender roles and negative norms that intersect and disadvantage girls, women and in the long run society. The messages on ending violence against women and girls are more likely to find relevance and appeal in the target communities if they are centred on meeting the felt survival needs while endeavouring to empower individuals and the community.

Stakeholders and actors must forge a strong partnership and synergies with grass-roots structures and networks that are home-grown as a means of integrating VaWG prevention and action in the wider cultural and local development agenda. This is a call to weave GBV, VaWG, IPV and DV into the broader poverty alleviation and sustainable livelihoods support framework. For better impact, long-term and sustained interventions (as opposed to short-term interventions that seem to address symptoms as opposed to addressing the root causes) that centralize the interrelated nature of fragile livelihoods and violence against women and girls are needed.

The entrenched inequalities in the distribution of power, literacy, resources, opportunities and responsibilities among males or females create poverty and the associated ills including violence especially against women and girls. This

cycle can be broken if meaningful development interventions are initiated and sustained. In this effort, focus ought to be on working with community structures in addressing basic needs as a starting point while progressively addressing the negative social norms.

At household level, actors should seek to strengthen the productive capacities and entitlements of *both* women and men to prevent violence. Creating economic opportunities and livelihood support to reduce pressure on households has potential to decrease the risk of violence against women. Engaging men and boys as partners and designing and implementing long-term and comprehensive programmes are critical. Interventions to strengthen gender-sensitive and responsive livelihoods; changing negative social norms, alcohol abuse and acceptance of violence against women and girls; as well as changing attitudes and practices regarding the unequal burden of care work shouldered by women and girls should be prioritized. It is important for all actors and community members to appreciate that VaWG is preventable. It ought to be made routinely clear that investing in VaWG prevention requires multilevel actors and interventions and the outcomes benefit men, women, boys and girls and society.

For policies and programmes to be effective, the vulnerabilities of being female, mothers, poor, illiterate and married and limitations on access and control over household and communal resources as intersectionalities need to be addressed.

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15

Through the Looking Glass: An Intersectional Lens of South African Education Policy

Michèle J. Schmidt and Raj Mestry

Introduction

The purpose of this chapter was, first, to examine the theoretical contributions of intersectionality. Second, we discussed opportunities for creating new knowledge in the public policy field using the positive traits of intersectionality. The chapter explores two areas of education policy (e.g., education curriculum and school fees)—areas in education for which we believe the study of intersectionality theory could be useful within a South African context. Our use of intersectionality theory was intended to show the hidden context behind education policy and what such an examination revealed, both about intersectionality theory and how this theoretical lens could improve South African education policy. By the end of the chapter, we identified the value from our perspective of bringing intersectionality to bear on South African education policies. In particular, intersectionality provided the identification of new policy directions and strengthened the explanatory power of policy models and their intended and unintended consequences. Intersectionality policy analysis could advance understandings of the differential impacts of

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education policies to produce inclusive and socially just educational outcomes (Hankivsky and Cormier 2011). Researchers attempting to improve knowledge for policymaking look towards intersectionality to theorize the important and poorly understood constitutive elements of peoples' lives and experiences.

Policy Problem

Education is often the driving force in society—socially, economically, and politically. In particular, education either liberates social ideologies or becomes a tool to reinforce stratification (Mannell 2014). With a political ideology of democracy emerging in South Africa, one would think that democratic educational structures would diminish race, class, and gender inequalities. However, this has not been a pervasive result according to several policy scholars (see Spreen and Vally 2006; Moorosi 2007; Lumby and Heystek 2008; Phendla 2008).

Historically, the aftermath of apartheid had redoubtable effects, and the lingering outcomes damaged the socio-political fabric of the country. Twenty-three years after apartheid, unexpected consequences continue to impede democracy, making it difficult (or even impossible) to achieve equitable learning. While sexism, racism, and classism were rife during apartheid, post-apartheid's dramatic shift towards transformation exacerbated these inequities. For scholars, nothing has changed significantly from the days of apartheid schooling (Schmidt and Mestry 2014).

Thobejane (2005) states, "apartheid was built on an ideology of maintaining a hierarchy of superior-inferior, master-servant, ruler-ruled structure among all [racial] groups in South Africa" (3). Policymakers face dominant discourses of entrenched inequalities, which remain difficult to oppose (Foucault 1980; Tikly 1997). The policy intentions of Nelson Mandela (1994) were headed in the right direction when he prioritized spending in health, education, and housing in his first term as new ways to foster democracy, social justice, racial equity, socio-economic equality, and reconciliation. While this vision was lauded the world over, two decades later, education reforms remain more symbolic than a reified fact.

Intersectionality Theory

Intersectionality theory suggests a novel methodological and epistemological approach in addressing diverse forms of subordination within and through various movements for social change (Collins 1998). Intersectionality was widely adopted in the social sciences and humanities as an analytical tool with which one might study and examine the ways in which structures of power interact to produce different conditions of social inequality that affect groups and individuals differently. Recognizing that both power and identity are complex and interrelated, intersectionality offers a systemic and structural analysis of both while acknowledging the variability, fluidity, and contingency of specific manifestations of subordination (Cho 2013).

Some scholars believe that the first example of intersectionality emerged in 1851 when Sojourner Truth, an enslaved black woman, gave a speech at a women's rights convention entitled "Ain't I a Woman." In 1977, the Combahee River Collective was born, a collective of black feminists who worked actively with issues related to racial, sexual, and class oppression. Throughout the 1970s and 1980s, activists continued to clarify intersectionality in their writings (e.g., Toni Cade Bambara, Michele Wallace, bell hooks, Angela Davis, and Audre Lorde). Not surprisingly, by the 1970s, the theory had already grown roots in the notion of triple jeopardy experienced by third world women facing sexism, racism, and classism within a context of capitalism, colonialism, and imperialism. By the 1980s, black feminist scholars replaced the concept of "class" as a political stance (e.g., capitalism, imperialism) and, instead, placed primacy on the more mainstream connotation reflecting socio-economic status (e.g., income, occupation, and lifestyle detached from corporate production or capitalist operations) (Aguilar 2012).

Although intersectionality initially emerged as a feminist heuristic, the theory is also finding its way into disciplines such as sociology, legal studies, gender studies, social movements/politics, public policy, international human rights, and racial/ethnic politics, to name a few (Grant and Zwier 2014). Yuval-Davis (2006) notes that the United Nations Development Fund for Women encouraged the worldwide use of intersectionality theory in a policy-oriented knowledge generation. In 2000, the Beijing Platform for Action outlined the importance of examining women's issues using an intersectional approach. Notably, education is not in the list of disciplines mentioned above. Grant and Zwier (2014) maintain that intersectionality as regarding policy and practice, and as an approach to conducting research on/in schools, has been slow to make progress in education.

Kimberlé Crenshaw (1991) resurrected intersectionality in her specific field of law. By doing so, she conceptualized the overlapping multiple variables of oppression and marginality. During this time, Crenshaw (1991) stressed that intersectionality parallels much of what postmodern theory posits: “I consider intersectionality to be a provisional concept linking contemporary politics with postmodern theory” (Crenshaw 1991: 1243). Black feminist author, Patricia Collins (1998), saw intersectionality emerging from a postmodern paradigm: “[T]he postmodern legitimation of ongoing projects of oppressed groups to decenter power, to deconstruct Western metanarratives, and to rethink differences ... legitimates efforts to understand race, class, and gender [using] intersectionality [theory]” (Collins 1998: 153). The theory serves some important purposes and, perhaps most prominently, helps educators work towards change by addressing equity issues in the workplace and fostering social justice.

Policy failure is not unique to South Africa. In fact, countries around the world experience policy failure. One example in the Western world of a prominent and historical policy failure occurred with the uprising of teachers in 1985–1987, in the United Kingdom. English teachers launched the longest confrontation of its kind in England’s history by initiating a strike against the National Education Policy. The consequences resulted in the “almost total breakdown of the education service” (Simon et al. 2009: 51). Policies became the basis for vigorous debate over content and governance when the public and community were involved. Thus, in the intersection of fluctuating values amongst stakeholders, policies became controversial and ultimately failed. A crisis such as this kind that damaged a structural aspect of the publicly managed system had the potential to destabilize the entire key constituencies of the policy community (Simon et al. 2009: 51). Moreover, once events began to accelerate, public trust disintegrated and became difficult to restore. In the United States, major educational reforms occurred in every state over the last decade. Countries such as New Zealand, Australia, and England have gone through significant changes. In the past decade, Canada’s policy reforms were extensive, particularly, in Ontario and Alberta. All this change produced upheaval, controversy, and broken promises, leaving many educators feeling disheartened and student achievement results disappointing (Leithwood et al. 2002). We can safely conclude that, globally, many countries are struggling with policy initiatives depending upon a multiplicity and intersectional contextual variables.

Intersectionality and Policy Processes

Intersectionality theory has valuable qualities that enhance policy processes. With that said, intersectionality theory benefits policymakers as it enhances the ability to understand the implications of power and social justice when evaluating policy outcomes. Perhaps one of the greatest strengths of intersectionality theory is the focus on context, which flies in the face of modern policy paradigms that ignore context and tend to view identity characteristics (e.g., race, class, and gender) as linear, static, and unconnected phenomena rather than multifaceted, fluid, and intersectional. As Malveaux (2002) stressed, “we don’t live linear lives, so we can’t think of or forge a linear analysis ... our lives are all about intersections” (2).

In recent years, mounting interest in the notion of the global use of intersectionality increased. For example, the United States has more than 300 million people in which minority groups account for 31% of the population. A challenge for policymakers and researchers interested in issues of diversity will determine where, how, and why policies intersect with minority status (Rummens 2003). The United States is not alone in its attempt to come to terms with the increasing calls for a greater application of difference; intersectionality has also had an increasing focus on international human rights and women’s organizations.

The framework of intersectionality employs a multidimensional analysis of how power operates and its effects on the different strata of political life. For example, it is possible to gain descriptions of the how and why of sexism, racism, and classism using this theory (Dhamoon 2011: 233). Even more useful is the theory’s forum as a political critique, since intersectionality examines why power structures exist in society and how these structures can address social justice (Dhamoon 2011). Intersectionality motivates one to ask certain questions: *Who uses power? For what purpose? Who benefits? How does it operate? What are its effects on varied populations? What are the possibilities for transformation?* (Dhamoon 2011: 240). In other words, an intersectional research paradigm serves not only to describe and explain complex dynamics of power in situations but also disrupts the forces of power, resulting in alternative worldviews (Dhamoon 2011: 239).

When viewed from an intersectional perspective, policy issues can be investigated to illuminate the underlying motivation for the policy. This enables us to theoretically (re)interpret a certain policy environment and its contextual influences (Ball 1994; Henry et al. 1997; Schmidt 2008). Intersectionality scholars (Foucault 1980; Crenshaw 1991; Ball 1994; Collins 1998; Jordan-Zachery 2007;

Schmidt 2008; Hankivsky and Cormier 2011) argue that policy processes should be multidimensional in nature, as well as value-laden and contextual. Furthermore, policies are neither straightforward nor rational and frequently result in unintended and even detrimental consequences (Schmidt 2008). These characteristics challenge modern policy declarations that historically have striven to be value-neutral and free from contextual influences (Henry et al. 1997; Schmidt 2008). Critics stress that policy as discourse becomes a power struggle as to whose meaning is being legitimated (Bourdieu and Passeron 1977; Foucault 1980; Ball 1994; Schmidt 2008). The theory serves some important purposes and, perhaps most prominently, helps educators work towards change by addressing equity issues in the workplace and fostering social justice.

An intersectional policy lens acknowledges that policy development must consider context, placement, social location, and the purpose of implementation, as well as provide the potential to assist in solving long-term, value-laden problems (Ball 1994; Schmidt 2008). Applying an intersectional framework to policies can be a challenging process. Organizations cannot make big changes overnight. It takes time, commitment, and an honest belief in the need to prioritize the experiences and histories of people who experience the greatest degrees of marginalization. Diverse voices and perspectives help shape and drive organizational policies through a consensual process (Schmidt 2008).

Policy as a Source of Transformation or Victimization?

This section focuses specifically on two significant policies related to South African primary curriculum and school fees. These are two policies that suffer from failure, inequity, and a lack of social justice. We employ an intersectional lens in our discussion. By using an intersectional lens, we learned of many of the reasons why scholars inside and outside of South Africa conclude that education policies challenge access and equality. In some eyes, these policies have failed and continue to fail (Spreeen and Vally 2006).

Curriculum

One of the salient policy initiatives intended to transform the country after apartheid was a new education curriculum. One of the ways to do this was through curriculum development (Curriculum 2005; Revised National Curriculum 1998; Action Plan to 2014 2010). The curriculum was extremely

ambitious as the government attempted to match curricula of the Western world. Sadly, by adopting policy from other countries, local setting and requirements were often forgotten. In the case of South Africa, the borrowed education policies forgot about the context within which the borrowed curriculum was intended to be implemented as well as the educators who were supposed to implement the policies.

With the reframing zeal and energy of a movement that has been in exile for almost half a century, the new government has seized upon progressive models in other countries and embodied these in Curriculum 2005, the national curriculum to be followed in all countries' schools. This is a bold experiment indeed: nothing of its kind has ever been tried anywhere near this kind of scale, anywhere in the world. (Diphofa et al. 1999: 9)

On a positive note, Steiner-Khamsi (2014) wrote a fascinating account of educational import as a strategy to symbolically signal “a rupture with the past” (80). The author tracked the number of ways transnational borrowing assisted in establishing an identity/space. Silova (2008) emphasized the political context of educational transfer, which “places the local agency in the center of education transfer thus emphasizing the concept of ‘borrowing’ as a self-regulated reflection on educational reform ... where the local agency is not perceived as a helpless victim who is ruthlessly manipulated and controlled by global forces” (90). An intersectional viewpoint revealed that curriculum, instead, was a political statement that reflected the struggles of opposing groups to have their interests, values, histories, and politics dominate the school curriculum (Jansen 2002). The local agency was viewed as having needs and interests to pursue by engaging in negotiations with global forces. Silova (2008) explored the notion that the importation of policies was a political act associated with reform leading to shifting knowledge and beliefs contributing to establishing an educational identity/space (Schmidt and Popkewitz 2004). A caveat when importing policies cautions us to explore the notion of reconciling international pressures for diversity with domestic politics: *What is the agenda for education? In whose interests does this agenda work? How does governance go about asserting that agenda? How much discord/divisiveness/diversity can space/country accommodate? How much can the current/old space be delimited to provide the new space?* (Silova 2008).

Many individuals became cynical of South Africa's ambitious curriculum policies (e.g., teachers, the union, and academics). While there was a perception of collaboration amongst stakeholders, there was less authentic collaboration than was initially believed. In fact, South Africa failed to include

training for those asked to implement the curriculum (Chisholm 2004). Instead, the Ministry of Education relied heavily on Western consultants, outside scholars, and other sources to develop their policies. In fact, researchers posited, “policy development became more of a globally competitive exercise to align South Africa’s economy with the global shift to achieve a universal education in a context of fiscal discipline, as well as a strong reaction to inequitable and ineffective apartheid policies” (Mestry and Bisschoff 2009: 152).

South Africa has made numerous curriculum changes since the inception of the African National Congress government. The Outcome-Based Education system, Revised National Curriculum Statement, National Curriculum Statement (NCS), and more recently the Curriculum and Assessment Policy Statement (CAPS) were the ideological underpinning of the curriculum for post-apartheid South Africa. In this regard we cannot recommend any changes but we can state that the CAPS appears to significantly contribute to school improvement (Mestry and Bisschoff 2009).

Furthermore, the importance of a localized curriculum that would be appropriate to the context in which South African children learn cannot be stressed enough. It was also recommended that the local community, teachers, principals, and international stakeholders be involved in the policy development and implementation process (Spreeen and Vally 2006). The New Minister of Education, Mrs. A.M. Motshekga, wrote in her foreword to the Action to 2014 (DoE 2010) curriculum document that the government was “trying to do things better than in the past”: “The current plan will help the sector plan in a manner that is more disciplined, professional, and accountable. It is, in fact, the first time that we have had a sector plan of this scope and depth to guide our actions” (DoE 2010: 2).

Scholars continue to debate curriculum development in South Africa with critiques and conclusions that appeal to what was perceived as a failure of education policy to date. Spreeen and Vally (2006) stress that despite new laws, social protections, and many progressive changes, South Africa’s social injustice remains largely pervasive.

School Fees

Despite almost 23 years of democratic governance in South Africa, evidence indicates that access to quality education remains almost impossible for the majority of impoverished children. A key policy feature that engendered much debate was the early decision to permit schools to charge fees (Tomasevski 2002; DoE 2001; Sayed and Motala 2012).

Since 1994 when the apartheid regime was dismantled, parents could send their children to schools of their choice. The South African government's funding model, based on the National Norms and Standards for School Funding (NNSSF) policy (DoE 2016), was intended to address equity by funding schools based on a quintile ranking. Poor schools located in townships were ranked quintile one and two, while affluent schools located in the suburbs were ranked quintile four and five. Quintile three schools were middle of the range schools. Quintile one and two schools were provided more state funding for resources than affluent quintile four and five schools. These quintile four and five schools, to supplement and sustain their school funds, embarked on aggressive fundraising initiatives and increased school (user) fees substantially (Mestry and Bisschoff 2009). However, the exorbitant school fees charged by these quintile four and five schools did not deter the migration of black learners from township and rural areas enrolling their children at schools situated in affluent suburbs. Consequently, white parents living in affluent areas transferred their children to private schools. This learner migration had serious funding implications for quintile four and five schools. Poor parents who could not afford the high school fees were, according to the fee exemption policy, granted exemptions resulting in these schools' provision of quality education being negatively affected (Mestry and Bisschoff 2009).

When assessing the no fee structure from an intersectional policy point of view, one wonders to what extent South Africa's education policies are pro-poor and actually promoting unequal social justice and equity despite efforts on behalf of the Department of Education in South Africa (Sayed and Motala 2012: 673). Equality, as used here, concerns sameness or, in public policy terms, non-discrimination. On the other hand, equity (e.g., social justice) is understood as that which is socially just and which may require aspects of distribution inequity (Secada 1989; Samoff 1997; Rawls 1999; Van der Berg 2010; Weber 2008; Sayed and Motala 2012). Under market conditions, the right to education does not mean the same education for all; it means the right to the education one can afford to buy. For example, school governing boards (SGBs) are allowed to set their fees with no limitations; that is, historically privileged schools were able to maintain higher funding levels than poorer schools (even within the same province), thereby maintaining inequalities in education (Roithmayr 2003). Tikly (1997) conceded that many white parents continue to set higher fees rather than admit more blacks. In these affluent schools, expenditure on teachers is greater due to the concentration of more qualified teachers. The total cost per learner in schools (combining government funding and fees) favoured children in higher socio-economic status schools (Spren and Vally 2006: 357). From an intersectionality policy

perspective, we find several problems with the policy assumptions in this case. For example, policymakers wrongly assumed that SGBs would have the capacity to determine parental income and raise funds accordingly—ignoring the difficulty in accurately assessing this figure. From an intersectional perspective, we must argue that SGBs also disregarded the social implications and the potential to undermine social cohesion within a community. We also find fault with the assumption that parents living in poverty are in any position to engage constructively with school authorities to request an exemption from paying fees (Seleoane 2001).

In essence, market choices depend upon the capacity to pay fees, so those with no capacity have no choice. Thus, where the logic of rights and social justice meet the market, the logic of the market will operate to benefit some above others. Rights become subordinate to market pressures as the organizing principle for allocation of schooling (Christie 2008: 9). We are left with some critical questions that must be asked: *Where is the money that could be used to provide education? Where is the money going? What is the human rights impact of the current economic policy? What are its gender, racial, and social justice implications?* (Christie 2008: 9). These are the questions that an intersectional policy analysis encourages us to ask. Not only does intersectionality describe the policy but it also examines the implications of social justice and marginalization among racial groups who are the last to actually benefit from that policy. Freire (1970) stressed that no system of education is neutral and that most or all educators are biased and often this leads to a political stance. Hence, it is critical to assess the situation and context of education. Educators and all citizens are urged to ask the following: *What is the current situation and context and what can we do about it, particularly as a democratic citizen?* “It would be naive to expect the dominant classes to develop a type of education which would enable subordinate classes to perceive social injustices critically” (Freire 1970: 102).

When focusing specifically on the implications of fees on the larger question of social justice, Roithmayr (2003) stressed that the strategy of asking parents for school fees undermines the equal educational standards for all and creates tension among racial groups in South Africa. We are of the opinion that if the government has to effectively address equity and give meaning to social justice, the state should consider abolishing school (user) fees. There have been numerous media reports and anecdotal evidence of how school fees have been a barrier for many poor and mainly black children accessing education. School fees have been deliberately set very high to discourage poor children from gaining access. Even though the exemption for school fee regulation was introduced, many fee-paying schools have totally disregarded the

policy. Thus the issue of social justice and equity cannot be realized. For Paulo Freire (1970) race and class exploitation are the most salient forms of domination, and these are some of the reasons why social justice cannot be achieved for the oppressed.

Intersectional Policy Implications

An intersectional critique of curriculum development and access as well as the implications of fees is that rights do not necessarily mean equality or social justice. Patterns of privilege and disadvantage pervade the education system and beyond (Chisholm and Fuller 1996; OECD 2008; Christie 2008; Fleisch 2008; Weber 2008). Where race and class have such detrimental consequences, we cannot claim that South African children have equal rights to education—in spite of near-universal enrolment in schooling. Indeed, it could be argued that the right to education means the right to participate in an existing and enduring system of stratification (Christie 2008: 9).

Regarding both the issues of curriculum and school fees, an intersectional analysis revealed that the community, schools, parents, local education officials, and the media must work together. A central tenet of intersectionality is grounded in collaboration as a lever for policy change and capacity building. This sort of synergistic participation by all stakeholders empowers communities to identify problems, and develop plans for comprehensive and long-term solutions and action. There is a continued need for “conscientization” in society, the judiciary, and bureaucrats about the impact of poverty and continuing inequality despite democratic reforms (Kellner 2000). Intersectionality analysis stresses that education cannot be treated only as a financial issue. Free provision of quality education to the poor is the most effective anti-racist programme. The right to education can eliminate poverty and discrimination (Spren and Vally 2006: 354).

The above discussion illustrates the crucial relationship between access and quality despite having near-universal access to basic education (fees notwithstanding). South Africa has performed extremely poorly on national and comparative international tests. The country came last of the 50 participating countries in the 2003 Trends in International Mathematics and Science Study (TIMSS) test and last of 40 participating nations in the most recent Progress in International Reading Literacy Study (PIRLS) test (see Howie 2001; Reddy 2005, 2006). “Where quality is in question to such a degree, access alone is not a sufficient indicator that the right to education has been achieved ... The right to education must surely mean more than attending a school where teaching

and learning are so poor that failure is assured” (Christie 2008: 9). In this context, schools cannot be separated from poverty and its consequences. For example, students often come to school hungry; they may not have a home; they may not have light by which to read; and they often have no transport.

What is most noticeable with the curriculum policies we speak of above is that they are primarily still inchoate. The first phase of any policy development is the stage in which political symbolism is proposed (Jansen 2002). Policymakers, government, and other stakeholders seem to be constantly solving policy challenges theoretically, in the political sector, rather than, practically, in the classroom (Jansen 2002; Chisholm and Fuller 1996: 693). Despite critics, the power of symbolic policy was legitimated by international recognition as the world commends South African education policy despite its many local failures. What is urgently needed is a regard for implementation and training: “...the effectiveness of local schools will not magically increase if the policy agenda remains centered on symbols of opportunity” (Chisholm and Fuller 1996: 714). After policies have been developed, it is expected that stages of implementation would be outlined for administrators. Implementation, however, is rarely found in South African education policy agendas (Spren and Vally 2006). Jansen (2002) chided the government for providing minimal training for Grade One teachers, regarding the implementation of Curriculum 2014, which resulted in the hiring of untrained teachers. Teachers still question how to implement a new curriculum, with few resources, in large class sizes (Jansen 2002). Most township schools in South Africa have not even received access to any revised syllabi since the dissolution of apartheid (Jansen 2002). “South Africans have been praised for the promulgation of policy, its sophistication, and quality... But, does the government have the will, resources, and ability to implement them?” (Cloete and Muller 1998: 534).

Conclusion

This chapter employed an intersectionally informed policy discussion around two educational policies that impact curriculum and school fees. The theory allowed us to explore the different dimensions of policy contexts including history, politics, diverse knowledge, social justice, and intersecting social locations. Once the policy problem is unpacked, the new knowledge revealed through an intersectionality analysis has the potential of generating transformative insights, knowledge, policy solutions, and actions that cannot be captured from other equity-focused policy frameworks. South Africa’s vision of shifting from being an authoritarian, undemocratic, and racially divided society, in which power resides in the hands of the minority whites, to a more open and inclusive society

has not yet been fully realized. Slowly, there have been several policy changes in the field of education focused on social justice, such as the National Norms and Standards for School Funding (South Africa 1998) and the Admission Policy and School Fee Exemption Policy (South Africa 1996). However, despite the progress made to date with education policies, there is still much work to be done concerning the development of an implementation infrastructure. The goals of education are incredibly ambitious. Some scholars (e.g., Spreen and Vally 2006) believe that educational goals are so out of context that they will never be reached. From an intersectional perspective, collaborating with all stakeholders (even students) to work on plans for implementation in “realistic” proportions that foster goals aligned with those of the local communities in which the school children live is extremely critical.

Furthermore, South Africa is a newly constituted democracy struggling to restructure a society of diverse cultural groups and historically entrenched racial inequalities. Education policy faces the dilemma of expressing and realizing the governing African National Congress’s promises of equality without alienating those privileged opposition groups that possess the capital and expertise required to manage a modernizing state. In South Africa, the constitution (RSA 1996) incorporated the Bill of Rights, endorsing equality, human dignity, social justice, freedom, and security for all individuals along with other freedoms, social, and political rights. Decentralization of some powers to local levels could prevent polarization within society and politics. A question that arises about the distribution of power in South Africa is whether the restructuring of education governance constitutes the power to control education in the interest of shaping new identities. *Would this steer South African society along its chosen path of equity, justice, and reconciliation? Would reconfiguration and the redistribution of power among governing bodies give the country the ability to form generations of people possessing the values necessary for ensuring the integrity of the “new” state, or are there other powerful discourses shaping the future of the next generation?* (Karlsson et al. 2001: 142).

Ultimately, we see that South Africa is dedicated to being equal with the Western curriculum world on paper but oppression still prevails (Spreen and Vally 2006). Many policies began symbolically with goals, aims, and mission statements, which is the case with many South African educational policies. The future stages will hopefully include implementation and training for principals and teachers.

By advancing a case for intersectionality when undertaking policy processes, policymakers are recommended to understand what foregrounds the policy in regard to complex contexts, history, class, gender, race, social justice, education, and policy. Intersectionality revealed a variety of multi-level over-

lapping social locations, forces, factors, and power structures that shape and influence South African life and education. As Bacchi and Eveline (2010) put it, “policies do not simply ‘impact’ on people; they ‘create’ people” (including their social locations and access to power and resources) (52).

We are not able to predict that intersectionally informed policy processes will not ever fail; however, this chapter has illustrated the many benefits and strengths the theory possesses. We are not conceding that intersectionality does not have weaknesses; however, we were not able to discuss these within the scope of this chapter (see Schmidt and Mestry 2014). Effective reform should not be founded solely on economic concerns. Education policy based on research should focus on changing classroom practice, helping to validate curriculum and teaching models with extensive staff development, accepting the importance of local context, building strong relationships with families and communities, and building school capacity to improve. Very few of the large-scale reforms in the 1980s and 1990s were organized around these purposes. Instead, many of them gave primacy to questions of governance or market mechanisms or finance or testing. If our focus is not on things that matter to student achievement, we should not expect improvements in student outcomes (Levin and Wiens 2003: 659).

Improvement will not occur—indeed, cannot occur—until all stakeholders talk candidly and realistically about policies. A policy that is based on rhetoric is destructive (Kauffman and Konold 2007). Education now falls under the routine scrutiny of the media and pervades the lives of the citizenry to an unprecedented degree. Consequently, the political stakes have increased in South Africa, along with the exposure of policymakers to the potential of a major crisis in this policy sphere. Their eagerness to compel submission or circumvent negotiation has increased the importance of vigilance over the core structures of education governance. Bray’s (1984) research in Papua New Guinea reveals that there need not be a real crisis in educational planning unless the policymakers set unrealistic goals:

Educational planning ... still has quantitative and qualitative weaknesses, and its impact needs strengthening, but it does not suffer from an identity crisis or lack prestige ... It may be suggested that educational planning needs to only suffer an identity crisis if it is expected to achieve unreasonable objectives ... (434–436)

Psacharopoulos et al. (1989) analysed the discrepancy between policy goals and outcomes by arguing that the reason why reforms fail is that the intended policy was never implemented, and those policies were based on goodwill rather than on research-proven, cause-effect relationships.

This chapter has challenged the normative approach towards policy processes by introducing an intersectionally policy-informed approach to examine policy processes (Schneider and Ingram 1997: 2). Intersectionally developed public policy is significant because it is a means by which societies regulate themselves and attempt to channel human behaviour (Schneider and Ingram 1997; Kraft and Furlong 2009). In this way, policies have profound and pervasive effects on individuals and populations. Torjman (2005) states: “We literally eat, drink, and breathe public policy” (1). Employing intersectionally informed policy analyses is appropriate in our complex society: “Public policy is so vast, public problems are sophisticated and often interconnected, and public policies have tremendous social, economic, and political implications” (Simon et al. 2009: 59).

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16

Scaling Educational Policy and Practice Intersectionally: Historical and Contemporary Cases from South and Southeast Asia

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Public policy is one of the youngest interdisciplinary subfields in the social sciences, yet one of the most promising in terms of its social relevance. Existing research on public policy has developed precise, albeit limited, measures of social well-being. Additionally, this research has generated analytical frameworks that elucidate how people make life choices under varying political, institutional, and policy arrangements (Manuel 2006). Still, while research on public policy has made major analytical and methodological improvements, it has largely ignored intersectional theory (Hancock 2007; Hankivsky and Cormier 2011). To be sure, this field's scholars consider the contexts in which people make choices; still, they tend to examine axes of differentiations such as race, class, and gender as separate, essentialized variables of individuals rather than as intersectional and fluid social classifications which inflect peoples' lives individually and collectively. For example,

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Hancock (2007) illustrates how public policies tend to be racially targeted *or* gender-targeted when race and gender should be addressed together. In contrast, this chapter argues that to be optimally effective, policies must assess and address the lived complexity of human life.

We are not the only people concerned with multifaceted policymaking, but the inroads have been few and far between. During the 58th session of the UN Commission on Human Rights in 2002, for example, policymakers wrote in the first paragraph addressing human rights for women that it “... recognized the importance of examining the intersection of multiple forms of discrimination, including their root causes from a gender perspective” (Yuval-Davis 2006: 194). Since then, there has been some significant work on applying an intersectional critique to public policies (e.g., Manuel 2006). Hankivsky (2012) developed Intersectionality-Based Policy Analysis (IBPA) which aims to identify and ameliorate discriminatory policies en route to promoting social justice for diverse and complex communities and societies (see also Hankivsky and Cormier [2011]). Promoting intersectionality as a theoretical approach in the abstract is easier than showing how the theory can be employed methodologically. The latter, in turn, is far easier to accomplish than actually legislating these policies into practice and enforcing them.

At this juncture, scholars primarily can advance intersectional policymaking by documenting how intersectional approaches bring added value to understanding phenomena and, in so doing, providing the needed perspectives on these phenomena that enable wise policymaking. Arguably, one field where the expansion of intersectionality-informed public policy is particularly important is *education* and this is our task in this chapter. To anticipate, what follows is a brief summary of the development and application of intersectionality theory. We then extend that discussion to public policy turning, in particular, to education. We move next to our previous work on how to handle the complexities of analysing multiple axes of differentiation across various social scales simultaneously (Mahler et al. 2015; Thimm et al. 2017). We end the chapter by illustrating how these analytical tools enhance analysis of, and thus policymaking towards, two real cases—one historical and the other contemporary. Both cases are drawn from research completed recently by Chaudhuri (2014) on Hindu Bengali transnational families and by Thimm (2014b) on Malaysia/Singapore transnational families.

Intersectionality Theory: The Road Already Travelled

Gender, race, caste, class, and religion, to name just a few axes of differentiation, are social constructs that have inflected the varied and unequal lives of people throughout the world for generations—some forever. Originally each “identity” was studied separately; however, beginning in the late 1980s, researchers began arguing that gender and other axes of identity can only artificially be separated as variables. A more correct approach, the intersectional approach, holds them to be mutually constitutive (Brah and Phoenix 2004; Crenshaw 1989; Davis 2008; hooks 2000; Phoenix and Pattynama 2006; Shields 2008). One huge contribution has been to document how the experiences of racialized minorities are intersectionally positioned differently from racial majorities (e.g., hooks 1981; Minh-Ha 1989). Thus, while second-wave feminists argued that *women* continue to be marginalized disproportionately, third-wave feminists insisted that race, and not just gender, had to be considered together.

At first radical intersectionality has subsequently become canon, widely applied and accepted. One reason for its widespread adoption is that the framework not only insists on multidimensional analyses, it also recognizes intersectional positions to be multiple and context-driven. For example, “the very meaning of *manhood* may vary when applied to one’s own racial group as compared to another group; similarly the meaning of a given racial category may vary for men and women” (Mullings and Schulz 2006: 5, emphasis in the original). The intersectionality framework has become a useful analytical lens for investigating connections between social locations (“position-alities”), identity constructions, and systems of oppression in particular contexts, whether historical or contemporary. In other words, intersectionality takes into account the complexity and variability which arises when “multiple axes of differentiation—economic, political, cultural, psychic, subjective and experiential—intersect in historically specific contexts” (Brah and Phoenix 2004: 76).

While intersectionality is a demonstrable advance over its unidimensional predecessors, it still has room for improvements particularly with regard to its applicability to myriad social scales. This is why we have worked to “scale” the framework in order to examine and understand multiple intersectional social locations of people as they negotiate those positions simultaneously across different socio-geographic scales (e.g., Chaudhuri 2014; Chaudhuri et al. 2014; Mahler et al. 2015; Thimm 2014a; Thimm et al. 2017). In this chapter,

we continue to develop this effort with particular attention to its importance for educational policies. We begin by addressing intersectionality's contributions to date with regard to public policy and, more specifically, education.

Intersectionality Theory: Applying to Public Policy on Education

Within the past decade and a half, scholars have begun to apply intersectionality to education policy, examining connections between education, race, class, and gender (e.g., Brah and Phoenix 2004; Hancock 2007; Núñez 2014). Typically, scholars limit their analyses to two axes of differentiation—education and social class (Hancock 2007). Other scholars link gender to education (e.g., Lundberg and Werner 2012; McCall 2005), while a few add ethnicity to the gender-education matrix, studying how all these intersectionally impact students' performance (e.g., Cukrowska-Torzewska 2014). Finally, intersectional analyses linking demographics with education exist in the literature (e.g., Bhopal and Preston 2012).

Despite much advancement in applying intersectionality to public policy, scholarship to date tends to be geographically focused on either contemporary Europe or the United States. Our purpose herein, then, is to broaden this geographic and temporal focus. To accomplish this, we follow Kimberlé Crenshaw's (1991: 1245) model of structural and political intersectionalities and also draw upon our previous work (e.g., Chaudhuri et al. 2014; Mahler et al. 2015; Thimm 2014b; Thimm et al. 2017) in which we demonstrate how intersectional positionality shifts according to the social scale(s) of analysis applied. Examining multiple axes of differentiation simultaneously across varied scales typically produces complex results, most notably that the same person, group, or institution is at once marginalized and privileged.

Our intellectual journey towards scaling intersectionality began nearly two decades ago with the Gendered Geographies of Power (GGP) framework. GGP was developed to understand gender transnationally for migrant populations (Mahler and Pessar 2001, 2006). GGP comprises three analytical elements: geographic scales (from the intimate to the transnational), social locations (a synonym for the feminist term "standpoints"), and power geometries (the geographer Doreen Massey's [1994] term for how people are not just products of their contexts but they also have agency within those contexts). The GGP framework laid the foundation for but did not sufficiently develop the argument that any examination of axes of differentiation can and

should be scalar, that it should engage *multiple social scales simultaneously*. In a later article entitled “Scaling Intersectionality” (Mahler et al. 2015), the authors advanced the GGP’s modest attention to social scales by arguing that actors should be evaluated regarding their standpoints across various scales at the same time. That article also highlighted the fact that most intersectional research is conducted *within* and not across nation-states—a major limitation that does not mirror how increasing numbers of people both live and negotiate their social status.

Most recently, we have turned our attention not only to analysing people and their situations from multiple scales of analyses; we are also bringing in multiple perspectives on their positionalities. In “Enhancing Intersectional Analyses with Polyvocality” (Thimm et al. 2017), we argue that intersectional studies to date reflect, largely implicitly, *scholars’ own analyses*. We scholars have privileged our own partial perspectives (used here both to connote incomplete *and* partisan) while ignoring those of our subjects. In so doing, we privilege already privileged actors (ourselves), even if we aim to give voice to the peoples we study. Towards remedying this analytical weakness, we have proposed a methodological approach we term “polyvocality” in which we document the perspectives of various people regarding these people’s own intersectional positionalities—inclusive of how they shift with socio-spatial scales. We scholars (also policymakers) may interpret a person’s or group’s social situations well, but we cannot expect our analysis to match perfectly our subjects’ own perspectives on their situations. Yet their voices rarely make analyses except as illustrative quotations we use to substantiate our views. Do we ever ask people to give their interpretation of our perspectives? Rarely, if ever. What about the perspectives of our subjects’ close relatives and friends—the very people who are likely to understand our subjects from these subjects’ perspectives? In our polyvocal approach, we include all these perspectives by collecting data from a wide variety of people and sources.

In sum, we hold that not only must a full-fledged intersectional approach include multiple vectors of identity analysed across myriad social scales simultaneously, it also must include multiple perspectives, or voices. If all knowledge is partial given our subjectivities, then we improve understanding when we bring in various perspectives however partial they all may be. That said, this type of analysis requires a different degree of ethnographic depth than most researchers accomplish to date—even ourselves. We are embarking on a book-length publication in which we do what we propose in Thimm et al. (2017). In this chapter, largely because it is based on research conducted before that analytical addition, we limit our discussion to examining intersectional cases involving education across multiple scales of analysis.

A Cross-Case Application of Our Analytical Framework

What follows are two illustrative cases from our research through which we anticipate illustrating our multi-scalar approach while adding some human dimensions to an otherwise impersonal policy- and theory-oriented discussion. Each case has a strong education policy component. Each will be presented initially through a vignette and then analysed separately and in its entirety using multiple socio-spatial scales. The first is set in colonial India and addresses a fictional but pivotal character whose story nonetheless intersects with that of both previous and current generations in the region. The second is based on ethnographic data conducted recently in Malaysia and Singapore. Pseudonyms are used to protect confidentiality in that case.

Case #1: Charulata Charulata, or Charu as she was affectionately called, was the beautiful, intelligent, young, yet childless wife of Bhupati, a Hindu Bengali publisher and editor of a political weekly. Bhupati belonged to the same caste as Charu as was required for their marriage, but from an upper-class Hindu Bengali intellectual family.¹ Bhupati took keen interest in politics and in the independence movement that was strongly brewing in nineteenth-century colonial Bengal. Charu, on the other hand, was attracted to the arts, literature, and poetry but her parents never sent her to school. Instead, she was married at 18. Marriage did not kill her curiosity and she became bored with little to do given that, as befit her class, servants ran her household efficiently. Though her husband, Bhupati, detected Charu's boredom, he did not allow her to study. Instead, he commanded his younger male cousin, Amal, who was also a budding litterateur, to provide her with intellectual companionship. Under this arrangement, Charu blossomed in many ways. She published a short story without Amal's or Bhupati's knowledge. When they found out, Amal became jealous and Bhupati became angry as he felt that his wife was outshining him.

¹ While caste has remained central to marriage practices in India, *class* becomes more important in a discussion on education in this regard. Since the mid-nineteenth century in Bengal, education, particularly English education, became the primary strategy for improving a family's class position. This practice of class-based education extended to many other parts of India and is well-practised in contemporary India (for details, see Bhattacharya 2005; Chaudhuri 2014). What is clearly homogeneous in this group is a cultural assumption shared by them attaching a high signifier and status to advanced education, salaried professions, and, in recent times, transnational lifestyles (Chaudhuri 2014).

Charu, Bhupati, and Amal are protagonists in the film *Charulata* (Ray 1964) directed by Academy Award winning Indian Bengali filmmaker Satyajit Ray.² Set in the backdrop of late nineteenth-century British India, the film portrays how elite Bengalis engaged late colonialism through the prism of Charu's gendered and educational predicament. Bhupati and Amal represented the *bhadralok* class, the Bengali middle-class male intelligentsia, who provided an interface between the British who were structurally superior as the colonists and the wide array of lower-class colonial subjects. The *bhadralok* had to be highly educated and erudite to engage with the British, but this begged the question of where their womenfolk should be socially positioned. Would they be subjected to the then traditional patriarchal order or would this particular subset of women, the *bhadramahila* (the Hindu Bengali companions of the *bhadralok*), be educated at least in arts and literature so as to assist their husbands in their roles? This dilemma soon gripped colonial Bengali society as the "Women's Question" (Chaudhuri 2014). Not an easy dilemma to decide, it occupied the *bhadralok* both intellectually and artistically for key decades in nineteenth-century Bengal. Charu's life, choices, and access to those choices illustrate this dilemma and debate.

Case #2: Shireen Now consider a different time and place. In August 2008, Shireen, a 20-year-old Chinese Malaysian woman, migrated from Malaysia's capital Kuala Lumpur (Putrajaya) to the Southeast Asian metropolis of Singapore.³ Shireen studied medicine at the National University of Singapore (NUS), while her parents and younger siblings continued to live in Malaysia. Her parents worked in the education sector, while her younger brother Paul, four years her junior, attended high school and planned to pursue his education either by following his elder sister to Singapore or going, alternatively, to Germany. Shireen's sister Katy, six years younger, was attending secondary school.

Shireen is from a Chinese Christian, English-speaking family. Shireen's mother is a Catholic, while her father, raised Buddhist, converted to Catholicism after Shireen's brother was born. Shireen speaks two Chinese dialects, Cantonese

² The film is based on Nobel Laureate Rabindranath Tagore's 1901 novel *Nastanirh* (meaning: *The Broken Nest*) about a neglected wife in an elite Hindu Bengali family in colonial India.

³ Malaysia is a multicultural society where 65% of the population is Malay, 23% of Chinese ancestry, and 7% of Indian ancestry (Department of Statistics, Malaysia 2008: 9). Singapore is comprised of the same ethnic groups due to the historic ties with Malaysia but is, however, Chinese dominated, with 74% Chinese, 13%, Malays, and 9% Indians (Singapore Department of Statistics 2010: viii).

and Teochew, as well as Malay and English. The latter is the family's lingua franca. Her education is likewise multicultural. She attended a private Chinese elementary school, one by and for Chinese. For secondary school she attended a public institution alongside Malays, Chinese, and Indians. In college she returned to a private school in which English was the language of instruction and after that she applied to a national university in Malaysia to study medicine. Due to an ethnically based quota system which favours the Malays' entry into national universities (Chong 2005: 50), Shireen was not admitted. She then sought admission and was accepted to study in Singapore. Perhaps counterintuitively, her twist of fate was welcomed by Shireen's father because he regarded Singapore as safer for young, single women and also because studying in Singapore was significantly cheaper than the alternatives in Australia, the United States, or Europe. One month after Shireen began her studies at the NUS, the head of the faculty spoke with her and asked her if she planned to apply for permanent residency in Singapore after graduation. Shireen was incredulous at the pressure he put on her and deflected his question since she really preferred to go to the United States after graduation.

Analysing the Cases

Case #1: Charulata Albeit fictive, Charulata's story dramatically and accurately reflects how gender, education, class, sex roles, ethnicity, caste, artistic expression, colonial position, and more axes of differentiation were intersectionally negotiated. Similar to Henrik Ibsen's (1879) Norwegian play, *A Doll's House*, Charulata represents a social critique of the nineteenth-century marriage norms. It also chronicles the struggles behind the emergence of the "modern" woman in upper-class colonial Bengal, and by extension, colonial India. Charulata provides a biting critique of the role of education access and policy in engineering India's independence. To appreciate this critique fully, it is important to fill in some of the historical background from the second half of the nineteenth century in colonial Bengal.

As mentioned earlier, educational policy and achievement are important axes around which British colonialism revolved. The British needed to foster native Indian elites who would serve and preserve their interests in the colony. To do so involved providing these elites, the *bhadralok*, with education oriented towards bureaucracy but with enough of the "civilizing" arts to be respectable for engaging with British society (Acharya 1995; Bhattacharya 2005; Chaudhuri 2014; Sinha 1995). Once their status was burnished, the

bhadralok became active agents in shaping educational policies in colonial Bengal to perpetuate their favoured status, an impact that is still felt nearly 70 years after Indian independence (Chaudhuri 2014). One of the principal vehicles for this was their commandeering of Wood's Dispatch in 1854. This dispatch was sent by Charles Wood, then head of the British East India Company, to Lord Dalhousie, then Governor-General of India. The dispatch promoted a variety of educational policies to be implemented across all provinces in the colony. It included establishing provincial educational departments, universities, aid to schools at every level and support for educating girls. The masses were to be educated in their vernacular, while privileged groups would continue to be educated in English. However, the bhadralok viewed the dispatch as thwarting their prerogative over regional education. Despite being charged with the responsibility for promoting knowledge among the less fortunate, the bhadralok ignored their duties. Control of education practice if not policy became one of the principal means—if not the principal means—that the bhadralok institutionalized their social privileges by becoming the “sentinels of Indian culture” vis-à-vis the rest of Bengal and by blocking the masses from competing for that status (Bhattacharya 2005).

Literally translated as “the respectable people” or the “gentle men,” the bhadralok not only secured their group's elite status, they also distinguished themselves from the rest of local and colonial society in terms of behaviour, deportment, speech, dress, style of housing, eating habits, occupations, associations, and, of course, education (Baviskar and Ray 2015; Bhattacharya 2005; Chaudhuri 2014; Sinha 1995). Through these markers they looked and acted different from commoners—and also from the colonial rulers (Baviskar and Ray 2015; Chaudhuri 2014). They became notable and noted middlemen to the British. Amal and Bhupati enjoyed this status.

However, the problem was not with the men. The British determined the bhadralok's situation for them. The problem was with the bhadralok's wives and, ipso facto, with their daughters. If the bhadralok needed to be educated to interface with the British effectively, what should be the educational policy vis-à-vis their womenfolk? The “Women's Question” in Bengal was debated avidly during the early nineteenth century and, after much back and forth, “settled” in favour of allowing elite Hindu Bengali females to be schooled in literature and the arts. They were to be schools for serving as erudite social companions to their menfolk. The men, however, would rule the household, politics, and governance (Chatterjee 1993; Mani 1998; Sangari and Vaid 1990).⁴

⁴For detailed discussion on the “Women's Question,” see Chaudhuri (2014), pp. 100–111.

The bhadralok and their “Women’s Question” provide a rich historical case for an intersectionality-informed scalar analysis of educational policies. On the *national* (truly colonial) scale of analysis, relations between the British and the bhadralok were structured around educational policies dating to the 1850s that targeted male Hindu Bengalis (Bhattacharya 2005). However, the bhadralok could not be too erudite to compete with the British for their women’s attention. That is the story behind how the bhadralok, manly among their own, were effeminized by the British as *babus* (Sinha 1995). The epitome of British men’s manliness was evident in two social domains from which the bhadralok were categorically excluded: sports and chivalry towards their women (Chaudhuri 2014). By characterizing the Bengali babu as effeminate, bookish, and overly serious, he was not the sportsman British women were conditioned to desire and, as a class of man portrayed as lacking in self-discipline, he did not qualify as chivalrous either (Bhattacharya 2005; Sinha 1995). In sum, the bhadralok had to learn to master a gendered, educational tight walk: with regard to British men, they were efficient, loyal bureaucrats who were also genteel with literary and artistic knowledge; with regard to British women, they had to play the asexual role of bumbling intellectual.

At the same time the bhadralok danced this colonial two-step, they had to project power *regionally* as well as at the local and *intimate* scales. So, for example, to ensure their continued access to education and power, the early beneficiaries of the British educational policies started their own private English-medium educational institutions for their sons. As in the case of the fictional Bhupati, they also bought and operated printing presses to publish and distribute educational and intellectual materials. This placed the bhadralok in the position of gatekeepers of education vis-à-vis their females. The 1854 Wood’s Dispatch had called for female access to education. As the bhadralok burnished their own educational credentials, however, they came quite literally face to face with whether or not their wives and daughters should be kept illiterate or sufficiently schooled as to engage with society. The debate revolved around how much schooling they should receive and in what knowledge areas. This is an example of how intersectionality at one scale simultaneously affects intersectional relations at another scale of analysis. The Women’s Question had to be settled not only for each household but it had to be settled at the class, caste, and religio-ethnic (Hindu Bengali) scale in order for the bhadralok to institutionalize their privileges (Chatterjee 1993; Chaudhuri 2014; Mani 1998; Sangari and Vaid 1990).

One of several elite Bengali bhadralok who influenced the sociopolitical course of Bengal around that time, Kesabchandra Sen, would play a key role for idiosyncratic reasons. In 1871 he returned from a sojourn to England during which he witnessed how the British educated both girls and boys. He

brought back a passion for educating girls but segregating their education from that of boys. For Sen, girls' education needed to be different since their "feminine" (i.e., biological) nature was deemed inherently different from boys' natures (Chaudhuri 2014). Girls did not need to learn manly subjects such as math and science but, instead, should study domestic skills and arts that would make them good wives and mothers (Bhattacharya 2005). Although Sen's argument was opposed by other elite Hindu Bengalis, some of whom argued for and funded equal education for all children, separate education that reproduced the *bhadralok's* patriarchal order would take hold in policy and practice at the regional and local scales of analysis (Chatterjee 1993). The result for many women was that their lives became completely circumscribed by gender and education, as exemplified by the fictional Charu. These were women who would be "modern" enough to enhance their husbands' status but not so much as to challenge the *bhadralok's* masculinity and dominance at the regional, local, and intimate scales (Mani 1998; Sangari and Vaid 1990). Women should become sufficiently learned to accompany their men but not too modern as to seek its freedoms, especially in the sexual arena (Mani 1998). The boundaries to being a *bhadralok's* good wife were precisely what Charulata challenged in her relationship with both Bhupati and Amal. She represented the dangers inherent in "settling" the Women's Question in favour of education.

Another danger inherent in this decision is much less known and understood. That is because it has been largely hidden within the confines of domesticity. In traditional Hindu Bengali society, the wife was always expected (and still is expected) to move into her husband's household. This is known as patrilocal post-marital residence. She then would become subjected not only to her husband but also to her in-laws. The latter expected her to assist with domestic chores, often taking them over entirely. Even in elite families in which such tasks are usually minimal, however, the power relationship placed the new bride at the very bottom of the household hierarchy.

In nineteenth-century Bengal, then, the decision to educate girls initiated a shift in gendered, educational relations at this very intimate scale: How could an *educated* new bride be integrated into a household in which she was to be subordinate to her not-so-educated mother-in-law and yet, simultaneously, be able to provide the intellectual and artistic accompaniment to her husband expected of a *bhadralok's* wife? Charu's case gives insight.

Upon her marriage, Charu's social locations quickly shifted. She gained higher family social status by virtue of being married intra-caste to an upper-class Hindu Bengali intellectual man. Her status also benefited from caring for her in-laws and her husband, albeit with a fleet of servants taking care of the household. Though doing little actual work, she nevertheless maintained her

social status at the family scale by assuming all domestic responsibilities characteristic of a *grihalakshmi* (translation: good wife from *griha* = home and *lakshmi* = goddess of wealth and model for the good wife) (for details see Chaudhuri 2014). This gendered set of expectations is not unique to Hindu Bengalis but is widespread at the Indian national scale even as many women have entered the paid labour force in contemporary times. However, Charulata's hunger for intellectual curiosity placed her at a disadvantageous position vis-à-vis Bhupati and Amal. Charu negotiated a much lower status at the intimate scale because she aspired to be educated. This threatened Bhupati who feared losing his own high status at all scales: intimate, regional, and national.

Case #2: Shireen Shireen's experience illustrates how the proposed multi-scalar intersectional framework easily applies to the present. Our discussion of her situation begins at the national and transnational scales of analysis before turning to a more localized, family, or intimate scale. At the national scale it should be evident that being ethnic Chinese in Malaysia is a disadvantage given Malays' demographic and political power there. The converse is true in Singapore where Chinese dominate (Department of Statistics, Malaysia 2008: 9; Singapore Department of Statistics 2010: viii). The result of intersectional interactions among ethnicity, class, gender, and religion produces different educational migrations. Young, "modern," Christian, English-speaking, and formally educated Chinese Malaysian women pursue higher education abroad in Singapore, while Malays migrate to Malaysian cities for theirs. Has this always been the case or, if not, how did these circumstances arise?

Education policies in Malaysia have been highly gendered and ethicized since at least 1971 with the passage and implementation of the New Economic Policy (NEP) by the United Malays National Organization (UMNO)—the governing coalition since independence. The NEP was designed to improve the economic conditions of the (then predominantly rural) Malay Malaysian population. Wider access to education was expected to produce enhanced employment opportunities. From then on and whether intended to be discriminatory or not, entry into national educational institutions has been predicated more on ethnicity than on grades.⁵ As early as 1985, 2.5 times

⁵ In 2002, the quota system has been officially replaced by a meritocratic system (Lee 2004: 14). But on the practical level, the ethnic majority ratio got worse since then: In 2002, 69% of the *Bumiputera* got a place at a national university in contrast to 55% before. Chinese Malaysians got 26% of these places, Indians 5% (Lee 2004: 58).

more Malay than Chinese Malaysians were enrolled in Malaysian universities reversing previous figures (Chong 2005: 50). The NEP's effects were gendered as well; it equalized access to formal education and the labour market for women as for men (Norani 1998: 173). Why bring women into the labour force? Malaysia's development strategy, much as with other countries, treated female workers as a cheaper labour force than male workers (Ong 2003: 272). By educating women the government could hail its policies as in step with modernity, yet still attract external investment in industries that would employ these women, advancing the country economically. And by favouring the majority population, Malays, the government could quell potential uprisings. Fortunately for Chinese Malays who were disfavoured under the NEP, Singapore's development strategy needed and absorbed them.

After independence from the British in 1965, governmental policies in Singapore under the rule of the People's Action Party (PAP) focused on capitalist development through creating and filling high end jobs—jobs needing an educated workforce. From the 1960s to the 1980s, Singapore's economic growth was explosive (Chong 2005: 47), but the incorporation of women into the workforce drove birth rates to record lows, raising the need to import labour (Singam 2004: 16). The government met this need with an ethnic- and gender-based strategy called “foreign talents.” Intelligent foreigners (as measured by grades and test scores), particularly those of Chinese descent (as to match Singapore's own demography), were incentivized to immigrate via huge subsidies to come for higher education. After graduation they were required to stay and work for some years to cover their educational costs. By required extended residence in Singapore, the government expected that they would stay permanently (Yeoh et al. 2000). When offered permanent residency, as in Shireen's case, they would receive additional special advantages such as assistance with housing (Lam and Brenda Yeoh 2004).

To this point, our discussion has targeted national and institutional scales of analysis documenting how education policy and practice entwined with ethnicity and nationality. But it is also inextricably interwoven with class and gender. Whereas in Malaysia policy shifts favoured ethnic Malays over ethnic Chinese, in Singapore the system favoured not only ethnic Chinese in general but, in particular, ethnic Chinese *elites* (Thimm 2014b: 106). The primary vehicle for this was the introduction of bilingualism in the country's schools in the 1980s. Under British colonialism, English had long been favoured as the language of instruction, but beginning in the 1980s students were required to study one “native language.” Different languages could have been chosen but the *Speak Mandarin Campaign* prevailed given the power of Singapore's ethnic Chinese population (Hefner 2001).

How gender interacts with education and other axes of differentiation is also a story of biopolitics. In the 1980s, Singapore's then Prime Minister, Lee Kuan Yew, believed that intelligence is inheritable. He therefore wanted educated women to give birth to more children and for women with lesser educations to practise more birth control. His party, the PAP, thus used its education policies to discriminate based on gender and class. It was a purposive strategy intended to propel Singapore forward in the global economy as quickly as possible. As a result, the NUS, the country's elite university, is predominantly female, but it and other universities are populated largely by foreign talents. Not surprisingly, then, the outcome is gendered, ethicized, and classed. Singapore has the highest proportion of female academics and professionals in Southeast Asia, competing only with Hong Kong for that honour throughout Asia (Stivens 2006: ix).

Scaling Shireen's case intersectionality is effective not only at macro (national, international) and meso (institutional) scales of analysis; it is just as useful when analysing group and family scales. To wit, while in Malaysia Shireen is discriminated against for her ethnicity, she is simultaneously privileged vis-à-vis her family and her ethnic group. She enjoys social esteem owing to her educational achievements as well as to her religious and linguistic family background; that is, she is Christian (Catholic) and speaks English at home. Why do these enhance her positionality vis-à-vis other ethnic Chinese? In the local ethnic context, (higher) education and Christianity confer status. For large sections of the Chinese Malaysian population, Christianity and English are associated with modernity, while those practising Buddhism/Taoism and ancestor worship are deemed backward (Göransson 2010).

At the intimate family scale, Shireen is the eldest daughter and the only family member who has studied and lived abroad. These have elevated her social location within her family. However, she did not accomplish this alone. Her father suggested that she study in Singapore and, in so doing, he acted according to a Chinese Confucian family ideal in which the father is the head of the family. In contradistinction, the mother is expected to play a warm, supportive, but not leadership role vis-à-vis the rest of the family (Stivens 2000). This patriarchal order at the social scale of the family, however, is challenged if not completely disrupted by the high social status achieved not by the family's son, but by the eldest daughter. The family's prestige, their overall social location, falls disproportionately on Shireen. This represents a gendered reversal from earlier generations given past preferences for sons, but it still provides continuity with regard to generation. One axis of differentiation has changed while another remains consistent. Sibling seniority also still matters. Shireen's positionality intersects with her brother Paul's. He faces a gendered

dilemma. Should he “follow” his sister to Singapore or migrate to Germany for his university studies? If he goes to Germany and completes his education there, he could dethrone Shireen from her status as holding the family’s highest social location (a European or US degree trumps one from Singapore), but she can offset this to a large degree by emigrating to Europe or the United States herself. Negotiating her social status at the family level, then, is a key component to her reticence to accept residency in Singapore.

Conclusion

The scaled intersectional analyses of the two cases presented in this chapter illustrate how addressing some people’s injustices often produce new injustices. Shifting some individuals’ and/or groups’ positionality in one or more socio-spatial scales affects others positionality and the shifts also vary by scale of social analysis. All this is evident in educational policy and practice in historical and contemporary India and Malaysia. For example, a Joint Admissions Board Report of the Council of Indian Institutes of Technology (IITs) in 2017 studied prospective methods for increasing female enrolment in B.Tech. (engineering) education in IITs in India, an academic area where females have long been acutely underrepresented. The report identified that the two most significant reasons of such low representations of female students in engineering are: (1) societal bias including stereotyping areas of education as “female” and “male” by parents, family, and peers and (2) lack of female role models (such as in the family) for aspiring female students. These findings have motivated the Ministry of Human Resource Development (MHRD) of the Government of India to, in 2018, implement a policy of adding supernumerary seats for female students in the country’s engineering colleges. Further, to ensure that the number of girl students on each IIT campus across the country is at least 14%, these engineering colleges have been directed by the MHRD to prepare separate merit lists for female applicants. If improving women’s access to and success in higher education in general is a serious government goal, then discriminatory national, regional, and group-level policies affecting that goal must be tackled simultaneously. Shifts in one scale affect people’s positionalities in others. All this will result in intended and unintended consequences, keeping in perpetual motion the intersectional dancing of various vectors or axes of differentiation.

Before we conclude, we wish to emphasize that we do not intend to equate individuals’ power with institutional power. Our cases are clear examples that elites in positions of power exert a disproportionate effect on their subjects,

typically initiating and/or perpetuating systematic inequalities that prove difficult to change or eliminate altogether. Our two cases offer abundant evidence as well, however, for how elites can implement rapid changes with profound democratic implications. And it would be remiss to not also underscore how people—regardless of their social locations—are not mere pawns of elites and institutions. Rather and as we hope to have illustrated with Charu's and Shireen's stories, they are endowed with and exercise agency individually and collectively to manoeuvre around or through the constraints placed in their way.

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Part IV

Community Engagement and Advocacy for Change

17

Intersectionality and Indigenous Peoples in Australia: Experiences with Engagement in Native Title and Mining

Natalie Osborne, Catherine Howlett,
and Deanna Grant-Smith

Introduction

There is a high level of diversity in the Aboriginal and Torres Strait Islander Peoples of Australia and in their experiences of colonisation, and the degree of recognition of their rights within Australian law. Yet it is rare that ‘intersectionality’ is applied to understand the varied impacts of public policy or how the power dynamics and statutory structures created by colonisation have created axes of power and marginality *within* and *between* Aboriginal and Torres Strait Islander communities. Instead, policy and planning processes tend to treat Aboriginal and Torres Strait Islander Peoples and their interests as a homogenised bloc, effectively erasing internal differences of opinion, values, and politics, universalising their experiences, and avoiding analysis of internal

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power structures and dynamics that may exist within a given group. There is also a tendency for non-Indigenous People and policymakers to conflate ‘Indigenous’ interests and values with ‘environmental’ interests and values (Igoe 2008) despite the instability and tensions inherent in what Vincent and Neale (2016) term ‘green-black’ encounters. As such, despite what may be good intentions, consultation and stakeholder engagement processes with Aboriginal and Torres Strait Islander Peoples generally fail to adopt a contextualised and intersectional approach (Carter 2010) and in turn not only often fail in their stated goal of inclusivity and/or social justice but may also exacerbate existing points of conflict amongst a particular group and reproduce inequities.

In this chapter, we bring together insights from two qualitative case studies, both focussed on mining, to explore the implications of failure to adopt an intersectional lens when engaging with Aboriginal and Torres Strait Islander Peoples, with a particular focus on Native Title, land use and natural resource planning, and public engagement as forms of public policy. We discuss multiple and co-constituting axes of power with a particular focus on the relationships between colonisation, kyriarchy,¹ and the lived experiences of Aboriginal and Torres Strait Islander Peoples, and outline considerations for operationalising intersectionality when engaging with Indigenous Peoples.

Indigenous People and Native Title in Australia

Social and economic indicators from around the world confirm the high rates of poverty, unemployment, poor educational outcomes, ill health, family violence, and high rates of suicide and incarceration that are prominent in Indigenous communities (Fournier 2005).² Aboriginal and Torres Strait Islanders are recognised as one of the most disadvantaged groups within Australian society. The most recent report on *Closing the Gap*, the dominant policy framework in Australia over the last ten years for redressing this disadvantage, has concluded that much of this disadvantage has

¹ ‘Kyriarchy’ is a term describing co-constituting and ‘interlocking structures of domination’ (Schüssler Fiorenza 1992, p. 8) and can be thought of as the structure intersectionality produces and which produces intersectionality (Osborne 2015).

² We do not seek to promote the deficit discourse ‘that consistently frames Aboriginal identity in a narrative of deficiency’ (see Fforde et al. 2013, p. 162), rather we seek to highlight what is inequitable and unjust and to highlight the ongoing impacts of colonisation on the material conditions of Aboriginal and Torres Strait Islanders.

proved intractable to policy remediation (Department of the Prime Minister and Cabinet 2016, p. 3).

The inequities that characterise the relationship between Indigenous and non-Indigenous Australians are intimately connected to dispossession and colonialism in Australia. One particular instantiation of that history, the *Native Title Act (Cth) 1993* (NTA), is implicated in policy matters relating to the use, management, and control of land and sea matters in Australia. The intention of the Act is to 'to ensure that Aboriginal peoples and Torres Strait Islanders receive the full recognition and status within the Australian nation to which history, their prior rights and interests, and their rich and diverse culture, fully entitle them to aspire' (Government of Australia, *Native Title Act 1983* preamble). Despite this intention, as a colonial social structure, the NTA reproduces and exacerbates the inequities between Indigenous and non-Indigenous Australians. It also reproduces and exacerbates the inequities within Aboriginal and Torres Strait Islander communities causing significant intracommunity conflict. We position the NTA within this chapter as one of myriad mutually constituting factors of structural disadvantage that exacerbate inequity in Indigenous communities (Hankivsky 2012).

The Native Title Act

In 1788 the British crown claimed sovereignty over Australian territories, asserting the land was *terra nullius*, or belonging to no one. The theft of land from Indigenous Peoples was justified on the assumption of Eurocentric superiority in land use and the 'right' of 'civilised' people to cultivate the land (Strelie 2015, p. 45). In 1992 the High Court of Australia handed down the historic *Mabo v. Queensland (No 2)* *Mabo* decision, overturning the legal fiction of *terra nullius* and formally recognising that Indigenous Peoples had rights to land and legal systems that preceded the acquisition of sovereignty by the British crown. Native Title is an inherent common law right whose origins lie in the pre-existing laws and customs of Indigenous Peoples (Ritter 2009). In order to claim these Native Title rights, Indigenous Peoples are required to prove continuity in the observance of traditional laws and customs and an unbroken connection to the land under claim (Walker 2015). This requirement is particularly onerous for those from heavily settled Australia, many of whom have suffered forced dislocation from their traditional countries (Macdonald and Bauman 2011, p. 2). Despite some progressive features and associations, Native Title has been critiqued as inherently neocolonial (Pugliese 2015) as it does not recognise the sovereignty of Indigenous Peoples; rather,

any recognition of Native Title is derived through the colonial State. Indeed, Watson (1998, p. 43) has argued that ‘this legislation has recognised and validated the title of the coloniser. ... The Native Title “right”, once established, under situations of extreme duress of competing claims and the pressure of multi-nationals and other interest groups, is still open to extinguishment.’

The promulgation of the *Native Title Act (Cth) 1993*, a legislative response to the *Mabo* decision, created a range of statutory entities including prescribed body corporates, trusts, and representative bodies charged with holding or managing Native Title rights on behalf of Native Title holders. These statutory entities are faced with onerous and burdensome compliance and engagement responsibilities, which they are often under-resourced to effectively discharge (Langton 2015).

Under Australian law, all subsurface mineral rights are held by the crown. Prior to the NTA, Indigenous Peoples held a weak and tenuous bargaining position in many mineral negotiation processes, typically derived from State government heritage protection legislation. The NTA created a potential space to facilitate Indigenous agency and strengthen their bargaining position in mineral negotiations processes, via the legislatively enshrined ‘right to negotiate’ procedure under the Act. This right to negotiate does not, however, constitute a right of veto, and if agreement to proceed cannot be met in a six-month timeframe, an arbitral process allows mining to proceed with compensation determined without reference to the value of the minerals (Altman 2012). Combined with the particularities of Native Title determinations, which Walker (2015) asserts inherently create conflicts between Traditional Owner groups and families, engagement with the extractive sector often leads to significant disputes within Indigenous communities.

Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda has noted that Native Title processes can exacerbate conflict and violence within an already oppressed and marginalised group, as they reinforce oppression and dispossession of lands caused by the colonial encounter (Burnside 2012). The process of gaining Native Title and its outcomes also raises questions about Aboriginal identity—issues already sensitive for Indigenous Peoples (Burnside 2012, p. 2). Colonial processes and practices have fundamentally transformed (and in some cases severed) the relationships that Indigenous People have to place and to kin, which presents challenges for making, claiming, and sharing identity. Some claims to Indigenous identity align closely with the notions of biological and/or cultural authenticity, which are powerfully entrenched in institutional practices and the public consciousness. Harris suggests that there are real material and non-material rewards for those who can perform Indigenous ‘otherness’ or ‘tradition’ in visible ways

(Harris 2013, p. 6). Thus, although the NTA was ostensibly designed to provide a set of rules and a framework to settle disputes and frame engagement, it can often be complicit in the creation or exacerbation of conflict and divisions (Walker 2015).

Intersectionality and Indigeneity

We are conscious of Amy McQuire's (2018) analysis that white women feminists all too often use the rhetoric of intersectionality as a way to deflect from our own complicity in racism, white supremacy, and settler colonialism, without engaging seriously with the (decolonial) work intersectionality demands and without taking seriously the material conditions and struggles of Aboriginal Peoples. Our approach to intersectionality, then, is necessarily informed primarily by the work of Aboriginal and Torres Strait Islander women, their engagement with intersectionality as theory and practice, and how they have interpreted and applied it to the settler-colonial context of Australia.

Race has always been central to intersectional theory and analysis. However, when considering Indigeneity through the lens of intersectional theory, it is problematic to subsume Indigeneity under race (Soldatic 2015). They may be linked but they are distinct, particularly in settler-colonial societies like Australia. Colonisation—now with the additional fuel of globalised neoliberalism—is a continuing process (Soldatic 2015) and distinct kind of oppression that cannot be entirely collapsed under the analytic category of 'white supremacy', although that certainly plays a role. In Australia, Aboriginal and Torres Strait Islanders are still being displaced and forced off homelands by the State, which makes the practice and continuation of culture, law, lore, and language fraught with difficulty and constitutes the perpetuation of colonial violence (Howitt and McLean 2015; Marland 2012). Similarly, justice for Indigenous Peoples requires engagement with issues of sovereignty, reparations, self-determination, and self-governance in a way that justice for other racial and ethnic groups may not. Ergo, if intersectionality is being used to explore the experiences of privilege and marginality in the context of various systems of structural power (Irazábal and Huerta 2016) in a settler-colonial context, it is necessary that particular attention is paid to the dynamics of colonialism (Buczko 2016). This includes foregrounding how colonialism erases difference—subsuming hundreds of language groups, cultures, histories, and experiences under a uniform notion of 'Indigeneity' and rewarding a

particular performance of Indigenous ‘otherness’ (Harris 2013)—in order to dehumanise those it seeks to subjugate.

A number of Indigenous scholars have developed and applied intersectionality as it pertains to Aboriginal feminisms, their experiences, and the experiences of their communities. Melissa Lucashenko and Odette Best (1995) explored the influence of white masculinities, spread through the colonisation project, which resulted in increased violence against Aboriginal women that was (and often still is) ignored by the State and white and black society alike. They directed their recommendations specifically towards urban Aboriginal People, noting that different patterns of colonisation meant that different approaches would be required in urban rather than rural areas (Lucashenko and Best 1995, p. 21). Larissa Behrendt (1993), Aileen Moreton-Robinson (2000), and Amy McQuire (2018) have highlighted the culpability of white women (including white feminists) for colonisation and the historical and ongoing exploitation and oppression of Aboriginal Peoples, particularly women, and Behrendt (1993, p. 32) has argued that ‘Aboriginal women are politically aligned with Aboriginal men’, rather than with white settler-colonial women. Indeed, Behrendt (1993) and Lucashenko and Best (1995) highlight how Aboriginal women enjoyed much greater levels of egalitarianism prior to invasion than they do now:

Aboriginal women had a position of power within their traditional society that white women have never enjoyed. Sexist oppression by men started when the white invaders arrived. The misogyny of some black men is an unwelcome addition to post-invasion communities. (Behrendt 1993, p. 33)

Irene Watson (1998) has challenged how white feminism has constructed gender in white ways and explained power, subjugation, and oppression in a manner that does not reflect and indeed ignores the experiences of Aboriginal women under colonisation. Similarly, Aileen Moreton-Robinson’s (2000) seminal work, *Talkin’ Up to the White Woman*, detailed how Aboriginal women have been constructed by white Australian feminists in problematic and oppressive ways—including dividing them along ‘traditional’ and ‘contemporary’ lines—a pattern perpetuated through Native Title processes, as this chapter will explore. She interrogates decades of feminist work from her positionality as a Goenpul woman to develop an Australian Indigenous standpoint in feminism and documents the influence of whiteness and colonisation on white feminist thinking.

More recently, Celeste Liddle (2014) has advanced intersectional Indigenous feminism, arguing that the analysis and tactics of this kind of feminism will tend to be characterised by radical, Marxist, and anarchist influences.

Understanding and undoing the processes of colonisation are central to this kind of feminist analysis, and self-determination for Aboriginal Peoples is an explicit goal (Liddle 2014). Further, Liddle centres the importance of community in intersectional Indigenous feminism, in contrast to the individualism so prevalent in liberal and libertarian feminisms.

The conceptualisation of intersectionality as informed by the work of Aboriginal women shapes our analysis in a number of ways. We must consider Indigeneity to be distinct from race, and we must centre the impact of ongoing processes of colonisation in our analysis and challenge them. Further, we should not let explorations of intragroup difference slide into focussing solely on individuals as separate from communities, whilst still challenging the dehumanising presumption of homogeneity within and between Indigenous communities. Following Liddle (2014) we believe this approach must also adopt a critical approach to capitalism and how economic and political processes marked by globalised neoliberalism are likely to be inconsistent with or indeed subvert entirely the capacity of Indigenous communities to make decisions about development (unless they make decisions consistent with those systems). That said, it would be unjust to expect a font of anti-capitalist resistance within Indigenous communities; not only does this unjustly presume homogeneity, it ignores the fact that colonialism, poverty, and declining government assistance may leave communities with few options other than embracing capitalism. Perhaps most importantly, our work must take as a fundamental axiological stance the sovereignty of Aboriginal and Torres Strait Islander Peoples (see Clark 2012). In a policy context, this requires that we consider how policies support or subvert self-determination for Indigenous Peoples.

In the remainder of this chapter, we use the approach outlined above to explore experiences of Indigenous engagement in Australia and the particular axes of marginality created and/or exacerbated by Native Title processes in the context of mineral negotiations. However, Indigeneity itself is also subject to intersectionality, in that within the diverse identity grouping of 'Indigenous People' in Australia, there are multiple and co-existing axes of power and difference. Much of this power is derived from the State, but the way it is manifested creates hierarchical—or kyriarchal—structures within Aboriginal and Torres Strait Islander communities. This is the particular focus of this chapter.

Aboriginal Australia is not a singular entity, but hegemonic understandings of Indigenous and Australian geography, and the statutory frameworks that govern engagement with, and the rights of Indigenous Peoples render invisible 'the complex mosaic of lived places' (Howitt and McLean 2015, p. 142) on

which the nation stands. The presumption of homogeneity of interests and experiences among Indigenous Peoples by non-Indigenous Australians shapes the engagement approaches and processes applied to consulting with them (Carter 2010). It must be recognised that the colonial processes that produced the Indigenous Other were complex, situated, and multi-faceted, just as the Peoples they were violently imposed upon were themselves diverse and situated. As such, experiences of Indigeneity in Australia are diverse and intersectional, as are their interests and preferred engagement methods. Locational disadvantage (Howitt and McLean 2015), health, disability (Soldatic 2015), gender (Moreton-Robinson 2013), colourism (Hickey 2015), the diverse legacies of colonialism, and differences in the level of statutory recognition of Indigenous rights create varied relationships to, and experiences of, the power structures of the State and of colonial capitalism. The State also intervenes and creates a hierarchy of Indigeneity through statutory recognition (or not) of Native Title and Traditional Ownership.

Soldatic (2015, p. 56) argues that '[i]n empire, identity formation was not necessarily singular. Divergent official categories of race, gender, ethnicity, caste, class, and disability marked bodies and minds with power and privilege, or marginalization and dispossession.' Experiences and actions of colonisation in Australia varied according to place and context. For instance, the Quandamooka People of what is now known as Queensland (discussed later in this chapter) suffered partial, rather than full, displacement; many were allowed to remain on Minjerribah/North Stradbroke Island. This was partly due to the fact that the island was not suitable for pastoral development and partly due to the coloniser's need for their labour. The fact that some Quandamooka People were permitted to remain on the island was essential to the ultimate success of their Native Title Consent Determination a century later. Other Indigenous Peoples who were more completely displaced and dispossessed are ineligible for Native Title because the deliberate actions of colonisers meant that they cannot trace an unbroken connection to Country. This illustrates that among Indigenous Peoples in Australia there are significant differences in experiences, political standing and recognition, and material conditions as a result of colonial processes. These differences must be recognised and negotiated if meaningful engagement with Indigenous Peoples by the State is to occur.

Yet it must also be recognised that even among those with, or eligible for, Native Title, there are significant intragroup differences that shape relationships to and experiences of power structures. The following two case studies contain accounts from Aboriginal groups with Native Title determinations, alongside active interest in continuing/developing extractive industries. In

both cases, the extractive industries were controversial, and both cases revealed tensions and differences between and amongst Aboriginal groups. It is our contention that these differences are exacerbated and intensified by the forces of colonisation, capitalism, neoliberalism, white supremacy, and the ways Native Title is enacted through policy, to further the continuing subjugation of Indigenous Peoples in Australia and to undermine claims for sovereignty.

Coal Seam Gas and the Githabul Case

Coal seam gas is a growing industry in Australia, with the purported potential to offer a wealth of economic opportunities to Aboriginal Peoples (Bains 2013; Mundine 2011; Muir 2012; O’Kane 2013; Trigger et al. 2014). Typically, Aboriginal Peoples participate in the Australian resources sector, including coal seam gas, via agreements formulated under the NTA. However, this is not the only avenue for participation, as these processes can be bypassed. This case considers the actions of the New South Wales Aboriginal Land Council (NSWALC) which sought to engage in coal seam gas development discussions across the State (Howden 2012), using avenues available through State-designed statutory processes for access to land (the *New South Wales Aboriginal Land Rights Act 1983*), administered by the NSWALC. There was widespread opposition to this action within both Indigenous and non-Indigenous circles. This opposition was fuelled in part by the fact that coal seam gas development is regarded by many as one of the more environmentally contested and risky forms of energy development. As a result of the actions of the NSWALC, wide schisms developed between the local land councils and several Native Title claimant groups. The conflict positioned Native Title holders in the region as the ‘authentic’ Indigenous group and the only group with a legitimate right to participate and the focus of engagement efforts by the State and mining concessions. This caused considerable inter- and intragroup conflict within the wider Indigenous communities, particularly as environmental and green groups aligned themselves with those Indigenous Peoples opposed to coal seam gas development.

The research that informs this case study was carried out over a period of approximately 18 months between 2012 and 2014 (see Howlett and Shaw 2017). Data were collected through interviews with senior Aboriginal Land Rights Act officials at the State organisational level and representatives of two Native Title groups, the then instated directors of the Githabul Nation Aboriginal Corporation, and a member of the Arakwal Native Title group that have several notable Indigenous Land Use Agreements (ILUA) in the Northern NSW region (Fig. 17.1).



Fig. 17.1 Case study location in Northern New South Wales (Shaw 2014)

What became apparent when interviewing was that some of the Native Title holders felt they had more rights to speak for country and to participate in land use decision-making because Native Title was, in their eyes, a superior form of title as opposed to the rights conferred under the *New South Wales Aboriginal Land Rights Act* (1983).

the ALRA [Aboriginal Land Rights Act (NSW) 1983] offers only 'prescribed' rights as opposed to 'blood' and 'traditional custodian' rights recognised by the NTA. Native Title is inherent by itself. That's our blood rights In that Land Council system ... someone from Western Australia [can] come over here, live here and can become a member of the Land Council and they can have a say ... [For] Land Council. [Director, Githabul Nation Aboriginal Corporation]

Within Indigenous communities, this concept of 'Traditional Owner' creates a discrimination between the haves and have-nots—those who can prove their traditional affiliation with the land in question and those who may have been moved there in the colonial process (Macdonald 2006). There is thus a distinction between 'traditional people'—those with rights and interests in land and waters which are derived from traditional laws and customs—and 'historical people', who may have lived in the area for many years but whose

connection with it does not predate the assertion of British sovereignty (Burnside 2012). This distinction, reified by the NTA, privileges and authenticates 'tradition' and creates conflict between traditional peoples and historical peoples, leading to an increasing polarisation between the traditional people and historical people (Macdonald 1997, pp. 73–74). Further, there is no place for historical people who may not know where is, or who cannot trace a continuous connection to, their original country. Procter (2016, p. 293) reminds us, land claims and Native Title processes and determinations can 'play into the logic of settler colonialism' by continuing processes aimed at containing Indigenous Peoples. The divisions and conflicts that emerge amongst Indigenous People in the context of Native Title can act to reinforce this ongoing project.

The Northern New South Wales region is notorious for its proclivity towards an anti-development agenda and the hierarchical and divisive approach to Native Title versus land rights, in this case, was underscored by a framing of 'real' Aboriginal Peoples as somehow anti-industrial and 'naturally' conservationist. Consistent with Wheeler-Jones et al.'s (2015) suggestion that the mainstream media is complicit in promoting this stereotype, this perception was reiterated by a senior staff member of the NSW Aboriginal Land Council:

What I found really interesting was, you know, 'How could Aborigines be doing this terrible environmental thing?' And so it's this sort of, the noble savage, living in harmony with the environment and the whole bullshit argument about the nobility of poverty and all of that kind of thing. I just think it's crap. And it's kind of racist, actually ... somehow any Aboriginal person that doesn't stand on the moral high ground along with their destitute brothers and sisters is somehow a captive of the mining industry. That somehow the people that are standing on that moral high ground aren't captives of the green movement. You know, there's this intellectual kind of dissonance that exists where Aboriginal people that put their hand up for environmental protection against coal seam gas and all of that kind of thing, are thinking for themselves, are asserting their traditional rights and doing all of that, and they're being empowered and they're self-determining. ... But then somehow any Aboriginal person who, who puts their hand up for a bit of employment in their community or some means by which there can be some economic development, and more importantly, some proper control over environmental and cultural heritage issues, not just the bullshit cultural heritage survey, that somehow they're not exercising their rights to be self-determining, and their intellectual capacity has been sort of captured by some evil miner. Again, like, it's so racist, so racist.

Thus authenticity was structured in such a way via these two intersecting discursive frameworks to exacerbate existing points of conflicts between the various groups and reproduced inequities that were a direct result of colonisation processes. Differences were funnelled into narratives about 'real' identity and 'authentic Aboriginality' and curtailed opportunities for a more radical and inclusive conversation about sovereignty, or an exploration of why the only options available seemed to be diametrically opposed eco-conscious poverty versus an environmentally and culturally destructive development that could offer improvements to material conditions. Such tensions necessarily impact the extent to which engagement with any Indigenous group can be held up to be representative of all Indigenous experiences. Indeed, any such claims are likely based in pursuit of the 'group checklist' to engagement based on a failure to recognise and respond to 'differences within groups' (Fincher and Iveson 2008, pp. 96–97).

Sand Mining and the Quandamooka Case

In 2012 the Queensland State Government announced the closure of the sand mining industry on Minjerribah/North Stradbroke Island, to be staged over a number of years. There were many factors influencing this decision, but the one most pertinent to this chapter is that in 2011, the Quandamooka People of Minjerribah/North Stradbroke Island obtained Native Title Consent Determinations covering much of the island and its surrounding waters (National Native Title Tribunal 2011). A little over 4% of the area covered by the determinations was allocated to the exclusive use of the Quandamooka People; the majority would become national parks under joint management arrangements that would allow Quandamooka People to be present and to 'take and use water' and natural resources (National Native Title Tribunal 2011, p. 2). The Native Title process led to two Indigenous Land Use Agreements covering joint management arrangements, policies, and 'limitations on the ability to exercise some Native Title rights in exchange for compensation and other benefits to the Quandamooka People' (National Native Title Tribunal 2011, p. 3).

The research that informs this case was conducted in 2011–2014 with the people of Minjerribah/North Stradbroke Island, including members of the Quandamooka community. It formed part of a broader critical phenomenological project on emotional geographies of mine closure, just transitions, and community-based planning (Osborne 2014). Data primarily consisted of in-depth storytelling-based interviews with Indigenous and non-Indigenous

Islanders. Although the conflict and disagreements over Native Title within the Indigenous community were unanticipated issues that emerged from the unstructured nature of data collection, the struggle for land rights, and then Native Title, had long been intertwined with the issue of sand mining on the island.

The Quandamooka People are diverse, and there are substantial differences in their material conditions—even amongst those remaining on the island. For instance, those Indigenous Islanders who worked in mining were able to live in subsidised housing and purchase housing in townships, at a time when other Indigenous Islanders were forcibly segregated. For much of the island's post-invasion history, Indigenous People were forced to live at least one mile out of the main township of Dunwich—those who worked for the mine received exceptions:

like in many places in Australia there was segregation, and Aboriginal People had to reside at least one mile out of any white township, and we still have our One Mile here on Stradbroke now where Aboriginal people continue to reside, but the ones who were employees of the mining company there were allowed the opportunity to be able to purchase their houses inside the township. [Indigenous Islander 2]

This exceptional treatment for mine workers began a marked intragroup difference between the Indigenous Islanders, where some were able to gain better access to services and infrastructure, secure housing, and a level of economic standing and stability that were denied to others. As a result of the exception granted to Indigenous mine workers, today there are some Indigenous families who now own valuable property in townships. Other Indigenous families remain out at One Mile in poor quality housing—some without access to basic and essential services.

The issue of mine closure highlighted some of these existing differences and tensions, but—and perhaps more surprisingly—the issue of Native Title was also a significant point of difference and ultimately division. Native Title as an instrument presumes a level of homogeneity and agreement amongst 'Traditional Owners' across a host of issues. Indeed, negotiation processes presume a level of consensus and homogeneity rarely, if ever, expected of other groups. This in and of itself is a continuation of colonial violence and Othering and works to erase the complexity and diversity of the Indigenous Peoples of Australia.

Native Title processes struggle when there is not a high level of agreement and when different Indigenous groups dispute ancestors, boundaries, and histories. 'Quandamooka' is not actually one group, but several. 'Quandamooka'

includes the Noonuccal, Ngugi, and Goenpul Peoples of what is now called Moreton Bay. They chose to organise themselves this way to avoid conflicts and division in the early days of the land rights movement:

Quandamooka's People, there's a name she [referring to Kath Walker/Oodgeroo Noonuccal³] gave for the claimants because she didn't want them to be divided and conquered ... so rather than use their tribal names she used, first, the creator spirit was a porpoise, now the porpoise is Quando, the first old man died, he was Quando, and he came back as a porpoise ... and so Mooka is mook-mook spirit, you know, and it's a respectful being. ... Quandamooka is the porpoise spirit. [Aunty Donna Rуска]

Despite these efforts, divisions still emerged. There were differences in opinion over strategy; there were those who sought to pursue Native Title via the Consent Determination process and others who wanted to pursue a more robust land rights and sovereignty agenda. Some in this latter group felt that Native Title involved conceding their rights as the island's First Peoples:

There's a whole lot of people here who don't go along with Native Title, and say it's the legislating away of the last of our rights, tidying it up under the Australian common law system, and they assert their sovereignty. [non-Indigenous Islander]

Ultimately one Traditional Owner group withdrew from the claim, as they refused to engage in a process that they believed further stripped them of their rights and further empowered the State and other interests at their expense. However, the Native Title process provides no clear means for registering any disagreement over these negotiations amongst Indigenous Peoples. Indeed the very naming of Consent Determination erases the fact that some did not consent:

I never consented, me and my whole family group never consented to any of it, and it was very hard and difficult for them to even recognise and record our non-consent, because of the way the Native Title Act and the decision-making process and the whole agreement processes work. [Indigenous Islander 2]

³ Kath Walker/Oodgeroo Noonuccal was a political activist, poet, and campaigner for Aboriginal rights. She was one of the most nationally prominent members of the Quandamooka People and a key figure in the campaign for the reform of the Australian Constitution to allow Aboriginal People full citizenship.

In addition, some raised concerns about the emphasis Native Title placed on specific ancestral connections and bloodlines, arguing that this acted to marginalise other Indigenous Islanders and that the decision-making processes associated with Native Title did not reflect traditional decision-making practices. Some saw it as a divide-and-conquer technique designed to weaken the capacity of the Quandamooka Peoples to effectively organise and resist. Aunty Donna Ruska argued: *'It's such an evil act, and it's divided communities all around the country.'*

The Quandamooka example illustrates how processes of colonisation and capitalism have created and perpetuated structural and material differences amongst and between Aboriginal and Torres Strait Islander groups. And yet there is still an assumption of homogeneity of values, interests, and experiences by State actors and embedded in legislative processes. Native Title negotiation and agreement processes can ignore these intragroup differences—of circumstances and of politics—amongst Indigenous Peoples. It also indicates how the State acts to overlook intersectionality amongst Indigenous Peoples and presumes a dehumanising level of homogeneity and conformity in processes to engage with them; a presumption grounded in racism and colonial violence. This further frustrates attempts to resolve conflicts constructively and can contribute to divisions that not only harm the well-being of Indigenous communities but may affect their capacity to organise on their own behalves and their manner of engagement with the State and mining companies.

Discussion and Policy Implications

Focussing on the marginalisation experienced by Indigenous women in Australia as a consequence of Western legal processes, Marchetti (2008) has observed that law and legal processes, even those focussed on race, rarely adequately consider how other characteristics, such as gender, might complicate matters and create distinct and varied experiences of marginalisation. Indeed, '[t]he way intersectionality affects a person's experience of and treatment by, the legal system is often too complex for the dominant liberal ideology to fathom' (Marchetti 2008, p. 156). These cases demonstrate the potential for Native Title to be equally unresponsive to difference and diversity.

Native Title requires that Aboriginal People be locked into an imagined past, in which continuity of tradition is the mark of authenticity. It serves to protect non-Aboriginal ownership by putting the onus on Aboriginal People to prove prior ownership under a dehumanising expectation that their cultural practices and values have not changed—despite 200 plus years of

oppressive colonisation and deliberate displacement (Macdonald 2006). Native Title processes thus contribute to a destruction of Aboriginal value systems and have invited (additional) distrust of government. It has reduced social capital and eroded trust (Macdonald 2006). Further, it has created a situation where many (non-Indigenous) Australians may fall into a trap of idealising a mythologised and fetishised view of the 'authentic Aboriginal', one that is rooted in a tradition that has most likely been impacted by centuries of colonisation, conquest, and/or outsider influence (Harris 2013). This kind of thinking embodies an essentialism that relies on notions of purity and separateness and elides the existence of multiple contemporary realities that predispose and shape myriad experiences, which, in turn, lead to socially heterogeneous and dynamic ideas of the self (Harris 2013).

Through these cases, we can observe that those seeking to claim Native Title have had to portray themselves and their identities in a singular, traditionalist form to meet the requirements of the NTA. This has led to the development of a false dichotomy held to be true by many Aboriginal and non-Aboriginal People, which views Indigenous Peoples' identities as either entrenched solely in tradition or based on embracing (or selling out to) modernity (Martin 2015), whilst neglecting the structural constraints on their realities and choices. Traditional Owners have asserted a privileged position through both Native Title organisations and within land councils (where they are members), which can create delays and obstacles for land councils' economic pursuits (Norman 2015). Yet Traditional Owners can, and amongst themselves, disagree over policy and development affecting their country. Indeed, in the last few months, an ILUA linked to the Noongar People's Native Title was struck down by the Federal Court, which found the agreement was invalid because not all representatives of the relevant language groups had signed off on the agreement (Conifer 2017). Those who had not signed off expressed concerns that the ILUA would erode their Native Title rights and the sovereignty of their people (Trigger and Hamlyn 2017). Unfortunately, it is beyond the scope of this chapter to detail this emerging case, but it serves to indicate the problems that emerge when the State makes assumptions about the representativeness of Aboriginal representatives and councils, and when they fail to regard intragroup difference as a matter of course.

There are now moves to change Native Title legislation so that similar disagreements and disputes elsewhere cannot delay or prevent mining (and other) developments (Conifer 2017). These disagreements are constructed as a hindrance for investors that must be overcome, rather than as something one would generally expect from any large group of people working through

a contentious issue with significant impacts, and where options are generally constrained. Should the present Australian Government succeed, this could only further subordinate Indigenous Peoples' sovereignty and capacity for self-determination to the interests of capital and globalised neoliberalism.

Although there are genuine attempts to recognise Indigenous rights, it has been noted that within the field of planning policy and practice in particular '[t]he latest trend is to include a chapter on "Indigenous issues" ... usually in one discrete chapter of the book, outside of which Indigenous rights and interests are never mentioned again' (Porter 2014, p. 5).⁴ This tendency speaks to the tensions associated with recognising and responding to the needs and interests of Indigenous Peoples within a planning and policy context and the difficulties associated with adopting an intersectional approach, particularly in the part of the policy process dedicated to 'consultation'. As a settler-colonial society, it is particularly critical that Australian policy processes not only 'include' Aboriginal and Torres Strait Islander People in consultation but that that consultation or engagement is underpinned by an intersectional understanding of identity and of Indigeneity.

The original theorisation of intersectionality has, as discussed elsewhere in this volume, emerged primarily from the work of black feminist and womanist thinkers to counter universalising trends in mainstream/whitestream feminism and identity politics (Osborne 2015) and to provide a framework for analysing and accounting for intragroup difference (Crenshaw 1991). However current community consultation processes are typically incapable of integrating the needs and perspectives of diverse communities and often fail to acknowledge, let alone address, intragroup differences.

This is only heightened when Indigenous People are part of the communities being consulted. Problems arise in part due to the lack of connection that many policymakers, planners, and other key stakeholders have with Indigenous issues. Howitt and McLean (2015, p. 140) note that:

Few public-sector policy makers and even fewer parliamentarians have had to address the coexistence of Australia's settler and Indigenous populations in their everyday working lives. Thus development of Indigenous policy has always/largely? been framed within the nation's policy processes as something done to and/or for its Indigenous 'others'. Even where consultation has been undertaken, it has been far from best practice. It has certainly never been predicated on any recognition of

⁴A number of recent books (see Jackson et al. 2017; Porter 2016; Porter and Barry 2016) present an exciting and important advance in beginning to address this lacuna in planning discourse and scholarship.

Australia's first nations right of self-determination; it has never acknowledged that the historical construction of colonial sovereignty occurred on the basis of the legally flawed doctrine of terra nullius and the ethically flawed assumption of racial superiority; and it has never trusted Indigenous Australians to comprehensively formulate, implement, evaluate and revise the processes to underpin their own development of just, inclusive, sustainable and accountable foundations for prosperity and well-being.

Cameron and Grant-Smith (2005) advocate layers of engagement that provide for transcendent and transformative participation in order to recognise and capture the view of diverse publics. The first layer provides the opportunity for Indigenous and other marginalised stakeholders to both speak with unreflective self-interest, thereby promoting beneficial difference in the process, while the second provides the opportunity for exposure to the claims of others and the opportunity for personal transformation through reflection on the perspectives of others and to influence their perspectives. Such a layered process avoids the reification of fixed and partial identities and allows for expression of ideas and possibilities. But it must also be acknowledged that Aboriginal and Torres Strait Islander groups are not just a subset of marginalised stakeholders—drawing on our understanding of intersectionality, justice for Indigenous Peoples needs to be foregrounded in the settler-colonial context we occupy. Comprehensive improvements on this front, collaboratively developed in processes led by Aboriginal and Torres Strait Islander Peoples, have been proposed, most recently via the groundbreaking *Uluru Statement from the Heart* (Delegates at the Referendum Convention at Uluru 2017). Recommendations in the statement included the establishment of a Makarrata⁵ Commission and new frameworks to support Aboriginal and Torres Strait Islander representation, rights, and sovereignty in public policy (Gordon 2017). Lamentably the Australian Government, then led by Malcolm Turnbull, rejected the recommendations of that statement.

While the recognition of Native Title rights by the Australian legal system has provided for opportunities for Indigenous Peoples to participate in land use decision-making processes and provides formal processes for their engagement, it has not addressed the legacies of colonialism that endure from the unlawful acquisition of sovereignty. We have argued that the NTA is a colonial structure, designed, implemented, and monitored by the Australian State

⁵‘Makarrata’ is a Yolngu word ‘describing a process of conflict resolution, peacemaking and justice’ (Pearson 2017). The term is offered as an alternative to ‘treaty’, though Pearson notes the terms are not precisely equivalent, and the translation flattens out some of the complexity in the Yolngu term.

and that it reproduces and exacerbates the inequities between Indigenous and non-Indigenous Australians. It also reproduces and exacerbates the inequities within Aboriginal and Torres Strait Islander communities, causing significant intracommunity conflict. Native Title, as a land use policy tool based on an assumption of a homogenous and reified Indigenous identity, has effectively worked to limit who can speak on what issues and when. Further, should Native Title holders use the rights afforded to them under the NTA in ways that conflict with other interests (be it engaging with mining development in a way that others deem inappropriate for Aboriginal People who are supposed to align with green interests or seeking to prevent mining development in opposition to the interests of the State and capital), the denigration, coercion, and—as seen recently—attacks on their rights indicate that Native Title does not really offer a policy framework for self-determination or justice.

For policymakers, intersectional analysis informed by the work of Aboriginal women reveals the deficiencies with Native Title and challenges the belief common amongst non-Indigenous policy workers and planners that Native Title is a way to redress wrongs or achieve justice. Rather, it perpetuates rather than challenges the colonial system and it can be a divisive and destructive force in communities. It cannot accommodate the multiple axes of diversity that characterise and constitute Indigenous communities in Australia. It does not provide a stable means for Indigenous communities to engage with diverse and non-capitalist economies—indeed, attempts to use Native Title rights to challenge the forces of capitalism have resulted in the Australian Government seeking to amend Native Title legislation to prevent exactly that use. And, of course, it is an insufficient framework for achieving sovereignty and self-determination—we need to do better than Native Title. We cannot use it as a proxy for Indigenous participation or the accommodation of diversity, and we must go far beyond it in our policy and planning work if our goal is social justice.

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18

From Gender Sensitivity to an Intersectionality and Participatory Approach in Health Research and Public Policy in the Netherlands

Petra Verdonk, Maaïke Muntinga, Hannah Leyerzapf,
and Tineke Abma

Global and Regional Context: The Netherlands and Its Changing Welfare State

The Netherlands is a liberal democracy built on the ideological principles of a welfare state. As in many other European countries, the welfare state is being reformed to protect it from the consequences of an ageing population and the

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economic crisis. The Dutch welfare state has reformed into a more proactive and activating participation society, introduced by a neo-liberal government in 2014, in which societal involvement is central (Delsen 2016). Citizens have a right to develop their talents and a duty to use those talents in the service of society, and they must take 'an active attitude'. Reforms boil down to individualization of risks, deprofessionalization, and decentralization of responsibilities from national to local governments, accompanied by expenditure cuts in the public sector (Maarse and Jeurissen 2016; Ministerie VWS 2013, 2014). Ideologies of individual responsibility, self-reliance, and meritocracy have gradually taken root in the country (Slootjes 2017), and the impact of policy reform is felt particularly hard in health care. Precarious work and job demands have increased, as has the appeal to informal carers and volunteers and in the context of an ageing workforce and ageing elderly population. The ideology of individual responsibility is also reflected in stringent immigration policies that focus on the migrant population's integration as assimilation and mainly through labour market participation.

We are only beginning to understand the influences of these reforms and specifically in terms of health and participation in paid and unpaid care work. It is beyond doubt however that public policy reforms markedly affect the lives of differently situated women, especially lower-educated women and/or women with a migrant background. But despite these consequences, in the Netherlands these kinds of inequities are considered to be *passé*. Paying specific attention to women's emancipation is seen as outdated and obsolete: in 2003, the Dutch Minister of Social Affairs and emancipation declared Dutch women's emancipation as 'finished'.¹ However, the Netherlands recently plummeted on the Global Gender Gap Index, from 16 in 2016 to 32 in 2017, a decline that is mainly explained by increasing income inequalities despite gender equality in education levels (World Economic Forum 2017). Even though more than a quarter of working women in the Netherlands work in health care, there has been little attention paid to bringing an intersectional analysis to bear on understanding or responding to their experiences—that is, the gendered, racialized, and classed implications of policy reforms.

In this context, an increasing number of researchers, physicians, and women's rights advocates have critiqued the dominant gender equality narrative in health-care research and delivery which is based on a one-size-fits-all model, campaigning for a focus on equity instead. Their call for change includes the quality of care and social justice-driven imperative to pay more attention to

¹ NRC Handelsblad. Emancipatie van vrouwen is volgens De Geus voltooid, 17 November 2003.

sex and gender differences in health and biomedical research. This agenda setting, initiated by a Dutch women's organization (WOMEN Inc.) in collaboration with an alliance of (mostly female) researchers and policymakers in health and health care, has resulted in a new research programme, based on a jointly written '*Knowledge Agenda Gender and Health*' (ZonMW 2015). An intersectionality informed approach to understanding sex and gender requires considering the interactions between sex, gender, and other factors that shape and influence health. However, policy documents and strategies of funding agencies are only beginning to address these issues, and in doing so they continue to focus primarily on a gender(-first) focus.

Advocating for Gender-Sensitive Health Research and Health Care in the Netherlands

The Gender and Health 2016–2020 research programme (www.zonmw.nl) has a long, rich history. During second-wave feminism the women's (health) movement also in the Netherlands raised many topics including equality in the workplace, sexual and domestic violence, breast cancer research, contraceptives, and termination of pregnancy. Medicalization of women's lives, for instance the routine prescriptions of sedatives for psychosocial problems, was heavily criticized (Van Mens-Verhulst and Waaldijk 2008). Earlier in the United States, the black women's movement criticized the one-dimensional way in which the predominantly white, heterosexual, and middle-class women's movement presented the complexity of feminist issues (The Combahee River Collective Statement 1977; Lorde 1984). At the time, 'being a woman' was associated with being 'white', which mystified and reproduced class- or ethnicity-based inequalities. Only by the end of the 1980s in Europe including in the Netherlands was more attention paid to differences among women (Van Mens-Verhulst and Waaldijk 2008; Annandale 2014). The topic of what was first called female-specific medicine (later gender-specific medicine and now *gender medicine*) became more and more integrated in medical practice, mostly in the area of general practice (Van Mens-Verhulst and Waaldijk 2008). However, this process is still undergoing transformation, and sex and gender in health are constantly being rethought (ZonMW 2015).

Although gender medicine is gaining momentum, *gender bias* and knowledge gaps still occur in medical research, which leads to blind spots and insensitivities that find their way into health policies and clinical practice. First, relevant sex differences are insufficiently addressed, and second, differences are highlighted unnecessarily at times when discrepancies are minimal or non-existent

(e.g. Ruiz and Verbrugge 1997; Verdonk et al. 2009). Attention given to issues such as sexual violence or sex and gender differences beyond reproductive health such as in heart disease or infectious diseases also remains necessary (ZonMW 2015). Internationally, a *men's health movement* calls for attention to the relationship between sex/gender and health from a male perspective, and researchers point towards the relationship between societal norms about masculinity and health (Hammarström and Annandale 2012; Annandale 2014). The assumption that gender equality has been achieved leaves public health policy-makers in the Netherlands unaware of how pervasive gender dynamics still inform (scientific) knowledge about health and social care needs, how this knowledge trickles down to policies and practices, and how it produces and maintains gender-based health inequalities.

Hence, more knowledge about the gendered processes that underlie public policies, as well as knowledge about how to establish gender-sensitive health and public policies, is needed to improve quality of care for differently situated men and women. The advocacy of the Alliance Gender and Health has resulted in a broad, national research programme to fund research into sex/gender differences in health and illness, with the aim to resolve gaps in biomedical research policy, health-care practice, and health education (ZonMW 2015). Furthermore, a Dutch Society Gender & Health (NVG&G) was established with the explicit aim to promote gender-sensitive health research from an intersectionality perspective (www.genderengezondheid.nl).² In other European countries, at the EU level, and in the United States and in Canada, initiatives are taken to integrate a sex and gender approach in research policies including into the EU Horizon 2020 programme (Mazure and Jones 2015).³

However, having a single focus on men and women as categories does not do justice to other aspects of diversity and their impacts on health (Epstein 2007; Hankivsky 2012). In addition, we advocate for advancing intersectionality informed health policies by applying innovative frameworks and methods in health research and in policy development. In so doing, we discuss limitations of the current categorical approach to sex/gender in medicine as well as

²Dutch Knowledge Programme Gender and Health. Retrieved 18 November 2016 from http://www.zonmw.nl/nl/publicaties/detail/kennisprogramma-gender-en-gezondheid/?no_cache=1&cHash=da7750f389b3719a1161d92abda1760a.

³Vademecum on Gender Equality in Horizon 2020. Retrieved 18 November 2016 from https://ec.europa.eu/research/swafs/pdf/pub_gender_equality/vademecum_gender_h2020.pdf.

The Irish Research Council 2013–2020 Gender Strategy & Action Plan. Retrieved 18 November 2016 from http://research.ie/sites/default/files/irish_research_council_gender_action_plan_2013_-2020.pdf.

The Canadian Institutes of Health Research's policy Shaping Science for a Healthier World Strategy 2017. Retrieved 18 November 2016 from http://www.cihr-irsc.gc.ca/e/documents/igh_s17_report-en.pdf.

what an intersectionality perspective has to offer as a framework for critically analysing difference. We discuss possible implications of this perspective for health(care) research and policy development. Subsequently, we present an example of our own research to illustrate the value and the difficulties of critical, intersectional health research and policy development and reflect on our own positions as researchers of difference.

Limitations of Gender Medicine

The current categorical approach of gender medicine has its limitations. First, the concepts sex and gender are often conflated, but the focus of gender medicine is mainly directed towards biological aspects (sex) and less so on social aspects (gender) of bodies (Hammarström and Annandale 2012). This directs gender medicine away from contextualizing health and illness, and from empowerment, two important tenets of gender-specific health care (Epstein 2007). And although interactions between biology and environment are studied more and more, such as gene-environment studies in genetics, sex (e.g. the role of XX and XY chromosomes) and gender aspects are rarely integrated (Verdonk and Klinge 2012). Second, categorizing in dichotomous categories (male/female) is problematic and harmful for those who do not fit into one-dimensional biosocial groups. For instance, people with differences of sex development (DSD or intersex) experience exclusion in the forms of medically advised secrecy, societal taboo, shame and stigma, and the results of active interference of the medical establishment which aims to fit the bodies of people with intersex variations into symbolic male or female straightjackets (Van Heesch 2015). A call for attention to crossing over between categories as well as fluidity of sociocultural and biological identities and complex experiences in relation to health is now coming from sex and gender minority (SGM) movements and not from gender medicine. Attention for Lesbian, Gay, Bisexual, Transgender, Queer, Intersex (LGBTQI)+ individuals and their health is increasing and heteronormativity in health care and medical education is being criticized (Davy 2012). Debate occurs around 'gender *non-conforming*' identities and about widening the sexual continuum (Van Lisdonk 2014), while the medical scientific community is late to recognize sex and gender fluidity (see Van Heesch 2015; Ainsworth 2015). People's positions and experiences are still often understood from a binary perspective (Davy 2012) and structural attention for these topics in gender medicine lags behind. Furthermore, little attention is paid to interactions of sex/gender with other aspects of diversity such as ethnicity, migrant status, class, religion, and sexuality (Hankivsky

2012; Schulz and Mullings 2006). Schofield (2012) argues that often the margins of difference in the measurements between the two categories 'male' and 'female' suggest that there is a 'gender-specific' health issue, whereas the absence of difference suggests neutrality, and thus no cause for gender-specific policies, programmes, or services. As a consequence, marginalized groups are easily overlooked (Purdie-Vaughns and Eibach 2008).

It is suggested to make gender medicine more intersectional in its approach to research, policy development, and implementation in health care, including in medical education (Hankivsky 2012; Muntinga et al. 2016), and therefore it needs to move beyond the study of mainly sex difference towards also studying gender across its intersections and health as dynamic biosocial processes.

To be able to understand experiences in health and care, and using an intersectional framework, reality must be approached from multiple categories of difference. In the 1970s and 1980s, black feminists claimed that separating race from class from sex oppression was not possible because they were experienced simultaneously. For instance, black women struggled *together with* black men against racism and struggled *with* black men against sexism (The Combahee River Collective Statement 1977; Lorde 1984). By the end of the 1980s, Crenshaw (1991) coined the term intersectionality and stated that people's experienced realities are shaped by their multiple group memberships and intersections with jointly constructed self-images and social identities. People's biosocial identities are thus shaped by social contexts and are developed and moulded by the (re)production of inequalities based on structures of power.

A simple sum or cumulation of health differences between groups does not therefore provide an accurate picture of people's lived health experiences. Intersections vary as a function of each other, or multiple categories of difference provide interactive effects (Schulz and Mullings 2006; Annandale 2014; Crenshaw 1991). Besides, intersectionality assumes the historic and social-societally constructed characteristics of relations between people, not of individual characteristics (Schulz and Mullings 2006).

Intersectionality in Biomedical and Health Research

In biomedical and health research, awareness of the relevance of categories of difference as determinants of (experienced) health- and care-related outcomes is increasing, but outcomes are often measured from a single category and single disciplinary approach. Epidemiologists and clinical researchers operationalize class often as socioeconomic status (SES), approached by 'proxy'

variables such as education level, income, or profession. Sex/gender and age are often considered as confounder or *nuisance variable* (Krieger 1999; Williams and Fredrick 2015). Other aspects of diversity besides gender are placed at the junction of biomedical sciences with other disciplines. In sociology, attention is paid to socioeconomic health inequalities/class and to societal structures (Bosma 2014). Social psychologists may study stereotyping and the individual (health) consequences of stigma (e.g. Fiske et al. 2002). Concepts such as ‘cultural competence’ or ‘cultural sensitivity’, referring to awareness, knowledge, and skills in the provision of health care for migrants, refugees, religious and cultural minorities, are developed by medical anthropologists (Napier et al. 2014; Wolffers et al. 2013; Betancourt 2003). They warn for a simplistic use of categories and a static approach to culture in medical research (Betancourt 2003; Wolffers et al. 2013; Seeleman 2014).

Intersectional projects study categories at multiple levels of analyses by integrating interaction between the individual and the institutional in their analysis. Hancock (2007) defines intersectionality as both a normative and an empirical paradigm, as theory as well as research, which proceeds under assumptions such as that categories of difference are dynamic productions of individual and institutional factors. Medicine, as an empirical field, will benefit greatly from empirical intersectionality because health itself is a result of the interaction between the individual, their biology, and their individual lives, with inequalities which are based on structures of power such as gender, class, or sexual identity (Hankivsky et al. 2017). Hence, the added value of an intersectional approach is that it generates integrated knowledge that contributes to health policy development and the provision of tailor-made and patient-centred care, while traditionally, medical research had its focus on ‘uncovering’ generalizable patterns of ill health. An intersectional approach may therefore be experienced as a paradigm shift, as complicating matters rather than resolving problems. Indeed in research, studying multiple categories of difference and their interactions at different levels is methodologically complex (McCall 2005; Hancock 2007), particularly in relation to health outcomes. Yet the mentioned disciplines (and more) with their different knowledge traditions, theoretical underpinnings, and methodologies are all relevant for diversity and health (Hankivsky et al. 2017). More and more, researchers aim to understand (differences in) health and experiences between and within biosocial groups from an intersectionality and, thus, interdisciplinary perspective (Hankivsky et al. 2010; Hankivsky 2012; Branković et al. 2013; Purdie-Vaughns and Eibach 2008). Intersectionality offers the possibilities to consider the relevance of biosocial identities (interactive or additive) to each health problem, when, and how (Warner 2008) and helps to develop

a more diversity-responsive health care (Seeleman 2014). Such an approach may also prevent competition between groups about who experiences the most severe oppression or the least visibility, a practice also referred to as the 'Oppression Olympics' (Martínez 1993; Purdie-Vaughns and Eibach 2008).

Applying an empirical intersectionality and dynamic framework to gender and health has implications for each step in the research process. When collecting data about the influence of identities on health experiences, for instance, questions that represent such experiences as independent or as additional must be avoided (Hancock 2007; Bowleg 2012). In analysing and interpreting data, differences and similarities in health outcomes (such as health status and experiences) between biosocial groups must be understood within their historical, social, and societal contexts. Power relations do play a role in the (re)production of biosocial inequalities and differences and people cannot be 'decomposed' empirically into, for instance, a 'race' part or a 'sex' part (Hancock 2007).

Therefore, an empirical intersectional approach to medical and (health)care research establishes a shift in how researchers and health-care professionals (a) understand social categories and their mutual relations, (b) are aware of structural factors which contribute to inequality and difference in health, and (c) translate their understanding and awareness to policy and practice (Hankivsky 2012). Intersectionality offers a broader overview, a deeper insight; expands knowledge about the relationship between health, identity, and society; helps to gain insight in health differences between and within groups as well as in underlying processes; and contributes to personalized health care. An intersectional framework also offers insight in unique experiences and needs and especially helps to understand the health risks and health status of groups with less visible biosocial identities (intersectional invisibility) such as for homosexual men or black women (Purdie-Vaughns and Eibach 2008; Bowleg 2012; Hankivsky 2012; Hankivsky et al. 2010). Knowledge gaps in research, practice, and education can be identified (see, e.g. Branković et al. 2013; Hankivsky et al. 2010; Muntinga et al. 2016). An intersectionality perspective in a review on human papillomavirus (HPV), for instance, exposed knowledge gaps about HPV risk, health and health care for older men who use sildenafil (such as Viagra), or men who have sex with both men and women (Branković et al. 2013).

Although intersectionality reduces the risk of stereotyping of bodies and identities, or of presumptions about the experiences of care users, using different 'difference' categories in health(care) research remains ambivalent, because it still contributes to identifying patterns and thus to a simplified representation of reality. These cautions must be integrated into research training, review criteria of granting agencies, medical ethical approval and publishing policies, and

eventually health and public policies. Making assumptions based on supposed group homogeneity must be avoided as much as possible, but group identities can also be strategically used and also to provide better health(care) for marginalized groups (Epstein 2007), or, as Ahmed (2012, p. 182) states, attending to categories is a critical task ‘to understand how what is ungrounded can become a social ground’. Recently, we used a gender lens to analyse public health research proposals in our own research institute (Van Hagen 2017). Results showed that the integration of sex and gender, let alone an intersectional perspective, should be improved. A next step is to develop and to disseminate tools to support researchers to conduct intersectionality-based research.

Intersectionality and Participatory Action Research (PAR)

McCall (2005) describes three empirical analytic approaches to intersectional research: (a) *intercategorical* in which social categories are strategically used, such as studying low-income women to understand inequality and difference and to study how differences between categories depend on contexts; (b) *anticategorical* in which the researcher poses that reducing complex identities to categories cannot do justice to the complexities of human identities, and hence, all categories are to be eliminated; and (c) *intracategorical* in which researchers neither reject nor embrace using categories. They use categorical analyses to understand differences within categories with the aim to highlight the lived experiences of marginalized groups (McCall 2005). This third approach focuses on people who cross boundaries of categories, in order to understand complexities in those lived experiences. In medicine, both categorical and anticategorical research and the individual application of intersectionality can be useful to understand problems and help individuals. Surely in medicine, there is always the urgency to act. For this reason, we navigate between categorical and anticategorical approaches and try to find spaces for pragmatic organization as well as for individuals’ unique, lived experiences (McCall 2005). According to Epstein (2007), having a *split consciousness* is necessary: the awareness that essentialism is sometimes strategic, but never a full representation of identities or differences.

Health research and health policies must therefore allow for a range of research methodologies and require thorough explanations for the inclusion and exclusion of groups. Different qualitative and quantitative methods can be applied to explore (in)justice in health(care), to address issues, and to promote social change (e.g. McCall 2005). In this chapter, we highlight an example of

participatory action research (PAR). Intersectionality and PAR go together well because social justice and reflexivity are shared core values. While intersectionality was developed out of discontent with the exclusionary effects of a single focus on sex/women and on targeting oppression (Van Mens-Verhulst and Waaldijk 2008; Hancock 2007), transdisciplinary, participatory health research listens to people's voices, incorporates their (experiential) knowledge, and increases chances of implementation of research findings (Abma et al. 2018; ICPHR 2013). PAR from an intersectionality perspective shares two tenets of gender-specific medicine: namely empowerment and contextualization. The aim of such research is a critical approach to and transformation of practices and people's lives and forming alliances between different (groups of) stakeholders. Forming alliances between individuals with a similar biosocial identity as well as beyond biosocial identities, thus, from an intersectional perspective, supports social change (Martínez 1993). Such a research approach has the potential to provide valuable and well-grounded input for policymaking, given that stakeholders' experiences are incorporated in the research and policymaking process from the start.

Strategic essentialism can be useful in strengthening the position of social groups that experience oppression and exclusion. A category can be put forward to promote a strategic agenda within a certain context and, as such, be an invitation for social change. Personal stories offer opportunities for mutual recognition and help to develop mutual interests and a 'collective message'. The unique story of an individual who experiences exclusion based on one or more categories then becomes entangled with the stories of other individuals who recognize their own stories. Simultaneously, we must be aware of Ahmed's (2012) warning for the reproduction of whiteness by assuming solidarity across differences. As Ahmed points out, history learns that such an assumption benefits white, heterosexual, middle-class, able-bodied women over other groups.

Furthermore, researchers and policymakers need reflexivity towards their own positions (Verdonk and Abma 2013). Surely, when biosocial identities of stakeholders are questioned, this must also apply to researchers and policymakers. As researchers/authors, we are a unilateral group: female, white, highly educated, raised with a Calvinist work ethos and with gendered care responsibilities. Which experiences and voices do we overlook or recognize only partly? We reflect on whom we represent and how, and start reciprocal collaborative relations with, for instance, students with a migrant background or with civil organizations to study health(care) and give voice to marginalized groups (Williams and Fredrick 2015). Nevertheless, we may be insufficiently aware of our privileges in interaction with others and that we ourselves are subjected to processes of power (VanderPlaat 1999). Moreover, reflexivity

may hamper acting when it leads to inertness (the non-performativity of reflexivity), yet particularly in medicine, people have real health problems that call for solutions. Below, we provide one example in which the earlier-mentioned *split consciousness* required in an intersectionality framework has been translated into a participatory project. The Family, Health and Genetics project focused on the transferral of genetic knowledge with and towards migrant women in relation to risks for having a child with a genetic disease as a consequence of cousin marriage and reproductive choices. In the project, we reciprocated strategically between social identities, disciplines, interests, and also different possible consequences of the project. Despite the small project and the unique locations of stakeholders, the lessons learned reach beyond this setting only.

Family, Health and Genetics (G3)⁴: An Example of Intersectionality and PAR

(Second) cousin marriages occur often among Turkish and Moroccan migrants (consanguinity). When both parents are carriers of a familial genetic mutation, they have an increased risk of having children with rare autosomal recessive diseases who may inherit the same mutation from both (non-diseased) parents. New technologies to detect carriers of rare mutations increase reproductive options for parents-to-be: choosing a non-carrier partner, prenatal diagnostics and eventually termination of pregnancy, preimplantation genetic diagnostics, adoption, preparing for a (possibly) diseased child, or refraining from having children. In the Dutch town Volendam, within-group marriage has resulted in a higher prevalence of particular autosomal recessive diseases. Preconception consultation is set up for couples to identify whether they are an at-risk couple and to discuss reproductive options.⁵ In the successful Jewish Dor Yeshorim programme, running since the 1980s, young orthodox community members are screened for autosomal recessive diseases that are more

⁴Family, Health and Genetics (Gezin, Gezondheid en Genetica, G3) was funded by CSG Centre for Society and the Life Sciences. The project was carried out by VUmc dept. Medical Humanities, project leader Dr P. Verdonk and M. Ridder (Intern VU FALW Health Sciences), i.c.w. VU dept. Cultural and Social Anthropology (Dr E.A.C. Bartels), VUmc dept. Community Genetics (Dr M. Teeuw, Dr S. Jans, Dr E. Houwink, Prof. Dr M. Cornel), Dona Daria Rotterdam (Drs I. De Jong, S. Daouairi), and Diversiteitsland Amsterdam (S. Türker).

⁵Questions were raised in the Dutch parliament about preconception carrier screening for couples, including the Volendam consultation (Questions about preconception carrier screening AMC/VUmc, 7 April 2015, nr 945549-14844-CZ). Retrieved 18 November 2016 from <https://www.rijksoverheid.nl/documenten/kamerstukken/2016/04/07/kamerbrief-over-dragerschapstests-amc-vumc>.

prevalent in the Jewish population (Raz and Vizner 2008). In both examples, interventions are available to identify and reach at-risk groups. This is even more complex in the case of consanguineous relationships. Mothers with a migrant background and a diseased child are intersectionally invisible, within their communities and within larger society. They may face stigma for having a sick child within their communities and within larger society because of dominant beliefs about cousin marriage as a harmful cultural practice (Verdonk et al. 2018).

The project in two major Dutch cities aimed to increase migrant women's knowledge about genetics and reproductive options through community health workers (CHWs) (Ridder 2014; Verdonk 2014). In this PAR project, and grounded in McCall's (2005) intracategorical approach by focusing on Islamic ethnic minority women, we collaborated with genetic experts, migrant organizations, and researchers to train migrant women as CHWs or course leaders to open up the discussion about cousin marriage, genetic risk, and reproductive options (Daouairi et al. 2014). Stakeholders held different perspectives (also within the groups) on cousin marriage and genetic risk, reproductive options, health care, how knowledge was best transferred, and what good health care entails (Ridder 2014). Care professionals emphasized refraining from having children and termination of pregnancy after prenatal diagnostics. Genetic experts hesitated to mention choosing another partner as an option, which was then again the preferred option of women, in particular for those in arranged marriages. CHWs preferred not to pay attention to adoption or refraining from having children; according to them, these were unrealistic options because of Islamic rules. CHWs and experts differed in what knowledge they considered relevant. CHWs wanted to transfer what was 'good' or 'right' and preferred to discuss personal examples during the training and in the manual, as well as pay attention to religious aspects. Experts found that basic genetic information was most important and that theoretical and experiential knowledge were conflicting. The experts took, and received, more influence on manual content, and the CHWs did not provide religious perspectives to incorporate in the manual. However, during the informal meetings and training sessions the CHWs discussed own experiences and religious perspectives, and they intended to surpass the structure for sessions as described in the manual (Ridder 2014).

An intracategorical intersectional framework helps to show how preferences for the transferral of genetic knowledge to migrant women are embedded in cultural, religious, and professional norms of all involved and also in the liberal, Western, and biomedical knowledge framework in which the researchers were socialized. These preferences and their negotiations were

expressed in power relations. Blurring the boundaries between experts, researchers, and researched only occurred occasionally, although the confrontation between different perspectives strengthened awareness of stakeholders' own perspectives and led to mutual understanding. For CHWs and migrant organizations, G3 did not just contribute to relevant knowledge for the 'target group' but also to their empowerment. The participating care professionals gained more knowledge and understanding of consanguinity and the context of migrant women's choices. Training reflexivity in care professionals and experts about their own values and norms and how norms about professional responsibilities are embedded in larger structures is supposed to contribute to a more diversity-responsive health care (Verdonk 2015). G3 did not result in a uniformly shared message about consanguinity, genetic risk, and reproductive options for women in cousin marriages, it did not break down power relations, and results did not end up in health policy. However, G3 did result in a successful dialogue between stakeholders (genetic experts, care professionals, CHWs, researchers). In G3, we studied the stakeholders, not only 'intersectional invisibles' but also the normalizing practices of care professionals, experts, and ourselves as researchers. G3 teaches us that research on health of and care for people with 'intersectional invisibility' is possible by reciprocating between 'objective' knowledge about categories and 'personal stories' of individuals, such as the midwife who realized that she might find it 'actually nice' when her daughter would eventually marry her sister's son. G3 also taught us that such research is far from simple. Time for reflection on how equality and reciprocity can be established between stakeholders involved is decisive (Ridder 2014; Verdonk 2014).

Intersectionality, PAR, and Policy

Problem solving and policymaking are often informed by positivist science, which is believed to secure objectivity. Policies therefore tend to focus on measurable patterns and outcomes and linear cause-and-effect relationships and, thus, on binary sex and gender and other categorical knowledge (Schofield 2012; Day et al. 2016). An intersectionality approach advantages health research because it identifies inequalities more precisely and emphasizes plurality. Moreover, combined with alternative research methods, different kinds of knowledge are constructed. An understanding of how sex and gender across intersections 'work' provides a more effective scientific foundation for health policies (Schofield 2012; Bauer 2014; Day et al. 2016). Moreover, research and policy have a mutually constitutive relationship. Generating equitable

knowledge to implement in health policy is one step (ZonMw 2015), but such a linear strategy at the same time obscures the obstacles to the development of policies and research that may be more effective in redressing health inequities (Schofield 2012). A first step in health and public policymaking entails identifying and responding to health problems. Thus, one mechanism underneath the identification and construction of health problems is how a problem is 'framed' or how problems and solutions are understood and, thus, who gets to frame a problem, whose solutions are understood and in what way. Participatory research paradigms grounded in an intersectionality perspective allow for studying fluid identities and positions, context specificity, and help to uncover causal processes underlying health inequalities. Such knowledge provides more valid tools to intervene and inform more equitable health policies, if only because stakeholders participate in framing the problem and its solutions (ICPHR 2013; Bauer 2014; Day et al. 2016). In G3, we strategically reciprocated between stakeholders and categories—gender, religion, culture, education—because reflections on the possible positive and negative consequences of their use are important. Incorporating policymakers from the beginning in G3 may have contributed to stakeholders' understanding of the complexity of consanguinity, reproductive choice, and health policy in a Dutch context, as local stories help to close gaps between people's lived realities, science, and policy (ICPHR 2013). Such gaps were still painfully present when our worries about the marginalizing effects of attention for cousin marriage became a political reality. On 7 October 2015, Dutch government accepted an act on forced marriage, to make cousin marriage more difficult (https://www.eerstekamer.nl/wetsvoorstel/33488_wet_tegengaan_huwelijksdwang).

In G3, women actively participated in how consanguineous marriage and reproductive consequences and options should be framed. This approach created different knowledge, stimulated empowerment, and also created tension between researchers, experts, the participating women, and, in the end, also policymakers. As we encountered during and after our G3 project, several policies contributed to consanguineously married women's further marginalization in society. The law intends to protect women from forced marriage, but steps to increase their reproductive options have become a challenge, and women in consanguineous marriage are even further stigmatized in Dutch society. Welfare state, health care, and marriage policy reforms were based on assumptions about intersections of gender and culture that were not informed by the needs and experiences of those whose health and wellbeing they aimed to promote.

Discussion

A categorical approach towards differences generates new knowledge about health(care) yet also has its limitations; we conclude based on insights from among other fields such as gender medicine, gender studies, and the social sciences. We think that besides the current focus of gender medicine, a broader perspective on diversity in health care, from an intersectional perspective, as well as a dynamic policy development approach is also important. Such an intersectionality perspective takes different combinations of different positions into account, also and especially from marginalized groups or groups who are hard to classify (Hankivsky et al. 2010, 2017). Besides, people switch between cultures and lifestyles and they experience having multiple social identities. Responsiveness for diversity in health(care) is a continuous change process (Rattansi 2011; Leyerzapf et al. 2015), in which values such as social justice, respect, tolerance, but also individual rights are of importance. Health-care professionals must become comfortable with such complexity (Hancock 2007).

We gave an example of a PAR project grounded in an intersectionality intracategorical perspective that was carried out in collaboration with many stakeholders. This provided us with the opportunity to understand cultural practices from the perspectives of those who are involved in those practices. PAR creates possibilities for dialogue and strategic alliances to the benefit of a more diversity-responsive health care, since more valid tools are needed to inform more equitable health policies (ICPHR 2013; Schofield 2012). At the same time, careful manoeuvring and communication is needed to develop and maintain support for change (Verdonk et al. 2008) and also towards the world around us, such as political realities. Strategic reciprocating between categories and the possible positive and negative consequences of their use are important, as policies can have paradoxical effects. Fluid identities easily disappear in translation when policymakers employ congealed categories of sex and gender, a positivist knowledge base, and a linear approach to policymaking. The gender and health movement and the policies it breeds must avoid to reproduce what we inherit (Ahmed 2012) and obscure the health needs of marginalized groups under the flag of gender medicine.

The strength of the message on reproduction of inequality, suboptimal health care for marginalized groups, and the emphasis on health care and care professionals' social responsibility creates resistance. In the Netherlands, a social ideology of equality (egalitarianism) combined with daily discriminatory practices forms an obstacle for change (Van den Broek 2014). Not inequalities themselves, but pointing towards and outrage about inequalities are often defined as the main problem (Ahmed 2012). For patients and clients, researchers, care

professionals, and experts who are in favour of changes in health care, speaking up is not without risk. Training migrant women as CHWs by experts requires experts' courage to transfer knowledge without guarantees that such knowledge will be transferred further in 'professional ways', or with the chance that such knowledge is appropriated by those with improper political goals. Care professionals who are explicit about gender and diversity make themselves visible in a culture of medicine which considers itself neutral and culture-free, also called a 'culture of no culture' (Taylor 2003). Vice versa, we ask for migrant women to confront their cultural and religious context with medical knowledge. Working with groups that experience exclusion and stereotyping and who share their stories about these experiences requires careful consideration. They run the risk of being rejected within as well as outside their 'group' (Martínez 1993) for being open about the norms and their consequences and because they point towards daily and institutional exclusion, discrimination, and marginalization. Although 'giving voice' is meant as a way to empower, it may shift into discouragement when results fail to occur. Simultaneously, dominant social groups cannot be simply defined as being homogeneous and oppressive. Social inequalities and processes of power are more complex than that, and relational empowerment is shaped in alliances between groups who, at face value, seem to have little in common (such as in G3) (VanderPlaat 1999). Researchers and other stakeholders alike strategically reciprocate between congealed categories and fluid identities.

Social transformation also points towards developing public policy involving everyone who can make a difference in health care. Addressing diversity is urgent but will only have innovative and transformative power when all stakeholders in health care have the courage to engage in such in-depth critical reflexive project. Combining an intersectionality approach with participatory action research, involving policymakers in research, provides an additional, and innovative, knowledge base for health policy.

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19

Intersectional Analysis of Age in the Context of Rural Health Policy in Ukraine

Anna Vorobyova

Introduction

Ukraine is one of the five countries with the lowest life expectancy in Europe and an internationally recognized health crisis (Hankivsky et al. 2016), where non-communicable diseases cause up to 90 per cent of deaths (WHO 2014). Rural residents bear a disproportionate burden of this health crisis due to poverty and the disintegration of health care in villages (Vorobyova 2014). WHO recognizes that “the lower the socioeconomic position, the worse the health” (WHO 2008, p. 1), and rural dwellers may be the poorest social group in Ukraine (Libanova et al. 2007; Skryzhevskaya and Karacsonyi 2012). In 2009, a quarter of the rural population lived below the poverty line (Lekhan et al. 2012). While in urban areas the level of population living in poverty decreased during 1999–2006, the rural levels of poverty remained high (Skryzhevskaya and Karacsonyi 2012). The socioeconomic problems in rural areas negatively affect access to care among village dwellers who delay seeking medical services due to their inability to pay twice as often as urban residents (Lekhan et al. 2012). Accordingly, rural population death rate per 1000 per-

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sons rose from 14.4 to 20.5 persons and exceeded the urban population death rate by 1.4 times (Cabinet of Ministers of Ukraine 2007). The loss of rural population between 1989 and 2006 in Ukraine was 2.2 million people—the highest in Central Europe (Skryzhevska and Karacsonyi 2012).

The government of Ukraine has responded to the rural health crisis in a fragmentary and ineffective fashion. *The National Concept for Healthcare Reform* (2011) acknowledged that the access to health care is distributed disproportionately between rural and urban territories, but did not suggest any solutions. And the *State Target Program on the Development of Ukrainian Rural Areas for the Period till 2015* did not contain steps to improve rural health either (Cabinet of Ministers 2007). The 2012 pilot reform initiated centralization of medical institutions intending to create better health services and a more efficient system. These actions¹ exacerbated access issues for rural residents, who now faced transportation, time, and stress barriers connected with travelling longer distances to receive care as many rural clinics were closed (Rokhansky 2012; Zakharov 2012; Vorobyova 2014). In 2014, the Ministry of Health (MoH) designed the *National Strategy for Healthcare Reform in Ukraine for 2015–2020*, which mentions rural health-care providers merely four times and only as ineffective and low-quality institutions. Rural residents and their health needs were not mentioned at all signalling that this strategy envisions the health-care system primarily through the business model (Segal 1997) instead of the social services lens.

In addition to failing to address rural health crisis, Ukraine's policymakers treat "rural population" as a homogeneous group, whose biggest problem is low income (Lekhan et al. 2012). In contrast, this chapter presents the diversity of health needs of village residents in Ukraine. I focus on age and how it creates health disadvantages for various groups of rural populations and propose first steps in addressing these inequities using aspects of the intersectionality-based policy analysis framework (IBPAF) (Hankivsky et al. 2012b). While rural health crisis in Ukraine may be one of the worst in Europe, many of the countries on the continent (Russia, Romania, Scotland) and elsewhere (Australia, Canada) experience wide disparities in socioeconomic and health status between their urban and rural residents. In this way the findings and recommendations of this chapter are applicable to jurisdictions beyond Ukraine or even post-Soviet countries.

¹ The centralization of health-care institutions, as one of the elements of the pilot reform, was recognized as unconstitutional and recalled on May 17, 2013.

Theoretical Paradigm and Methods

I use intersectionality as an analytical strategy providing new vision (Collins 2015) of the problem of health inequalities in rural Ukraine—and other post-Soviet countries—and policy steps to address those. Specifically, I apply intersectionality in three ways: first, by presenting intersections of social locations of health inequities in rural Ukraine; second, by giving people the right to voice their health and health-care needs; and finally, through suggesting initial actions to remedy the rural health situation, grounded in the IBPAF. I use the IBPAF principles by looking at intersecting social locations on micro and macro levels while paying attention to group power generated by some of these intersections. These principles allow for more nuanced policy solutions. I also answer some of the descriptive questions from the IBPAF, such as “*Who is considered the most advantaged and who is the least advantaged within this representation?*” and “*What differences, variations and similarities are considered to exist between and among groups?*” (Hankivsky et al. 2012b). By answering these questions, I illuminate the diversity of health experiences that exists within the group of rural residents.

Very few studies on health in rural Ukraine have been published in English. Cammarano (2009) and Skryzhevskaya and Karacsonyi (2012) discuss the socio-economic and health crisis of the Ukrainian villages, but do not present the voices of rural populations. Publications sharing lived experiences of impoverished elderly in Russia (Kay 2012; Shubin 2012) or of youth escaping the villages in Estonia (Trell et al. 2012) provide a more nuanced picture of rural life in post-Soviet countries. Yet these qualitative studies do not offer policy steps for tackling rural crisis, unlike intersectionality-informed analysis intertwined with practical solutions for social problems. Only a handful of studies on transitional countries used intersectionality in their analysis (Utrata 2011; Schultz 2012), and none of these were about rural populations or health. These gaps in the literature were both a challenge and an opportunity in my research. Through pioneering the field of intersectional analysis in rural health policy in Ukraine, my study both contributes to the knowledge of health issues in rural Ukraine and expands the application of intersectionality to the post-Soviet context.

I present the intersectional analysis of the portion of the data collected through the community consultations funded by the Canadian Institutes of Health Research (CIHR) in 2012 and conducted in 11 regions of Ukraine.²

²Community consultations were funded by the Canadian Institutes of Health Research through the grant “Exploring Pathways to Equity in Health Reform: The Case of Ukraine,” Principal Investigator—Dr Olena Hankivsky, Professor at Simon Fraser University, Vancouver, BC.



Fig. 19.1 Map of Ukraine with locations of consultations

Specifically, I discuss themes about rural health from consultations in five villages (Pryvovchanske, Okhrymivka, Banya Lysovetska, Busha, and Korolivka) and comparisons of rural and urban health made by participants in other locations (Fig. 19.1).

The CIHR-funded consultations were a part of the first nationally representative qualitative study about the health experiences in Ukraine (Hankivsky et al. 2016). These consultations were open-ended discussions in groups of six to ten people moderated by our research team. Each conversation was digitally recorded, and handwritten notes were collected. Recruitment of the consultation participants was conducted by non-governmental organization (NGO) partners from Ukraine. Because only 35–50 people could be hosted at each gathering, participants were invited by the NGOs from their client networks. Overall, 844 individuals of diverse socioeconomic backgrounds and ages participated in the consultations. Women accounted for two-thirds of attendees perhaps signalling a gender-specific concern with health in Ukraine. As a research method, community consultations are different from a more traditional focus group approach in several ways: community consultations tend to involve a larger audience and start with an information session or a presentation on the issue followed by a small group discussion with a facilitator. Also, focus groups tend to involve participants who are experts or

have a particular interest in the issue, while community consultations are open to the public at large (Canadian Association for the Advancement of Women and Sport and Physical Activity). Community consultations are also distinct from stakeholder engagement because consultations tend to be time and project specific rather than ongoing and involve individuals representing themselves rather than representatives of organizations. Focus groups, community consultations, and stakeholder engagement can also be viewed as representing a continuum in a participant-expert relationship: from pure data collection (focus group), to informing and involving (community consultations), to a more outcome-oriented interaction with community members (stakeholder engagement).

I chose to discuss age because participants referred to age as one of the major factors contributing to health inequities, yet the relevant literature leaves many aspects of age unanswered. Some argue that age is undertheorized in feminist and intersectionality scholarship (Utrata 2011). Notably, in her review of the social locations common in intersectional research, Collins (2015) mentions class, gender, and race, but not age. Similarly, more studies on health in transition countries focused on gender and class than on age (Cockerham et al. 2006; Abbott and Wallace 2007; Andreeva 2012), and those that analysed age did so in the narrow context of alcohol and tobacco use (Murphy et al. 2012; Stickley and Carlson 2009; Pomerleau et al. 2004). By looking at age and how it intersects with other social categories in the broader context of health inequities, this study contributes to the literature on health in transition countries. I argue that age is one of the central factors in power relations and social inequities in the post-Soviet countries due to its unique link to the reality of transition from socialism to capitalism. The date you were born defines whether you were raised, educated, and employed in the Soviet society of forced equality and state capitalism or in the times of rampant neoliberalism. Being young or elderly in any post-Soviet country influences one's values, choices, and view of the other age group to a much greater extent than in a society that has not undergone transition. Thus inter-generational power dynamics in a transitional country presents a peculiar interest for the scholar of intersectionality.

Intersections of Health Inequities in Rural Ukraine

When asked about health issues in their communities, consultation participants living in urban and rural locations cited similar problems: cardiovascular diseases, cancer, stress, and overall fatigue. While the health problems seem

to be the same, the differences in health status were often discussed as an outcome of unequal access to social and economic resources in cities and villages, with health care being only one of many such resources. As such, consultation participants voiced a known condition where the power relations tilted the resource scales to the disadvantage of rural residents, in Soviet and transition countries (Kay 2012; Trell et al. 2012), as well as in other jurisdictions (Malatzky and Bourke 2016). What makes the geographic resource divide different in transition countries is the colonialist aspect of power relations between the city and village that remained from the Union of Soviet Socialist Republics (USSR). As pointed out by Kay (2012), rural areas were not included in the Soviet modernization project, reflected in the lack of social resources and underfinanced infrastructure in the villages. Remarkably, rural residents in the USSR were the last to receive internal passports, high school certificates, and retirement pensions, which precluded them from leaving the villages. As such, the relations between urban and rural areas in the post-Soviet countries may resemble the aspects of colonialism in the West. Taking this approach to the urban-rural divide may be a future application of intersectional analysis in the transitional societies.

Going back to the consultations, age figured as an important social location affecting rural health inequities. The disadvantaged group shifted from the youth to the elderly depending on the context. For example, people were concerned with both young and older people being unemployed. Applying intersectionality reveals that although monetary implications were similar, the health effects differ significantly for young and elderly without a job. While the discussion centred on unemployment and the lack of prospects it brings for the young adults, for the older generation, the concern was mostly on their limited income. Below I discuss the diverse health and/or health-care concerns for rural residents of different ages in more detail.

The Poor Elderly and Their Health Concerns

Participants connected old age and insufficient income as barriers to accessing health care for the rural elderly:

Retired people have big problems with their health because their pension is so little, and they don't have money to get medications, and some of them don't have money to buy food or coal for the winter. (Participant in Okhrimivka)

Prices in the villages are higher than in the city but people in the village do not have nearly as much money as the city dwellers. And the retired people are especially under the stress of high prices. (Zvenyhorodka participant)

Seniors have financial barriers buying prescription drugs in both cities and villages. In addition to the high prices of medication, those who live in rural areas face geographic barriers in obtaining medication, as many villages do not have drug stores. Going into town increases the financial burden for the rural elderly, as well as inconveniences them or makes it impossible for them to get the medications. As one woman shared:

My husband has cancer and it's very hard for us now because I have to go ... to the city for his drugs. And the transportation is not affordable for me.

One older woman shared: *"retired people are just surviving"*; and another: *"the government is neglecting us, we have very small pensions, and people in the streets also are not kind to us. Medical workers hate us because we have so many health needs."* This last comment reveals another repeatedly mentioned health concern connected with old age—discrimination in health-care access. One person shared:

If you phone for the ambulance to Yakimivka [nearest town with a hospital], they ask how old you are. If you're 70 or older, they won't come for you.

Ageism in rural health care becomes especially troubling when one considers Ukraine's high level of elderly in rural areas—24 per cent nationally and up to 38 per cent in the North (Skryzhevskaya and Karacsonyi 2012). The health effects of poverty and unemployment on the older people are thus quite predictable—discrimination based on age, limited ability to seek and obtain care due to geographic and financial barriers.

The Unemployed Young Adults and Their Health Concerns

When compared to consultations in urban locations, the problem of unemployment among younger generations was mentioned more often in villages. Rural areas rely heavily on agriculture, which has been in a depressed condition since the 1980s, with the number of agricultural workers falling by 72 per cent in some regions in the 2000s (State Statistics Committee of Ukraine 2007). One teacher summarized the unemployment situation in her village:

Well, we counted and we decided that in 50 years there will be no such village, Okhrimivka. We compared the amount of people who live here to the amount of workplaces. It turns out we have a 71% unemployment rate. Out of 859 people of working age in 2011, there were only 180 who worked. And the thing is also that not all of them work formally. We just know that in one of our stores there are 4 people working, but they are not necessarily formal employees.³ ... We used to have 430 kids in our school; now we have 190. ... Young people who could live here and have kids and families leave the village because they don't have a job and they can't find a place where their kids can go after school, there is no community centre.

Work migration leads to the break up of families and communities, leaving one of the spouses, children, and the elderly behind (Cabinet of Ministers 2007; Stern 2015). Participants shared about this problem:

People move away, especially young people, if they create a family it has a hard time surviving financially and often young families separate because of that. And then they say why are there so many divorces in our country? (Participant from Zvenyhorodka)

There is no work here, families break up because young people have to leave and go places to find some employment. (Participant from Busha)

Family separation brings mental health issues and puts the burden of care mostly on women left alone with children and/or elderly family members. In addition to depopulation, the consultations revealed another dimension of rural unemployment. Participants connected the lack of jobs with the lack of self-realization in life, specifically for young adults. One person shared that *"life satisfaction depends on fulfilling one's potential, but young people move into urban centres because there is nowhere to work here."* The effects of youth unemployment on their health go beyond the expected connection between lower income and worse health status (WHO 2008) or unemployment and mental health problems (CMHA 2016). As described by our participants, the rural youth unemployment is compounded by the factor of "nothing to do":

³ By mentioning "formal employment," this and many other consultation participants touched on the widespread problem in Ukraine when a business does not report its employees in order to pay less tax, which means that "informal employees" do not have any social protection, such as payments for sick days, retirement, or occupational injuries.

There is absolutely nothing to do in villages, community centres are either destroyed, do not function or are too outdated, there is no sport infrastructure. Total unemployment in villages.

The “nothing to do” phenomenon leads to the adoption of harmful lifestyles among younger generations. The pathways from unemployment to excessive alcohol and tobacco consumption were described by one individual from Korolivka: *“because of unemployment our youth drinks alcohol, smokes and sometimes even takes drugs.”* Similarly, a resident of a small town compared unemployment among young people in his town with rural areas: *“There is nothing to do in the village, even less than here. So alcoholism there is probably even worse. There are no young people there, they either die young from drugs and alcoholism or leave for towns to find some work.”* Participants shared that the two options for young people living in rural areas are either to move away in search for a job or succumb to harmful behaviours. Trell et al. (2012) describe a similar situation in rural Estonia. Going further, intersectional analysis suggests that these forced options are shaped by structural forces (unemployment) and market institutions (availability of alcohol and tobacco) which disempower the rural youth.

Age and Shifting Power Dynamics

Another option for young unemployed people in a non-urban area is to become dependent on their working parents. Utrata (2011) analysed the pattern of single mothers’ dependency on their own mothers who perform unpaid childcare and domestic labour for their daughters in Russia. She showed how the intersection of age and gender privileges young single mothers in society and in the job market relative to the older women dependent on daughters to provide for them in the face of insufficient state supports. A different intergenerational dynamic came up during the consultations in Ukraine where participants shared about young unemployed adults relying financially on a working parent:

And how about our children who have their families. ... If they did not have their parents to support them, there would be no way to survive for them.
(Participant from Zvenyhorodka)

It is impossible to rent an apartment—where would I live without my parents?
(A young adult from Zvenyhorodka)

I have a young family that we started this year and my constant problem is unemployment. My parents help us but only my dad is working and it's really hard for people to survive on one salary which is not large anyway. (Participant from the village of Okhrimivka)

One of the factors contributing to the unemployment of young people—especially in rural areas—is that retired people keep working in post-Soviet countries (Kay 2012). Older individuals are usually discriminated against in the private job market in the post-Soviet countries (Utrata 2011). Our participants also commented on this problem: “*nobody employs retired people, but their pension is so small.*” However, in state-funded employment, such as health care, pensioners retain their jobs (Kay 2012), as was shared during consultations in both small towns and villages. These excerpts demonstrate the inter-generational tension between young and old competing for the same jobs:

I want to work as a doctor, as a specialist for which I was studying so many years, but I cannot because in our clinic there is a person who should have retired a long time ago, and she is not going to leave soon. I think that an upper age limit should be decided for doctors. (Participant from Zvenyhorodka)

I know a couple of girls who finished medical school and would like to come back to the village where they are from but they cannot because there is no place for them here. (Participant from the village of Busha)

At the same time, some participants believe that older doctors provide better services because they were not able to “buy” their degrees in the Soviet times before the overwhelming corruption of the transition times. In this way, the relative power of older working doctors is institutionalized through the absence of market pressure to hire younger workers in the state-run medical facilities and reinforced through the perception of some individuals about the superior quality of education of the older doctors.

The consultations revealed a new aspect of age as a social location of health inequities, which has not been discussed in the literature. Our participants repeatedly juxtaposed the older generation, perceived as hardier and healthier, to the youth and even children who were described as weak, unhealthy, sickly:

Kids coming into the first grade are already with problems. Either with their eyes, their spine, stomach or obesity. There is not even a single healthy 7-year-old. Let's think back to our school years and what we did in the summertime. Parents took us to the estuary. We went to camps on the sea-sides. Now kids are

just left to themselves in the summertime. Parents don't have time or money to go anywhere with them, so they're just left alone. (Participant from Okhrimivka)

Children are sick very often. ... They have a very weak immune system, every generation is sicker than the previous one, we hear about new diseases all the time. (Participant from Zvenyhorodka)

This concern about the declining health of younger generations was almost always mentioned in the context of transition and its adverse effects on population health. Participants connected transition with environmental pollution, availability of unhealthy food choices, and a lack of state-funded sport activities. These factors were described as responsible for an unhealthy younger generation. Intersectional analysis of this situation shows that a natural intergenerational health dynamics—where health is a privilege of the youth—may have changed in Ukraine due to structural forces associated with neoliberalism and transition.

In summary, consultations communicated a diverse picture of health needs amongst Ukrainian rural populations, which contrasts with how their health concerns are presented in the literature. The analysis of the ways in which age intersects with rural place of residence in Ukraine shows that while both old and young are mentioned as the most vulnerable groups, the relative power shifts between the groups depending on the context of intersecting locations. Both age groups and their health have been adversely affected by transition. Rural elderly are more impoverished and thus experience more barriers in accessing medical services. Unexpectedly, the health status of young adults and children in rural Ukraine is worrisome due to structural results of transition, particularly unemployment and lack of healthy leisure options.

Intersectionality-Based Rural Health Framework for Ukraine

Before turning to government responses to rural health crisis in Ukraine, I will briefly discuss how public policymaking is different in Ukraine from the same process in the West. According to Peter (1998) “public policy making can be characterized as a dynamic, complex, and interactive system through which public problems are identified and countered by creating new public policy or by reforming existing public policy.” While many actors are important in the policymaking process, the government officials are ultimately the ones who make decisions with the goal of public ethics in mind and taking

into account the needs of all stakeholders (Geurts 2010). However, policy-making in a transitional country like Ukraine is plagued with problems such as political instability, captured state, and use of government positions for advancing private interest. Also, the ability of citizens to influence decision-making and the process of reform is very limited. To illustrate, when we conducted community consultations during the time of pilot health-care reform, the participants were quite surprised that someone wanted to hear their opinion. Conversely, when our team presented findings from the consultations to the MoH representatives, they were unsure what to do with the results of consultations because they did not consider that as evidence. The situation in policymaking is starting to change slightly after the Revolution of Dignity in 2014, and the voice of regular citizens is taken into account more seriously especially at the stage of needs assessment.

The health-care system in Ukraine, as in other Central European countries, is under the pressure of reforms (Healey et al. 2010). The government of Ukraine responded with fragmented reforms which are troubling because of their focus on system efficiency, rather than on patient needs. Some assessments (Tarantino et al. 2011; Kizilov et al. 2013) of these reforms share the same business approach lens, where health-care improvement means better efficiency rather than better health. It is therefore not surprising that Ukrainian public has never been adequately consulted about the purpose and value of such reforms (Hankivsky et al. 2012a).

In anticipation of the next health-care reforms by the government of Ukraine, rural health needs a vision based on patient needs and working towards eliminating health inequities. This publication suggests two entry points using intersectionality and the IBPAF specifically, in developing a government strategy for responding to the rural health crisis in Ukraine (for a detailed description of the IBPAF, see Hankivsky et al. 2012b, pp. 33–42). The first step is to turn to the rural populations for the framing of the health problems and suggesting solutions. The second step is to avoid generalized policy responses to the rural health crisis.

People's Voices as Evidence

In addition to using statistical data about rural economic and demographic crisis, the IBPAF suggests using other forms of evidence. For example, needs assessment can be done through consulting with policy target groups. To illustrate, Kizilov et al. (2013) advocate for the centralization of health institutions because rural hospitals in Ukraine do not benefit rural residents due

to the low level of care they can receive there. Such conclusion is made without consulting rural residents. In contrast, people shared many positive aspects about village clinics at our consultations:

In the town medical people are not very qualified, here medical people are much better, it is almost not worth going into town but here they don't have enough supplies, equipment or medication. (Participant from Busha)

Our own feldsher⁴ does not take money from us, I think that if we had our own doctor, maybe they would also not take money from their own people. The only affordable thing for us here is that we have such a wonderful feldsher, who can help us with everything that he is allowed to do, all that he can diagnose according to his degree, but everything beyond that—we have to go to our raion hospital in Pavlohrad or to the family doctor in the village Troicke. (Participant from Pryvovchanske)

Rural health policy in Ukraine, thus, needs to distinguish between the primary care, which can be provided by mid-level health professionals in rural areas, and the next levels of more specialized services. Likewise, the reorganization of health-care institutions needs to consider not only cost-effectiveness but also the accessibility of medical services in terms of geography, time, and finances. To understand the full impact of such barriers, policymakers must account for the experiences of rural residents instead of relying solely on aggregate data.

Going beyond health-care services, rural health policy for Ukraine ought to target the socioeconomic crisis that perpetuates health inequities in rural Ukraine. As shown through the voices of consultation participants, rural poverty affects health in a more nuanced way than just creating inadequate access to medical care. Thus, the pathways of health inequities are explained more precisely by the consultation participants living through these experiences than by academic research.

Multiple Locations of Health Inequities

The literature notes the connection between rurality, income, and frequency of seeking health care in Ukraine. Lekhan and Shishkin (2007) pointed out that in the poorer—mostly rural—regions in Western Ukraine, rates of access-

⁴Feldsher is a mid-level health professional in Ukraine, whose qualifications are roughly correspondent to those of a nurse practitioner in Canada and physician assistant in the USA.

ing health services are lower than in the wealthier and more urbanized regions. Skryzhevskaya and Karacsonyi (2012) and Lekhan et al. (2012) single out the elderly who rely on their pensions and low-wage earners as two groups who delay seeking care due to out-of-pocket payments. Although both the elderly and low-wage earners are overrepresented in villages (Skryzhevskaya and Karacsonyi 2012), rural health policy needs to account for diverse ways in which being an unemployed and/or elderly in rural Ukraine shapes health inequities. As this intersectional analysis showed, older people may not have the worst health in Ukraine. Unemployed young adults and children were perceived by rural residents as the most vulnerable populations whose health is jeopardized by unemployment, having “nothing to do,” and the availability of tobacco and alcohol—all results of structural processes connected with transition. Applying the intersectional lens, policymakers in Ukraine would need to create healthy leisure opportunities for village youth to avoid hazardous behaviours, in addition to addressing financial barriers experienced by those with low income.

Conclusion

Thirty-three per cent of Ukraine’s population reside in villages—a steadily declining number since the late 1970s (State Statistics Committee of Ukraine 2007). Rural Ukraine is characterized by worsening health condition, ageing, outmigration, depopulation, low fertility rates, and lowered life expectancy (Libanova et al. 2007). The government of Ukraine is aware of the dire situation in Ukrainian rural areas (Cabinet of Ministers 2007); however, to date it has not addressed the rural health crisis (Vorobyova 2014; Skryzhevskaya and Karacsonyi 2012). Recent steps concerning health-care provision in rural areas, guided primarily by efficiency considerations, exacerbate the health crisis in rural Ukraine rather than provide solutions. Intersectionality-informed policy decisions may offer viable solutions to the critical situation in rural health through correct framing of the policy problem and identifying the vulnerable population groups that would lead to more equitable policy solutions. While macro indicators show the dire socioeconomic condition of the Ukrainian villages, the evidence base should go beyond the aggregate data and turn to the voices of people who live through these difficult conditions. When rural population in Ukraine is treated as a homogeneous group and only according to the macro indicators and tendencies of outmigration and ageing, the nuances of how unemployment affects young adults are missing out of the picture. Based on the feedback from the consultations, the rural health policy

in Ukraine needs to be two-pronged: targeting health needs of both young and elderly, going beyond the provision of health-care services.

In addition to offering some solutions in the practical field of rural health policy, this submission contributes to the field of intersectionality. Consultation participants most frequently named age, in its intersection with other social locations, as a main factor in health inequities. Age as a social location is unique in that every individual will experience both the privileged and marginalized positions throughout their life course (Calasanti 2006). The problem of the ageing population in rural Ukraine has been discussed in the literature; however, this study shows that the elderly may not be the most vulnerable population in rural Ukraine. An interesting finding was that health, being a natural privilege of the youth, was attributed to the older instead of younger generations by consultation participants. Children born during post-Soviet transition were named as the least healthy social groups due to the environmental pollution, low quality of food, and limited availability of free leisure activities. Also, the intersectional analysis revealed how power dynamics shifted between young adults and older individuals, compounded by the structural factors of poverty and unemployment. Poverty and unemployment, although shared by these age groups, affected their health differently. The health inequities fluctuated from young to seniors, taking the form of engaging in unhealthy behaviours or inability to purchase medication and access health services. This research also discovered that in addition to geographic and financial barriers, a significant proportion of rural residents experience discrimination on the basis of age when accessing health-care services.

Intersectional analysis of rural health in Ukraine shows that village residents suffer from the results of post-Soviet transition, which contributes to health disparities between rural and urban populations in the country, and creates new health inequities within the rural population itself. Applying intersectionality to rural health strategy in Ukraine would initiate an equitable policy through the following steps: first, by recognizing that village residents are not a homogenous population but a diverse group with varying health concerns that need a differentiated government response; second, by including people's perspectives as evidence; and finally, by targeting the structural causes of health inequities, such as the availability of tobacco and alcohol, and the lack of healthy leisure choices in villages.

By using intersectionality in the analysis of rural health in Ukraine, this study contributes to the field by expanding this framework to a transitional country. Applying intersectionality as a theoretical and policymaking framework in the post-Soviet realm presented a challenge because transitional soci-

eties do not share many of the same cleavages as the developed Western nations where intersectionality has been developed. While power imbalances and inequities are universal, the structures of oppression that create them are not the same. For example, racialization does not figure as a problem in post-Soviet Ukraine because its population is predominantly white. Similarly, the country does not struggle with the repercussions of anti-Aboriginal policies. It is hard to point to a purposeful policy or to societal networks of oppression that create inequitable health outcomes for rural populations. The issue of Soviet legacy of colonialism may be one of the mechanisms contributing to the urban-rural divide in Ukraine; however, it has not been explored in the literature to date. The application of intersectionality to the policymaking in the context of transitional societies may further refine this framework and make it even more nuanced through the process of discovering and analysing new structures and pathways of oppression.

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20

Intersectional Advocacy and Policymaking Across US States

Kathleen Marchetti

Advocacy groups working on behalf of people typically underrepresented in US politics (e.g., women, racial minorities, the poor) frequently advocate for policy benefits on behalf of their constituents. These organizations have undoubtedly changed the face of US politics and policy by encouraging political participation within disadvantaged communities, supporting the political candidacies of those traditionally underrepresented in office, and diversifying issue agendas. However, research has shown that organizations do not represent all people equally in the policy process. Specifically, people facing multiple levels, or intersections, of disadvantage are relatively less likely than their more advantaged counterparts to be represented by US state and national advocacy groups. As many advocacy groups cite local, state, or national policy change as a goal, underrepresentation of disadvantaged communities in advocacy can shape government actors' attention to intersectionality when developing public policy. Thus, lack of attention to intersectionality in advocacy could possibly inhibit the achievement of social justice policy goals on behalf of marginalized communities. This leaves open the question of whether inequalities could be reproduced by the very organizations working to make the political process more equitable.

To better understand organizations' representation of marginalized groups, the social justice capacities of organizing, and possible policy outcomes, one

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must consider the factors that shape organizations' agenda-setting behaviour (their attention to particular issues over others). The goal of this research is to understand what motivates advocacy groups' inclusion of intersectional issues, that is, issues that address the effects of multiple identities (e.g., race/class/gender) that can produce advantage or disadvantage in society and politics, on their policy agendas. Advocacy groups focusing on issues of social justice have the potential to shift lawmakers' attention to the needs of marginalized communities within the policy process. As such, understanding patterns of attention to these types of issues informs scholars, advocates, and the public about who the political process represents and how to diversify the voices included in policymaking.

Examining both variation in advocacy groups' issue agendas *and* the political conditions that shape advocates' decision-making provides a nuanced understanding of what drives attention to intersectionality in advocacy. This analysis uses an original survey of over 700 advocacy groups active in 14 US states to measure differences in intersectional advocacy across individual groups *and* political contexts. Specifically, this research considers how political factors such as party control of governing bodies, the racial and gender composition of state legislatures, and the strength of states' economies shape the issue priorities of groups advocating for state-level policy change. Inferential statistical analysis shows that several aspects of states' political environments shape organizations' attention to intersectionality in their policy agendas. In addition, a case study of policy congruence between advocacy groups' issue priorities and state legislative agendas demonstrates that intersectional issues are less likely than non-intersectional issues to move successfully through the policy process. These results suggest that attention to intersectional disadvantage in US state-level advocacy and lawmaking is contingent, contextualized, and less prevalent than the representation of issues addressing single axes of identity. Prior to discussing these findings, the concept of intersectionality in organizing, the connections between social justice advocacy and policy change, and the data used in this study are explained in more depth.

Background

Intersectional Advocacy

Critical race theorist and legal scholar Kimberlé Crenshaw is often credited with coining the term "intersectionality" to describe the unique experiences of women of colour who are marginalized along lines of both race and gender. In

her work on violence against women of colour, Crenshaw (1991) notes the erasure of these women from feminist and anti-racist activism:

Although racism and sexism readily intersect in the lives of real people, they seldom do in feminist and antiracist practices. And so, when the practices expound identity as woman or person of color as an either/or proposition, they relegate the identity of women of color to a location that resists telling. ... Because of their intersectional identity as both women and of color within discourses that are shaped to respond to one or the other, women of color are marginalized within both. (1242–1244)

The framework of intersectionality examines how biological, social, and cultural categories such as gender, race, class, ability, and sexuality interact on multiple levels and contribute to people's systemic privilege or oppression. Intersectionality also recognizes that descriptive identities, though discrete, do not exist in parallel to one another. Rather, they come together, intersect, and overlap to shape the totality of a person's viewpoints, concerns, and experiences.

As intersectional identities shape individuals' lives, they also affect the issue concerns and policy preferences stemming from people's lived experiences. These concerns and preferences can be represented in the democratic process through the work of advocacy organizations. For example, in their study of Asian Immigrant Women Advocates (AIWA) in Oakland and San Jose, CA, Chun et al. (2013) demonstrate how identity-based organizations can employ an intersectional lens in their social justice work using "the particular grievances of one group as a point of entry into a larger struggle" (921). The diversity of AIWA's issue agenda, which ranges from providing English language classes for immigrant women to protecting the rights of garment workers in their places of employment, embodies the intersectional experiences of the group's constituents while furthering broader goals related to social justice.

Chicana feminist activism in the 1960s and 1970s, black feminist organizing that accounted for class, race, and gender oppression, and the inclusion of forced sterilization as an issue of reproductive justice for women of colour (WOC) and people with mental and physical disabilities all serve as examples of how intersecting identities shape both lived experience and the issues put forward by US social justice organizations.¹ Indeed, many advocacy

¹ Within this project, social justice organizations are defined as those focused on bringing about a more equitable distribution of resources and opportunities for individuals typically marginalized or disadvantaged by and within mainstream institutional practices and structures.

organizations make explicit claims regarding their representation of intersectionally marginalized people and the potential for policy change on behalf of these communities (Strolovitch 2007). These representational claims are made more important given research showing that people facing intersections of disadvantage, particularly in terms of income and education, have lower rates of participation in US politics (Verba et al. 1993; Hershey 2009). As such, advocacy organizations serve as crucial representatives of marginalized communities within the US political process.

Unfortunately, scholars have found that the invisibility or erasure of intersectional experiences in activism can be common. Advocacy organizations frequently claim to represent broad constituencies that contain intersecting identities within their boundaries (e.g., within the broad constituency of “women,” class and gender intersect for low-income women, and sexuality and gender intersect for lesbians) (Young 2000; Cohen 1999; Kurtz 2002). These intersections of experience and identity can be ignored as activists and scholars focus on how inequality *generally* matters in society and politics, rather than what types of inequality matter and in what circumstances (Dill 1983; Marchetti 2014).

In addition, group supporters with relatively more education, time, and money typically have the best ability to communicate their concerns to group leaders. As a result, advocacy agendas can reflect the preferences of these more advantaged supporters to the detriment of constituents with fewer resources (Miller 2008; Berry et al. 2006). These differences in attention are important as advocacy groups’ favouring of more privileged supporters can shift broader policy agendas towards the interests of people who are more advantaged in the political process to begin with. Many assume that organizing will facilitate the representation of disadvantaged interests in US politics; evidence to the contrary calls into question the value of advocacy on behalf of those typically marginalized in the policy process.

Though intersectional advocacy can be challenging for organizations, there are circumstances in which it does occur. For instance, Chun et al. (2013) and Tungohan (2016) consider how organizations address immigration status, gender, class, and race/ethnicity in their advocacy on behalf of US and Canadian women workers. In both cases, the groups studied by Chun et al. (2013) and Tungohan (2016) explicitly identify issues of marginalization and identity as central to their organizations’ mission and issue focus. As Strolovitch (2007, 48) points out, these types of organizations “derive their legitimacy from their claims to represent weak and marginalized groups rather than by channeling or augmenting the power and influence of already powerful groups.” By claiming to work on behalf of individuals connected by a single

axis of identity (e.g., the National Organization for Women (NOW) works for “equality for all women”), advocacy organizations imply the representation of *all* members of these marginalized groups, which necessarily includes people facing intersections of privilege and oppression. Adopting an intersectional framework in studies of advocacy provides a more complete view of how organizations distribute attention, engage in agenda setting, and provide political representation for multiple groups in society.

Analysis grounded in intersectional perspectives also provides answers to both normative and empirical questions regarding how and why particular interests are represented in the policy process. By focusing on the factors that shape organizations’ intersectional advocacy, this study builds on previous research in the US showing clear disparities in attention to people disadvantaged by intersections of race, class, and/or gender (in addition to other identities). Though these previous works demonstrate *how* US advocacy groups represent intersectional identities, they do not explain *why* groups distributed attention in these ways. Through an examination of the factors shaping organizations’ policy agendas, this study examines the conditions under which women’s rights, racial minority rights, lesbian/gay/bisexual/transgender/queer (LGBTQ) rights, economic justice, and disability rights groups represent intersectional issues in the US policy process.

The Importance of Context

To account for variation in representation across both organizations and political context, this study examines differences in organizations’ agenda-setting behaviour across US states. By examining advocacy at the subnational level, one can analyse the effects of variation in party control, public opinion, citizen and legislative ideology, and numbers and types of organizations using cross-sectional data.² In this study, organizational agenda setting is conceptualized as being driven by two major sets of forces: (1) the lobbying context (e.g., the strength, diversity, and size of the interest group community) of the state in which the organization works and (2) the legislative context (e.g., party competition, ideological climate, legislative professionalism) of the state in which the organization works.

² Though this framework and many of the examples cited in this section focus on the US context, research on intra- and international organizations in a variety of non-US countries demonstrates connections between political context and organizational behaviour. In addition to those cited here, some of this research is summarized in Marchetti’s (2015) review of the use of surveys in interest group research and has been published in *Interest Groups & Advocacy*, *Comparative Political Studies*, and the *Journal of European Public Policy* (among others).

For example, organizations operating in US states with large populations of citizens and interest groups face higher levels of competition for legislators' time and may streamline their agendas as a way of maximizing opportunities for success (Minkoff 1997; Staggenborg 1995). Alternatively, more diverse group populations might facilitate alliances and collaboration among advocacy groups on intersectional issues (Heaney 2004; Hojnacki 1997) or encourage individual organizations to focus on niche issues that may be intersectional in nature (Browne 1990; Gray and Lowery 1996). In addition, the presence and activity of oppositional groups can affect organizations' lobbying strategies (Holyoke 2003) and likewise may shape groups' agenda-setting behaviour. In studies of organizations lobbying in the European Union (EU), scholars find that groups' decisions to Europeanize their lobbying strategies (i.e., to lobby EU institutions as well as their own national governments) are driven by their resource levels and the national-level political context in their home countries (Beyers and Kerremans 2007; Eising 2007; Klüver 2010). As such, political context (e.g., legislative receptivity, party control, length of time in session) also affects advocacy organizations' tactics and agenda setting.

Groups hoping to change public policy must be conscious of the political atmosphere in which they are working and strategically craft their advocacy agendas to avoid wasting time and effort on unattainable policy goals. Potential for legislative support and success are prominent factors considered by advocates when setting their issue priorities and lobbying tactics (Heberlig 2005; Victor 2007; Meyer and Staggenborg 2012). In supportive legislative environments, groups may take advantage of political opportunities by focusing on controversial policy issues that would be unlikely to move forward in less supportive conditions. In a more closely contested legislative atmosphere, a group may focus on moderate policy goals that carry broader appeal (Meyer and Imig 1993; Minkoff 1997; Dill 1983). Though attention has been paid to how the US policy context affects organizations' lobbying strategies in the form of tactics and connections with individual legislators (Hojnacki and Kimball 1998; Berry 1977), the question of how these factors shape organizations' attention to intersectionality remains less clear.

Data and Analysis

This research examines how context shapes policy agendas via a survey of approximately 700 identity-based advocacy groups across 14 states³ in the US during the 2010–2011 state legislative sessions. All of the groups included in the study focus on one of five types of identity: race, class, gender, sexuality, and disability. The survey provides information about the policy focus and internal workings of social justice organizations that are then contextualized within states' legislative and lobbying environments. A multi-wave/multi-method survey design produced complete responses from 204 organizations in the 14 targeted states, yielding a response rate of approximately 29%, which is in keeping with typical response rates for surveys of organized interests (Marchetti 2015).

The survey asked respondents to provide information about their organizations' policy agendas, specifically to list up to five issues the organization had worked on over the past year. Intersectionality in groups' policy agendas was coded according to whether each issue listed would affect the organization's primary constituency in general (e.g., a women's group focused on violence against women) or a subset of marginalized individuals within this primary group (e.g., a women's group focused on childcare for low-income mothers). This coding scheme provided the two main measures of intersectional representation used as dependent variables in statistical analyses: the *proportion* of an organization's agenda comprised of intersectional issues and the *number* of intersectional issues on the organization's agenda.

Lobbying and Legislative Context Data

Information about states' lobbying contexts were obtained from research by Virginia Gray, David Lowery, Jeffrey Harden, and John Cluverius (2013) which includes a complete census of organizations registered to lobby in the American states in 2007. These data measured several traits of the state lobbying environment that previous studies have shown to be important determinants of interest group behaviour: *Total Groups* (the total number of advocacy groups in a state); *Difference in Private/Advocacy Group Proportions* which is the difference between the proportion of private interest organizations

³The 14 states are Colorado, Kansas, Kentucky, Missouri, North Carolina, North Dakota, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Washington, and Wisconsin.

(e.g., businesses and corporations) and the proportion of public advocacy groups (e.g., social justice organizations) within the state interest group population⁴; and a measure of *Legislative Party Competition*. Census data provide measures of each state's *Per-capita gross state product (GSP)* and a measure from Gray et al. (2013), *Percentage Change in GSP*, demonstrates the proportional change in states' per-capita GSP from 1997 to 2007 (the period of time covered by their study). In order to test the effects of legislative context on advocacy, the following measures are also included: demographic information about the legislators in a state (proportions of *African-American Legislators* and *Female Legislators*), *House and Senate Ideology*, *Legislative Professionalism*, and *Party Control*. In addition, the models include measures of organizations' interactions with their supporters and government officials (e.g., how frequently groups meet with their members, how frequently groups meet with legislators) and binary variables indicating the type of organization (e.g., women's rights, racial minority rights) with LGBTQ rights groups serving as the excluded (i.e., comparison) category for analysis. Table 20.1 contains information about the change in the number of intersectional issues and the proportion of intersectional issues on groups' agendas as a factor of state legislative and lobbying contexts.⁵

Effects of State Legislative and Lobbying Context

In terms of lobbying context, the size of the interest group population in a given state, measured by *Total Groups*, negatively affects both the number and proportion of intersectional issues on advocacy groups' agendas. More specifically, for every additional group registered to lobby in a given state, there is a 1% decrease in the number of intersectional issues on groups' agendas and a 0.01 decrease in the proportion of organizations' agendas focused on intersec-

⁴ Coding of private and advocacy groups based on Gray et al. (2013).

⁵ The models were estimated using multi-level Poisson and multi-level ordinary least squares regressions, respectively. The multi-level approach accounts for the clusters of organizations at the state level with the organization specified as level 1, the state specified as level 2. The Poisson model is appropriate for a dependent variable that is a count, while the ordinary least squares regression is used for the continuous proportional measure. Coefficients for model 1 are expressed as incidence rate ratios (IRR) for ease of interpretation and can be understood in the following way: an IRR above 1.0 represents a positive change in the dependent variable, while an IRR below 1.0 represents a negative change in the dependent variable.

Table 20.1 Effect of state legislative and lobbying context on intersectional advocacy

Variable	Number of intersectional issues on agenda (model 1)	Proportion of agenda that is intersectional (model 2)
<i>Legislative context</i>		
House and Senate ideology	0.99 (0.00)	0.00 (0.05)
African-American legislators	1.01 (0.02)	0.06 (0.37)
Female legislators	1.04** (0.02)	0.62* (0.34)
Party control	0.98 (0.33)	-0.92 (6.7)
Legislative professionalism	1.05*** (0.02)	0.87** (0.36)
<i>Lobbying context</i>		
Total groups	0.99** (0.00)	-0.01* (0.00)
Percentage change in GSP	1.18 (0.76)	-0.00 (0.13)
Per-capita GSP	0.99 (0.00)	-0.00 (0.00)
Legislative party competition	1.03 (1.2)	1.90 (24.7)
Difference in private/advocacy group proportions	1.00 (0.02)	0.17 (0.39)
<i>Internal context</i>		
Paid staff	1.00** (0.00)	0.02** (0.01)
Member involvement	1.23 (0.35)	5.37 (6.34)
Member meeting	1.11 (0.09)	0.40 (1.8)
Member lobby	1.04 (0.14)	0.13 (2.5)
Legislator meeting	0.86* (0.08)	-4.02** (2.0)
<i>Group-type controls</i>		
Women's rights group	1.95*** (0.46)	13.72*** (5.1)
Economic justice group	1.36 (0.35)	2.50 (5.2)
Racial minority rights group	2.05*** (0.55)	11.06* (6.0)
Disability rights group	0.90 (0.27)	-3.13 (5.6)
Constant	-	26.18 (45.7)

Note: $N = 204$ across both models. *** significance at $p \leq 0.01$; ** significance at $p \leq 0.05$; * significance at $p \leq 0.10$

tional issues. To interpret this effect in a more substantively meaningful way, one might say that for every additional 100 organizations in a given state, the number of intersectional issues on groups' agendas decreases by one and the proportion of groups' agendas focusing on intersectional issues decreases by one *percentage* point. This negative result suggests that dense interest group systems, with increased crowding and competition, could ultimately decrease advocacy organizations' representation of intersectional issues. However, *Total Groups* is the only aspect of lobbying context that significantly affects organizations' policy agendas; none of the other measures reaches acceptable levels of statistical significance in either model.

Two aspects of state legislative context significantly affect both measures of intersectional advocacy: the measure of *Legislative Professionalism* and the percentage of *Female Legislators* in the state legislature. Putting these results in terms of the states included in the study, a 16 percentage point increase in women's representation, exactly the difference between the proportions of women in Washington's (32%) and Tennessee's (16%) state legislatures, would increase the proportion of intersectional issues on groups' agendas by approximately 10 percentage points. Similarly, increasing women's representation by 25 percentage points, which is equivalent to the difference between the proportion of women legislators in Colorado (41%) and Tennessee (16%), would cause organizations to place one additional intersectional issue on their policy agendas. This finding lends support to the idea that female legislators may act as allies for advocacy groups working on behalf of marginalized constituents (Poggione 2004; Swers 2002; Reingold 2008).

In addition to the gender composition of the state legislature, *Legislative Professionalism* also increases attention to intersectional issues. A 20-point increase in legislative professionalism, roughly the difference between Wisconsin (24) and Pennsylvania (47), increases the proportion of intersectional issues on groups' agendas by slightly over 17 percentage points. A similarly sized increase in legislative professionalism would increase the number of intersectional issues on groups' agendas by one. The proxy measure of organizational resources, *Paid Staff*, has a positive, statistically significant effect on organizations' intersectional advocacy though the result is so small that its substantive effect is null.

After controlling for several aspects of internal context that might shape groups' policy agendas, group leaders' *Legislator Meetings* is the only variable that significantly affects attention to intersectional issues. This corroborates the findings above, namely, that groups' relationships with the state legislature are important determinants of the scope and content of their policy agendas. However, in this case the effect is negative rather than positive.⁶ The number of intersectional issues on a group's agenda decreases by 14% when group leaders increase their meetings with legislators by a single unit (e.g., moving from annual to monthly meetings with legislators). Meeting with legislators also decreases the proportion of organizations' agendas focused on intersectional issues. If an organization that previously never met with legislators

⁶The measure of meeting with legislators ranges from zero to four, with zero indicating that the group never meets with legislators and four indicating that the organization meets with legislators on a weekly to daily basis.

began meeting with them on an annual basis, the proportion of intersectional issues on its policy agenda would decrease by slightly over four percentage points.

These negative effects support previous research on relationships between political institutions and advocacy organizations. Deborah Minkoff's (1997) study of US women's rights groups found that over time, many policy-focused organizations became "institutionalized," shifting their focus away from complex or controversial issues towards mainstream issues that were easier for legislators to support. In contrast, groups that were concentrated at the grass-roots level, being comparatively more aware of their constituents' needs and less focused on policymakers, were more likely to prioritize the diverse interests of their supporters. When it comes to agenda setting, identity groups advocating for state-level policy change also seem to sacrifice intersectionality in favour of political expediency.

Finally, though not a variable of primary interest, group type significantly affects attention to intersectional issues. In terms of the number and proportion of intersectional issues on policy agendas, *Women's Rights* and *Racial Minority Rights* groups pay more attention to intersectional issues relative to LGBTQ rights organizations, which serve as the comparison group. In contrast, there are no significant differences in the attention paid to intersectional issues by disability rights, economic justice, and LGBTQ rights organizations.

These results indicate that state political environments can facilitate or prevent organizations' representation of issues addressing intersectional identity. We cannot assume that groups retain complete autonomy when setting their policy agendas. Rather, organizations' relationships with legislators, diversity and professionalism of legislative bodies, and size of the advocacy community all shape the extent to which they advocate along intersectional lines. Given the common goal of policy change across the social justice organizations included in this study, the issues on which they advocate have the potential to be addressed and passed into law by legislative bodies. That is, these groups have the simultaneous goals of representing the interests of marginalized communities *and* achieving policy goals on their behalf. However, the issues put forward by advocacy organizations are not guaranteed a space on legislative agendas. Comparing organizational policy agendas to the policy priorities of their corresponding state legislatures further explicates the above findings regarding the effect of political context on intersectional advocacy.

Colorado Case Study

Colorado serves as a useful case study of the relationship between organizations' policy agendas and that of state legislatures as it comprises a sizable proportion of the overall study sample of organizations (24 groups total, 12% of the overall sample) and has variation on several of the key legislative variables shown to significantly affect attention to intersectional issues. In order to understand how the intersectional issues mentioned by organizations map onto their state policy agendas, state legislative records for the 2011–2012 legislative terms were queried using key words corresponding to the issues identified by organizations. For example, if an organization listed the general issue area of “reproductive rights” as one of their key foci, the Colorado state legislative database was queried for key terms like “abortion” and “contraception” to reflect this policy area. Focusing on bills proposed during the 2011–2012 legislative sessions captures both concurrent and subsequent introduction and movement of policy issues relative to the timing of the survey.

For each policy issue listed by an organization, information regarding the number and movement of relevant bills was recorded. The 24 organizations active in Colorado focused on 92 policy issues, and Table 20.2 presents the distribution of intersectional versus non-intersectional and total issues within Colorado's organizational and legislative agendas, respectively.

Of the 92 issues included on organizations' policy agendas, 52, or approximately 57%, were included on the 2011–2012 state legislative agenda. Interestingly, the within-issue-type representation rate for intersectional issues is comparatively higher than the within-issue-type representation rate of non-intersectional issues. That is, 16 out of the 24 intersectional issues on Colorado organizations' policy agendas were also included on the state legislative agenda resulting in a 67% representation rate for intersectional issues. Meanwhile, 36 out of 68 non-intersectional issues on Colorado groups' agendas were represented on the state legislative agenda for a non-intersectional issue representation rate of around 53%. However, the 24

Table 20.2 Colorado organizational and legislative policy agendas

	Organizational policy agenda	Legislative policy agenda
Intersectional issues	24	16
Non-intersectional issues	68	36
Total issues	92	52

intersectional issues mentioned by organizations comprised only slightly over one-quarter (26%) of the 92 issues listed by Colorado-based advocacy groups and the 16 intersectional issues that were also taken up in the state legislature comprised around 31% of the 52 organizational issues represented on Colorado's legislative agenda. As such, the *overall* representation of intersectional issues on Colorado's 2011–2012 legislative agenda is lower than the overall representation of non-intersectional issues.

The 52 policy issues addressed by the Colorado state legislature covered 242 separate legislative bills. Returning to the example of an organization's listing of "reproductive rights" as a policy focus, four bills on abortion and two bills on contraception (for a total of six bills) could relate back to this single policy issue. Each bill had a unique path through the policy process, which was measured along a five-point scale with higher values indicating further progress.⁷ The *average* movement of bills dealing with intersectional and non-intersectional issues was calculated for each organization and then for the sample as a whole. On the five-point bill movement scale, the average movement for bills addressing *non-intersectional issues* was approximately 2.7 indicating that, on average, bills addressing non-intersectional issues were passed by either the upper or lower house of the Colorado state legislature during the 2011–2012 legislative sessions. This is in contrast to the average movement for *intersectional issue* bills, which was nearly a full point lower on the five-point bill movement scale at 1.6. This indicates that on average, bills addressing intersectional issues were more likely to die in committee after introduction in either the House or Senate and were comparatively less likely than non-intersectional issues to be passed by the full legislative body. Overall, intersectional issues were less likely than non-intersectional issues to be introduced and moved successfully through the state policy process.

Conclusion

When setting policy agendas, advocates must consider the constraints and opportunities offered by the political context in which they work. This research demonstrates that several aspects of US state political contexts shape

⁷ Bill movement was measured on a five-point numerical scale: 0 = a bill had not been introduced, 1 = a bill was introduced but died in committee in the legislative body in which it was proposed, 2 = a bill was passed by *one* legislative body (either the House or Senate) but died after moving to the second legislative body, 3 = a bill was passed by *both* legislative bodies (the House and Senate) but was not signed into law or vetoed by the governor, and 4 = a bill was passed by both the House and Senate and was signed into law by the governor.

the attention paid to intersectionality in advocacy and state legislative agendas. While women state legislators seem to create a supportive environment for the discussion of intersectional issues, groups' relationships with state legislators can serve as a double-edged sword in the achievement of intersectional social justice goals. Indeed, the more time advocates spend in the halls of the state capitol, the less attention they pay to the needs of intersectionally marginalized communities. Time spent lobbying can be necessary as many advocacy groups make policy change a goal of their efforts and push for inclusion of their policy priorities on legislative agendas. However, in the context of this study, marginalized communities do not fare particularly well in terms of their representation on state policy agendas. Issues that address intersectional disadvantage are less likely than non-intersectional issues to be taken up by state legislators. When intersectional issues do appear on legislative agendas, they do not move far in the policy process.

These findings are in keeping with other large-*N* studies showing social justice organizations' seemingly limited capacity for intersectional advocacy (e.g., Strolovitch 2007; Marchetti 2014). However, they differ from small-*N* studies that clearly demonstrate intersectional work by organizations in both US and international contexts (e.g., see Tungohan 2016; Chun et al. 2013; Berger 2004; Walsh and Xydias 2014). Large-*N* studies focused specifically on intersectional advocacy are generally few due in part to a lack of information about populations of identity-based advocacy organizations and their corresponding issue agendas. However, this study's methodology could be replicated across countries, states, and/or localities in an effort to understand how organizations outside of the US represent intersectionally marginalized constituents.

Identifying populations of organizations is a time-consuming and occasionally murky process, but organizational datasets like the INTEREURO project reduce barriers to researching organizations in diverse political and social contexts. The INTEREURO project (<http://www.intereuro.eu/public/>) aims to provide a comprehensive theoretical and empirical understanding of the role(s) that interest groups play in the European polity. This project includes a survey of the entire EU interest community as well as national-level surveys planned or already conducted in seven countries as of 2017. Data gathered by the INTEREURO project could lay the groundwork for future cross-national, large-*N* research on intersectional advocacy and policymaking. As scholars will have access to information about populations of advocacy organizations across EU member states, they could design and implement surveys of social justice organizations within or across these countries. Indeed,

research on transnational advocacy networks (Zippel 2004) and intersectionality and EU policymaking (Verloo 2006; Rolandsen Agustin 2013; Fredman 2005) suggests this may be a particularly fruitful venue for exploring attention to intersectionality in intra- and international organizing.

Questions remain as to the most effective methods for facilitating intersectional advocacy and for calling attention to the use of an intersectional lens in social justice activism. Some suggest that attention to intersectionality in social justice organizing could be facilitated through better communication and collaboration across constituency groups. For example, in their study of marginalized groups' access to political power in Bolivia, Htun and Ossa (2013) conceptualize unity around common goals as a political achievement for identity-based organizing. Activist women overcame racial, location, and class differences in their successful campaign for a gender parity law in the Bolivian parliament, a goal which the authors describe as "a majority issue affecting all women" (6). Similarly, in their study of intersectionality as a social movement strategy in two US organizations, Chun et al. (2013) argue that "Collective political struggle *requires* the creation of strategic group positions adaptable to forging coalitions within and across identity groups" (923, emphasis added).

On 21 January 2017, people in 673 cities across the world marched in solidarity for human rights and gender equality under the broad umbrella of the "Women's March on Washington."⁸ Originally organized in response to the November 2016 election of US President Donald Trump, the Women's March on Washington evolved via the internet into a worldwide collective action on behalf of a number of explicitly intersectional goals. Though "women's rights as human rights" served as a unifying principle, march organizers adopted an intersectional lens in their articulation of additional values and principles. These issues, which ranged from police brutality against communities of colour to economic justice and reproductive freedom, were intended to be inclusive, diverse, and non-comprehensive.⁹ This collective action placed intersectional lived experience at its centre, encompassing issues of race, class, gender identity, sexuality, and (dis)ability within a single framework. This type of advocacy can be conceptualized as *both/and*: it includes *both* the experiences and concerns of people in positions of privilege *and* those of people facing intersectional oppression. Though the Women's Marches' long-term

⁸ Adam, Karla. "Worldwide, people rally in support of Women's March on Washington." *Washington Post* 21 January 2017.

⁹ <https://www.womensmarch.com/mission/>.

policy effects remain to be seen, these actions serve as examples of organizing that unites diverse constituencies while recognizing and valuing intersectional difference.

Before social justice organizations are able to employ *both/and* advocacy frameworks, they must contend with crosscutting pressures to simplify their policy agendas and demonstrate expertise or need along single axes of identity. Feminist and intersectionality scholars argue that groups' tendency to place representation, advocacy, and public policy within a majoritarian framework is problematic as it reproduces tyranny of the majority, can result in colour- and gender-blind conceptions of intersectional experience, and skews political representation towards the needs of the numerically, politically, or resource-dominant (Guinier 1994; Carbado 2013; Smooth 2011; Goldberg 2008). Strolovitch's (2007) concept of affirmative advocacy serves as an alternative to these frameworks, positing that groups could (and should) employ a redistributive concept of issue representation, treating attention to different types of disadvantage as a means of enhancing social justice (212). Conceptualizing issue representation in a redistributive way positions intersectional advocacy as central, rather than peripheral, to the achievement of social justice on behalf of marginalized groups. Similarly, in her study of two grassroots organizations working on behalf of migrant domestic workers, Tungohan (2016, 348) argues "intersectionality is best advanced through a multi-pronged advocacy approach" that addresses multiple stakeholders in varying social and political contexts.

Intersectional advocacy may require the engagement of a variety of actors in occasionally contradictory ways (e.g., employing traditional lobbying one day while engaging in protest the next). As a starting point, groups might educate state legislators regarding the ways intersectionality shapes their constituents' lived experiences and policy preferences. In her study of black women serving in the Maryland state legislature, Brown (2014) finds that these legislators' raced-gendered identities affect their support and opposition to policy proposals that affect marginalized communities in intersectional ways. Brown (2014) demonstrates the capacity of state legislators to employ an intersectional lens in their policy work; advocacy organizations would do well to recognize and capitalize on this potential.

By examining the effect of variations in political context on intersectional advocacy, this research further explores the social justice capacity of organizing. From broad social movements to small citizen councils, advocacy has long been a cornerstone of democratic governance. Remaining today are questions regarding the equitable distribution of attention within advocacy and the capacity for organizations to transform the policy process on behalf of

marginalized constituents. By understanding the factors that facilitate or inhibit intersectional advocacy, scholars and practitioners gain a better understanding of the power dynamics guiding the relationships between people and policymakers and the extent to which organizations represent the interests of many rather than the interests of the few.

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21

Bringing Intersectionality into Danish Public Policy

Heidi Lene Myglegaard Andersen

Introduction

The Ottawa Charter of the World Health Organization (WHO 1986) initiated the implementation of a host of policies focusing on the social determinants of health and on reducing health inequalities. Internationally and in Denmark, there is a gap between the theoretical developments and the development of practical solutions in health promotion (Dean and McQueen 1996; McQueen et al. 2012a). An integrative and multifaceted community health perspective has often been recognized and formulated in different WHO policy papers and programmes (McQueen et al. 2012b; Kickbusch and Gleicher 2012; Labonté 2011), and this perspective is recognized internationally as a means to address inequality in health (Hancock 2009; Craig 2005; Woodall et al. 2010). Despite this, the perspective has not been implemented in Danish national health policies, which instead are based on a new public management (NPM) perspective with a linear planning approach leading to an administrative division into silos and fragmentation (Andersen 2015a; Fosse 2011; Vallgård 2008, 2010). One important barrier to integration of health

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promotion in Denmark is the differentiation of health and social factors into different political and administrative sectors, each with their institutions and practices, while another is the narrow interventions targeted at specific population groups (Almlund and Holm 2015). The differentiated political and administrative management has made it difficult to cope with broad cross-cutting goals and activities and has overshadowed alternative ways of defining and handling health problems and thereby addressing the growing inequality in health.

This chapter provides a methodological discussion that seeks policy transformation as well as reflection in the practice field of health promotion. It describes a case study from a deprived community in Copenhagen, Denmark, using both mixed methods and a mixed research perspective (Andersen 2015a). The theoretical concept of health promotion is in its core normative and value-based (WHO 1986), but it is in practice, in Denmark, handled in an instrumental perspective (Fosse 2011; Diderichsen et al. 2015). In the search for alternative ways to address health in both a practical and a research perspective, the concept of *phronesis* (Aristoteles 2000) is included in the case study.

Like health promotion, *phronetic* research is generally a value-based form of research. A new interpretation of *phronesis* can, according to the *phronetic* researcher Bent Flyvbjerg, reintroduce social sciences into their classical role as a practical, intellectual activity that focuses on addressing the problems and opportunities we encounter as people and as a society and thus contributes to social and political practice. *Phronesis* is particularly important because it is the intellectual activity whereby instrumental rationality is governed by value rationality and because such governance is vital to the well-being of citizens in a society (Flyvbjerg 2009). Unfolding the concept of *phronesis* involves two somewhat dissonant *phronetic* researchers, namely the Norwegian philosopher and organizational action researcher Professor Olav Eikeland (2006b, 2007, 2012, 2014; Brøgger and Eikeland 2009) and the Danish Foucault-inspired *phronetic* planning researcher Professor Bent Flyvbjerg (Clegg et al. 2014; Flyvbjerg 1998, 2001, 2004, 2007a, b, 2009). The research perspective and planning perspective in the case study were based on the following questions: What barriers and opportunities for the planning and facilitation of a community health approach in a local community context currently exist in Denmark? How can a planning process which combines scientific and experiential knowledge promote knowledge sharing in practical health promotion solutions and in research?

Adding an intersectional perspective to the analysis facilitated self-reflection and ways to understand and handle, for example, stigmatization processes.

Early in the planning process, a dilemma emerged between the field of practice that had a focus on tobacco and alcohol reduction for a narrow target group (men over 45) and a target group experiencing stigmatization and expressing no interest in these health interventions since tobacco and alcohol intake characterize their community and network. Concerning the definition of a target group, a local male informant said, “They can’t just talk about males over 45—there are the homeless, and the ‘bench users’, the addicts, the mentally ill, the addicted gamers and the lonely men. I’m one of these men and we don’t have the same problems” (Andersen 2015a: 80).

The local man describes himself not just as a man over 45 years. He also describes himself as well educated, an amateur otologist, a white (perhaps lower) middle-class man, a smoker, and a daily visitor at the local pubs. He is in other words, like many others, a complex person whose lived experiences cannot be contained in a single category. A point is that an intersectional perspective acknowledges that race, gender, class, geographic location, and so on all sum up and interact. A class perspective is in a Danish context especially interesting and will be a part of the added intersectional perspective.

The concept of class is in this chapter conceptualized, like the intersectional researcher Reay, not merely as an economic and/or educational determinant, but rather as a relational, dynamic, and negotiated process which is “*both a social filter and a key mechanism individuals utilize in placing themselves and others*” (Reay 1997: 226).

The International Perspective

Denmark is, in an international health promotion perspective, an interesting pragmatic case study (Flyvbjerg 2011), since it is one of the most economically and socially equal countries in the world with a well-developed universal healthcare system, but is still experiencing increasing health inequalities. The latest Danish national health policy documents do discursively address equity in health, but among the Nordic countries, only Norway has so far implemented concrete policies to address and level the social gradient in order to address health inequality (Povlsen m.fl. 2014). The Canadian health promotion researcher Dennis Raphael describes in his article from 2014 “Challenges to Promoting Health in the Modern Welfare State: The Case of the Nordic Nations” how the Nordic nations “*are leaders in promoting health through public policy action. Much of this has to do with the close correspondence between key health promotion concepts and elements of the Nordic welfare state that promote*

equity through universalist strategies and programs that provide citizens with economic and social security.” It is an accurate point but discouraging to read, “*Denmark is not included in this article as a health promotion leader as its health profile is rather poor for reasons not really understood*” (Raphael 2014: 7, see also Raphael/Bryant in this issue). Raphael’s perspective is compatible with similar research conducted by the Nordic researcher Elisabeth Fosse and the Danish researcher Signild Vallgård (Fosse 2011; Vallgård 2008). All the three above-mentioned researchers have used Esping-Andersen’s typological descriptions of welfare regimes (Esping-Andersen 1990) and have found that the liberal market-oriented welfare regime influences the health of the population in a negative way. Although Denmark’s universal access to medical care is clearly one of the social determinants of health, the biomedical and NPM-fragmented health policies do not address the root causes of health inequality and the needs of those affected by poor social or economic conditions—conditions which in a WHO health promotion perspective make people ill in the first place and leave them in need of medical treatment (Dybbroe et al. 2012; Kickbusch and Gleicher 2012; Marmot 2015).

Theoretical/Conceptual Implications

The WHO describes the concept of social determinants of health (SDOH) as based on the conditions of daily life: the circumstances in which people are born, grow, live, work, and age (WHO 1986).

The WHO Ottawa Charter advocates for interdisciplinary and intersectional collaboration and aims at creating healthy public policies by creating “*a supportive environment, strengthening community action, developing personal skills and reorienting health services*” (WHO 1986: 2).

The concept of SDOH is linked to the conceptualization of health promotion through an empowerment perspective and through the Ottawa Charter’s holistic health perspective where health promotion is defined as “*the process of enabling people to increase control over, and to improve, their health. To reach a state of complete physical, mental and social well-being, an individual or group must be able to identify and to realize aspirations, to satisfy needs, and to change or cope with the environment*” (WHO 1986: 2).

The assumption in the case study is that a community health planning perspective on the local (meso) level (including various health professional understandings) can enable involvement of the micro level, including the citizen perspective, and influence policies and strategies on the macro level (Andersen 2015a; Amdam 2010). The community health researcher Trevor

Hancock states: “*Communities therefore—or in a political sense, municipalities—are particularly important because they are the level of government closest to people, and they contain the other settings. Thus governance for health and human development must have a strong local dimension, while recognizing the importance of supportive provincial and federal policies and programs*” (Hancock 2009: 14). The community health perspective is considered to be an engine or a driving force for empowerment processes and an approach that emphasizes the social determinants of health (Hancock 1999; Kickbusch and Gleicher 2012; WHO 2015; Marmot 2015). The concept of community health¹ was primarily developed in an Anglo-Saxon context and therefore needs to be reformulated to fit the current Danish context in a way that benefits the general equity conditions of the Scandinavian welfare model (Andersen 2015a). In this chapter, an IBPA² intersectional planning perspective (Hankivsky 2012) is combined with the community health perspective and the possible plus-sum effects will be discussed. Both perspectives include a multi-level research approach. The IBPA addresses how to link the construction of new forms of global and national governance “from above” with the formation of political identities of citizens rooted in everyday life problems “from below”. The community health perspective includes the often overlooked meso level of politics.

In a Danish context, the meso level of politics is particularly important because of the comparatively well-developed welfare institutions. The health promoters/professionals are the “experts” closest to the citizens. On the one hand, they function as an “extended arm of government” and on the other hand, in a governance perspective, they advocate for the citizens’ needs and perspectives on everyday life. This creates an interplay between political institutions and the participation and formation of the political identities of marginalized social groups. Health professionals possess considerable (decision-making) power within their professional expert role and the key question is therefore: “How can institutional judgement be changed?” In the case study, the interdisciplinary and the phronetic value-based approach led to reflection and self-reflection with regard to health professionals’ role and the way they judge and understand the concept of health.

¹Community health has been defined: “*by some combination of the following: heterogeneous groups of individuals who share something and combine to act collectively based in (i) geography-place (ii) networks and organisations (iii) aspirations, needs and interest (iv) bonds and ties*” (Verity 2007: 1).

²IBPA—Intersectionality-Based Policy Analysis (Hankivsky 2012). The IBPA Framework facilitates the asking of questions that can capture the most important and relevant information about decision-making priorities, processes, and policy outcomes.

The Empirical Case Study

The empirical case study originated from a health project called “Equal Access to Health”, located in a deprived community in Copenhagen,³ Denmark. “Equal Access to Health” is a research practice partnership within a planning process, partly focusing on developing new methods within an innovative community perspective and partly on new knowledge development aimed at reducing the existing gaps between the fields of practice and research. The participants in the planning group consisted of stakeholders from the municipality’s central healthcare administration, frontline workers from the technical and environmental department, frontline workers and the leader from the local healthcare centre, the local government office, myself as a researcher, and not least the citizens in the local community.

The definition of the health problem in the planning group was from the beginning heavily based on the available and comprehensive epidemiological evidence concerning the health status of the local community (Brønnum-Hansen and Diderichsen 2013). From an epidemiological perspective, it was stressed that life expectancy differs by seven years between areas of Copenhagen. The health status in the northwest area is the lowest in Denmark and the lowest in the city, making it at the same level as Serbia (Brønnum-Hansen and Diderichsen 2013). The City of Copenhagen’s political statement to reduce inequality in health is similar to other national policies and statements since it is mostly governed by targeted single-sector interventions, for example, aimed at smoking cessation and alcohol reduction (individual behavioural change). The local healthcare centre has been successful in these interventions, but they told they needed greater contact and interaction with more vulnerable citizens in the community (Andersen 2015a, b).

On the one hand, the detailed epidemiological evidence produced a discourse stating, “We already know what the problem is: Stop smoking”. On the other hand, it appeared from the research process and from the interviews in the local community that the health needs of vulnerable citizens were not addressed by the lifestyle courses in the healthcare centre. Neither the professionals in the local healthcare centre nor those in local administration had sufficient contact with the most vulnerable citizens living in the neighbourhood.

³ The apartment buildings in the community consist of small apartments where 59% of the residents have a non-Western background (compared to 22% in the next neighbourhood), 76% have little or no education, but 38% are currently studying. In general, the citizens have low income and can be described as having different social problems (Brønnum-Hansen m.fl. 2013; Brønnum-Hansen og Diderichsen 2013).

In order to integrate the citizens' voices, identities, and perception of everyday life and to create reflection in the planning group, the empirical method used was supplemented by ethnographic field work and methodology inspired by storytelling (Sandercock 2012). The case study's method triangulation thus entailed active participation in the planning process in "Equal Access to Health", 24 interviews,⁴ 1 focus group interview with foreign women, observations in the streets, 3 workshops, 4 visits to different local NGOs, and 2 visits to pubs.

The Methodological Approach Used in the Case Study

The purpose of phronetic research (Flyvbjerg 2002; Eikeland 2008) is to appraise values, interests, and power relations as a basis for praxis. The basis for such research can be summarized in four value-rational questions, which researchers ask and answer about specific issues in their fields of interest: (1) Where are we⁵ going?, (2) Who gains and who loses, and by which mechanisms of power?, (3) Is this development desirable?, and (4) What, if anything, should we do about it? In the case study, these questions were raised at the beginning of the planning process and they contributed to reflections such as: What are the success criteria and aims of the project? What are we missing/not doing in today's practice? When these questions were asked of the entire group involved in the planning process, the participants facilitated a common understanding and definition of a health problem and developed shared visions of possible alternative actions in relation to the current situation. The critical reflection led to the development of new methods and changes in institutional judgement (Andersen 2015a, b).

In the book *Making Social Science Matter*, Flyvbjerg describes his concrete methodological phronetic research approach:

Data, events, and phenomena are presented together with their connections with other data, events, and phenomena. Discontinuities and changes in the meaning of concepts and discourses are documented. The hermeneutic horizon is isolated and its

⁴One focus group interview, four in-depth interviews, three workshops, visits to pubs and NGOs, and observations were performed by the researcher, while a research assistant and practice frontline workers also conducted some of the interviews and observations.

⁵The "we" referred to in the questions consists of those researchers asking the questions and those who share the concerns of the researchers, possibly including people in the community or organization under study. Thus the "we" will always be situated in relation to a specific context. Phronetic researchers are aware of the importance of contextual implications and do not believe in a "view from nowhere" (Flyvbjerg et al. 2013; Flyvbjerg 2001).

arbitrariness elaborated. Initially, the researcher takes no position regarding the truth-value and significance ascribed by participants to the practices studied. No practices are seen as more valuable than another, the horizon of meaning is that of the individual practice. The researcher then attempts to understand the roles played by the practice studies in the total system of relations (Flyvbjerg and Sampson 2001: 134–135).

This methodology reveals contextual contradictions. In the case study, discontinuity regarding what was said and done created criticism of everyday practices as well as (self-)reflection and acknowledgement concerning the disempowering administrative power structures (Andersen 2015b).

Adding an Intersectional Planning Perspective

The community health approach (WHO) represents an interdisciplinary and cross-sectorial planning approach with a focus on the social determinants of health. Another similar planning perspective is the Health Impact Assessment (HIA), which the WHO defines as “*a combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential effects on the health of a population*” (Bacchi 1999: 4 in Hankivsky 2012: 13). In “*An Intersectionality-Based Policy Analysis Framework*”, Hankivsky criticizes the HIA for not giving primacy to any one factor (e.g. gender) in the analysis and for lacking guidelines to ensure that health equity is fully integrated into the HIA (Hankivsky 2012: 13). Instead she points to a paradigm shift that foregrounds the complex context and root causes of health and social problems and she emphasizes an intersectional framework, since “*extending beyond gender-specific and social determinant frameworks, intersectionality focuses attention on a variety of multi-level interacting social locations, forces, factors and power structures that shapes and influences human life*” (Hankivsky 2012: 8). In this chapter, IBPA is added to the community health and phronetic⁶ action research approach, due to the theoretical similarities but with respect to the theoretical differences.

⁶ Aristotle is the philosopher of *phronesis* par excellence. In Aristotle’s words, *phronesis* is an intellectual virtue that is reasoned and capable of action with regard to things that are good or bad for man. *Phronesis* concerns values and goes beyond analytical, scientific knowledge (*episteme*), and technical knowledge or know-how (*techne*) and it involves what is called “the art of judgement”, that is to say decisions made in the manner of a virtuoso social actor. It will be argued here that *phronesis* is commonly involved in practices of planning and, therefore, that any attempts to reduce planning research to *episteme* or *techne* or to comprehend planning practices in those terms are misguided (Flyvbjerg 2002: 285).

Epistemologically, the Norwegian researcher Olav Eikeland's phronetic action research frames the creation of knowledge where reflection is linked to action (Kemmis and McTaggart 2014; Eikeland 2014). An action research approach based on a critical theory perspective provides a form of criticism based on emancipation and empowerment. This research perspective corresponds to IBPA, which is described as "*being value-laden, ideological and focused on achieving emancipatory aims through social activism and transformative change*" (O'Connor and Netting in Hankivsky 2012: 118). IBPA also reveals connections between policy context and processes and contextualizes policy analysis by asking reflective research questions like: "How has the representation of the 'problem' come about?" and "What assumptions underlie this representation of the problem?" (Hankivsky 2012). Both the above-mentioned research methodologies are grounded in value-based reflection seeking transformation and change and the reflective research questions contribute to critical (self-)reflection, which can be described as holding a mirror to a given praxis.

Like Foucault's discursive power analysis formulated by Flyvbjerg (2012) and used in the case study, the IBPA analysis is linked to systems of power and domination. However, the IBPA analysis complements this with an aim to decolonize policy processes by making inclusion and exclusion processes transparent and identifying opportunities for including diverse perspectives and epistemologies in the policy process. IBPA adds a focus on cultural and contextual implications by imbedding an emphasis on cultural norms, individual orientations, experiences, and actions, and an intersectional approach applies a reflective research perspective with an emphasis on the fluidity between social identities (Hankivsky 2012).

The Relation Between Health Inequality, Class, and Intersectionality

Epidemiology data document health inequality and reveal that health inequalities have a social geography between countries, between cities, and even between neighbourhoods. These constructions reflect the concept of class differences; however, the concept of class is still a rare category in today's Nordic use of the concept of intersectionality. In the Nordic countries, intersectionality has mainly been used to reflect the constructions of gender, ethnicity, and sexuality (Mørch and Staunæs 2003; Haavind 2003). Some critics claim that research in general, in today's Western societies, has taken on the institutionalization of a middle-class normativity (Faber and Prieur 2013; Aamann 2017).

Described through a sociological perspective, class is conceptualized as part of both societal and cultural regulations at the macro and micro level. It is acknowledged that structures affect the genesis of subjects and vice versa, for example, by Bourdieu where class is defined as distributional differences. With Bourdieu's concept of habitus, class also encompasses practices, experiences, and feelings, and not least "taste" as a form of belonging to a class or to experienced or learned life conditions (Bourdieu 1987). Richard Sennett and Jonathan Cobb's *The Hidden Injuries of Class* presents an insight into a connection between class inequalities and individuals' well-being and describes how class connectedness can be destructive for the individual's self-esteem (Sennett and Cobb 1973). Additionally, the English feminist and sociologist Diane Reay describes the connection between class and the emotional experience of class with reference to Raymond Williams, who has shown how class connectedness is internalized as an intimate individual form of subjectivity (Reay 2002, 2005). The Danish intersectional researcher Iben Aamann, drawing on Reay, states that class is embedded in "*everyday interactions, in institutional processes, in struggles over identity, validity, self-worth and integrity even when it is not acknowledged*" (Reay 2005: 924 in Aamann 2017: 17). Like other intersectional researchers, she thus points to class as being relative and not least unmarked (Skeggs 1997, 2004; Reay 2005; Aamann 2016). Moreover, Aamann stresses that "*objective economic conditions constitute just one aspect of class rather than providing us with a comprehensive picture of the impact of social class in contemporary society*" (Aamann 2017). Thereby class is defined in a wider perspective: not just as socio-economic factors but with reference to cultural and relational processes. This wider definition of class opens up for new understandings of health and new perspectives on causes of inequality in health.

The Value Added Through an Intersectional Perspective

The research methodology described earlier including IBPA aims to effect action and political change: "*Transformative IBPA questions demonstrate a commitment to moving beyond theoretical analysis and arriving at policy actions. For example, the question 'Where and how can interventions be made to improve the problem?' drives the analysis towards actionable recommendations*" (Hankivsky 2012: 120). The value added through an intersectional research perspective was, in the Danish context, especially noticeable within the concept of class.

As indicated earlier, the concept of class in a Danish context can be described as unmarked or worded indirectly (Faber and Prieur 2013; Aamann 2016). Reay states: “*When the (Western) working classes moved politically to the right, and thereby, according to a Marxist view, lost their class consciousness, many social scientists abandoned the class concept*” (Reay 2005 in Faber and Prieur 2013: 4). This un-reflectedness exists in research as well as in practice and therefore a focus on classification of those who classify is important. As Eikeland points out, the researcher often “*does not analyse its own nativeness, i.e. the prejudices, etc. of its own habitus*” (Eikeland 2006b: 209). Like Faber and Prieur, I describe our own researcher roles as unmarked in the sense of a (sometimes reflected) normalized middle-class identity (Faber and Prieur 2013).

Faber and Prieur describe how class is found through negative rather than positive identification, including how the lower class gets little or no recognition and thereby is stigmatized (Aamann 2016; Faber and Prieur 2013). Skeggs’ study *Formations of Class and Gender: Becoming Respectable* describes how women, for instance, through their appearance, their clothing, and their interests, invest a lot of effort to avoid being associated with the lower classes. Skeggs also uses concepts such as “respectability” and “dis-identification” (Skeggs 1997). In the case study, the participants from the planning group also positioned themselves as ordinary middle-class and they preferred not to interact with or talk about other social groups than their own. The intersectional research perspective and the use of storytelling led to reflection on dis-identification and to perceptions of class (Andersen 2015a, b).

Instead of understanding class differences as having disappeared or become neutral, an intersectionality perspective thereby provides a wider conceptualization of class, which moves beyond conceiving class as a sum of independent factors.

Power and Social Justice

Both Flyvbjerg and Eikeland agree that all research is normative and that a phronetic approach is an opportunity to renew social research. According to Flyvbjerg, a reinterpretation of phronesis can reinstate social science in its classical role as a practical intellectual activity focusing on addressing the problems and opportunities we face as human beings and as a society and can contribute to social and political change. Flyvbjerg describes phronesis as especially important since it is the activity in which the analytical and instrumental rationality of *episteme* and *techné* is balanced by value rationality (Flyvbjerg 2009). The article “Reflections on Phronetic Social Science: A Dialogue Between Stewart

Clegg, Bent Flyvbjerg and Mark Haugaard” (2014) concerns the notions of power. The authors are Stewart Clegg (policy and sociology), Mark Haugaard (critical theory), and Bent Flyvbjerg (Foucault). Drawing on the Aristotelian tradition of *phronesis*, they propose a contextualized form of critique that situates itself in analysis of local practices to render domination transparent and open to change (Clegg et al. 2014). Flyvbjerg states that the normative perspective is based on clarifying any dominating power that prevents the good life, and he points out that instead of evaluating and choosing sides, research should stick “*simply to trying to offer a clear understanding of what is being studied*” (Flyvbjerg 2009: 759). In Flyvbjerg’s reading of Foucault, the critical aim is to reveal the dominant power structures. In a review of the book by Schram and Caterino *Making Political Science Matter* (Eikeland 2006a), Eikeland argues: “*In my opinion, the whole philosophy of Aristoteles—including phrônêsis, a more adequate conception of epistêmê, dialogue, experience, and more—is relevant for a considerably more radical critique of the institutionalization of modern social science*” (Eikeland 2006a: 318). Eikeland points out the usefulness of a critical starting point based on “*communicative power*” instead of “*strategic power*”. He argues that a transformation based on “*communicative power*” is founded “*in the self-critical and self-transcending capacity inherent in language-use as such*” (Eikeland 2006a: 318). Eikeland criticizes Flyvbjerg because he “*encroaches upon the fields and history of action research without recognizing it at all*” (Eikeland 2006a: 315).

Haugaard (critical theory) points to “positive power” and action:

In other words, what we have is a kind of negative account: rather than shaping consciousness positively, through discourse, radical theorists such as Lukes (1974/2005) see power as prohibitory, negative and restrictive. If it were really more radical it would have to be about what people are able not only to think and to articulate but also to do in practice based on knowledge. Foucault alerts us to the shift from consciousness per se to practice (even when, as in the case of the Panopticon, practice is based on an imputed consciousness of the possibilities of the other’s surveillance) (Clegg et al. 2014: 11).

The analysis in this chapter has highlighted how different research perspectives, including power perspectives, can complement each other in the aim of achieving transformation and change. The Foucauldian power perspective produces insight into discourses and habits that obstruct transformation or into mechanisms of suppression. Haugaard’s view of positive power is an important aspect to emphasize. In the case study, the invitation of different actors to participate in the workshops facilitated cooperation and knowledge of possible new collaborative networks which led to a shared agenda, empowerment, and “*better arguments for doing our daily work*” (Andersen 2015b).

According to Hankivsky, the focus on power in the theory of intersectionality may be connected to mechanisms of exclusion and inclusion in the Foucauldian sense of power, but power is not only a matter of suppression. Rather, power may be defined as productive and positive. In Hankivsky's reading of Foucault, power relations involve *both* exclusion and inclusion. Rather than viewing exclusion discursively as merely a matter of suppression, exclusion involves discourses of opposition and productive power with negotiations about the meaning of class, gender, race, ethnicity, and so on (Hankivsky 2012).

Summary

The Danish case study can be seen as a pragmatic case (Flyvbjerg 2011). On the one hand, Denmark is special in an international perspective in being grounded in a social democratic welfare system (Esping-Andersen 1990), which implies a focus on universalism and equity. On the other hand, the national health strategies are governed by a neo-liberal perspective (Diderichsen et al. 2015; Fosse 2011; Vallgård 2008, 2011), which implies a traditional linear planning approach. The international community is searching for new directions in tackling the growing inequality in health (Kickbusch 2012; Raphael 2014). The case study explains how a phronetic action planning approach and an intersectional approach can be seen as drivers for transformation.

Adding an interdisciplinary perspective to the case study highlighted class as being unmarked. The intersectional perspective elaborated the connection between socio-cultural categories and identities (Faber and Prieur 2013; Jones et al. 2010; McQueen et al. 2012a, b). An intersectional analysis entailing different subject understandings has paved the way for new understandings of health, transcending the prevailing conceptualization of class and widening the perception of how it is possible to (re)think health and address some of the root causes of inequality in health. In general, a health promotion perspective needs to conceptualize inequality in health not solely in terms of epidemiological, economic, or educational factors. Instead, the discussion in this chapter has revealed some of the prevailing understandings of problems and issues that can stand in the way of reducing the existing and growing inequality in health in a policy planning perspective. The case study reveals that the Danish national health strategies, instead of being oriented towards general indicators, should focus more on actual conditions and contextual health needs and perceptions.

The interdisciplinary approach in the case study, especially the class perspective, has facilitated a way to make fundamental knowledge and experience conscious and visible and subsequently to integrate it into practice and theory. To be able to change the current situation and the existing gap between the policy/theoretical level and the practice level, we need to develop new planning perspectives, policies, and health strategies.

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22

Intersectionality and LGBTI Public Policies in Colombia: Uses and Displacements of a Critical Notion

Camila Esguerra Muelle and Jeisson Alanis Bello Ramírez

Introduction

In Colombia, we went from the criminalization of homosexuality (punished until 1980, as part of the project of the Political Constitution of 1886) to a gradual progress in the recognition of political, social, and rights issues which, from the beginning of the year 2000, began by being named, first, the LGBT social sector (lesbian, gay, bisexual, and transgender), and more recently the

This chapter is the product of the reflection carried out after the construction of the “Political and Conceptual Framework of the Colombian National Public Policy for the Guarantee of the Rights of Persons from the LGBTI (Lesbian, Gay, Bisexual, Trans and Intersex) Social Sectors” and of “persons with non-normative sexual and gender identities”, developed for the Ministry of the Interior (Colombia) through contract 26345-170-2012, granted by merit and experience competition in the formation of the housing policy of street at the Ministry of Health and Social Protection in 2014 and 2015.

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LGBTI social sectors (lesbian, gay, bisexual, trans, and intersex), in line with international agendas imported mainly from the United States, considered as strategic places for social action, and idealized as progressive models of transformation and visibility.

This progressive gain of recognition has become possible thanks to the social struggles of the so-called gay and lesbian, feminist, and later LGBT movements, and also the multicultural framework proposed by the Political Constitution of 1991, as part of a project of political management and liberal economics of cultural differences—understood as diversity—and the exacerbation of economic, political, and social inequalities. However, this apparent climate of recognition is the subject of very disturbing opposing positions such as the persistent threat of the principle of state secularism, the escalation of violence against LGBTI people by both state and parapublic agents, and the lack of political will to recognize and avoid violence against these sectors.

It should be noted that these recognition policies have not been sufficient in terms of transformation of the historical structures of domination, which constitute an obstacle to the redistribution of material and symbolic capital, of which individuals and collectives of so-called LGBTI sectors have been exempted.

On the other hand, the uncritical adoption of a multiculturalist identity model has meant that we do not recognize the intersection of matrices of oppression linked to gender and sexuality with the matrices and systems of race/racialization—racism, class, modernity/coloniality, obligatory heterosexuality as a political regime, cisgender identity, age, segregation and territorial hierarchy, mental, sensory, or other physical handicap. This has generated an identity fragmentation that divides political struggles and weakens the articulation with other social sectors, causing intercultural tensions that the state does not seem to understand, while social movements adapt to these conditions and engage in competition to attract the attention and limited resources of the state. This does not imply that it is not necessary to recognize the specificity of the claims, but that it is necessary to see how the systems of oppression in which several subjects exist are formed one after the other. This myopia is easily discernible in the adoption of population-based policies that reduce individuals and their communities to a stable identity marked by some attributes that define them metonymically.

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Concerning this complex framework of struggles and political demands, we propose in this chapter a reflection on the uses, the displacements, and the avatars that the epistemic category and the policy of the intersectionality have known in the experiences of public policies addressed to the LGBTI social sectors in Bogotá, Valle del Cauca, and Colombia. We have reconstructed a map of the adoption of this category in various experiences of training public management tools for individuals and groups with non-normative sexual and gender identities in the country, in order to demonstrate how intersectionality has gradually become a tool of the state to manage social inequalities. This adoption has not been automatic and has been the subject of various controversies within and outside the government apparatus as well as the LGBTI social movement.

As a first step, we will briefly review the experiences of training and policy implementation for the LGBTI sectors in Bogotá and Valle del Cauca; then, in the next section, we will proceed to a more in-depth analysis of the implications of an intersectional perspective in the formation of national public policy addressed to LGBTI sectors in Colombia [PPNLGBTI]. We should mention that we will discuss our participation, on the one hand, in participatory consultation work for the formation of public policies in Bogotá (Esguerra Muelle et al. 2006) and in Valle del Cauca (Esguerra Muelle and Guerrero 2011)¹ and, jointly, on research for the formulation of the Policy and Conceptual Framework for Colombian National Public Policy to guarantee the rights of persons in the LGBTI social sectors and persons with gender and non-normative gender identities (Esguerra Muelle and Ramírez 2013).

Finally, we raise a set of personal, political, and academic concerns around the instrumentalization of the category of intersectionality as a dissident discourse within the biopolitical machinery of the multicultural state. And we will propose some possible courses of political action to use strategically this insurrectional knowledge in a progressive framework of co-optation, privatization, and depoliticization of social movements.

The Experiences of Bogotá and Valle del Cauca

In mid-2006, a participatory consultation was organized to formulate a public policy targeting LGBTI sectors in Bogotá. The concern of knowing how interlocking systems of oppression and different places of action intersected was then not explicitly called the intersectional perspective; however, on this

¹ These two processes were coordinated by Camila Esguerra Muelle and conducted with people who also worked on public policies targeting the LGBTI sectors and who were activists of these social movements and others.

occasion, we pursued two objectives: firstly, we tried to question the working group that finally elaborated the technical document (Esguerra Muelle et al. 2006), the notion of “endodiscrimination” which would obliterate the functioning of some social systems of more general oppression, expressed in racism, sexism, classism, and other forms of discrimination and social phobias, placing the phenomenon as a problem of lack of education or political training of activists or people in general in what was now called LGBT sectors. The notion of endodiscrimination reproduces the binary logic that separates the homosexual and heterosexual identity spaces, as if they were two mutually exclusive systems or worlds having their own logic, in which it is impossible to see the functioning of the systems of oppression acting transversely.

On the other hand, and as an attempt to put into practice the multiple academic debates around the simultaneous interrelation of oppressions (Viveros 2009, 2012), we seek as activists to observe how these systems were juxtaposed and intertwined with each other in the process of building our daily experiences and our subjectivities. The experience of social movements has allowed us to observe that the questions of class, age, race, sex, and physical, mental, or sensory capacity structured relations within social organizations and, at the same time, organizations and their members with the environment.

One of the recommendations in the final document (Esguerra Muelle et al. 2006) was precisely to take into account, for the subsequent process, that racism, xenophobia, sexism, and classism, among other axes, simultaneously affect the achievement of rights and building and exercising the subjectivities of individuals and communities in LGBTI sectors. With regard to the scope of this interpretative framework, we pointed out the need to exclude the use of the term “endodiscrimination” and to recognize that people in these sectors were intertwined in these practices of segregation, not only as objects but also as agents and not only within this apparent “community”, delimited by the identities envisaged in the acronym LGBTI, but as actors of an organized society on the functioning of these various classification and oppression systems.

In the eyes of some participants of the consultation, the proposal of this intersectional perspective put at stake the secure base of an essential identity substrate, which could only be defined by the so-called sexual orientation. On that occasion, it began to be argued that gender identity had a vectorial relationship with identity based on sexual orientation, in such a way that participants were asked to participate in groups according to their gender or sexual identity. It also introduced, explicitly, the recognition of the crossing of the age system as a matrix that generated specific forms of oppression. For this reason, discussion groups were formed with people under 18 and over 60.

However, the attempt to introduce the issue of race or class was not very well received, as well as the problem of sexism, although previous organizational experiences—in particular lesbian or trans women's organizations, within which it is worth highlighting the network *Nosotras lesbianas, bisexuales y transgeneristas* (LBT)²—had already made a denunciation of the forms of misogyny and transphobia that were reproduced within the so-called LGBT social sectors, in particular, from the male hegemony represented by gay men. It also managed to recognize the different situation in the power networks of people with disabilities, in particular, lesbian, gay, and bisexual deaf people.

In this first experience of formulating a public policy aimed at people from the LGBT sectors, it was possible to open up to the discussion of how the different matrices of oppression are interwoven to generate different places of situation of the subjects in the networks of power. Subsequently, within the execution of the said policy, and as part of the IDPAC (*Instituto Distrital de la Participación y la Acción Comunal*, District Institute of Participation and Community Action)³ work team, in the area of intersectoral relations, a deeper discussion on the matter of intersectionality was introduced, based on two forums held during the months of June and July 2011. One with teachers Mara Viveros Vigoya and Franklin Gil, from the Escuela de Estudios de Género (EEG)—deployed at the Escuela Superior de Administración Pública, with very little concurrence; we expected the little interest that a matter barely known would arise in the school that formally forms public servants—and another with students of the EEG of the subject “Sex system gender postcoloniality and globalisation” (carried out in the Facultad de Derecho y Ciencias Sociales y Políticas de la Universidad Nacional de Colombia, which had more assistance than the previous one, in particular by activists of the so-called LGBT sectors). The general account of how the intersectional perspective of Bogotá's LGBT policy was introduced can be seen in the document “Balances y perspectivas: política pública para la garantía plena de los derechos de las personas de los sectores LGBTI en Bogotá” (Mesa intersectorial de diversidad sexual 2011).

²This network of lesbian, trans, and bisexual women was formed after a meeting of the Planet Peace Project in 2002, as a separatist act against male gay men, in particular by a series of misogynistic and transphobic events that took place at that meeting. The Planeta Paz project, financed by the Norwegian Government, articulated various social sectors traditionally not heard, around the search for a political solution to the armed and social conflict in Colombia.

³This was, together with the Secretaría Distrital de Cultura Recreación y Deporte (Bogotá), one of the entities where issues related to the rights of people from the LGBT sectors began to be managed, even before the promulgation of public policy aimed at these sectors, in 2008.

In that document it becomes evident that there is no implementation of the notion; however, it tried to open the debate on the need to go beyond a population perspective and understand that the social inequalities generated by compulsory heterosexuality and prescriptive cisgenderism are power structures that affect all people and that, therefore, the notions of “sexual diversity” and “diversity of genders” must be problematized. These categories assume sexuality as a brand that falls on certain subjects, and not as a matter of a public and macrosocial nature. Despite these efforts, the understanding of oppression systems as articulated axes, mutually constituted and accomplices, did not land on the construction of such policy.

Having gained this experience in Bogotá, in the formulation of the public policy addressed to the LGBTI sectors, the experience of Valle del Cauca made the use of the category explicit (Esguerra Muelle and Guerrero 2011). In that occasion, the work was carried out with a different team that, based on the pilot public policy in Bogotá, had already achieved an approximation to the discussion on how the different matrices of oppression and discursive performativity are imbricated, understood as the act of repeating a discourse to constitute authority, which had been deliberately proposed in the intersectoral spaces for LGBT policy management in the capital.

In the experience of formulating this policy, we took into account, even from the moment of the call, the need to give voice to different experiences, in which it is possible to see the intersection between sexuality, race/racialization, ethnicity, age, gender, class, and capacity/disability. For this reason, a group work was proposed in four perspectives, one differential (which sought to establish the specific experiences of each of the identities grouped in the acronym LGBTI), one of rights (which sought to see the specific experiences of people from the LGBTI sectors in relationship with the realization of rights), one territorial (which sought to explore tensions, hierarchies, difficulty in rural/urban delimitation), and one intersectional (directed in particular to see the intersection of sexuality, gender, race, ethnicity, residence, age, class, ability, and disability). In this way, the attendees had the opportunity to participate with different people in the proposed discussion from the four perspectives.

The formation of the policy started from the idea of an installed situation of violation of rights and recurrent violence against people and groups of the so-called LGBTI sectors. In order to introduce the intersectional perspective from the process of policy formation, we try to identify the way in which different matrices of oppression intersect and co-produce, at least: age, race/racialization/racism, ethnicity, class, gender, sexual orientation, rurality, and motor, mental, or sensorial condition, to look for alternate solutions and

action positioning in relation to the problems detected. During the conversations, both consensus and disagreements were taken into account, since it was important to listen to the voices of those people with divergent and localized experiences.

In the technical document resulting from the participatory consultation (Esguerra Muelle and Guerrero 2011)—and from which ordinance 490 of 2011,⁴ which sought the institutionalization of the LGBTI policy in the Valle del Cauca, was drawn up—it was concluded that the participation of the LGBTI social sectors continued to maintain an inertia in terms of exclusion tendencies based on race or ethnicity, gender, age, physical, sensory or mental condition, and exclusion of the rural sector.

The Departmental Ordinance of Valle del Cauca number 339 of 2011, in its article 2, states that among the perspectives that guide the formulation, execution, evaluation, and monitoring of the policy, intersectionality must be an indispensable element:

e. Intersectional Perspective: refers to the vision that recognizes that different systems of oppression intersect in the subjects: sex-gender, race/racialization/racism, ethnicity, class, age, among others, and that, therefore, there are that to establish a non-population vision, but of integral attention and defense and protection of rights taking into account the multidimensionality of the subjects of this policy. (Gobernación del Valle del Cauca 2011)

However, it is important to mention that the ordinance finally approved by the Valle del Cauca Assembly did not include disaggregation into differential priority programmes with an intersectional perspective, which were indicated in the proposal we made for the consultancy of said policy. The proposals not included were the following:

- Comprehensive care for LGBTI people in the process of ageing.
- Prevention in health, in the areas of hospital care and public health.
- Access to employment, entrepreneurship, and productivity plans.
- The promotion of inclusive work environments in both the public and private sectors.
- Research and construction of collective knowledge.
- The identification, promotion, and dissemination of artistic, patrimonial, and cultural expressions of the LGBTI sectors.

⁴ “By which the guidelines of the policy for guaranteeing and enforcing the rights of lesbian, gay, bisexual, transgender and intersex persons in Valle del Cauca are established and other provisions are issued.”

- The adaptation of institutional educational projects (PEI), coexistence manuals, and Sexual Education Plans (PES) in the school.
- The permanence and non-dropout of children, teenagers, and young people from the LGBTI sectors and sons and daughters of homoparental or transgender families.
- “Extra-age” professionalization and education for LGBTI persons excluded from the education system.
- Equal access to recreational and sports services and public recreation spaces.

The team in charge of carrying out the participatory consultation, anticipating that there would be topics that are difficult to understand in an environment of politicians not familiar with certain watermarks of social debates, designed a lobbying strategy to ensure that the political bets present in the governing perspectives of politics, including the intersectional one, would remain and survive the debates.

From this experience, for the formulation of the Political and Conceptual Framework of the LGBTI policy in Colombia (Esguerra Muelle and Ramírez 2013), there remained a concern about how to make the concept of intersectionality operational without ignoring that it is a complex notion, an epistemic approach which cannot be reduced to simple procedures or management tools. However, it is worth comparing the qualitative jump between one proposal and another. The Conceptual and Political Framework of the PPNLGBTI (Esguerra Muelle and Ramírez 2013) proposes an operative route and, within it, some skeletons of possible administrative acts in which are established the following, in particular, for the implementation of an intersectional perspective:

- Creation of the national participatory research programme on gender and sexuality to characterize collectives and propose social and intercultural dialogues that allow to see the intersections between social phenomena such as the construction of sexual and gender identities, sexism, the relationship racialization-racism, and ethnicity-xenophobia and, in general, to carry out comparative studies between different gender sex systems in the country; age systems, on territory, territoriality, and territorialization; and cultural systems and interculturality, about class and social and economic situation, on the situation of disability, urban marginalization, and advances in legislation and jurisprudence on gender and sexuality, among many others. This programme should articulate public higher education institutions throughout the country.

- *Social dialogues, public dialogues*: it will consist in establishing a participatory construction methodology of crossed and common agendas between, first, different social movements and the so-called LGBTI movement or the singular movements of (a) trans women, (b) trans men, (c) lesbian and feminist women, (d) gay men, (e) bisexual people, and (f) intersex people and, second, among all these social actors and state institutions. It will be led by the Interior Ministry (Esguerra Muelle and Ramírez 2013, 235).

It is possible to infer from these two exercises the evident need to make epistemic transformations that affect the way in which social subjects and subjects of public policy are conceived. In this way, it is very evident that the incorporation of an intersectional perspective to a concerted social project that is reflected and used in ways of managing the public and way to search for well-being and good living is a long and complex path that will require dismantling and restructuring of ways of thinking about public and common affairs.

We will see below the reflections thrown by the investigative, argumentative, and imaginative exercise of possible routes to think and do a public management with intersectional perspective that had as purpose the construction of the Political and Conceptual Framework of the National Public Policy directed to the LGBTI sectors. We will also try to go beyond what this exercise revealed, with the aim of opening a debate on the relationship between the notion of intersectionality and the management of the social.

Intersectionality and National Public Policy Addressed to the LGBTI Sectors: Possible Openings

The Colombian Political Constitution of 1991, which conceives national identity as pluri-ethnic and multicultural, has paradoxically led to a continuity of the liberal project of state intervention that interprets institutional actions, social mobilizations, and the objectives that govern policies concerning the administration of diverse, minority, vulnerable, or at-risk populations.

Furthermore, it could be said, according to Maldonado (2007), that the multiculturalist project of the 1991 Constitution is a deepening of the liberal project, inasmuch as it obliterates the production of otherness as constitutive of colonial relations and as a substrate of material and symbolic inequality, and situates it, on the contrary, as a matter of appearance, which is in a different place from the problem of the redistribution of wealth, that is, the administration of the symbolic and material goods of the nation.

Thus, the Colombian State has organized its public policies in population groups: women, youth, children, older adults, Afro-descendants, indigenous people, people with disabilities, and LGBTI social sectors, among others. This actually shows that there is no interest in dismantling the *state habitus*, that becomes structural and structuring of social games, does not challenge the “white-mestizo” State, heterocentred, cisgenerist, classist, and so on, but maintains its logic and its production game of the alterity, instead of trying to see how in its own structures and multiculturalist discourses the germs that give rise to inequalities in the symbolic and material orders are sown. An alternative analysis is offered by Brown (2006), who, based on a Foucaultian notion of power, proposes to investigate the features of the State that represent and maintain male domination, particularly in the case of the United States. The author proposes her analysis based on four dimensions that structure this form of domination from the State: the legislative or liberal, the capitalist, the political prerogative, and, finally, the bureaucratic one. These multiple dimensions are linked to the gender sex system and other systems that are at the base of social reproduction and the historical evolution of societies.

Thus, we can see that the model of public policy responds to profound historical logics of cultural domination, in which subordinate groups are understood as *the other one* of the nation: a discreet, other one, defined and conceived in its identity as radically different from the “majority” population. The multiculturalist model ensures the maintenance of this alterity that generates the sensation of pluralism, which, however, does not touch at all the material or symbolic bases of inequalities.

This discursive frontier between the “majority” and the “minority” is above all an ideological delimitation, which serves as the foundation for the construction of a multicultural government of social differences. In this model of government, dominant groups are conceived as not marked by oppression regimes and minority groups are codified as collectives with essential and invariable attributes, whose subordination is understood as derived and at the same time constitutive of their identity. Thus, social inequalities are reduced to identity differences, and public policies are assumed in a reductionist way as tools for inclusion of “diversity”, but not as transformative tools that help to dismantle the historical structures of domination (Lozano and Peñaranda 2007; Restrepo 2004; Zambrano and Chaves 2006).

Notwithstanding the foregoing, social movements have found important tools to demand the promotion, respect, defence, and guarantee of their rights through public policies, and in Colombia these tools have been decisive in extending the limits of citizenship and the material and symbolic recognition of minority groups. This recognition, however, is problematic, since, as the

anthropologist Franklin Gil observes, the population perspective leaves consequences in the way of representing these groups, both in the form of making an image of them and in organizing to speak in their name (Gil 2011, 89).

People from LGBTI social sectors have organized and mobilized strategically with the purpose of questioning mandatory heterosexuality and prescriptive cisgenderism as exclusionary oppression systems that deny citizenship. But the multiculturalist logic has made these sectors adopt an “ethnic” vision of their activism and assimilate their claims to identity mobilizations—sometimes essentialist—that limits the scope of their political bets and obscure the recognition of internal inequalities in the acronym.⁵

Faced with this political landscape, we chose to use intersectionality as a perspective and a critical approach to analysing social inequalities, in order to confront the notions of population, identity, and multiculturalism with which traditional practices of public policy formation operate. In the Political and Conceptual Framework of National Public Policy of the LGBTI social sectors, we are committed to a complex understanding of inequalities, where sexual and gender hierarchies cannot be intervened from public policy, inseparable from hierarchies of class, race, ethnicity, age, territory, physical, motor, and sensory capacity, among others (Esguerra Muelle and Ramírez 2013).

The theoretical and methodological proposals that we used in the construction of this document introduced, in an incisive and indispensable way, the intersectionality as a structuring vector of the whole process of public policy formation. To that extent, we create links with other approaches (such as gender, human rights, territorial, and differential), with the purpose of encouraging the trainers of the policy, and the LGBTI organizations, to undertake the construction of a public policy that eliminates the particular-universal dualism.

This implies that, on the one hand, this policy needs to be particular and focused, to promote equality and inclusion of people from the LGBTI social sectors, but, at the same time, it must demand a radical transformation of the universal from a critical and located perspective of the sexual and gender differences:

The aim is to build a “critical universalism” (a notion used by Mara Viveros at the work table) that affects all macrosocial and macroeconomic public policies, whose ethical principle is redistributive social justice, in which the ultimate goal

⁵In that sense, the defence of marriage between same-sex couples has publicly positioned itself as the most important struggle objective of the LGBTI movement, which has subsumed other demands, such as those of trans and intersex people. There are not only internal difficulties but also external to the LGBTI movement; in terms of articulation with other social movements, it has been difficult and has been little open to incorporate an intersectional and coalition-based perspective of struggle.

will be to generate a floor of equity for all the citizen-os (the egalitarian principle), and at the same time produce a recognition of the particular histories of oppression with the aim of overcoming them (differential principle). This critical approach questions the universal-particular dualism to make way for the construction of public policies that articulate their actions from a historical perspective, intersectional and with a sense of transforming social justice. (Esguerra Muelle and Ramírez 2013, 96)

The incorporation of the intersectional approach in public policies directed to the LGBTI social sectors is relatively recent in the country, and, sometimes, its adoption among the people in charge of forming the policies and putting them in motion takes more as a gesture of political correctness or as a required technical requirement, which is enunciated and not executed, since it is understood as an impractical knowledge for governmental technocracy (Gil 2011; Hankivsky and Cormier 2010).

While we understand that it is not always possible or desirable to translate the conceptual language of social movements in the context of state governmentality, we do aim for a deep reflection of intersectionality as a destabilizing methodology. This methodology is capable of modifying the state machinery for the production of differences and inequalities, as long as both the LGBTI social movement and other movements are articulated in the demand for new ways of interpreting and objectifying the “social problems”, the political actors, and the public politics.

With this purpose, in the Political and Conceptual Framework of the PPNLGBTI, we present a broad debate on intersectionality, where we take up the contributions of black feminism, the feminism of women of colour, and the decolonizing feminisms of Latin America and the Caribbean (hooks 2004; Crenshaw 2002; Collins 1998; Davis 2004; Lugones 2008). We synthesize intersectionality as an approach and a perspective that seek to understand the functioning of interlocking oppressions as a “matrix of domination” (Collins 1998), in which hierarchical or aggregated categories of power do not exist, but interwoven axes of power that configure networks of social positions structured by the inseparability of the categories of gender, race, class, sexuality, age, and ability, among other categories of difference (Esguerra Muelle and Ramírez 2013).

We wanted to privilege the contributions of Viveros (2009), Collins (1998), Lugones (2005), and Dorlin (2009), in direct dialogue with the work of Kimberlé Crenshaw (1994, 2002), since the notion of intersectionality coined by the latter author, whose impact on the global public administration has been well assimilated, has been subject to reviews, extensions, and criticisms from various areas.

Mainly, we propose that it is necessary to overcome the categorial understanding of the oppressions of gender, class, race, and sexuality, since these networks do not intersect, as separate and separable categories. Rather, networks of oppression affect social agents, structures, and institutions, without any possibility of separation (Lugones 2005, 69). Lugones (2005) calls this analytical way of understanding the inseparability of oppression networks, logics of fusion, emulsion, or raster.

Sexuality and gender, as structures of oppression merged with other regimes of power, do not define the position of subjects as mere victims; they also constitute interrelationships with structures of prestige and privilege; in this way, the intersections produce neither absolute oppressors nor pure victims. The perspective of fusion is opposed to the additive conception of oppression. The latter considers that the categories of oppression are added by imposing penalties on individuals; it establishes that these axes of difference are separable and act individually and that agents immersed in this sum accumulate disadvantages without any capacity for agency, opposition, or resistance (Dorlin 2009).

This segmented understanding ignores that networks of oppression share some common functioning devices (such as naturalization, the racialization of the other, the use of the dual nature-culture), that these structures of oppression are mutually constituted, that it is not possible to understand gender and sexuality in Colombia without the ethnic-racial dimension (Viveros 2009), and finally, that all social positions, dominant and dominated, occupy a particular place in the matrix of domination, and this place is not fixed or stable, since networks of oppression do not define the position of an agent at once and forever. The classification of a person in the racial, sexual, class, and gender order will depend on the relations that define their position at a given time and in a determined field and will be modified with the agency of the subjects, the time, and space (Arango 2007, 37).

Intersectionality encourages a different view of all aspects of public policy, the way in which problems are defined, the way in which the subjects of the policy are determined, how the solutions are developed, and how they are evaluated. In this sense, we propose that this approach can alter the practices of public policy formation in the following aspects:

1. By not hierarchizing oppressions and understanding them in their merged link, public policies can produce an effect different from that of “sectorization” and avoid what Hankivsky and Cormier (2010) call the “Olympiad of oppression”. In this “Olympiad”, the oppressed or “sectorized” groups compete among themselves to position their subordination and receive

support from the multicultural State. Public policies with an intersectional focus can be useful, as long as they intend to act on the matrices of domination and not on altered and fragmented “social sectors”.

2. It is necessary that intersectionality be adopted transversally in all institutions responsible for public policy formation. This would allow a more effective dialogue between the different instances of state governmentality and work articulated around common objectives.
3. The adoption of an intersectional perspective for the formation of public policies should encourage the political participation of the various social groups from an articulated vision of the struggles and dialogues between social and political movements. Destroying the sectorial and differentialist logic with which policies of recognition of the State and social movements operate must be a necessary step to overcome the struggles for identities or “watertight compartments” that are coupled to the collection of differences made by the State (Esguerra Muelle and Ramírez 2013).
4. The intersectionality allows interrupting the marking effect of the subordinate groups that operates through the targeting of public policies. When thinking that the subjects of politics are problematic, vulnerable, or dangerous populations that require institutional support, the logic of the matrices of domination is left intact and, in this sense, the mark of difference established on marginalized groups is legitimized. Intersectionality should allow working provisionally with targeted policies that favour, in this case, of LGBTI social sectors, but at the same time it must renounce its claim for the other. The policy must also act on the “state and social agents that need to be crossed by social, cultural and institutional changes, to comply with the principles of equality and universality of human rights” (Esguerra Muelle and Ramírez 2013, 202).
5. In the particular case of public policies aimed at LGBTI social sectors, intersectionality is a fundamental tool to highlight the relationships of violence, inequality, and segregation that are established between the different identities that make up the acronym. The social sectors of lesbian, trans, bisexual, and intersex women and trans, bisexual, and gay men are very different from each other and require actions, plans, and state programmes that recognize their differentiated genealogies and operate from the perspective of merged oppressions, which produce cultural and political changes that generate, in the end, more equitable forms of coexistence.
6. In this logic, intersectionality questions the universal and stable identities; therefore, we take up the acronym LGBTI as a strategic action platform to assume discriminations and claim rights. At no time is this acronym generalizable to understand the practices, identities, and experiences of people

with non-normative sexual and gender identities throughout the national territory, mainly among indigenous nations, Afro-Colombian groups, and rural sectors. Universalizing this acronym would imply practices of epistemic violence.

7. Finally, intersectionality puts the liberal governmentality model and the administration of populations in crisis and, at the same time, of course, the identity politics. In this regard, we can cite, for example, the debate on the inclusion of intersex people in the policy we have analysed. While it is arbitrary to group these people with the sectors covered by the LGBT acronym, it is important to say that it is no less arbitrary to group trans people (metonymically defined by their gender identity) and gay or lesbian people (defined metonymically by their sexual identity). However, it is evident that all of them (trans, lesbians, bisexuals, intersex) share, in short, an ontic opposition to a sex-gender system that is dimorphic, binary, and cisgenderist.

It could then be thought that the question is to decide if intersex people are included in the management of LGBT policy, turning it into LGBTI, or if they are made subjects of other policies, for example, as Prada (2013) puts it, in the disability policy, a position from which we differ for reasons other than that of the treatment of subjects as a population, such as the perpetuation of medicalized violence suffered by intersex people. However, the intersectional perspective goes beyond this, since it involves understanding the subjects not as stable and, therefore, classifiable, by imposing the challenge of a non-univocal subject and, therefore, the radicalization of universality that understands that all public and social policies, including economic policies, must have unstable, multi-dimensional, individual, and collective subjects in mind, traversed in different ways by systems of oppression, located in varied ways by their diverse agency practices. That is to say, the intersectional perspective demands a complexity of the subjects contemplated in all the policies.

Instrumentalization of Intersectionality, Limits, and Critical Perspectives

Introducing the insurgent knowledge of critical feminisms for the construction of state governmentality is not a task free of controversy, much less if we take into account that in the current multicultural, neoliberal, and privatization of knowledge context, the knowledge produced by social movements is being co-opted by States and international organizations, with the purpose of institutionalizing struggles, depoliticizing social agendas, and reinforcing mechanisms of domination (Alexander and Mohanty 2010; Fischer 2005).

Proof of this is what happened in Latin America and the Caribbean since the 1990s, with the institutionalization of the “gender perspective”. Talking about gender and not about feminism not only implied a semantic transformation but also a political one. By reducing the critical “stridency” of the word “feminism”, it became more assimilable and, therefore, easier to integrate institutions, without altering the order of masculinist and heterocentric power (Curiel 2006).

The State is not a neutral actor in power relations, and although within it there are multiple struggles and heterogeneous positions, its symbolic authority exerts a strong influence, whether to perpetuate or redefine the inequalities of gender, race, class, and sexuality. Aware of the instrumentalization of the critical concepts of feminism that are advanced in the arena of state governmentality, we had to overcome a series of questions related to the relevance of translating intersectionality, to talk about public policies aimed at LGBTI social sectors.

Is insurgent knowledge (intersectionality) incompatible and irreconcilable with respect to governmental contexts for the formation of public policies? Should we feminists, the LGBTI movement, and other minority groups refuse to work in the State and with the State? Is it possible to run a policy of change and expansion of citizenship from the State? And finally, if the State is appropriating the critical concepts of social movements, what should we do? Do we turn our backs, collaborate with him, or design surveillance and intervention strategies on his government techniques?

Working as part of the State in the construction of instruments of government and biopolitics from the assumption of a feminist and intersectional perspective was not an easy task, and even then, we have no certainty that what has been said will alter the course of the PPNLGBTI. There were moments in which we felt frustrated, and the feeling was recurrent that the political objectives of intersectionality are not realizable within the State. On one occasion, an official from the Interior Ministry urged us to erase the word “feminism” from the document, because this removed “seriousness, objectivity and neutrality” from our analyses. In the same way, there was symbolic violence and censorship in front of our opinions when we indicated with academic data and with reports of defenders the systematic violation of human rights of the LGBTI social sectors by institutions and State officials.

We were surprised that in this framework the intersectionality category did not receive a stigmatizing or rejection treatment; paradoxically, it is well accepted by officials and activists, regardless of or without knowing that its origins reside in the radical feminisms of women of colour.

We believe that intersectionality has been relatively accepted in different experiences of LGBTI public policy formation in the country, not so much because of the demands made by social movements of this type of approach but because it is an acceptable approach for multicultural administration (Curiel 2007). Intersectionality has been understood, conveniently, as an individual issue of crossing stigmatized identities, where it is possible to exempt the State from its responsibility in the reproduction of these violences and inequalities that underpin the intersecting dominations.

It is possible to trace this interpretation among what the LGBTI sectors have called “endodiscrimination”. This term is used in an uncritical way and refers to understanding the gender, ethnic-racial, class, age, and other discrimination that occur within the sector, as an “intra-community problem”, and not a problem rooted in the matrices of domination and the inability or inaction of the State to promote the guarantee and respect for human rights.

Governmentality requires the reproduction of hierarchies, with the purpose of ensuring the hegemonic multiculturalist order. To that extent, “intersectionality” sounds more “technical” and “objective” for those purposes, since it avoids referring to the articulated struggle against the heterosexual regime, cisgenerism, capitalism, and racism, among other imbricated systems of oppression.

Perhaps, the success in the appropriation that this category has had in state governmentality, over other more radical concepts such as “fusion”, “matrix of domination”, and “simultaneity of oppressions”, is due to its pro-institutionalist disposition. Different Afro-Latin American, lesbian, autonomous, and post-colonial feminists have pointed out the political contradictions of the approach coined by Kimberlé Crenshaw. One of them points out that in the United States this feminist and other academics created the *Instituto de la Interseccionalidad para la investigación y la política* (Institute of Intersectionality for Research and Policy)⁶ as a private consulting centre to advise public policies in different parts of the world. This research centre has as special interlocutors: the States, the multilateral funds, and the universities, not the oppressed communities.

The contradiction lies in what Alexander and Mohanty (2010) call neoliberal knowledge cartographies, where a hierarchy of knowledge/power is drawn between the privatized academic spaces, the consulting centres, the expert NGOs, and the community spaces. The intersectionality has gradually become a technical concept of public administration to govern the “different” groups

⁶ For more information on the “Institute for Intersectionality Research and Policy”, you can consult its website <http://www.sfu.ca/iirp/>.

within the nation-state. To that extent, instrumentalization has meant a dispossession of the struggle tools of social movements and the confiscation of their emancipatory and counterhegemonic knowledge.

However, we believe that the strategy that should be implemented by critical feminisms, LGBTI organizations, and other oppressed groups is not to turn their backs on working in and with the State. To refuse to critically intervene in the state field is to assume a blind position of the relational forms in which social hierarchies are produced. Closing one's eyes to the State does not eliminate its effects on the constitution of reality and social order. Therefore, it is not a matter of assuming the State as the only arena of social transformation; on the contrary, we consider that this is a strategic place whose representations about subordinated groups can be answered, disputed, and objectified as sites of struggle.

Likewise, it is necessary to discard the Manichean visions that exist on the State, since if we choose to oppose the hegemonic visions with which public policies are constructed, we need to conceive the State not as a monolithic unitary apparatus that pursues well-defined and homogeneous strategies, but as a field in motion and constant redefinition (Bourdieu 1997). If we observe from this point of view, we can pay attention to the political conjunctures that could open access points through which subordinated groups can sometimes promote favourable policies and articulated from an intersectional mobilization.

To that extent, the PPNLGBTI can constitute a site of critical action and contestation of state representations, in which the sexual and gender structures that govern society are negotiated, as well as the possibility of extending a broader reflection on the matrices of domination interrelated.

We find the call that Sonia Álvarez (2000) makes to feminist groups to form strategies of "discursive oversight" of public policies and government exercises of the State very suggestive. These "observations" constitute an eccentric strategy that works both inside and outside the State and translates the scope of public policies to the social field. The "social" is understood as a conflictive context between rival interpretations of the needs of people. It is, simultaneously, a new arena of state activity and, equally important, a terrain of broader political dispute.

The discursive oversight commits us to continually re-evaluate surveillance strategies and counterhegemonic discourses on public policies and intersectional approaches, gender and sexuality adopted by the State, to prevent such policies from re-inscribing domination and restricting citizenship of the minority groups. If we leave the state arena of governmental devices, we collude with our silence and inaction to establish matrices of domination as legitimate and desired.

Conclusion

As the introductory discussion of this volume puts forth, “intersectionality can be coopted and stripped of its transformative possibilities” through incremental policy making processes that gives an apparent preference to some social groups over others. However, an intersectional approach seeks structural changes to overcome phenomena such as racism, homophobia, transphobia, ableism, misogyny, and even speciesism that result in material and symbolic inequalities. Thus, our discussion in the Colombian context focused on how to avoid policy solutions “that do not change the status quo, address complex intersectional differences or advance social justice”.

The approach of intersectionality or the matrix of oppression systems is, without a doubt, a powerful political and conceptual tool to understand in a complex way the political configuration of societies. However, when it is put into tension with state action, there are contradictions. Liberal states have based their existence on the stabilization of an abstract universal subject while at the same time embodied in the “fit” corporalization of a series of privileges of race, ethnicity, class, gender, and sexuality and by the homogenizing grouping of individuals in populations or segments of the population to be targeted by policy, for example.

Renouncing the transformative possibilities that this epistemological proposal may have within the field of public policies does not seem a good way out either, considering that the State is a structure with which we must not count on for its own transformation or explosion. In that sense, there is perhaps a need to think about long-term transformations, looking for possibilities within a state apparatus that can be changed. This task must undoubtedly be accompanied by advocacy and pressures from social movements and constant questioning by the academy. It is not a simple manipulation of a notion produced by social movements that advocate the total change of structures and systems, including the State. It is also about putting into play the transformative capacity of ideas that, as we have discussed, can be, rejected outright, by a system organized in the self-preservation of power relations. The challenge is to give power to this theoretical and ideological body rather than allow a domesticated use of external appearances. The task is not easy, and the terrain, definitely, very moving, but perhaps it is time to consider seriously the strategy of interweaving academia, the State, and social movements in such strategies.

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Part V

Challenging Colonization

23

Decoloniality and Emancipatory Intersectionality: The Political Organizing of Domestic Workers in Brazil

Joaze Bernardino-Costa

Introduction¹

Domestic labour in Brazil is emblematic of how class, race, and gender, among other dimensions of social life, interact in the generation of persistent inequalities. Insofar as important changes have taken place in recent years, such as a reduction in child domestic labour, a decrease in the number of live-in domestic workers, an increase in the average age of those in this professional class, fewer first-time domestic workers under 30 years of age, and so on, domestic labour continues to be an important occupational class for thousands of women, especially black women.

The reasons for the strong presence of domestic labour in Brazilian society are multiple, from its deep-rootedness in the formation of society and the absence of certain types of ancillary public infrastructure, such as daycares, full-day schools, launderettes, and affordable restaurants, to the unequal distribution of income.

This presence of domestic labour in Brazilian society gives rise to innumerable challenges for the reduction of inequality to acceptable levels. One of the main challenges has to do with the formalization of labour contracts.

¹ The author would like to thank Jesse Wheeler for translating this chapter.

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Currently, only 26.3% of Brazil's domestic labourers have a formal contract, which is required in order to enjoy certain rights and protections, such as annual vacation, retirement, and the legal minimum wage. The result is that some five million domestic workers are denied rights (Pinheiro et al. 2012).

In light of both the present situation and historical legacy of inequality, domestic workers together with social organizations and movements have responded through activism. The most recent response was to bring the so-called Domestics' Constitutional Amendment Proposal to national attention. This resulted in Constitutional Amendment 72, altering the sole paragraph of Article 7 of the Federal Constitution, establishing equality of rights for domestic, urban, and rural workers. This modification guaranteed legal equality for domestic workers, who theretofore had been protected by only 9 of the 34 rights set forth in the constitution.

This legal victory is not the end of the struggle but the beginning of a new phase in a country historically characterized by the flouting of laws—demonstrated by the fact that only 26% of domestic workers have a signed work card, despite this being a right since 1972. These legal advances have not been the result exclusively of domestic workers' activism but were achieved through alliances, cooperative systems, and networks of national and international political agents, such as class-labour movements, feminist movements, black movements, international agencies and unions, legislators, and so on. Nonetheless, to ignore the role of domestic workers' activism in the struggle would be tantamount to writing a history of the struggle without the main characters.

The present chapter aims to shed light on the historical role of politically organized domestic workers in achieving legal victories for their occupational class. The central thesis is that behind each legal victory, organized domestic workers, whether in their associations or unions, have been present.

The central argument of this chapter is based on interviews with 23 domestic workers conducted in 2005 during my PhD research. These interviews were carried out with members of five historical sections of domestic workers unions: Campinas, Bahia, Recife, São Paulo, and Rio de Janeiro (Bernardino-Costa 2015). The chapter also draws on material from another research project conducted in 2011, when I interviewed 25 non-unionized domestic workers in Brasília, focused on themes such as child labour, discriminations, current jobs, and so on (Bernardino-Costa 2011).

The body of the chapter is divided into three parts. In the first, the author analyses possible configurations in the overall picture of gender, race, and class inequalities in Brazilian society. For this analysis, the central concepts of coloniality and intersectionality will be discussed. In the second part, based on

extensive sociohistorical research, the author proposes a re-writing of the history of domestic workers' legal accomplishments, based on their leading activist role. It will be argued that in the light of the processes of inequality, vulnerability, oppression, and disadvantage, domestic workers developed a decolonial project of resistance and world reinvention, founded on the strategic articulation of the axes of power, class, race, and gender, which will be called emancipatory intersectionality. In the third part, final considerations will be shared.

Coloniality and Intersectionality: Persistent Inequalities in Brazilian Society

Aníbal Quijano developed the productive concept coloniality of power to understand the historical context of inequalities in Latin America. This concept provides a means to understand the patterns of power that formed alongside modern/colonial capitalism, which began with the conquering of America in 1492. From the modern/colonial world system, whose formation begins at that moment, a new pattern of power founded on the idea of race was born that begins to classify the world's population, producing historically new racial identities that, in turn, would be associated with hierarchies, places, and specific social roles (Quijano 2005).

Race and labour became linked in the process of the constitution of the modern/colonial world system, which constructed and has maintained a racial division of labour from colonial times through the present. Race and labour were added to the already-existing sexual divisions of labour. Thus, in the context of modern/colonial, Eurocentric capitalism, a racial and sexual division of labour was constituted, in which initially Europeans and their descendants received wages, while the colonized, as slave or servant, was not entitled to the same. Obviously, some concessions were made to colonized individuals. However, race, labour, and sex appeared naturally associated. This association has withstood challenges over the years exceptionally well (Quijano 2005, 106).

The presence of the coloniality of power is evident during the first centuries of the formation of Brazil, in which slave labour and servitude powered the domestic economy. In that context, the places and roles of men and women, white, black, and indigenous, were fixed. Despite cases of free blacks and mulattos, especially the closer we get to abolition, this does not indicate that the racial and sexual hierarchies constituted in the colonial period were

overcome. In other words, when black men and women were able to put behind them the legal status of slave, their images and bodies were not consequently freed from the control of the pattern of domination that we have called the coloniality of power.

This pattern of power was decisive in the post-abolition period, when especially recently arrived European immigrants availed themselves of the opportunities offered by a free labour market. Black males faced barriers to their integration into the competitive order, as they lost out to their foreign counterparts, while black women found opportunities for work, above all as domestics (Fernandes 2008). With few exceptions, black men and women remained imprisoned within determined positions in the Brazilian system of social stratification. The racial connection within this pattern of power produced subaltern genders, not only “stigmatized feminine identities (of black women), but also subordinated masculine identities (of black men) of less prestige than the feminine gender of the dominant racial group (of white women)” (Carneiro 2003, 119).

Through the concept of coloniality of power, one can visualize a pattern of power that originated in colonial administrations and has been maintained ever since. This concept can be built on, using the concept of intersectionality, as the latter opens the discussion to a more dynamic dimension of production, maintenance, struggle, and resistance to inequality and stigmatized, subordinated identities. In other words, the sociohistorical context described by the concept of coloniality of power is the backdrop on which gender, race, class, sexuality, and so on operate dynamically and simultaneously and engender oppression, vulnerability, and injustice.

The term intersectionality, as academic concept, was coined by Kimberlé Crenshaw (1991, 2002), though a perception of the simultaneity of the oppressive effects of gender, class, race, sexuality, age, nationality, ethnicity, and so on can be seen in a long “tradition” of black, feminist thought (Collins 2000). When Sojourner Truth delivered her famous speech, published as “Ain’t I a Woman,” at the 1851 Women’s Convention in Akron, Ohio, she poses the rhetorical question of whether she is a woman despite not being treated as such according to the norms of the era. This questioning underscores the insufficiency of the notion “woman” to describe reality as experienced by black women, previously enslaved and/or of the working class (hooks 1981). The same can be said for nineteenth-century black women activists in the United States “who had a shared awareness of how their sexual identity combined with their racial identity” (Combahee River Collective 1983, 211). We are likewise able to perceive the embryo of the concept of intersectionality in the Combahee River Collective statement of 1983:

The most general statement of our politics at the present time would be that we are actively committed to struggling against racial, sexual, heterosexual, and class oppression and see as our particular task the development of integrated analysis and practice based upon the fact that the major systems of oppression are interlocking. (Combahee River Collective 1983, 210)

The simultaneity of the systems of oppression by these black feminists was emphasized within a response to the racism and elitism of second-wave North American feminism of the 1960s, which obscured the participation of black women. The response likewise criticizes the notion that the category “woman” is universal; the invisibility of activist black women confirms the word’s insufficiency, its exclusion of the realities of black, lesbian, working-class, third-world women (Combahee River Collective 1983).

In Crenshaw’s writings (1991, 2002), intersectionality refers to the forms through which racism, patriarchal relations, class oppression, and other possible axes of power and discrimination create inequalities, oppressions, and injustices.

The metaphor of the intersection of avenues makes clear what Crenshaw means by intersectionality. The axes of power—race, ethnicity, class, gender, and sexuality—are superimposed and crisscrossed. “Racialized women frequently are positioned in a space where racism or xenophobia, class and gender meet. As a consequence, they are subject to being hit by the intense flow of traffic in all of these roadways” (Crenshaw 2002, 177).

The individual subject to intersectionality as described by Crenshaw becomes a “pedestrian” at the intersection of the various avenues, injured by the impacts from all directions. As such, the concept of intersectionality as used by Crenshaw highlights in a dynamic way the disadvantages, vulnerabilities, oppressions, and disempowerment suffered by women who find themselves in places where two or more axes of power cross.

The day-to-day lives of the women I have interviewed show the coupling of the aspects of the coloniality of power that fix social actors in determined positions, namely the gender, sexual, and racial division of labour, with the dynamic axes of oppression (Bernardino-Costa 2011, 2015). In their life narratives the markers of age, race, gender, and class appeared repeatedly, as they spoke of the challenges and hardships of domestic labour.

The majority of the women interviewed revealed having begun domestic work at a young age. Their parents turned them over to the employing families, alleging that they would be raised and would have access to formal schooling and better living conditions. Instead, they found work-filled days very different from the promises their employers had made to their mothers.

Moreover, they alleged to have not received wages for the work they did, as they were being treated as “offspring” of the family (Bernardino-Costa 2011).

Based on the workers’ narratives it becomes clear that the child’s experience of domestic labour was an absolute negative (Bernardino-Costa 2011). If in the imaginary of the parents of the lower classes it is believed that their children will enjoy a better life if raised by wealthy families (who sometimes maintain a quasi-familial relationship with the child labourer’s family), the reality lived by these children reveals the contrary: A day-to-day of great suffering that produces few positive memories in these women. In other words, child domestic labour is constituted in an axis of disempowerment and vulnerability.

The narratives of the domestic workers also reveal how the identity of “woman” was incapable of generating solidarity within the home, for this supposed identity of gender was intersected by differences of class and race. Accounts of race- and class-based discrimination in the workplace were frequent, committed even by the employing women. We should not lose sight of the sexual division of labour occurring inside the home, in which the management of domestic activities is the responsibility of the employing woman, even when her working day is equal to or longer than her husband’s. The hiring of a domestic worker introduces, in truth, a new reality into the sexual division of labour, whereby activities are differentiated according to how pleasant they are. In other words, the domestic worker is responsible for doing what Hsiao-Hung Pai (2004) calls 3-D work—“dirty, dangerous and degrading.” Thus the domestic worker’s presence does not mean that the employing woman is completely released from domestic responsibilities.

In the aforementioned interviews I also observed that cases of race-, class-, and gender-based discrimination were not shared with others but lived individually; few were the women who made knowledge of these dehumanizing practices public. Everything would lead one to believe that such reactions were due not to a naturalization and normalization of violence and discrimination, rather to the wisdom, developed in daily practice within others’ homes, that their word would have less value than that of their employers.

Returning to the concepts utilized, one perceives how the coloniality of power and the notion of intersectionality permit a deeper understanding of the hierarchical system and the inequalities experienced by the domestic workers, namely of both a naturalization—or even an imprisonment—of the body and image of the black woman in a position within the Brazilian system of social stratification (which is not merely an inheritance from our colonial past but a product of a feedback cycle involving practices of the present day)

and of the way in which some of the axes of power—race, class, gender, age—overlap and cross, generating and reinforcing oppression.

Nonetheless, it is important to recognize that these social categories of differentiation, especially class, race, and gender, do not always represent sources of disempowerment. On the contrary, depending on the social context, these very same categories can act as the bases of decolonial projects, engendering struggles and resistances.

Decoloniality and Emancipatory Intersectionality: The Domestic Workers' Struggle for Equality

The coloniality of power, understood as a pattern of power that constitutes itself together with the modern/colonial world system, simultaneously engendered struggles and resistances. In other words, subaltern and colonized populations did not submit passively to the pattern of power that subordinated them but elaborated projects of resistance and resignification of life.

The useful—but as of yet insufficiently explored—concept of *quilombism*/maroonism, introduced by Abdias do Nascimento, directs our attention to the resistance and projects of re-existence of the colonized population of the world system. Abdias do Nascimento utilizes this concept to refer to the struggles of resistance in circumstances in which racism and sexism have constructed a border between humanity and inhumanity. As such, quilombism is the result of the vital exigency of the black population to reclaim its freedom and dignity. It is also a metaphor to refer to maroons in the strict sense of organizations permitted and tolerated in national society, such as brotherhoods/sisterhoods, fraternities, samba schools, enclosed religious spaces, black political organizations, and so on (Nascimento 2002).

In these cultural and political spaces struggles are waged not only to claim minor rights but also to construct a new civilizing model that goes beyond classist, racist, and sexist distinctions between humanity and inhumanity. In other words, within these politico-cultural spaces one finds movements both of resistance and for the re-creation of values, called re-existence (Bernardino-Costa 2015). These movements are in effect decolonial movements, for the aim is to break out of the pattern of power constituting modernity/coloniality that both created new races and linked these to determined functions and positions.

We identified this decolonial movement among the domestic workers—specifically the organized domestic workers—initially through professional

associations and presently through unions. Both the older associations and the current unions can be considered authentic entities of the black feminist movement.

In the formation of the domestic workers' unions qua decolonial movement, we have observed fruitful dialogue and coordination with feminist and black movements and unions, which we call *emancipatory intersectionality*, which seeks to draw attention to the fact that race, class, gender, and sexuality can act simultaneously to promote the empowerment of social actors. In other words, race, class, sexuality, and gender are not always associated with oppression and inequality but in some situations can be mobilized for the establishment of political solidarity around decolonial projects. Often, depending on the historical context, the social categories of differentiation that underpin the notion of intersectionality can result in democratic forms of political agency.

If class, race, and gender are considered axes of power, it is appropriate to remember Foucault's observation that power is not a property but a relationship. Power relationships are always in movement, as new conflicts and points of resistance arise, producing new subjects (Foucault 1995).

Therefore, depending on how it is contextualized, the concept of intersectionality can be utilized not only to emphasize the negative dimension of oppression and disempowerment but also to bring emancipation and political mobilization into focus (Brah 2006).

Following the argument set forth above, if the non-unionized domestic worker feels vulnerable to the axes of oppression of race, class, and gender, joining a union represents a watershed. Unions can be seen as a space of rupture of the isolation behind the literal and metaphorical walls experienced by domestic workers and, therefore, the hierarchized relationships with the employers.

The history of the formation of workers' unions goes back to the 1930s, when Laudelina de Campos Melo founded the Professional Association of Domestic Employees, in Santos, with the aim of achieving the legal status of union and thereby gain the power to negotiate juridical recognition for the occupational class and the attendant labour rights. Laudelina initiated a dialogue with both the class/union movement and the black movement, in particular the *Frente Negra Brasileira* (Brazilian Black Front) (Bernardino-Costa 2015).

Between 1937 and 1945 the domestic workers' political movement suspended activity, because of the country's dictatorship; in the 1950s they resumed organizing within the Rio de Janeiro-São Paulo corridor. It is noteworthy that regulation of the domestic worker profession was a concern of the black movement at that time, as revealed in the proceedings from the First Congress of Brazilian Blacks (Nascimento 1982).

However, the domestic workers' movement would take on a national presence, that is, beyond the Rio-São Paulo corridor, in the 1960s with the aid of the ubiquitous Catholic Church. Diverse groups of workers organized through the Catholic Youth Workers Movement (JOC) in São Paulo, Recife, Porto Alegre, Piracicaba, Rio de Janeiro, Belo Horizonte, João Pessoa, and other cities. The JOC was a progressive, leftist, popular lay movement within the Catholic Church, yet unlike the hierarchical and authoritarian parent institution. The JOC, then, was not solely a religious movement but a political one, attentive to the needs of segments of the working class. Nonetheless, the female domestic workers felt out of place in the wider workers' movement, as the other urban workers had already won legal recognition for their professions, as well as a number of rights, while they themselves had nothing of the sort.

We realized the difference between us and other workers, that the others already had their rights and the domestic worker didn't have anything. That was when we started to see the need to have a Union to defend us. (Odete Maria da Conceição, Rio de Janeiro's Union)²

Based on their perception of difference with the workers in general, they formed their first professional associations in order to claim their rights. As this was happening Laudelina de Campos Melo, once again, organized an association in Campinas, São Paulo, through her contacts with the local labour and black movements.

From the 1960s through the middle of the 1980s, a largely classist interpretation of the condition of domestic workers predominated. Though there were interpretations focusing on race and gender, it is important to understand that political organizing had as its main front the recognition of domestic workers as belonging to the working class and the attendant equality in terms of rights. This was a natural outgrowth of domestic workers having been recognized under labour legislation in only 1972 and in a very restricted manner: the rights extended to them were only the work card, vacation, and social security. In this sense, the struggle focused on the concretization of these few rights and the conquest of others already enjoyed by other occupational classes.

² Odete Maria da Conceição is a historical founder of the Rio de Janeiro Association in the 1960s. I have been authorized to use the real name of the interviewees.

The campaigns developed during this period—from the beginning of the 1960s through the middle 1980s—focused on the recognition of domestic workers as a professional class. Diverse associations joined the campaign for the domestic worker to live in her own home and do away with the idea of her being a member of the employer's family.

(...) the domestic worker is the one who takes class struggle into the home. Within a family there are all kind of problems: emotional problems, all kind of problems, but there aren't any class problems. (...) And if the domestic worker has more consciousness of this class, she will never say that she wants to be a member of the family. (...) Many domestic workers who sleep at their bosses home is much smaller nowadays. (Lenira Carvalho, Recife's Union)³

The relationship of the workers' class with political experienced inconstancies over the years and regional variation. In some cities workers' unions were effective partners in the domestic workers' movement, though the same was not true in other cities.

The same happens in the feminist movement. The domestic workers' relationship with the feminist movement begins in a climate of great distrust, for domestic workers were—and still are—seen as a necessary condition for white middle-class women to free themselves from housework, as our research has shown (Bernardino-Costa 2015).

As we know, women's situation is not the same. We are workers and we are demanding our rights facing other women, who don't respect our rights. (...) As long as a woman needs to oppress another woman in order to free herself, there can be no liberty and equality among women. (Nair Jane, Sindicato das Trabalhadoras Domésticas do Rio de Janeiro)⁴

Though with less intensity than before, this mistrust has persisted through the present day; however, for the domestic workers' movement on a national scale, the feminist movement has been an important interlocutor. The interaction and exchange with the feminist movement has become more intense and frequent since the 5th National Congress of Domestic Workers, in Recife, when the Recife-based feminist non-governmental organization (NGO) SOS Corpo assisted in organizing the event and advised the Recife Association specifically.

³ Lenira Carvalho, real name, founder of Recife's Union in the 1970s.

⁴ Nair Jane, real name, founder of Rio de Janeiro's Union in the 1960s.

On the national stage the feminist movement became a definitive partner with the domestic workers during the Constitutional Assembly, when it proposed the domestic workers bill.

The period between the 5th National Congress in 1985 in Recife and the enactment of the Federal Constitution in 1988 was one of intense mobilization among domestic workers, with numerous visits to Brasília for the purpose of pressuring the constitutional delegates to extend certain rights to their occupational class.

On a national level this period also included the ascension of the Campinas' union and, later, the Bahia's Union, which initiated collective activities in the 1970s and gained strength and stability in the beginning of the 1980s.

As the unions in Campinas and Bahia gained presence on the national stage, race- and gender-based interpretations and political motivations took on new importance within the national domestic workers' movement. This is not to say that class/union interpretations disappear or lose validity but that factors were reevaluated. The new space that race and gender gained was due principally to the Campinas' and Bahia's unions' historical relations with the black movement, as well as to their dialogue with the feminist movement, beginning in the first half of the 1980s and intensifying in the years following.

It is important to underscore that the leadership of these two unions had maintained a fruitful dialogue with the black movements. Laudelina de Campos Melo, who had participated in the foundation of the domestic workers' movement in Campinas, had strong ties with the Brazilian Black Front in the 1930s and with the Experimental Theater of the Negro in the 1950s and 1960s, while Creuza Maria de Oliveira, one of the leaders of the movement in Salvador, dialogued closely with the Unified Black Movement. Laudelina and Creuza were not the only ones; the entire leadership of these two unions engaged in dialogue and interaction with the black movement in their respective cities.

From the middle of the 1990s through the present day, what we see is consolidation of the alliance between black, feminist, and class movements and the construction of a network of international actors, governments, and agencies. Passage of Convention 189 and Recommendation 201 during the 100th Session of the International Labour Conference of the International Labour Organization (ILO), discussing decent work for male and female domestic workers, on June 16, 2011, was preceded by three years of dialogue among domestic workers from diverse regions of the world (Goldsmith 2013). This gives further evidence of the transnational network assembled by the domestic workers.

From a numeric point of view, the Brazilian delegation that participated in the passage of Convention 189 was significant. More than 70 people, including government officials, employers, and workers, were present at the ILO Conference. Among them were five female domestic workers and federal representative Benedita da Silva, who would become an important force in the passage of the Constitutional Amendment that made domestic workers equal, in the eyes of the law, to all other workers in the country.

As a byproduct of Convention 189, intended for voluntary ratification by ILO member countries in order to gain effective legal validity, the topic of domestic labour became part of the political agenda of the country and found space in the media. A group of legislators, in conversation with domestic workers, unions representing other occupational classes, feminist and anti-racism NGOs, international agencies, and secretaries of state, proposed an amendment to the Federal Constitution to alter the article that denied social and labour rights to domestic workers. On April 2, 2013, both federal chambers unanimously approved the petition, authored by Representative Benedita da Silva, to end the legal segregation rooted in Brazil's Constitution.

What one observes, looking back over the almost 80 years of organizational history of Brazil's domestic workers' movement, is the constitution of a black feminist movement that, critically re-appropriating notions of class, race, and gender, interprets Brazilian social relations, making the intellectual and political connections necessary for their demands.

The Black Movement participation along with us was more intense when I demanded that they support our struggle. (...) The Black Movement was academic, there were only Black Activists from academia such as university peoples, doctors. (...) The feminist movement began with white academic women (...) when, we, women from periphery began to participate in the feminist movement the language was that of doctors. (...) Nowadays the feminist movement already has a language that is more geared to the population of the periphery, of the Black and indigenous women. (...) When we go to workers' movement, the colleague is there in his union. (...) He is there inside the union wanting increase in wages, rights to this and to that. And so he forgets that the woman working inside his house deserve a fair salary, that she deserves her workload respect and so and so. (Creuza Oliveira, Bahia's Union)⁵

Returning to the concept of quilombism, one can apply it to the domestic workers' movement, characterizing it as a politico-cultural space of struggle

⁵ Creuza Oliveira, real name, founder of Bahia's Union in the 1980s.

and resistance against markers of difference based on sexism, racism, and patriarchalism that established the separation of inhumanity from humanity. In this sense, instead of remaining subjected to the pattern of power called coloniality, the domestic workers re-created themselves as subjects, articulating interpretations and dialoguing with entities in the class/union, feminist, and black movements.

Their interaction and dialogue with those movements become that which can be denominated by *emancipatory intersectionality*, which speaks to the manner in which the aforementioned markers of difference were and are strategically articulated to mobilize, create solidarity, and wage legal/political battles, producing, in sum, decolonial projects of resistance and re-existence.

Final Considerations: Behind Every Legal Victory Stands the Domestic Workers' Political Movement

Beginning with the paired concepts—coloniality and intersectionality, on the one hand, and decoloniality and emancipatory intersectionality on the other—we sought to show the structure of persistent inequality that has characterized domestic labour in Brazil and describe the project of resistance and re-existence that has distinguished the trajectory of organized domestic workers, whether in the former associations or in the present-day unions. We emphasized that the markers of difference of class, race, and gender may be used not only to create inequality, disadvantage, vulnerability, and oppression but also to effect the empowerment and democratic agency of domestic workers.

Intersectionality provides us with a broader understanding of how the markers of race, class, gender, and age, on the one hand, can act to disempower and oppress domestic workers and, on the other, may be mobilized to generate democratic agency in the search for empowerment and social justice. Both the 2011 ratification of ILO Convention 189 and the 2013 approval of the Constitutional Amendment to remove the restrictions on the social rights of domestic workers exemplify the way in which the simultaneous intersection of different axes can be a factor in the process of empowerment and the struggle for social justice. Through dialogue, political alliances, and coalitions with the feminist, black, and national and international workers' movements, domestic workers successfully altered a highly discriminatory law in the Brazilian Constitution.

In similar fashion, the decolonial project that emerges from the activism of the domestic workers brings to the discussion a project of individual and collective re-existence founded on the resignification of individual lives and collective life. In other words, the political struggle aims for more than pragmatic rights; it involves a decolonial project of re-existence that overcomes modern/colonial development and its social structure in favour of a new humanism, in which the differences of gender, race, and class do not generate inhumanity but, on the contrary, can be seen as richness for the constitution of a pluricultural society.

Despite this project with all of its emancipatory and utopian potential, realized or not, the research on which this chapter is based sought to demonstrate that behind every legal victory of this occupational class, the political movement of the domestic workers has been present. Highlighting the protagonist's role of domestic workers in the construction of their own histories represents a new direction and new challenge for sociology and historiography in this country. This chapter sought to face that challenge.

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24

“Who Will Use My Loom When I Am Gone?”: An Intersectional Analysis of Mapuche Women’s Progress in Twenty-First-Century Chile

Serena Cosgrove

Poem excerpt by Graciela Huinao (2009)

*It’s your life
—my father once told me—placing a fistful of earth in my hand.*

*Es tu vida
—me dijo—una vez mi padre
colocándome un puñado de tierra en la mano.*

*Ta mi mongen
—pieneu—kiñechi ta ni chau
Tukulel-eneu kiñe runa mapu ñi kü*

Introduction

According to many measures, Mapuche women have become empowered through access to education and a demographic shift from the countryside to the major cities of Chile where their income-generating opportunities are greater (Cosgrove 2010). Today the Mapuche comprise 10% of the population of Chile (Reuque Paillalef 2002: 2). In *Mapudungún*, the language of the

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Mapuche, their name comes from *Mapu* (earth) and *Che* (people): the Mapuche are the people of the earth. Their religious and spiritual beliefs are tied to the earth; their healing practices involve medicinal herbs, plants, and flowers from the native forests of south-central Chile; their major celebrations occur around times of seasonal change and renewal; and for the elders, many of whom have remained in rural communities, life is measured by seasons, natural phenomena, and kinship relations. For the Mapuche, commitment to caring for the native forests of their ancestors and honouring kinship lineages that connect them to early Mapuche *lofs*, or lineage-based communities, are complemented by their cultural adaptability. In the sixteenth century, the Mapuche withstood the Spanish conquest, negotiating a treaty with the Spanish which recognized the sovereignty of their territory. It wasn't until the late nineteenth century that they were subjugated by the Chilean army, lost much of their land, and were forcibly incorporated into the Chilean nation.

This chapter applies a postcolonial, intersectional frame to a series of interviews with Petronila Catrileo, a Mapuche woman leader and elder, who worries that her individual achievements pale when compared to greater Mapuche losses—including environmental depletion due to pine and eucalyptus monocropping by the forestry sector and large mega-development projects, such as dams, as well as the decrease of traditional practices particular to women such as animal husbandry, Mapuche cuisine, and arts and crafts and the decreasing numbers of Mapudungún speakers in present-day Chile. Though I focused more broadly on Mapuche women in my book chapter on women's civil society leadership in Chile (Cosgrove 2010), I continue to write about Petronila because her evolving questions and concerns have forced me to adjust how I carry out research. I have come to see that I must apply an intersectional framework because community-oriented leaders like Petronila and their communities—such as indigenous¹ peoples—are vulnerable to the collective impacts of macro-economic development and neoliberal policy in a postcolonial present. Intersectionality facilitates analysing “how power relations are intertwined and mutually constructing” (Collins and Bilge 2016: 7) and is “not simply a method for doing research but is also a tool for empowering people” (Ibid.: 37). Whether as a researcher, ethnodevelopment staff member, or state policy-maker working at the local or national level, research, data analysis, and policy

¹ The definitions of “indigenous peoples” include a long-term commitment to a place and ways of knowing and being in the world that are different than Western ones. Linda Tuhiwai Smith, a Maori researcher, explains the emergence of the term, “indigenous peoples”: “It is a term that internationalizes the experiences, the issues and the struggles of some of the world's colonized peoples. ... They share experiences as peoples who have been subjected to colonization of their lands and cultures, and the denial of their sovereignty, by a colonizing society” (2012: 7). Similar to Radcliffe (2015b), I also use “indigenous” to signal state labels as well as broad self-identification (Radcliffe 2015a: 2, 2015b: 17).

recommendations must address the interlocking forms of social difference affecting research participants’ lives as well as the political economic context in which they make their lives. If this does not occur, it is easy to conflate individual and collective rights (Radcliffe 2015b: 23) instead of recognizing the complexities of social heterogeneity and the power relations research participants confront. This chapter recommends theoretical and methodological tools, so researchers and policymakers can more effectively accompany and support the indigenous people with whom they are working.

In this chapter, I explain the importance of a postcolonial intersectional frame for analysing data gathered with indigenous women, and then I share excerpts and analysis of Petronila’s situation locating her struggles in the history of the Mapuche in colonial and postcolonial perspective. This granular depiction of one indigenous woman’s concerns—shared with me over *máte* and homemade bread—speaks to how multiple forms of difference affect the situation of women today in Mapuche communities in south-central Chile. Petronila’s standpoint provides insight into some of the risks of Chile’s rush to exploit the country’s natural resources, many of which are found in Mapuche ancestral territory. For this chapter, I have chosen to focus on one woman’s story but complement Petronila’s comments with analysis from other interviews with Mapuche women. The structural oppression that occurs from intersecting forms of social difference is not an individual phenomenon, yet it also manifests in individual women’s lives. Analysing one indigenous woman’s experiences at the intersection of difference facilitates ethnographic insight into the challenges researchers and policymakers face when connecting data, analysis, and policy recommendations. Furthermore, the urgency and sorrow of this interview forced me to rethink how I analyse the data I gather and led to this chapter. After analysing Petronila’s story, I consider the broader implications for researchers and policymakers serving populations who experience multiple intersecting forms of discrimination, particularly indigenous women in Latin America. Intersectionality can help researchers see agency and activism in the groups they are accompanying and avoid reifying difference and marginalization when analysing data, thereby generating policy recommendations grounded in the multiple forms of difference faced by research participants.

Theoretical Frame

It is the author’s intent in this chapter to encourage researchers and policymakers alike to consider using a postcolonial, intersectional frame through a critical review of her own research experiences with Mapuche women. It is important to consider how much educated white or privileged professionals—

be they nationals or international citizens—actually apply an intersectional analysis given how easy it is to analyse a situation from a single perspective such as gender, ethnicity/race, or socio-economic status, using what the academic literature refers to as a “single-issue” approach (Radcliffe 2015b: 64). In my case, applying a gender analysis revealed that Mapuche women have many more opportunities today than they did a generation ago, and my interviews corroborated this claim. Or conversely, if I had just applied an ethnicity lens to these women’s interviews, I could have focused on their activism, leadership, and contributions to the Mapuche nation, possibly leading to an over-romanticization of Mapuche progress. If I had used an analysis of interlocking forms of difference, I would have noticed both the achievements and leadership of the women I was interviewing as well as been better able to identify the fissures in their successes. The over-reliance on single-issue analysis can lead to the exclusion of indigenous women’s unique concerns and knowledges from research, development projects, and policy aimed at “farmers, women, or indigenous people and the impoverishing effects of such marginalization” (Radcliffe 2015b: ix). To understand the role indigenous women play in their communities as empowered leaders (Cervone 2002) and cultural agents as well as their needs and those of their communities, theoretical frameworks must move past dichotomous tensions, “standard binaries” (Mithlo 2009: 2), “or totalizing paradigms” (Ibid.: 11) such as men versus women or indigenous culture versus neoliberal states. Furthermore, liberal, single-issue analysis and its recommendations can get used to justify colonial or postcolonial agendas favouring individual civil rights over social and economic rights as well as community rights because “liberal individualist rights are awarded higher status consistent with colonial hierarchies, in contrast with ‘collective’ racialized priorities concerning resources such as water” (Radcliffe 2015b: 264) or sustainable use of native forests. This mindset informs how even well-meaning professionals can contribute to the continued exclusion of the groups they are serving, especially because research and policymaking can have direct consequences for determining budget allocations and funding priorities of national and international governments and foundations.

In order to understand why intersectionality and postcoloniality are useful theoretical frames for analysis and policymaking, it is important to define them and explore why using them in tandem is vital for work with indigenous women. Intersectionality is a useful analytical tool because it is “(1) an approach to understanding human life and behavior rooted in the experiences and struggles of disenfranchised people; and (2) an important tool linking theory with practice that can aid in the empowerment of communities and individuals” (Collins and Bilge 2016: 36). Intersectionality refers to how multiple forms of

social difference—such as gender, class, and race/ethnicity—combine to deepen exclusion. Intersectionality indicates the presence of “particular forms of intersecting oppressions, for example, intersections of race and gender, or of sexuality and nation. Intersectional paradigms remind us that oppression cannot be reduced to one fundamental type, and that oppressions work together in producing injustice” (Collins 2000: 18). Intersectionality emerged in academic black feminist scholarship with a seminal article by legal scholar Kimberlé Crenshaw (1991) to describe the challenges that black women face in the United States due to the mutually reinforcing exclusion of racism and sexism. Today, there is an abundant literature about this concept, its roots, and its wide use in research and activism (see Carastathis 2016; Grzanka 2014; Hancock 2016; Collins and Bilge 2016).

Crenshaw’s and Collins’ arguments—as well as many others also cited in this chapter—confirmed that single-issue analysis reinforces the marginalization of women of colour “(b)ecause of their intersectional identity as both women and of color within discourses that are shaped to respond to one or the other ... women of color are marginalized within both” (Crenshaw 1991: 1244). Furthermore, the policies or “intervention strategies” (Ibid.: 1246) that come out of single-issue analysis will only have limited applicability because the challenges women of colour face are different.

This dual-purpose concept simultaneously explains how unequal structures compound difference, referred to as “structural intersectionality” *and* how experiences of compounded difference can ignite agency, leadership, and resistance, referred to as “political intersectionality” (Grzanka 2014: 16). Political intersectionality explains why oppressed and discriminated groups resist the forces aligned against them, often using their “powerful oppositional knowledge” (Collins 1998). Intersectionality helps us to understand the marginalization “or mutually constructing nature of systems of oppression, as well as the social locations created by such mutual constructions” (Grzanka 2014: 54), and it also allows us to see how adversity can engender resistance and agency.

Intersectionality as a concept began to be applied more broadly to the experiences of people of colour in the United States and people who faced discrimination abroad, particularly women (Brah and Phoenix 2004; Crenshaw 2000; Lugones 2007), and feminist researchers in Latin America began to use the concept to address the exclusion of indigenous women in Latin America (Radcliffe 2015a, b; van der Hoogte and Kingma 2004). Feminist women of colour theorists, researchers, and activists (Delgado and Stefancic 2012: 93) began to point out how categories such as “women” ignored how multiple forms of difference resulted in increased risk of gender-based violence for women of colour (Radcliffe 2015b: 6). In fact, I would argue that third-wave

feminisms and the acknowledgement that all women are not equal precisely because of intersectional oppressions revolutionized the field of feminist research in the global south. Today intersectionality is used consistently by many scholars and activists trying to understand and transform the compounding effects of multiple forms of social difference (Collins and Bilge 2016; Delgado and Stefancic 2012: 57–62; Grzanka 2014; Radcliffe 2015a, b).

Crenshaw and Collins both argued that the power relations or political and economic contexts in which intersecting forms of difference occur must be analysed as well; this means applying intersectionality against the historical, economic, and political forces that shape a given society. These power relations—their historical roots and present-day manifestations—form the context for exclusion and are referred to as “structures of domination” by Crenshaw (1991: 1243) and “matri[ces] of domination” by Collins (2000: 228). It is useful to conceive of power as “an intangible entity that circulates within a particular matrix of domination and to which individuals stand in varying relationships” (Ibid.: 274). Whether analysing difference and exclusion in the United States, Chile, or any other place for that matter, attention must be paid to the different matrices of domination because of the variability that exists from one place to another in how oppression manifests (Ibid.: 228).

A postcolonial framing of the intersections of social difference—such as race/ethnicity, gender, age, geographical location, socio-economic status, and so on—that serve to exclude indigenous women in Chile means that the “matrix of domination” is postcolonial and informed by the history of colonization and forced acculturation as well as current, neoliberal state policies seeking to exploit natural resources in Mapuche ancestral territory. At issue here are indigenous communities who have been subject to colonial and post-colonial power struggles as well as continued subjugation today (structural adjustment policies, state abandonment, and culturally insensitive and/or single-issue government planning). “Postcolonial intersectionality generates disadvantages greater than the sum of its parts” (Radcliffe 2015b: 67) because the economic and political system is predicated on a form of economic development which intensifies the exclusion of groups who are already at a disadvantage. This is particularly relevant to the experiences of Mapuche women like Petronila because the forces arrayed against them are formidable, such as is the case of the Chilean state and the ruling elite class—a patriarchal, Euro-descended, mestizo society with a neoliberal political and economic project. This economic and political model depends in great part on the exploitation of natural resources of Mapuche territory and disproportionately affects women. Mapuche rural women often guarantee the physical and cultural survival of their communities: nuanced understandings of their views, actions,

and needs are necessary for any scholarship and policy recommendations about the development of indigenous communities and the empowerment of women. Furthermore, this research and policy work needs to be done in a critical fashion committed to the inclusion and just treatment of marginalized groups.² "Critical scholarship documents the numerous and wide-ranging registers through which female subalterns articulate, systematize, and make effective their agency and provides extensive evidence of women's diverse voices, forms of authority, creativity, and knowledge" (Radcliffe 2015b: 27).

Increasingly from the early years of state formation to the neoliberal present, Mapuche geographies and traditional lands have provided the natural resources—forestry products, water, cattle, and even food production—necessary for the Chilean economic miracle. "Enthusiasts refer to the 'Chilean Miracle,' the notion that free-market reforms imposed during Augusto Pinochet's dictatorship (1973–1990) put the country on the road to development and stability" (Richards 2013: 1). Postcolonial intersectionality matters in Latin America, as the benefits of development are so unevenly distributed across social groups (Radcliffe 2015b: 11) making indigenous women the most vulnerable to the "direct effects of the entangled dynamics of coloniality and modernity" (Radcliffe 2015b: 16) in which they are expected to become *mestizo* subjects servicing a model of economic development which never holds their concerns as a priority (Ibid.: 44 and 49). "Bringing together intersectionality with a post-colonial framework seeks to more rigorously theorize intersectional hierarchies in relation to the dynamics of power associated with colonialism and post-colonial statehood and development" (Radcliffe 2015b: 7). This chapter applies a postcolonial intersectional lens to interviews with Petronila Catrileo, a Mapuche community leader outside of Cañete, Chile, south of the Bio Bio River, and demonstrates how the empowerment of indigenous women must be linked to their identities as women *and* members of nations who have been fighting for their very survival for centuries.

Petronila's Story

The last time I saw Petronila Catrileo tears were running down her cheeks: she asked, "Who will use my loom when I am gone?" Though Petronila overcame great poverty as a child ultimately earning a college degree as an agronomist

²"Critical" isn't just about deep thought or weighty reflection. "Critical" means thinking about how the research elicits a response in the reader. "Critical" is about social justice. "(T)he term 'critical' means criticizing, rejecting, and/or trying to fix the social problems that emerge in situations of social injustice" (Collins and Bilge 2016: 39).

and working for local development non-governmental organizations (NGOs) for many years before returning with her husband to farm her family's land, she often feels sad: only one of her three sons has stayed nearby, and she doesn't have a daughter or daughter-in-law to whom she can pass her knowledge about animals, spirits, and arts and crafts. Petronila feels responsible for the perpetuation of her culture—indigenous women are often the carriers and preservers of their culture (Warren 2009)—in a fragmented, diasporic present in which most young people have left rural communities for Chilean cities.

Petronila, like many other strong women in her generation, made many sacrifices to gain an education and a profession. She chose who she wanted to marry and how many children she was going to have. Petronila situates her leadership experiences in her community's history and her attempts to regain land taken from a community member in the early 1900s in exchange for a bag of wheat. Her community's history is contextualized in a history of resistance to colonialism and conquest by the modern Chilean state (Bengoa 2000). The Mapuche are one of few indigenous groups in the Americas who not only held off the invading Spanish conquerors but forced them to sign a treaty in 1540 respecting Mapuche sovereignty.³ This recognition of a sovereign Mapuche territory survived into the early years of Chilean independence from Spain in the nineteenth century. However, by the end of the century, the Chilean state was eager to give Mapuche lands to European immigrants. The Chilean army subjugated the Mapuche in a military campaign that pitted new military technologies against Mapuche warriors. By 1881, the Mapuche had suffered much more than just the direct impact of the war: they had also experienced famine and the spread of smallpox that accompanies times of war. The Chilean state promptly claimed Mapuche territory as belonging to Chile and available for European settlers. Even though the Mapuche had held the Spanish at bay, the *Chileanization* of the Mapuche meant forced inclusion and subjugation to a nation state built on the unequal, colonial system of "relations of class, race, and gender with 'first class' citizenship reserved for white, male, urban and wealthier individuals and 'second class citizenship' for indigenous peoples" (Radcliffe and Pequeño 2010: 984). This postcolonial model of subjugation and integration divided and impoverished the Mapuche.

After losing a lot of their land to the Chileans, the community where Petronila was raised lost even more land in a swindle involving a sack of wheat in 1904. Petronila recounts that

³ For a summary of the history of Mapuche resistance to the Spanish and the later subjugation by the Chilean state, please see chapter two of my book (Cosgrove 2010).

a spinster sister of Juan Segundo Marileo, whose name was Señora María Inés, leased the land to a family called the Prietos. They were the first non-Mapuche to take over the land. And eventually they became the owners. And because the Mapuche had no papers, there was nothing they could do about it. For many years I have said to the community leaders, 'Don't let those lands be planted, don't let the landowners plant again. These lands belong to our community, we have to fight for them.' But they didn't pay me any mind because they were cowards, they don't stand up for their rights. (Cosgrove 2010: 138)

Petronila finally convinced the community to take action. And on October 12, 2006, *el Día de la Raza*—a day celebrated throughout Latin America as the day that Christopher Columbus “discovered” the Americas—Petronila and her community marched up to the mountain and reclaimed the land that had been taken from María Inés. They called a press conference on the mountain top, performed sacred rites, prepared a meal, and issued their intention to regain the land legally. For a while, the community remained hopeful that the state agency for indigenous affairs, the National Corporation for Indigenous Development (CONADI), would help them negotiate the return of the land. The Chilean owner of the land had planted the mountain with pines and eucalyptus trees. Because of the worth of the trees, Petronila tried to negotiate that the owner harvest the trees, then return the land without the trees to the community. Not only would this make the land cheaper to buy back, but it would remove the trees so that the community could begin the process of replanting the native forest.

For the Mapuche, the native forest—with its diversity—promotes life, contains the good spirits, and takes care of the water while mono-cropping pine and eucalyptus species does not. Petronila explains that “this form of forestry dries up all the water. There is not as much water as there used to be when there weren't just pines. Like I said before, in the summer the river was so much higher. But not now. You have seen where the water is now and we're not even at the height of summer yet. And the pines go right up to the river's edge” (Cosgrove 2010: 139). Petronila is not just concerned about the environmental impact but the loss of more-than-human actors, such as spirits: “But reforestation with single crops doesn't just affect the water levels. It kills the spirits: The *newenes*—the good spirits—are getting lost when there is deforestation or the planting of exotic trees. The spirits don't like this. It is not good what is happening to the mother earth” (Ibid.: 139). Petronila values “more than human actors” (Radcliffe 2015b: 276) such as *newenes*. “Indigenous women hence stress a form of care work and nurturing that explodes the liberal and progressive feminist conception of diverse economic activities ... as

they resituate human embeddedness in these relations alongside mutual care with more-than-human actors” (Radcliffe 2015b: 277). Petronila’s words corroborate this insight: “That is where our strength is. There would not be any Mapuche left if everything were just pine and eucalyptus. What will the Mapuche live on if all there is only eucalyptus and pine?” (Cosgrove 2010: 139) Petronila raises an issue that is at the centre of today’s conflict between the Mapuche and the Chilean forestry industry. Yes, there are a few forestry companies that follow international standards for protecting ecological diversity and respecting the territorial claims of the Mapuche; but there are other companies that do not. Many simply seek to maximize their profits regardless of the ecological or cultural cost. The native forests of south-central Chile have been fundamental to Mapuche culture since before contact with the Spanish, and this is why Petronila fights to get the land back for her community. She wants the community to have land to give to young people so that they don’t have to leave the countryside for the city if they don’t want to.

Gathered inside Petronila’s house, each with a cup for *máte* tea and the tea kettle between us, Petronila and I talked about our favourite topics on an early winter day in 2011: the remembering of the history of the community, the effects of the forestry industry on Mapuche land, and Petronila’s perspective on where the Mapuche struggle stands presently. However, this time our conversation wasn’t as hope-filled as other conversations we’ve had in the past. After recounting the history of how the land was taken from the community and how she and the community had occupied the land, she told me that the land had ultimately not been legally transferred back to the community. The acreage she and her community had fought for has been abandoned with pines and eucalyptus trees. Whereas five years prior, these conversations would have been spiced with excitement about the ongoing struggle to reclaim the land, this new conversation focused on the loss. “When vast pieces of land are planted with pine and eucalyptus, there’s no life, water is depleted, there’s no biodiversity, the earth is left bad afterwards. Snakes, rats, lizards, mountain lions, birds, and the spirits leave. *Newenes* or spirits are the power of the earth, they sustain everything” (Interview July 20, 2011). Here Petronila interrupts herself to clarify that she learned none of this from her parents who had been reduced by poverty to bare survival, rather from her paternal and maternal grandparents. Her grandmothers taught her to weave and take care of the animals. Her grandfather taught her about the land and how to cultivate it, how to talk to the oxen, how to raise pigs and chickens. These three grandparents taught her the importance of respecting the earth, its products, its strengths; they taught her to love the forest, to care for the water spirits that protect the springs. Springs will dry up if the water spirits die. For this reason,

Petronila never takes anything living from a spring. Petronila sadly points out that the living and spiritual beings of the forest are pushed out when the slow-growing native forest is replaced by fast-growing pine and eucalyptus preferred by the forestry companies. "These companies have taken away the flora and fauna of the native forest, they've dried up our rivers, the *winkas*⁴ have taken our land. Today Rene and I have fourteen hectares (about 28 acres). We have four sons. This is not enough to share with them. They leave the land" (Interview July 20, 2011).

Petronila asks me what I think of the proposed seed law being debated in the Chilean national congress which would oblige all Chileans to purchase genetically modified seeds. This law would affect Mapuche women, in particular, because they are the "guardians, caretakers, and custodians of seeds; they take care of the cultural patrimony of the earth through their seed production ... they recover the seeds, grow the food, prepare tasty food" (Interview July 20, 2011). Mapuche women's knowledge extends from the cultivation of seed stock to growing and harvesting medicinal plants and vegetables to animal husbandry to all the associated crafts with these processes: canning, baking, cooking, weaving with wool, weaving baskets with reeds, making ceramic cooking vessels. Other Mapuche women I interviewed expressed concern about this new law: Amalia Quilapi said she's afraid she won't be able to grow her medicinal plants: "It makes me angry to think I will have to buy their seeds and not use my own. I won't be able to grow my own seeds and harvest them on my own" (Interview July 21, 2011). Though the proposed law has been tabled for the time being, farmers and Mapuche alike remain fearful that attempts to impose genetically modified seeds will return. The proposed seed law is one more example of a break in the chain: the seed that linked the community together at risk of being privatized.

Because so many young people have left the community for opportunities in the cities, the rural communities are populated by grandparents many of whom are raising their grandchildren while sons and daughters work to send home remittances. Petronila describes the effects of this phenomenon on the traditional arts of Mapuche women:

no one is left who has the patience to work the wool for weaving. This is the place where the craft of weaving was born. Women used to come to this community to learn how to weave. Now the young people don't have time; they prefer to go to the city. Technology is carrying away our knowledge. We no

⁴Winka means thief or Chilean in *Mapudungún*.

longer have brains to think with because computers think for us. The chain is breaking. Maybe I'm just being negative. ... Yes, my one son who has stayed on the land helps me, but he can't help me like a woman. I am sad because things end, things change, and they won't come back easily. May our god give our son strength so our knowledge isn't completely lost. I know he should have left the countryside so he could get a job, but this is my only consolation that he's here. (Interview July 20, 2011)

Petronila laments she had no daughters and nearby granddaughters with whom to share her knowledge learned from her grandmothers, women born when the Mapuche were still free. Her weaving techniques, her special dishes, her tricks for talking to the animals, her conversations with the *newenes* may end with her. "It makes me so sad because I don't have a daughter to teach how to weave, to make our food, to make the reed baskets. There's no one here to teach what my grandparents taught me" (Interview July 20, 2011). Petronila's sorrow as a Mapuche woman nests in a much larger loss created by a century of Chileanization, colonization, Chilean nation-building, and neo-liberal exploitation.

The achievements of Mapuche women are very real and inspirational (Cosgrove 2010), but in many cases, the achievements appear less substantial when compared to the bigger cultural losses these women continue to confront. For example, very few people speak the language anymore: when today's grandparents had their children, they refused to speak to them in Mapudungún because they knew their children would be beaten at school if they spoke the language. When parents today want their children to learn the language, they don't know the language themselves and primary and secondary schools have few teachers who know the language let alone can teach it. Also, what has sustained the ways of life of the Mapuche is becoming attenuated, and the land where they have lived has been divided up, sold, and planted with pine or eucalyptus by the forestry industry. The water that has powered the streams and lakes and flowed into the ocean is being dammed and diverted. Young people are leaving the countryside for educational and employment opportunities in the cities. In the cities, many Mapuche do endeavour to celebrate their culture and rituals, particularly in parks at times of seasonal review, but the very lands and water that have sustained these practices in the past are being usurped to power the Chilean economic miracle.

Implications for Researchers and Policymakers

Petronila's sorrow and her questions forced me to grapple with the loss she confronts today even though she has such a higher standard of living than her parents and their generation. I have to use an intersectional framework because multiple social identities—markers for discrimination and exclusion—mean that Petronila faces challenges not just because she's a woman in Chile but also because she is Mapuche as well as an elderly, low-income, rural, farming woman. Furthermore, I have to analyse Petronila's words cognizant of her position in a postcolonial era with its corresponding power relations: nation-building, late capitalist relations, and extractive environmental practices. This is what I have learned: when researchers and policymakers—no matter how well meaning—set out to write about indigenous women and suggest policy for them, the researchers have to consider the multiple social identities of the people they are studying and aim to elucidate the hegemonic political, historical, and economic forces they confront.

Specifically, researchers and policymakers can incorporate an intersectional approach in their research and analysis through reflexivity—acknowledging their own biases and subject positionalities—and a commitment to unpacking interlocking forms of social difference, historical analysis of power relations, and horizontal research and analysis methodologies that involve and prioritize research participants. Starting from a reflexive place of analysing one's own positionality allows the researcher/policymaker the opportunity to make explicit their own biases; this is necessary because "we rarely challenge our own preconceptions, privileges, and the standpoint from which we reason" (Delgado and Stefancic 2012: 82). Power relations shape difference and often privileged people—particularly researchers and policymakers in this case—become habituated to certain power relations that benefit them, and therefore, they no longer see how it leads to differentiated and unequal access for marginalized groups. This reflexive examination inwards alerts the researcher/policymaker to the possible biases and blind spots that they might hold. In my case, this meant acknowledging and transforming my own liberal, white feminist gaze and how easily I slip into focusing my questions on certain topics as well as applying a single-issue analysis such as gender. The problem of using just a gender perspective or just an ethnicity perspective is not simply that both discourses fail women of colour by not acknowledging the "additional" issues of race or of patriarchy, but that the discourses are often inadequate even to the discrete tasks of articulating the full dimensions of racism and sexism (Crenshaw 1991: 1252). These mutual elisions present a

particularly difficult political dilemma for indigenous women and other women of colour. Adopting either analysis constitutes a denial of a fundamental dimension of subordination and precludes the development of a political discourse that more fully empowers them (Crenshaw 1991: 1252). Using an intersectional lens helps researchers and policymakers working with indigenous women in postcolonial contexts avoid the limitations that come with single-issue approaches. When carrying out research with marginalized groups who experience multiple forms of social difference, researchers and policymakers can generate more useful insights if they take stock of their own privilege and study the history and power relations that inform the present conditions of their research participants.

In the case of many indigenous groups in Latin America, “neoliberal governmentality” (Blackwell 2012: 703) may not initially appear as barbarous as the colonizers of the sixteenth century or the nation builders of the late nineteenth century, but today’s states have many tools to silence and distract the protest of indigenous groups and their allies. This includes the lure of the city where there is more opportunity for employment and children grow up wanting brand-name shoes and internet access. But for many indigenous groups, the Mapuche especially, the essence of their culture is land, community, and memory—all of which are anathema to today’s global market logic and the nation-building project of the Chilean state. Analysing power relations—historically and currently—allows researchers and policymakers the opportunity to generate recommendations that address the larger systemic issues that contribute to the marginalization that their research participants face. Similarly, it is helpful to acknowledge that there is often a tension between individual rights and community, collective, or cultural rights for development agencies when working with marginalized groups (see van der Hoogte and Kingma 2004). These two authors propose that policymakers and ethnodevelopment workers shift from short-term projects with measureable outcomes to long-term system change processes (50) as well as acknowledging the increased risk of violence that indigenous women face, especially those whose work addresses gendered and racist power structures (54). This means involving women in conversations with hierarchies of organizations and communities (van der Hoogte and Kingma 2004: 50). Also relevant to this discussion is the importance of inviting research participants to set the goals of the research, data gathering, analysis, and generation of proposals for action based on the research. These approaches are particularly pertinent for Chile—as well as other countries with indigenous communities who have survived centuries of colonization—in which government offices serving women and indigenous people seldom interact at the local, state, or national levels, and when they do, they tend to reinforce differences between state employees and the people they serve.

Indigenous women like Petronila challenge fieldworkers and policymakers alike to engage the complexities that confront educated indigenous women leaders due to how their multiple social identities or social heterogeneity require an intersectional analysis because a patriarchal, neoliberal present entails multiple forms of overlapping discrimination and structures of oppression that have to be overturned for the full inclusion of Mapuche people in Chile.

Conclusions

The Mapuche send their children to school, and they learn to read and write in Spanish, educated in a system that preferences a national white culture over local indigenous epistemologies, and in the end, the Mapuche elders live alone on the land they've been able to preserve. The links between indigenous knowledge—particularly women's specialized knowledge—and values weaken as grandchildren grow up far from their elders. Obviously, today's situation raises new questions about individual choice and the promise of urban prosperity, but meanwhile, the cultural rights of the Mapuche—their universal rights as a minority group to a way of life—are eroded and replaced by an urban lifestyle while their land and its resources fuel a neoliberal economy and state-building project.

This chapter has used an intersectional analysis to bring attention to Mapuche women's ways and how they are threatened by today's progress. By this I mean that Mapuche women's knowledge, which has been passed down for hundreds of years from Mapuche woman to woman, risks extinction as young people leave the countryside for the cities, as communal lands are split up, as large macro-development projects lead to the exploitation and deforestation of south-central Chile, and especially as modernizing projects such as monolingual Spanish education lead to the further *Chileanization* of the Mapuche. Given the uneven complexity of modernity for the Mapuche, and Mapuche women in particular, an interlocking framework of social positionalities and their corresponding exclusions has to be applied to assess the long-term effects of change for Mapuche women. "Decoloniality in action is exemplified by indígenas' disruption of the separation of (ethnic) collective rights and (feminist) individual rights" (Radcliffe 2015b: 283). Obviously, these insights have important ramifications for scholars and policymakers.

I worry about the stories from the field that fall through the cracks of globalization and progress and don't get heard. We need to listen to more stories from elderly indigenous women. In-depth interviews, life histories, and eth-

nography are useful methods because they “particularize on the level of the individual, while accounting for tribal, regional, and even transnational patterns,” and they “hold promise for conveying some of the intricacies and ‘commonalities of difference’” (Mithlo 2009: 18). More voices need to join in a call for decolonization of territory, culture, and society (Radcliffe and Pequeño 2010: 987). If researchers can document what is falling through the gaps and alert their audiences to the stories, maybe attention can be turned to averting crisis rather than eulogizing loss—be it one woman’s or an entire group’s.

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How Intersectionality-Based Approaches to International Development Illuminate the Plight of Palestine Refugees

Charla M. Burnett

Introduction

Development assistance comprises social and economic interventions that are sanctioned by states, individual, and group contributions. Despite increasing need, only 52% of humanitarian assistance (US \$11.4 billion out of US \$22.1 billion) has been funded in 2016 (United Nations 2016). Using the West Bank as a unit of analysis, I problematize liberal development in the context of liberation from extreme oppression and argue that foreign development assistance is inadvertently rooted in liberal social and economic values that threaten Palestinian unity. These value structures do not provide people with the tools necessary to liberate themselves of oppressive power structures. To provide an alternative understanding to development policy, I draw from Olena Hankivsky et al.'s (2012) intersectionality-based policy analysis (IBPA). IBPA provides a foundational thematic framework and is a powerful tool for advancing IBPA and the feminist agenda—the social, economic, and political equality of the sexes.

In practice, intersectionality has the potential to illuminate invisible and complex social relationships, bringing to light hidden injustices. As an invaluable social and political tool, intersectionality forces us to locate our own

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subjective knowledge(s), power, and agency within oppressive social systems. As a result, intersectionality can be used to analyse, understand, and break vicious cycles of violence. This chapter focuses on international development and how international organizations (IOs) can use intersectionality to analyse systems of oppression. IOs have a hand in shaping transcultural relationships and interactions, impacting the social narratives embedded in conflict areas. Explored more narrowly, traditional development assistance has been embedded in liberalized gendered roles that enforce asymmetrical social relationships that ensure participation and competition in the market system (Duffield 2002; Coleman 2007).

To demonstrate the usefulness of intersectionality, I will draw from scholarly and practitioner-based intersectional feminist literature, such as the work of Fenella Portman and Caroline Sweetman, along with interviews conducted with Palestine refugees, to analyse trends in development practice. In the coming sections, gender development will be adequately defined and framed from within both development/policy and feminist paradigms. Contemporarily, gender mainstreaming has been integral in maintaining and distributing gender politics to the Global South. Drawing on the case of Palestine, this chapter contributes a provocative exploration of development politics, forcing practitioners, experts, politicians, and scholars to question their own positionality within intersectional systems of power. Whether in the West Bank or elsewhere, it's these individual interactions and relationships that advance or destabilize human development, affecting the lives of millions. As a critical and fundamentally reflexive practice, intersectionality is the key to a socially just development analytic.

Conflicts, Economic and Development Theory, and an Intersectionality-Based Analysis

When handled adequately inter-group conflict can facilitate and foster mutual growth, trust, and cooperation between persons and groups (Mohr and Spekman 1994; Lederach 2015). When handled improperly conflict runs the risk of causing severe short- and long-term societal trauma, institutionalized structural, emotional, and physical violence between and within dominant and subordinate groups (Rubin et al. 1994; Canetti et al. 2010; Høigilt 2015).

Contemporary mainstream economic and development theories, as employed in the West Bank, have had limited success in creating long-term societal peace in conflict-torn spaces. Incorporated into global economic and

development processes, liberal and neoliberal values, such as freedom of speech, human rights, unregulated free markets, Keynesian economic managerialism, and state sovereignty, have come to define the social imagination of global governance and regulatory institutions. Intergovernmental organizations (IGOs) and international nongovernmental organizations (INGOs) are potential vessels for both positive and negative social changes. To be advocates for development and social change rests on the idea that these organizations are “principled” and feel a sense of responsibility towards the sustained development and freedoms of the domestic populations in which they are working (Finnemore and Sikkink 1998; DeMars 2005; Kelly 2005).

Delegitimizing IGO and INGO relationship with beneficiaries, the Association for Women’s Rights in Development (AWID) has concluded that “the policies and processes of neoliberal globalization are perpetuating racism, intolerance and discrimination against women” (Symington 2004, 1). The neoliberal project, if allowed to continue, challenges the institutions and processes that do in fact enhance human experience and stimulate social and economic development. Intersectionality-informed analysis can assist organizations in reducing the production and/or reproduction of violent social systems by bringing together multiple ways of knowing and forcing its users to place themselves within the production and/or reproduction of violence (Hoogte and Kingma 2004; Porter and Sweetman 2005; Baines 2010).

While working for the United Nations Relief and Works Agency (UNRWA) as a Programme Support Assistant, I came to realize that mainstream economic and development theory overly generalized complex social phenomena and relationships by limiting mainstream epistemologies to the knowledges produced by economically wealthy groups and that are most prevalent in liberal values. To better assess the use of theory and its application in the creation of policy and its practical implementation, I used an intersectionality-based approach, similar to the IBPA. This chapter discusses the history of using feminist theory to develop programming for IGO, how IBPA is different, and how not incorporating an intersectional approach to UNRWA’s mission and programmatic structure has fundamentally harmed Palestinians and their fight against the oppression of the occupation.

Feminist and International Development

Throughout the 1980s and 1990s, the field of women in development (WID) was cultivated side-by-side liberal and neoliberal feminist thought that predominantly focused on “integrating women into male power structures”

(Parpart 1993, 442). While the integration of women into political institutions and global markets (UN indicators of woman's empowerment) has created a sense of accomplishment for some, critical and Marxist feminist thinkers question the utility of such theory and its impact on the lives of woman and other minority groups (Angathangelou and Ling 2003; Arat 2016; Duffy 2005; Parpart 1993). Critiquing women's forced integration into the economy, Zehra Kabasakal Arat asks, "if employment and earning income were to empower women, shouldn't lower class women who have been working for generations be considered empowered and ranked as more powerful than upper-class women who have 'stayed home' and lacked 'independent income?,'" something that contemporary neoliberal development and economic theory cannot account for (2016, 696). In fact, the global economy is subsidized by trillions of dollars worth of women's unpaid labour, benefiting those who dominate masculinized social spaces (Woetzel et al. 2015).

Intersectionality originated from the neglected intellectual spaces of black and Latina women. It acts as a megaphone for those seeking to combat and challenge the harmful generalizations made in mainstream theory through the empowerment of those silenced by the margins (see *But Some of Us Are Brave: All Women Are White, All Blacks Are Men* by Gloria T. Hull 1982). In short, intersectionality is a theoretical lens that recognizes multiple and intersectional aspects of identity that impact and complicate our individual life experiences, such as gender, race, sexual orientation, ethnicity, religion, legal status, capability, caste, and/or clan. The way in which any single individual is perceived by persons/groups is a reflexive social construct, meaning that it is constantly being reproduced in human interactions and is subjective to time and space (see Hegel's *The Phenomenology of the Spirit*, as translated by A.V. Miller, 1977). This mutually constituting social process comes to define the individual human experience and ones' epistemological understanding, including powerfully held beliefs about self, community, and the "other."

The clear conceptualization of intersectionality is rooted in the lived experiences of oppression, particularly black women in the United States but also other Latina/o, Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ), indigenous, and migrant feminist thinkers from across the globe. In the case of black women's oppression, it

cannot be solved simply by including Black women in an already established analytical structure. Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated. (Crenshaw 1989, 167)

In 2015, Ange-Marie Hancock traced intersectionality-like thinking to “a larger historical narrative about race and gender that dates back the eighteenth and nineteenth centuries in the United States (Harris 2009) and to the 1960s efforts that culminated in the 1976 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in the international context” (2015, 30).

Historically, indigenous women have been instrumental in liberation struggles across the globe. Within the international decision-making arena, they have struggled to maintain sovereignty even in the face of violent geopolitics embedded in neo-colonial and financial interests (Slater 1995; Archer 2007). More recently intersectionality-based knowledge is being used to explore development theory (Symington 2004; Grünenfelder and Schurr 2015), gender mainstreaming (Baines 2010), and health (Hankivsky et al. 2012), but its intellectual project as a whole belongs to Third world women. To maintain the authenticity of intersectionality, as a political and social project, development organizations must grant individuals/societies the freedom and autonomy to create their own development strategies. For intersectionality to maintain its legitimacy and practical utility, the subjects of its analysis must have agency in the decisions that impact them and facilitate the experiential learning process that is essential for sustainable development. Decisions made on behalf or without the consent of individuals will be considered unjust, creating resentment, hatred, and violence. The utility of intersectionality is hinged on thought production and individual participation in governance structures, which were the supposed fundamental values of liberalism and democracy.

The IBPA framework “has two core components: a set of guiding principles and a list of 12 overarching questions to help shape the analysis” (Hankivsky et al. 2014, 3). These guiding principles and questions provide a step-by-step methodology for critical reflection of international policy needs that remains open to individual tailoring, temporal, and spatial fluidity. Having made positive impacts within the health field, I argue that this IBPA framework can be applied to economic and development policy-making to ensure political and social justice. To demonstrate its malleability and promise, I utilize IBPA to deconstruct historical and contemporary international refugee policy in the West Bank. After examining the interactions between refugee policy and liberal development theory, I will discuss how it contributes to the marginalization of certain Palestinians over others by excluding them from decision-making spaces and thus causing political and social fragmentation. Relating Palestinian society to the macro-international relations, I argue that the reflexivity of incorporating intersectionality-based analysis will change the mainstream development theory only if we challenge the concept of “intervention.”

To investigate the social and political impacts of the Israeli occupation and Palestinians' inability to effectively organize against it, I will interrogate mainstream claims of the homogenous "Palestinians" through an intersectionality-informed analysis. The IBPA guidelines employ a multi-level analysis that seeks to explore the "collective impact" of intersecting categories that are most often missed in other superficial analytics (Hankivsky et al. 2012, 35). Utilizing a diversity of epistemologies to analyse systems of power and oppression can tease out secondary social injustices that are essential to any intersectional analysis.

There are nearly 9.2 million Palestinians in the West Bank, Gaza, Lebanon, Syria, and Jordan strewn across the globe. Narrowing this analysis geographically, I will focus specifically on Palestinians in the West Bank and Israel. Since the inception of Israel in 1948, many Palestinians living in West Bank remain political prisoners of a historical legacy of colonialism, religious persecution, and genocide. The following subsections outline some of the historical and current aspects of occupation and the United Nations role in developmental policy and the right to return for Palestine refugees.

Background of Palestine

Centuries of religious persecution and colonial struggle, resulting in collective trauma, culminated in the creation of Israel. During the Holocaust, Great Britain attempted to stop the migration of Jewish persons to Palestine and refused to provide protection from anti-colonial violence, causing outrage and a violent uprising of Jewish residents in Palestine. Unable to maintain control of the escalating situation, Great Britain strategically moved to consolidate its legitimacy, asking the newly formed United Nations to facilitate a peace agreement between the Jewish residents and indigenous Palestinians. As a result, the UN created the United Nations Conciliation Commission of Palestine (UNCCP) and the United Nations Special Committee on Palestine (UNSCOP) to advise a plan for the region.

On 29 November 1947, the UN General Assembly and its Special Committee voted for the Plan of Partition with an Economic Union. Regional Arab leaders dismissed the legitimacy of the UN delegation as a colonial institution, and as a result the indigenous population was denied adequate representation and autonomy. The UN was erroneously used to facilitate the legal confiscation of land and the residents' economic reliance on "the territory of the Jewish State." Although the Resolution semantically set out to protect minority and indigenous civil rights, ensure the equal political representation of women, and establish separate central banking systems, it has only been used legally to justify the partition of Palestinian land and a two-state solution.

On 14 May 1948, the day before the British High Commission was to pull out of the region, the Jewish Agency declared “the establishment of the Jewish State in Eretz-Israel, to be known as the State of Israel” and was formally recognized by the United States (Adwan et al. 2012). Following the declaration, violence broke out between those claiming an Israeli state and indigenous residents supported by neighbouring nations, Egypt, Syria, Transjordan, and Iraq. This resulted in the 1948 Arab-Israeli War. Caught in the middle of a regional war, over 700,000 indigenous Palestinians were forced to flee their lands and livelihoods. Termed the al-Nakba (or the catastrophe in English), those affected by the events leading up to and directly after the Arab-Israeli War weren’t allowed to return home and have since become reliant on the assistance of the INGOs and NGOs. This economic and social injustice remains one of the many historical and political points that fuel the contemporary Israel/Palestine conflict.

The 1948 Arab-Israeli War ended with Israel conquering the entire region of Palestine, including the Sinai Peninsula and the Golan Heights. In exchange for future inaction on the Palestinian issue, Israel granted Transjordan portions of the West Bank and Egypt the Sinai Peninsula. The majority of Palestinians fleeing to neighbouring countries were given limited rights and denied citizenship, except for those living in modern Jordan. On 8 December 1949, the General Assembly voted in favour of Resolution 194 defining Palestine refugees as “persons whose regular place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict,” mandating the task of social and economic development to the UNRWA (UNRWA 2006). Labelling those affected by the war as refugees provided the legal and social justification for limiting Palestinian integration within the West Bank and abroad, making those affected by forced displacement entirely reliant on foreign assistance. Those who couldn’t provide proof of residency prior to the conflict were separated and placed with the socially constructed confines of “non-eligible.” Non-eligible Palestinian refugees are not provided economic and social assistance through UNRWA and are reliant upon assistance offered by smaller organizations or their communities.

The State of Palestine Refugees

With the creation of the United Nations High Commission for Refugees (UNHCR), the General Assembly determined that Palestinian refugees should not be covered the 1951 Convention Relating to the Status of Refugees.

The UNHCR argued, “for the non-applicability of the UNHCR Statute and the 1951 Convention to refugees receiving protection and assistance from another UN agency, unless and until such protection or assistance ceased without an internationally accepted solution having been found” (Akram and al-Azza 2015, 3). This legal framework comes to shape and limit the Palestinian experience, creating potential instances of advantage and disadvantage depending on multiple intersectional variables over time and across different spaces.

Similar to trends worldwide, the region of Palestine historically comprised of clan-based communities in which wealth and power congregated in urban areas. Palestinians that lived in the countryside, were from low-economic backgrounds, individuals of minority religions, and/or races are divided within a hierarchal social structure that has led to dominant and subordinate groups (Hasso 2005, 45). As tensions escalated and the 1949 Arab-Israeli War began, it was in these social landscapes that some Palestinians were allowed to stay in their homes while others were forced to leave, resulting in multiple levels of subordinate social groups within Palestinian society.

The legal framework for registered Palestine refugees permanently isolated already economically and socially weak members of the Palestinian public, designating them to areas of concentrated poverty known as refugee camps in the West Bank, Gaza, Lebanon, Syria, and Jordan, without social integration into surrounding communities. Internalizing the oppressive, many registered refugees believe that the key to returning home is through refugee status. Many remain in these perilous conditions as a form of “positive discrimination” to maintain the collective Palestinian communities’ right to the land (al-Husseini and Bocco 2009, 269).

Ordinary discourse fails to establish the intersection of legal status, gender, race, and class. As a result of both historical social bias and reliance on development assistance, Palestinian refugees are often under-represented in decision-making and governance. Representing 41.6% of the total Palestinian population, the 5.6 million registered Palestine refugees face different experiences and obstacles, including stigma, higher than average rates of unemployment (32.3%) for refugees compared to non-refugees (21.4%), and are often unable to legally obtain property (PCBS 2016). Members of the Palestinian Society for Care and Development in Amaari Refugee Camp (PSCD), who are Palestine refugees, explain how camp residents are portrayed as “thugs and trouble seekers by Palestinian society,” stating, “there is an institutionalized discrimination towards the people of the camp and organizations from the camp, mainly perpetrated by the Palestinian Authority and extended to the rest of Palestinian society.” The camp resident explains, “We are looked at as

the scary ghetto. To the point where you even have some Palestinians afraid to come into the camp alone” (Barghouti 2015). Due to internalized bias, Palestinian society is politically fragmented and suffers from a lack of leadership and/or a collective strategy.

Policy Analysis

Because ideological and descriptive definitions of “Palestinians” are based on the narrow understanding of “Palestinian refugee,” non-refugee narratives are seldom explored or deconstructed. The IBPA framework calls upon us to reflect on the mainstream representations of issues and question “who is the most advantaged and who is the least advantaged within the representation” (Hankivsky et al. 2012, 39)? The differences, variations, and similarities within the refugee/non-refugee paradigm cannot be untangled from the intersections of gender, race, and religion. Political elites, those with ties to native Jewish families, and many urban Palestinian families were allowed to stay in their homes after the al-Nakba. The burden of the conflict was disproportionate within Palestinian communities. Capitalizing on the inequality of the new political and social situation, some families and political elite have maintained rigid social structures through nepotism, corruption, and squandering of public funds (AMAN 2012; Høigilt 2015). The stratification of the social, political, and economic elitism are mutually reinforcing oppressive system that has been instrumental in maintaining the occupation.

One Palestinian activist searching for organized liberation felt “that it was impossible to carve out space independently of one of the factions. Even if they tried, others would inevitably view them as belonging to this or that faction based on their families’ known affiliation” (Høigilt 2015, 641). In conflict areas, identity politics contribute to a reduction in cooperation and political legitimacy. An intersectionality-based analysis looks more closely at these factions, how these factions were formed, and how do these factions continue to distribute key resources that either positively or negatively impact the health and wellbeing of Palestinians.

An intersectionality-influenced analysis in conflict situations does have limitations. If the asymmetrical relationships involved in the social system can be discussed and social justice obtained, it can have a profound impact on organizations for liberation struggles. If the relationship cannot be repaired, intersectional knowledge can be used to exploit differences and exacerbate inter-group conflict. Real intersectionality is invested in decolonizing epistemologies that seek to reproduce power over relationships. The incorrect use of

intersectionality has contributed “to a myopic or impoverished engagement; ironically reproducing an occlusion of the original insights of the theory” (Hancock 2015, 21). As a result, these complex asymmetries cannot be thoroughly interrogated simply based on the knowledge from this chapter, not without the assistance and voices of the individuals involved.

In pluralistic power structures, non-refugees’ and non-registered eligible refugees’ (refer to General Assembly Resolution 181, 1948) experiences are another key intersectional variable that can potentially constrict and redistribute ones’ power and agency. As a non-refugee, Palestinians may also be restricted by economic limitations, racial segregation, and religious persecution. The narrow definition of “Palestine refugee” limits eligibility of economic and development assistance to those who were affected by the occupation before 1949. Political violence, decreased mobility, and access to the global economy, checkpoints, military style detention, settlements, and the confiscation of land since have resulted in the breakdown of the Palestinian culture, family, and identity. On top of the already overbearing weight of the occupation, this illogical international legal structure and policy agitates fragile social relationships, deepening community divides and leading to extreme political fragmentation (even radicalization). Unable to bridge these asymmetrical relations, Palestinians face a “double repression” that increases the existential threat of organizing for liberation and political action (Høigilt 2015, 638).

Much of the assistance provided by major institutions and organizations deals with gender without acknowledging the intersectionality of Palestinian experiences. According to UN Women, “mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programs, in all areas and at all levels” (UN Women 2016). Essentially, the UN structure only refers to “women and men, and the relationships between them” (OSAGI 2001, 1). Drawing from binary essentialist understandings of the human identity and experience only seeks to silo men and women into two comparable categories. In actuality, this theoretical framework comes to define the only gendered experiences, creating policies and procedures that limit personal freedoms that can negatively impact how recipients gather information for understanding larger international issues and make meaning of the world around them.

Due to budget cuts, the UN continues to limit funding to only those who can provide proof that they are affected by the 1948 conflict. As a result, non-refugees who are married are not entitled to assistance regardless of their political or economic standing nor are any of the non-refugee spouses. Several Palestinian families that I interviewed discussed their dissatisfaction with the

current policies. The mother of the household was disqualified from receiving assistance, stating, “I cannot get assistance and neither can my children because my husband is not a refugee. It disqualifies us, yet we are poor, and was forced to leave our land. We still live in a refugee camp and we still live under occupation every day.”

Similarly, another Palestinian refugee demonstrated his anger towards UNRWA.

Commonly referred to married to a non-refugee (MNR), Palestine non-refugees who marry refugees are sometimes seen as a burden to the assistance process but also to families who are forced to share their support with them. He declared, “My wife, she is very ill. We can’t get her into the free hospital for refugees because she is not a refugee I can go any time I’m sick. She’s my wife. Why can’t she get help? She is a Palestinian.”

The current refugee registration processes follow patriarchal lineage, meaning that these practices affect men and women differently. Men who marry non-refugees and their children are eligible for development and economic system through UNRWA but not the non-refugee wives. Alternatively, women who marry non-refugees and their children forgo access to these same services, breaking the lineage of Palestine refugee status (UNRWA 2006; Bocco 2009). These organizational procedures undoubtedly constricted women’s agency in choosing their marriages and also contributed to trans-generational poverty and discrimination, yet empirical research has not yet been conducted (Cervenak 1994; Raj 2001).

Discussion and Policy Recommendations

Limiting human development to liberalism maintains a social structure that makes possible social behaviours such as ethnocentrism, religious bias, and heteronormativity that thus exacerbates conflict and limits unification needed for liberation from oppressive entities. In an attempt to create intersectionality-based policies, the IBPA encourages its users to propose an “intervention” to discuss practical solutions to social problems (Hankivsky et al. 2012, 39). To ensure that development and economic theory/practice doesn’t reproduce violent social structures, international stakeholders must become more sensitive to the personal interests and epistemologies that make their way into the creation and implementation of laws and procedures.

Unlike the “neoliberal economic man, whose behavior is driven by ‘rational’ self-interest,” those who seek to promote social justice and equality through the utilization of intersectionality will be equipped to deal with

various knowledge production projects (Hancock 2015, 21). The dispersal of intersectionality-based analytics into the micro-, meso-, and macro-levels of human interactions will become the fundamental intervention. Mainstreaming intersectionality-based epistemologies into Palestinian ontological understanding provides space to reflect on ones' agency within the perpetuation of the conflict. It's through this close examination of violent social structures that Palestinians will find political, social, and economic liberation.

The systematic inequality perpetuated by the refugee and migration regime is primarily hinged on a lack of support and funding from UN leadership. After the Trump Administration slashed funding by US \$65 million, UNRWA will continue to be excused from incorporating all Palestinians in the development process. The UN Secretary General, António Guterres, whom I had the honour of working with at UNRWA, warned that if "vital services" were cut off to Palestinians, it would create a "very very serious problem". The unequal distribution of resources between certain formal and informal groups in the West Bank assists in creating divides among Palestinian communities both socially and economically. These divisions stop Palestinians from creating coherent initiative against the occupation.

As a result of these inconsistencies in the budget and stratifications in service provision, it makes incorporating all Palestinians seem impossible. Only 1% of the 65 million refugees under the UNHCR are ever relocated, and even though their budget has steadily increased, service provision has continued fall short in supporting the needs of refugees globally. The current migration regime, comprising of hundreds of intergovernmental and nongovernmental organizations, has consistently failed at properly managing migration. Climatic-related disasters will be the leading cause of forced migration across the globe, and yet, our current governance framework does not cover or protect these at risk communities. Underfunded and severely neglected, migration governance needs dire attention and support. The UN's budget for migration government comes directly from state governments and will not be challenged by the current leadership.

An IBPA provides insight for policy makers at the local, state, and international level. The different needs of migrants make this type of analytic lens all the more important as it seeks to clarify the systemic injustices across borders, cultures, and economies. It can be applied to a range of problem areas within migration. In the context of Palestine, the unequal distribution of resources among refugees and non-refugees has contributed to Palestinians' inability to collectively resist the occupation or hold surrounding governments accountable for their inaction. Development scholars and practitioners must use an intersectional approach to the provision of services, one that is based on

ground-up engagement, the equitable distribution of resources that is based on need and not social status. All Palestinians facing the occupation, whether in the West Bank and Gaza or dispersed around the world, have an inherent right to restorative justice and the symbolic right to return to their homeland.

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26

Intersectional Borders in Argentina: Migration, Inequalities, and Judicial Colonialism

Maria José Magliano and Vanina Ferreccio

Introduction

The debates on intersectionality occupy a central place in the theorization about gender and feminist studies. Regarding public policies, those debates alert about the importance of considering diverse axes of inequalities (gender, ethnicity, race, social class, and nationality, among others) in their formulation. In Argentina, the inclusion of intersectionality in public policies is still a pending discussion. In most cases, political answers tend to organize some of those axes hierarchically, reproducing the idea that women configure a homogeneous group, universalizing their experiences.

The purpose of this chapter is to explore the challenges of intersectionality in public policy-making processes in Argentina, and thus examine the colonialism ingrained within State structures in general and its judicial system in particular. To that end, this proposal is based on the analysis of a legal process

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that in 2014 condemned Reina Maraz Bejarano to life sentence. Reina Maraz is a migrant Bolivian woman, indigenous (Quechua speaker who does not understand Spanish), poor (in terms of social class position), and a victim of violence, who spent almost two years in jail, along with her baby, accused of murdering her husband, also Bolivian, without comprehending the legal process by which she had been detained. Her case, which embodies different intersections of social inequalities affecting a woman's life, reveals the absence of public policies oriented to respond to these intersections and points out, at the same time, the importance of including the intersectional perspective in the judicial sphere.

Reina's migration is framed within a historic process that has turned Bolivia into one of the main migration flows to Argentina since the second half of the twentieth century. Likewise, her migrant path, which is rural-urban and motivated by family reunification, shows some of the peculiarities that characterize this migrant phenomenon.¹ In terms of political subjectivity, Bolivian migrants have been configured as part of the external "others" inside the national territory taking, as Grimson (1999) indicates, the last place of the ethnic hierarchy due to their composition with high indigenous presence. Reina's experience makes sense under this context.

The premise of this text is that by analysing this case, tools are provided in order to reflect upon the dimensions of sexism, racism, and colonialism, which organize the judicial system and which are expressed in a dramatic tension between a subject who cannot "speak" and a justice incapable of "listening" and "seeing" that subject, making it impossible for him or her to have a defence or to report an injustice (Bidaseca 2011).² On this regard, we discuss the voices that are heard and are authorized to "speak" in the political arena, admitting that in that "speaking" and being heard their rights are at stake. The kind of analysis we suggest illustrates the incapacity of politics in general and the judicial system in particular to look at, address, and act on the intersectional marks that go through the lives of the people that appear before it.

To that aim, we highlight the need to find the theoretical, methodological, and political tools that enable us to explain that "incapacity," which is legalized and reproduced by the State. In this scenario, intersectionality is potentially

¹ To analyse the different moments of Bolivian migration into Argentina and its specificities, see Mallimaci and Magliano (2015).

² By colonialism, we mean the sustaining of the colonial basis of power in Latin America which was translated into the production and reproduction of gender, sexual, racial, and classist forms of domination. To go deeper into this, see, among others, the studies of Grosfoguel (2007), Lugones (2008), Mignolo (2007, 2016), and Quijano (2000).

useful to report the many inequalities that have condemned important groups of the population to “silence” and invisibility from the State and its policies.

Within this framework, this study is based on the critical analysis of the decision that condemned Reina Maraz Bejarano to life sentence (Record No. 189/2014) and, at the same time, it reconstructs her own story as regards her life experience as a migrant in Argentina and the treatment she received during the judicial process. Likewise, it takes into account the work done by the Provincial Commission for Memory (CPM, by its Spanish acronym) of the Province of Buenos Aires, an institution that “came across” Reina’s case during a monitoring of the jails and stays with her the whole process.³

We based our analysis on an individual story, the story of Reina Maraz Bejarano. This methodological approach, by prioritizing in-depth knowledge of a biography before the generalization of the results, recognizes that an individual case can illuminate a more general topic. An individual story sets out to describe, explain, and comprehend the intersections between a singular individual, his community, and his “historical horizon” (Ferrarotti 1991: 114). The potential of this approach consists in connecting the individual biography to the structural context conceiving, as Wright Mills (2003: 23) marked, that “neither the life of an individual nor the history of a society can be understood without understanding both.”

This chapter shall be organized into three sections. The first one analyses the main contributions of intersectionality in order to think about inequalities that shape people’s life experiences and also the State and its institutions. In this section, and by providing a specific definition of intersectionality, we identify the central challenges faced by Latin America in general and Argentina in particular, in order to bring this perspective into public policies, in a framework of an extended and updated colonialism embedded within the State. The second reflects upon the selectivity of the different kinds of violence Reina’s faces, first in her daily life and then from the judicial system, within the context of being a woman, migrant, indigenous, and poor in Argentina. This chapter’s aim is not to determine whether Reina is innocent or guilty but to enrich the discussion about the importance of including an intersectional perspective in the State and its institution. Finally, in our conclusions we include some ideas in order to think about—and provide answers to—the many situations of inequality and oppression people face during their lives, which affects their experiences and their access to justice.

³The CPM appears in 1999 around two main ideas: first, the democratic State must have an active role in the impulse of public policies of memory and in the promotion of human rights; second, this mandate should be fulfilled strongly articulating with civil society, defending the premise that the fact that the CPM is part of the Province State does not mean being linked to the governments ruling at the moment.

Intersectionality, Colonialism, and Inequalities

Intersectionality, which initiated its path from black women movements within the United States during the 1960s and 1970s, has been principally developed in Northern countries. Pioneer studies of Crenshaw (1991) and Hill Collins (1993) concentrated on gender and race dimensions to reflect on the multiple forms of oppression and subordination that black women had to go through in the United States. In Latin America, this theoretical perspective has reached a growing political and academic centrality only in the last years, within a scheme of a major visibility of the organization of social systems pervaded by gender, race, ethnicity, class, and the struggles led by feminist social movements in order to change those systems. In the course of the last two decades, a series of research from postcolonial and transnational feminism has tried to discuss the historical and political implications of those oppressions in this part of the continent, in the context of the reproduction of a colonialism ingrained in our societies (Bidaseca 2010; Curiel 2007; Lugones 2008; Magliano 2015; Viveros Vigoya 2009, 2016).

However, this has not been an easy task. Social inequalities that express certain power relationships are made of Latin American societies. Taking this into account, we recuperate a notion of intersectionality that allows us to think about the multiple and complex social inequalities—historically situated—that people face in their daily lives and, at the same time, configure the State and its institutions. In this research, intersectionality is conceived as “an analytical tool for studying, understanding and responding to the ways in which gender intersects with other identities and how these intersections contribute to unique experiences of oppression and privilege” (Awid 2004: 1). As Hankivsky (2014: 9) states, from an intersectionality perspective, human lives cannot be reduced to single categories, and policy analysis cannot assume that any one social category (gender, race, ethnicity, class) is most important for understanding people’s needs and experiences. Thus, the intersectional perspective, by questioning the notion of a political position tied to a particular social category (Anthias 2006: 14–15), restores the experiences of the subordinate groups and the power relations they face in different socio-historical contexts. Precisely, from examining the Argentine judicial system, our interest is to analyse when gender, race, ethnicity, and social class inequalities and their intersections are directly relevant to people’s experiences (Verloo 2006: 213). Intersectionality, to that end, makes it possible to look for political answers so as to transform those inequalities, whereas this perspective “is not just about identities, but about the institutions that use identity to exclude and privilege” (Crenshaw 2015).

In Argentina, as in the rest of Latin America, the inclusion of an intersectional frame within the State goes hand in hand with its decolonization. This task, as Mignolo (2016) claims, cannot be individually achieved but it needs to be done *in conviviality*, which requires building communal togetherness. In a time of walls, restrictions, and criminalization of the presence of those considered “others” and “outsiders,” intersectionality could be a radical political answer towards building such togetherness.

Intersectional Signs That Condemn: Uncovering the Colonial Veil of the Argentine Judicial System

Being a Woman, Migrant, Indigenous, Poor, and Victim of Violence in Argentina

The migration of Reina Maraz to Argentina takes place in 2010. Her husband had migrated before as well as part of her family (aunts and uncles) that was already settled in Argentina.⁴ After her arrival, Reina went to live in a brick-manufacturing site in Florencio Varela, on the outskirts of the city of Buenos Aires. This activity has become an important labour insertion for Bolivian families in the country—especially since the last quarter of the twentieth century—developed in the peri-urban area of big cities.⁵ At 22, she arrived from Avichuca (Sucre), a rural area in Bolivia, speaking Quechua but not fluent Spanish. She moved with her two sons who were five and three years old at that time. According to her own story, she migrated to Argentina against her own will after her husband had migrated to work at the brickworks. Reina’s path, both at her origin and at her destination, is filled with multiple forms of violence, beginning with her brutal husband in Bolivia. As her defence attorney explains:

her story was always submerged in a subordinate condition: migrant, indigenous, female, unable to speak Spanish, poor, victim of violence; she was born and raised in the countryside, where the only language spoken was *Quechua*.

⁴ Bolivian women migration due to familiar reunification, as was Reina’s case, has been one of the most common characteristics of this migration process through time (Magliano 2017). The pioneer migration of the man and the following relocation of the rest of the family has been, historically, a modality sustained within the context of Bolivian migration into the country.

⁵ Among the most common labour activities of Bolivian migrants in Argentina are the construction industry, small commerce, domestic work, horticultural production in the greenbelts of the main cities, brick manufacturing, and garment workshops (Mallimaci and Magliano 2015).

This is the context in which she comes to Argentina, to avoid separation from her children, in a relationship characterized by subordination to and dependence on her husband (Infojus Noticias 2014).

In addition to this, there are the working conditions in brick-manufacturing places that help to articulate, in a particular way, the productive environment with the reproductive one, since the families' houses—which are usually precarious—are located in the same place where the work is carried out, also in a precarious and informal way.

The reconstruction made by the CPM indicates that

Reina suffered from domestic violence in Bolivia and the mistreatment continued when she arrived in Argentina, where she was forced to come and, when she wanted to leave, her husband refused to give back her ID card. According to Reina's sister's testimony, and to what appears on the sentence, her husband 'had a doctor look at her to make sure she hadn't had sexual relations with other people in Bolivia while he was working in Argentina' (Record No. 189/2014 2014: 53).

Shortly after arriving in Argentina, in November 2010, Reina's husband was found dead in a brick kiln. Reina was then imprisoned and charged with murder along with one of her husband's workmate, who also lived in the brick factory and who had abused her when she was "offered" by her husband to pay his debts.⁶

This case's peculiarity is that Reina was in jail for two years without knowing the reason why. Not only did she not understand Spanish but was unable to comprehend the legal language either. While arrested in Florencio Varela, Reina finds out she was pregnant. Once her condition was visible, she was moved to a Penitentiary Unit in the Province of Buenos Aires where her daughter was born. From the moment she was arrested, no one realized Reina's inability to understand her situation until December 2011, when the CPM interviewed her during one of the monitoring visits to the Unit 33 at *Los Hornos* (Bidaseca et al. 2014). It is in this context of situation that the CPM requested an official interpreter that took more than one year to obtain. According to Margarita Jarque, Head of Strategic Litigation of the abovementioned institution, the reason for that delay was that there were no interpreters of native languages in the judiciary.⁷ This means that neither the judges nor

⁶ The other accused, also from Bolivia, died in the Unit 23 of Florencio Varela while in prison for the same reason as Reina.

⁷ It is important to point out that English, French, Portuguese, and Italian interpreters were available.

the prosecutors had taken into account the language issue and the accused's inability to "speak Spanish" and communicate. This situation contradicts the *Indigenous and Tribal Peoples Convention* (No. 169) of the International Labour Organization (ILO) ratified by the Argentine State in 2000, which states "the right to the use of one's own language is a preface of the beginning of equity among peoples and, in the case of Argentina, of the constitutional recognition of the ethnic and cultural preexistence" (Salgado and Gomiz 2010: 180). Once they got the interpreter, Reina could know the reasons for her arrest and she could also declare for more than three hours giving her version of the events.

In December 2013 she was transferred, together with her daughter who had been born in jail, to home detention—her aunt and uncle's house located in the outskirts of Buenos Aires—until the trial, which took place in October 2014.⁸

This case expresses the constraints of the judiciary at the moment of understanding and analysing the many intersections of inequalities that are condensed in Reina's case. Such inequalities (gender/race/ethnicity/national origin) intersect and place her in a condition of peculiar defenselessness when getting access to justice, forcing the State to ensure more protection, an "extra" of guarantees from the intervening political actors (Bidaseca et al. 2014). Nevertheless, not only did justice not take into account the intersection of inequalities and violence in Reina's life, who had been found guilty of murdering her husband, but also ignored the importance of the spoken word and the inability to express herself and understand the legal process by which she was being accused (Sckmunck 2016: 3). On October 28, 2014, the Oral Courts of Criminal Appeals No. 1 of Quilmes, Buenos Aires, sentenced Reina to life prison as co-author of the crime of double homicide aggravated by the fact, in the first place, that she lived together with the victim, and for considering that the homicide had been committed with the intention of robbing, in the second place. Since the sentence, Reina does not want her daughter to learn Quechua "because she won't be able to defend herself" and she insists on her learning to speak Spanish.

The Argentine judicial colonialism emerges in two main aspects. First, the difficulty in conferring the *status* of victim to the person who did not respond to the traditional aspects that distinguished a white, racist, heterosexual, and

⁸ She did not see her other children again, since after her imprisonment the children had stayed with their paternal grandfather and, then, they were taken to Bolivia. Once there, both families (maternal and paternal) agreed that each family would keep one boy. The one that stayed with Reina's family was in contact with her through the phone, while she had lost contact with the other one until three months before the trial, when she regained contact through the Bolivian consulate.

patriarchal system. Thus, it was presented as “guilty” a subject who, from other viewpoint, would result the privileged object of the authoritarian and racist State intervention. Second, the judicial colonialism had also been expressed in the lack of awareness on the diverse “civilizing horizons” (Segato 2016) that had not only the victim and accused person but, principally, the Court that tried this fact from a particular cultural and historical perspective.

Racism and Intersectional Blindness of Argentine Justice

The path taken by the Court to set Reina’s punishment, formed by three women, was based on the declarations given by the eldest of her children, who was five years old when the event took place and six when he declared by means of the Gesell Dome,⁹ not recognizing the number of interviews with many officials the boy had had along the year and that had let him build a very coherent and organized story. As the prosecutor points out “complete, coherent and legitimate,” which is strange not only because he is a very young boy but also, and specially, because he was the victims’ child: his father, the “official” victim for the different agents of the investigation and consequent crime process, and his mother, “hidden” victim of the intervention of a white, male, and authoritarian State. According to what the judges decided, the boy’s story is heard as “independent” from a series of conditions that constitute his own subjectivity. Not only is his young age omitted, but also Reina’s biography is left aside.

Although both Reina and her kid could build some phrases in Spanish, they were only for basic communication. Each judge’s attitude, however, was the clear and immediate result of the racist conception that accepts the subordinate word when this accuses and confesses—coinciding with the white and dominant interpretation—and rejects it, or even worse considers it “a sign of mendacity” (Record No. 189/2014 2014) in the accused person, when Reina says that she does not know much Spanish and that she speaks it in very few occasions. We define this conception as racist because the positions and consequent decisions of the judges do not take into account the constitutional

⁹Device allows judges and defence attorneys to listen to the victims’ story—in this case, it was the story of the boy as witness of the deed—from a room next door without being seen. The mechanism consists of two rooms, one next to the other, separated by a mirrored glass that makes it possible to see from one of the rooms to the other, but not the other way around; this means that it is unidirectional. In one of the rooms, the minor must answer questions asked by a specialist—in this case, this main characteristic wasn’t respected, since the interview was carried out by the prosecutor himself—and in the other room the judges and the counsellors listen what he answers by means of an audio system.

mandate of the need of an interpreter who can ensure the basic principle of defence on trial. As we mentioned before, the same colonial gesture that gives shape to the Argentine judiciary, while it “deduces” from a few words that the accused can express herself in Spanish, also ensures that those accused coming from developed countries will have the required interpreter, especially English, French, Italian, and Portuguese. Thus, the principle of equality before the law was denied, which in Argentina becomes more serious since it ignores the ethnic and cultural pre-existence that the Constitution grants to the native peoples.

Only a political position that subordinates the subject—Reina, in this case—makes it possible for no one in the Court to ask for a technical test to set the oral comprehension and the ability to express of the accused person, unavoidable in any legal process, since preparing an effective defence depends on that ability. The racism that shows this position is not limited to the deciding Court or the accusing prosecutor, but it is a constitutive element of the judiciary. This racist conception affects the whole judicial structure, pervading each of the actors and defining their interventions. So, the judges heard the son’s accusing story in Spanish and the statements of Reina’s husband’s relatives about how the accused understood Spanish and, being biased by sexism, they did not have a doubt about those statements and turned them, in turn, into signs of mendacity on the part of the accused.

Similarly, the ancient gesture of the Quechua community that made Reina nod when the police went to her house, to take her to give a statement after the accusation of her father-in-law, was immediately “translated” as a confession by the Court. Thus, not only *did the judges not see* Reina, but neither did they see the community to which she belongs and, according to the indigenous world’s view, which she represents. Ignoring her cultural diversity, each of her attitudes and gestures was interpreted in conformity with the white and dominant criterion; even the doubtful terms were “completed” with the spontaneous interpretation of legal operators that also express a racist, sexist, classist, and colonial culture.

Finally, we’ll focus here on one of the decisions of the Court which, unlike the others, collects in extenso the arguments put forward by the official defence attorney at the time of deciding Reina’s part in the deed she had been accused of. As many of the arguments of the defence claim, this decision reproduces parts of the report prepared by a specialist in gender and native peoples’ rights which makes reference to the context of marginality and exclusion in which the accused was immersed, the mistreatment and the harassment she was a victim of, both in Bolivia and in Argentina, on the part of her husband and his family. This judge seems to be interested in the many forms

of violence that Reina went through, in the peculiarity of her condition as migrant with little knowledge of Spanish, in the dependence this generated on her husband, because he was the only communication bridge with the Spanish-speaking world, in the lack of economic resources, in the constraints to perform odd jobs in the same brick-manufacturing site and in her submission to any kind of sexual abuse, including being offered as payment for the debts her husband had acquired.

Nevertheless, and showing the strict and conservative nature of the judiciary despite the many reforms it has recently been subject to, this judge's political-ideological position makes it impossible to take into account this biographic and cultural information when making her decision, relegating it to the "not very legal" or "not very technical" part of the anecdote. In the sentence, one of the judges indicates that

from a *strictly legal* point of view, and having reached this stage, the submission, the systematic violence and the needs that Reina Bejarano suffered through her life described in this report (produced exclusively based on interviews with the accused) do not have any supporting evidence. Anyway, and even assuming—since it has not been proven—that what is said there could be true, the Official Defence attorney has not explained how these sufferings could affect the deed of our concern and that she is saddled with (Record No. 189/2014 [2014](#): 61, own emphasis).

For this judge—and for the others who made the same decision based on the same arguments—there is no legally important relation between gender, race, and class conditioning that go through Reina Maraz's past and present and through the analysis of her husband's homicide.

The Court takes the information affected by the colonial gesture that transforms the native people story into "curious" stories that cannot be proven by other ways. Hence, it emphasizes the anthropological framework of the social report, racializing it—what is always done with the non-white who end up in jail—by means of the "doubt" that derives from the fact that the report was written based on the interviews with the accused in a confinement context. So, the word of a migrant, poor, non-white, and imprisoned woman is subject to doubt. During three years it was not considered necessary to check if she understood Spanish and then, when she was finally heard, her word was again under doubt.

However, what confirmed the judiciary racism in treating Reina, thus adding to the multiple forms of violence she had suffered, was *reading* her story as a possible reason for the crime she was accused of and which was not proven. The accused turns out to be, due to the characteristics of her subordination,

in the privileged object of criminal intervention. The Court's judges considered that the story of the series of violence practised on Reina's body throughout her brief 26 years was the possible reason for the crime under research.

The word of the accused, since it did not have other proofs that backed it, remains subaltern and invisible from the racialized point of view that the judicial system gives to it. Not only is it useless for her defence, but it makes it easier for the "free legal conviction"—which, because of being white and dominant, can be founded in the judges' conscience—to find other possible and more convincing reasons for an apparent illegal act committed by Reina.

For criminal justice, which ignores the meaning of interculturality and the structural constraints of its defendants, the "inferiority condition" of the accused multiplies her obligation to prove her innocence, which looks distorted precisely due to the potential reasons such inferiority gives to the commission of the crime. Bourgois (2010) explains how the theory of the individual action has imposed itself in western contexts where "blaming the victim" is the most comfortable decision to solve difficult social problems. Reina is first victimized by her husband; then, by the hostile environment that represents a new country she knew little about and where she could not make herself understood because she did not speak the language; and, finally, for being poor and forced to work under severe labour exploitation along with her husband. So, she becomes the ideal *suspect* the criminal system tries to build, taking revenge for the injustices she had suffered by committing such a crime against her husband. This decision shows how Reina perfectly fits in this racialized group of people imprisoned in Latin America, whose "racialization is so naturalized that public organisms and agencies have not realized the need to name that fact and provide categories that allow its measurement and its inscription in the discourse" (Segato 2007: 4).

Nevertheless, this does not mean that this Court's judges—or of any other who have to make a decision—are the only ones who place Reina into this situation. What the technical defence wanted, by including the social report, was to express up to what extent Reina's sentence would be reinforcing and reproducing a conditioning already existent in the race she represents.¹⁰ Taking Segato's words again (2007: 208), the racialization, or what the author defines as the giving shape to a positive racial capital for the white and a negative racial capital for the non-white, is what allows to "ghettoficate," to differentially put in jail, and to kick out the "usurpers" of the space that is inhabited by the group that controls the nation's resources.

¹⁰The category of "race" should not be understood as "belonging to an ethnic group in particular, but as a trace of a colonial history that continues up to now" (Segato 2007: 1).

The Challenges of Bringing Intersectionality into Public Policies

In December 2016, Reina Maraz Bejarano was released until her situation is revised by the Court. However, the intersectional blindness of Argentina's justice, which this case unveils, is exposed in how Reina was treated by the legal system and is materialized in the "impossibilities" she faced throughout the whole process: to speak, to be heard, and to be understood in relation to her own story from her condition of being a woman, migrant, indigenous, poor, and victim of violence. That condition—which determines her life experience—has not been considered by the Court, except as an anecdote, at the moment of analysing her situation and providing her with more protection.

An intersectional frame would enable the inclusion of the biographical report with binding effects within the criminal proceedings. To that end, the legal instrument should personalize the situations in which the accused person is not part of the standardized group and admit, as legal evidence, the biographical report, made by cultural interpreters, that explains and historically situates such a person. Thus, its incorporation as a binding legal element during the process would be decisive, modifying its current use, which is just anecdotal closer to a literary story, as we have seen in the case described above.

The biographical report manages to particularize and describe in its details a series of conditions constituting the subjectivity of the person in question, which is relevant to a complete understanding of the situation under trial. It is about opening a parenthesis in the general and abstract vision of judicial operators, dismantling the practice of subsuming judicial processes within standardized patterns from which, hypothetically, deducing legal consequences also standardized. The equality of treatment that the judicial generalization has claimed with the "objective" and "neutral" application of the law derives today in the main tool to reinforce the position of inferiority in which are found those who, already at the beginning of the judicial process, do not fit into the parameter that the legal system offers. The biographical report, without altering the structure of the judicial process, allows bringing to the debate characteristics—personal, economic, and cultural—or life trajectories (individual, family, or communal) that expose the subject in question to a double victimization by the judicial system.

Nowadays, the Argentine State leaves no space for "particularities." However, when the intersectional position of a subject makes him or her more vulnerable than a standardized one, the biographical report that technically

gathers the cultural particularities can positively deactivate the subaltern condition, guaranteeing an equal treatment. For this purpose, the State must first accept its own colonial configuration—based on a white, racist, heterosexual, and patriarchal pattern—that is translated into standardized legal processes composed of pre-constituted victims and victimizers. In order to deconstruct that configuration, it is imperative to include and recognize the biographical report with a binding effect, allowing another possible resolution of the case in question.¹¹

Reina's case expresses the way in which vulnerability is produced by the State. It shows, on the one hand, that public policies are perpetuating racism, sexism, and discrimination against certain social groups who deal with a judicial invisibility and, on the other, that her situation is created “at the intersection point of different types of discrimination” (Awid 2004: 3). Hence, only by adopting intersectional frames will it be possible to transform the colonial, racist, and sexist gestures that have shaped the Argentine political sphere in general and its legal system in particular.

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¹¹ An interesting precedent was the inclusion of the “anthropological cultural expert's report” in the case Sepur Zarco, in Guatemala. Through this procedure, and with the purpose of decolonizing the legal system, the interpretation of the legal situation and its impact on the communities given the cultural patterns and values of the individual and collective subjects that go to the Court in the role of victims was expected (Segato 2016).

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27

Hearing or Listening? Pipeline Politics and the Art of Engagement in British Columbia

Sarah Marie Wiebe

Introduction: Pipeline Policy, Moving from Consultation to Consent

As global disputes over natural resources ranging from the Dakota Access Pipeline in the United States (US) to Alberta's infamous oil sands reveal, deliberations about the creation of sustainable energy futures are at an explosive turning point. Kinder Morgan Trans Mountain pipeline expansion project (TMPEP) from Alberta's oil sands in Edmonton, AB, to the Burrard Inlet, BC, exemplifies an ongoing challenge for creating environmentally just policies in the twenty-first century. As federal and provincial governments in Canada debate whether or not this project is within Canada's national interest, the \$7.4 billion pipeline expansion initiative is a global issue with local impacts. The project aims to push an increase of Canadian oil out from its tidewaters to global markets in the United States and Asia. In addition to concerns with the realities of climate change, Canada's commitment to the Paris Accord and reduction of carbon emissions, many Canadians in general and British Columbians in particular worry about how an increase in tanker traffic could endanger their lives and well-being while putting their coastline at risk (Austen 2018). With close connections to territorial and marine environments, Indigenous communities express a unique set of rights and

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relationships and are some of the most affected by this debate. While institutional procedures set up by government regulatory agencies have attempted to engage Indigenous and local communities' voices through the inclusion of oral testimony, there have been limited spaces for meaningful policy dialogue. As a result, this has led to widespread resistance by environmentalists, local governments and some Indigenous groups (Austen 2018). An intersectionality-based policy analysis (IBPA) lens speaks to this public engagement challenge and offers some reflections on how the engagement of Western and Indigenous knowledges could be improved through radically reformed and reconfigured spaces of deliberation.

Time and time again, as the 1974 Mackenzie Valley Pipeline Inquiry to present negotiations highlight, Canada has sought to reconcile Western and Indigenous views on resources, land use and ecosystems health. Indigenous scholars widely discuss how reconciliation must be much more than the recognition of difference (Alfred 2005, 2009; Corntassel et al. 2009; Coulthard 2007, 2014; Kovach 2009; NWAC 2009). In pursuit of transformative justice, reconciliation requires an ongoing commitment to dialogue and relationship-building, which means respecting and creating space for the resurgence of Indigenous law and community knowledge through stories. With these considerations in mind, this chapter explores the implications of what an intersectional lens has to offer to the study and practice of public engagement and deliberation about shared energy futures. To enhance public dialogue about energy futures, this chapter considers how the TMPEP engaged with the rich bodies of knowledge conveyed during the National Energy Board (NEB) hearings and contends that while this process is an attempt towards public engagement, it has a long way go to achieve conditions of deliberative or dialogical democracy. These conditions include widespread citizen participation, inclusion of diverse knowledges, procedural fairness, access to information, exchange of reasoned arguments and meaningful involvement in policy decisions and decision-making structures. Informed by the IBPA, and a critical policy studies methodology with an emphasis on discourse analysis—which examines relationships between institutions, language and power, and whose voices are privileged in the public arena and whose are marginalized—this discussion aims to contribute to deliberative democracy debates while fostering further avenues for dialogue (Johnson 2015; Hankivsky 2012; Orsini and Smith 2007; Orsini 2007). By examining the public engagement process and inclusion of oral testimony during the hearing of Aboriginal traditional evidence and intervenor evidence between 2013 and 2016, an IBPA lens provides insight into the contested relationship between citizen knowledge, public hearings and the public policy-making process. In doing

so, this study highlights the importance of other ways of knowing in situated communities (Blumenthal et al. 2013; Cahill 2007; Clover 2011; Government of Canada 2014; Hajer and Wagenaar 2003; Haraway 1988; Israel et al. 2005; Minkler and Wallerstein 2008; Schatz 2009; Schwartz-Shea and Yanow 2012). To further a discussion about what meaningful engagement on energy initiatives looks like, this chapter offers some insights into how decision-makers can operationalize IBPA in future engagement processes in order to take seriously affected citizen's situated knowledges, expressed through felt and poetic avenues including oral testimony, narrative, song and imagery.

Canada's attempts to envision its energy future and address the realities of global climate change coincide with efforts to reconcile with Indigenous peoples. Indigenous peoples are uniquely affected by natural resource extraction initiatives, who often bear a disproportionate burden of risks. In response to this, an intersectional lens aims to improve deliberative processes to reflect, respect and accommodate Indigenous voices in accordance with the international human rights principle of *Free, Prior and Informed Consent* (FPIC) in accordance with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), endorsed by Canada in 2010. FPIC is crucially linked to self-determination and UNDRIP was referenced in Canada's 2015 Truth and Reconciliation final report. As Grace Nosek has discussed, this means that governments must cooperate with Indigenous peoples to obtain consent—as they define the term—*before* approving development projects and further that their own legal traditions should inform decision-making processes (2017). Consent extends beyond mere consultation. It is not a one-time event and requires ongoing communication. Implementing FPIC is a matter of environmental justice with “roots in the principles of basic fairness and democratic legitimacy” (Nosek 2017, 131). To conclude, this chapter discusses the value of creative communication avenues such as community filmmaking to cultivate space for dialogue about energy futures, interrupt inequitable power relations and work towards social and environmental justice.

In order to improve the study and practice of public deliberation beyond the scope of the TMPEP, this chapter advocates for *sensing policy*, which refers to the development of intersectionality-informed engagement protocols that integrate experiential knowledge and evidence into policy-making, which crucially includes decision-making. An IBPA orientation to policy sheds light on uneven power relations, is committed to environmental justice and signals the need for marginalized voices to have a say in design and decision-making policies and processes that affect their livelihoods. The energy sector is a realm of policy that has not received much attention by intersectionality scholars to date. This chapter is thus an attempt to contribute to a critical conversation

about how energy policies affect situated communities. It is a starting point to operationalize intersectionality and consider appropriate avenues in pursuit of more inclusive and socially just deliberative policy-making processes.

Energy Expansion and Engaging Affected Publics

Pursuant to the *National Energy Board Act* and the *Canadian Environmental Assessment Act*, on May 19, 2016, the NEB recommended the approval of the TMPEP to the Federal Government of Canada, after a long process of citizen engagement, subject to 157 conditions and 49 requirements CBC (2016). In Alberta, the existing pipeline crosses Treaty 6 and Treaty 8 territory, in addition to the Métis Nation of Alberta (Zone 4). In British Columbia (BC), the pipeline intersects with numerous traditional territories and crosses 15 reserves. As the project impacts the traditional territories of several Indigenous communities, the NEB and the federal government are legally required to engage in meaningful consultations that respect Aboriginal rights and title. When the pipeline crosses a reserve in BC, Trans Mountain provides property taxes on the occupied lands. Trans Mountain considers itself a neighbour to these communities and respects “their unique interests in the land, their values and their culture” (Trans Mountain 2015). Guided by the *Kinder Morgan Aboriginal Relations Policy*, Trans Mountain sees the TMPEP as an opportunity for deepening relationships through its engagement programme. Broadly speaking, engagement of affected communities across Alberta and British Columbia included landowners, Aboriginal groups, communities and stakeholders to identify anticipated impacts (Kinder Morgan 2015). Informed by principles of *accountability, communication, local focus, mutual benefit, relationship-building, respect, responsiveness, shared process, sustainability, timelines* and *transparency*, Trans Mountain sought to build relationships based upon “mutual respect and trust” (Trans Mountain 2015). As part of their public engagement process, TMPEP representatives conducted construction planning webinars, open houses, information sessions and environmental and socio-economic workshops. These materials are publicly available on their website (Trans Mountain 2015). Their website also notes that engagement with Aboriginal peoples is further informed by *co-operation* and *shared responsibility* and specifically the following aims: *build trust and respect, ensure meaningful engagement, address legal requirements, provide capacity funding, gather Aboriginal perspectives, assess project impacts, reach understandings and provide benefits*.

These principles adhere to respect for Aboriginal treaty rights; however, while Aboriginal oral testimony is subject to cross-examination during the NEB hearings, participating Aboriginal communities are unable to cross-examine the proponent, demonstrating a double standard for public engagement and limited opportunities for meaningful dialogue (NEB 2014a). Communities like the Tsleil-Waututh First Nation located on the Burrard Inlet subsequently launched legal action at the Federal Court of Appeal noting that the flawed and unfair review process puts Burrard Inlet and all peoples who live there at risk (Tsleil-Waututh Nation 2015). The Tsleil-Waututh Nation is one of several other Indigenous communities who expressed similar concerns about the process. They have also developed their own independent environmental assessment in accordance with its own law and authority (Nosek 2017; Sacred Trust Initiative 2018). After the NEB's recommendation, Canada's federal Cabinet approved the pipeline expansion in November 2016. Leading up to this decision, the review process entailed the challenging task of balancing market access while respecting the environment and Indigenous rights.

The regulatory process sparked much controversy, ranging from battles in court to civil disobedience. Opponents to the TMPEP expressed and enacted resistance through various forms of peaceful protest (Prystupa 2015). The initiative will triple the pipeline's bitumen-carrying capacity to nearly 900,000 barrels a day and increase tanker traffic in Burrard Inlet, from 5 to 34 vessels annually (Morton 2015; Prystupa 2015). Citizen dissatisfaction with the public hearing process as a form of meaningful engagement is a topic of much controversy (CBC 2015d, e). Some call the NEB's deliberative process "deeply flawed, unfair and chaotic" (CBC 2015b; Kane 2015b; Morton 2015). Similarly, the hastily orchestrated second round of public engagement under the Liberal government in 2016 left many citizens excluded from the process.

According to a Metro Vancouver report on health and air quality, spills could expose up to a million citizens to toxic benzene fumes and kill wildlife species. Exposure to benzene—a component of diluted bitumen—can lead to headaches, dizziness, nausea, respiratory problems, irreversible health effects and even death (CBC 2015a; Genwest 2015). Municipal authorities, the provincial New Democratic Party officials, environmental associations and numerous Indigenous communities expressed concern about the safety and viability of this project. According to Vancouver Mayor Gregor Robertson, the expansion would be "incredibly disastrous" and a "bad deal" for Vancouver (Kane 2015a). The Tsleil-Waututh Nation, whose territory on the Burrard Inlet is home to Kinder Morgan's Westridge Terminus, rejected the project

due to the risks it poses to culture, ecological health and food systems (CBC 2015c; O'Neil and Sinoski 2015). The TMPEP public engagement process continued to be highly contested.

This pipeline expansion initiative brings attention to the crucial issues of whose voices matter, what kinds of knowledge count as legitimate and how concerns are represented. Over two years (2014–2016), the NEB heard about environmental and socio-economic effects in addition to potential impacts on Aboriginal interests (NEB 2015). Deliberative democratic scholars widely debate if these types of deliberative processes go far enough to engage citizens and create meaningful dialogue, or if they just give the “illusion” of doing so (Dryzek 2006; Fischer 2009; Johnson 2015; Kahane et al. 2010; Mouffe 2005; Yanow 2003). Contributing to this body of thought, an evaluation of the relationship between the expression of citizen concerns and their influence in the decision-making process responds to a gap in deliberative democratic scholarship by assessing the inclusion and influence of “affected publics” in public decision-making (Johnson 2015, 17). Supplementing an examination of procedural elements of the TMPEP process with discursive elements including oral Aboriginal evidence from concerned communities situated along the pipeline route before the NEB hearings contributes to a wider aim of enriching dialogue about public engagement and conditions for environmental justice. Indigenous communities directly affected by these energy developments articulate a range of responses to Canada's expanding energy infrastructure and must not just have a say in these processes but a role in decision-making. While not all Indigenous communities oppose the pipeline expansion, many do articulate concerns about potential impacts to health, ecosystems and culture. These concerns stem from an understanding of the inherently intersectional nature of human/more-than-human life.

More-Than-Human Life, More Than an Intersection

A conceptual shift that transforms how we think about human relationships to the non-human world is crucial for the advancement of intersectionality in theory and practice. Diverse scholars as well as government officials, activists and community organizers draw on intersectionality to challenge inequities and promote justice in policy processes and outputs. In general terms, at macro (state) and micro (individual or community) levels, intersectionality

is an analytical framework that examines the simultaneous intersections among aspects of social difference and identity (e.g., race, gender, class) and forms of systematic oppression (e.g., racism, sexism, classism) in addition to their varied impacts. Central theoretical tenets of intersectionality contend that human experiences and social locations are inseparable. They are shaped by interacting and mutually constituting social processes and power structures, influenced by time and place (Foucault 1990; Hankivsky 2012; Hawkesworth 2006). IBPA aims to enhance research, policy analysis and practice. It does so by examining how multifaceted categories of identity and belonging represent the complexity of social life (Hankivsky 2012). An IBPA analysis enhances critical policy studies through a careful examination of political discourse and sheds light on some of the nuanced ways in which policies reveal themselves beyond the strict parameters of constitutions and legal cases though they manifest through an assemblage of procedures, practices and discourses which are imbued with normative values related to power and privilege.

Environmental processes require extensive deliberation. As such they frequently reveal the stakes for environmental justice. Building upon deliberative democracy and environmental justice scholarship, intersectionality can advance deliberative processes to better engage, comprehend and respond to Indigenous experiences in the creation of effective and equitable policy (Crowley 2009; Dryzek 2006; Fischer 2003, 2009; Orsini and Smith 2007; Yanow 2003). Defined by the US Environmental Protection Agency (EPA), environmental justice refers to “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies” (EPA 2011). At the same time, these markers of identity oppression do not capture the entire essence of Indigeneity, which involves more than a struggle for inclusion (Alfred and Corntassel 2005). Going forward, environmental justice scholarship must imagine how best to make space for diverse forms of knowledge and the representation of Indigenous ontologies and epistemologies. While the US environmental justice movement is well documented (Bryant 1995; Bullard 1993; Cole and Foster 2001; Soja 2010), in Canada, environmental justice policy creation has been minimal, though academics actively conduct environmental justice research (Adkin 2009; Agyeman and Clarke 2011; Agyeman et al. 2009; McGregor 2009; Ommer 2000; Scott 2008, 2009; Wiebe 2016a, b). Achieving environmental justice requires attention to *distributive* (e.g., systemic, economic and historical), *procedural* (e.g., access to decision-making) and *discursive* dimensions (e.g., creating space for diverse voices, beliefs,

knowledges and experiences) (Schlosberg 2013; Wiebe 2016a, b). While each dimension applies to the TMPEP, focusing on the procedural and discursive elements of this process, an IBPA lens aims to improve meaningful public engagement in general terms, and with Indigenous communities in particular.

Globally and locally, from international to intimate spheres, new pressing public policy concerns including health crises to debates about energy infrastructure require innovative theoretical and practical tools. The focus on public policy is relevant here as policy is a means by which societies regulate themselves and channel citizen behaviour. Policies profoundly affect populations and individuals. Although primarily centred within the field of health policy, intersectionality is a suitable framework for the enhancement of existing policy toolkits in pursuit of equitable policy-making in relation to energy policy and relationships with the more-than-human environment given its emphasis on social justice, power and respect for diverse knowledges (Hankivsky 2012, 35). Health and the environment are interrelated. How we think about health is not a mere reflection of biophysical well-being. In an Indigenous context, it conveys broader cultural and political realities (Adelson 2000; Wiebe 2016a, b). The health of individual bodies is inextricably connected to broader environmental socio-political realities. As such, an intersectional and relational approach to the study of policy, health and the environment is critical to this discussion.

Healthy environments are crucial for healthy citizens, societies and democracies. Simply put, intersectionality is both a theoretical lens and a practical approach to the study of how aspects of difference and identity interact with forms of systematic oppression. Intersectionality scholars examine these interactions across levels of government and governance from the macro-state level to the realm of the individual in addition to their varied effects, affects and impacts. Central theoretical tenets of intersectionality entail an understanding that human lives cannot be reduced to single characteristics; human experiences cannot be accurately understood by prioritizing any one factor or constellation of factors; social categories such as race/ethnicity, gender, sexuality and ability are socially constructed and dynamic; social locations are inseparable and shaped by interacting and mutually constituting social processes and power structures that are influenced by time and place (Hankivsky 2012). At the same time, it also entails respect for diverse ontologies and epistemologies. Paying attention to power reveals how it simultaneously operates through discursive and material structures that exclude particular forms of knowledge. An intersectional lens, when practically applied to the realm of policy-making,

exposes these asymmetrical power relations so that they can be less hierarchical and oppressive.

Anti-oppressive research oriented to social justice gained significantly from the groundwork laid by black feminist scholarship and activism. Although intersectionality is a term formally coined by Kimberlé Williams Crenshaw in 1989, numerous activists and feminists including Latina, post-colonial, queer and Indigenous scholars have revealed the “complex factors and processes that shape human lives” (Crenshaw 1989; Hankivsky 2014, 2). Intersectionality is a lens increasingly used across a variety of disciplines and policy arenas. The time is ripe to consider how most effectively—and affectively—to operationalize intersectionality in the energy sector. This begins by taking seriously the voices of those most directly affected by policy concerns. In tune with scholars who seek to advance the application of the IBPA framework to research and policy, an in-depth examination of the TMPEP reveals the potential for intersectionality to improve public policy. In pursuit of state of the art of intersectionality in the context of policy research and analysis, reflection on the key challenge of engaging with diverse voices and ways of knowing in energy debates is critical.

Disputes over the development of natural resources in Canada present an opportunity to think innovatively about the intersections between human and more-than-human environments. As several Indigenous scholars contend, Indigenous peoples have much to contribute to the formulation of institutions and ideas about how to live better with the environment (Borrows 2002; McGregor 2009). The meaningful inclusion of Indigenous peoples, perspectives and voices in environmental planning and decision-making processes is a crucial step towards the advancement of more environmentally just and democratic policy-making. These processes must go even further than inclusion to consider meaningful avenues for those directly affected to exercise power over how these processes take shape in the first place.

In contrast to Western, Eurocentric approaches to the more-than-human world, scholars advancing the field of Indigenous environmental justice advocate for greater awareness about how individuals are embedded within the environment. As such, they are not just intersecting with the environment but *in relationship* with and to it. A strengthened democracy depends upon simultaneously strengthening human relationships with the more-than-human environment. According to Anishinabek legal scholar John Borrows, placing Indigenous knowledges, traditions and voices at the centre of debates about environmental management and land-use planning requires a culturally appropriate methodology that “allows access to oral tradition and community knowledge” and would enhance democracy and facilitate sustainability

through respectful engagement with traditional knowledge (2002, 35). Situating Indigenous traditions alongside Western institutions and systems of thought facilitates more inclusive conversations that are essential for a healthy and flourishing democracy. As the UNDRIP informs us, the principles of FPIC require treating Indigenous peoples as active partners in democratic processes, including a key role in decision-making, rather than passive recipients invited to provide input into deliberative spaces. Meaningful engagement must go beyond simply enabling Indigenous peoples to perform ceremonies and express traditional knowledge in public. These expressions are not just for show. Rather, Indigenous voices offer a community of discourse with much to offer wider environmental governance mechanisms (Borrows 2002). These discourses present creative insights for the development of better policy-making in order to address contemporary challenges and debates about shared energy futures. In order to move beyond simply hearing from communities directly affected by energy developments towards meaningful and substantive listening, there is a dire need to envision, imagine and reformulate how to best involve Indigenous peoples in planning and participating in environmental design and governance processes. These communities need to be involved from the very start. As such, meaningful involvement of Indigenous communities requires ongoing openness to communication and dialogue. This entails opportunities to design and redesign environmental processes in a context where listening is not confined to a predetermined policy process.

From Hearing to Listening

Public hearings present a forum for regulatory authorities to directly hear from citizens about their concerns. Numerous critics of the pipeline expansion project voiced frustration about this process. New Democratic Party leaders from British Columbia called the process undemocratic, fundamentally flawed and broken (Kane 2015b). In a public letter filed with the NEB, they articulated four main concerns: lack of public confidence, failure to consider climate change, lack of Kinder Morgan's disclosure of its emergency response plans and failure to achieve consensus among First Nations including the Musqueam, Squamish and Tsleil-Waututh (NEB 2014a). Their concerns further documented the high numbers of individuals who were refused standing. Of 2118 individuals and organizations seeking to appear at the project hearing, 468 who sought to voice their views were denied any participatory status (NEB 2014a). Another 452 individuals and organizations were denied the role of intervenor, which would allow them to

submit evidence to the NEB and request information from the proponent. They were thus left with the limited role of providing public commentary and writing a letter. Those rejected included academics, environmental organizations, public policy institutes, business leaders, community groups and professional associations (NEB 2014a). Many citizens directly impacted by the TMPEP were excluded from the public hearing process. As such, the hearings process failed to meet the deliberative standard for widespread democratic inclusion.

Furthermore, the hearings structure emerged within a neoliberal climate of state withdrawal. In his letter to the NEB, Spencer Chandra Herbert referred to the “public charade” and creation of an “illusion of impartial consideration” given to the procedural aspects of the hearing process (NEB 2014a). Municipal officials from Vancouver, Burnaby, New Westminster, North Vancouver, Victoria, Squamish and Bowen Island widely shared this view, each declared “non-confidence” in the NEB hearings (Moreau 2015). The Union of BC Municipalities (UBCM) too aligned with this position. The federal New Democratic Party leader Tom Mulcair and federal Green Party leader Elizabeth May critiqued the process in the context of a deregulatory political climate noting how environmental laws were “gutted” and project opponents silenced by not allowing them to cross-examine the company’s witnesses (Cryderman and Lewis 2015). The lack of cross-examination meant that the proponent was not required to defend evidence before intervenors (NEB 2014a). Thus, the hearings process constricted avenues for reciprocal exchange and dialogue. While the NEB maintained that the TMPEP underwent one of the most extensive review processes in NEB history and across the country, its response to public engagement also entailed a request for extra police security during scheduled hearings for intervenors’ oral summary arguments in September 2015, which the City of Burnaby rejected (Kane 2015b). These hearings for intervenors were not open to the general public and they were postponed from September 2015 to January–February 2016.

Overall, the NEB’s review involved several wide-ranging opportunities for public engagement. These included an eight-volume application, feedback from 400 intervenors and 1250 commenters, a written cross-examination with two rounds of information requests resulting in over 17,000 questions to Trans Mountain, four rounds of NEB information requests and four hearings for Aboriginal communities to provide oral traditional evidence (NEB 2014b). In addition, Trans Mountain conducted 159 open houses, consulted with thousands of individuals and had “24,000 points of contact” with Indigenous communities (Cattaneo 2015). But does this process meaningfully

meet the criteria for the engagement of public interests including the many Indigenous communities most directly affected?

These struggles represent an opportunity to carefully consider what it means to not just hear information but to listen to community knowledge. Trans Mountain pledged its commitment to “continued listening, learning and working with Aboriginal people to ensure that knowledge and advice is fully considered and incorporated into the project” (Trans Mountain 2015). As part of this continued listening, learning and collaboration, Trans Mountain engaged in numerous traditional ecological knowledge (TEK), traditional land use (TLU) and marine resource use (MRU) studies. TEK studies entail gathering traditional knowledge from potentially affected Aboriginal communities in five areas: vegetation, wildlife, aquatics, archaeology and wetlands. TEK studies are then incorporated into the biophysical studies of the environmental and socio-economic assessment used to assess the potential effects of a project on the environment and to then determine and design appropriate mitigation (Trans Mountain 2015). The purpose of these studies is to complement Western scientific knowledge and to inform project planning. Indigenous communities also had the opportunity to present “Traditional Aboriginal Evidence” during the NEB’s TMPEP hearings. But what comes of this knowledge and how does it inform policy outcomes and decisions?

During the NEB hearings of oral traditional evidence regarding the proposed TransCanada Energy East project, communities were able to provide their perspectives about creation stories and TLUs; however, this was not always considered to be “science” (Curtis 2015). Discursive dimensions of environmental justice involve taking creation stories seriously as a form of knowledge. When Indigenous leaders share these stories in a formal setting, it is not merely for the aesthetic pleasure of those attending a hearing. These stories are not simply a performance or form of entertainment to be passively consumed. They call for those who are listening to act as a witness and actively engage in the knowledge being shared through a transformative, dialogical experience. Hearings unveil a great need to move spaces of engagement from ceremonial presentations to meaningful opportunities for reciprocal dialogue with tangible policy impact. Translating the knowledge offered as oral evidence into procedural outcomes and decisions is necessary for meaningful policy development about shared energy futures.

Ultimately, creating democratic conversations is about producing the conditions for and parameters of dialogue. This refers to a relationship where speaking, listening and deliberation are built into the public engagement process.

The process of public engagement during the TMPEP presented an opportunity for hearing, but did not translate into substantive listening. Listening is central to our democratic processes. It is a crucial feature of what it means to come together as a society and deliberate key matters of our time. This form of discursive engagement requires those with decision-making authority to hear from citizens, listen to their concerns, document these concerns and commit to a process of transformation.

In theory, a meeting place like a public hearing should convene a conversation. The purpose of such conversations is contested within the field of deliberative democracy. Though some deliberative democratic theorists seek to achieve decisions based on consensus, this may not be practical given the range of perspectives and opinions pertaining to how humans and technologies ought to interact with the more-than-human environment. It becomes important to carefully consider the value of public hearings and deliberative spaces for the purposes of procedural justice. The purpose of these spaces must be more than a performative show: they must generate a deeper understanding of human/more-than-human relations and shift power relations in the process.

Within the framework of participatory democracy, the TMPEP is a failed policy process. It demonstrates a capacity to administer and comply with existing governance regimes that intend to hear from citizens about a policy issue, but did not create space for meaningful listening. While the TMPEP represented and responded to Indigenous communities' expressions of knowledge regarding the potential impacts of energy developments on their culture and ecological health, there were no procedural mechanisms in place to ensure that community voices significantly influenced the final recommendation to Cabinet.

To address the asymmetrical power relations that an IBPA lens draws into focus, in pursuit of policy dialogue, officials first must begin the process of ethical, respectful and meaningful engagement by developing new ways to listen to diverse bodies of community knowledge. Many of the oral testimonies presented before the NEB revealed rich stories that articulate a deep connection between their livelihoods and territories. These stories express a range of emotions that reveal the ways in which communities are directly affected and how they feel the effects of policy decisions in their everyday lives. With their lives on the line, they are well-placed to inform decision-making, which is crucial to ongoing efforts for reconciliation.

Concluding Reflections on the Arts of Engagement

On November 28, 2014, Tsawout First Nation representatives screened a short film, *To Fish as Formerly*, during their intervention in Victoria as part of their oral testimony before the NEB TMPEP hearing (Claxton 2014). The film highlighted members of this community's traditional reef net fishing practices, which were taken away by the colonial Canadian government after signing the Douglas Treaty in 1854. During remarks by representatives of the community, leaders reflected upon the potential harm that the TMPEP would pose to their ecosystems, culture and governance due to their location in the Salish Sea and the significance of the local lands, fisheries and waterways to the lifeblood of their community. Their territory includes both land and water and the reef net formed the core of their political, economic and spiritual sense of society.

Tsawout's testimony at the hearing shows how although democracy can be understood as a conversation or dialogue, further analytical development about how we *sense* democratic engagement is needed. *Sensing policy* extends intersectionality-based policy analysis in theory and practice to highlight how through our eyes and ears, we witness and interpret messages from others as we engage in democratic conversations. The currency of political deliberation is generally understood as closely tied to speech and rationality, and thus what is said and heard. What is *seen* also has significant implications for public engagement and meaningful exchange. Hearing, seeing and bearing witness are all essential components of transformative dialogue. Listening and furthermore responding to local voices and stories, as bodies of knowledge, can breathe life into public engagement on tough matters of energy futures and environmental justice. Going beyond an attachment to Aristotle's definition of a political animal as someone adept at reasoned speech, attention to the sensory dimensions of political life also merits further reflection and analysis. Policy dialogue requires not just speech but also active and transformative listening. A dialogical democracy aims to resist settled ideas. As Iris Marion Young's work on inclusion draws into focus, validating alternative forms of speech requires careful listening to other perspectives and point of view (2000). These are crucial insights for improving deliberative processes.

Innovation and imagination are necessary for public engagements to create space for the resurgence of diverse ontologies and epistemologies about human/more-than-human life. A sensory approach to political engagement incorporates diverse ways of knowing and being in the world into our political

systems. Rather than focusing on reasoned speech as a criteria for democratic deliberation and political life, this relational, sensing lens draws into focus the agency of the more-than-human world, including animals, plants, land and water. In his remarks before the NEB, Nick Claxton articulated the significance of the reef net and the water as the “backbone of the people” (2014). Lands, forests and watersheds are not merely passive forces, they are animate beings. Such an emphasis on the agency of more-than-human life draws our attention to the significant and inexorable connection between human bodies and the health of our environments.

Going forward, policy scholars embroiled within the contested terrain of energy debates will need to reimagine the relationship between listening, power and democracy. Critical questions arise, such as: in what ways can we institutionalize avenues for transformative listening, such that citizens participating in deliberative spaces have opportunities for policy impact and decision-making? In this respect, it is simply not enough for citizens broadly speaking and Indigenous communities in particular to be heard. To meet the conditions of democracy and environmental justice, it is not enough that they are just listened to. Moving forward together in pursuit of respectful relationships to deliberate about sustainable futures requires analytical innovation in terms of process and outcomes. To enhance the procedural dimensions of environmental justice, transformative listening entails structuring spaces of deliberative engagement and political encounters in responsive and reciprocal ways.

Ongoing debates over Canada’s energy infrastructure signal that it is time to address a recurring environmental justice problem. These highlight the need for new policy approaches that enhance avenues for dialogue while reflecting the diversity of citizen’s experiences including Indigenous world-views. Innovative analytical and practical tools that aid policy-makers with listening to citizen voices as they speak to policy are crucial for effective engagement on matters of environmental justice. Counter to policy-making models that overemphasize rational argumentation, eclipse lived experience and paint affected publics and communities with a homogeneous brush, IBPA and *sensing policy* prompt academics and policy-makers to consider how to implement the principles of *FPIC* while radically reconceptualizing how communities are characterized and how they interact with policy processes in order to better understand diversity and difference. In pursuit of public engagement and policy dialogue that includes human and more-than-human life, applying an intersectional lens to the pressing and politically charged policy example of the pipeline expansion project sets the stage for energy deliberations and engagement processes in British Columbia, Canada and

around the world. Indigenous knowledge, stories and legal traditions have much to contribute to this continued dialogue about the constitution of sustainable energy futures.

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Part VI

Responding to New and Pressing Challenges

28

Exploring Intersectionality as a Policy Tool for Gender Based Policy Analysis: Implications for Language and Health Literacy as Key Determinants of Integration

Nancy Clark and Bilkis Vissandjée

Background

Since the Beijing Declaration and Platform for Action in 1995, the Status of Women Canada, Public Health Agency of Canada, and Citizenship and Immigration Canada (CIC) have committed to gender equality. In 2002, Canadian immigration policy proposed the Immigration and Refugee Protection Act (IRPA).¹ The IRPA allows CIC, under the guidance of Minister

¹ In 2002 the Immigration and Refugee Protection Act (IRPA) replaced the former Immigration Act of Canada, 1976. After several amendments, Bill C-31 (now Bill C-11) is known as the Immigration and Refugee Protection Act (IRPA) and was formalized in 2002 (Canadian Healthcare Association 2012). The IRPA is currently the legislation framework that allows for Citizenship and Immigration Canada

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of Citizenship and Immigration, to admit Convention refugees regardless of education, language skill, or health status. In order to capture the consequences of recent changes in Canadian immigration policy among increasing number of refugees, gender-based analysis (GBA) has become mandatory among other legislative requirements (Gladu 2016).

Among the goals of international and national resettlement² policies, there is the expected contribution to fill in labour shortages in Canada. However, immigrant women (of whom refugees are a subset) experience sustained inequalities³ especially related to the integration of labour market. Economic integration is one social dimension of health and one of the documented reasons related to differential access to education and language skills enhancement opportunities (Premji, Shakya, Spasevski, Merolli, Athar, and Immigrant Women's and Precarious Employment Core Research Group 2014).

Recent changes to immigration policies paint a linguistic landscape with more than one-quarter of a million immigrants arriving annually to Canada (Hoffman-Goetz et al. 2014). Approximately 20.6% of Canadians report a mother tongue other than English or French with over 200 languages spoken at home (Ntelioglue et al. 2014; Statistics Canada 2011). Given that one's mother tongue has been shown to be associated with health and other types of literacy, an intersectional lens can provide an analytic tool for understanding of differential integration needs and access to resources for diverse refugee

(CIC) (under the Minister of Citizenship and Immigration) to admit refugees. The IRPA became an historical landmark in Canadian immigration because it allowed large-scale resettlement of refugees who would have previously been denied access based on high barriers to integration into Canadian society.

² (Re)Settlement and settlement are often used interchangeably; however resettlement can refer to secondary or third-country relocation of refugee groups. Settlement in general refers to the beginning of adaptation and adjustment in countries which offer permanent residency and/or citizenship for refugee groups (CCR 2006).

³ Equity and equality: These terms are often conflated and can converge in meaning, we wish to make distinctions. Equity represents a normative ethical value for social justice and fairness. Equity is particularly salient for social groups who have different levels of advantage/disadvantage that is different positions in social hierarchy (Braveman and Gruskin 2003). Health inequities, for example, are structurally produced and avoidable. Equality is referring to social levels of advantage and disadvantage and ability to realize full human rights. Not all women and men are equal in their social experiences and life patterns. It is therefore the social conditions that shape equality (e.g., access to health resources) or social determinants of health. In the field of gender equality policies, the difference of concern is usually related to measuring gender equality by social, economic, or political status between men and women. This ontology constructs men/women in binary, homogenous categories which reinforce inequities (Verloo 2013).

groups, thereby leading to more politically sensitive and inclusive policies (Collazos et al. 2014; Hoffman-Goetz et al. 2014; McPherson 2015).

For countries that are signatories to the United Nations, resettlement is recognized as a key tool for refugee women and girls at risk to ensure protection and well-being; this requires that gendered-specific needs are recognized and addressed by United Nations High Commissioner for Refugees (UNHCR 2013). In the Canadian context, the objectives of the IRPA are to reunite families, allow for contribution to economic development of Canada while providing protection to refugee women and men (CIC 2014). Despite the availability of resources such as language programmes, early childhood education, and settlement services, there has been little analysis of how such policies and practices address gendered trajectories, thereby risking further inequities. As Canada moves towards a knowledge-based economy, selected determinants of successful social and economic integration, such as language and health literacy for diverse refugee groups arriving with fewer social capital, need to be given proper attention. In this regard, the objective of this chapter is to demonstrate that intersectionality as a policy tool can be used to analyse structural and political processes to promote social justice and integration commitments to settlement and health care policy.

In the current context of the global refugee crisis, limited reflexivity has perpetuated discourses which depict refugees as homogeneous groups dependent on the welfare state, lacking agency and not accounting for credentials and capabilities which are gendered (Aberman 2014; Clark 2015; di Tomasso 2012; Hyndman 2010; Tastsoglou et al. 2014). One classic example refers to equality being measured by the proportion of refugee women and men who enter Canada under economic streams. However, refugee women tend to be over-represented in the live-in caregiver programmes. In parallel, men are filling in low-paid jobs focused on manual labour or service industries. Both refugee women and men are socially positioned within patriarchal political systems (Parisi 2013). These concerns reflect a need for an intersectional analysis to move beyond sex/gender binaries in selected policies (Johnson and Repta 2012). Social inequalities are intersectional where “the unequal positions intersect via more than one dimension of inequality” (Verloo 2013, 901).

In this chapter, the proposed posture stems from selected critical feminist theories aimed to disrupt inequitable power relations at multiple levels

and which link individual and group experience with broader structural and systemic processes of exclusion (Cho et al. 2013; Collins and Bilge 2016; Oxman-Martinez and Hanley 2011; Pupavac 2006; Quesada et al. 2011; Verloo 2013). In this regard we seek to apply intersectionality as an analytic tool for structural and political processes which shape inclusivity and marginalization of immigrant groups and individuals during migration and resettlement. According to Quesada et al. (2011), there needs to be a critique on agency in relation to structural vulnerabilities shaping choices and limitations for immigrant groups. Inclusive policies need to demonstrate language and health literacy as integrated with gender-based equality strategies. As Vissandjée and Hyman (2011) have argued, “settlement policies typically focus on early stages of transition and overlook intermediate and long term integration needs such as access to language, health and legal literacy,⁴ and training of specific skills for women, which are some of the best examples of invisible social exclusion processes” (261). Central to our argument lies the need to better understand and act upon structural inequalities that interface with refugee categories, mediated by power at the level of social structures and gender,⁵ language, and health literacy at the micro-level.

⁴Measures of population literacy are taken from the International Adult Literacy Survey (IALS). IALS focusses on pros (ability to read and write), document literacy (ability to find and understand and use information), and quantitative and/or numeric literacy (ability to read and understand arithmetic numbers embedded in print). These levels of literacy are measured by benchmarks on a 0–500 point scale: level 1 = 0–225; level 2 = 226–275; level 3 = 276–325; level 4 = 326–327; level 5 = 376–500. According to the Human Resources and Skills Development Canada (HRSDC), literacy level 3 is the minimum level to function effectively in our contemporary knowledge-based economy (HRSD n.d., as cited in Hoffman-Goetz et al. 2014, 47). Adapted from Modified Literacy Basics (n.d.). Measuring complexity using IALS 500 point scale and HRSDC five point scale. *Community Literacy of Ontario*. In Hoffman-Goetz, Laurie, Lorie Donelle, and Rukhsana Ahmed. Eds. 2014. *Health literacy in Canada: A primer for students*. Toronto, ON: Canadian Scholars Press.

⁵We are cognizant of the fact that while we critique the primacy placed on gender in GBA and refugee women as our main category for analysis, we are excluding existing alternative sex/gender identities (Johnson and Repta 2012). In this chapter, we define gender as a social construct which “includes not only biological distinctions, ... but is constructed by relations of power that dictate the choices and chances available to women, men, boys and girls” (Vissandjée et al. 2001, 57). In this regard we concur with the view that gender is a relation between social structures and a symbolic system (Connell 2012; Harding 1995). Similarly, Hankivsky (2005) and Verloo (2013) call attention to non-essentialist views of gender which allows for understanding multiple forms of discrimination in order to mitigate stigmatization of a particular group. In this regard we wish to provide a comprehensive exposure of the diversity within groups of refugee women and expand on dominant values shaping their social exclusion.

Chapter Outline

The chapter outlines two interrelated parts. First, we discuss political aspects of intersectionality related to primacy placed on GBA and alternative approaches to policy processes for inequality. Under this section we discuss how values of liberal individualism undermine human rights of citizens in equal participation and recognition of social differences. In the second section, we explore structural intersectionality by examining Canadian immigration policy impact on language, health literacy, and gendered settlement of refugee women. We discuss how language programmes shape identities and subjugation of women's knowledge. We also link immigration policy as a set of structures underpinned by the IRPA with health and health care access framed within empowerment models. In this section we briefly describe parallel trends across international health policy. In applying intersectionality as an analytic tool, we conclude with recommendations for multi-level approaches for advancing Canada's IRPA and related international immigration policy.

Public Policy, Intersectionality, and Gender-Based Policy Analysis (GBPA)

Public policy can be defined by intelligent governance in a democracy which demands a decision-making framework which takes a course of action or inaction to address a given problem (Pal 2013). As a decision-making framework, policies should aim to tackle social issues. However, as Pal argues specific public policies are road maps towards some destination. This metaphor therefore suggests that public policy is a guide with "underlying structure of ideas that guide action" (12), but which may or may not produce intended outcomes. Verloo (2013) defines political intersectionality by how inequalities and their interactions are relevant to political strategies. Internationally and nationally, applying GBA has been a strategy to ensure that gender equality is reflected in organizational policies which proactively develop programmes to mitigate potential negative impacts of settlement on refugee women (UNHCR 2013). This process is often referred to as gender mainstreaming:

[a] strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. (436) (The Office of the Special Advisor on Gender Issues and the Advancement of Women (2002), cited in Parisi (2013))

Since the early 1980s several Canadian policies related to gender equality have been in place including the ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women in 1981. These trends reflect shifts in emphasizing human rights to redress social inequalities within global contexts. Categories of women and men who have gained access to fundamental human and democratic rights such as the right to education are such examples (Collins and Bilge 2016; McPherson 2015; Verloo 2013). The right to education was not considered a basic human right until 1948 by the Universal Declaration of Human rights (United Nations Educational, Scientific and Cultural Organization (UNESCO), cited in Hoffman-Goetz et al. 2014). Internationally, immigration trends show that immigrant level of education versus native born is higher in liberal nations which have adopted multiculturalism as a public policy, such as Canada, Australia, and Sweden (Raphael 2016). In contrast, destination countries, such as Belgium, Germany, and Austria, show less favourable education and labour outcomes for asylum seekers and other refugee groups. Across all destination countries who have received significant recent immigration based on humanitarian grounds, immigrants and refugee groups experience higher rates of relative poverty and lower employment compared to native-born residents (Raphael 2016). Even for liberal democratic welfare states, impacts of neoliberalism shape settlement and integration through inequitable policies such as lack of formal language resources (Clark 2015).

While scholars have advocated for an urgent need to redress growing inequities based on immigrant status, national and international immigration policies have not adopted an integrative analysis, that is, intersectionality which moves beyond binary constructions of social identity, for example, race, class, and gender. As a result, immigration policies tend to mask differences, complexities, and localities of the diversity within refugee groups and women in particular. This omission can result in policies of social exclusion. Verloo (2013) posits that the main barriers to gender equality policymaking rest on the ontological premise that treats gender categories male/female as a given. These critiques are aimed to disrupt what Verloo (2013) calls reactionary or adaptive approaches, that is, policy that reinforces identity politics through mainstreaming single or multiple axis of inequality.

In the Canadian context, the Auditor General of Canada (2015) and the House of Commons Standing Committee on the Status of Women (Gladu 2016) aimed to specifically examine the effects of GBA within legislative, policies, and programmes on diverse groups of women, men, girls, and boys otherwise known as GBA plus. Political intersectionality policy processes fight for inclusion based on singular chosen categories through identity politics

which result in debates on whose differences matter the most (Collins and Bilge 2016; Dhamoon and Hankivsky 2011; Verloo 2013). While GBA plus has opened the door for addressing issues of gender equality, there is limited capacity for addressing the intersecting factors which constitute gender inequality, that is, immigrant status, language, and health literacy. This is particularly relevant for nation states such as Canada, which advance immigration policy by placing less restrictions based on language ability, education, and health, that is, IRPA.

In keeping with the Status of Women Canada (2015) recommendations, international initiatives have shifted the attention from GBA and GBA plus towards the process of policymaking itself (Hankivsky 2012; Parken 2010; Verloo 2013). Such approaches advocate for sensitivity to diversity through inclusion of different strands of representation, policy, and evidence. For example, European scholars in public policy related to human rights and health equity have developed multi-strand streaming (Palência et al. 2014; Parken 2010). Parken's (2010) mainstreaming model integrates research with divergent policy, equality, and gender strands to include representation across different sectors in order to develop priorities and strategies for upholding human rights and equality. In such an approach, policy development builds on tacit knowledge from diverse perspectives in order to promote evidence-based policy. One of Parken's mainstreaming approaches is to integrate minority languages in order to prevent structural inequalities associated with the risk of limited economic participation. A similar approach adopted by Palência et al. (2014) applied an intersectionality policy-based analysis (IPBA) as a guide to evaluate and inform a European project, SOPHIE (Evaluating the Impact of Structural Policies on Health Inequalities and Their Social Determinants and Fostering Change). These multi-strand methods are examples of how intersectionality can leverage underrepresented groups to promote inclusion and transform GBA policies.

The Canadian Council of Refugees (CCR 2006) advocates that GBA only covers half the picture where the experiences of newcomers are integral to the success of Canada's immigration and refugee programme. A multi-strand and/or intersectional lens has had some success in addressing human rights related to sexual orientation and gender identity protection of forced migrant refugees in Canada (Jordan and Morrissey 2012, 2013). For example, in western Canada, this had led to increased training in federal court decisions about immigration status related to lesbian, gay, bisexual, transgender, and queer (LGBTQ) rights, facilitating a humane process towards enhancing quality of disclosure. Jordan and Morrissey were able to enact a procedural approach to intersectional policy strategy by mobilizing community activists: the Rainbow

Refugee non-governmental organization (NGO), community researchers in LGBTQ refugees in Canada, and CCR. Multiple stakeholders and activists were able to shift policy structures within a collective objective towards human rights. While there is political traction being gained towards addressing multiple complex inequalities, there is an increasing need to examine how values impact policymaking across sectors.

Values: Equality, Ethics, and Human Rights

Values are inextricably linked with policy and policymaking. A strong role of politics is apparent across nation states, particularly in relation to emerging trends towards greater restrictions placed on immigration and anti-immigration parties' influence on public policymaking (Raphael 2016). Intersectionality can be applied as a policy tool to examine and disrupt the way power shapes values to produce inequitable outcomes of settlement. Specifically, what is needed is an analysis of what constitutes empowerment of disadvantaged groups and capital of people within countries experiencing declining birth rates, older age, and need to fill labour shortages (Raphael 2016). At the core of intersectional policy analysis is equity and mitigating all forms of oppression. An intersectionality approach to policymaking seeks to shift the gaze towards a political praxis which examines embedded power relations across actors (Collins and Bilge 2016). This can be accomplished through multi-level strand approaches.

Multicultural societies like Canada have not been able to eradicate growing disparities amongst immigrant groups despite distributed resources. Analysis by Mladovsky et al. (2012) notes the right to health is enshrined in many international and European legal policies, where greater value is placed on who is deserving of resources (e.g., legal vs. illegal migrant; government-assisted refugee vs. sponsored; indigenous status vs. non-indigenous). Fairness becomes elusive when unequal and unfair outcomes result (Collins and Bilge 2016). Fraser (2001) has advocated for redress of social inequality through political parity.

What is noteworthy is the primacy of gender equality as a core value already embedded in policy (Verloo 2013). This may be reflective of Eurocentric analytic paradigms, where language and culture are closely tied to gender identities but increasingly marginalized in the context of globalization and post-colonial relations (Higgins 2010; McPherson 2015). The danger of inequitable structural processes of policy development is that it does not represent the subject position from which to fight inequalities (Verloo 2013). Resisting

liberal values of distributive justice only paradigms, Parisi (2013) critiques the liberal value of “equality” and argues that transformative gender mainstreaming must consider rights to education (women’s literacy rates) and the right to work (women’s labour force participation).

Values of equality cohabit with a liberal political discourse of gender parity. From a liberal standpoint, values of gender equality cohabit with the notion of gender, for example, the number of women and men entering Canada through economic and/or various immigration streams. Aberman (2014) advocates that when identity categories are understood across power relations, space is created for critical dialogue, which fosters intersectional analysis. Public health interventions continue to focus on changing behaviours of women and men based on models of rationale choice decision-making (Quesada et al. 2011). Affirming (health) literacy and education as a human right is necessary to hold governments accountable “for creating conditions, policies, processes and procedures that determine the health of individuals” (Hoffman-Goetz et al. 2014, 69). GBA plus initiatives within the Government of Canada suggest a move towards what Verloo (2013) calls intersectional inequalities requiring a structural response that mitigates inequities.

Structural Intersectionality, Social Justice, and Human Rights

Structural intersectionality, an analytic term, focuses on the structures of power and social exclusion (Cho et al. 2013; Verloo 2013). The origins of social exclusion, for example, income, employment, access to education, and health care, are structural (Bryant 2016). Drawing on the link between power structures and empowerment, it is well documented that the language barrier that a number of immigrant women experience is in essence structural (Vissandjée and Battaglinis 2010). The structures of power and social exclusion are multi-layered and are directly relevant to experiences of women who are most often burdened by poverty, lack of job skills, and childcare responsibilities. These attributes are unevenly shaped to determine citizenship and health status (Quesada et al. 2011).

In Canada, the IRPA aims to uphold its commitment to GBA, but it remains unclear how this strategy will promote human capital of refugee women and families who arrive with limited skills for integration. Intersectionality can be used as a policy tool to not only address macro-level

structures which socially exclude citizens but also provide evidence as to which factors intersect to enhance various forms of capital. In the context of the economic crisis in Spain, Domínguez-Mujica et al. (2012) found that Romanian immigrant men working in construction lost their jobs, while women retained their work in precarious and unskilled and low-paid jobs, for example, domestic service. These findings were related to Romanian women's education and ability to learn the Spanish language, in contrast to Romanian male counterparts. Intersections of language, education, and gender played a role in integration. Similar findings are prevalent in studies, which examine lived experiences of refugees. Findings by Higgins (2010) and Clark (2015) suggest that refugee mothers who engaged in family learning may have increased social networks for developing dominant language skills in contrast to their male partners. As Canada moves away from labour-intensive economy to knowledge-based economy, support for literacy proficiency for refugee women and men is paramount.

Higgins (2010) argues that "while social structures such as patriarchy and socioeconomic class may seem obvious reasons explaining why women lack access to language, health literacy and education, it is equally the case that societal expectations and beliefs about men and women circulate in the form of gender" (383). We concur with intersectionality advocates (Hankivsky 2005; Verloo 2013) who recommend a divergent intersectional equality policy process is necessary if structures are to respond to the realities of women, men, and groups socially excluded by multiple intersecting inequalities. In all nation states, precarious employment has increased and remains a social determinant of immigrant health calling for a better understanding of intersections between health literacy, language, and gender.

(Re)Settlement, Language, and Health Literacy

This section links the structures of settlement and immigration to health as they are related to language and (health) literacy, and their differential effects on the realities of selected refugee women, in the Canadian context and internationally. The Canadian Council on Learning (CCL) (2007) defines literacy as "the ability to analyze things, understand general ideas or terms, use symbols in complex ways, apply theories, and perform other necessary life skills—including ability to engage in the social and economic life of the community" (as cited in Hoffman-Goetz et al. 2014, 17).

Language and health literacy for refugee women are directly related to discursive and structural levels of power, but these intersecting factors have not

been critically integrated nor analysed within educational policies and practices related to integration and settlement of immigrants and refugees (McPherson 2015). Although education background varies across immigrant categories, refugees show less favourable education and labour outcomes compared with native-born citizens across countries which offer resettlement (Raphael 2016). Moreover, the gendered and relational aspects of power can be seen in the variation and access to health literacy (education) between and within refugee women and men, with a lower education status of refugee girls and women globally (CCR 2006; McPherson 2015).

McPherson (2015) argues that it is useful to frame language acquisition and health literacy within and emancipatory politics where multiple power relations operate simultaneously, this opens up engagement by marginal voices. McPherson (2015) adds: “of particular concern, for those with which social justice interests is the problem of balancing descriptions of refugee women’s acutely oppressive circumstances with representation that do not reinscribe dominant notions of them as ‘victims’ only without agency” (4). In this vein, it is expected that intersectionality analysis allows for the recognition of difference within and between refugee groups without reifying social groupings (Kapilashrami et al. 2015; Pupavac 2006).

In contexts where refugees receive English as a second language (ESL) training in Canada, there is evidence to suggest that such training programmes are insufficient to meet the demands of language skills required for employment (Hoffman-Goetz et al. 2014; Ronson and Rootman 2009). Migrant populations are known to invest in language programmes as a pathway towards integration, thereby the improvement of economic conditions. Despite the limited infrastructure for language and literacy needs for refugee women, such as educational programmes that offer childcare support and transportation (The Centre for Literacy of Quebec 2008), it is documented that women tend to seek meaningful employment as means of integration and economic betterment despite sustained gendered constraints (Higgins 2010). In this regard, Yang (2016) contends economic employment is tied to unequal positioning of refugee women and men, brought about by gendered class relations. Kapilashrami et al. (2015) concur with Yang to move beyond class and socioeconomic position between women and men in analysing complex structural arrangements and determinants of health in the contemporary contexts of knowledge-based economies. Agency therefore requires a gendered critique of structural policies.

In Australia, McPherson (2015) research shows that refugee women who come from backgrounds where the Roman alphabet is not used, or where traditions are oral, and where there is lower literacy in language of origin find

ESL programmes extremely challenging and are complicit in reproducing refugee women's marginality. The complex nature of language programmes is anchored in the fact that although learning the dominant language can promote access to resources, it may contribute to a progressive loss of one's language of origin, thereby affecting the structure and processes of identities under selected nationalist policies and multiculturalism of host countries.

Literacy as a health determinant has moved beyond functional literacy of basic reading and writing to more of a social and relational dimension including skill development, self-efficacy, advocacy, and political action (Hoffman-Goetz et al. 2014; Ronson and Rootman 2009). Yet, language policies in Canada have historically discounted Indigenous languages, setting the stage for immigration and language policies potentially based on unequal power relations (Asadi 2014). Similarly, Ntelioglue et al. (2014) discuss that in the absence of language-based policy the default option is to ignore the languages, cultures of citizens which in turn "may reinforce societal pattern of power relations whereby the cultural capital or funds of knowledge of dominant group communities are valued considerably more than other communities that make up the Canadian landscape" (8). Pedagogical approaches to education in Canada are identified to include the knowledge and linguistic and cultural capital of diverse individuals. Thus, building capacities to support multilingual and multilinguistic frameworks advance identity positions of expertise, increase literacy proficiency and engagement in learning in English or French (Ntelioglue et al. 2014).

Despite a more flexible immigration policy, that is, Immigration and Refugee Protection Act (IRPA), new Canadian citizenship requirements placed additional burdens on refugees and other newcomers in 2012 which greatly impacted economic integration and access to health resources (CCR 2006). In 2012, Canada raised the bar for language skills from level 3 to level 4 in reading and writing. The impact of this policy requiring citizenship was studied by Marchbank et al. (2014). They examined the resettlement of Karen refugees between 2005 and 2009 in Canada's western province, British Columbia. The findings showed that five years after resettlement, both women and men experience high failure rates when taking the citizenship test. High failure rates were related to older age and gendered barriers in accessing education and English language classes. Women were found to have slightly higher ability to pass the citizenship test as they received increased educational support through early childhood development programmes. Overall, citizenship test failures impacted identity and social belonging of both Karen women and men (Marchbank et al. 2014).

Language (Health) Literacy and Health Promotion Policy

Health policies are linked to political and structural trends in immigration policy, underpinned by selected discourses of equality and liberal individualism. Increasingly, evidence shows that immigrant women tend to take an increased responsibility for family health and education (Clark 2015; Dachyshyn 2014). Furthermore, health disparities are correlated with low literacy and language status (CCR 2006; Hoffman-Goetz et al. 2014; McPherson 2015). It is important to note that immigrants have poorer health outcomes when compared with native-born population groups despite contexts where some immigrants have higher levels of education. Higher education alone is therefore not protective against health disadvantage (Bryant 2016).

Often health promotion frameworks negate the capacities of refugee women and the structural determinants of health. Exploring national migrant policies through targeted interventions across Europe, Mladovsky et al. (2012) found European countries have been slow to respond to issues of human rights, migration, and health overall. However, countries with “communitarian” or “difference” based approaches, such as the UK and the Netherlands, tend to be more inclined to “migrant friendly” health care policy, while systems based on a “republican” or “difference blind” logic such as Australia, France, and Germany may be subsumed under the equality paradigm. Noteworthy is the fact that unequal power relations cut across political institutions and societies around the world. Although Canadian health policy privileges a universal health system, it has not provided equitable access to health resources when refugee claimants must first prove their immigration status. Legal entitlements intersect with the lived realities of refugee women’s health experiences. For example, Canada introduced the interim federal health programme (IFHP) as part of the IRPA in order to “provide limited, temporary coverage of health care costs for specific groups of people including protected persons, refugee claimants and certain persons detained under the IRPA” (CIC 2012, 1). Yet, a study on childbearing refugee claimant women showed that women were denied access to health based on their asylum status and confusion over who is eligible to receive Canada’s interim federal health programme (IFHP) (Merry et al. 2011). Public health care providers had difficulty providing health services due to limited health literacy levels of the women and their male partners. Informed by a health capability framework, women’s agency must be mitigated by the structural constraints imposed by immigration laws and policy to prevent mortality and morbidity.

Welfare states, such as Canada, vary in their capacity to address needs of diverse immigrant groups. Providing supports for integration including health care access is a pressing public policy issue (Raphael 2016). An overview of interpreter services across Canada shows inconsistent use of interpreters, a lack of knowledge amongst service providers regarding the use of interpreters, and inconsistent policies (Abraham and Rahman 2008; Bowen 2001). Accessible language interpreters are not always a guarantee for refugees, often women accessing health care. The lack of provision language interpreters results in misdiagnosis and treatment and therefore violates equal benefits under the law and declares any discrimination based on language as a violation of human rights (Bowen 2001; Carnevale et al. 2009). Canadian language and health care advocates continue to push for legislative policy change related to non-discriminatory treatment based on language and literacy (Abraham and Rahman 2008). In turn, Quesada et al. explain “The indirect violence built into repressive social orders creating enormous differences between potential and actual human self-realization” (340).

Like Canada, the provision of interpreter services is a common goal amongst international health policies. Sweden has focused on guaranteeing the legal right to interpreters (Mladovsky et al. 2012). Kelher and Manderson’s (2000) review of language services in Australia suggests that competing socioeconomic and political ideologies contribute to resource availability that is non-discriminatory and where language skill remains the mediator for integration and access to health resources for women marginalized by language and literacy. Although most countries aim for provision of health and health care-translated information, there is a sustained disjuncture between supply and demand in many host countries including Canada. For example, the Netherlands Institute for Health Promotion and Disease Prevention has provided health information in native languages since 1988; however, recent government funding for information in all languages other than Dutch has been withdrawn due to the lack of financial commitment from local authorities (Mladovsky et al. 2012). Alternatively, a focus on capacities of refugee women in Norway has developed health information for Somali immigrant women in Somali language through written material, as well as through oral information (Gele et al. 2015). Similarly, in England the department of health has developed different strategies (audio/video) for enhancing health literacy for persons without reading ability (Mladovsky et al. 2012).

Like language skill, health literacy is not a stand-alone skill and which constitutes social practices based on health care relationships which foster development of personal agency (Kickbusch 2001; Nutbeam 2006;

Simich 2009; Zanchetta and Poureslami 2006; Zarcadoolas et al. 2005). Despite advances towards inclusion of multiple literacies and determinants for literacy, for example, gender, and education, immigrant women with higher education and language ability may still experience significant barriers to accessing health care (Kelher and Manderson 2000; Zanchetta and Poureslami 2006). Conversely, refugee women whose education has been disrupted or truncated during migration can greatly impact access to health resources during resettlement. Moreover, education status varies within and between immigrant groups and is fundamentally based on intersecting dimensions of oppression, for example, violence of colonialism and imperialism (McPherson 2015).

During processes of resettlement, empowerment can be considered an outcome of health promotion activity, and where literacy and health literacy can enhance people's ability to take control over resources and decisions related to health (Hoffman-Goetz et al. 2014). However, increased demands on competing resources and trends towards individualism place many refugee women at a structural disadvantage and expose intersecting vulnerabilities at micro (education, gender) and macro levels (discrimination, racism) (Ponic et al. 2014). Advancing health promotion requires an orientation towards integrating health in immigration policy. This includes better understanding of intersecting dimensions of health literacy, language, and gender impacts on the overall health and well-being of refugee women and families.

Learning from Intersections Between Gender, Language, and Health Literacy

Using Canada as a case study example, the IRPA has set the stage for advancing diversity politics related to gender mainstreaming including GBA plus. Canadian immigration policy vis-à-vis IRPA-GBA has opened the door for addressing gender inequality; however, multi-level factors (macro, meso, micro) impact the integration of various immigrant groups. Macro-level policy such as the IRPA in the Canadian context and wider immigration policies, for example, the United Nations High Commissioner for Refugees (UNHCR 2013), provides structures for the potential of social and economic growth. Greater linkages with regional and local community contexts across immigration and resettlement structures are needed to mitigate marginalization of groups impacted by lower education and gender. Multi-level or multi-strand approaches provide promising approaches towards policy which promote

equity and human rights in various national contexts (Jordan and Morrissey 2012, 2013; Palência et al. 2014; Parken 2010). Political intersectionality interfaces with policy structures and provides a lens for looking at how policies reproduce or sustain inequities by privileging identity categories (e.g., sex/gender) while excluding other axes of identity such as education and language of origin amongst diverse refugee women.

Immigration policies can move towards supporting human capital across immigrant categories, including refugees, by integration of women's diverse knowledge and capabilities rather than on dominant language proficiency as the sole indicator of successful settlement. This requires social groups to have agency and voice in the policies that directly impact them. Intersectionality can be used as an analytic tool to understand and contextualize power relations across multi-level factors impacting immigration policies such as the IRPA-GBA. Intersecting dimensions of health literacy, education, and gender are important factors to successful integration across migration contexts. Nation states will continue to play a crucial role in upholding human right to health and human flourishing as we move towards an increasingly complex social world. In this context, immigration and settlement policies have the opportunity to disrupt policy structures of social exclusion. This will require integration of policy recommendations sensitive and up to the challenges of intersectionality.

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29

The Significance of Intersectionality in Mental Health-Care Policy in South Africa

Jacqueline Moodley

Introduction

The exclusion of mental health from the development agenda is bound to contribute to a failure in human development and well-being (Tsai and Tomlinson 2015). Early detection and appropriate care for mental disorders is crucial in preventing common mental disorders from becoming severe psychosocial disabilities—the latter having detrimental effects on overall quality of life. With persons with disabilities being at a greater risk for mental health problems globally (Honey et al. 2010), it is important to disentangle the relationship between the disabilities and mental disorders.

Apart from the SDGs, many other conventions and action plans highlight the need to promote mental health. One of these documents includes the World Health Organisation Mental Health Action Plan 2013–2020 which outlines that “there is no health without mental health” (WHO 2013, 6). The plan, much like the SDGs, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD; United Nations 2006) and the Convention on the Rights of the Child (UNCRC; United Nations 1989), emphasises the need to promote the rights of all persons in society including those with disabilities.

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South Africa is a signatory to these human rights treaties as the country's history of apartheid created grounds for many inequalities on the basis of race, class and gender (Distiller and Steyn 2004). Apartheid era policies ensured that non-White South Africans received limited access to an array of services on the basis of their race. In addition, persons with disabilities and their families were excluded from the mainstream of society and denied their social, political and economic rights. These exclusions as well as the patriarchal nature of apartheid contributed to social injustices for non-Whites, women and persons with disabilities.

Participation in social, political and economic rights is important because it has positive impacts on mental health (Jenkins et al. 2011). Despite the South African National Mental Health Policy Framework and Strategic Plan 2013–2020 (Republic of South Africa n.d.) and the White Paper on the Rights of Persons with Disabilities (Department of Social Development 2015) trying to make provision for greater participation in community life of all persons in South Africa, there are still distinct failures concerning mental health as was seen in the 2017 deaths of more than 140 persons with psychiatric disorders (Rahlaga 2017).

Internationally, where persons with disabilities have been identified as having a greater risk of mental health problems, a multitude of factors have been known to contribute to these disorders (Honey et al. 2010). Often studies emanate from developed-country contexts, and the relationship between mental health and disability, while considering other identities, requires deeper empirical investigation in the South African context.

Mental Health and Policy in South Africa

In line with global treaties to promote mental health, South Africa has many policies that aim to do the same. Lund (2012) states that until recently, mental health in low- and middle-income countries has been neglected. Some of the policies that make reference to mental health include the South African White Paper on the Rights of Persons with Disabilities (Department of Social Development 2015), the Integrated National Disability Strategy White Paper (Republic of South Africa 1997) and the South African National Mental Health Policy Framework and Strategic Plan 2013–2020 (Republic of South Africa n.d.). Due to the limited empirical data on mental health in South Africa, these policies do not make reference to particular groups in society that should be prioritised for mental health interventions. These groups may include those that have historically been oppressed such as persons with

disabilities, in addition to gender and race groups. Considering that persons with disabilities fare worse across multiple dimensions of well-being (Graham et al. 2014) and Black women being more susceptible to mental illness than any other group in South Africa (Ardington and Case 2010), an investigation of this nature seems particularly relevant to policy.

The South African National Mental Health Policy Framework and Strategic Plan 2013–2020 (Republic of South Africa n.d.) for instance makes reference to “Equitable [mental health] services [which] should be accessible to all people, regardless of geographical location, economic status, race, gender or social condition” (Republic of South Africa n.d., 20). The document goes on to note that it is important to address “the social determinants of mental illness, by improving daily living conditions and reducing inequalities, and evidence-based support to promote recovery and inclusion of people with mental disability in general community life” (Republic of South Africa n.d., 26). Additionally, “developmental vulnerabilities to mental health problems associated with life stages of infancy, middle childhood, adolescence, adulthood and old age, as well as vulnerabilities associated with gender (including pregnancy), socio-economic position, ill-health and disability should be protected against through the provision of targeted prevention interventions” (Republic of South Africa n.d., 21).

The White Paper on the Rights of Persons with Disabilities (Department of Social Development 2015) describes how mental health is linked to financial stability and employment yet also indicates that persistent attitudinal, physical and communication barriers exist in society for persons with disabilities. As such, the importance of disaggregating data that influences policy is important to ensure that the relevant groups of people are targeted in society. Whilst the White Paper on the Rights of Persons with Disabilities indicates that “Black African women with disabilities are particularly affected by compounded marginalisation caused by the inter-connectedness of race, disability, gender, socio-economic status and class” (Department of Social Development 2015, 60), it does not account for types of disabilities that require elevated attention. A useful tool to analyse such specificities is intersectionality theory.

Intersectionality

Hankivsky (2014) defines intersectionality as a tool that promotes the understanding of human beings based on the interactions of their different social identities. These identities include race, gender, disability and religion, to name a few. The theory makes a case for a one-size-fits-all approach being inadequate to address complex inequities in society, thus enabling researchers

and policy makers to rethink ways in which social justice can be achieved (Hankivsky and Cormier 2011). This is the definition of intersectionality used to determine mental health outcomes for persons with disabilities in this study, while still considering their race and gender identities.

South African research on multiple identities and mental health conducted by Narainsamy et al. (2015) found that depressive symptoms in older persons seemed to increase significantly with self-reported disabilities. Interestingly, their study did not reveal any differences in depressive symptoms on the basis of race or gender. Similarly, in 2013, Peltzer and Phaswana-Mafuya conducted a national study wherein they indicated that depression in older persons was associated with higher levels of functional disability and chronic illness. Again Peltzer and Phaswana-Mafuya (2013) did not identify significant differences on the basis of race or gender. From these studies, it seemed that depressive symptoms were solely a result of disabilities. However, minimal conclusions can be drawn from these studies due to the focus on older persons. This chapter looks to develop a broader understanding of the relationship between disability, race, gender and mental health by using national-level data. The findings of this research will prove vital in making policy recommendations for the improvement of mental health care for persons with disabilities.

Method

Participants

This study undertakes a secondary data analysis of Wave 2 of the NIDS (SALDRU 2015). The NIDS is a nationally representative data set, and according to Leibbrandt et al. (2009), sampling for NIDS involved a stratified, two-stage cluster sample design. The target population for NIDS was private households, as well as respondents living in workers' hostels, convents and monasteries. In the NIDS only adults were asked questions about activities of daily living (ADL) and emotional well-being, and therefore the data in this chapter is limited to adult participants. There were 16,898 adults in NIDS Wave 2.

Instrument

The analysis of the NIDS data included the creation of a disability variable. The data set included a number of questions on ADL that could be used to determine disability, including questions related to lower- and upper-body

mobility, sight, hearing and self-care. Self-reporting of disability is subjective and, depending on how questions are asked, relies on an individual identifying as having a disability. Mont and Cuong (2011) indicate that respondents with more income are more likely to self-report difficulties, especially with regard to vision problems, than those with less income. Further, they state that moderate difficulties tend to be under-reported. However, the World Health Organisation promotes assessing disability through a range of questions related to ADL (World Health Organization 2011). In this study, disability was measured by impairments in seeing, hearing, walking and self-care.

Separate measures for upper- and lower-body limitations, sight limitations and hearing limitations were synthesised in order to assess differences pertaining to types of disability. For upper- and lower-body limitations, three questions pertaining to upper- and lower-body mobility were merged into a variable that measures mobility difficulties. Each question asked about the presence of difficulty with a particular activity on a four-point scale from no difficulty (1) to severe difficulty (4). The sight and hearing questions were asked on a six-point scale from no difficulty (1) to cannot see/hear (6). These were recoded into a four-point scale to ensure continuity between the different disability variables. Individuals were considered to have a disability if they scored either “some level of difficulty” or “severe difficulty” for either sight, hearing or mobility impairments.

The next variable of interest was common mental disorders, which uses depressive symptomology as a proxy. Depression is the most widespread psychopathology (Wilhelm 2006) and a failure to adequately care for depression can have an immeasurable impact on the economy and detrimental effects on a person's productive health (Depression Alliance 2008). Depressive symptoms were captured by the use of the Centre for Epidemiological Studies Short Depression Scale (CESD-10). While the scale was not intended to be a diagnostic tool, its relevance was the ability to indicate the presence or absence of psychological distress (Ardington and Case 2010). A score of more than 10 out of a possible 30 indicated high psychological distress associated with depression.

Ethical Considerations

The NIDS data collection was approved by the Commerce Faculty Ethics Committee of the University of Cape Town (Leibbrandt et al. 2009). The study adhered to ethical principles of confidentiality, anonymity, voluntary participation and informed consent. This data set also meets the ethical requirements of the European Union.

Data Analysis

In order to draw conclusions on depressive symptomology and the role of race, gender and disability, chi-square tests with odds ratios and logistic regression analysis (Field 2005) were conducted. The analysis was run in a stepwise fashion to delineate the effects of the type of disability, gender and race on symptoms of depression. In order to determine whether these multiple identities intersected to multiply the experiences of these historically oppressed groups, interaction terms were computed and included in the analysis (Cole 2009; Bowleg 2012).

Reliability and Validity

Reliability and validity of the instruments used in the NIDS were enhanced during the design and testing of the questionnaires. According to Leibbrandt et al. (2009), a team of experts served as consultants on the development of the questionnaire. In addition, the questionnaire was tested through a pilot phase of the study (Leibbrandt et al. 2009). Professional services were used to translate the questionnaires into all South African languages to ensure that interviewers did not interpret questions differently.

Limitations

One of the main limitations of the NIDS data is that it was not intended specifically for persons with disabilities. Furthermore, questions to assess intellectual disabilities were not included in the NIDS study, limiting the generalisation of the findings to all persons with disabilities. However, given the attention on intellectual disabilities in the South African Mental Health Policy Framework and the White Paper on the Rights of Persons with Disabilities, this chapter fills an important gap by including persons with sensory and physical disabilities into the conversations on mental health. Age of onset of disabilities was not present in the NIDS data, which means that it was not possible to determine the associations between age of onset of disability and depressive symptoms. NIDS was subject to non-response bias due to a large number of refusals among affluent respondents, which in the South African context still tend to be White. Non-response bias was corrected by the use of weights during the data analysis. While factors such as class mediate

depressive symptoms, they were not explored in this chapter. Furthermore, although surveys mask the complexities of individual experiences in disability and mental health research, they play a crucial role in empirically demonstrating overarching inequality outcomes for particular groups of people.

Results

Participant Profile

The NIDS revealed that 14% of the adult participants indicated living with a disability. The majority of persons with disabilities (57%) indicated having mobility problems, with another 46% reporting sight impairments and a further 42% hearing disabilities. Of all persons with disabilities, 22% reported multiple disabilities. Persons with disabilities in the NIDS were older (average age of 49 years), compared to persons without disabilities (average age of 35 years). Persons with disabilities were primarily female (67%) and Black African (79%). In addition, more persons with disabilities indicated being married or living with a partner (36%) than persons without disabilities (32%). Persons with disabilities also had an average education of almost 2.5 years less education than persons without disabilities.

Disability and Depressive Symptomology

In order to determine if disability had any association with depressive symptomology, chi-square tests and odds ratios were used. Overall, 24% of the NIDS adult sample indicated that they experienced symptoms of depression. The results revealed that there was an association between disabilities and depressive symptomology ($\chi^2(1) = 292.97; p = 0.000$). This meant, based on odds ratios, that persons with disabilities were 2.5 times more likely to experience depressive symptoms than persons without disabilities.

Investigations into depression and the types of disabilities experienced revealed associations between all types of disabilities and depressive symptomology. The results showed that persons with mobility disabilities have the highest odds of being depressed when compared to those without mobility disabilities. Table 29.1 shows results pertaining to the types of disabilities and depression.

Table 29.1 Types of disabilities and depression

Type of disability	Chi-square tests	Odds ratio
Sight	$\chi^2 (1) = 64.76$; $p = 0.000$	Persons with sight disabilities were 1.8 times more likely to present with depressive symptoms than those without sight disabilities
Hearing	$\chi^2 (1) = 20.07$; $p = 0.000$	Persons with hearing disabilities were 1.5 times more likely to present with depressive symptoms than those without hearing disabilities
Mobility	$\chi^2 (1) = 360.38$; $p = 0.000$	Persons with mobility disabilities were 3 times more likely to present with depressive symptoms than those without mobility disabilities
Multiple	$\chi^2 (1) = 1.8$; $p = 0.000$	Persons with multiple disabilities were 1.7 times more likely to present with depressive symptoms than those without multiple disabilities

Disability, Gender and Depressive Symptomology

Previous analysis of the NIDS conducted by Ardington and Case (2010) indicated that Black African women experienced the highest levels of depression in South Africa. Of all persons with disabilities who experienced depressive symptoms, women made up the largest proportion (70%), as seen in Table 29.2.

Given that women with disabilities specifically experienced the highest levels of depression, the next analysis was conducted to ascertain the associations between gender, types of disabilities and depression. The results revealed that women with mobility disabilities were 1.9 times more likely to be depressed compared to men with mobility disabilities ($\chi^2 (1) = 45.18$; $p = 0.000$). No significant difference in terms of depressive symptomology for men and women was evident in relation to sight, hearing or multiple disabilities.

Disability, Race, Gender and Depressive Symptomology

The next logical step was to investigate how race influenced the relationship between disability, gender and mental health outcomes. South African studies conducted by Narainsamy et al. (2015) and Peltzer and Phaswana-Mafuya (2013) did not reveal significant differences on the basis of race. In this analysis however, which included a larger sample across varied age groups, race was a significant factor in determining depression amongst persons with and without disabilities.

Figure 29.1 reveals that overall, the highest proportion of persons with disabilities who have depressive symptoms were Black African (90%), followed

Table 29.2 Gender and disability profile of persons with depression

Disability status	Female	Male	Total
Persons with disabilities	70%	30%	100%
Persons without disabilities	60%	40%	100%

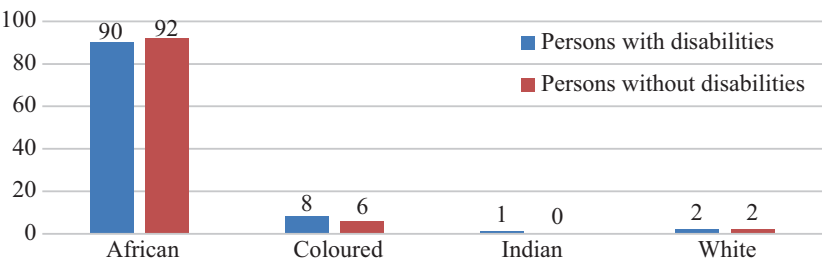


Fig. 29.1 Race and depression

by Whites, Coloured and Indians. In further regression analysis, the race groups Coloured, White and Indian/Asian were combined in order to highlight how Black Africans fared in relation to other South African race groups.

Logistic regressions were used to investigate the effects of gender, race and disabilities on symptoms of depression. The first model included persons with at least one type of disability, race and gender. The model in Table 29.3 explained 4% of the variance in the symptoms of depression. The Black African race group were 3.3 times more likely to experience symptoms of depression than other race groups, followed by persons with disabilities who were 2.3 times more likely to experience symptoms of depression and females who were marginally more likely to experience symptoms of depression than men.

While the findings presented in Table 29.3 were useful in understanding how each aspect of identity was associated with depression, this research aims to unravel the effects of the types of disabilities on depression. In Table 29.4, it can be seen that when types of disabilities, race and gender were analysed in relation to depressive symptoms, race was the largest predictor of depression for those with sight, hearing and multiple disabilities. In these cases, the disability itself was the second largest predictor, followed by gender. Persons with mobility difficulties however presented a different picture. Here, the disability itself was the largest predictor of depression, with those affected by this type of disability being almost three times more prone to depression. While this kind of association has been found in ethnic minorities in the United States, it has not been investigated on a large scale in South Africa (Brown and Turner 2010).

Table 29.3 Regression analysis highlighting the intersections between race, gender, disability and depression

Variable	OR	Z (SE)	95% Confidence interval	
			Lower	Upper
Depression				
Constant	0.096	-31.1 (0.007)	0.08	0.112
African	3.27	16.2 (0.239)*	2.83	3.78
Female	1.09	2.2 (0.047)*	1.01	1.19
Disability	2.31	16.2 (119)*	2.08	2.55

*Significant statistics; $R^2 = 0.04$; $\chi^2 (3) = 606.86$; $p = 0.000$

Table 29.4 Regression analysis highlighting the relationships between race, gender and depression by type of disabilities

Model 1 Variable	OR	Z (SE)	95% Confidence interval	
			Lower	Upper
Depression				
Constant	0.101	-30.7 (0.007)	0.08	0.117
African	3.02	15.32 (0.218)*	2.62	3.48
Female	1.23	4.51 (0.058)*	1.12	1.35
Sight disability	1.83	7.81 (0.143)*	1.57	2.14

*Significant statistics; $R^2 = 0.03$; $\chi^2 (3) = 361.33$; $p = 0.000$

Model 2 Variable	OR	Z (SE)	95% Confidence interval	
			Lower	Upper
Depression				
Constant	0.095	-20.40 (0.007)	0.08	0.111
African	3.29	15.30 (0.256)*	2.82	3.83
Female	1.20	3.82 (0.060)*	1.09	1.33
Hearing disability	1.54	4.72 (0.141)*	1.28	1.84

*Significant statistics; $R^2 = 0.03$; $\chi^2 (3) = 323.87$; $p = 0.000$

Model 3 Variable	OR	Z (SE)	95% Confidence interval	
			Lower	Upper
Depression				
Constant	0.11	-34.40 (0.001)	0.097	0.125
African	2.6	15.74 (0.165)*	2.35	3.00
Female	1.2	4.93 (0.046)*	1.12	1.30
Mobility disability	2.9	17.57 (0.181)*	2.61	3.32

*Significant statistics; $R^2 = 0.03$; $\chi^2 (3) = 631.23$; $p = 0.000$

Model 4 Variable	OR	Z (SE)	95% Confidence interval	
			Lower	Upper
Depression				
Constant	0.114	-34.08 (0.007)	0.10	0.12
African	2.70	16.07 (0.16)*	2.39	3.05
Female	1.28	6.56 (0.04)*	1.19	1.38
Multiple disability	1.88	6.41 (0.18)*	1.55	2.29

*Significant statistics; $R^2 = 0.02$; $\chi^2 (3) = 376.25$; $p = 0.000$

While the data seems to suggest that Black African women with disabilities may be amongst the most vulnerable group in society in relation to mental health, further regression analysis included the use of interaction terms to ensure that this conclusion was warranted. The results in Table 29.5 confirm

Table 29.5 Regression analysis highlighting intersecting identities and depression

Model 1	OR	Z (SE)	95% Confidence interval	
Variable			Lower	Upper
Depression				
Constant	0.065	-18.2 (0.009)	0.05	0.09
Non-African male with disability	3.95	5.28 (1.03)*	2.37	6.57
African male without disability	4.93	10.2 (0.77)*	3.62	6.70
African male with disability	10.28	13.52 (1.77)*	7.34	14.42
Non-African female without disability	1.70	2.88 (0.31)*	1.18	2.43
Non-African female with disability	5.45	8.00 (1.15)*	3.60	8.25
African female without disability	5.44	10.94 (0.84)*	4.01	7.36
African female with disability	12.18	15.52 (1.96)*	8.88	16.70
*Significant statistics; $R^2 = 0.05$; $\chi^2 (7) = 625.23$; $p = 0.000$				
Model 2	OR	Z (SE)	95% Confidence interval	
Variable			Lower	Upper
Depression				
Constant	0.077	-19.54 (0.010)	0.06	0.10
Non-African male with sight disability	1.90	1.61 (0.76)	0.86	4.18
African male without sight disability	4.05	10.22 (0.55)*	3.09	5.30
African male with sight disability	7.81	11.26 (1.42)*	5.50	11.20
Non-African female without sight disability	1.96	4.35 (0.30)*	1.45	2.67
Non-African female with sight disability	1.83	1.82 (0.61)	0.95	3.54
African female without sight disability	4.77	11.59 (0.64)*	3.66	6.21
African female with sight disability	9.28	13.53 (1.53)*	6.72	12.83
*Significant statistics; $R^2 = 0.03$; $\chi^2 (7) = 383.64$; $p = 0.000$				
Model 3	OR	Z (SE)	95% Confidence interval	
Variable			Lower	Upper
Depression				
Constant	0.07	-18.87 (0.010)	0.055	0.096
Non-African male with hearing disability	2.27	2.13 (0.87)*	1.06	4.83
African male without hearing disability	4.33	10.13 (0.62)*	3.26	5.76
African male with hearing disability	7.31	9.92 (1.46)*	4.93	10.83
Non-African female without hearing disability	1.79	3.51 (0.3)*	1.29	2.49
Non-African female with hearing disability	2.2	2.24 (0.77)*	1.10	4.40

(continued)

Table 29.5 (continued)

African female without hearing disability	5.1	11.43 (0.72)*	3.85	6.75
African female with hearing disability	7.37	10.7 (1.37)*	5.11	10.63
*Significant statistics; $R^2 = 0.03$; $\chi^2 (7) = 336.23$; $p = 0.000$				
Model 4	OR	Z (SE)	95% Confidence interval	
Variable			Lower	Upper
Depression				
Constant	0.08	-21.78 (0.009)	0.065	0.102
Non-African male with mobility disability	6.26	6.15 (1.86)*	3.49	11.22
African male without mobility disability	3.68	10.93 (0.43)*	2.91	4.65
African male with mobility disability	10.77	13.99 (1.83)*	7.71	15.02
Non-African female without mobility disability	1.75	4.03 (0.24)*	1.33	2.30
Non-African female with mobility disability	6.93	8.90 (1.50)*	4.52	10.61
African female without mobility disability	4.34	12.46 (0.512)*	3.45	5.47
African female with mobility disability	11.84	18.28 (1.6)*	9.08	15.4
*Significant statistics; $R^2 = 0.04$; $\chi^2 (7) = 654.73$; $p = 0.000$				
Model 5	OR	Z (SE)	95% Confidence interval	
Variable			Lower	Upper
Depression				
Constant	0.09	-21.98 (0.010)	0.07	0.12
Non-African male with multiple disability	2.25	2.01 (0.909)*	1.02	4.97
African male without multiple disability	3.35	10.78 (0.377)*	2.69	4.18
African male with multiple disability	7.04	9.49 (1.45)*	4.70	10.54
Non-African female without multiple disability	1.79	4.5 (0.233)*	1.39	2.31
Non-African female with multiple disability	1.78	1.62 (0.63)	0.88	3.59
African female without multiple disability	4.18	12.93 (0.46)*	3.36	5.20
African female with multiple disability	8.21	12.26 (1.4)*	5.86	11.49
*Significant statistics; $R^2 = 0.02$; $\chi^2 (7) = 396.85$; $p = 0.000$				

that irrespective of the type of disability experienced, Black African women with a disability are most susceptible to depression. It can therefore be concluded that the intersections of race, gender and disability identities result in a triple burden of marginalisation which contributes to decreased mental health. These results are particularly pertinent when considering the targeted prevention interventions mentioned in the South African National Mental Health Policy Framework and Strategic Plan 2013–2020. The implications of these results are discussed next.

Discussion

In this research, intersectionality provided a useful tool for analysis of mental health, disability (including types of disability), gender and race. The findings provided a more nuanced understanding than previously conducted South African studies demonstrating that viewing women with disabilities as a homogeneous group is inadequate. The study presented here highlighted that while all Black African women with disabilities are susceptible to mental disorders, Black African women with mobility disabilities have the highest predisposition to depression.

From a global human rights and policy perspective, these findings support the recommendations in the SDGs to disaggregate data at a level that is relevant to national contexts (United Nation 2015). In South Africa, the oppression of women, Black Africans and persons with disabilities has resulted in compounded marginalisation for those who are characterised by the intersections of these three identities. Knowledge detailing these intersections is required when conceptualising policies to ensure that meaning advances are made to enhance these women's development.

Therefore, from a mental health policy perspective in South Africa, it is clear that Black African persons with different types of disabilities need to be prioritised. These individuals are still the most vulnerable in society and consistently fare worse in many areas such as employment, income, education, health and, arising from this study, mental health (Graham et al. 2014; Moodley and Graham 2015; Moodley 2017). Holistically, evidence suggests that disability needs to be more meaningfully integrated into policies, with adequate data supporting actionable interventions.

It is recommended that interventions ensure that the voices of Black African persons with disabilities, and particularly women, are taken into account as they need to speak to the specific needs of individuals. In addition, mental disorders require a deeper understanding from an African perspective, a context where the word "depression" does not exist. Therefore, in order to improve mental health, individuals need to be consulted on interventions that could adequately achieve this objective. While the type of approach described is likely to lengthen the time required to develop and implement effective policies (Hankivsky and Cormier 2011), it is foreseen as a more accurate response to recognising the rights of all persons with disabilities and achieving social justice as outlined in the SDGs.

Conclusion

In conclusion, the ways in which the SDGs, South African Mental Health Policy Framework and the White Paper on the Rights of Persons with Disabilities seek to prioritise the promotion of mental health are extremely welcome. However, it is evident that there is also a need for policy and implementation of policy to concentrate on the needs of targeted population groups to ensure that the most vulnerable individuals in society are cared for. Intersectionality provided a useful tool in this study to highlight the heightened plight of Black women with mobility disabilities in relation to mental disorders in South Africa and advocates for the consideration of all types of disabilities in policy implementation concerning mental health. Interconnecting identities can result in varying levels of exclusion and discrimination. This is not only true for South Africa but also for other developing countries. It is therefore important that data be disaggregated to allow researchers and policy makers to approach their work in meaningful ways for all groups in society. In addition, including the voices of various groups of people to find workable solutions would ultimately produce policies with higher impact if adequately implemented.

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30

Ageing-in-Place for Low-Income Seniors: Living at the Intersection of Multiple Identities, Positionalities, and Oppressions

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Introduction

In Canada, the older population is rapidly growing as the baby boom generation enters older adulthood (Statistics Canada 2012). Adults over age 65 years comprise 13.2% of the population which is projected to increase to 24.5% or 1 in 4 persons by 2036 (Statistics Canada 2010; Turcotte and Schellenberg 2007). This trend is similarly reflected in the province of British Columbia (BC). Globally, the number of older adults (60+) is expected to more than double from 841 million individuals in 2013 to over 2 billion in 2050 (United Nations 2013). While older populations are growing fast in most low- and middle-income countries, the rate of older adults is growing extremely fast, in the more developed regions (United Nations 2013).

With respect to global social and health inequities, as a social group, older adults are more likely to experience poverty, particularly in developing countries where social and financial assistance mechanisms are limited or lacking (United Nations 2013). Within the context of BC, Canada, some seniors of particular ethnic and cultural sub-groups are often situated in vulnerable positions experiencing challenges such as social exclusion and isolation, mental and mobility limitations, economic insecurity, inadequate and unaffordable housing, inaccessible transportation and environments, food insecurity, and language barriers (United Way Lower Mainland 2011). In Metro Vancouver the seniors most likely to encounter barriers to maintaining quality of life include: women aged 85+, visible minorities, Aboriginal and recent immigrant groups, low-income seniors (i.e., unattached, single-income seniors; seniors with low education), and seniors with chronic illnesses or mobility issues (United Way Lower Mainland 2011).

A key determinant of vulnerability in later life is the ability to age-in-place, which refers to the 'ability to live in one's own home and community safely, independently, and comfortably regardless of age, income, or ability level' (Centers for Disease Control and Prevention 2013). Notions of home and community are typically imbued with positive connotations of identity, sense of purpose, and living a meaningful life. Research consistently suggests that one's home is a place of personal and symbolic attachment that sustains a sense of security, safety, privacy, independence, and choice (Sixsmith 1986). Home, however, is not always consistently experienced in such positive ways and may also be perceived as a prison, a burden, or a worrisome environment (Sixsmith and Sixsmith 1991). For instance, exorbitant rental rates and housing inadequacies in Metro Vancouver skew positive perceptions of home, threaten the health and wellbeing of vulnerable citizens, and place seniors at

risk for isolation, disconnection, and reduced community engagement (Vancouver Foundation 2012). Similarly, belonging to a community can give rise to both positive and negative feelings and experiences (Sixsmith et al. 2003). It is in this complex psychosocial and environmental context that the policy drive towards ageing-in-place needs to be examined and better understood.

The ageing-in-place policy agenda has predominantly concentrated on the physical and service environment in response to the declining health needs of older adults and assumes positive health and social outcomes as a result of maintaining people in their homes. However, according to the UN Secretary General Ban Ki-moon, 'making cities inclusive of older persons means generating opportunities for their economic and social participation in accessible and safe environments. It also means providing affordable housing as well as the health and social services needed to support ageing in place.' A key oversight of this work is that it often takes an explicit environmental congruence perspective (Iwarsson et al. 2007), emphasizing commonalities rather than exploring the diverse everyday experiences of older people thus creating less nuanced understandings of ageing-in-place and appropriate solutions. For instance, the WHO Global Age-Friendly Cities guide states that a 'city's landscape, buildings, transportation system and housing contribute to confident mobility, healthy behaviours, social participation, and self-determination, or, conversely, to fearful isolation, inactivity, and social exclusion' (World Health Organization 2007, 72). Thus, ageing-in-place policy decisions should take into account factors associated with active ageing, including physical accessibility, proximity, security, affordability, and inclusiveness as important characteristics through intersectional explorations and analyses that link individual experiences to broader structures and systems.

Many older people do prefer to stay living in their familiar home and neighbourhood for as long as possible even when these might be considered 'suboptimal' in instrumental terms (Klein 1994; Mutschler 1992). Building on this, more recent work has found that older people prioritize 'having choices' in where and how they want to live, to achieve not only ageing-in-place, but positive ageing in the right place (Bjornsdottir et al. 2015; Wiles et al. 2012). In consideration of these preferences, it is important for policies to incorporate diverse people's varied experiences of ageing-in-place, particularly for those situated in positions where they are less able to exert control, express preferences, access resources, and navigate social systems. Ageing-in-place is often seen as a panacea for good quality of life and improved wellbeing

as people get older. As Sixsmith and Sixsmith (2008) argue, this is not always the case; sometimes ageing-in-place can be a negative experience when the older persons' housing is substandard or services in the community do not meet their needs. In this sense, it is important to focus on the development of public policy concerning ageing-in-place (i.e., in terms of governmental and organizational efforts to address the housing and community needs of older people in relation to their circumstances as well as the public and private purse), which takes into account not just the complexities of people's everyday lives, but acknowledges the way in which structural power relations are embedded in policy-based decisions and actions.

Where environmental, psychosocial, and financial contexts are supportive of quality of life and wellbeing, ageing-in-place can be very successful. For example, it has been well documented that older people residing in affordable, adequate housing are more likely to report living a life which they value (Morris 2009). Yet, in recent years, changing economies have created social and financial divisions between older adult groups impacting their ability to access resources leaving some with minimum capacity to control and enjoy their everyday lives (Clapham 2002; Phillipson 2007). When financial resources are not sufficient to enable people to remain in the home of their choice or when processes of urban regeneration and development force relocation, older people's lives become substantially disrupted. Forced relocation contributes to poor health and wellbeing; feelings of anxiety, fear, and uncertainty (Hrybyk et al. 2012); and social isolation (Ayalon and Green 2013); and can result in long-term negative impacts on psychosocial wellbeing (Fullilove and Wallace 2011).

For recent ethno-cultural immigrants to Canada, access to adequate housing continues to be a key challenge, particularly for those with limited financial resources and low social and cultural capital (Carter 2005). For older Canadians, this challenge is further complicated by vulnerabilities associated with ageing, such as difficulty navigating health and social care systems, frailty, long-term health conditions, mental and mobility challenges, and ageism which contribute to social exclusion (United Way Lower Mainland 2011; Bergman et al. 2007). These vulnerabilities make older adults susceptible to living in poor or substandard housing or shared accommodation with strangers of similar ethnic backgrounds (Teixeira 2014). Ageing in a place of choice is also complicated for seniors in many inner city areas by the lack of available and affordable housing.

The development of communities that are supportive of ageing and mindful of cultural diversity requires careful consideration of how individuals connect within physical environments and social spaces (Greenfield et al. 2015).

Barriers to successful ageing-in-place include limited finances, complex health and social care systems, lack of social and cultural capital, language barriers (particularly for newcomers), and unfamiliarity with and lack of availability of community supports and services (Greenfield et al. 2015). Such problems are shaped as much by organizational and policy constraints as by individual contexts and circumstances, including positionalities, identities, and oppressions experienced over the life course. By focusing on the intersections between the person and the organizational and policy context, such complex social problems (Polk 2015) can more comprehensively be understood and addressed.

This chapter problematizes dominant positive policy discourses on ageing-in-place using a multidimensional intersectionality framework (MIF). We developed this MIF (Fig. 30.1) based on Collins' (2000) notion of intersectionality as an interweaving of multiple systems of oppression—specifically, how such systems are organized through interrelated domains of power. This framework identifies peoples' positions in society, identities they assume or are imposed upon them, and the oppressions experienced within the dominant community, as well as organizational and policy contexts. Using an intersectional lens we completed a community-based study with older people ageing-in-place to inform new policy directives for enabling older people to age well in the right place. In this chapter we present two case studies and provide recommendations for place-based policy and practice in order to inform guidelines for future senior housing projects.

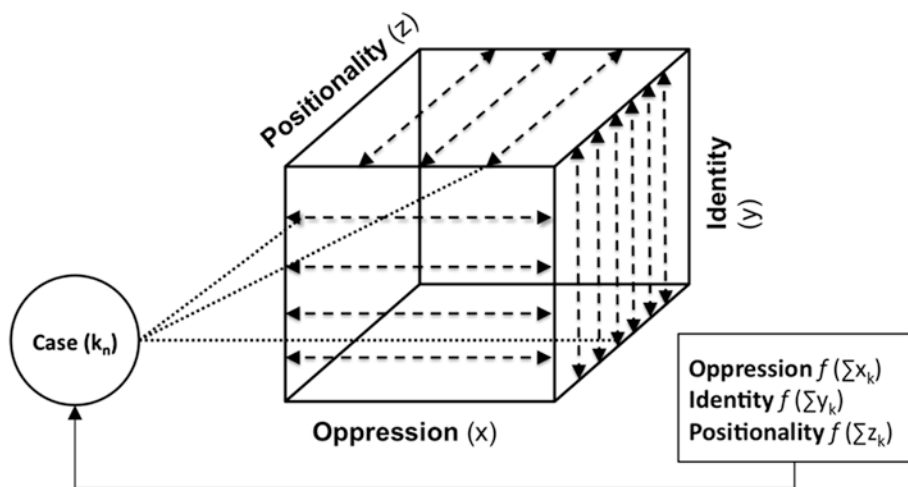


Fig. 30.1 Framework for a multidimensional intersectionality analysis

Theoretical Framework

An intersectional lens guided our explorations of experiences of ageing-in-place for older, low-income women and men of diverse cultural and historical backgrounds who transitioned from an outdated apartment complex into a purpose-built affordable housing project on the same property. Intersectionality refers to an analytic perspective and framework that understands individuals as situated in multiple social categories that intersect with structural barriers to cumulatively shape an individual's social identities, life experiences, and opportunities (Hankivsky and Cormier 2011; Yuval-Davis 2006). The notion of intersectionality was fore-fronted during the black feminist movement in the United States whereby oppressions experienced by white women within society were reframed to include issues of colour, providing the motivation to understand social problems through multiple and intersecting social classifications (Crenshaw 1995). Although Crenshaw's work was a key moment in the emergence of intersectionality, it is important to note that ideas and concepts of this paradigm precede her works and have since established new roots by black activists and feminists, as well as Latina, post-colonial, queer, and Indigenous scholars (Hankivsky 2014). Since its inception, intersectionality has developed beyond notions of gender and race to encompass other social markers such as income, religion, age, and so on. Poorly articulated within intersectionality is the idea of place, which can be conceptualized as a structural barrier creating a locus of experiences of inequity, power, and privilege.

An intersectional framework is particularly well-suited to examine policies related to ageing-in-place as it takes into account interlocking social and cultural drivers of inequity such as ethnicity, gender, age, and socio-economic status situated within place. Another key principle of intersectionality crucial for this study concerns the prioritization of minority experiential perspectives through the concept of 'centring in the margins' whereby marginalized experiences are prioritized (Hooks 2000). To achieve these goals, an intensive engagement with older people experiencing housing transitions is required, focusing on (1) the ways in which older people see themselves (i.e., their identities), (2) the older person's locations within broader society (i.e., positionalities), and (3) the difficulties older persons face (i.e., oppressions) when negotiating the organizational and policy landscape.

In relation to identity, Kohon and Carder (2014), suggest that 'identity', in simplistic terms, represents who a person is. Identity has been construed as both a personal and a social construction formulated and shaped by subjective individual experiences, creating a lens through which people perceive

themselves in association with where and how they are situated within society (Yep 2002). Such experiences can shape a person's behaviour, mannerisms, and ultimately their role in society (Yep 2002). Identity can be further understood as an amalgamation of personal and social interpretations, emphasizing distinct characteristics and traits which distinguish oneself from others, as well as identities within relationships—all of which involve ascribed attributes reinforced by societal norms and expectations (Andersen and Chen 2002; Ashmore et al. 2004; Sedikides and Brewer 2001). Within the MIF, identity is not seen solely as a personal and singular construction, but rather people personify and express multiple identities. Categories of identity capture an individual's race, age, class, and religious affiliation, amongst others (Yep 2002). People can hold simultaneous identities such as mother, sister, professor, and caregiver. While some identities are held in higher esteem than others (Stryker and Statham 1985), identities can also be characterized as multiplicative and shaped by political and historical contexts (Brah and Phoenix 2004). Societies, however, experience paradigm shifts across time and thus the embodiment of various identities and how they are expressed will also traverse time and change in sociopolitical and economic contexts (Deaux and Martin 2003; Ellemers et al. 2002).

'Positionality' is a way of 'being' or 'knowing' that is influenced by fluctuating social, political, and economic structures and institutional contexts (Allen 2007). According to the tenets of intersectionality, an individual's locale or position in society is situated through the interweaving of multiple positions, such as a person's gendered position, financial position, and so on, and unique facets of positionality are consolidated by an individual's pronounced or assigned identities (Anthias 2012). Consequently, an individual's position (and their situation in relation to the social hierarchies) is often reinforced by subjective experience and shaped by interlocking identities in association with the physical and psychosocial environment (Collins 2000; Hooks 2000). Ultimately, varied positionalities in society establish inequitable social divisions between groups enabling some people to be in elevated positions of power compared to others. Such inequities linked to both identity and positionality can contribute to poor health and wellbeing. It is in this context that the current research examines the intertwined notions of identity and positionality to reveal the underlying problems that arise from an uncritical application of ageing-in-place policy.

The notion of disadvantage is often conceptualized in the context of oppressive social structures and practices. Prilleltensky and Gonick (1996, 129–130) describe oppressive social structures as 'a state of asymmetric power relations characterized by domination, subordination, and resistance, where the

dominating persons or groups exercise their power by restricting access to material resources (pp. 129–130)’. Oppression has been previously referred to as ‘the systematic abbreviation of possibilities of mastery of most or all facets of life for a specifiable group’ (Adam 1978, 8). Oppression has also been described as a force that is imposed on a person or persons, consisting of unwanted experiences, unexpected circumstances, and undesired living conditions, that detracts from wellbeing (Hanna et al. 2000). Oppression can include facets of exploitation, marginalization, deprivation, persecution, powerlessness, cultural imperialism, and various forms of violence (Young 1990). Watt (1999) posits that oppressors embody a sense of entitlement fuelled by social privilege; when privilege is left unquestioned and unchallenged, the oppression of some groups becomes pervasive and normalized in society. Young (1990) furthers this, arguing that some groups are subject to oppression not through explicit or blatant acts, but rather through ‘the everyday practices of a well-intentioned liberal society (p. 41)’. Social and health inequities are reproduced through an imbalanced system that is reinforced by group stratification that ultimately creates social segmentation between ‘us’ and ‘them’ (White 1994). In the current research, the status quo of housing for disadvantaged older people is confronted and challenged.

For this chapter, the perspectives of older people are analysed to exemplify ways in which ageing-in-place policies can be informed by this multidimensional intersectional framework. This framework prioritizes the voices of older adults who experienced forced relocation from an outdated low-income housing project to a purpose-built high-rise tower in Metro Vancouver. These housing transition experiences are examined in relation to the interweaving of older adults’ identities, positionalities, and oppressions.

Research Context

Housing that is both affordable and supportive of the psychosocial needs of seniors is fundamental to the wellbeing of ageing populations in Canada. This research was conducted in the Metro Vancouver municipality of the City of Richmond—an area experiencing a significant increase in the size of its older adult population with a corresponding period of rapidly rising market rents. This situation threatens housing adequacy of older citizens and places them at risk for isolation, social disconnection, and retrenchment from community life (Vancouver Foundation 2012). Local and regional policies have advocated for affordable housing as a potential solution to provide stable, secure housing for older people who are at risk of economic eviction. According to Teixeira

(2014), older newcomers living in Richmond spend over half of their monthly household income on rent, which increases the risk of food insecurity and homelessness.

The current research focuses on exploring relocation experiences of older ethno-cultural adults living in the City of Richmond. In total, the relocation process spanned three years and transitions of tenants from the outdated Rosewood Manor (pseudonym) to the new Rosewood Towers (pseudonym) were examined. Rosewood Manor was an established (but ageing) three-storey apartment building reserved for seniors with limited financial means. In 2012, significant water damage resulted in a senior falling through the floorboard, which ignited discussions of renovation between the City of Richmond and the Rosewood Senior's Society (pseudonym). Rental prices at Rosewood Manor of approximately \$300 per month were significantly lower than market rental prices in Metro Vancouver, which average \$1200 per month. Tenants of Rosewood Manor were reluctant to move, excluded from the renovation and relocation process, and viewed the move as a forced relocation. Rosewood Towers, a 16-storey purpose-built high rise, was presented by developers, Rosewood Senior's Society, and the City of Richmond as a location for tenants to age-in-place. However, tenants feared that forced relocation would result in hardship, increased burden, and ultimately be a great imposition on their everyday lives.

In order to provide for the voices of tenants in the design, planning, and development of Rosewood Towers, our research team formed a partnership with the City of Richmond and received funding from the Vancouver Foundation to document and analyse tenants' transitional experiences of forced relocation. Several objectives underpinned this work: (1) to understand how sense-of-place is experienced by older adults transitioning into affordable housing; (2) to translate tenant experiences into formal and informal supports that foster meaningful ageing-in-place; and (3) to create a role for older people as active 'placemakers' in community planning and development. The research question addressed in this chapter is: *How can we better inform policy to ensure that older people of diverse backgrounds and experiences are ageing well in the right place?*

Methods

A multiple-methods, qualitative, community based participatory research (CBPR) approach was used to understand complex housing relocations at the macro-, meso-, and micro-levels (Bronfenbrenner 1979), to engender a sense

of engagement among research participants, and to ground the research in the lived experiences of older, low-income women and men of diverse backgrounds.

Research Design

A CBPR study design was selected to provide older adults with the 'space' and platform to voice their perspectives and to generate collaborative dialogue as a catalyst for challenging existing attitudes and practices towards planning for older adults. Aligned with the tenets and assumptions of intersectionality, our CBPR approach was underpinned by principles of equity, empowerment, inclusion, and partnership. In general, CBPR operates against oppressive practices and promotes reciprocal transfer of knowledge and expertise; inclusive participation; power sharing and equity; and data ownership across all partners (Jones and Wells 2007). CBPR provides an alternative to traditional research approaches which may not be appropriate to generate the necessary insights into how older, low-income women and men of diverse backgrounds relocate within the context of their social, cultural, and built environment. The multiple-methods research design utilized in-depth, semi-structured, in-home, pre-move interviews ($n = 25$; approximately 45 minutes in length) and visual photo tours around the home and local community ($n = 16$; approximately 1–2 hours in length) to generate deeper, individual understandings of sense-of-place as well as community and societal barriers and challenges experienced throughout the relocation process. These methods resulted in a series of individual case studies.

Participants

Twenty-five tenants transitioning into an affordable housing development have been involved in the research to date. The tenant sample reflected both former tenants of Rosewood Manor (those temporarily relocated from an outdated development) and new tenants of Rosewood Towers. Participants were identified through community stakeholders and organizational leaders and invited to participate in the research. Written informed consent was obtained from all participants and the research was conducted in accordance with the British Psychological Society's (2010) ethical guidelines whereby issues of confidentiality, privacy, anonymity, protection from harm, support, and capacity to withdrawn from the research were attended to. All identifying

information, such as participant locations and names, has been replaced with pseudonyms. Ethical approval was received from Simon Fraser University's ethics review board.

Data Analysis

Data were analysed in collaboration with local tenants to prioritize participant's voices, facilitate storytelling and ownership, and ensure rich capture of experiences of sense-of-place. In-depth interviews and data were thematically analysed (Braun and Clarke 2006) in NVivo 10 using a structured framework method (Ritchie and Lewis 2003) where a coding framework was developed systematically by three researchers through initial coding of three transcripts. Subsequent transcripts were analysed using the framework by case and by code (Gale et al. 2013). Visual data were co-analysed with tenants in order to explore the different understandings of sense-of-place through the prioritization of the voices of older, low-income women and men of diverse backgrounds. The relationships between interview and visual imagery have been triangulated to enrich 'different ways of knowing (Pink 2013, 144)', particularly understandings of persons who are often excluded and seldom heard. The analysis was guided by the following intersectional analysis questions:

- *What are the key experiences of ageing-in-place and how do these personal experiences relate to social and structural locations and processes (e.g., gender, ethnicity, socio-economic status, age, patriarchy) in the current policy area?*
- *How do identity, social positioning, and oppression influence the transition experience, such that existent inequalities can be identified and subsequently frame place-based policy?*

Building on Collins' (2000) conceptualization that various types of oppression are not only interrelated but constitute interlocking modes of differentiation used to dominate and exclude those that diverge from normativity, we contend that a MIF is predicated on the notion that people construct meaning through the various and multiple identities that they hold, the different and changing social positionalities they occupy, the multifarious oppressions they face, and often the successes they achieve as they negotiate their everyday lives—all of which coalesce to create a system that drives multiple configurations of discrimination and privilege experienced in inequitable ways. The MIF assumes that a person's experiences can be understood in relation to the multiple identities they inhabit, alongside the multiple social positions they

occupy and the multiple socio-structural oppressions they encounter, and consequently in more implicit ways, the successes acquired through negotiations of their agency within dominant structures. We depict this analytical conceptualization in Fig. 30.1, which portrays how a person's experiences are simultaneously understood within a matrix of identity, positionality, and oppression (Fig. 30.1).

Individual case examples of two study participants are presented next to exemplify the intersections between identity, positionality, and oppressions that shape older people's experience of housing transitions. The two cases were selected to reflect differences in privilege shaped by normative and marginalized social identities. Each case reveals social identities that were either successfully or unsuccessfully used to negotiate their agency and shape their social position towards positive outcomes. The implications of this analysis for ageing-in-place policy and practice are subsequently discussed in order to generate recommendations and offer guidelines for future housing development projects for older adults.

Application of the Multidimensional Intersectionality Framework: Stories of Seniors

The Case of Mr. Zhao

Mr. Zhao (pseudonym) was 72 years old when he participated in the research; he had lived in an apartment in Rosewood Manor for approximately 16 years prior to relocation. Table 30.1 summarizes the different positionalities, identities, and oppressions expressed by Mr. Zhao during his interview (conducted in Mandarin due to his limited ability to converse in English) and photo-tour sessions. Of note, the contents of Table 30.1 were identified by Mr. Zhao during the telling of his story rather than imposed at the start of the research by the researchers. This is an important distinction since Jones et al. (2008) have shown that a person's 'socially assigned' identifier often contradicts how they view themselves in the social world. Hence, we argue that personal agency can be expressed, and wielded, by allowing participants to use language and identifiers verbatim rather than impose our academic or otherwise privileged terminology. By honouring the participants' own designation of social identifiers important to them, we do not limit their ability to highlight potential opportunities for resistance and resilience across places. By taking an intersectional lens, we understand Mr. Zhao's self-expressed

Table 30.1 The case of Mr. Zhao (in his words)

Positionality	Identity	Oppression
Poor	72 years of age	Unemployment
Non-English speaking	Male	Inadequate housing
Inability to navigate structures and systems	Chinese	Lack of recognized Canadian qualification
Divorced	Immigrant	Loss of social networks
Living alone	Grandparent	'Othered'

social constructs and can relate to them as interlocking, thereby enabling a more nuanced understanding of ageing-in-place to emerge. The categorically displayed distinctions of positionalities, identities, and oppressions shown in Table 30.1 were constructed for analysis only and are not mutually exclusive (Table 30.1).

Mr. Zhao saw himself simultaneously as an older person, male provider and the family patriarch of two children who immigrated to Canada. Mr. Zhao and his wife, like many other immigrant grandparents (VanderPlaat et al. 2012), were sponsored to move to Canada from China to care for their grandchildren in 1998. Once the children no longer required childcare, Mr. Zhao's role in the family was somewhat devalued. When Rosewood Manor was demolished in 2012 and all tenants were forced to relocate, Mr. Zhao and his wife separated and subsequently divorced. The housing relocation acted as a catalyst for their marital separation amongst other factors, such as persistent arguing and conflicting desires over geographical relocation (Mrs. Zhao moved to Toronto after the marital split). In addition, the relocation accentuated the ways in which Mr. Zhao and his wife had changed over the years, which highlighted their individualism and differences rather than cementing their togetherness:

I have been in Canada for 16 years. I came here with my wife but we divorced. It is not a big problem. When people grow old, we have our own odd personalities. It is hard to have commonalities. We were tired in arguing with each other so decided to live alone. There is limited time (to stay in the world). She is two years older than me. If we continue[d] to stay with each other, we may feel sick [unhappy]. We separated since moving out [of Rosewood Manor].

In this case, Mr. Zhao emphasized the interconnected notions of age, gender (as a husband), and immigration status (16 years in Canada) and how this impacts relationality in place. Here, getting older was evaluated as having less time to live a happy life, which enabled Mr. Zhao to frame the forced housing

relocation as a way to break with an unhappy past and focus on a future to improve his happiness. Indeed, it may be that after 16 years living in Canada, Mr. Zhao had established himself within Canadian culture, thus helping him to envision a new life without dependency on his wife.

Following his forced relocation, Mr. Zhao moved into a 'family hotel'. A 'family hotel' is a privately owned house where rooms or parts of rooms are illegally rented to multiple tenants. In Mr. Zhao's case, 12 tenants each paid \$400 per month, netting \$4800 per month. These types of rental accommodations are often over capacity, dilapidated, and unfit for habitation. However, despite being exploitative, they do offer people with limited incomes a place to live. In Mr. Zhao's case, his bedroom was divided for co-habitants by a bed sheet, which afforded little privacy, comfort, or basic hygiene. While he felt successful in finding an affordable accommodation and a supportive network of immigrants in similar financial and social circumstances to himself, he found it difficult to negotiate better living conditions with the owner because he lacked the ability to communicate proficiently in English; feared being evicted and becoming homeless; was financially constrained and could not find another affordable housing solution; and had a limited understanding of his rights as a tenant and resident in Canada.

In Mr. Zhao's case, his subjective assessment of success masked the matrix of oppressions which locates him as an older Chinese immigrant with little status and power in Canada. His positionalities of poverty, non-English speaker, and inability to navigate bureaucratic structures combined to exacerbate his poor housing situation. Despite this, Mr. Zhao preferred to remain in the family hotel rather than relocate to the newly built Rosewood Towers. He explained this in terms of his fear of losing well-established social connections with his roommates who he considers to be family, as well as the unaffordable increased rental rates:

I have a good relationship with my roommates. Because all of us come from mainland China, we consider each other as family members. Here is far from our hometown. If someone here has any difficulty, we of course will do a favor. We are a big family [laugh]. We didn't know each other before moving in. I have been here for about three years. I moved here from the Rosewood Manor. ... Why I don't want to move back? The rental increases. The rent there was \$400 before but will increase to \$710. And the electronic fees are excluded. We have to pay the electricity to cook and heat. Besides, we have to pay the telecom and Internet. It will be almost \$1,000. My pension is \$1,040. I know we can apply the subsidy from the government but I have no idea how much I can receive.

Mr. Zhao's difficult housing situation is perpetuated by his age, which he felt prevented him from finding employment to increase his weekly income:

I am older now and hard to find a well-paid job. I survive depending on my pension almost and have to save the cost. Of course, the environment of the new building would be great. The roof in my room now is leaking when it is rainy.

Mr. Zhao is 'othered' by his age, alongside a bureaucratic system which requires service users to speak English well and to have adequate education to enable them to complete complex forms and understand their rights. Without sufficient social supports, he has little social capital to draw on, leaving Mr. Zhao ageing in a suboptimal place that may be detrimental to his health.

The Case of Mrs. Smith

In order to demonstrate varied ways in which the MIF can be applied and interpreted, the next case example of Mrs Smith was selected to contrast with the personal and social characteristics of Mr. Zhao. Mrs. Smith is an 84-year-old white Canadian woman who lived in Rosewood Manor with her husband for many years before he passed away. She described herself as a widower, living alone, not well-off financially, yet coping well with her social and housing situation (Table 30.2).

In her story, Mrs. Smith expresses pride in being a grandmother, mother, and carer; ultimately, a strong woman who previously managed a farm and raised several children as well as a grandchild. Mrs. Smith's positionality shifted when her husband passed away, as she became a widow with limited social supports and financial means. In addition, she became a carer for her own children who developed cancer; and when her children died, she became a full-time carer for her grandchild: 'I've had four of my children with cancer. So they (*died*) in their fifties, around that age, and that has been a big strain on me.'

Table 30.2 The case of Mrs. Smith (in her words)

Positionality	Identity	Oppression
Not well-off/managing	84 years of age	Bullied by neighbours
Having more acquaintances than friends	Female	Treated inappropriately by the medical system
Not settled into a place considered a home	White Canadian	Burdened by multiple roles and associated responsibilities
Widowed	Grandmother	Inadequate housing (seniors only)
Living alone	Carer	Forced relocation

When children die prior to their parents, this contradicts the 'norms' of ageing, which are based on the notion that parents die first (Howarth 1998). Mrs. Smith struggled in her advanced age and poor financial situation to care for her grandchild, yet succeeded in this role by providing a clean home and emotional support for the child. Being the carer of a young child 'othered' Mrs. Smith in the 'seniors only' Rosewood Manor, and she was bullied by her neighbours who perceived her as flouting the 'seniors only' rule. This meant that she struggled to secure friendships with Rosewood Manor tenants. Rather than demand the help of social services to relocate her and her grandchild to more child-friendly housing, Mrs. Smith adopted a philosophy of acceptance, expressing that 'life goes on' and 'it keeps changing'. Mrs. Smith accepted her family obligations rather than electing to place responsibility on social welfare systems. In doing so, she became socially ostracized and lonely as she emphasizes, 'I was taking care of my granddaughter, she was only about three years old when we moved into Rosewood [Manor] and the seniors in Rosewood [Manor] were very angry with me because I had this child'.

It is important to note that societal and gendered expectations of caring place women in such situations with little choice but to adopt caring roles. Older than other mothers, yet caring for a young child, Mrs. Smith struggled to find her place in mainstream society. Because of her older age combined with her carer status, Mrs. Smith felt excluded from the everyday activities and social connections normally associated with growing older. Adopting the carer status did open up opportunity for one meaningful relationship in her life: she provided care to another tenant in Rosewood Manor. When talking about her lack of social connectedness in Rosewood Manor, she said:

I don't call them friends. I had a lot of acquaintances and there was one lady that I took care of because she was old and a very proud woman and wouldn't ... use a walker and so I used to drive her around wherever she wanted to go and I used to do her housework for her and whatnot and I made good friend with her.

Mrs. Smith was proud of her achievements as a carer. However, despite this role, ageing-in-place for Mrs. Smith was a lonely experience.

Discussion

Our analysis shows how individual experiences are highly complex and require an in-depth understanding of the various identities, positionalities, and structural and experienced oppressions which make up the texture of everyday life as it is bound up in socio-structural conditions. Age by itself tells us little

about the challenges and disadvantages older people face in their housing situations. It is only when age is considered in relation to other identities, such as immigration status or being a Chinese person, that the deficiencies in place-based policy agendas are evident. With this in mind, our research question was: *How can we better inform policy to ensure that older people of diverse backgrounds and experiences are ageing well in the right place?*

In order to answer this question, we applied a MIF, which was informed by Collins' (2000) notion of the matrix of oppression, and conducted an intersectional analysis of two case studies. The case studies, depicting the everyday lives of two older adults, illustrate unique experiences of ageing-in-place. Key experiences observed in these cases that detract from ageing in the right place included experiences of distress, fear, exclusion, feeling unsettled, burdened, and being 'othered' (Jenson 2011)—all of which are linked to being situated in an indeterminate state, dislocated in time and place. The analysis indicated the sorts of macro-, socio-structural issues that define experiences of ageing-in-place that are shaped by the social identities of being poor, a non-English speaker, and a carer (with concomitant gendered roles and responsibilities). Taken together, these can locate older people in situations of loneliness and exclusion, preventing them from ageing in the right place.

Meanwhile stories of housing and circumstantial (i.e., carer) transition presented in the case studies are underpinned by both oppressive experiences of powerlessness, displacement, and dislocation within place, time, and space as well as social exclusion. However, evidence of positive experiences was revealed in the successes highlighted in both case studies—those of gaining community, social belonging, and sense of family or maintaining pride and personal integrity. For instance, Collins (2000) argues that an individual can acquire agency even in oppressive circumstance since both power and oppression can be experienced concurrently in different contexts, at varying time spaces. What is particularly interesting about the notion of success lies in the complex interrelationships between the subjective feeling of success and the ways in which this subjectivity locks individuals into their oppressive states. For example, the success of securing a home in a 'family hotel', despite its dilapidated state, afforded social supports and networks for Mr. Zhao; and similarly, the embodiment of a successful carer role enhanced self-pride, personal integrity, and feelings of empowerment for Mrs. Smith. Ironically, though, these facets of their experience constrained both individuals vis-à-vis their oppressive positions. The fear of losing a sense of belonging, family, and community confined Mr. Zhao to his current substandard living conditions, while the gendered roles, responsibilities, and obligations of being a carer secured Mrs. Smith a place of exclusion in a seniors-only community. This reflects Collins' (1986) argument that individual subjectivity is dangerous because it can keep

people relatively accepting of their marginalized locations. In fact, it seems that Mr. Zhao and Mrs. Smith have both internalized dominant societal discourses of gendered roles, ageing ideologies, and immigrant status, which serve to mask the oppressive nature of their situations, while simultaneously enabling them to feel successful.

Recent ageing-in-place policy considerations are based on assumptions of access to adequate housing and positive experiences of home and community. However, these would not operate to improve the circumstances of older adults experiencing the sorts of disadvantages described in the case studies. Alongside romanticized notions of ageing-in-place, and working towards meeting the needs of community members, it is recommended that local government, planners, and designers consider:

- the everyday lives of older people by understanding the existent heterogeneity in such populations,
- the spaces of marginalization with organizational contexts and within community places, and
- the socio-structural practices that dislocate tenants without adequate support. This includes meeting the language needs of tenants, supporting the navigation to social and housing services, advocacy to address difficult and unjust rental systems, and opportunities to live in communities where people are valued for their unique experiences and contributions.

Housing authorities need to plan beyond the physical and spatial environment, engaging more with the psychosocial realities of everyday life and challenging existing planning processes and practices with more collaborative and partnership models of design. Housing redevelopments and re-zoning are constantly in progress in cities such as Metro Vancouver, which have limited land for new developments. If such redevelopments are to enable older people to age in the right place, then city policies and planning would profit by taking account of the power and privilege exerted over low-income, older adults with 'othered' positionalities. If not, then such people run the risk of further marginalization and isolation. City planning initiatives could thus benefit from intersectional perspectives on relations of power through taking into account concepts of *power over* and *power with* (or working together with) older people during development stages (Guinier and Torres 2003).

Implications of this research for policy planning and development lie in the area of ageing in the *right* place (Golant 2015), especially with respect to housing and urban regeneration. The problem with existing planning models is that they are foundationally driven by unitary 'general public/older adult'

approaches (Andrew et al. 2003) to designing housing for older adults, despite more recent efforts to understand and address the complexity of the person-place relationship and attachment to place (Scannell and Gifford 2010). Furthermore, such models have yet to consider how sense-of-place differs across different identity lines (such as gender, sexuality, age, class, and race), topics which are receiving only marginal attention in the planning literature (Barton and Tsourou 2000). A recommendation drawn from the current analysis would suggest the integrated working of policymakers and planners with gerontologists and social scientists to ensure the complexities of place, the heterogeneity of people, and their different identities are fore-fronted in ageing-in-place policy developments.

Equally important is the broader issue of social justice—a crucial component of intersectionality. Theoretical perspectives of social justice emphasize tackling inequities through their root causes and challenging people in positions of power to query differential social and power relations (Lawthom et al. 2007). This way of thinking is currently under-developed in planning initiatives, as there is a crucial need for attention to advocacy concepts such as ‘rights to the city’ (Harvey 2005), particularly within the context of the citizenship rights of older adults to age in the right place, regardless of their combined identities and positionalities which subjects them to certain oppressions and subjectively realized successes. Consequently, it is recommended that the notion of citizenship is built into policy developments around ageing-in-place.

Policy makers are often quite removed from policy outcomes and recipients (Biggs and Helm 2007). This deficiency can result in the privileging of professional ideas over community-based knowledge. Furthermore, mainstream policy frameworks often rarely account for the everyday lived experiences of individuals nor do they encourage multiple layers of analysis. One further recommendation is that working collaboratively is built into the policy development process, ensuring the participation of heterogeneous groups of older people who can draw on their experiences of ageing-in-place can pay dividends in place liveability and can mitigate some of the oppressive structures that combine to make everyday life for older people difficult and unpleasant. Intersectionality policy-based analysis encourages policy analysts to ask a series of interlinked questions that facilitate nuanced understandings of older peoples’ everyday realities to emerge (Hankivsky 2014). Asking such questions can reveal experiences that unpack the social positionalities marginalized people are situated in, delineating pathways towards oppression or (in some cases) agency harnessed through navigating the confined structures and systems they are obliged to negotiate. Using the MIF as a framework for orienting designers and planners to the complex intertwining of identities,

positionalities, and oppressions will not necessarily result in perfect living places, but can provoke a more thoughtful inclusion of community needs, thereby challenging professionals to confront their biases and to re-examine often inaccurate (i.e., ageist) notions about older people that are influenced by dominant discourses and norms about ageing.

As demonstrated in the analysis, the MIF is a potential resource for future policy analyses. For instance, we have demonstrated here how application of the MIF enhances more in-depth inquiries into the ways in which peoples' identities, positionalities, and oppressions are invoked in the stories they tell about their housing situations. By understanding the in-depth, social and cultural nuances associated with different barriers and facilitators to securing adequate housing, we can begin to uncover the processes of privilege and oppression that enable some and inhibit others in their efforts to age in the right place. However, it is important to note that the MIF is most effective when applied to multiple cases creating a storyboard of shared experiences to inform place-based policy development. A key to this might lie in linking mainstream ideas of oppression to understandings of place to highlight how oppression is manifested in the different personal, social, and physical dimensions of place (Sixsmith 1986). In this way, the semiotics, the functionalities, and the spatiality of physical space and tangible objects can be observed together with the ways in which social spaces are cultivated and colonized, owned, and populated by particular groups and individuals. Without such nuanced understandings of the interlocking interrelationships of people and places, ageing-in-place is likely to continue to be the driving force behind policy and planning, making ageing in the right place less attainable (Table 30.3).

Table 30.3 Key messages

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1. Ageing-in-place policy assumes positive health and wellbeing outcomes, yet ageing-in-place can be a negative experience for some people.
 2. Current urban regeneration initiatives concentrate primarily on transforming the physical space while negating the psychosocial and cultural realities of everyday life.
 3. The multidimensional intersectionality framework is a resource that helps contextualize everyday ageing-in-place experiences to inform place-based policy development taking into account the structural power relations within which everyday lives are lived.
 4. The development of housing policy for older people needs to progress with a collaborative working structure to build into the process the voices of older people, consideration of citizenship, and gerontological/social theory so that ageing-in-place can transform into ageing in the right place.
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31

Need and Opportunity: Addressing Diverse Stakeholders and Power in the Conflict over Toolangi State Forest, Victoria, Australia

Lisa de Kleyn

Introduction

Conflicts over the management and use of native forests in Australia are iconic and centre on the competing demands of the forestry industry and conservationists (Ananda and Herath 2003; Coakes 1998; Kanowski 2017). Public institutions dominate native forest management in Australia (Dargavel 1998), drawing on natural science and resource management (Coakes 1998), and governments take a sectoral approach with decisions made between government agencies. There are other diverse stakeholders with interests in native forests who argue they are excluded from institutional decision-making processes and many stakeholders campaign to build power to influence the state.

Toolangi State Forest, in the Central Highlands, Victoria, Australia, is an example of a highly contested native forest. The mountain ash forest ecosystem is critically endangered and at risk of collapse due to interacting effects of wildfire and logging (Burns et al. 2015). This interaction was exemplified in Toolangi State Forest by the 2009 Black Saturday fires that burnt the forest and subsequent salvage logging. These events heightened conservationists', scientists', and locals' fears for the forest and endangered species, and many

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people and groups increased their advocacy against native forest logging from protests in the forest to a major campaign for a Great Forest National Park. Over nine years since Black Saturday, the conflict is unresolved, the wood resource is declining, the native forest industry is threatened, the ecosystem is critically endangered, and many stakeholders feel excluded from decision-making processes. This intractable contest warrants a look from new perspectives to provide insight into the conflict and opportunities to improve decision-making processes that account for the environment, diverse stakeholders, and just processes and outcomes for all.

Environmental justice is a framework that analyses the intersection between environmental issues and social justice. The framework is principally concerned with the distribution of environmental benefits, burdens, and risks on communities across space and time (distributive justice), recognition of stakeholders (recognition justice), and accessible decision-making processes where stakeholder participation is meaningful and influential (procedural justice) (Environment Defenders Office 2012; Holifield et al. 2010; Schlosberg 2004). Environmental justice is a valuable framework to analyse the case of Toolangi State Forest as the approach includes the environment as a subject of analysis and consideration of outcomes, process, and recognition. However, in environmental justice literature, recognition justice is said to be “under-theorised” (Schlosberg 2004, 10). Intersectional feminism is able to contribute to theory by deepening the concept of recognition.

Intersectional feminism is a critical theory about power and how it is constructed, perpetuated, and experienced by groups based on intersecting categories of difference (Crenshaw 1991). “Borne out of the politics of recognition” (Smooth 2013, 25), intersectional feminism avoids “essentialising” groups (Osborne 2015, 144) and, as a critical institutional approach, sees issues as social problems that are systemic and institutionalised (Crenshaw 1989). The intent of intersectional feminism is to illustrate the embodiment of multiple categories of difference, create awareness of complex forms of oppression, understand oppression from its source, and use this understanding to inform the development of policies, legislation, processes, political advocacy, and cultural representation. The purpose is to transform society and culture to achieve recognition, inclusion, and fair outcomes for all.

Combining environmental justice and intersectional feminism points to certain analytical questions: What is the distribution of benefits and burdens across communities? Who, and what, is recognised as a stakeholder? How are groups defined and represented and what are the commonalities and divergences between them? How have power, marginalisation, and vulnerability been co-created and perpetuated over time? How can we improve decision-making to engender and achieve social and environmental justice?

This chapter articulates the environmental justice and intersectional feminist approaches adopted for analysis and applies the questions to the case of Toolangi State Forest to demonstrate the need and opportunity to change decision-making processes for just processes and outcomes. First, we start with a walk in Toolangi State Forest, in appreciation of Deborah Bird Rose's (1999, 182) statement that "environmental ethics conceived in dialogue must be both situated and open; one begins where one is".

A Walk Through Toolangi State Forest

Toolangi State Forest is a montane ash forest in the Central Highlands of Victoria, Australia, around 60 kilometres north east of Melbourne. Montane ash forests are characterised by tall alpine ash or mountain ash (*Eucalyptus*) trees; a range of trees and shrubs in the understory, including wet tree ferns; and woody debris on the forest floor (Lindenmayer et al. 2000). Walking amongst mountain ash trees places you alongside the tallest flowering plants in the world, recorded at over 100 metres high, and key habitat for a range of species, including the threatened and endemic Leadbeater's possum and Baw Baw frog (Taylor et al. 2014). We know a lot about this forest ecosystem because it is part of one of the longest running, uninterrupted, scientific studies of a natural environment in the world (Viggers et al. 2013). Research has shown that montane ash forests are the most carbon-dense forests per square metre (Keith et al. 2009) and mountain ash ecosystems have been ranked as critically endangered with a 92 per cent chance of collapse in the next 50 years (Burns et al. 2015).

The Leadbeater's possum is central to forest campaigners' efforts and has a dramatic history. Its ancient lineage arose nearly 40 million years ago (Lindenmayer 1996). The tiny marsupial, weighing around 100 to 166 grammes, was collected by scientists only five times from 1867 to 1909 and then disappeared from scientists' view (MacFarlane et al. 1997). It was declared probably extinct by the International Union for the Conservation of Nature in 1960, due to habitat loss from land clearing for agriculture, until rediscovered in 1961 (MacFarlane et al. 1997). Comprehensive monitoring has found the species has dramatically decreased (greater than 80 per cent) over its last three generations due to habitat loss and fragmentation from bushfires, fire regimes, and logging and, in April 2015, it was declared critically endangered by the Australian government (Commonwealth of Australia 2016).

Fire is the "principal natural disturbance in montane ash forests" (Lindenmayer et al. 2000, 191) and high-intensity burns are used in clearfell

logging practices to encourage land regeneration following select scientific understandings of fire in the landscape. Wildfires have burned mountain ash forests, including devastating fires in 1939 and, more recently, 2009. The 2009 Black Saturday fires killed 173 people, destroyed 3000 properties (Taylor et al. 2014), encircled the town of Toolangi, and burned around 42 per cent of Leadbeater's possum's habitat (Lindenmayer et al. 2013). After severe fires, it is common practice for the forestry industry to salvage logs from fire-damaged stands (Lindenmayer et al. 2000), and it was the destruction from the fires and logging that galvanised Toolangi residents to increase mobilisation to protect the forest and species, escalating another iconic contest in Australia over native forest management and use.

Public institutions dominate forest management in Australia (Dargavel 1998). Authority has been transferred primarily from the federal government to the states, and governments take a sectoral, top-down approach with decisions made by and between government agencies (Dargavel 1998). Public participation became prominent in major forest policy processes from the 1980s (Kanowski 2017) and participatory tools included public hearings, meetings and workshops, feedback on reports and surveys. However, public dissatisfaction in policy programmes is evident (Ananda and Herath 2003) and decisions have been described as "opaque" (Dargavel 1998, 29). Consequences of centralised authority have been, on the one hand, a forestry industry significantly reliant on the state for wood resources and resource security to supply domestic and international markets and, on the other hand, conservationists advocating to state authorities to conserve native forests (Dargavel 1998). This sets the scene for exclusive and adversarial politics where interest groups act within and outside institutional processes to gain state influence.

The forestry industry is recognised as a primary stakeholder and started logging in the Central Highlands in the nineteenth century. The industry sees high-value, straight, strong timber with few imperfections for furniture and flooring; lower grades of timber for structural products and pallets; and residual timber for paper, packaging, and firewood (VicForests 2017). The primary purchaser of timber from the Central Highlands is Australian Paper, which is owned by Nippon Paper, a Japanese paper company. A report commissioned by VicForests, the state agency responsible for native forest logging, suggests that native forestry in the Central Highlands employed 2117 full-time equivalent staff in 2013–2014 through growing trees, forestry services, and primary processing (Gordon 2016). The numbers are among many issues that are contested between the timber industry and conservationists. The term "forestry" has been criticised for its limited association with timber

harvesting and particularly native forests, which lacks recognition that native forests and plantations are ecologically and economically distinct, and at times exclusion of non-commercial forest management and alternative economic opportunities including carbon sequestration (Ajani 2011).

Indigenous Australians are the longest-standing stakeholders, with recognised knowledge about land management and diverse interests in native forests; however they often have a low profile in native forest debates and engagement by agencies and industries has been “fragmented” (Feary et al. 2010, 126). Arriving in Australia over 60,000 years ago, Indigenous Australians have a history of diverse uses, meanings, and practices in relation to native forests, and these have been passed through generations by stories, songs, and ceremonies (Feary 2005). Colonisation from 1788 disrupted Aboriginal people’s practices, killing and dispossessing Aboriginal people. Bird Rose (1999, 176) writes that “indigenous people’s cultural survival continues to be contested locally and nationally”.

The Taungurung people are the traditional custodians of Toolangi State Forest and “are part of an alliance with the five adjoining tribes to form the Kulin Nation ... the Woiwurrung, Boonwurrung, Wathaurung, and Djadjawrung” (Taungurung Clans Aboriginal Corporation 2017). Taungurung and Woiwurrung peoples are understood to be integral to the history and future of the Central Highlands forests by some stakeholders (Rees 2014), and Feary et al. (2010, 133) have proposed that:

Ultimately forests may become landscapes of reconciliation by recognising and respecting cultural *difference*: the sentient values of the forests to Aboriginal people, the cultural places they contain and their importance for maintaining cultural identity. Forests can also be landscapes for recognising *sameness* and so contribute to overcoming discrimination between Aboriginal and non-Aboriginal workers in the mainstream market economy.

Recreational users are diverse. Australian and overseas visitors travel to the Central Highlands to camp, walk, fish, watch birds, four-wheel drive, dirt bike ride, horse ride, and hunt. Many people within these user groups feel excluded from decision-making processes. In addition, residents of Melbourne have a vital interest in Toolangi State Forest. Melbourne has some of the cleanest drinking water in the world, much of which is provided by the Central Highlands forests (Lindenmayer et al. 1990). Tree stand age is linked to water yield with old-growth mountain ash forests yielding almost twice the amount of water of 25-year-old re-growth stands (Vertessy et al. 2001). Sarah Rees (2014), one of the primary campaigners for Toolangi State Forest,

started advocacy after realising that the highly chlorinated water in nearby Marysville was treated to protect consumers from impurities resulting from upstream logging. Rees explained: “so my life journey to ‘save forests’ started 15 years ago as a mother’s need to protect her children” (2014, 8).

Activism for Toolangi State Forest is increasing in intensity and heightened before the 2014 Victorian state election. Conservationists are advocating for a Great Forest National Park, which will include Toolangi State Forest. A national park represents a change in tenure, primarily to secure the protection and restoration of the forest ecosystem and endangered species. The timber industry and some recreational users are opposed to the national park because it will limit or deny their preferred use of the forest, while other recreational users and some tourism operators argue that they are disadvantaged by logging and its impact on the forest. The timber industry is struggling with a decline in available wood resource, and seeking security of supply from government. The government responded by establishing a Forest Industry Taskforce as a pre-election commitment including industry, unions, and conservationists in the Planning Group, with the aim of finding a consensus solution to the problem; however, many stakeholders argue that they have been excluded from the Taskforce process, that negotiations are protracted, and that the status quo remains.

Australia’s “forest wars” (Ajani 2007) are not abating in Victoria, and the issue warrants analysis from new perspectives. This chapter considers the potential of environmental justice and intersectional feminism to provide insight into the conflict and suggestions for a holistic approach to institutional decision-making that recognises diverse stakeholders and their power, incorporates a range of information, applies just procedures, and achieves just outcomes for all.

Environmental Justice and Intersectional Feminism

Environmental justice analyses the intersection between environmental issues and social justice. The framework is principally concerned with the distribution of environmental benefits, burdens, and risks on communities across space and time (Walker 2012). Environmental justice prioritises analyses of marginalised, disadvantaged, and vulnerable communities and seeks to address inequities by recognising the moral rights of affected communities to have meaningful involvement and influence in decision-making. Recognition

and procedural justice aim to test assumptions and processes that have caused injustice, unsettle power imbalances, and devise solutions from the bottom-up, developing a continuing process of inquiry, social negotiation, and transformation. These concerns form the key principles of distributive, procedural, and recognition justice, with each considered an element of justice in itself and procedural and recognition justice as necessary to achieve distributive justice (Schlosberg 2004). The causes of environmental injustice have been analysed to include institutionalised discrimination, the consequences of industrialisation and neoliberalism, beliefs that disconnect people from the environment, and power (Bell 2014; Brehm and Pellow 2013; Bullard 2000).

Environmental justice takes a contextual approach and allows for plurality in the application of ethical principles. The first international environmental justice conference held in Melbourne, Australia (1997), involved a range of perspectives to interrogate issues and approaches that speak to environmental justice. The presence of three prominent feminist theorists, Karen Warren, Deborah Bird Rose, and Val Plumwood, set the tone for an approach based on contextualism, pluralism, and an ethic of care.

Karen Warren (1999) argued that care sensitivity is a necessary condition for ethics and ethical reasoning, and a range of ethical principles might be applied in a given situation, providing they result in care practice. She explained that ethical principles understood as universal and abstract are contextual, arising from specific situations, and generalisable when they reflect diverse humans and circumstances. Warren defines such ethical principles as “situated universals” (1999, 133) and the applicability of this approach as follows:

Real moral life situations, even the favoured canonical situations involving truth-telling, promising and contracts, are seldom, if ever, clear-cut. They are ambiguous and conflicting, and moral decision-making often involves equally strong, competing and compelling values and reasons for acting one way or another. If a philosophical ethic is to be useful to, and reflective of, real-life decision-making, it must be flexible enough to account for the ethical ambiguities of real moral life, while providing guideline principles for resolving real moral conflicts. (Warren 1999, 133)

Ethical principles need to be worked through decision-making processes. Procedural justice is integral to the environmental justice frame and research demonstrates that communities seek “fairness” in both decision-making processes and outcomes. The two are linked. If a process is considered to be fair, even outcomes that are unfavourable to an individual are more likely to be

accepted, and the reverse is also true (Gross 2007; Syme et al. 1999). Procedural justice has been described as central to environmental justice “Australian style” (Arcioni and Mitchell 2005, 366) and key elements include: understanding rights to participate in government decisions; notification of projects; access to adequate information; accessible, meaningful, and influential involvement in decision-making; impartial decision-makers; opportunities for corrective justice; freedom to express opinions; and being treated with respect (Environment Defenders Office 2012; Gross 2007, 2014; Millner 2011).

Recognition is the foundation of procedural and distributive justice and, according to Schlosberg (2007), recognition justice has been “under-theorised” (10). Schlosberg (2007) demonstrates that recognition justice has psychological and structural bases; can be distributed, for example, through voting rights; is an element of justice in itself given that non-, mis-, and mal-recognition can cause harm; and lack of recognition is a cause of injustice (Schlosberg 2007). The treatment of knowledge in the environmental justice frame is an example of the link between recognition and procedural justice. Knowledge is understood to be contextual and situated—geographically, socially, and politically—including the means of communication and “strands of thought” engaged (Derickson and MacKinnon 2015, 305). As a result, environmental justice approaches allow for expanded data gathering by seeking knowledge and experiences of activists, lay “experts”, and residents; recognising their experience as expertise and evidence; and making them “protagonists” in a case (Martinez-Alier et al. 2014, 24). Theorists who advocate for the importance of recognition justice are said to be “influenced by the real world of political injustice” (Schlosberg 2007, 14).

Environmental justice, in essence, is aligned with intersectional feminism. Emerging from the civil rights movement in the United States, environmental justice traditionally analysed the intersection between negative environmental impacts and communities marginalised by race and/or class (Bullard 2000). Scholars acknowledge that feminist frameworks warrant further exploration to understand gendered spaces and scales; the production and experience of environmental injustice and political advocacy from an intersectional perspective; and diverse methodologies and pluralised theories (Holifield et al. 2010). Intersectional feminism has a strong contribution to make to environmental justice by deepening the understanding of how recognition is theorised and practiced.

Intersectional feminism is a critical theory about power and how it is constructed, perpetuated, and experienced by groups based on intersecting categories of difference (Crenshaw 1991). It recognises that multiple categories of difference intersect to create unique experiences of power, privilege, and marginalisation

that vary depending on the situation and change over time within dynamic institutions, politics, and cultures (Smooth 2013). Intersectional feminists neither prioritise a particular “system of oppression” as a way of understanding inequality or a person’s life nor see oppression within single-axis categories as uniform (Lee 2007, 383). The categories of difference employed in any analysis will derive from the context of the case under consideration and are not to be “reified” (Grace 2013, 161).

Seeing the complexity of power, privilege, and marginalisation avoids “essentialising” groups (Osborne 2015, 144) and allows recognition of agency, particularly in groups traditionally viewed as marginalised, and commonalities between groups—contesting traditionally perceived divisions between them. As Smooth (2013) states, intersectional feminism is “borne out of the politics of recognition” (25). The intent of intersectional feminism is to illustrate the embodiment of multiple categories of difference, encourage awareness of complex forms of oppression, understand oppression from its source, and use this understanding to inform the development of policies, legislation, processes, political advocacy, and cultural representation, to transform society and culture to achieve recognition, inclusion, and fair outcomes for all.

Power is analysed in the literature through institutions, political action, and cultural representation (Crenshaw 1991; Livingston 2013; Verloo 2009). This analysis takes an institutional intersectional feminist approach. Defined by Crenshaw (1989) and Smooth (2013), this approach moves the understanding of injustices from the domain of the individual and isolated events to social problems that are systemic and institutionalised. Social institutions construct identities by extending and rescinding rights and influencing groups’ visibility and ability to participate in decision-making, affecting outcomes (Smooth 2013). These constructions change over time and particularly in response to resistance politics (Smooth 2013).

Townsend-Bell (2013, 44) questions whether states can act intersectionally:

are states concerned with the full eradication of social injustice and the fullest possible inclusion of the polity? Or are they more concerned with the still laudable, but narrower, goal of simply ameliorating injustice to some degree?

Her conclusion was that states can act intersectionally, but often do not (Townsend-Bell 2013). Factors that impede health equity in policy are: biases of policy actors; not comprehensively articulating the interaction between social, economic, cultural, and historical influences and the influence of power across multiple levels of society; uniform categorisation, particularly of marginalised groups; excluding analysis of resistance and resilience; and limited stakeholder participation through consulting representatives of a category

(Hankivsky 2012). Both Hankivsky (2012) and Verloo (2009) have proposed methods to address these barriers. Verloo (2009) seeks: “a clear conceptualization of how intersectionality operates, a theory of the power dynamics of a specific inequality, as well as a choice for a clear political goal” (222). Hankivsky (2012) provides a framework to support the analysis and evaluation of policies that includes 8 guiding principles—intersecting categories, multi-level analysis, power, reflexivity, time and space, diverse knowledges, social justice, and equity—and 12 primary questions moving from descriptive to transformative to direct policy analysis and development for social equity. As explained by Hankivsky (2012), Intersectionality-Based Policy Analysis “provides a new and effective method for understanding the varied equity-relevant implications of policy and for promoting equity-based improvements and social justice within an increasingly diverse and complex population base” (33).

Although intersectionality takes a parallel stand to environmental justice, few environmental justice studies take an explicit intersectional feminist approach. Taylor’s (1997) work “Women of Color, Environmental Justice, and Ecofeminism” demonstrated the disparity of negative environmental impacts and lack of enforcement of environmental regulation imposed on people marginalised by race, class, gender, and age, making it morally imperative for the environment movement to acknowledge and respond to environmental inequity. Lee (2007) exemplified agency in a group of Chinese women, who were simply categorised as marginalised, and described how they “managed to transform limited social and cultural capital into valuable political capital, capital that ultimately came to be recognized and valued by formal political leaders” (395), successfully preventing urban development in Strathcona, Canada. Taylor (1997) also asserted the leadership role that women of colour take in the environmental justice movement. Di Chiro (2008) argued that “all environmental issues are reproductive issues” (285), and environmental justice and reproductive justice activism addresses individual rights, social justice, and environmentalism, with particular significance for, and activism by, women marginalised by race and/or class, worldwide. Osborne (2015) advocates to bring together intersectionality and “kyriarchy” to obtain a deeper understanding of marginality, oppression, and vulnerability related to climate change impacts to improve responses in planning and climate change adaption work.

Specific categories of difference analysed and mentioned in feminist and environmental justice literature include gender, race, ethnicity, class, sexuality, age, ability, religion, relationship status, body type, nation, indigeneity, culture, colonialism, and species (Brehm and Pellow 2013; Buckingham and Kulcur 2010; Fincher and Iveson 2012; Lee 2007; Osborne 2015).

Combining environmental justice and intersectional feminism points to certain questions for analysis: What is the distribution of benefits and burdens across communities? Who and what is recognised as a stakeholder? How are groups defined and represented and what are the commonalities and divergences between them? How have power, marginalisation, and vulnerability been co-created and perpetuated over time? How can we improve decision-making to engender and achieve social and environmental justice? These questions are addressed below, under the three key environmental justice principles of distribution, recognition, and procedure, to provide critical insight into the Toolangi case under study and suggest changes in institutional decision-making processes for just recognition, procedures, and outcomes.

Spelman asserts “we know that racism and other forms of oppression result in (as well as require) lack of knowledge, especially a lack in the oppressors of real knowledge of the oppressed” (1988, 178), and with this frame, we now turn back to the forest.

Advancing Understandings and Application of Environmental Justice and Intersectional Feminism to Toolangi State Forest

Distributive Justice

What Is the Distribution of Benefits and Burdens Across Communities?

The distribution of benefits and burdens in relation to distributive, procedural, and recognition justice, as elements of justice in themselves, for all stakeholders (including the forest and species) was detailed in “A Walk Through Toolangi State Forest”. Conservationists reflect this analysis in arguing that Regional Forest Agreements have been unsuccessful for every stakeholder. Regional Forest Agreements have resulted in degraded forests, an increase in the number of threatened species, and less protection for threatened species; demonstrable and repeated violation of the principle of Ecologically Sustainable Forest Management; and declining employment in the forestry industry, declining demand for native forest products, and an unviable industry dependent on government subsidies (Sweeney 2016). In addition, interest groups feel excluded from the decision-making processes and experience persistent conflict.

Recognition Justice

Who and What Is Included and Excluded in the Community of Justice?

Intersectional feminist and environmental justice analyses give rise to the question: Who is missing? Native forest management and use has implications beyond the physical boundaries of the forest and the present day. Mountain ash forests are the most carbon-dense forests per square metre in the world (Keith et al. 2009), and how we manage and use these forests has implications for current and future generations worldwide. However, Victoria's political system and practices are neither inclusive of non-Victorians nor conducive to considering future generations, thereby rendering these groups invisible. State elections are held every four years and elected governments focus on responding to immediate concerns of voters and achieving outcomes within their term of government to maintain and increase voter support. The needs of future generations and populations beyond the state are rarely considered unless the needs are made public concerns that influence voters' decisions on election day.

Ecosystems and species do not have a direct voice in decision-making. They are represented by groups that have their own diverse understandings, needs, values, and goals. Groups represent ecosystems and species variously as: having intrinsic value and a right to exist and flourish; resources for extraction, production, and sale; service providers through cleaning and supplying water and sequestering carbon; a risk to life and property, particularly through fire; utility, for example, recreation and education; and integral to cultural expression. Knowledge about ecosystems and species is developed by stakeholders through science, natural resource management, economic analysis, experience, art, stories, and emotion. Incorporating a range of forms of knowledge in decision-making is necessary to develop a holistic understanding of the forest, as we have an obligation to understand the subject that we are making decisions about. Dominant representations in decision-making reflect the political power of groups and narrow our conception of the forest, which influences outcomes.

How Are Groups Defined and Represented and What Are the Commonalities and Divergences Between Them?

While the forestry industry and conservationists are central to the conflict associated with native forest management, academic analyses and forest policy processes categorise a broad range of stakeholders and interests including

conservation, forestry, commercial forest industries, mining, agriculture, governance, tourism, recreational use, local interests, traditional owners, public interest, and research (Anderson 2003; Haugen 2016; Kanowski 2017). Stakeholder groups are traditionally treated as homogenous, and community participation is enacted by “consulting” with representatives of groups, even though groups are internally diverse in terms of their values, interests, actions, and concerns. Two clear examples are “recreational users” and “Indigenous people”.

Recreational user groups include walkers, bird watchers, photographers, four-wheel drivers, motorbike riders, horse riders, orienteering clubs, hunters, environmental restoration groups and educators. People of all ages and abilities engage in these activities and have conflicting needs from bird watchers who require quiet and still moments to motorbike riders whose vehicle noise is inevitable. Infrastructure such as tracks, toilets, showers, seats, signs, camping areas, and accommodation and viewing platforms are likely to be less desirable to groups that seek to express their survival skills while necessary for others, particularly older users and families with young children. Treating groups as homogenous in decision-making processes risks excluding people's values and needs resulting in an injustice of recognition and associated outcomes.

Minority groups are often regarded as homogeneous (Feary et al. 2010; Hankivsky 2012), but through intersectional research, Feary et al. (2010) showed commonalities and differences between Indigenous people and their engagement with the forestry industry. Analysis of a series of government consultations with Indigenous people from the late 1980s to the early 2000s found localised demands and also commonalities in three major themes of “economic development, recognition of rights and protection of cultural values” (Feary et al. 2010, 127). Consequently, they characterised a diverse “forestry industry” including: production; processing; land management; ecological restoration; protected area management; culture, recreation, and education programmes; other activities; and policy developments, agreements, and political debates; in a matrix with units of Indigenous society at scales of the individual, social, institutional, and political. This analysis resulted in the identification of specific opportunities for Indigenous people's engagement in a diverse forestry industry based on values, interests, needs, and scale.

Expanding the community of justice through time and space also has the benefit of diffusing tension between groups that have had long-standing conflict, such as in forest conflicts in Australia (Anderson 2003). In addition, balancing needs in a specific context, with potentially global considerations,

encourages an ethical framework that is both specific to the context and generalisable to a wider community in line with Warren's (1999) approach to ethical decision-making.

Procedural Justice

How Have Power, Marginalisation, and Vulnerability Been Co-created and Perpetuated over Time?

Power is played out at different scales. Neoliberalism and administrative rationalism underpin much institutional decision-making in Australia. Neoliberalism sees the environment as a product or service, separate from humans, that can be quantified, valued, and traded in the marketplace to support the goals of perpetual growth and profit (Nadeau 2006). Administrative rationalism favours "expert-guided governmental actions" based on technical information and cost-benefit analysis (Dryzek 2005, 85). The influence of micro-economic reform was succinctly summarised by Steele et al. (2012, 74) in reference to urban public policy such that it has brought "an increasing emphasis on: growth over sustainability; shareholders/stakeholders rather than citizens; velocity over quality; and economic efficiency over equity". These dualities reflect the case of native forest management. Natural science and resource management are the primary means for understanding forests and providing evidence in debates (Coakes 1998) and could lead to the expectation that scientists and economists have power in the process. However, as explained by Dryzek (2005), approaches based on scientific evidence and administrative rationalism can still be co-opted by political interests.

Dryzek's (2005) argument is apparent in the use of natural science to inform management practices in the Central Highlands. Clearfell logging followed by a high-intensity burn and reseedling is designed to mimic an understanding of natural fires as stand-replacing events resulting in a new even-aged forest (Lindenmayer et al. 2000) and aid efficient regeneration practices. However, research demonstrates that old-growth montane ash forests are characterised by mixed-aged trees, including live trees with fire scars, and that repeated fires have burned the forest, without being stand replacing (Lindenmayer et al. 2000). Taylor et al. (2014) found a strong correlation between the age of a stand and severity of fire such that the probability of the most severe fires, canopy fires, rapidly increased for stands from 7 to 15 years, and tapered at around 80 years, to rarely occurring at around 300 years (Taylor et al. 2014). This research is critical for risk management, particularly in light

of the 2009 Black Saturday fires and an ecosystem at risk of collapse. However, this knowledge is not incorporated into decision-making rather research that supports current, efficient, cost-effective, logging practices is favoured, to the despair of many scientists and conservationists.

Politically, many conservation groups in Victoria aligned under the Great Forest National Park campaign, launched in 2014 before the Victorian state election. This high-profile campaign, endorsed by international figures David Attenborough and Jane Goodall, includes a pragmatic approach and applies “market logic” to the environment by assigning “monetary values” to environmental products and services (Barkin and Fuente 2013, 5) including tourism, water conservation, and jobs in natural resource management. Economic framing is designed to overcome the greatest divide in many environmental issues, where protecting the environment is seen as incompatible with “jobs and growth”. Bullard (2000) describes how companies supporting neoliberal economics have successfully developed the belief within government and among workers that environmental legislation and regulations are trade-offs for jobs and there is no alternative to business as usual. Regardless of aligning with an economic paradigm, before the election, the political power of the forestry industry and unions prevailed.

The Great Forest National Park campaign was supported by the Victorian Greens, mostly ignored by the Liberal Party, and the Labor Party committed to establishing a taskforce to consider the management and use of native forests. The latter was reported to have been influenced by the Construction, Forestry, Mining and Energy Union with the national secretary Michael O'Connor saying:

We are confident that the Labor Party supports regional blue collar jobs and we are confident that they will not be pressured by environment groups who don't care what happens to regional employment. (Gordon 2014)

At a more local level, biodiversity surveying is another example of how power can be seized and curtailed. Logging is prohibited in particular forest types and where critically endangered species are identified, so conservationists refined their biodiversity survey skills, borrowed survey tools from a state government body, and became adept at recording and reporting endangered species. The public were prevented from entering active logging coupes under the *Safety on Public Land Act 2004*, until 2014 when the *Sustainable Forests (Timber) Act 2004* was updated to incorporate this function and Public Safety Zones were replaced with Timber Harvesting Safety Zones including new offences and penalties (Lawyers for Forests 2014). Conservationists argued

the change in legislation was to discourage them from entering logging coupes. Conservationists were also concerned that foresters were incorrectly identifying the perimeter of Timber Harvesting Safety Zones. In response the Knitting Nanas of Toolangi and community collectively knitted a scarf at 150 metres, and then beyond, representing a zone's distance, to draw attention to injustice. Wildlife of the Central Highlands was successful in 2016 at protecting coupes from logging by identifying Leadbeater's possums in Toolangi State Forest. However, biodiversity surveying by volunteers is time consuming, costly, and can be stressful with the potential of local conflict. Procedural justice including parity in accessibility, influence, and accountability is one way to avoid resource intensive and potentially injurious contests for power.

How Can We Develop Equitable, Accessible, Meaningful, and Influential Decision-Making Processes?

Parity in participation in decision-making is necessary for procedural justice (Schlosberg 2007). However, participation is conducted through top-down processes and there are many practical barriers including time, location, ability, access to technology, language, knowledge and resources, and also psychological barriers including distrust of government and a sense of helplessness that have been generated through institutionalised marginalisation. Derickson and MacKinnon write that “politics is always possible, but it is also almost always very painful, difficult, risky, and costly, and the price is not evenly distributed, even among those who might constitute the part of which has no part” (2015, 310). To improve equity, decision-making processes should start with developing an understanding of groups and their diverse ability to engage in all stages of the policy process and then amend processes to allow the time and space for participation and influence based on redistributing power relating to vulnerability and resourcefulness (Derickson and MacKinnon 2015).

Intersectional research encourages the use of methods that elicit understandings from those who are oppressed and may include case study research, interviews, storytelling, and building oral histories (Osborne 2015). These methods encourage information to be presented in diverse ways, for example, Mansfield et al. (2015) brought together intersectional feminism, environmental justice, and forests in Canada based on stakeholders' visions for the forest. This approach departed from a business-as-usual scenario and broadened perspectives to encourage creative and specific solutions. Native forest management in Australia takes a sectoral approach and solutions focus on providing certainty for forest industries, protecting jobs, and conserving the

environment. This frame has entrenched the forestry (wood and paper) industry and national and state parks and excluded stakeholders such as other forest businesses, recreational users, and traditional owners. The approach inherently misses the opportunity to consider alternatives such as diverse sources of fibre, community forestry, Indigenous forest management, commercial management, and public trusts.

In discussing decision-making processes in a Victorian state pilot community forestry project, Nelson and Pettit (2004, 305) described the context as obtrusive:

the dominating framework of representative democracy is adversarial, offering concepts of community as sectors with discrete if not conflicting interests. Much futile discussion in the consultations rotated on 'us' and 'them' categories counter-intuitive to the process sought, of creating common ground.

Environmental justice and intersectional feminism create an opportunity to open analysis and focus on achieving justice, or fairness, through an inclusive, nuanced and reflexive framework from the outset.

Limitations

Even if all of the problems mentioned in this case were addressed, influence is still limited by power entrenched in legislation. For example, the *Environment Protection and Biodiversity Conservation Act* is the primary legislation designed to protect Australia's environment and vulnerable species and, in essence, the principles of the *Act* represent a strong vision for sustainability, community participation, and recognition of Indigenous knowledge and involvement in management. At the outset, native forestry is excluded as an option for consideration by the Minister under the *Act* in areas where there is a Regional Forest Agreement. This results in less protection for ecosystems, biodiversity, and species and as explained by Jessup (2015, 23) "although framed as an exemption the provisions have alternatively been understood as being 'akin to a licence'", a phrase used by Dr Allan Hawke in his review of the *Act*. Therefore, public participation and recognition justice need to be met with distributed decision-making power, decision-making needs to be transparent, and decision-makers and actors need to be held to account, and this must be reflected in all aspects of policy.

Conclusion

Combining environmental justice and intersectional feminist frameworks in selective ways provides insight into the conflict over Toolangi State Forest and the policy process through analyses of groups, knowledge, procedure, outcomes, and power.

The frameworks highlight opportunities for change in policy processes and their potential benefits as follows:

- Acknowledging stakeholders beyond commonly identified groups, including the environment itself, the global population, and future generations, broadens the conceptualisation of the policy problem, diffuses long-standing tensions in a conflict, and encourages the adoption of ethical principles that are both contextual and generalisable to all people and the environment.
- Understanding diversity within interest groups provides recognition and expands our understanding of an issue through diverse interests, meanings, and knowledge. Identifying commonalities between groups can shift the perspective from adversarial groups as the primary policy problem and encourage inquiry into the cause of a conflict.
- Seeing the process of seizing and curtailing power as distracting from collecting accurate information and potentially injurious and wasteful for stakeholders points in the direction of a judicious response of adjusting procedures for parity of access and influence in decision-making.
- Improving parity in procedural justice requires understanding stakeholders and their interests, power, vulnerability, and ability to engage in all aspects of the policy process and amending processes to facilitate participation. This may encourage the use of diverse methods to elicit stakeholders' understandings including case studies, interviews, storytelling, and building oral histories (Osborne 2015).
- Finally, as environmental justice and intersectional feminism are normative approaches, they create the opportunity to focus policy analysis on achieving just outcomes for all people and the environment as a valid starting point.

These recommendations are applicable to native forest management and use and natural resource management more broadly. Environmental justice and intersectional feminism support the development of bottom-up, empowering responses to social and environmental issues that are more likely to be

considered fair and test assumptions that underpin decision-making. The frameworks contest institutionalised power and advocate for holistic decision-making processes that aim for recognition, knowledge building, procedural justice, and just outcomes.

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32

Listening for Intersectionality: How Disabled Persons' Organisations Have Improved Recognition of Difference in Australia's National Disability Insurance Scheme

Cate Thill

Introduction

Andrea lived in a violent relationship with her husband. Police had been called to Andrea's home on a number of occasions as a result of the violence, but advised Andrea there was little they could do for her. Andrea became pregnant. She delivered her baby in the local hospital. A week later police arrived at her house with child welfare officials. The police physically restrained Andrea whilst the child welfare officials took the baby. Andrea was told at the time that her baby was being taken because Andrea had an intellectual disability and because there was a history of domestic violence. Andrea was never offered counselling or any form of support for either the removal of her baby or the domestic violence. Andrea's baby was never returned to her....

Sarah employed her own support worker to assist her with personal care. Sarah had managed pretty well but now at 45, and with a degenerative disability, it was becoming more difficult for her to manage her personal care. Sarah lived alone. The new female support worker started off well and Sarah felt relieved that she was finally getting assistance. But two weeks later, Sarah was sexually assaulted by the support worker whilst in the shower. Sarah was trapped and unable to fend off the attack. Later she reported the attack to the police, and although it transpired that the

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support worker had a past history of a similar incident, the police advised Sarah that it would be 'pointless' to pursue charges, as it would be impossible to 'substantiate' the complaint. Sarah's 'support worker' had passed all reference checks and police checks prior to Sarah employing her.

The Australian Cross Disability Alliance submission to the Senate Community Affairs Reference Committee Inquiry into Violence, abuse and neglect against people with disability

These testimonies capture a key contribution of paying attention to intersectionality—in this case the intersection of disability and gender—in policy-making and analysis. That is, exposing how policy fields marginalise the voices and experiences of particular people and groups and how this process contributes to human rights abuses and service delivery gaps (see also Soldatic et al. 2014; Thill 2015). The stories are taken from an Australian Cross Disability Alliance (2015) submission to a senate inquiry. This use of lived experience to influence and inform the policymaking process illustrates how Disabled Persons' Organisations (DPOs) listen and seek to amplify the voices of people with disability whose situations are shaped by intersecting categories of identity and oppression.

There is a growing research agenda concerned with the methodological question of how to apply intersectionality in policy research and practice (Hancock 2007; Hankivsky 2012; Hankivsky and Cormier 2011; Strid et al. 2013; Lombardo and Agustín 2012, 2016; Hearn et al. 2016; Kayess et al. 2014; Manuel 2007; Soldatic et al. 2014; Parken 2010). Theoretical debates about intersectionality offer rich conceptual frameworks for analysing how subject positions are shaped by multiple, interconnected social relations of power and privilege (Hollinsworth 2013; Lloyd 2001; Morris 1993; Meekosha and Dowse 1997; Garland-Thomson 2005; Collins 2000; May 2014). There are, however, ongoing challenges associated with translating this richness into a coherent approach to policy analysis. Researchers continue to confront the question of how to determine which categories of difference to examine in a given policy context (Hankivsky 2012; Hankivsky and Cormier 2011). Intersectionality research has predominantly focused on race, class, and gender at the risk of further marginalising other forms of lived experience, such as disability, although there are exceptions (Kayess et al. 2014; Soldatic et al. 2014). Furthermore, attention has been given to experiences of vulnerability and oppression with less recognition and interrogation of agency, resistance, and privilege (Hankivsky 2012).

While there are recognised challenges to applying intersectionality in practice, I argue that social justice-oriented listening offers a useful methodology

with which to address many of those challenges—not least because it enables recognition of the agency of people with lived experience of intersectionality as active participants in the policy process. In this chapter, then, public policy is not reduced to government action but defined more broadly as ‘the continuing work done by groups of policy actors [including DPOs] who use available public institutions to articulate and express the things they value’ (Considine cited in McClelland and Smyth 2010, 13). Social justice-oriented listening is used as a framework for policy analysis in order to trace how claims made by DPOs for attention to intersectionality in policymaking and service delivery have been heard at different stages and levels of the policy process. This approach decides which categories of difference to examine by listening to the voices of those with lived experience of intersectionality about significant policy gaps. It thus addresses one of the key challenges of applying intersectionality in practice, in a way that is consistent with its central tenants. In doing so, it recognises the agency of people with disability as active participants in the policy process and their resistance to being treated as objects of policy or as a ‘problem’ to be solved by others.

The chapter begins by providing an overview of intersectionality theory and key debates about how to apply it to policy analysis. It then defines social justice-oriented listening as a methodology that emerges out of intersectionality scholarship and distinguishes it from the often tokenistic listening associated with the consultation phase of policy development or case management approaches to service delivery. The empirical section of the chapter exemplifies how social justice-oriented listening as an intersectional approach to policy analysis can be applied by examining Australia’s National Disability Insurance Scheme (NDIS) and policy on gender-based violence as case studies. These policy fields were chosen because they are significant areas of policy development and important sites of advocacy by DPOs for recognition of the intersectional rights of women with disability (Kayess et al. 2014). While the cases are Australian, the research has global implications. It builds on work by Rosemary Kayess, Therese Sands, and Karen Fisher (2014) to exemplify how DPOs leverage United Nations (UN) human rights instruments such as the Convention on the Rights of Persons with Disabilities (CRPD) to advocate for recognition of intersectionality and then analyses how this ongoing work contributes to reframing public policy. The policy development in these fields also reflects international trends and thus the findings have broader relevance from a policy as well as a human rights and methodological perspective. Like similar programmes in other liberal democratic welfare states such as North America and the United Kingdom, the NDIS is based on a person-centred and individualised approaches to funding disability support (targeted to people with

lifelong, sever and profound impairments). The NDIS and the National Plan to Reduce Violence Against Women and Their Children 2010–2022 (the National Plan) also reflect a shift towards diversity mainstreaming, which has similarly shaped European equality policy since the 1990s (see Rees 2005). Finally, I conclude by offering some reflections on how attention to intersectionality can contribute to policy analysis and development.

Intersectionality

Intersectionality, as a theoretical framework, emerged from the lived experience of African American feminist scholars. While Kimberlé Crenshaw (1989) coined the term, she and others argue that the concept underpinning it has a much longer history, which can be traced back to the work of black feminist thinkers and activists of the eighteenth and nineteenth century including Maria Stewart, Anna Julia Cooper, and Sojourner Truth (May 2014; Strid et al. 2013; Hancock 2007). It also has broader application and has been taken up by feminist disability studies to develop a research agenda grounded in the intersectional lived experience of women and girls with disability (Morris 1993; Garland-Thomson 2002, 2005; Lloyd 2001; Kayess et al. 2014).

Intersectionality is premised on a critique of approaches to difference that foreground a single category of analysis such as gender, race, class, ethnicity, or ability. By contrast, intersectionality theorists examine the simultaneous lived experience of multiple facets of social identity and the ways in which it is shaped by interlocking and mutually constitutive social relations of power and privilege. It is also, then, distinguished from approaches to difference that work from a single identity category—such as gender—to which others are ‘added on’. Such approaches undermine the very arguments for recognition on which they are based. Additive approaches focus on the cumulative effects of multiple forms of difference and inequality without acknowledging diversity within categories or the interrelationship between them (Hankivsky 2012). They thereby reproduce, for example, the privilege of white, able-bodied, middle-class women as standing-in for all women since the experiences of Aboriginal, poor, and disabled women are treated as afterthoughts.

Furthermore, additive approaches tend to represent intersectionality in negative terms as producing ‘double disadvantage’ (Morris 1993, 63) or ‘*victims of multiple forms of oppression*’ (Manuel 2007, 177). This focus on the experience of disadvantage or victimhood obscures the extent to which oppression is produced by social relations of power *and privilege*. It is particularly problematic from a disability perspective because it reinforces the seemingly

intractable representation of the lived experience of disability as personal tragedy (Morris 1993; Oliver and Barnes 2012). Conversely, it also subjects people with disability who have mobilised for social change to the cultural injustice of non-recognition by eclipsing their agency and resistance to ableism (Shakespeare 2014).

Although intersectionality theorists have succeeded in changing the discussion about how to approach questions of difference, this recognition has not necessarily translated into widespread application of intersectionality as a methodology in research or policy (May 2014). There are well documented challenges to adopting an intersectional approach to research, policy analysis, or policymaking in the literature (Hankivsky and Cormier 2011). First, the task of developing a framework to capture how lived experience is shaped by multiple and interlocking social relations of power and privilege is formidable. It demands attention to the interrelation between agency and structure and between categories that have hitherto been treated separately or cumulatively. Second, there is uncertainty about when and how to transform established approaches to policymaking and analysis in order to apply intersectionality frameworks. Third, there are no clear criteria upon which to decide the specific categories of difference and inequality to examine in any particular policy context (Hankivsky 2012; Hankivsky and Cormier 2011).

This framing of intersectionality as a methodological problem is itself a problem. It emerges from a long history of representing marginalised groups as social problems and deflects attention away from systems of oppression and privilege (May 2014). Indeed, I would argue that the more significant problem is the intersecting structures that constitute what Patricia Hill Collins (2000) terms 'the matrix of domination' of a given society such as the gender order, colonialism, and ableism—and not the difficult and interesting question of how to operationalise intersectionality, or the injustice that results from people falling through the cracks of categorical approaches to policy and service delivery because these approaches fail to take intersectional experiences into account. For example, since disability service policy neglects gender and gender-based violence policy neglects disability, then both policy fields miss the specificity of gendered disability violence (Kayess et al. 2014). Hence the domestic violence experienced by Andrea and the sexual assault experienced by Sarah, captured in the testimonies set out in the introduction to this chapter, were not taken seriously as human rights violations or criminal acts.

The question about what categories to examine in a given policy contexts also somewhat misses the point. Intersectionality as a framework seeks to value the subjugated knowledge claims generated from lived experiences of marginalisation (Collins 2000; May 2014). It thereby challenges established

hierarchies of attention in policymaking and research, which privilege expertise over lived experience. The crucial question then becomes not how policymakers or researcher can decide *a priori* what categories to analyse but rather how we might unlearn our privilege as experts without abdicating our responsibility for contributing to policy change.

Social Justice-Oriented Listening

Gayatri Spivak suggestively invokes the politics of listening as crucial to the process of relinquishing privilege (Probyn 2004). Applying her idea to the field of policy, I argue that a certain type of listening enables hearing the voices of those who have hitherto been treated as objects of policy and opens the possibility of subjugated knowledge claims be heard at different stages and levels of the policy process. In this section I offer a conception of listening as a social justice-oriented practice that emerges from and makes a significant contribution to operationalising some of the key claims of intersectionality scholarship.

Like Spivak, Susan Bickford (1996) contends that assuming responsibility for what she terms 'political listening' is vital to the process of transforming established relationships of power and privilege. Given that oppression entails subjugating the voices and knowledge claims of marginalised groups, then listening can perhaps function, conversely, to foster the recognition of multiple voices and ways of knowing grounded in lived experience. While Bickford and Spivak use the term political listening, I prefer social justice-oriented listening because it foregrounds the importance of addressing established relations of power and privilege. While listening practices that are attentive to social justice claims do have broader implications for improving democratic relations, these can only be realised through the process of addressing historical injustice.

The right to have a say is routinely violated for people with disability (Meekosha 2001). In public debates people with disability are often subject to the injustice of non-recognition insofar as they are 'spoken *about*, rather than listened *to* as experts' (Newell 2006, 280; original emphasis). This chapter challenges established hierarchies of attention in which expertise is privileged over lived experience. It demonstrates how listening to the voice of people with disability with lived experience of intersectionality improves policy development, implementation, and evaluation. Importantly, voice and listening are used as political metonyms to capture the relational elements of participation in practice. The intention is not to reproduce the dominance of specific forms

of communication such as speaking or hearing (see Brueggemann 2002; Bickford 1996). On the contrary, social justice-oriented listening requires attention and receptivity to the 'voices' of those whose capacity to participate is called into question because they communicate in non-standard forms (Ashby 2011).

Social justice listening comprises three key, interrelated elements: openness, recognition, and continuation. Openness entails relinquishing the privileged authority of speaking 'on behalf of' in order to actively cultivate attention and receptivity to as well as engagement with the voices of others (Bickford 1996; Coles 2004; Probyn 2004). Bickford uses Chicana feminist Gloria Anzaldúa's notion of 'creating bridges' (see Anzaldúa 1990) as an analogy to describe the goal of open listening as forging 'a passage to another's experience' (Bickford 1996, 148). This formulation is apt because it challenges the conflation of openness with passivity. In listening, we do not somehow relinquish our own standpoint and inhabit another's experience on their terms. This is would be to displace privilege and attempt to subsume difference in the solace of empathy and sameness—as with feminists who have assumed that their experience of gender oppression means that they can understand the experience of women of colour, Indigenous women, or women with disability. On the contrary, openness necessitates courage because what we hear will likely challenge our own perspective, reveal conflict, and 'require change from us' (Bickford 1996, 149). Social justice listening also entails recognition of those making claims 'as full partners in social interaction' (Fraser 2008, 134). Finally, it involves continuation; social justice-oriented listening is conceptualised as an intersubjective practice in which both parties share responsibility for sustaining engagement across difference as the basis for shared action in the future (Dreher 2009; Bickford 1996).

This type of listening is distinguished from other forms of citizen participation in government policy and decision making such as traditional methods of consultation and case management. While consultation methods can be a mechanism for citizens to voice their views, they also 'act as a vehicle for gathering political support and limiting opposition' (McClelland and Smyth 2010, 58). The listening involved in this process, then, tends to be monological and is often criticised as tokenistic. Largely absent from consultation is a commitment to continuation—that is, to sustained engagement and shared action 'over an extended period of time' (Dobson 2014, 187) and across different stages and levels of the policy process (Thill 2015). Social justice-oriented listening is also distinguished from therapeutic listening, which characterises the case management relationship. Therapeutic listening operates not only to normalise and legitimise neoliberal rationalities of government (such as workfare

and consumerism) but also to individualise social problems (McDonald and Marston 2005). It therefore serves to mask oppression rather than to transform relations of power and privilege.

Policy Analysis Method

I applied social justice-oriented listening as a methodology to examine policy documents for the NDIS and the National Plan. Documents related to two stages of the policy process for the NDIS were analysed—policy development and implementation across trial sites—from the period 2011–2017. Additionally, I examined the National Plan, its three associated Action Plans, and submissions and reports from DPOs on gendered disability violence covering the period 2010–2016. I analysed how (or indeed if) policy documents demonstrate responsiveness to claims made by DPOs for recognition of intersectionality. This was accomplished by analysing the articulation between submissions and responses produced by DPOs and reports and legislation produced by government agencies. The approach usefully revealed not simply whether DPOs were consulted—through submissions, public hearings, and online forums—but rather how their claims were heard and shaped policy outcomes.

Listening for Intersectionality in Disability Policy

The National Disability Insurance Scheme Act (2013) recognises that the lived experience of people with disability is shaped by multiple social relations of power and privilege insofar as it frames one of the objects of the act as giving effect to multiple human rights instruments, that is, to not only give effect to Australia's obligations under the CRPD but also the Convention on the Rights of the Child (CRC) 1989, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979, and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1965. This recognition of intersectionality indicates open listening to claims made by DPOs that alignment with a range of international human rights instruments is both a public expectation and requirement of the scheme (Wadiwel 2011). In reframing disability as a matter of human rights, the Australian government stands under established representations of disability as an individual or welfare problem (Kayess et al. 2014).

Similarly, more recent documents such as the NDIS Quality and Safeguarding Framework (Department of Social Services 2016) extend recognition of intersectionality into practice. The Framework uses people-first language to identify the fact that intersectionality shapes lived experience, including the:

increased risk of violence, abuse and neglect [faced by] women with disability, people with intellectual or cognitive disability, people with disability who identify as Aboriginal or Torres Strait Islander, and people with disability from culturally and linguistically diverse (CALD) backgrounds. (Department of Social Services 2016, 7)

While the framework makes intersectionality visible by naming particular categories of persons, it nonetheless resists an additive or cumulative approach. Instead, it adopts a human rights frame by affirming people with disability as rights bearers (Department of Social Services 2016, 11). This approach reflects engagement with recommendations from DPOs such as People with Disability Australia (PwD) and Women With Disabilities Australia (WWDA) (2015, 2–3).

The Quality and Safeguarding Framework also demonstrates open listening by engaging with demands from WWDA to change the established pattern of treating violence against people with disabilities in support settings (including gender-based violence) as service incidents. The lived effects of this practice are illustrated in the testimonies from Andrea and Sarah, with which I began this paper. Women with disability, in particular, are routinely subject to violence, abuse, and exploitation and yet denied legal rights and access to mainstream services such as domestic violence, sexual assault, and trauma counselling services (WWDA cited in Department of Social Services 2016, 50). Although the framework retains the misleading nomenclature of 'serious incidents', it nevertheless establishes a national system in which the complaints commissioner responds to serious incidents at both the individual and systemic levels (Department of Social Services 2016).

It is precisely the sustained engagement with DPOs, such as WWDA, which has contributed to recognition of violence against people with disability in service settings as a systemic policy problem that is shaped by mutually constituting experiences of oppression. In addition to its widespread advocacy on this issues, WWDA (2011) delivered a submission in response to the Productivity Commission's Disability Care and Support Draft Report. While the issue of violence was not addressed in the NDIS Act 2013, the state-civil society interface was sustained and WWDA were subsequently invited to

contribute a submission to the development of the NDIS Quality and Standards Framework and to participate in workshop discussions as a stakeholder group (Department of Social Services 2016). Continuation in listening has contributed to better policy development, implementation, and review. It has resulted in a twin-track approach of ensuring quality and safeguarding in disability services alongside capacity building to improve the responsiveness of mainstream services to people with disability.

The emphasis on supporting people with disability to access mainstream services through the NDIS Information, Linkages and Capacity Building (ILC) Policy Framework (Disability Reform Council 2015; National Disability Insurance Agency 2016) provides potential for further recognition of intersectionality. All policy can affect people with disability (as with any citizen) and not only policy categorised as disability policy (Kayess et al. 2014). While the NDIS is specifically focused on people with disability, other policy fields—including those that address other inequalities—are just as important to realising social justice and human rights of people with disability. In the ILC Framework itself, there is broad recognition of the importance of capacity building for mainstream services to address the barriers that people with disability face in accessing those services. The ILC Commissioning Framework includes an image of an Indigenous women with disability and proposes a ‘yarning circle (peer group) for Aboriginal women run by a local Aboriginal organisation’ (NDIA 2016, 18) as an example of an activity that would fit within National Disability Insurance Agency’s (NDIA) priority on cohort-focused delivery. Yet there is no detailed or sustained engagement on the question of how to systematically enhance mainstream services to make them more responsive to the intersecting inequalities experienced by many people with disability. This recognition is more evident, however, in other relevant policy documents.

The Second Action Plan 2013–2016 of the National Plan to Reduce Violence Against Women and Their Children 2010–2022 includes specific actions designed to ‘improve access and responses by services for women and girls with disability experiencing or at risk of violence’ (Department of Social Services 2011, 54). There is evidence of sustained listening through state/civil society engagement, where WWDA was engaged to lead the *Stop the Violence* project under the First Action Plan and then to work in partnership with the government to implement project outcomes as part of the Second Plan. The listening relationship has improved recognition of intersectionality in the policymaking process over the life of the National Plan. The National Plan itself undermines recognition of intersectionality by adopting an additive approach to difference since it frames the needs of women and girls with dis-

ability as 'specialised' and 'individual' (Commonwealth of Australia 2010). By contrast, the First Plan identifies the need for improved access to mainstream as well as specialised services for women and girls with disability as a policy problem. The Second Plan provides somewhat more substantive recognition of intersectionality as mutually shaping the experience of violence by women and girls with disability. It reports, for instance, that disability increases the likely incidence, severity, and duration of women's experience of violence (Department of Social Services 2011, 7) and that gender and disability increase the risk that women with disability will be victims of crime (Department of Social Services 2011, 16). Moreover, the Second Plan prioritises women and girls with disability—as well as the partnership with WWDA—in moving to 'prioritise and implement key outcomes from the *Stop the Violence Project*' (Department of Social Services 2011, 27–28).

While there are pockets of improved recognition of intersectionality, WWDA argue that there is a broader failure to engage with intersectionality in the overarching framing of the policy field. The National Plan focuses on domestic and family violence and sexual assault obscures other forms of violence experienced by women and girls, including gendered disability violence, that is, types of violence that are specific to the situation of material and cultural injustice that women and girls with disability are subject to. Gendered disability violence includes:

institutional violence, chemical restraint, forced or coerced sterilisation, forced contraception, forced or coerced psychiatric interventions, medical exploitation, withholding of or forced medication, violations of privacy, forced isolation, seclusion and restraint, deprivation of liberty, denial of provision of essential care, humiliation and harassment. (Frohmader et al. 2015, 6)

WWDA also problematize the extent to which violence against women and girls with disability tends not to be framed as such but instead treated as abuse or neglect and therefore not recognised as a crime (Frohmader et al. 2015).

The engagement between WWDA and the government, then, has involved sustained effort to continue to listen and act together across significant differences in standpoint. The WWDA critiques are articulated in a report designed to contribute to further policy development of the National Plan. Likewise, the Third Plan also demonstrates an openness to building an evidence base from which to understand the problem of gendered disability violence in its commitment to 'commission an Australian study in 2017 that will examine the types of violence experienced by women with disability and the range of perpetrators and

settings' (Commonwealth of Australia 2016, 39). This commitment indicates openness to persuasion regarding WWDA's argument that gendered-based violence cannot be reduced to domestic or family violence and sexual assault but also includes forms of violence that are not necessarily perpetrated by intimate partners and/or in the domestic sphere.

Conclusions and Recommendations to Policymakers

This chapter concludes with the following recommendation: that recognition of intersectionality requires continued listening to civil society organisations such as WWDA, which represent the lived experience of intersectionality, as active—albeit not equal—partners in the policy process. Furthermore, that this engagement contributes to improved policy development, service delivery, and review. The collective voice of WWDA filled a significant gap in knowledge about gendered disability violence and opened the possibility of a broader reframing of gender-based violence as a policy problem. While this project remains in its infancy, it will provide an evidence base from which to address the injustice currently experienced at the intersection of disability and gender due to systemic human rights abuses and policy and service delivery gaps.

It also demonstrates how intersectionality is applied in practice, by using social justice-oriented listening as a methodology to evaluate policies on disability and gender-based violence. Like Amartya Sen (2009), this approach works piecemeal to identify manifest injustices by listening to the voices of those with lived experience at the intersection of disability and gender. Significantly, the methodology itself addresses the injustice of non-recognition by foregrounding the contribution of DPOs to making intersectionality matter in policymaking and service delivery. One such contribution is WWDA's mobilisation for a twin-track approach to policy development that challenges established, categorical approaches to disability policy.

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Are We All ‘Baskets of Characteristics?’ Intersectional Slippages and the Displacement of Race in English and Scottish Equality Policy

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Introduction

‘Intersectionality’, a term coined by Black feminist and legal scholar Kimberlé Crenshaw to describe ideas elaborated within Black and women of colour’s and indigenous women’s thought and activism, is increasingly used in equality policy in the UK. This increasing use is reflected in Great Britain-wide and national equality policy documents published by Westminster and Holyrood respectively. Of the four nations that make up the UK, in this chapter I focus in particular on England and Scotland, because Westminster policy is influential throughout and because, in Scotland, there has been a particular government interest in intersectionality, where it is used in policy to a greater extent than in England. In this chapter I outline my methodology; define intersectionality and situate my research within some recent academic debates among intersectionality theorists responding to its take-up in policy and elsewhere; provide some background on its application in UK equality policy; and then turn to its take-up, uses and meanings in English and Scottish equality policy documents, in the first systematic investigation of the language of intersectionality in policy documents comparing two nations within a country. In the documents, I find a range of definitions of intersectionality decontextualised

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from its origins, and although engagement with intersectionality is greater and at a higher level in Scotland, in both countries its deployment is largely individualised, excluding consideration of the intersections of macro structures of inequality; merely descriptive; additive; and superficial, leaving its potential unrealised. Moreover, particularly in relation to Scotland where 'intersectionality' is used more widely, I highlight the gap between academic debates and the way that intersectionality is used in and by government, as well as how meaningful engagement with race as a central category of intersectionality theory is lacking in policy documents not specifically concerning race equality. I will finish with five key recommendations derived from my research as to what might be required for intersectionality to be taken up in policy in a way that is more aligned to its social justice orientation, to inform advocacy and policy interest in intersectionality.

My wider research responds to gaps in knowledge on intersectionality's operationalisation, and intersectionality and the third sector. It draws on my practitioner background to explore how equality third sector organisations, which have been predominantly focused around single issues/identities, are conceptualising and operationalising the politically transformative frame of intersectionality. This project is being conducted with three networks of equality organisations (organisations which have emerged because of inequality related to markers of identity, including racial justice, feminist, disability rights, LGBT rights, refugee organisations, etc.) and public sector partners in cities in England and Scotland, through case studies employing interviews, focus groups, observation/participant observation, and documentary analysis. It explores and compares the development and use of intersectionality within the equality seeking third sector in England and Scotland—what intersectionality means in the equality seeking third sector, how these meanings are used in practice, and how this relates to equality policy—and aims to theorise approaches to operationalisation of intersectionality based on results, with reference to intersectionality theory. One objective of this research is to explore the relationship between equality policy and third sector equality practice. The analysis of policy documents, supplemented by other data that I will present, is therefore one component of this research.

Scholars of intersectionality advocate for intersectionality's take-up and use in public policy. This chapter asks, in jurisdictions where it has been identified as being in the process of take-up in equality policy, what does it mean? And, how is it used? I argue that these warrant careful examination before intersectionality's take-up can be either celebrated or translated elsewhere. This cuts to the heart of the global challenge of how to apply intersectionality in policy which this edited volume responds to, as well as to what the difference would

be between an intersectional approach and competing approaches. In fact, the context in which and the ways that it is being taken up may be in conflict with its original objectives, when intersectionality is used in diverse country contexts without attention to its history or its full implications. We are at a critical juncture where intervention to re-politicise intersectionality in policy is essential. Particularly where there is policy interest in intersectionality, there is opportunity to influence consistent and socially just uses of intersectionality. While this chapter focuses on the UK, using intersectionality to its transformative potential within contradicting policy frameworks and politics remains a global challenge.

Methodology

Much previous research on intersectionality and UK policy has employed interviews (Hankivsky and Christoffersen 2011; Hankivsky et al. [forthcoming](#)). The research presented in this chapter complements this, focusing on 'inscribed' (Freeman and Sturdy 2015) understandings and applications of intersectionality. These inscribed understandings may of course diverge from policymaker accounts reflected in interview data; they likely also themselves influence policymaker accounts. In the study of public policy, 'documents are important for the vocabularies and ways of thinking they generate, reproduce, translate, and set in motion. But they are also material objects or tools, part of the essential technology of politics and government' (Freeman 2006, 52).

The documents that I base my analysis on were found through advanced searching of English and Scottish national government websites (gov.uk, gov.scot); the website of the Equality and Human Rights Commission, the Great Britain-wide equality body charged with enforcing the Equality Act (equality-humanrights.com); and finally the parliament websites (parliament.uk, parliament.scot) for documents containing 'intersectionality'. The majority of this analysis was conducted in 2017, while some was conducted during late 2016; as such some more recent documents may be excluded. Documents found have been analysed with respect to how they define intersectionality, that is, the language employed, and how it is used: I identified broad uses across the set of documents. The documents were analysed from a constructivist, intersectional feminist perspective, using techniques elaborated by Atkinson and Coffey, Stanley, Prior and Cheek (Atkinson and Coffey 2004; Cheek 2004; Prior 2003; Stanley 2016). This method has limitations, in that focusing on document content and language does not necessarily capture the equally important practices that produced documents and the practices which

they produce (Freeman and Maybin 2011). Many of the documents I analyse are the products of social practices including evidence gathering exercises involving multiple actors, drafts, consultations, meetings, workshops, and second drafts; some in turn produce responses, campaigns, monitoring, and reporting on the commitments contained therein (i.e. more documents) and, importantly, policy action. I have placed the documents in as much context as this method allows and provide some comment on the relative power of specific documents analysed. I include some emerging findings from research with equality seeking third sector organisations engaged in policy influence and implementation. In other words following Freeman and Maybin (2011), I seek to combine attention to the context in which documents are produced, the language/discourse of documents, as well as their power and impact. More research is required to understand and trace the policy process and actors involved, which may have influenced the particular meanings and uses of intersectionality in the documents and in policy.

Reflexivity

As a white woman, it is important to contextualise what has led me to research intersectionality. To clarify, I do not argue that white feminists should justify use of intersectional frameworks or methodologies in their empirical research; it would in fact be more appropriate to seek justification for why they do not. Yet I am not simply using an intersectional frame or methodology for wider research into social inequalities: I am studying intersectionality-as-a-topic. I aim not to attempt to justify what is probably not justifiable. I also aim not to 'transcend' my positionality through a simple telling, but to practise 'uncomfortable reflexivity' (Pillow 2003), that is, to situate myself as open to challenge.

My first point of entry to studying intersectionality-as-a-topic was academic: I was privileged to learn what we might now call intersectionality studies at university, in part from women of colour (who for the most part were sessional staff, on poorly paid and precarious contracts). My second point of entry was as an activist and a practitioner, the latter in the same sector that I am studying, specifically first working in a Black-led LGBTQ community development organisation¹ for six years, an organisation concerned with

¹ There are varying definitions of 'led by/for' in use in the third sector. Here I mean that the organisation developed purposefully to be Black/people of colour majority led among its trustees during my time there, which is distinct from a 'Black LGBTQ organisation' since permanent staff were usually majority white and our work was directed more widely: at the time our priority target communities were the overlapping groups of Black, Deaf, disabled and female LGBTQ people.

intersectionality though this was not necessarily the favoured terminology. Coming from the same sector that I study, and engaging in the policy context in various ways, also means that I am complicit with and implicated in much of what I am now analysing.

Intersectionality: Debates in Literature

Intersectionality is a contested term, and there are a wide range of definitions available. For the purposes of this paper, drawing on Crenshaw and others including Patricia Hill Collins, intersectionality is defined as the understanding that social inequalities are interdependent and indivisible from one another: 'race, class, gender, sexuality, ethnicity, nation, ability, and age operate not as unitary, mutually exclusive entities, but rather as reciprocally constructing phenomena' (Collins 2015, 2). Systems of inequality including capitalism, sexism, racism, heterosexism, ableism, and cisgenderism, among others, constitute one another, meaning that they construct one another and interact to create institutions and social positions (Collins 1990; Crenshaw 1989, 1991; Hankivsky and Christoffersen 2008; May 2015; Yuval-Davis 2006). Intersectionality theory aims to '[reshape] the ontological relationships between categories of difference' (Hancock 2016, 20). In the UK, ideas of intersectionality have been elaborated by women within coalitional movements of people of colour mobilising under a political 'Black' identity (Collins and Bilge 2016).

While Black women can be seen as key subjects of intersectionality (Hancock 2016; Jordan-Zachery 2013), several authors have observed a lack of contextualisation of intersectionality in its contemporary uses in policy and elsewhere, as emerging from and produced by Black women, women of colour, and indigenous women. Moreover, theorists have argued that intersectionality has been depoliticised and 'whitened' (Bilge 2013) and that some of its academic enthusiasts in Europe have sought to construct 'a 'purified' intersectionality, quarantined from its exposure to race' (Tomlinson 2013, 266). In response to this theorists of colour argue that race is 'a central analytic element that cannot be jettisoned without inflicting fatal violence on the integrity of intersectionality's intellectual project' (Hancock 2016, 13). Indeed, Ange-Marie Hancock has recently argued for the inseparability of intersectionality's analytic project, to reshape conceptual relationships between categories of difference, from its 'visibility project' 'to render visible and remediable previously invisible, unaddressed material effects of the sociopolitical location of Black

women or women of color' (Hancock 2016, 33). In policy however, relations of power and the relative novelty of engagement with intersectionality contribute to making it vulnerable to co-optation, including attempts to distance it from its radical origins in Black and women of colour's activism and its social justice orientation (May 2015).

Situating Intersectionality in UK Equality Policy

In the UK as elsewhere, efforts to address inequalities, by governments and the law and social movements alike, have predominantly thought about forms of inequality as separate issues concerned with distinct groups (e.g. people of colour, women, working-class people). An alternative approach and a dominant approach now, and one that often gets called intersectionality, has been to consider structures of inequality as layered on top of one another: the idea that people have multiple but still separate identities. From an intersectional perspective in contrast, structures of inequality constitute one another, meaning they depend on one another.

On one hand, the idea that social inequalities are interconnected and indivisible from one another may seem obvious. Yet it goes against the grain of established ways of thinking about and acting on social inequality. Although intersectional ideas have been elaborated for some time, approaches to social inequalities research, theory, and policy that continue to assert the primacy of a particular inequality and that fail to engage the ways in which it is shaped by others have proven quite intractable. This resistance to applying intersectionality, its advocates would argue, is a key reason for the ineffectiveness of policies aimed to mitigate or lessen inequality.

While from an intersectional perspective little progress on equality will ever be made without 'doing' intersectionality, at present in the UK the policy problem is largely framed as whether or not we will get to intersectionality, with intersectionality positioned as a kind of luxury, resources and time allowing.

Among intersectionality advocates, 'the knowledge gap between the theoretical construct of intersectionality and its practical application has been identified as a priority area of concern' (Hankivsky and Cormier 2011, 225). In the literature a few models have been proposed to apply intersectionality to policymaking or to specific policy areas (Bishwakarma et al. 2008; Hankivsky et al. 2014). However, the extent to which it has been taken up by policymakers is limited. It is in evidence in some places, at least in name. Across Europe

comparative empirical research has found that while there is scope for the institutionalised operationalisation of intersectionality, the policy expertise required to do so is lacking (Krizsan et al. 2012b). Moreover, when it has been applied internationally, 'it is often construed in ways that depoliticise, undercut, or even violate its most basic premises' (May 2015, i).

Though its application thus far has been limited, the literature has pointed to countries in the UK as attempting to apply intersectionality to policy (Hankivsky and Christoffersen 2011; Hankivsky and Cormier 2011; Hankivsky et al. forthcoming; Squires 2009) in the context of the Equality Act 2010. The Act was developed following a period of comprehensive review of equality legislation instituted by the then Labour government; covers England, Scotland, and Wales (i.e. Great Britain); and brings together disparate anti-discrimination legislation on separate issues, covering nine 'protected characteristics'. It includes a public sector equality duty which replaced earlier separate positive duties for race, disability, and gender. The Equality and Human Rights Commission (EHRC), established in 2007, similarly replaced separate commissions on race, disability and gender. Though intersectionality is relevant to all areas policy, not solely equality policy, in the UK it is within the field of equality policy that understandings of institutionalised oppressions are inscribed and that drivers and reference points to apply intersectionality in other policy areas would be found. This bringing together of equality categories has been variously argued to create opportunities for applying intersectionality or has in and of itself been conflated with intersectionality. However, comparative empirical research has found that 'particular institutional and legislative frameworks neither ensure nor rule out intersectional practices' (Krizsan et al. 2012a, 3). Furthermore, contradictions between the Equality Act and an intersectional approach have also been observed (e.g. Solanke 2011).

During consultation on a single Equality Act, at Great Britain level many equality third sector organisations campaigned for recognition of intersectionality in the Act. As a result, the Act includes a provision for 'dual discrimination', though this has not been brought into force.

The Equality Act 2010 was the product of a Labour government. It has not had the same support from the Conservative minority and majority governments in place since 2010, which have removed or chosen not to enact some of the provisions and regulations to support the Act in England and at Westminster. Moreover, the austerity and Brexit politics propelled by these governments have contributed to a significant deepening of inequalities, disproportionately affecting intersectionally marginalised groups including

the overlapping groups of women of colour (Bassel and Emejulu 2017), disabled people (Committee on the Rights of Persons with Disabilities 2017), and migrants. This politics has also propelled intersectional social movement resistance (Bassel and Emejulu 2017).

The context of austerity is important to understanding the way that intersectionality is being taken up in UK equality policy for several reasons. First, austerity has significantly deepened intersecting inequalities and led to poorer outcomes for intersectionally marginalised social groups. Second, austerity has decimated the equality third sector, an important agent of policy influence and implementation (Colgan et al. 2014; Vacchelli et al. 2015). Power relations with the state and within the sector itself also constrain its ability to support effective operationalisation of intersectionality. Third, austerity has depleted dedicated equality posts in the public sector, including local councils, and education and health services. Diminished resourcing for all of these groups, as well as for policy action on inequalities, means that although the term may be increasingly used, intersecting inequalities are not being effectively addressed, and in fact intersectionally marginalised groups, particularly women of colour, are bearing the brunt of austerity (Bassel and Emejulu 2017; Tracey 2017).

Intersectionality and Scottish Equality Policy

In Scotland in contrast, the most powerful political parties in the Scottish parliament since its inception, the Scottish National Party and the Scottish Labour Party, have shown a greater political commitment to equality, which is reflected in a stronger and growing regulatory framework surrounding the Equality Act 2010. Nevertheless, austerity and Brexit politics have had similar effects in Scotland. Importantly, in this context of fewer dedicated resources for equality, intersectionality is enmeshed in what is perceived by third sector organisations as a 'generic' approach to equality in policy, replacing the previous stranded approaches. In this context, throughout the UK race equality organisations have reported unique pressure to relinquish their specific focus. Equality organisations in Scotland are pushing back against this generic approach:

The response from public authorities to the public sector equality duty has essentially been to treat protected characteristics in an undifferentiated way, glossing over or ignoring the specific disadvantage and discrimination faced by

specific groups of people. Public bodies increasingly attempt to consider multiple characteristics at the same time, and without adequate data or characteristic-specific competence ... contrary to the warning of the three predecessor equality bodies, our collective sense is that the publication and process requirements of the public sector equality duty are now almost universally carried out using a highly genericised approach that spans all of the protected characteristics. (The Socio-Economic Duty: A Consultation Equality Sector Response 2017)

In Scotland, intersectionality's entry into the policy arena was distinctive, and objectives among key actors seem to have differed. More research is required to understand and trace the policy process and actors involved, which may have influenced the particular meanings and uses of intersectionality in Scottish equality policy. There is evidence to suggest for example that relatively powerful, predominantly white organisations in the Scottish women's sector were at the time opposed to a wider equality agenda represented by the creation of the Equality and Human Rights Commission, the Equality Act, and public sector equality duty and as such championed particular ways of thinking about intersectionality that perhaps were easier to assimilate into policymaking. A leading organisation for example opposed the inclusion of religion in the public sector equality duty; wrote in relation to the public sector equality duty that 'in practice, the diluted focus on gender under the PSED amounts to regression'; and in 2014 reiterated a call for a gender mainstreaming approach to equality overall. Another wrote 'although it is clearly important for public authorities to be aware of intersectional issues, the specific equality duties were designed and implemented to address institutional racism, sexism and exclusion of disabled people. The system [sic] inequalities that provoked the establishment of these duties have not been dismantled.' Moreover, the women's sector has tended to enjoy a relatively privileged position vis-à-vis the Scottish Government, as compared with other equality sectors. For example, the Scottish National Equality Improvement Project, established in 2014 by the Scottish Government to help drive improved performance on the public sector equality duty, has only a women's organisation on the core project team, to the exclusion of other equality strands. In contrast, research has found that the women's sector in England was broadly supportive of the wider equalities agenda (Hermanin and Squires 2012). More research could shed light on the impact of these differences on the ways that intersectionality has been taken up, or not.

Gender has been a priority consideration of the Scottish Government as compared with other equality areas since devolution. This prioritisation is

evident in the regulations or Scottish ‘specific duties’ which support the Equality Act, as well as in new legislation. For instance, public authorities are required to publish the pay gap relating only to gender. In relation to race and disability, they are not required to publish pay gaps, merely their policy on equal pay. More recently, the government has legislated for the introduction of a gender quota for public boards. Quotas have been suggested and are now in place only in relation to gender. In relation to other protected characteristics, bodies are not required to publish their board composition or to reach a representation target; rather they should show evidence of ‘diversity succession planning’ for board appointments. This is in spite of race equality organisations raising concerns around the implications of the sole focus on gender for Black and minority ethnic (BME) women in particular (Scottish Government 2016a) and the government noting that it could be perceived as unfair (Scottish Government 2016c). BME organisation CEMVO Scotland wrote,

whilst we welcome the opportunity for Public boards to become more representative of the diverse community that we live in, we have concerns that by developing this approach through the lens of gender that the wider implications for other protected characteristics have not been considered. There have been attempts to tackle gender inequality before for example the first Scottish Parliament had 50:50 representations; however this failed to have any impact for BME women ... without actions that would support women of all backgrounds these [measures] will be limited and therefore the impact of achieving true gender equality will remain minimal (Scottish Government 2016a). The government’s response to the full consultation notes ‘responses to the consultation felt it to be unclear as to why gender balance was being prioritised in relation to board diversity when many groups are underrepresented and this could be perceived as unfair.’ (Scottish Government 2016c)

However, following the consultation, the amendments were passed with minimal changes. As has been argued elsewhere, ‘when differences are ... treated as constituting an add-on to the variable of gender ... [this] perpetuates policy privileges to affluent, educated, white women (Hankivsky 2007a)’ (Hankivsky and Cormier 2011, 218). In short, policy interest in intersectionality in Scotland sits uncomfortably alongside new gender specific measures where women are treated homogenously.

Comparative Findings: Westminster and Scotland

Overall, there is divergence between England and Scotland in terms of policy commitment to equality, particularly since the UK election of 2010. This is evident for instance in the regulations to support the Equality Act, known as the specific duties, which are greater in number and far more robust in Scotland than in England. This divergence likely contributes to accounting for differences in the relative volume and type of documents that intersectionality appears in across the two countries. In Scotland, 'intersectionality' is included in government publications, including high-level documents such as equality statements accompanying draft budgets (Scottish Government 2010, 2011) and the government's previous and current equality outcomes and mainstreaming reports (Scottish Government 2013a, 2017a). Other documents returned are equality impact assessments, submissions from the third sector to parliamentary committees and consultation responses. In contrast to England, there is evidence of the term being used in parliamentary committees on a number of occasions, including by the Cabinet Secretary for Equalities.

At Westminster, the same search also returns some impact assessments and submissions from the third sector to parliamentary committees, but largely returns department and agency blog posts; documents produced by third sector organisations archived in the national archives; and documents related to intersectionality in the context of international development, rather than domestic equality policy.

Intersectionality in England: A Curtailed Engagement

In England, the Equalities Review (Cabinet Office 2007), which foregrounded changes in equality law culminating in the Equality Act, indicated that it wished to capture issues of intersectionality across the 'equality strands' (the term given to each of the protected characteristics). Yet 'intersectionality' in England has not primarily been found in government publications, such as the equality strategy or parliamentary records, but in Equality and Human Rights Commission documents. For example intersectional quantitative analysis was carried out in the context of the Equality Measurement Framework, feeding into 'Is Britain Fairer?', the statutory five-yearly report on equality and human rights progress in England, Scotland and Wales conducted in 2015 (Equality and Human Rights Commission 2015a).

Definitions: Lacking

Intersectionality is defined less frequently in EHRC documents than in publications of the Scottish Government. At times across the documents, 'intersectionality' is used interchangeably with 'multiple identities' (Equality and Human Rights Commission 2009a), when it can be argued that it means something quite different, that an understanding of identity as mutually constituted by intersecting factors is antithetical to an additive approach (suggesting that equality areas, rather than being mutually constituting, can be separated from one another) (Yuval-Davis 2006).

In one document, 'intersectional group concerns' are defined as 'those that cut across different characteristics' (Equality and Human Rights Commission 2016a, 5). This suggests a view of intersectionality as being about looking for common issues across equality strands still ultimately in some way separately conceived, rather than examining how strands are mutually constitutive. In another, intersectionality is considered as '[multiple disadvantage] across the statutorily recognised equality strands' (Equality and Human Rights Commission 2010, xii), suggesting an individualised view of intersectionality.

Uses: Intersectionality Deferred, Denied

In these documents, intersectionality is used in different ways: intersectional analysis is called for (rather than undertaken) (Equality and Human Rights Commission 2012b); as an analysis that should be done, but was not because of time and resources (Equality and Human Rights Commission 2012a); intersectionality is viewed as something on which literature and evidence are limited (Equality and Human Rights Commission 2009b; Department of Work and Pensions 2012); intersectionality is viewed as a complication that makes targeted intervention to remove barriers impossible (Bowes et al. 2015); and as something that has not been empirically demonstrated: 'this review concluded that there is currently little in the way of statistically significant evidence of increased inequality by multiple characteristics' (Equality and Human Rights Commission 2015b, 23). The latter two uses were not found in Scottish documents.

One of the EHRC's most recently commissioned research reports (Equality and Human Rights Commission 2016b) engages fully with intersectionality, including a section 'intersectionalities' under each protected

characteristic. This may be due to what was requested in the commissioning process or to the particular researchers' approach.

Intersectionality in Scotland: A Nominal Growth?

In contrast to England, in Scotland 'intersectionality' appears in all recent equality-related strategies that I found, and in fact the Scottish Government has evidenced some engagement with the term 'intersectionality' since at least 2001 (Scottish Government 2003). A shift in terminology from 'multiple' identities/discrimination to intersectionality is in evidence. For instance, in the equality statements accompanying the draft budgets, terminology shifted from 'multiple characteristics' (Scottish Government 2010) to 'intersectionality' (Scottish Government 2011); and in the Equality Evidence Strategy 2014, 'intersection' is favoured over 'strand' or 'characteristic' (Scottish Government 2014).

Here, where intersectionality is taken up to a greater extent, in contrast to a visibility project concerning women of colour, intersectionality is used in pursuit of a more generalised or generic 'equality' and applied to an array of marginalised social groups, specifically the nine protected characteristic groups named in the Equality Act, as well as others not protected by the Act. Following Hancock (2016), depending on whether race continues to be a focus, intersectionality's contemporary uses in Scottish policy could be read as an expanded application or an elision of Black women/women of colour and the particular intersection of race and gender. While when the term intersectionality is used, 'ethnicity' or race is often listed in documents among equality areas to consider, meaningful engagement with race is inconsistent, and often lacking.

Definitions: Shifting, Individualised, and Additive

I found several definitions of intersectionality, and similar to England, these evidence an individualised view of intersectionality, as well as an additive one. In the Equality Statement on the Scottish Spending Review 2011 and Draft Budget 2012–2013, for example, intersectionality is defined as 'a means of understanding how various categories such as gender, race, class, disability, and other axes of identity interact on multiple and *often* simultaneous levels, contributing to systematic social inequality, emphasising that individuals cannot be analysed through a single identity lens ... we remain aware of the

importance of understanding the intersectionality of equality characteristics that individuals *carry*' (emphasis added) (Scottish Government 2011, 90). This inscribes an understanding of intersectionality as something that happens sometimes, as well as something descriptive of the facets of identity that individual people 'carry' or have.

The government's 2016 updated strategy on violence against women states regarding intersectionality, 'along with their gender, women and girls have other protected characteristics that increases [sic] their level of risk of experiencing violence and abuse' (Scottish Government 2016d, 19). This definition reinscribes a conceptual separation of gender from 'other protected characteristics' and does not engage the ways in which gender, race, and other inequalities are mutually constituting.

The Equality Evidence Strategy 2014 states, 'intersectionality concerns equality groups with two or more protected characteristics' (Scottish Government 2014, 6), while the previous equality outcomes, probably the most important document governing equality policy, state intersectionality is the 'cross over' between different characteristics (Scottish Government 2013a); in this definition, race and ethnicity are not named or engaged with.

In these definitions, intersectionality is considered primarily as a descriptive attribute of individuals, wherein equality characteristics can be added and subtracted, rather than constructing one another. In none of the documents that I examined is intersectionality contextualised as originating within Black women's thought and activism.

In at least some Scottish policy areas, notably higher and further education, there is a tendency to use intersectionality as meaning the intersection of socio-economic status (particularly as measured by area deprivation; recently a new public duty on this was legislated for in Scotland, called the 'Fairer Scotland' duty), with protected characteristics. For example, the Scottish Funding Council for further and higher education added new requirements on intersectionality to its outcome agreement guidance for 2016–2017 (Scottish Funding Council 2015) (agreements with further and higher education institutions governing their funding relationship with the council). Here it would seem that 'intersectionality' is in this case used to mean the intersection of socio-economic status with a 'protected characteristic', rather than of two or more protected characteristics (Equality Challenge Unit 2016).

Uses: Degrees of Engagement

Related to the meanings employed, a superficial use of intersectionality is apparent in the documents. For example, in the Equality Statement on Scotland's Budget 2011–2012, the Scottish Government wrote 'we are aware that looking at each of the equality groups separately carries the risk of creating artificial separation between them, when we know that everyone in Scotland carries a number of equality characteristics (age, gender etc.) ... to understand how the impact of decisions and changes compound upon individuals from several different positions *requires very detailed analysis which has not yet been possible, and for which data is sometimes unavailable*' (emphasis added) (Scottish Government 2010, 49). The detailed analysis mentioned using data which is available is not contained in the document; race is specifically not mentioned, presumably falling into 'etcetera'. The document 'Rights to Reality: A Framework of Action for Independent Living in Scotland 2013 to 2015' states 'this document has been designed to take account of all equality characteristics and intersectional issues, to ensure independent living becomes a reality for all disabled people in Scotland regardless of age, race, gender, religion or sexual orientation' (Scottish Government 2013b, 8). However, other equality characteristics are mentioned only in one paragraph of the 91-page framework. The Active Scotland Outcomes: Indicator Equality Analysis (2015) states 'the key evidence has been presented here by each protected characteristic in turn [without consideration of its intersections], however, we know that many individuals will possess more than one of the protected characteristics and there can be complex and reinforcing interactions between them' (Scottish Government 2015, v). In addition to being a superficial engagement with intersectionality, this also evidences an additive, rather than constitutive, view of intersectionality: there *can* be interactions (meaning at other times the 'protected characteristics' can be separated out); and these interactions are *reinforcing*, rather than mutually constructing to produce a different status.

Similar to England, intersectionality is at times treated as something that should be considered, but was not (Scottish Government 2010). The equality statement the following year states, 'the presentation of assessment for separate equality characteristics in this chapter aims to focus on the cumulative effect of proposals ... for people in these groups, cognisant that if a person is e.g. female, disabled and from an ethnic minority group, she is likely to experience compounded effects' (Scottish Government 2011, 90). The statement proceeds to analyse each equality strand individually, without consideration of its intersections with other strands. For instance, the section 'gender' speaks

predominantly of ‘women’ homogenously, with some mention of roles as carers or lone parents but no mention of the intersection of gender with race/ethnicity or other characteristics. Similarly, the Equality Evidence Strategy 2014 states ‘fifteen policy areas are ... set out ... [below] and improving equality evidence for all of these will be within the scope of the strategy. Data on intersectionality will be included on more than one of the characteristic pages *if appropriate* ... after completion and publication of themed papers, the [Equality and tackling poverty analytical unit] will turn its attention to more detailed analysis of specific groups and will, for example, look to produce statistics on intersectionality’ (emphasis added) (Scottish Government 2014, 2, 6). Here intersectionality is something that will be done later, time allowing.

Intersectionality was identified as an area for learning and development on the part of equality policymakers in the Scottish Government’s equality outcomes 2013–2017, to meet an outcome to increase policymakers’ confidence and knowledge on equality and diversity (Scottish Government 2013a). The document states that by the end of 2016 a targeted programme of information sharing and development around areas including intersectionality would have been rolled out. The progress report on these outcomes however, though it mentions specific training undertaken by policymakers, does not mention the delivery of any development around intersectionality (Scottish Government 2017a).

The greatest engagement with intersectionality is found within one of the most recent documents analysed, as well as the only one with a primary focus on race: the Race Equality Framework for Scotland 2016–2030, co-produced with the Coalition for Racial Equality and Rights (CRER), where intersectionality is as an overarching guiding principle (Scottish Government 2016b). A similar strategic engagement has not been found in England. This is Scotland’s first strategic document related to race equality since 2008. In relation to intersectionality, it states, ‘the voices of women and young people were particularly strong in engagement activities and positively informed the Vision and Goals. We recognise that racism and gender inequality are not mutually exclusive forms of discrimination. Indeed, too often they intersect giving rise to compound or double discrimination. We therefore intend to pay particular attention to gender alongside race so that the framework is effective (Scottish Government 2016b, 12). However, throughout the document, BME women are not pulled out as a group for analysis with the exception of the discussion of health policy and interventions; and no specific actions are targeted to women (Scottish Government 2016b). Yet, intersectionality is mentioned in the implementation approach published earlier this year (Scottish Government

2017b), which states that further consultation with specific groups was or will be undertaken to inform implementation and that a minority ethnic women's network is being established with events being held to link in to the Race Equality Framework actions. It is understood that there were key individual intersectionality advocates involved in developing this consultative strategy, influencing the focus on gender along with race.

In contrast, another strategy originally published in 2014, and then also republished in 2016, 'Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls', contains one brief mention of intersectionality (Scottish Government 2016d). A small section on intersectionality was only added to the strategy following a March 2016 review. Moreover, types of violence against women and girls that disproportionately impact Black and ethnic minority women (female genital cutting, forced marriage, honour-based violence) are not fully integrated into this strategy, instead being addressed in separate legislation and action plans. This fragmentation is evident in the Scottish Government's 'violence against women and girls' webpages, which physically separate this strategy from pages on FGM² and forced marriage. The main strategy becomes then in effect one designed with women who are not intersectionally disadvantaged in mind. Domestic violence policy in Scotland has been heralded as 'a striking case of successful feminist constitutional activism, where devolution 'has made a difference' with positive ... gendered outcomes' (Mackay 2010, 370). Yet, the same authors who herald it note that 'evaluations flag up the need for further research and action to more fully meet the diverse needs of different groups of women' (Mackay 2010, 375).

In summary, while some engagement with intersectionality is evidenced in Scottish policy documents, including high-level documents, in sharp contrast to Westminster, it is variously defined and most often an individualised, additive definition is given; engagement is often found to be superficial; and attention to intersectionality is inconsistent across strand-specific equality policy areas, with meaningful engagement with race often found to be lacking.

Equality Organisations' Relationship with Policy

Equality third sector and grassroots organisations and social movements have been tirelessly campaigning for policy change, as well as delivering activity, and increasingly, services aimed at creating greater equality for decades, at local, national, and UK-wide levels. They currently do so within severe con-

² This is the Scottish Government's terminology, female genital mutilation (FGM).

straints of austerity. These organisations have been instrumental to the recognition of intersectionality that does exist. While the third sector has been predominantly composed of single identity/strand organisations, there are also many that have long been advancing intersectional justice claims, with the Black women's sector a key example. Organisations focused around multiple identity axes are marginal to and under-resourced compared with the rest of the sector (centred 2014; Kairos in Soho 2011, 2012; Sudbury 1998); recent years have seen the closure of many such organisations.

According to my wider research data, many organisations also engage strategically without being funded to do so. Often, policy engagement with the third sector on equality issues involves organisations being asked to give up time unpaid, to sit at a table in a consultative role, at which others present (civil servants, decision makers) are remunerated and hold decision-making power. Sometimes, they feel they are used instrumentally, reported to after the fact on decisions that have been made, so that public sector organisations can say that they have met duties to consult. In some of these interactions, attention to inequalities and the interactions between them are framed by decision makers as a luxury which austerity cannot afford. The unpaid time that equality organisations contribute is scarce, since in an increasingly competitive funding environment characterised by scarcity of resources, organisations' time is strictly allocated to meeting outcomes agreed with funders. Alternatively, some that are funded to engage strategically are not made effective use of by relevant public bodies. My research participants further perceive that the extent of their influence is very dependent on political parties in power. Beyond being invited to consult, organisations feel their input is at times minimal: 'we've always been trying to drive the agenda as opposed to respond to their agenda. That's where you get that sense of powerlessness. It is that no matter how hard we try to be drivers we're not we're not, we're not' (women's organisation).

Discussion

Overall, findings indicate policy divergence between England and Scotland around political commitment to applying intersectionality, in terms of the types of documents in which intersectionality appears. In Scotland only does it appear in recent government publications, parliamentary records, and equality-related strategies concerned with domestic equality policy. Moreover, only in English documents is intersectionality dismissed as a complication or as something which has not been proven. Yet among both EHRC and Scottish Government documents, the greatest level of engagement with intersectionality

is found in the most recent of these, so its application appears to be increasing. However, in policy documents in both countries, decontextualised, individualised definitions largely foreclose consideration of structural or institutional inequalities, including structural or institutional racism, as they are constructed by other systems of inequality. This is consistent with previous research where it has been argued that the dominant approach to intersectionality in policy is to consider it at the personal identity level, as an attribute of individuals (May 2015; Parken 2010). This in turn is consistent with neoliberalism and the 'diversity' turn in equality work (Ahmed 2012; Mohanty 2003, 2013; Judith Squires 2008).

I have also found that inequalities are considered additively, so that equality factors including race are envisioned as being able to be legitimately subtracted from consideration of other equality areas. Indeed, the legal framework of the Equality Act 2010 lends itself more to an additive approach than one that accounts for mutual constitution, and creates a context where equality practitioners navigate a landscape delineated by separate 'equality strands'. Moreover, I have found uses of intersectionality overall to be largely superficial, with little meaningful engagement of the mutually constituting nature of inequalities in general and race in particular. Furthermore, I have highlighted a discrepancy between debates in intersectionality theory, as to the centrality of race and the social location of women of colour, and intersectionality's meanings and uses in policy documents. This resonates with literature in the field: 'although [intersectionality] is being taken up in many policy applications, it is often applied in ways that reduce it to an anodyne notion of diversity or that downplay race and racism' (May 2015, 150).

Intersectionality's definitions and uses vary across specific equality policy areas. The Scottish race equality strategy, the strategy examined that is based most on co-production with the third sector, and on community engagement, and involved key intersectionality advocates in its development, shows the greatest level of engagement with intersectionality. In general equality policy in contrast and that focused on gender and disability, engagement with intersectionality and the intersection of race has been superficial and employing depoliticised definitions.

The title quote, from forthcoming research on progress on equality mainstreaming in the UK (Hankivsky et al. [forthcoming](#)), aptly summarises the conceptualisation of intersectionality found in the documents, which reduces it to a descriptive and individualised term and leaves its policy potential unrealised:

'Everyone can see intersectionality, can grasp that we are not just made up of one characteristic. We are a basket of characteristics and so on. And there is

so much ... difficulty depending on people and the number of boxes they tick' (Scottish Government respondent).

This analysis raises questions and recommendations which might inform further research and advocacy, as well as a more effective take-up of intersectionality, in the interests of social justice, in the 'practices of policy' (Freeman and Maybin 2011).

We might ask: is this inevitable? Is it true that, as Collins and Bilge note, 'the growth, acceptance and legitimation of intersectionality within ... some public policy venues necessarily changes its composition and purpose' (Collins and Bilge 2016, 198)? Although this is undoubtedly demonstrated here, careful attention to what intersectionality means and how it is used in policy can inform advocacy for more equitable equality policy. There are some published resources available to support policymakers to apply intersectionality (Hankivsky 2012; Opportunity Agenda 2017).

The greatest resource available to policymakers interested in working intersectionally, particularly in smaller nations such as Scotland where relative size and political approach facilitate working relationships with policymakers, are specialist third sector equality organisations, for instance BME women's organisations. Yet, these relationships need to be made more equitable through resourcing, and third sector organisations having equal seats at the table with statutory partners. At present in contrast, some public authorities appear to be off-loading their responsibilities under the Equality Act to third sector organisations, without granting sufficient authority or resources to meet intended outcomes.

For policymakers interested in taking up intersectionality, a key implication is to improve representation of underrepresented groups among decision makers much more quickly and effectively than is currently the case, in the UK utilising available positive action provisions to do so. In Scotland, there has never been a BME woman elected to Parliament, and representation of equality groups, particularly BME people, remains poor.

We might also ask: Are intersectionality's uses in policy to be understood as an appropriation and a co-optation of intersectionality, from women of colour and its principal theorists? Policymakers engaging with intersectionality would do well to contextualise it in its origins in Black and women of colour's thought and activism and to attend to race as the central structuring category of inequality that it has been empirically demonstrated to be. This point in particular has relevance beyond the UK, to intersectionality's policy take-up in white dominant countries in Europe, North America, and elsewhere.

Intersectionality's particular meanings and uses in policy, including those which fail to engage race, are related to the aims of the specific actors involved

in influencing equality policy, and the relative power between them, for instance, predominantly white feminist organisations with influence on equality policy which have historically done little work around race themselves (Squires 2008), and opposed a wider equalities agenda. This is an evolving context and at this juncture third sector and grassroots actors with an interest in equality policy are positioned to resist these limiting definitions of intersectionality and to attempt to assert more politicised concepts into the policymaking process. Concepts of intersectionality which are better attentive to structure would also aid in a rebalancing of understanding away from individual, and additive, views.

Conclusion

In summary, key implications for policy of this research are widely applicable to diverse country contexts and include the following: first, greater attention is needed to the understanding of intersectionality as the fusion of *structures* of inequality (Bassel and Emejulu 2010), processes which produce social positions, meaning that at the level of social position and individuals who occupy them, inequalities constitute one another and cannot be separated out. Understanding intersectionality as an attribute of marginalised individuals is not necessarily helpful and may in fact exacerbate stigma and marginalisation. Second, intersectionality needs to be contextualised in its history and ongoing development within women of colour's thought and activism in a process of ongoing learning. Consideration of race and women of colour is integral to intersectionality, within work on any given equality strand or policy issue. Third, intersectionality is transformative: it should not be able to be easily subsumed into the usual practices of policy. Fourth, taking an intersectional approach to policy requires adequate resourcing (Hankivsky and Cormier 2011). This specifically includes sufficient resourcing of the equality third sector, and marginal organisations within it, to engage in policy, and working to create equitable relationships that value specialist embodied and enacted (Freeman and Sturdy 2015) knowledge. In fact, my research has found the most meaningful engagement with intersectionality to be concomitant with third sector co-production, or indeed third sector leading on policy on behalf of policymakers, when adequately resourced to do so. Fifth, a key implication of intersectionality is sustained attention to and effective action to address underrepresentation among decision makers, whether these are elected officials or civil servants. Who is creating policy documents influences the understandings of intersectionality contained therein. This of course is easier said

than done, when relations of power and privilege generate vested interests in maintaining the status quo. In Scotland a coalition of equality organisations is working with political parties to effect change in this regard.

Finally, when research indicates policy engagement with and commitment to intersectionality, intersectionality researchers across national and transnational contexts are urged to pay particular and close attention to the specific meanings and uses of intersectionality inscribed in the specific policy context and to remain critical of a nominal intersectionality that falls short of centring the agendas of those who are intersectionally marginalised.

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34

Timid Imposition: Intersectional Travel and Affirmative Action in Uruguay

Erica Townsend-Bell

This chapter is motivated by several overlapping concerns: contemplation of the role that international norms play in structuring politics and policy in domestic spheres; consideration of how one norm in particular, intersectionality, is travelling, alongside its ongoing institutionalization; and more specific attention to the imposition of intersectionality in foreign contexts. I broach these considerations via a comparative case study of Uruguayan affirmative action legislation.

In 2013 Uruguayan legislators passed an affirmative action bill that accomplished several tasks at once. It opened, and potentially closed, a conversation about slavery and reparations for the 8% of the populace that identifies as Afro-Uruguayan, offering up the accompanying articles of legislation as a good faith effort towards belated encouragement of black racial equality.¹ Corollary to the size of the Afro population, it introduced an 8% public sector employment quota, in addition to job training opportunities, educational quotas, curricular changes meant to incorporate black and African contributions and histories into the public school system, and a new commission to

¹In keeping with Uruguayan norms, I will use the terms Afro, Afro-descendant, black, and Afro-Uruguayan interchangeably.

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oversee all of these changes. Most importantly to this chapter, legislators also tacked on language requiring the consideration of gender as it applies to all the articles of the legislation. The gender requirement was not elaborated further in the legislation; instead that task was left to the policy implementation phase.

Meanwhile, though legislators were clear in their desire that the details would be worked out in the policies that resulted *from* the law, they left no clear indication of how gender should be understood to work *within* the context of the law. To the extent that gender was treated, its conception centred most heavily on a kind of intersectionality-light treatment that revolved around a triple jeopardy framing of black women. In an otherwise very deliberative, consultative legislative process, gender remained curiously unelaborated and, legislative intentions to the contrary, it has not been featured at all in implementation thus far. Yet this is neither just another story of how women are given short shrift, nor of gender being relegated to the poor step-sister class. Though there is language in the legislation that speaks explicitly to gender, and portions meant to speak to class as well, the law was not conceived as an intersectional intervention; nor was it even conceived as a race and gender (or race and class and gender) bill; it was conceived as a racial equality law.

Thus, my interest here is in working through the question of how and why gender was added in the first place and what work it is meant to do. This chapter considers the literature on intersectional travel and then moves on to discussion of the qualitative content analysis that structures the rest of the chapter. It introduces a discussion of methods and then moves to trace the origins of, and rationale for, gender's inclusion in the legislation, the limited discussion surrounding gender, and the lack of content that accompanied the suggestion for its insertion.

The content analysis highlights the international roots of the gender component. It is accompanied by the aforementioned "intersectionality-light" conception of the gender provision, organized around notions of triple jeopardy and other additive schema. I end with a consideration of how this case speaks to the goal of the volume—to operationalize intersectionality within the policy realm. I understand the policy realm to include all means by which a government attempts to address the needs of its citizens through law, the main point of investigation here, and other courses of action. Through this analysis I consider the interaction of global and domestic policy concerns, particularly the non-reciprocal connection between the global agenda-setting stage of the policy process and the domestic policy formulation phase. I suggest that operationalization in this case begin with recognition of a twofold problem: first, commonly noted discontent with the international community's moves

towards global imposition of specific norms, concomitant with a lack of detail on *how* said norms might be implemented. I conclude with a suggestion for taking up the privilege and disadvantage approach to intersectionality, which has the practical effect of focusing greater attention to variation within and across groups: a central intersectional goal.

Intersectionality on the Move

This chapter touches on a number of topics in the extensive literature on intersectionality. Primary among them is a general trepidation in regard to its unbound travel, particularly the extent to which it might do so across a variety of spaces, with a variety of commitments and content, and for a variety of aims. These anxieties are reflected in the apprehension that intersectionality's popularity has reduced it to no shortage of things: a concept unmoored from its black feminist and women-of-colour underpinnings (Alexander-Floyd 2012; Jordan-Zachery 2013; Tomlinson 2013); a formulaic or perfunctory assignment, performed by those who simply wish to claim treatment of the concept without doing the work of engaging with its history and theoretical insights (Davis 2008; Knapp 2011; May 2015); and a diversity management tool that is not just detached from its origins but put into the service of furthering neoliberalism and capitalism, in clear opposition to its inherent aims, among other things (Nash 2016; Patil 2013).

This less-than-exhaustive list works in tandem with another set of concerns raised in regard to intersectionality, particularly its conception within the legislative and policy space. First, various scholars note the tendency of policymakers to take neutral or otherwise undifferentiated approaches to problems that are nonetheless clearly tied to groups who experience those policy problems in differentiated forms (Bassel and Emejulu 2010; Bishwakarma et al. 2007; Crenshaw 1989; Corus et al. 2016; Hankivsky et al. 2009). That intersectionality is relevant everywhere and, especially to policy, has been a somewhat more contemporary realization (Dhamoon and Hankivsky 2011). These more recent sensibilities have, unsurprisingly, coupled with increased attempts by policymakers and other institutional actors to promote more intersectional policies, although there is some agreement that these same sets of actors have been much more successful at authoring and implementing variations on additively organized diversity policies than creating robustly intersectional ones (Ferree 2009; Lewis 2013; Lombardo and Verloo 2009; Smooth 2013).

These misgivings take on new emphasis when added to the unease that accompanies intersectional imposition in spaces where its presence, at least in popular form, is questioned. Some are sympathetic to, and somewhat recep-

tive of, the concept of intersectionality but worry about its lack of adaptation to the local context (Patil 2013; Roth 2013). Others raise more explicit concerns that it is heavy-handed in proscription, and perceived as lacking attention to local knowledges (Dhamoon 2015; Menon 2015; Moya 2015). Given that this intersectional injunction travels from West to East, and South, it is ironic that both sides of the ocean share anxieties about the local actualization of intersectionality. Thus, simultaneous to non-Western concerns about imposition is a significant conversation about the shortcomings that accompany the various Western attempts at the institutionalization of intersectionality. Whatever other disagreements may factor, trepidation regarding intersectionality's ability to survive its transnational journeys in a form that reflects its transformative potential is a shared point of concern, and the subject of multiple critical analyses. I offer a version of that effort here.

The Content of Ideas

This chapter is built on a comparative case study that uses qualitative content analysis to assess the interaction of gender within Uruguayan affirmative action legislation. Via this method I track the origins and framing of the gender component, the work it is meant to do, and who contributes to that process. The content analysis is based on the universe of committee meetings notes and the corresponding floor debates of both the lower (Chamber of Deputies) and upper (Chamber of Senators) houses of the Uruguayan parliament. The qualitative content analysis proceeds via an inductive coding of themes. Specifically, I undertook a full reading of all the notes and debates, created a coding scheme of themes that emerged from this reading, and then analysed each individual set of meeting transcriptions and floor debates to trace the overlap and coverage of the outlined themes. While qualitative content analysis can and does make use of counts as potential indicators of the importance, rank, and presence of particular people, ideas, topics, and so forth, its real contribution is in the ability to focus in on the content of ideas, which is my interest here.

The data set includes the minutes from 26 meetings and floor debates spanning a 15-month period. I first coded for every utterance of, or relating to, gender or women, as related to any aspect of the legislation, including its content and rationale. I discarded instances that were not relevant to an actual discussion or engagement with those two terms (e.g. the terms appearing in proper names, as parts of unrelated asides). This procedure resulted in the coding of 97 cases. That is, 97 utterances of gender, women, or related terms,

Table 34.1 Themes, frequencies, and descriptions

Absence/ presence of gender	5	Arguments that gender should be present or absent in the bill
Origin of the gender component	11	Any comment relating to the discussion of the UN's preference for a gender component
Jeopardy	45	Any comment referring to ideas of double (race and gender) or triple (race, gender, and at least one additional axis of difference)
Multiple inequalities	17	Any comment referring to the need to add gender as a variable, either along with other "relevant" variables (e.g. age, region), or to add the stated "relevant" variables along with gender
How to do it	16	Explicit requests for details on how best to actually incorporate the gender perspective or suggestions on how it might be accomplished
Miscellaneous	2	Two mentions of intersectionality as a form of complexity where additions are more than the sum of their parts

Source: CRR Nos. 1030–1251; 3 May 2012–13 September 2012; CSS Nos. 1934–2213, 4 March 2013–8 July 2013; Diario 3820; Diario 229. Author's Calculations

in the entire body of legislative transcripts. Table 34.1 shows the frequency distribution and content of the themes coded.

Jeopardy, Gender Recommendations, and How to Do It

In regard to gender, the international recommendation is absolutely general. I think it is the work of the legislators to define what they understand as gender equity; it can be 50%. In this sense, the recommendation of the Committee for the Elimination of Racial Discrimination, simply, expresses "[...] promote the integration of afro-descendant women [...]". It is very general and I think the recommendation should be so. (Perazza N. 1090, 7 June 2012, p. 10)²

This is the detail given by Federico Perazza, then Director of Human Rights and Humanitarian Law in the Ministry of Foreign Relations, about how the legislature might go about considering his earlier suggestion that it adds a "gender component" to the proposed legislation for the purpose of "enriching it" (Perazza N. 1090, 7 June 2012, p. 3). According to Perazza,

The Committee [the Committee on the Elimination of all Forms of Discrimination or CERD] *insists* on the necessity that the State party, that is,

²All transcript quotes cited throughout the article come from the following set of legislative transcripts: https://parlamento.gub.uy/documentosyleyes/ficha-asunto/110651/ficha_completa

Uruguay, promote the integration of afro-descendant women in the labor market, in particular to access to jobs that require higher level training. This is the recommendation that a body of experts made to our country, which is not binding, but which can perhaps be included in the project to enrichen it. (Perazza N. 1090, 7 June 2012, p. 3, emphasis mine)

Perazza continues on to affirm:

In regard to the theme of gender, there is a major emphasis by the Committee [CERD] to include this perspective. ... There is a very interesting concept in the United Nations, which consists of [the idea] that the woman suffers multiple discrimination: because she is a woman, she is poor, because she is indigent, because she is afro-descendant, because she is indigenous. There is a marked tendency in the universal System to try and solve this multiple discrimination. As such, I insist that we can incorporate another variable, to the effect of perfecting the law. (Perazza N. 1090, 7 June 2012, p. 6)

Perazza's comments mark the origins of the gender component not as a legislative or civil society recommendation, but rather as a way for the Uruguayan state to comply with the priorities of the international community. Perhaps because the gender element was an outside proposition, the discussion surrounding its meaning and placement was not extensive. Unlike the first table, which recorded all utterances of gender outside of those unrelated to any aspect of the crafting or rational of the legislation, Table 34.2 distinguishes between actual engagement with the gender component and simple mentions of women that stemmed from the automatic, and very infrequently addressed assumption that gender equals women and, specific to this case, black women.

Indeed, there were only two exceptions to the automatic assumption that gender, in this legislative context, equals black women and that it meant the need to prioritize black women. During the Senate floor debate, Senator

Table 34.2 Organization of themes

	Absence/ presence (5)	Origin (11)	Jeopardy (45)	Multiple inequalities (17)	How (16)	Total (94)
Explicit interaction	2 (40)	11 (100)	12 (26.7)	6 (35.3)	16 (100)	47
Women as population segment	1 (20)	0 (0)	33 (73.3)	10 (58.8)	0 (0)	44
Unclassified	2 (40)	0 (0)	0 (0)	1 (5.9)	0 (0)	3

Source: CRR Nos. 1030–1251; 3 May 2012–13 September 2012; CSS Nos. 1934–2213, 4 March 2013–8 July 2013; Diario 3820; Diario 229. Author's calculations

Carmen Beramendi noted the continued over-usage of binary concepts like “men-women” in legislative and public policy debates, while Senator Constanza Moreira made a brief comment that “discrimination is a more notorious phenomenon between men than women” (Beramendi Diario 229, 16 July 2013, p. 262; Moreira Diario 229, 16 July 2013, p. 253). Though there is no further mention of the relationship between black men and triple jeopardy, actual Uruguayan employment and educational data indicate the existence of precisely such a relationship standing alongside the more commonly noted triple jeopardy experiences of black women in regard to material inequality.

The themes noted in Table 34.2 organized both the introduction and discussion of the gender component and suggest the reason for its missing-in-action status in the implementation stage.

A first note is that only about half of the interactions speak to either the origins of the gender proposal or its intentions. These are focused primarily around details about the introduction of the gender requirement, as outlined above. That is, double and triple jeopardy claims deployed for the purpose of driving up legislative support of its inclusion, and interactions on the question of how to accomplish the incorporation of said gender component. The gender requirement was a prevalent theme within the explicit interaction set, totalling one-third of all engagements with the gender component. Legislators spent a fair amount of time in discussion of whether such a commitment would require the introduction of a parity gender quota within the racial quota, whether the component would require the subordination of men’s needs to women’s, or vice versa; and making straightforward requests to various state equality actors and civil society activists for guidance on the best way forward. The legislators remained unclear on the question of how best to incorporate this provision or even where to add it, moving it around between two different articles before settling on Article 2. Nonetheless, the commitment to including it was robust among some legislators, as evidenced by Senator Constanza Moreira.

So, the final phrase of this layout says that it incorporates the gender perspective and the Honorary Commission [against Racism, Xenophobia and All Forms of Discrimination] has made a correction and proposes the incorporation of the gender perspective in the ensemble of measures, etcetera. It doesn’t matter; we must incorporate the gender perspective because we know that black women suffer double that of black men. So, I am not bothered whether it is this composition or the previous one. (Moreira N. 2070 13 May 2013, p. 7)

Meanwhile, slightly more than half of the cases speak to black women as a segment of the larger black population. Within that sphere, the jeopardy claims address the trials faced by black women, and do so primarily for a kind

of argument-bolstering effect. They follow the traditional logic of such claims, where they perform a kind of fact gathering and reminding task. “If we take the case of women, in a country with an unemployment rate that oscillates between 5.5% and 6.5% at the general level, we will find that the figure climbs to 14.3%—statistics from the year 2010—and that a high percentage find employment in domestic service, as a consequence of their educational level” (Santalla Diaro 3820, 17 October 2012, 53). The jeopardy claims, on balance, present as a simultaneous nod to the specific needs and problems of a particular segment of the population—that is, black, primarily poor women—but not with an eye towards crafting a specific policy response. Rather the purpose seems to be to buttress arguments that the Afro population as whole will benefit from an affirmative action law. The logic of the presentation essentially follows the “from the bottom” argument that is frequently associated with intersectionality—and more specifically with the Combahee River Collective (1986)—and, ironically, deploys it to strengthen the case for the extension of single-axis benefits with a universalist orientation. The effect of this is that the law thus far has minimal material consequence for the triple jeopardy population so frequently referenced in the meetings (or for the many poor black men), while opening up more avenues for elite black women who were, from a gender parity perspective, already over-represented in the small Afro-Uruguayan professional class.³

I would like to suggest two readings of the jeopardy theme. First, as noted, it functions primarily as a bolstering effort that is unlinked to the gender suggestion and inconsistent in the demand for an integrated gender perspective.

As Table 34.3 shows, jeopardy is equally as likely to be constructed as double or triple, and it does the same kind of descriptive work in the majority of the cases. In only eight instances is the jeopardy frame used to present a

Table 34.3 Forms and roles of jeopardy

			Total
Type of jeopardy	Double	22	45
	Triple	23	
Jeopardy's role	Description	37	45
	Action inducing	8	
	• Double	4	
	• Triple	4	

³ Some 47% of the Afro population has a primary school or lesser educational status, and more than 40% are below the poverty line, meaning that a significant percentage of both women and men remain mostly unaffected by the law's benefits and its racial equality offerings (Inmujeres 2010; República Oriental del Uruguay 2011).

demand for action or change on the part of the state; these instances are also split evenly between the double and triple jeopardy paradigm. Facially this might be read as a lack of interest in gender-specific remedies and redux to the universal black (heterosexual male) subject. And some participants do appear to be disinterested in engaging in a significant conversation about gender, women, or any related topic.

Yet another, or an additional, reading of this lack of engagement with the internationally motivated gender component rests on a previously noted point reflected in the thematic breakdown in Table 34.2. This is the reminder that the most frequent topic of concern in regard to explicit interaction with the suggested gender component is how to do it. Fully one-third of the discussion centred around the UN suggestion includes legislators' tentative proposals of how the inclusion of gender might proceed or, more frequently, explicit requests for help in discerning a reasonable approach. Seen in this light, we might read legislators' lesser engagement not, primarily, as disinterest or lack of real commitment but, rather, from a place of uncertainty. In this understanding, the jeopardy and multiple inequalities approaches function first as forms of advocacy, but also as a way to address the interaction of race and gender—and sometimes class—where there is a lack of concrete tools for doing so in legislative and policy spaces, particularly in the milieu of affirmative action.

Affirmative Action and the Uncertain “This”

Affirmative action is not known for its close relationship, or adaptability, to additive designations of inequality, much less to intersectionality. In the Uruguayan case, the law was already structured both by topic and by timing as a general measure for the Afro population. At the time of the gender suggestion's introduction, house committee members were making use of an already vetted (within the largest political party, the Frente Amplio) and completed first draft. In other instances there are clearer ideas on how to organize and provide Afro women benefits specific to them, and the state has done that in some cases. But in the affirmative action case under discussion here, it seems that the path forward was less clear for at least two reasons. First, blending gender into affirmative action legislation in an integrated, rather than a competitive, fashion is a tall order and an uncommon one to boot. Arguments for the normative goal of broad inclusion aside, the vast majority of affirmative action policies are organized around one kind of difference—either race *or* gender, or occasionally class – but not all at once. Some countries address

more than one kind of difference or multiple beneficiary groups, but that does not translate to a real interactive organization of the treatment of groups. This means that a request or a requirement to add a gender component, much less an intersectionality-like gender component, to affirmative action legislation at any stage, is to ask for something exponentially more complicated than many of the actual cases of affirmative action in operation in the world.

Moreover, Uruguay, like most of Latin America, has been quite recent in its recognition of the presence and rights claims of racial minorities; this was a point of explicit reference in its 2011 CERD report. “Uruguay’s periodic report showed that progress had been made in many areas. One of the main differences compared with the previous report was that Uruguay now recognized the existence of people of African descent in the country and of problems related to discrimination against them” (CERD 2011, 7–8). Reporting periods are four years in duration. Hence Uruguay was meant to go from complete non-recognition of Afro-descendants, at least per CERD’s assessment, to an organic mainstreaming of gender, and/or introduction of intersectionality within a comprehensive affirmative action plan, and to do so in the time since the 2008 reporting period. Additionally, it was meant to do this—where the previous inclusions of “and/or” syntax reflect the considerable questions on what constitutes the “this”—though the Western actors and institutions that promote intersectionality and intersectionality-like ideas have not yet themselves fully figured out questions of its definition, application, or implementation.

However global invocations to include or consider gender are phrased—whether as mandates or suggestions—it is left entirely up to the receiving body to discern how this invocation is organized. While that may seem appropriate, enlightened, non-invasive, and all the rest, the trouble in this case is that there is now fairly good sense that the *doing* of intersectionality is hard. It is so for many reasons—because there remain questions of how it should be defined; where, to whom, and how widely it should be applied and how it might be concretely organized; how much work it really does; and so on.⁴ Seen in this light, a petition for intersectionality or something like it, without any accompanying parameters, might be understood as respectful of sovereignty and of context in the first view but appears quite presumptuous in the second view.

⁴ My inclusion of these concerns should not be taken to mean that I share all of them, or share them equally. Rather the point is that if intersectionality and intersectionality-like ideas are travelling, so are the critiques of them, whether warranted or not.

The problem in this case is not that there is an imposition *per se*⁵ but that it is a very tentative kind of imposition, based on a concept that is travelling with some rationale for the why, but with much less detail on the what and the how. This labelling of tentative, or timid, imposition reflects the tension presented by the international commitment to, and transmission of, ideas that are the subject of fairly broad agreement, alongside simultaneous attempts to be respectful of domestic context and preferences. This tension is likely unavoidable and does not negate the need for burgeoning norms to be accompanied by specific parameters that lay the groundwork for their definition and application. There is not much point in promoting the spread of particular ideas, norms, or values if they will not be organized around some shared core. Leaving both definitions and applications “absolutely general” runs the risk that things called by the same name can operate with radically different and non-overlapping content, thereby defeating the purpose of their promotion in the first place (Perazza N. 1090, 7 June 2012, p. 10).

Krook and True (2012) write about the diffusion and understanding of norms as dynamic and, simultaneously, as increasingly vague, especially in regard to issues surrounding gender equality. I take their point that the problem I raise here is in fact a widespread, and potentially growing, phenomenon, and suggest that this problem is especially exacerbated with intersectionality. Gender-mainstreaming and gender-balanced decision-making—the particular issues they raise as falling victim to these troubles of updating, tension, unclarity, and the like—do carry with them sets of concrete tools and indicators that distinct actors can use as a kind of jumping-off point. What is notable about the international embrace of intersectionality is not just its vagueness, but its absolute lack of content. This sets up a space for exactly the kind of punting of an integrated gender+ perspective or, better, an intersectional lens, that happens in the Uruguayan case; actors on all sides are left trying to figure out whether to do it, how to do it, and precisely what the “it” is or should be. Perhaps in partial response to this uncertainty, the affirmative action legislation that was eventually produced manages to do the opposite of mainstreaming gender, engaging intersectionality, or any other such goal.

⁵Though some would surely argue this point.

A Way Forward

Thus what appears, on paper, as a promising and inclusive piece of legislation seems no more likely to produce material social change than any other approaches to affirmative action, even in the limited sense we have come to expect of that policy initiative. The reasons are multifold, but in regard to the gender component a lack of constructive advice certainly did not help its operationalization. As is abundantly clear by now, intersectionality is complicated, and putting it into practice via a series of concrete mechanisms even more so. And this is yet further complicated when the goal is not just to promote a version of intersectional praxis but to do so within institutionalized contexts. The United Nations is certainly not immune from this problem; indeed, its task is still further confounded by the essential requirement to respect sovereignty and the varied environments of sovereign states.

One possible reading of the Uruguayan case would assume that gender is functionally left out because of a lack of interest and commitment by the legislature and the advocates of the bill. However, there was no pressure for the inclusion of gender prior to Perazza's suggestion. This is unsurprising, as affirmative actions are often single issue oriented, to the extent that their raced and gendered forms are often called by distinct names.⁶ The assumption that it was domestic antipathy driving the muted consideration of gender is understandable, but given the lack of preexisting demand for a gender element, even from the black women's and women-led race groups that advocated for the legislation's passage, this assumption is unsupported. Instead the lens begins with the international rather than the domestic sphere, and turns to the uneasy linkage between the agenda-setting initiatives that stem from CERD priorities, and the translation of its norm preferences to the domestic policy formulation phase.

The result of this uneasy linkage is the introduction, if not imposition, of uncontextual, unelaborated norms that lead to thin engagement with the proscribed standards. Such open imploration can lead to a variety of unwanted outcomes, including those seen here, in which gender plays no significant role in the legislation, in good part because it seems that neither legislators nor advocates were quite clear on how to interpret and apply a gender element in any meaningful fashion. Ironically, a close analysis of the case indicates that it is not only black women who consistently suffer the worst consequences of material inequality and racial discrimination. Rather, this is a shared phenom-

⁶That is, affirmative action versus gender quotas.

enon that manifests itself differently across all the black raced, classed, and gendered groups in Uruguay, including women, men, and transpersons, and thus necessitates a more nuanced gender analysis if the major goal is to meet the needs of the actual, rather than the preconceived, target population.

This insight is not new to intersectionality theory, which offers ample room for a conception of groups that highlights not just scales of oppression but the interplay of privilege and disadvantage and their impact on structuring said scales (Crenshaw 1989). Where the gender recommendation is to be accompanied with some basic parameters, including an invitation to carefully consider the impact of gendered experiences across and within target groups, CERD's intersectional, or intersectional-like, priorities may have been subject to more significant engagement. Such a connection would note, first, that the world is quite varied, and what seems a fairly straightforward assessment of who or what constitutes the "bottom" in a particular country context becomes significantly more complicated when structured across the global stage. Second, the goal is for effective policy formulation and implementation meant to address the needs of specific target groups. These groups' inner variations may be of no major concern in the context of national or other multi-group policy initiatives, but these same distinctions are critical in the case of single-group policy initiatives.

In essence I propose that the way for the United Nations and other bodies to promote an international norm of intersectionality—or even gender+—is to respect context (and sovereignty) by advising that receiving states themselves should explicitly address context, rather than assume it or take it for granted. The UN should ask not just that countries remember gender (or race, or sexuality, etc.), but that they promote a series of questions or reflective exercises to aid in this goal as well. Hankivsky et al.'s (2014) intersectionality-based policy analysis, which outlines just such a series of questions for policymakers, is instructive.

Though their configuration varies, it is safe to say that inequality in the form of race, class, gender, sexuality, and other differences occurs everywhere in the world, and that this is so because the practices that uphold these configurations are frequently invisible or presupposed. Thus, if the UN and similar entities are interested in promoting a particular norm, they must package it in a way that makes, first, its spread reasonably likely and, second, that proffers a central core around which uptake of the norm can circulate. In the case of intersectionality this has to mean, at a minimum, specific attention to difference across *and within* groups. Taking such an approach would be helpful to receiving countries and beneficial to the UN as well, as it would address,

in concrete form, the ongoing question of what differences matter and how and the degree to which gender and intersectionality are themselves conflated in the legislative and policy initiatives the bodies seek to promote.

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