During the summers in my tween years, I would pile on several layers of SPF and avoid the sun as if vitamin D was a poison that would inevitably kill me. While my classmates laid out in the sun, desperately trying to bronze their bodies, I found myself trying to do the opposite. Sun damage was not my concern, and skin cancer hadn't even entered my vocabulary.

I avoided the sun because I knew that as soon as my skin started to darken, I would inevitably be on the receiving end of jokes such as "Oh, sorry I couldn't see you because it's night time." Those jokes about my skin were a dime a dozen during my childhood in a predominantly white environment. I grew up constantly dreaming of a different life, a life where we were not the only black family in my town, a life where I could openly talk about my culture without isolating my peers — a life that couldn't be lived in my small town in New Hampshire. But as I later learned, colorism didn't just exist in places without people of color. It exists everywhere.
Colorism is the principle that those with lighter, fairer skin are treated with a higher regard than those with darker skin, and it happens both between racial communities and within them. Media outlets have long been accused of using Photoshop to lighten darker-skinned folks in order to make them more appealing to the masses. During Obama's first run for president, sources audaciously pointed out that our first black president was a light-skinned man, suggesting that he may not have been elected or had the same opportunities to be elected if he were darker-skinned. This discrimination has historical roots — during slavery, lighter-skinned black people often worked in the house, while darker-skinned black people were relegated to work in the fields.

The exact racial makeup of my mother's side of the family cannot be effectively traced due to slavery. Believe it or not, slave owners didn't exactly document where their slaves were coming from, and history-erasing of slaves was definitely a thing, too. It is clear that we have substantial Native Indian blood in our family, and on my dad's side there is Scottish blood that stems from a handsy slave-trader generations ago. My blood has many shades of brown in it — my mother and several of her sisters would be considered "light-skinned" and many of her brothers have darker chocolate skin tones; my father seems to be one of the few medium-skinned folks on his side of the family, with most of the women and men being lighter shades of brown.

Before I understood colorism and even before I fully understood racism, I envied my lighter cousins and the looser curls that flowed so easily down their backs, moving with the wind. I was jealous that they had the same ancestral roots as I did but could have more opportunity than me simply because their skin was several shades lighter than mine.
I may have thought the envy I felt would stop when I moved to New York City. But, though colorism is one of the worst types of discrimination, it in itself does not discriminate. It exists everywhere, in all cultures, and in all races. When I joined a dating site soon after relocating here, I learned that colorism was alive and growing in one of the most diverse cities in the world.

I joined an online dating site because I liked the idea of a digital dating agent working on my romantic life while I was at work. I had never been too shy to make the first move and, since there is nothing to lose with online dating, I wasn't shy about messaging more boys more often. I had no shame. But then I began reading beyond the funny "what people notice first about you" blurbs. Users could state their racial preferences in a partner, and even though you'd think people would be turned off by someone who said they only wanted to date certain races, most people included this info.

As I scrolled through potential mates, my confidence ebbed tremendously. It was as if I had somehow entered the "No Blacks Allowed" Twilight Zone. As I looked through the long list of acceptable ethnicities on a potential mate's profile, my heart would sink when my race was left off his list of racial preferences. This was something that I was no stranger to with white men — although I still found it shocking to be in a place as culturally open as NYC and still only want to date someone your own race — but I was shocked to see that black men were not always open to dating black women.

Even when I felt I had passed the racial preference test, there were times where I would get down to the "you should message me if" profile section and see that someone actually went out of their way to specify what TYPE
of black girl they would date. Whether it was a simple "no weaves" or "I prefer lighter skin tones" the message was not subtle. I heard it loud and clear.

I was offended, but I had to realize that I didn't want to date someone who needed to be told that just because they had not found a black female like me attractive before, for whatever reason, didn't mean they never would. I didn't want to date someone who could blindly make a declaration of their racial preferences on the Internet or in private. I deleted my account.

But even though I was no longer online dating, the observations I made in that forum stuck. I began to notice colorism in my dating life and at my job. It seemed that colorism was everywhere and it made me incredibly paranoid. When OkCupid sent me a random statistic on why black women are the least dated demographic, I climbed on a soapbox and declared that I was above dating and needed to focus on my career — but really, dating had hurt my feelings.

Once my eyes were open to a world of colorism outside the black community, thanks to online dating, it was incredibly hard not to notice the colorism within my community. Since I opened my eyes to colorism that constantly surrounds me, I've learned these five truths. Colorism drives our community apart and reinforces harmful stereotypes about black people that have existed for hundreds of years.

1. Colorism Doesn't Just Affect Those with Dark Skin
I once watched a friend of mine sit on a panel during a discussion on colorism; she sat confidently and elegantly while listening to the darker skinned women on the panel glorify white men who dated dark-skinned women and admonish dark men who dated light-skinned women. My friend’s mother is white and her father, black. I found myself angry that she would need to defend her skin tone and her place in the black community. The cruel assumption was that for our light-skinned counterparts, life is filled with rainbows, freebies, and a shitload of opportunity.

The idea is that white privilege can be extended to our light-skinned counterparts and that they do not face the same extent of important black issues such as police brutality or less opportunity for professional growth. In reality, light-skinned people face additional prejudices that challenge their authenticity in the black community.

2. Colorism Doesn’t Only Affect Women

Colorism paints light-skinned men as being soft, effeminate, and snooty — an unfounded stereotype that has run rampant on the Internet. The hashtag "LightskinnedNiggasBeLike" on social media full of memes or gifs to poke fun at our light-skinned counterparts and create a distinction between us that is disguised as being humorous.

3. Colorism Is Not Specific to the Black American Community

Think only blacks are suffering from and indulging in colorism? The Huffington Post enlightens us by showing us a recent video on children’s
attitudes toward race, which is a take on a study that was originally conducted well over 50 years ago. Just like in the 1940s, when a child was told to choose between a white and a black doll, the child favored the lighter doll each time.

The new study depicted children in the Dominican Republic, where the majority of natives are of African descent. Oddly enough, those darker-skinned kids were still choosing the lighter-skinned dolls as opposed to those that looked just like them. Asians and Indians also deal with colorism, which is evident with the myriad bleaching creams and beauty products heavily available on the market for them.

4. Colorism is NOT an Acceptable Form of Racism

For most of us, colorism IS racism. The notion that one skin tone is superior to another connects us directly with the racism that has existed in America and around the world for centuries based on color. In America, we are still battling institutional racism between different races, and it’s hard for some to grasp the notion that the same bigotry exists within our own races, because if you’ve been denied something because of the color of your skin, why then, would you do that to people of your own race?

5. Colorism Starts With Our Media, Institutions, and Ourselves

Colorism affects us in different ways because of our environments and experiences. *Ebony* magazine discussed an interesting notion that darker women have lost confidence and need to be told they are beautiful to end
colorism. For me, colorism isn't about some people finding me "less conventionally beautiful" because of my skin tone. I usually chalk that up to blindness. For me, colorism starts with our media, accurately portraying dark-skinned women without lightening techniques, addressing the issue by engaging all cultures, and ditching the notion that we all crave to be the fairest of them all.

http://outline.com/YCrFYq

Outline is a free service for reading and annotating news articles. We remove the clutter so you can analyze and comment on the content. In today’s climate of widespread misinformation, Outline empowers readers to verify the facts.
Last night, someone tweeted that she really hoped that “black-ish” didn’t “both sides” the conversation in their highly anticipated colorism episode. But that is exactly what they did. And it was a risk.

We all know that when we talk about colorism in the Black community, it’s generally a one-sided discussion. Lighter skinned people have more privilege, so their stories of struggle or inequality are often met with resistance, disbelief or apathy.

But in last night’s episode, everyone got a chance to share their side.
It all started when Diane’s face was completely obscured in a class photo because she wasn’t lit properly. Naturally, her parents were ready to turn up, run up to the school and raise hell. But Diane said that she didn’t want them to do any of that. Instead, she said that everyone takes bad pictures on occasion and that it wasn’t a big deal.

While she was cool with it, her parents were not and the school picture was the catalyst into a discussion about colorism in the Black community and its roots in American slavery, where lighter-skinned slaves received preferential treatment, worked easier jobs, closer to White people and subsequently had better connections and opportunities after slavery.

The pattern continues today. So the thought of tackling such a concept in a 22-minute sitcom on network television is ballsy, to say the least.

And while I don’t think anyone would argue that the conversation was exhaustive, they did it, coming for everybody across the spectrum.

Junior drops a huge bombshell when he walks in the room announcing that everyone in their family is colorist, especially Dre, the show’s protagonist and narrator. It’s a fact both he and Ruby immediately dispute. When Junior and Rainbow remind them of the jokes they’ve made at the expense of their complexion—at the expense of their Blackness, Ruby responds with, “Light-skinned people have problems like rich people have problems.”

Well…

Then Dre and Ruby go on to list the ways in which light-skinned Blacks have it better. Ruby says they’re seen as the standard of Black beauty, noting
that only one dark skin woman is celebrated every ten years. Dre shares that lighter-skinned Black people earn more than darker skinned Blacks and even serve shorter prison sentences.

All facts.

But if you thought it was going to be an episode where one side of the Black community was left voiceless, then you thought wrong. It’s rare that Junior has a serious moment with Dre. In fact, he’s often used as the show’s comic relief with his odd way of seeing the world. But when Dre follows his son upstairs after the discussion got heated in the kitchen, Junior drops something heavy on his head.

“You love light skinned women but think light skinned men are soft.”

Dre, immediately defensive, seeks to refute that claim. But Junior shares that he sees it in the way he treats Jack, his younger, slightly darker brother and the way he perceives Junior’s actions. Jack dances at the drop of a dime and spent his soccer game picking flowers, but Dre regards Junior as his “softer” son. Meanwhile, Jack’s actions are explained away with, “That’s just Jack.”

The measure of whether a show is handling a topic with any level of success is the manner in which people are able to relate to it. And watching “blackish” last night, so many stories came rushing back to my mind.

I remember this egg-nog colored boy, who I was in an internship program with, shared that playing football in high school and college, he had to be more aggressive than he would have been just to prove to his competitors and even his own teammates that he wasn’t soft.
Afterward, Ruby and Dre chimed in about their experiences. But before they could go on for too long, Diane interrupted them to say that for as much as everyone had to say, they still couldn’t relate to her, the darkest one in the family.

As she shared various events, we see cuts and flashbacks of Diane experiencing things that are all too familiar within the Black community. She goes to a makeup counter to try on red lipstick and a dark-skinned woman at the makeup counter tells her that shade isn’t for women with their complexion.

It reminded me of my own mother, who for decades steered away from red lipstick and even red clothes, at the warning of my grandmother. It wasn’t until her fifties that she discovered not only did the color suit her well, she liked wearing it.

When Diane recounted being called “pretty for a dark-skinned girl,” my husband chimed in to share that someone had said something similar to him.

“I felt that.”

My husband, Soils, was only half-way watching the episode, and I assumed he was doing that thing he does where he makes some type of outlandish claim to get my attention. And when he took his index finger and rubbed his arm, I knew he was joking.

“What do you know about being pretty for a dark-skinned man?” I asked. “Dark-skinned Black men aren’t judged by the same standards dark skinned
And while he might have been joking at first, his tone changed when he shared a real story. He was in a cab, making conversation with the driver when the man asked where he was from.

When Soils said South Africa, the man immediately denied it. “No.”

I wasn’t there, but I can imagine my husband chuckling slightly at the man’s refusal to accept his origin story.

“Yes, I’m from South Africa.”

The cab driver said, “You don’t even look like an African…Usually, Africans are not that handsome.”

Then, in an attempt to describe the way Africans “generally look,” the cab driver quickly waved his hand back and forth over his face to illustrate some type of unspeakable, unsightly feature all African people share.

My husband reminded him that Africa is an entire continent and the people there don’t share one look.

After that story, I knew the “black-ish” episode had struck a chord. I’ve had several conversations about colorism with my husband, mostly from the perspective of Black men and their preference for lighter-skinned women. But never had it unearthed that story. And it made me wonder what type of conversations Black families across the country were having and will have about the topic because of this show.
Colorism is such a sore subject because it speaks to the ways in which White people’s racism, which is so deep, so nuanced and so effective, that it’s permeated the beliefs we hold about ourselves. And that’s a tragedy we’re not always ready to address. But I love the ending words from last night’s episode, “We need to love ourselves out in the open because nothing gets better in the shadows.”
Community gathers in front of the Wellington Avenue Church of Christ in Chicago, IL for a vigil in honor of TT Saffore. Photo credit: Love and Struggle Photos

My dad is Black and from the US. My mom is Scottish-Irish. I came out very light skinned. For most of my early childhood I was universally read as white. It wasn’t until I hit puberty and entered into a largely Puerto Rican middle school that I started being seen as Latino—a shock both because I am not, but also because I had rarely been identified by others as a person of color before.
Though I grew up in a somewhat racially and economically diverse neighborhood, my family is wealthy. My class status in addition to my light skin called my Blackness into constant question in class, in my after school program, and wherever else I met other Black people. Most of the slang and cultural cues I picked up to help me fit in were learned from friends, neighbors and Black popular culture, because they were not present in my household.

In Chicago where I currently live, other Black people usually do not acknowledge me. On my way to the train, passing folks on the sidewalk, there is usually no eye contact made, no attempt at a connection. Only when I am walking with my roommate, or another Black friend are the acknowledgements—head nods, handshakes, good afternoons—directed towards me through proximity. The racial context I inhabit changes quickly based on who I’m standing with, talking to, or whose arm is linked in mine.

In the youth work I do—both professionally and as an independent community member—I often reach out to other light-skinned, half-white and white-passing young people. I see them grappling with identity, self-acceptance, with where they fit into the larger Black community, and the struggles currently renting that community apart. I try my best to hold their pain, make room for their confusion, while also underlining the most important thing I can teach them: Being light skinned is a privilege, not a struggle.

I have always loved being Black. I have always loved other Black people. Having to fight for my place in the Black community, being called upon almost constantly to demonstrate my authenticity, prove my worthiness to
self-identify, has at times left me exhausted, wounded, and enraged. Because I hold so much pain around not being seen as Black, it is easy for me to forget that there is a much greater amount of pain that comes with being seen as Black.

As a queer person, some of the ugliest anti-Blackness I’ve experienced has come from other queer people of color. At clubs and bars, in online chats, “I don’t like Black guys, but you’re cute,” or, “You’re lucky you don’t look Black,” are offered as actual pickup lines, not occasionally but frequently. Because these lines disgust me, it can be hard to remember that these moments, too, are a mark of my privilege. My body and my identity are being invested with value, and even when it comes from folks who won’t be coming anywhere near my bedroom, it still lends weight and power to my whiteness.

Across the board, we as light-skinned people have more power and access than is just. Economically, in education, opportunities for growth and prosperity are extended to us more regularly than dark-skinned Black people. When we accept those opportunities, we are more easily absorbed into the institutions that harm other Black people while providing us with benefits. We are at less risk of police and state violence, less likely to be seen as threatening or dangerous in ways that would drag us into the carceral system.

In movement and activist spaces, there are too many of us in leadership roles, too many of us called on to speak to issues we are undeniably less impacted by than darker-skinned members of our community. We need to
step back from these positions of authority; other Black people have the right to question our authority when we don’t.

I am patient with the young, light-skinned, half-white and white-passing people I have these discussions with. It took me years—well into my adult life—to truly comprehend that the baggage I carried around my light skin had been given to me not by other Black people, but by the racist systems that invest my whiteness with power, shielding me from at least some of the violence rained down on so many others in my family, neighborhood and larger community. The tension between me and other Black people, which I still experience, is manufactured by the structures that give me power and value just for being a little closer to whiteness than they are.

Other Black people have every right to check me, distrust me, and even dislike me for this reality. While I claim as much part in creating it as they do, I am the one who benefits from it. I am the one who is charged with giving up my light-skin privilege, making myself dangerous to the structures that imbue me with a greater humanity just for being light. When I neglect to do this, I betray other Black people. I am the betrayer, not them.

What I try to teach young, light-skinned people is that the harm sometimes hurled at us from other Black people comes from a pain we don’t experience. It is the knowledge that our lives are made easier, our passage through the world a little safer, just for looking, being a little less Black. The injustice at the core of this tension is anti-Blackness, not anti-lightness. Every time we expect our experiences to be centered, that our stories of mistreatment as light-skinned people take the fore, we are contributing to this injustice. We
are subtly refocusing Black struggle on ourselves, in a world that already gives us more focus, more attention and encouragement.

Centering ourselves means using our pain to erase the pain of others. It sends the message that light-skinned suffering—on offshoot of white fragility—is in greater need of addressing than actual anti-Blackness, and the white supremacy that generates it.

This is why “mixed” is an identifier I do not use. It is a term which privileges those of us who happen to know who some of our non-Black ancestors are, and which fails to acknowledge that most Black people on this planet are mixed—if not racially, then ethnically, culturally, geographically. In so doing, it actually erases histories of sexual violence and “mixing” that have occurred for centuries—long before it was ever spoken about in the open.

All our Black identities are layered, and the fact of my having a white parent does little to make my experience of Blackness more nuanced than anyone else’s. We can acknowledge the complexities of our varied roots, without imagining that separate categories of Blackness are needed—especially ones designated for those who are read as something other than Black, a position that always comes with privilege.

The most important lesson being light skinned has taught me, and what I try to pass on to other light-skinned Black people, is this: When other Black people distrust or dislike you for being light skinned, it isn’t actually about you. It’s about the pain we all experience as a mistreated people, and that you experience less of as a light-skinned person. Understanding the rage others in community feel as something they have a right to is about creating
room for that rage, validating it and the deep trauma it is based in. Even when we feel it is misdirected at us, it is something we still must learn to make space for as Black people with light-skin, educational and economic privilege.

Understanding rage as something the more mistreated members of my community have a right to express has liberated me from the need to defend or prove myself. Recognizing that rage as something I did not create, but which I am responsible for minding and addressing, means I don’t have to take the shade or distrust I sometimes receive from other Black people as a personal challenge. It is just something for me to hold. It doesn’t belong to me, yet it is a reminder of the imbalances that exist within our own community, and that reflect the racial and economic imbalances of the world outside of it.

I don’t need to feel targeted, for in reality, I am not. I don’t need to feelaggresed, for in reality, it is dark-skinned Black people who are expected to absorb the aggressions of white supremacy—from employers and landlords, police and politicians, and from other Black people, usually Black people that look and act like me. The idea that folks who occasionally lash out as a result of their own oppression are oppressing me is a dangerous falsehood, and that attitude poses the real distraction from the ways racism is actually harming our communities.

Healing wounds within the Black community can only come from fighting white supremacy, the system which has generated them. Fighting together doesn’t mean fighting in the same way. The voices that have been ignored are the ones in need of centering. The identities with the least social value
should be the ones imbued with the most by our movements, as we attempt to build up concrete alternatives to the xenophobia, patriarchy, transphobia and class stratification that mark the current order. No Black person should be silenced, but Black people who are men, cis, wealthy, skinny, abled-bodied, lighter, formally educated should see it as part of their work to step back, and hold up the voices of Black people who are women, femme, hood, fat, immigrant, disabled, queer, trans, and dark skinned.

Two weeks ago, the BTGNC Collective staged a vigil and shutdown in honor of TT Saffore, a Black trans woman killed last month on Chicago’s west side. As one of the participants, I spent a great deal of time interfacing with the police who were called to the scene, putting on my best smile, digging down to find my most warm, respecting voice. I do not relish engaging law enforcement, but know it is safer for me to do so. I know I will be read as nonthreatening, trustworthy, even before I smile and nod, before my tone conveys docile admiration. Stepping up to talk to police is a means of using my light skin to keep them away from my dark-skinned family—folks who will be seen as suspicious and threatening before they say or do anything. By making sure I dealt with law enforcement, other Black, trans and gnc participants were able to grab megaphones, hold banners and lead the procession, instead of worrying about defending themselves from the police.

Decentering light-skinned identity is decentering whiteness. Dismantling our privilege means stepping up in moments of danger to protect our comrades, and stepping back when it is time to speak, to rally, leaving visibility up to the folks whose voices go most unheard. Making room for the unbridled expression of Black rage means that those of us who are
sheltered from the brunt of anti-Blackness should be quiet, should use our privilege to allow greater space for other Black people to vocalize their resentment, their pain and their needs.

It’s really that simple.

http://outline.com/zw9TPx
Racial passing is when someone’s features cause them to be mistaken for another racial or ethnic group. Depend on what race or ethnicity people pass as, they can experience different treatment which can be advantageous or detrimental. White passing privilege is the additional privilege some people of color (POC) are afforded when their features, such as skin color or hair texture, cause them to be mistaken as white. For instance, white passing **Latinx** people will most likely avoid being racially profiled, questioned about their citizenship or lack thereof, or doubted for their English-speaking skills or education status. Prominent actors of color like Rashida Jones, and Keanu Reeves tend to be white passing — because their white appearances
allow them to get larger, more multidimensional roles rather than being typcast.

White passing POC must acknowledge that they undergo different experiences because they are read as “white” by others. People with white passing privilege face little discrimination compared to other members of their communities who are not able to hide their racial identities and are thus constantly fighting for the value of their existence.

White passing privilege is entrenched in colorism, which is defined by Alice Walker in her book “In Search of Our Mothers’ Gardens” as the “prejudicial or preferential treatment of same-race people based solely on their color.” In the U.S., the history of colorism can be traced back to slavery, when lighter-skinned enslaved people would often work in the house as servants and cooks, whereas darker-skinned enslaved individuals were normally forced to work in the fields.

Colorism is also perpetuated by the Eurocentric beauty standards that penetrate different communities. Light skin is idealized most prominently in communities of color and associated with higher socioeconomic status, less damaging racial stereotypes and desirability. Skin lightening products — a billion-dollar industry — are a global commodity. For instance, Unilever’s Fair and Lovely skin lightening cream is rampantly advertised and purchased throughout Southeast Asia.

Young women of color are particularly influenced by Eurocentric standards that sell acceptance and desirability. White women still dominate fashion and media, and so do white beauty standards. Therefore, it is not a
coincidence that the most well-known women of color considered beautiful — such as Zendaya, Jennifer Lopez and Rihanna — have lighter skin and straight hair.

However, white passing privilege is not the same as white privilege. People who are white passing are considered so because they contradict the narrow racial stereotypes perpetuated by white people, and, as Niloufar Haidari notes, these “borders of whiteness are policed often in self-interest rather than out of genuine attempts by inclusivity.”

The concept of white passing, which is inherently defined by and centered around white people, implies that a white passing person’s experiences are invalid because they fall into the strict external definitions of “whiteness.” Moreover, this implication dismisses an individual’s heritage and culture solely due to their white- resembling appearance. Skin color is only one aspect of a person’s race and ethnicity, which affects and includes their class, cultural traditions and political beliefs.

Moreover, the standards that define “whiteness” are not solely based on skin color, but instead change over time to implicate the power of certain groups and the simultaneous disenfranchisement of others. For example, prior to 9/11, Iranians were usually considered “white” by white Americans, but increased Islamophobia altered the social perception and treatment of Iranian-Americans. Iranian-Americans are often detained for “extra security measures” at airports or prevented from entering the U.S. without a travel visa if they had visited Iraq within the past five years. Although the definition of whiteness is fluid, it has always signified superiority and
privilege within an unfair system designed to benefit its subjugators at the undeniable cost of marginalized communities.

Our feminism must be increasingly intersectional, or cognizant of the differences in oppression people face due to their race, gender, sexual orientation, class and other factors. Individuals must recognize their privilege, even if they experience oppression due to other aspects of their identity, and use this privilege to speak up for those who do not have the power to do so.

http://outline.com/DTA2VE
How To Do Intersectionality

RINKU DECEMBER 18, 2017

Over the last five years, intersectionality has become a buzzword and an accountability standard for social change organizations and leaders. It is so commonly used that a recent look at #intersectionality results on Twitter reveals everyone from the United Nations Development Programme to IBM claiming it. But there’s also much confusion about what it means and how to practice it. Two patterns especially trouble me – conflating the word “intersectional” with the word “identity,” and applying intersectional analysis inconsistently. There are lots of great examples of intersectional organizing for us to learn from, and the pay off can be profound when we get it right.
An analysis, not an identity

A few months ago, I took the survey that measures my privilege posted by BuzzFeed India. There was a long list of statements like “I grew up with two parents” and “I’ve never been a victim of violence for my race.” I checked the ones that were true for me. I got the following message with my score of 36 out of 100 points of privilege. “You’re not privileged at all. You grew up with an intersectional, complicated identity, and life never let you forget it.” (emphasis mine)

But intersectionality is an analysis related to identity, not an identity in itself. Everyone has multiple identities. Systems of hierarchy have been created around our identities, and the combinations (or intersections) of those systems affect how life goes for us. Some of these identities give us a leg up, while others push us a rung down the ladder. The combination of identities can compound (or diminish) advantage or compound (or relieve) harm, and there are perhaps endless variations. The point of intersectional practice is to look at all these possible combinations of privilege and vulnerability, rather than just stopping with the ones that apply to us, whoever we are.

So we wouldn’t say that someone had a complicated, intersectional identity because we all have that. There is nothing more complicated about my identity than that of a White, middle class, straight man. The important question is whether those identities are explicitly acknowledged as we address any issue in community life.

Professor Kimberlé Crenshaw laid out this theory and called it intersectionality in the late 1980s and early 1990s, putting a name to
something that had been the practice of Black feminists and other women of color for centuries.

Crenshaw writes that you could find an anti-racist practice and a feminist practice, but you could hardly ever find them in action together. Anti-racist and feminist politics created constituencies by imagining and acting for an essential “type,” the dominant image of a raced person being a man and a gendered person being White.

When the primary subjects of anti-racist politics are men, and those of feminism are White women, the particular needs of women of color to be free from both racism and sexism are ignored at best and compounded at worst, often with life and death consequences. As a result, anti-discrimination law brings relief to only some victims. When we’re trying to get relief for women experiencing, say, police violence, the remedies are weak because they’ve all been designed with someone else in mind.

In domestic violence policy and practice, for example, feminists insisted that violence affects all women equally to prevent domestic abuse from being dismissed as a minority problem. “All women” were actually White, middle class women; policies created to address domestic violence assumed access to services that poor women of color did not have. Some battered women’s shelters required residents to participate in group therapy sessions, but monolingual Spanish-speaking immigrant women could not comply. The 1986 Marriage Fraud Amendment required immigrants to be married for two full years before applying for permanent residency. That rule created a barrier to reporting abuse and accessing resources – caught between the threat of violence and the threat of deportation, many immigrant women
chose the violence. These policies and practices were created without an intersectional analysis.

Crenshaw’s recent work in starting the #SayHerName campaign expresses her critique of anti-racist strategy that isn’t also feminist. The campaign elevates the stories of women killed by police and seeks recourse in their cases, which receive far less attention than the killings of men. Andrea Ritchie’s book Invisible No More tells dozens of stories of Black women and other women of color being raped, beaten and killed by police. She names, among many others, Sandra Anton, Rosann Miller, and Alecia Thomas, whose situations mirrored those of Rodney King, Eric Garner and Freddie Gray, but whose names are unknown to most people. A truly intersectional analysis would identify the mechanisms that enable abuse and target those for change. Considering the intersection of race, gender and disability, for example, Ritchie calls for policies that do not involve police in addressing mental health breakdowns, but rely instead on community-based crisis interventions.

To be intersectional (and also effective), then, we have to consider how a problem plays out differently for different people, raising the likelihood that we will come up with remedies that actually solve the problem for all.

**Good practice**

The qualities and skills that matter most for intersectional leadership are curiosity, listening, openness and creativity. By asking questions, we can look at a problem not just through the lens of our own experience, but also those of others whose identities might make them vulnerable to harm. Find out
who else might be experiencing the problem you’re solving, seek them out (or respond when they seek you out), listen to them deeply, share your truth and apply that new understanding to your strategy. There are lots of great examples to choose from. The standard isn’t how intersectional is your identity, but how intersectional is your analysis? Regardless of identity, the analytic tools are always available to help us solve problems for everyone.

One of my favorite stories comes out of Idaho. In 2005, The Idaho Community Action Network (ICAN), which organizes White, Native American and Latino poor and working class families, took up a campaign to get eligible children onto the State Children’s Health Insurance Program (SCHIP). Such children had been regularly denied enrollment. To diagnose the problem, ICAN ran a matched-trio testing project. They sent in trios of Native, White and Latino families that they knew were eligible and tracked the outcomes by race. Twenty-six of the 27 families were denied.

ICAN found that the long, complicated application form was a barrier – easy to check the wrong box and hard to figure out after it was done. The SCHIP office hours forced applicants to miss work to deal with the denial. But the group also found out that the Latina mothers were asked intrusive and racist questions like “how many of the kids in this family are ‘illegal?’” ICAN demanded a new form, new hours and new training for the caseworkers on dealing with immigrant applicants. If they hadn’t done intersectional research, accounting for race as well as class, they wouldn’t have solved the problem for everyone.

But what if you’re in a situation that isn’t so multiracial, or so multi, multi in other ways? There are legitimate reasons for a group not to include everyone.
That’s why we have coalitions.

In Oregon, the statewide farmworker organization is called Piñeros y Campesinos Unidos del Noroeste (PCUN) and has 30-year history of winning. By the early ’90s, conservatives had placed an anti-gay measure on the statewide ballot. When LGBT activists marched through the PCUN Director’s hometown, dozens of farmworkers met them at the edge of town – part welcome and part loving confrontation. The farmworkers invited the LGBT folks to dinner and dialogue, where they talked about why the movement had never reached out to farmworkers, and the sources of homophobia among Latinos.

Working together, the two communities beat that ballot measure, turning a 20-year trend. A year or so later, they beat back the first anti-immigrant ballot measure. They’ve been working together ever since, not just to resist the awful, but also to win the good. It’s not that PCUN had hundreds of out LGBT members, or even one as far as I know. The lesson lies in PCUN knowing that there are certainly gay Latinos, and that an attack on gay rights would strengthen the forces that also attack farmworkers. They do their work with an intersectional lens that doesn’t essentialize the farmworker as a straight man, or a queer person as exclusively White, and that led them to this alliance.

**Consistency Matters**

Many people think of “intersectional” as a stand-in for “most marginalized.” But that’s problematic, partly because “intersectional” isn’t an identity in itself, but also because “most marginalized” is so often defined by our own
blind spots, created by whatever privilege we may have. Even those of us with disadvantaged identities have more power than some others. U.S. citizens have more power than immigrants; documented immigrants more than undocumented; undocumented children over undocumented adults. I could go on.

The problem with making “intersectional” a form of identity is that it hides true dimensions of privilege and power. Class privilege is often improperly weighted. I’m not saying that class trumps everything else, but money at the very least gives us more options for dealing with racism or sexism.

Buzzfeed tells me that I have almost no privilege – I am among the most marginalized. But my class privilege and positioning offer significant protection. My experience of airport security, for example, is greatly aided by my TSA PreCheck status, for which my organization paid the application fee. I get “randomly” stopped a lot, but not nearly as much as I would be going through the regular security line. If we use my experience but don’t take my class privilege into account, we might come up with a remedy for civil rights at airports that most people can’t access.

Here’s where I think we could be more consistent in our application. We tend to apply intersectional theory to the situations that strike our sympathy nerves. We recognize compound harm when there’s a person with several oppressed identities, like female, queer and rural, and a couple of privileged ones like able-bodied and employed. We can easily acknowledge that being able-bodied and employed did not wipe out the experiences of being a woman, being queer or living in a place the system had abandoned.
But when racial justice activists are confronted with a person who is White, male and poor, we too often act as if the whiteness and the maleness totally mitigate the effects of the poverty. They do not. How could they? Being White and male might lessen a lot of harm, but it could not possibly negate all the discrimination poor people face. If we are concerned with the situation of Muslim men with money, we don’t argue that the money or the maleness protects them totally from the harm of Islamophobia. We know that this could never be the case.

Intersectionality is an enormously helpful theory of identity, power and change. What we do with the complex analysis it generates is up to us, but the best examples suggest that there are a lot of people to organize and a lot of solutions to pursue. We can get to them fastest with a consistent and deep practice of, quite simply, looking at systems through multiple lenses. The point isn’t to get into smaller and smaller cohorts defined by identity, but to understand our lives and each others’, all the better to combine forces and win.

Edit: this story has been corrected since publication. The 1986 Marriage Fraud Amendment was the source of the two-year requirement. The source was previously named as the 1990 Immigration and Nationality Act, which created a waiver for victims of domestic violence.
Considerations on Mainstreaming Intersectionality

Rita Kaur Dhamoon

Abstract
This article identifies five key considerations for adopting and mainstreaming intersectionality: the language and concepts that are used; the complexities of difference and how to navigate this complexity; the choice of focusing on identities, categories, processes, and/or systems; the model that is used to explain and describe mutually constituted differences; and the principles that determine which interactions are analyzed. The author argues that in the process of mainstreaming intersectionality, it is crucial to frame it as a form of social critique so as to foreground its radical capacity to attend to and disrupt oppressive vehicles of power.

Keywords
intersectionality, feminism, matrix, critique

Over recent decades, the study of multiple, co-constituted differences has taken a strong hold in strands of feminism under the rubric of intersectionality. Intersectionality, as Ange-Marie Hancock (2007, 63) recently noted, is not simply a normative-theoretical argument but also a research paradigm. As such, rather than limiting intersectionality research to “a content specialization in populations with intersecting marginalized identities” (Hancock 2007, 64), this analytic paradigm can be widely applied to the study of social groups, relations, and contexts, so as to go beyond the conventional scope of nonwhite women. On this basis, as a framework of analysis that is widely applicable to various relations of marginality and privilege, intersectionality can be integrated into mainstream social science ways of conducting research and building knowledge.

The notion of mainstreaming intersectionality is appealing for many reasons. As Ana Phoenix and Pamela Pattynama (2006, 187) note, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time, it foregrounds a richer ontology than approaches that attempt to reduce people to one category at a time. As well, in addition to producing new theories of discrimination and important epistemological insights, intersectionality brings fresh perspectives on many legal and policy arenas related to human rights, the family, employment, criminal law, and immigration (Carbado and Gulati 2000-2001, 701). It does so by pushing against hegemonic disciplinary, epistemological, theoretical, and conceptual boundaries. Overall, the mainstreaming of intersectionality benefits political science and other social sciences because it expands and deepens the tools available to conduct, catalogue, and interpret research.

But what precisely about intersectionality should be mainstreamed? This can be a complicated question to answer because there is contestation about intersectionality within feminist theory. Like other research paradigms, not only is intersectionality constantly evolving, but feminists also differ in their understanding of it and adopt a wide range of empirical and normative tools. The contestability among feminists is not itself my concern, for this reflects the diversity and flexibility of intersectionality frameworks and indicates openness to further reflection, clarification, and inquiry. But precisely because intersectionality is a burgeoning and contested framework, my goals are to first to outline and clarify a set of theoretical considerations that are important for adopting this research paradigm; this may be particularly useful for those unfamiliar with intersectionality and interested in exploring the value of mainstreaming it. Second, I seek to engage in some of the existing debates among scholars of intersectionality so as to prescribe directions that foreground what I see as the

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central component of this research paradigm: critique of the work and effects of power. Broadly, by critique I mean that form of analysis that denaturalizes what is taken as given, thus showing that subjectivity is structured by language: that the universal unified subject of reason is a falsity; and that grand narratives are inadequate explanations of political life. While I refer to critique specifically as the radical contextualization or deconstruction of the meanings of texts or symbols, the processes by which texts and symbols are interpreted and given meanings, and the privileging and penalizing relations of power associated with these meanings, the more general meaning of critique allows for intersectionality to be deployed in a variety of ways while maintaining a focus on power.

Specifically, I present five considerations when adopting intersectionality. The five considerations relate to (1) the terminology and scope of this research paradigm, (2) the benefits and pitfalls of focusing on identities and categories of difference, or on processes and systems of differentiation, (3) the complexities of subject formation that are brought to light through this research paradigm and how these can be unpacked, (4) the models most useful in describing and operationalizing this research paradigm, and (5) how the analyst chooses which interactions to study.

I. The Concept and Language of Intersectionality

As its starting point, intersectionality opposes the idea that subject formation and identities are unified and autonomous. Hancock (2007, 64) specifies that intersectionality is based on the idea that more than one category should be analyzed, that categories matter equally and that the relationship between categories is an open empirical question, that there exists a dynamic interaction between individual and institutional factors, that members within a category are diverse, that analysis of the individual or set of individuals is integrated with institutional analysis, and that empirical and theoretical claims are both possible and necessary. In general, as Brah and Phoenix (2004, 76) state, intersectionality refers to "the complex, irreducible, varied, and variable effects which ensue when multiple axes of differentiation—economic, political cultural, psychic, subjective and experiential—intersect in historically specific contexts."

While the language of intersectionality has been popularized since at least the 1980s, the framework for examining the relationship between multiple interrelated modalities of difference has been a long-standing feature of various social struggles, including women-centered and feminist fights against racism, colonialism, and slavery (King 1988, 42-43; Smith 2006, 16). It is therefore important to acknowledge how theories and practices of what we now call intersectionality were developed prior to the popularization of this concept and that our contemporary lenses shape interpretations of this analytic and political tool (Hancock 2008). These histories of intersectionality and the contestation among feminists about the term and scope of intersectionality indicate the value of critically reflecting on this framework, even as it is embraced for its unique contributions to understanding social and political life.

The term intersectionality was specifically coined and developed by American critical race scholar Kimberle Crenshaw (1989, 1994) as a way to address legal doctrinal issues and to work both within and against the law. Crenshaw used the metaphor of intersecting roads to describe and explain the ways in which racial and gender discrimination are compounded each other. In her work on discrimination against black women, she argued that a single-axis framework maintained a focus on either race or sex and subsequently failed to consider how marginalized women are vulnerable to both grounds of discrimination; thus, even a combination of studies about women and studies about race often erased the experiences of black women. The road metaphor specifically served to describe the way in which a minority group navigates a main crossing, whereby the racism road crosses with the streets of colonialism and patriarchy, and "crashes" occur at the intersections. Where the roads intersect, there is a double, triple, multiple, and many-layered blanket of oppression.

Crenshaw's formulation of intersectionality has been enormously significant, as it further opened up a conceptual space through which to study how various oppressions work together to produce something unique and distinct from any one form of discrimination standing alone. And indeed many feminists have used and developed the idea of intersectionality, although not all center the law or the language of intersectionality in their analysis. Patricia Hill Collins (2000, 18), for instance, uses intersectionality to refer to "particular forms of oppressions, for example, the intersections of race and gender, or of sexuality and nations." She understands these to be micro-level processes regarding how each individual and group occupies a social position, which are located within a system of "interlocking oppressions." The notion of interlocking oppression, for Collins, refers to the macro-level connections that link systems of oppression such as race, class, and gender. Together, argues Collins, the macro (intersectional) and macro (interlocking) processes shape oppression. Thus, for Collins, the concepts of intersectionality and interlocking are complementary.

Other feminists have moved away from the terminology of intersectionality. Sherene Razack, for instance, expresses a preference for the term interlocking because the emphasis differs from intersectionality. "Interlocking systems," she states, "need one another, and in tracing the complex
ways in which they secure one another, we learn how women are produced into positions that exist symbiotically but hierarchically. We begin to understand, for example, how domestic workers and professional women are produced so that neither exists without the other" (Razack 1998, 13). For Razack, interlocking systems of patriarchy, white supremacy, and capitalism are upheld through relations of penalty and privilege that cannot be extracted from each other. Another term used is that of *multiple jeopardy*. This concept has been developed by Deborah K. King (1988, 47) in reference to black women’s experiences, specifically to push against the idea that race and sex are analogous, and against the additive idea that racism and sexism equals double jeopardy and “racism plus sexism plus classism equals triple jeopardy.” King modifies the idea of double and triple jeopardy so as to attend to multiple simultaneous oppressions and to the multiplicative relationships among them as well. This she formulates as “racism multiplied by sexism multiplied by classism” (King 1988, 47). For King, not only is the concept of multiple jeopardy used to describe oppression, but it also provides a way to define and sustain a multiple consciousness that is essential for black women’s liberation and to resistance against the “interstructure of the oppressions of racism, sexism, and classism” (King 1988, 72). Verna Kirkness (1987-1988, 413) uses the phrase “discrimination-within-discrimination” to describe the ways in which Indigenous women in Canada have been marginalized not just as women but also as subjects marked by racism and colonialism. Kirkness cites the struggle for Indigenous women to gain the vote and the Indian Act (which affects the status, rights, privileges, and governance issues of Indigenous peoples) as two examples of discrimination-within-discrimination.

In addition to terms such as *interlocking, multiple jeopardy, and discrimination-within-discrimination*, scholars have used such terms as *multiple consciousness* (Matsumeda 1992; King 1988), and *multiplicity* (Wing 1990-1991), *multiplex epistemologies* (Phoenix and Pattynama 2006, 187), *translocational positionality* (Anthias 2001), *multi-dimensionality* (Hutchinson 2001), *inter-connectivities* (Valdes 1995), and *synthesis* (Ehrenreich 2002). Some also make a distinction between systemic intersectionality and constructionist intersectionality (Bredstrom 2006), or what Nira Yuval-Davis (2006, 198) refers to as positional and discursive intersectionality. Others, such as Wendy Brown (1997, 86) and Jasbir Puar (2007, 211-15), see the concept of intersectionality as fundamentally flawed. And yet others do not rely on the language of intersectionality but nonetheless speak to the impossibility of separating out aspects of identification and oppression. Andrea Smith (2003), for example, argues that the struggle for indigenous sovereignty and the struggle against sexual violence cannot be separated because the appropriation of Indigenous land occurred and occurs through gender violence.

While all these different conceptions and terms embrace the significance of examining multiple co-constituted differences, what are analysts and practitioners to make of the contestation? In my own work I have moved away from the language of intersectionality. While Crenshaw’s use of this concept reflects the view that aspects of identification and power do not exist apart from each other, the metaphor of intersecting roads has come to falsely suggest that there are separable, pure, containable ways to analyze subject formation and power. As Crenshaw (2010) has recently noted, this is contrary to her conception, which was premised on a dynamic notion of intersectionality, whereby the roads emerged from various histories, became politically relevant because of historical repetition, and were constituted through movement that affected people and existing structures.

While no concept is perfectly able to capture all the complexities of irreducible forms of difference, as an alternative to “intersections,” I have tended to use the language of interactions as a way to describe, explain, and critique the ways in which processes of differentiation *dynamically* function through one another and enable each other; they do not exist apart from one another, although the character of these processes and their effects are varied and indeterminate. These processes are both generated by the forces of power and constitute relations of power. I say more about the role of power later, but for now I simply want to note that there does not need to be single, universally agreed concept; such a presumption would itself leave unquestioned concepts that have emerged in specific geopolitical contexts (hence leading to American-centric conceptions of intersectionality). Rather, it is necessary to be precise about the critical capacity of concepts chosen and be open to different terms as theories develop. Put differently, as a tool that is premised on critiquing bounded conceptions of difference, the discourse of intersectionality must itself be subject to scrutiny. At the same time, there is a need for a general term that is both recognizable and descriptive of the kind of work intersectionality has come to refer to (McCull 2005, 177). In these instances, my preference is for the term *intersectional-type*. This term signals the contestation within feminist work while also providing a recognizable framework.

II. The Subject of Analysis: From Identity and Categories to Processes and Systems

A second consideration concerns the focus of analysis. In intersectional-type work, at least four aspects of socio-political life have been and continue to be studied: the
identities of an individual or set of individuals or social group that are marked as different (e.g., a Muslim woman or black women), the categories of difference (e.g., race and gender), the processes of differentiation (e.g., racialization and gendering), and the systems of domination (e.g., racism, colonialism, sexism, and patriarchy). Sometimes these four aspects of analysis are distinct, and other times they merge into one another or a combination exists. In my view, all four are consistent with intersectional types of analysis. But while terms such as black (identity), race (category), racialization (process), and racism (system of domination) are sometimes conflated (identity), and rigid even when multiple axes of identity are considered. Not only is a singular dimension of identity interpretable in many ways, but there is also no ideal or authentic way of living an identity, some identities are legally imposed rather than self-constituted, and identity-based approaches can have the effect of falsely pitting one identity against another (e.g., cultural identity vs. gender identity). Moreover, essentializing identity

There are, however, two main risks that arise from focusing on intersecting identities, both of which feminists who adopt a social constructionist or deconstructive lens are aware of. The first concerns the problem of essentialism, whereby the boundedness of identity becomes overconflicted and rigid even when multiple axes of identity are considered. Not only is a singular dimension of identity interpretable in many ways, but there is also no ideal or authentic way of living an identity, some identities are legally imposed rather than self-constituted, and identity-based approaches can have the effect of falsely pitting one identity against another (e.g., cultural identity vs. gender identity). Moreover, essentializing identity

To add to the problem of essentialism, while an intersectional-type analysis of identities may start off as a critique of multiple faces of domination, it can end up reiterating the very norms it aims to challenge. For example, while the reference to "women of color" (which cuts across several identities and groups) honors the legacy of activists and scholars who pioneered a space for marginalized subjects, it is, as Himani Bannerji (2000, 28-34) notes, also associated with the racist and segregationist language of apartheid and the American South, that is, "a colored woman." Although the group identity of "women of color" does have relevance in distinguishing Indigenous women from other nonwhite women in places such as Canada and the United States, Bannerji argues that it also unwittingly evades naming whiteness and legitimizes the dominant ideological workings of diversity politics that erase the ruling discourses of gendered whiteness and capitalism. Certainly it is true that the notion of a monolithic and totalized subject is cast and regulated in various institutionalized discourses—from the law, for instance, rarely recognizes the complex, internally diverse and divided subject and focuses instead on specific identities (Brown 1997, 92; Iyer 1993-1994)—but this is precisely what an intersectional-type paradigm of analysis can critique and challenge.
**Categories of Difference**

In feminist theory, identities and categories of difference are often conflated with one another (Yuval-Davis 2006, 203-5). For instance, the identity of a South Asian woman becomes interchangeable with, or a stand-in for, the categories of race, class, and gender. In this regard, the benefits and pitfalls raised above regarding the study of identity are tied up with the study of categories. Feminists are, of course, not unaware of the pitfalls. As McCall (2005) says, feminists have developed antiscatological approaches that deconstruct existing systems of categorization, intracategorical approaches in which the experiences of a single social group are defined by an intersection of multiple dimensions, and intercategorical approaches in which there are complex relations among multiple groups within and across identities and analytic categories. These are important techniques for countering hegemonic ways of seeing difference, identity, and power, and indeed categories can be useful starting points because these punctuate points of connection and disjuncture. However, like the focus on identity, the study of categories risks overdetermining the autonomy and essential characteristics of a category, with the effect of reproducing existing hegemonies.

In addition, the focus on categories has produced what Patricia A. Monture (2007, 199) calls the “race-class-gender trinity.” In the context of the law, Angus notes that the emphasis on intersecting issues of race, class, and gender indicates that decision makers are directly unsettled by the gendered nonwhite subject. As a response, scholars of intersectional-type work have deployed this paradigm to intervene in legal structures that assume and demand the unity of a rights-bearing subject by foregrounding race-class-gender. This trinity is also a reminder that white feminisms have marginalized issues of race and to a lesser extent class, and thus there is value in examining this specific set of intersecting categories. Yet even when race and class are considered in relation to gender, there is sometimes an imposed stability to the trinity that makes the variations that arise from different contexts. Furthermore, the priority assigned to the race-class-gender trinity has often meant that “some forms of oppression are explained as more damaging than others” (Monture 2007, 199). Elizabeth Martinez (1993) aptly calls this the “Oppression Olympics,” whereby “groups compete for the mantle of ‘most oppressed’ to gain the attention and political support of dominant groups as they pursue policy remedies, leaving the overall system of stratification unchanged” (Hancock 2007, 68). In other words, while the materialities and discourses related to race-class-gender cannot be ignored nor fully transcended, the mantra of these categories can be exclusionary.

Importantly, the privilege assigned to this trinity is not intrinsic to the study of categories but indicative of the choices researchers have made (and in some cases had to make) in specific historical contexts. An intersectional-type research paradigm can be and has been applied, for instance, to an analysis of the dynamics among categories of race, gender, class, and sexuality (Fogg-Davis 2006); disability, sexuality, and gendering (Garland-Thomson 2002); disability, race, culture, and colonialism (Kaner and Fitzgerald 2001); and postcolonialism and queer (Hawley 2001). As such, it is important to consider what analysts have invested in studying the trinity of race-class-gender and not other interactive categories. This critical reflection has the potential to open up unexpected avenues of exploration. At the same time, by simply expanding the analysis to include yet more categories or a different set of primary intersecting categories, the reification of one grouping of difference merely gets reconfigured rather than dismantled.

**Processes of Differentiation and Systems of Domination**

Although much feminist theorizing has focused on identity intersections and the intersections among different kinds of categories, I want to draw out two other aspects that are present in some feminist theory, sometimes implicitly and other times explicitly: an analysis of the interactive processes and systems. By processes I am referring to the ways in which subjectivities and social differences are produced, such as through discourses and practices of gendering, racialization, ethnicization, culturalization, sexualization, and so on. By systems I am referring to historically constituted structures of domination such as racism, colonialism, patriarchy, sexism, capitalism, and so on. The focus in both cases is not on the intersection itself but on what the interaction reveals about power. This attention to power, as the subject of struggle and the subject of transformation, gives an intersectional-type research paradigm its critical edge.

To be clear, it is not that representations of identity or categories of difference do not matter, but these are ideally examined by contextualizing the processes and systems that constitute, govern, and counter difference. In Foucauldian terms, the focus of analysis is not therefore strictly on an individual, a category, a group, or an institution (although these are not absent either) but on the techniques of power. Among others, Mary Hawkesworth (2003) makes this point in her study of active processes of racial and gendering—rather than what she characterizes as individual attributes or demographic characteristics of race and sex—which affect the experiences, social locations, struggles, and politics of resistance of congresswomen of color. Through an analysis of how racial-gendering
operates to produce "difference, political asymmetries, and social hierarchies that create the dominant and the subordinate" (Hawkesworth 2003, 331), she investigates the specificities of power at the epistemological, individual, social, and institutional levels.

While a contextual examination of the processes of subject formation and systems of domination is not immune from an overdeterministic understanding of difference, it foregrounds issues of power in ways that the focus on identity and categories masks. Specifically, the study of processes and systems draws attention away from "different" identities and bodies per se to the specific processes and conditions in which representations of difference are socially organized. In doing so, the analysis exposes the myth that identities naturally preexist and the fallacy that subjects have identities. This in turn draws attention to the doing or making of difference and serves to show that subjects are socially produced as identities and are engaged in the production of subjectivities through institutionalized discursive processes. In short, the focus on processes and systems shifts the gaze from the Othered identity and category of Otherness to a critique of the social production and organization of relations of Othering and normalization. Some have used quotation marks around identities and categories to emphasize that these are socially constructed. But quotation marks are inconsistently used or overused, as has been the case with the category of race (Razack 1998, 165), and they continue to be used to represent group identities and categories as if they are really existing collectivities rather than socially produced signifiers of ideological processes (Miles 1989).

In making the shift away from overdetermined claims made about identities and categories, the specific processes and systems of differentiation that constitute and govern subjects as these identities can be directly and explicitly critiqued. While such deconstruction is not unique to intersectionality, the study of interactive processes and systems opens up critical accounts of the specificities of power, including an analysis of what practices of differentiation do to social relations, how difference making organizes subjects in varied and changeable ways, how subjects perform and resist modes of differentiation, and how interacting processes of differentiation and systems of domination are reflected and configured through each other.

III. The Complexity of Subject Formation and Power: Situated Comparisons

A third consideration when deploying an intersectional-type research paradigm is how to analyze the complexity of subject formations, differences, and vehicles of power. The complexity arises for three reasons. First, this framework expands the focus from one dimension of analysis to many dimensions, and it simultaneously enables an analysis of the relationship among different dimensions. In particular, an intersectional-type framework starts from the premise that each process of differentiation and system of domination needs each other to function. Fellows and Razack (1998, 335) state,

"Systems of oppression (capitalism, imperialism, patriarchy) rely on one another in complex ways. The "interlocking" effect means that the systems of oppression could not be accomplished without gender and racial hierarchies; imperialism could not function without class exploitation, sexism, heterosexism, and so on."

The relationship between these systems has been interpreted in many different ways. For now, I simply want to note that a complex relationship exists between multiple processes and systems and that this relationship goes beyond a unidimensional analysis.

Second, an understanding of subject formation and power is further complicated by an intersectional-type research paradigm because it serves to capture everyday, subjective, structural, and social levels of differentiation. Collins (1990, 227) refers to these different levels as "the level of personal biography; the group or community level of the cultural context created by race, class, and gender; and the systemic level of social institutions." Anthias (1998) and Yuval-Davis (2006) refer to these different levels as social divisions that take on organizational, intersubjective, experiential, and representational forms. An analysis of these different levels complicates an understanding of subject formation and power by illuminating that it is not simply that interactions occur, but that these occur in varied ways and different sites of political life.

Issues of subject formation and power are complicated in a third way because the focus shifts from a binary-based understanding of difference to one in which differing degrees and forms of penalty and privilege are considered. As Collins (1990, 229) notes, an analysis of interlocking oppressions reveals that there are few pure victims or oppressors, for each "individual derives varying amounts of penalty and privilege from the multiple systems of oppression which frame everyone's lives." As such, "an individual may be an oppressor, a member of an oppressed group, or simultaneously oppressor and oppressed" (Collins 1990, 225). By attending to these varying degrees and forms of difference, the analyst can avoid what Fellows and Razack (1998) refer to as "the race to innocence," whereby subjects marked by one form or multiple
forms of Otherness claim their own marginality is the worse one and fail to interrogate their complicity (however unevenly manifest) in the position of other Others. In failing to pursue how we are implicated in the conditions that unevenly structure the lives of others, Fellows and Razack warn that we fail to undo our own subordination.

An intersectional-type analysis may or may not attend to all three aspects of complexity, namely, (1) the relationship between interactive processes and systems, (2) the different levels at which interactions occur, and (3) the differing degrees and forms of penalty and privilege. But when it does not, it is important to name and consider what kinds of complex relations and dynamics are being foregrounded and which are missed or underexamined in the analysis and why.

Moreover, the complexity raises questions about how to undertake analysis. Briefly, I want to suggest that the complexity can be examined by undertaking “situated comparisons.” First, situated comparisons can entail comparing how one kind of process interacts with others. For example, how interactive processes of racialization and gendering function in a specific context and how these compare to interactive processes of racialization and culturalization, racialization and disableism, and racialization and class differentiation in similar contexts. This kind of comparison would be useful in illuminating which interactions are salient in a specific set of historically constituted social relations. Second, comparisons can be made between interactions at different levels of social life so as to distinguish differing manifestations and degrees of penalty and privilege so as to highlight variation between and within groups. Third, comparisons can entail a critique of how relative distinctions among those signified as South Asian women, black women, Japanese women, South Asian men, and white women (for example) differently operate to sustain and uphold conventions of masculinity and white privilege over time and space. Precisely because subject formations are complex, there is a need to pull back and contextualize what the multiplicities produce specifically and generally in comparative and relational contexts, which necessarily entails an analysis of history from different perspectives.

IV. Models of Intersectional-Type Analysis: A Matrix of Meaning-Making

A fourth consideration when adopting an intersectional-type framework is the choice of model to describe and explain the relationship among multiple interacting aspects of power and difference. These models of intersectionality have emerged as a way to push against the idea represented in Figure 1 that identities, categories, processes, or systems operate in isolation, and illustrate instead that these exist, perform, and function through one another. As well, intersectionality challenges the notion that differences are located outside the subject (as in Figure 2), such that they can be extracted as pure, contained, and noncontradictory entities. As a way to depict the ideas behind intersectionality, some have imagined multiple differences that are added to each other and/or overlap (Figures 3 and 4);
however, differences are not only mutually constructed but also co-constructed in differing ways, depending on the context. Other models importantly attempt to address the hierarchy of multiple aspects of identity for not all identities are equally relevant in all contexts (as in Figures 5 and 6), but these tend to suggest that multiple aspects of identity are separable and quantifiably more or less relevant in a fixed way. As well, while Figure 7 importantly signals multidimensionality, in terms of both identity and different levels of social life, this model still maintains a sense of boundedness and isolation from other “sets” of intersections.

On the whole, while some of these models illustrate how one set of interactions might occur and how differences can be unequal in importance, none of these indicate that there are contingently formed relationships and patterns between multiple and differing sets of interactive processes and systems, and none adequately capture how these relationships might vary at different levels of life and across time and space. In short, in describing identity and oppressions in fixed and simplified ways, these models limit critiques of power and collapse into a positivist tradition that assumes that there are stable preexisting patterns that are fully knowable, objective, temporally and spatially bound, and generalizable.

The image of a “matrix,” although not entirely satisfactory, may be better equipped at capturing the complex workings of power. The idea of a matrix has been developed by Collins (1990, 2000) in her two editions of Black Feminist Thought. Collins (2000, 18) deploys the notion of a “matrix of domination” to refer to how intersecting oppressions are actually organized through structural, disciplinary, hegemonic, and interpersonal domains of power. The matrix of domination, she states, describes the “overall social organization within which intersecting oppression originate, develop and are contained” (Collins 2000,
For Collins (1990, 24-25), interlocking systems of oppression are understood as “part of a single, historically created system.” As one example, Collins cites case studies of American black women who head households. Through the case she deploys the matrix of domination idea so as to attend simultaneously to racially segmented local labor market and community patterns, changes in local political economies, and established racial and gender ideologies for a given location. As well as deconstructing Eurocentrism and “masculinist analyses that implicitly rely on controlling images of the matriarch or the welfare mother,” Collins (1990, 224) argues that the matrix of domination provides a way to center black women’s experiences and revise constraining definitions of family and community.

Drawing from Collins, I want to develop and expand the matrix idea so as to foreground the productive forces of power (i.e., the processes of differentiation) as well as domination (i.e., systems of domination). I refer to this as a “matrix of meaning-making.” The idea of a matrix of meaning-making aims to foreground an expanded Foucauldian understanding of power so as to capture the ways in which processes of differentiation and systems of domination interrelate. The focus of analysis is thus not “just” domination but the very interactive processes and structures in which meanings of privilege and penalty are produced, reproduced, and resisted in contingent and relational ways. While it may not be possible to develop a diagram of a matrix of meaning-making on paper or in text form because it entails movement among multiple interactions and across time, dimensions, and levels, Figure 8 provides some sense of what this might look like. Figure 8 may appear to be impenetrable as a research and policy tool, but I present it as a pictorial representation of the paradigmatic shift that an intersectional-type lens invites. Compared to the other models that tend to suggest that clearly defined boundaries exist between different identities and categories, the image used to represent a matrix of meaning-making reflects the shifting fusions of multilayered and relational differences. These aspects of difference making are not newly explored through the matrix concept—as section 1 indicates, there are many ways of conceptualizing the complexities of difference—but the matrix idea is a helpful tool to imagine power and subject formation outside the dominant bounds of liberal individualism and to foreground the dynamic character of difference making.

In particular, the advantages of this model are threefold. First, rather than analyzing identity standpoints and categories as if they are fixed and knowable, the matrix of meaning-making serves as a depiction of the movement and refractions among interactions, the relationship among
processes and sets of interactions, differing levels or depths of political life, and the larger picture in which differences are connected. It is an image that represents the shifting, messy, indeterminate, dynamic, and multilayered movements of difference making. These shifts do not preclude locating contingent specificities of difference and power. But they are methodologically and epistemologically significant because an intersectionality-type framework reveals that knowledge about difference and power is inevitably incomplete and partial and thus a singular project or method is simply inadequate to address all of the complexities of a matrix of meaning-making. Instead, there is value in simultaneously deploying complementary quantitative, qualitative, and mixed methods that are grounded in social constructivism. Hawkesworth's (2003, 532-33) study of the marginalization of congresswomen of color and legislative practices, for instance, brings together interpretative theory (hermeneutics) with “the concept of intersectionality and the theory of gendered institutions” and “employs a multimethod approach, combining textual analysis of interview data with a case study.” In her approach, intersectionality and interpretative approaches are in sync in that they both help identify the mechanisms and processes through which systemic power is maintained and re-created, and both foster investigation into the meanings and effects of social and political phenomenon in relation to “cultural and linguistic practices, historical traditions, and philosophical frameworks” (Hawkesworth 2003, 533).

Second, the matrix of meaning-making foregrounds the relational character of difference and subject formation. It serves to capture the idea that it is not possible to radically critique and therefore disrupt one process and system without simultaneously disrupting other processes and systems precisely because they are entangled. The extent of disruption is variable depending on the specific interactions and practices at play, but ultimately there cannot be, for example, radical change to systems of racism without radical change to systems of sexism, capitalism, homophobia, disability, and so on. Such a conclusion has political implications for it points toward the need for alliances between different kinds of activist spaces and movements and changes within activist circles that displace the primacy and presumed stability of one or two or three kinds of oppression.

Third, the matrix of meaning-making moves the theoretical analysis away from a binary conception of power (dominant–subordinate) and indicates instead that because we all occupy differing degrees and forms of privilege and penalty we are always and already implicated in the conditions that structure a matrix. For instance, the processes of meaning-making that relationally constitute differences between subjects marked as nonwhite women are unevenly implicated in the conditions that give meaning to white supremacist patriarchal norms. Situated comparisons of differing degrees and forms of Othering and normalization provide a way to examine and disrupt the complexities named above.

V. The Choice of Interactions: Centering Power

The final consideration concerns the choice of which interactions to study. While it may seem unsatisfactory, there are no universal grounds on how to know which interactions should be studied. It may be that the choice of which interactions is determined by analytic intelligibility or data availability, that analysts examine the specific social identities and categories that are most directly affected in any given situation (Simien 2007), that case studies emphasize that some interactions over others, or the specific form of interactions to be studied may be determined by how a political issue is framed by the media or government. Signs of injury, such as social stigma, lack of access to social networks, and penalizing attitudes and activities, are also useful markers of which interactions to study, as Lisa Garcia Bedolla (2007) highlights. And it may also be that the choice is determined by a particular social justice issue or sense of engaged subjectivity, in which the analyst has preexisting knowledge and is passionate about a particular set of interactions and how these relate to practices of resistance (Jordon-Zachery 2007). Many of these reasons may be simultaneously at play too, and none are precircumscribed.

Whatever the motives are for determining which interactions to study, there is, in my mind, a general principle that directs intersectional-type work, one in which the choice of interactions is driven by the chosen scope and target of critique. By critique I am referring to that praxis that refuses and thus disrupts a calcified and definitive way of understanding difference, subjects, and subjectivity. David Couzen Hoy (2005, 89) refers to this praxis in Foucauldian terms as “critique as desubjectivization,” which “means that critique functions not only by providing an alternate account of who you are and what you do, but by dissolving your sense of who you are and disrupting your sense of what the right thing to do is.” Critique, as Foucault noted, does not provide predetermined directives but instead is “an instrument for those who fight, those who resist and refuse what is. Its use should be in processes of conflict and confrontation. essays in refusal” (Foucault 2000, 216, emphasis added). Simply put, critique is a form of deconstruction. As Bedolla (2007, 238) notes, by definition intersectionality should deconstruct the conceptual practices of power; this can be done in many ways, as intersectionality is a flexible framework. The purpose is to “keep in mind that any extant ordering
[of identity] is likely a political product” rather than natural (Bedolla 2007, 240). In sum, the constitutive feature of an intersectional-type research paradigm is a critique of the work of power—how it operates, its effects, and the possibilities of transformation.

The critique of dominant ways of examining, theorizing, and organizing difference has without doubt been the foundation of intersectional-type work and has occurred in many ways, thus signaling the flexibility of this research paradigm. As a mode of critique, intersectional-type theory and practice seeks to decenter woman as the normative subject (Brah and Phoenix 2004, 78), examine existing categories and refuse to accept any social grouping as natural (Bedolla 2007), question the separation of theory and practice (Simien 2007), and challenge hegemonic practices of nation building, state power, and dominant epistemologies. Overall, then, an intersectional-type research paradigm serves to not simply describe and explain complex dynamics of power in specific contexts and at different levels of social life but also critique or deconstruct and therefore disrupt the forces of power so as to offer alternative worldviews. This disruption entails a self-reflexive critique of the analyst and her or his own implication in the matrix of meaning-making, specifically her or his relationship to knowledge production and research subjects. This can make intersectional-type research challenging, for it demands a willingness to address sometimes uncomfortable relations of implication in the production and organization of unequal power relations.

**Conclusion**

I have identified five components for consideration when operationalizing an intersectional-type research paradigm. First, to foreground the importance of critical self-reflection within feminist theory, concepts should remain subject to change, and dogmas about terms and discursive frames need to be persistently reevaluated. Second, a shift from studying identities and categories to studying processes and systems avoids reductive forms of analysis and fosters instead more rigorous critique of how and why differences are interpreted in privileging and penalizing ways. Third, the analyst can unpack and address some of the operations and effects of complex subject formations by deconstructing specific interactions through situated comparisons. Fourth, the matrix of meaning-making is a useful way of pictorially capturing the interactive, unbounded, and relational dynamics of productive power. Finally, to operationalize the radical capacity of intersectional-type work, it is crucial to foreground it as a form of political critique that examines why the social world is configured the way it is and that confronts the work of power.

In considering these five areas, the value of critiquing the work and effects of forces of power and of mainstreaming intersectionality as a form of critique becomes clearer. On a theoretical level, this analytic framework leads a shift from a unidimensional to complex understanding of difference and power, specifically so as to capture the actual complex realities of our subjectivities and invite an explanation as to why and with what effect identities and categories become totalized (Grillo 1995). A critical analysis of this complexity reveals that subjectivity is differently and differentially constituted through relations of privilege and penalty, with real material effects. These differences are understood as mutually reinforcing and relational, thereby challenging the notion that some forms of difference are intrinsically separable and more significant than others.

On an epistemological level, this research paradigm raises questions about power and knowledge. While the primary focus of existing intersectional-type research has been on including and pluralizing marginalized voices and experiences, this paradigm also reveals knowledge about what (and not just who) is taken as given or normalized. Attention to the relationship between power and knowledge leads the analyst to inquire into the very presuppositions and foundations of how we know what we know and how this consequently configures and constitutes sociopolitical differences. It is certainly the case that other research paradigms also question dominant universalizing and normalization truth claims, but the focus of an intersectional-type framework on varying degrees and forms of privilege and penalty also challenges reified knowledge claims that are presented as alternatives to prevailing and hegemonic ones regardless whether these come from subjects marked as dominant or subordinate.

Furthermore, an intersectionality-type research paradigm gives further legitimacy to methods of analysis grounded in interpretative and critical theory. While antiracist feminists such as bell hooks (1994, 63) have long deployed oral traditions, narratives, storytelling, biography, and personal testimony, these methods face criticism because they are not seen as positivist, rigorous, theoretical, or scholarly enough. Yet methods considered antipositivist are traditional tools of existing intersectionality-type work because they center situated and experiential knowledge. Certainly, some intersectional-type work needs to be decolonized so as to center Indigenous approaches, and more tools need to be developed to further understand what it means to simultaneously occupy privileged and penalizing subject positions. Nonetheless, the traditional methods deployed to activate an intersectional-type paradigm can expand and deepen the set of tools available to deconstruct the work of power.
Finally, this paradigm of analysis can lead to a form of political praxis based on critique, whereby critique of power disrupts the ways in which interactive processes differently and differentially constitute relations of privilege and penalty. Critique of the operations of this matrix of meaning-making not only cultivates alliances (as noted earlier) but also renders an opening to alternative ways of constituting subjectivity and social relations. And it is this possibility of reconstituting subjectivity and social relations differently that gives intersectional-type work its radical potential. Its value is best realized when it explicitly works against the interactive technologies of power and disrupts the normalization of what is seen as necessary, natural, and universal. Ultimately, it is this capacity to disrupt and thereby open up ways of understanding difference and subject formation in alternate kinds of ways that makes intersectionality-type work relevant to social struggles and to intellectual life, and precisely what must be centered as this paradigm of analysis becomes further mainstreamed.

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Notes

1. Intersectionality is both a political project that furthers social justice (Hankivsky and Cormier 2008) and a research paradigm. In this article I focus on intersectionality as a research paradigm that offers a framework within which worldviews and theories are built and which has ontological, epistemological, and methodological dimensions. In examining the form and character of political life (ontology), investigating what can be known (epistemology), and developing and deploying tools of analysis (methods), intersectionality specifically operationalizes interpretivism and critical theory rather than positivism, whereby realities and knowledge are treated as complex, fluid, subjective, discursive, socially constructed, products of and productive of power, and subject to individual and social action. While positivist methods such as statistical data analysis can provide some insights about intersectionality, these are less consistent with intersectionality because they are based on studying static, categorical, error-free variables rather than fluid and changeable forms and degrees of difference. See Hawkesworth (2006) for further discussion on the limits of positivist methodologies.

2. Mainstream political science is not unaware of multiple, overlapping forms of difference, for many theories invoke images of the individuals who are constituted by intersecting vectors of identity, even if the language is never used. Historically, for example, John Locke developed his notion of reason as a function of interactive discourses gender and class (Hirschmann 2007) and his theory of property through interacting discourses of colonialism, ableism, and gendering in unacknowledged and exclusionary ways (Arneil 1994). While his work did not directly confront stereotypes and the forces of power that create and sustain inequality, it illustrates that the mainstream is not unaware of multiple, overlapping, and irreducible forms of difference.

3. Crenshaw’s work has extended beyond race and law to sociology, political geography, economics, critical psychotherapy, postcolonial studies (Grabham et al. 2005) as well as an expanded critical legal community that addresses the interconnectedness between discourses of race and sex in relation to sexual minorities (Valdes 2000).


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LINES OF TRIBE

Christine Zuni Cruz*

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“For we know that our patchwork heritage is a strength, not a weakness. We are a nation of Christians and Muslims, Jews, and Hindus and non-believers. We are shaped by every language and culture, drawn from every end of this Earth; and because we have tasted the bitter swill of civil war and segregation, and emerged from that dark chapter stronger and more united, we cannot help but believe that the old hatreds shall someday pass; that the lines of tribe shall soon dissolve; that as the world grows smaller, our common humanity shall reveal itself, and that America must play its role ushering a new era of peace.”

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I. INTRODUCTION

A. Lines of Tribe

It is important to begin by explaining why I take the title of my essay from the statement in President Barack Obama's 2009 Inaugural Address: "the lines of tribe shall soon dissolve." During the address, his words affected me and they remained with me long afterward. President Obama may very well have meant what he said in a metaphoric or figurative sense; I have certainly been provided with many interpretations and assurances by most that a literal meaning was not his intent and that he instead spoke in a good way of the beneficial melting of divisions between us.

It serves my purposes, however, to complicate the statement's usage and to choose not to lose the opportunity to consider it in a literal sense given the history of our country, and not only our country, but the whole of the American continent. That is to say that there is a belief that the dissolution of the lines of tribe\(^2\), in fact, can result in good and in peace. It is the chilling language and metaphor of colonists. I am familiar with the history of the good that white reformers thought would come from detribalization of Indigenous Peoples in the United States. Detribalization efforts severely weakened the lucky, but destroyed and disappeared others, and, in doing so, opened vast tracts of lands for, yes, the peaceful settlement by others. We have seen the lines of tribe dissolve, and not in a poetic sense, but violently. President Obama's reference to tribes brought to mind the modern tribal peoples the United States is engaged with in Iraq, Afghanistan, and within its own boundaries. There can be hope for a peace that does not require that the lines of tribe dissolve.

Additionally, President Obama's words evoke a picture that connects to my present work on Indigenous identity. The words evoke an image that modern day tribes, in their utilization of blood quantum, may be hastening along. To a tribal person, "the lines of tribe shall soon dissolve" means the end of a tribe's existence. There is no Indigenous identity without the existence of tribe, or "the People." Such words convey the failure to recognize the significance of tribalism, of the United States' history with tribes, and of the sense of how near we came in this country to its literal meaning. The statement, spoken as metaphoric prophecy, focused my attention on the lynchpin of tribe (that is the continuation of "tribe", or "the People") to Indigenous identity and the link between blood quanta, the line of tribe, and dissolution.

B. Color Spectrums, "Quantum Theory," and Performance of Identity

This essay is a reflection on a presentation I gave on Indigenous identity at the LatCrit Colloquium on International and Comparative Law titled Globalizing Equality Theory, Constructing Material Justice: The Next Critical Project in Paris, France at CITE Universitarie during the summer of 2010. The presentation was part of a panel on Comparative Conceptions of Equality addressing the question: Are

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2. I use "lines of tribe" in this essay to represent those persons recognized by Indigenous Peoples as belonging to "the People" and being within the "line" separating them from others. I recognize "tribe" is a contested term. I use it here because it is word that has been applied to Indigenous Peoples and is a vernacular term in discourse among Native peoples.
there global patterns to the homologous development of nationhood and sovereignty alongside the disestablishment of indigeneity?

In Section II, I discuss the background of my research project on Indigenous identity, specifically the color and race spectrum of Indigenous identity that I have devised to consider the operation of privilege and power internally and externally. In Section III, I touch on the internal conflict within tribes that can be caused by competing legal traditions. In Section IV, I discuss my presentation, which focused on Indigenous identity. I briefly address several different issues Indigenous identity raises, including how Indigenous nations in the United States address tribal membership and the dis/placement of the Indigenous legal tradition in relation to the modern law of membership. Having traveled to the Colloquium following two months of living outside of Quito, Ecuador, I also briefly comment on initial observations of Indigenous identity in Ecuador. I specifically consider the performance of identity through dress as an initial comparative analysis of the construction of Indigenous identity between the two, New World, north/south, settler nations.

C. Escaping the Law of White Space

In Section V, I shift my attention to an incident that occurred during the Colloquium, involving the act of complaint of a student, a member of the Colloquium audience. I focus on the act of complaint rather than the actual complaint itself; as the act carries the power to disrupt no matter the illegitimacy of the complaint. The micro aggression of complaint allows me to bring in an ongoing analysis of my experience in the white space of legal academia where the norm is to resist bringing issues of race, color, and privilege into the study of law and into a critique of the institution, more broadly. I reflect on complaint and connect it to some of my experiences. These include student gaps in self-learning and critical analysis, the operation of stereotype, and the specific challenge in shifting paradigms, especially in terms of considering Indigenous normative frames. All these complicate the ability of students to make connections, which becomes evident when the dominant knowledge frame is no longer privileged. Further, complaint is connected to my discussion of the external operation of the race/color spectrum and the rejection of the legitimacy of analysis, judgment, and competency of knowledge bearers, especially those who are street-raced as not white. Sometimes complaint is an assertion of “the law of white space” when suspension of that law overwhelms those benefited by or accustomed to its operation.

3. See generally Peter Goodrich & Linda G. Mills, The Law of White Spaces: Race, Culture and Legal Education, 51 J. LEGAL EDUC. 15, 16 (2001) (discussing the operation of “the law of white spaces” as “the emotional and epistemic relationship between . . . white participants that gain . . . experience in the exclusion of students [or faculty] of color.”).
II. INDIGENOUS IDENTITY

The complexity of Indigenous identity in the twenty-first century is part of the broad title of a research project that I have worked on over a period of time. I have considered Indigenous identity in multiple ways. I am interested in the relationship between identity and informal law, including (1) the employment and reliance by many United States tribes on blood quantum to determine membership, (2) Indigenous law and principles (as opposed to non-Indigenous law and principles) and their application to identity, (3) the inconsistency of internal and external constructions of identity (internal and external both in respect to the self and to the Indigenous community), and (4) how identity has been affected as Indigenous Peoples have moved from a purely Indigenous concept of themselves as “the People” to the United States government’s construction of Indigenous Peoples as “domestic dependent nations.”

Over time, this resulted in many tribes, legislatively pressured to organize as such by the United States, adopting constitutionally organized representative democracies that currently operate alongside the United States’ federation of national, state, and local governments. These changes, thus, shifted “the People’s” concept of themselves to a reconstruction of “the People” with a non-Indigenous and peculiarly American concept of membership in a quasi-state. I assert that this movement of “the People” to domestic, dependent nations challenges Indigenous self-concepts of identity.

A. Race and Color Spectrum

I initially began my work by considering how race and color operate in respect to Indigenous identity and give rise to power internally among tribal peoples in the United States. I conceived race and color as creating a spectrum across which Indigenous Peoples, mixed both inter-racially and inter-tribally, are situated in respect to their identity as “the People.” I want to center on both race and color. Color, in particular, with a focus on its privileges and burdens. Externally, the society that has engulfed tribal peoples is a race and color conscious one. This invariably influences tribal peoples internally. Color, race, and inter-tribal mixture also impacts Indigenous identity or membership internally. Inter-tribal mixture adds an important dimension that is lost when only inter-racial mixture is considered and is most visible internally and practically invisible externally.

The color spectrum has a core, or center, which I represent as red with the two outer extremes progressing to black on one side and brown to white on the other, representing at least four of the major groups in the southwestern United States—mestizo, white, Indigenous, and black. It has provided a visual device to consider

5. I use red to represent Indigenous Peoples and brown to represent mestizos and to differentiate between the two; although, I have used brown as the color representative of Indigenous Peoples.
6. I purposely use mestizo to refer, specifically, to that segment of the Latino population that arose from the blend of the native population with Spanish colonizers and other races after contact. Mestizos arise from a mixture of Indigenous with other races but have moved from tribal identities—often in the first generation after mixture. It is not a term used widely in the United States, where it has been replaced with Chicano or Mexican American; it is used more frequently in Central and South America. There is a segment of the Latino population in New Mexico that refers to themselves as Hispanic; to the
tribal affiliation, race, and color more critically within a tribal frame.

By employing a spectrum, I do not seek to reify color and racial oppression like the Casta paintings of New Spain in the 1700s to 1800s. I utilize the spectrum as a device to illustrate the inconsistency and contradiction of law, to critically think of color and race, particularly as they operate internally, and to map the line created by current policies of blood quantum theory alongside an analysis of Indigenous identity, employing Indigenous thought and principles. My goal in devising a spectrum is to ground my work on identity in the reality of the operation of race and color in Indigenous communities. I use race and color in a stark way so that they do not slip and fall from a discussion which must include color (meaning non-white) on color racism, inter and intra-color and racial hierarchies, privilege (especially of gender), and complex inter-tribal relationships. Further, my color/race spectrum has a tribal line which represents the legal line beyond which descendents of Indigenous Peoples are not recognized or which is in/voluntarily crossed by those who lose their tribal affiliation or connections and become detribalized.

I find a color spectrum allows consideration of how race and color (1) give rise to power, (2) affect identity, (3) operate beneath the surface to create diverse in/formal law, and (4) create an important layer in considering the complexity of Indigenous identity. How mixture and color privilege—creating both red privilege and white privilege lead to "overclaiming" (whether exaggerated or outright fraudulent), and "underclaiming" (rejection of an Indigenous identity, covering or passing) and come into play are also more easily captured when considering race and color in the context of a spectrum. The color/race spectrum helps to map both color and race and exposes the nuanced ways they operate in respect to Indigenous identity.

Finally, it is important to situate this work. My experience is in the southwest border region of the United States and in particular with Pueblo peoples in New Mexico. My spectrum reflects this geography. Undoubtedly, where mixture has occurred predominantly with whites, or other groups in other regions of the country, a tribal color spectrum would reflect that mixture and red may not comprise the actual center, and it may or may not remain privileged. However, it is my assertion that, internally, red is centered among southwestern Indigenous Peoples in the color spectrum and this centering explains the different reactions to Indigenous Peoples according to where they fall on the spectrum. It also gives rise to a concept of Indigenous, or red, space, though its operation and analysis is fundamentally different from white space. The spectrum is perceived differently internally and externally and these perceptions are profoundly affected by race politics in the United States. The spectrum allows a critical analysis of that influence.

extent that this population has mixed with the indigenous population, they would also be included with the mestizo in my spectrum. However, as the racial category of White includes Latinos, my spectrum is more accurately a color/racial spectrum. My intent is to explicitly consider color; I emphasize color - that is, red, brown, black, and white.

B. External Operation—Complexity of Mixture and Race Traitors

Color, often in combination with gender, accent, and dominant language mastery, also affects stereotypical judgments about competency or intellectual capacity. Racial mixture has also been related to presumptions of the in/competence of Indigenous Peoples. Though such language has long since been dropped from United States federal law and policy, its legacy continues to operate against Indigenous Peoples, primarily through color privilege and burden. The competency level of people is stereotypically assumed to be less the further the person is on the spectrum from whiteness. This was dramatically shown in an experiment in which people were shown videos of a White, Asian, and Black musician performing a piece of classical music and were asked to rank their performances. Consistently, the white performer was ranked as providing the best performance, followed by the Asian, and the Black musician. It was then revealed that all three video performances used the same audio track, the only difference was the visual image of the performers. There was no difference in fact between the performances of the three musicians, except their racial identity and color.

Racial appearance, therefore, can affect appraisals of in/competency. Historically, “full-blooded” Indigenous persons were not presumed legally competent under the law to manage allotments of land parceled out to individual Indians under the Burke Act, which amended the General Allotment Act; they were not, apparently, as competent as persons with less than one-half Indian blood, who were deemed competent. This stereotype of presumed incompetency continues. Thus, the closer Indigenous peoples are to whiteness, the more competence will be ascribed to them; the closer they are to an Indigenous phenotype, and the darker they are, the less competent they are presumed. It is not by accident that in the academy, for example, one will find far fewer Indigenous Peoples from the center core of the spectrum, than from either end. Many more, however, will be from the left side of the spectrum and to the left of the center because white and lighter skin is privileged and presumed more competent.

However, there are complicated racial dynamics that come into play with

8. See Richard Delgado, Rodrigo’s Eleventh Chronicle: Empathy and False Empathy, 84 CAL. L. REV. 61, 95–97 (1996). I utilize the idea of the helpful, white, race traitors who bring up race and challenge white privilege, except that I apply it to Indigenous mixed-race race traitors. That is, I recognize that the Indigenous spectrum includes mixture with all races, but I find the idea of race traitor helpful to discuss those mixed race Indigenous Peoples who, though within the “lines of tribe,” appear to others to be of another race but challenge their color or racial privilege and aggressively claim their Indigenousness. I also use it in its classic sense, which is to describe those who turn against their own race, in this case their Indigenousness, to align with the dominant race as it fits their interest. I find the theory of mixed-race race traitors to be an important idea to explore fully in the context of the Indigenous color/racial spectrum. Depending on the color space one is in, race treason can be threatening or non-threatening. Further, internally, Indigenous race traitors can challenge red privilege in the same way white race traitors challenge their own structures of color and race privilege to support the acceptance of those of Indigenous mixed identity. Race treason operates differently internally and externally and is either rewarded or punished depending on its threat to dominant power and privilege.

9. See FRANCIS PAUL PRUCHA, THE GREAT FATHER, THE UNITED STATES GOVERNMENT AND THE AMERICAN INDIANS 882-883 (unabridged vol. 1 & 2, 1984). Patents in fee were “issued to Indians who had less than one-half Indian blood,” and “to those with more than half Indian blood if they were found to be “competent” under the Burke Act of 1906, 34 Stat.182-3, which amended the General Allotment Act of 1887 (Dawes Act), 24 Stat. 388, and the April 17, 1917 Declaration of Policy in the Administration of Indian Affairs whose “guidelines. . .set blood quantum as a norm”. (Emphasis added.)
respect to Indigenous identity that add to the complexity of the race/color spectrum externally. For instance, a stereotypical appraisal based on one’s Indigenous identity can be overcome to the extent a raced Indigenous person appears or closely mimics and performs whiteness in speech, dress, mannerism, and affiliation, no matter where they fall on the race/color spectrum when they are in white space. Externally, such an Indigenous person is a non-threatening "race-traitor". A non-threatening race-traitor aligns with whiteness. Thus, an Indigenous person, white in appearance who claims the privilege of whiteness, or if, of color, performs whiteness and adheres to the operation of the law of white space (that is—observes the silencing of race, color, culture and their privileging or disabling impacts in white space) is non-threatening because s/he does not challenge white space and race-traitor because, though Indigenous, s/he does not align with that identity to challenge and resist the law of white space. Indigenous non-threatening race-traitors are rewarded with greater access into white space.

To complicate matters further, there is the threatening race-traitor, which for purposes of the Indigenous race/color spectrum is one who appears white, mestizo, or black, but identifies exclusively with their Indigenous tribal affiliation and refuses to adhere to the law of white space. Threatening because they disrupt white space by refusing to adhere to the law of white space and refusing to maintain silence around race, color and culture and race-traitor because, though they appear white, mestizo, or black, they identify, affiliate, and align with their Indigenous identity, often challenging the prejudices of the racial group to which they are street-raced. However, because of their non-Indigenous racial appearance that lends them their race-traitor status, this group, especially those closest to whiteness, often does not experience the same type of prejudice as those within the Indigenous center of the spectrum. They do, however, experience marginalization and rejection because of their refusal to adhere to the law of white space and the resentment generated from being a traitor to their street-race.

C. Internal Operation—Complexity, Red Privilege, and Purity Myths

The color/race spectrum operates internally. However, it is important to discuss its internal operation carefully because, though the spectrum itself does not change, its internal application, interpretation, and use does. Internally, within tribal space, everything shifts in complicated ways.

Internally, the externally threatening race-traitors become non-threatening race-traitors, but color may continue to affect their acceptance and place limits on them internally. The externally non-threatening race-traitors become threatening race-traitors internally, if they do not adjust their behavior. There is recognition that some behave the way they do externally to survive in white space; but color will also affect their ability to transition internally. Internally the concept of race-traitors must be understood in the context of historical and present-day oppression, assimilation, acculturation, and tribalism. This explains why even non-threatening race traitors (those who identify exclusively with their Indigenous tribal affiliation can be resisted and why lowering of blood quanta becomes controversial. A nuanced understanding

10. This is what makes racial performance in dress, as is seen in Ecuador, of such import. It rejects the performance of a mestizo or white identity.
of race and color and its operation is essential when tribes address membership criteria.

The most important shift internally with respect to the color spectrum, however, is the shift from white privilege to red privilege. Generally, those who are at the core of the red tribal spectrum are privileged internally and those at either end of the color spectrum enjoy less privilege the further to either end of the spectrum they fall.\textsuperscript{11} While all within the tribal spectrum's line of tribe are tribal members, color and racial privilege factor in; although color and race do not operate in the exact manner as they operate externally. Specific Indigenous histories of interaction with the races beyond the Indigenous core, as well as with specific tribes are critical. There are histories of oppressive or aggressive relationships that carry threat to the core identity of the tribe as well as cooperative relationships, and sometimes both over a span of centuries. Color, race, and tribalism must be critically analyzed in respect to the line of tribe. Notions of race traitors, color privilege, un/conscious racism, and tribalism can assist in the analysis of Indigenous identity internally.

The reframed color hierarchy, which privileges red internally, operates relative to the color hierarchy of the dominant society. The status of those mixed with white, mestizo, and black generally follows that same hierarchy internally. However, historical interaction, oppression, and present-day racial relations impact the hierarchy both to reify and to defy the color hierarchy. Race treason is fluid and more complicated with those who are mixed and able to claim more than one race internally and externally. The treacherous beauty of race-traitors is that they can be helpful externally and internally as bridges, but because of their mixture they have also represented tension and assimilative threat to the center. Externally, the further the tribe moves from the center of the spectrum in numbers the more an authentic identity is questioned, creating a challenge to the tribe collectively and to its individual members. Does the line dissolve when the tribe shifts racially from the center core? This question is one reason why tribes, especially the very small ones\textsuperscript{12} benefit from an open and broad critical discourse and analysis of Indigenous identity.

A unique dynamic of identity that exists internally and must be understood and considered is the bundle of Indigenous values embedded in Indigenous legal tradition related to one's connection to the People, the land, life ways, and language. If a person is not connected in one or more of these ways, the person, though legally a tribal member, can lack an Indigenous identity that weakens the existence of tribe. Accordingly, it behooves tribes to critically analyze identity and membership collectively. Likewise, one can overclaim an Indigenous identity by claiming an identity that was lost due to the disconnection to the Indigenous community that has not been retained over one or more generations. A person can also lose this connection in his/her lifetime affecting future descendants.

\textsuperscript{11} Mixture can lead to power struggles internally and the role of color, language, race, and outside forces can shift power along the color/race spectrum leading, even, to the oppression of the core. However, the core remains critical from an Indigenous frame and my color spectrum reflects this, as will my Indigenous legal tradition frame.

\textsuperscript{12} See D. Getches, et al., Cases and Materials on Federal Indian Law 14 (5th ed. 2005) (Of the 562 federally recognized tribes, 121 have more than 1,000 members, with the largest, the Cherokee Nation having 281,069 identifying as American Indian alone and 390,902 identifying as American Indian in combination with other races. This means nearly three-quarters of U.S. tribes have less than one thousand members.).
Thus, detribalization, even of those who are members, can occur in one generation. Historically, detribalization was encouraged through federal Indian policy. The results of the federal policies of assimilation and termination included the breaking up of tribal lands into individual allotments, boarding schools, monolingual (English) education, criminalization of religious practices, and relocation. Detribalization through the legal loss of tribal affiliation has become the new challenge to tribal continuance. It is a challenge over which the tribes are in control.

Finally, a critical aspect of Indigenous identity that is difficult to represent on the spectrum is inter-tribal mixture. The federal government introduced the notion that a person could not be affiliated with more than one tribe. Most tribes do not recognize any other tribal affiliation except their own in determining membership or determining tribal blood quantum. This represents a major loss of Indigenous identity to both the tribe that does not factor other tribal identity into tribal membership criteria, and to those whose Indigenous identity is discounted. It is counter to the complete absorption of other Indigenous peoples by the affiliated tribe that the federal policy forces on those of mixed tribal parentage. It also represents a loss to the building and strengthening of inter-tribal relations through marriage. Mixed tribal people, it seems, are acutely aware of this potential.

III. CONFLICTING LEGAL TRADITIONS

A. The Intervention of the Common Law Tradition

Color and race are not the only dynamics operating in respect to Indigenous identity. The second part of my early analysis is a consideration of how law—in this instance, both federal law and tribal law—treats Indigenous identity, much of which has been explored in both federal Indian law and Native studies scholarship. Formal law defines Indian status differently, creating confusing distinctions in formal law by making some people Indigenous for one purpose or time, but not for another. The federal government recognizes tribal membership and creates a political status. Thus, while Indigenous Peoples or Native Americans are racialized, those who are members of tribes also have a political status. Tribal membership provides specific tribal rights recognized by the tribes and the federal government that

13. The Constitution of the Cree Tribe of the Rocky Boy Reservation is one such exception.

group consciousness, cohesion, and equality. Uniformity and oneness become principles of group cohesion. Such visual performance of identity is powerful. A person so clothed cannot pass when it is convenient and, though an individual, that person is immediately identified as part of a group for good or bad. In 2007, Rigoberta Menchú Tum, the 1992 Nobel Peace Prize recipient and Guatemalan K'iche' Indigenous woman, was asked to leave an exclusive hotel in Cancún where she was waiting in the lobby to meet a contact. She was not recognized by the hotel employees, and was targeted as not “belonging” because of her attire that identified her as an Indigenous woman. As I discussed with a student after my presentation, Eduardo Galeano, in *Open Veins of Latin America: Five Centuries of the Pillage of a Continent*, states that the very dress that distinguishes Indigenous Andean women today arises from an edict from Charles III at the end of the Eighteenth Century. Charles III imposed the dress on Indian females of the Andean altiplano that was copied from the regional costumes of Estremaduran, Andalusian, and Basque peasant women. What Galeano broadly asserts was a mark of servitude and oppression has since become a symbol of Indigenous identity, belonging, and resistance. Performance of identity resists imperial culture, imitation of the west, assimilation and absorption, the melting pot, and openly displays Indigenous affiliation, especially where one is free to perform or dress as one chooses. Resistance to power creates power. Such resistance, through performance of Indigenous identity, causes me to consider the cohesion of the self and the group identity, where identity is asserted inwardly and outwardly simultaneously. How this external display of identity is interpreted internally and connects to the nation state’s attempt to control Indigenous identity is part of a larger historical and legal analysis. Nevertheless, such a wide performance of Indigenous identity through dress presents an interesting contrast to performance of Indigenous identity in the United States and suggests points of difference in treatment of identity in the two nations worth exploring, including assimilative pressures, population, and women’s lives, to name a few.

V. LAW SCHOOL, WHITE SPACE, CRITICAN RACE, AND COMPLAINT

Our colloquium panels were part of the Tulane Law School Paris Study Abroad program. After the Colloquium presentations, I became aware of a student complaint—a microaggression. The complaint was made to the faculty who employed the Colloquium panel presentations as a part of the classes on international and

31. Rory Carroll, *Hotel Mistakes Nobel laureate for Bag Lady*, THE GUARDIAN (Aug. 16, 2007), http://www.guardian.co.uk/world/2007/aug/17/international.travelnews. See also Judith M. Maxwell, *Ownership of Indigenous Languages: A Case Study from Guatemala, in Indigenous Intellectual Property Rights* 187-89 (M. Riley ed., 2004) (In Guatemala, in order to wear Spanish attire, one had to speak Spanish. One could not hold public office unless one wore Spanish attire. To become enfranchised, one had to give up ethnic attire. In the late seventies, Mayan men adopted a “solidarity jacket.” “The legal ban on Mayan dress has been lifted. Dress is recognized in the Peace Accords and in the Guatemalan Constitution as a protected right of the Mayan communities and not tied to language use or ability.”).


33. But see LYNN MEISCH, *OTAVALO: WEAVING, COSTUME AND THE MARKET* 118 (1987) (regarding the dress of Otavalo women stating, “[t]he women’s dress is the closest to Inca costume worn anywhere in the Andes.”). It is the Otavaleño/la dress that I observed in Quito.
comparative law to their Cite Universitaire students, most of whom were law students from the U.S. I deliberately leave the specifics of the complaint vague because that is how I experienced it as a visiting colloquium speaker. Upon hearing of a student complaint, though, I felt affected, despite the fact I was only tangentially involved. It caused reflection on complaint in relation to my work in the academy. Therefore, here, I consider complaint in the displacement of the law of white space in law school and in relation to lived experience as opposed to addressing the specific complaint voiced. I imagine the complaint emerging, if not directly, at least tangentially, from the result of a struggle with the shift from the usual law school class room in which the law of white spaces is honored. Individuals can carry the law of white spaces into any space, including a LatCrit colloquium, and the perceived lack of adherence to that law can emerge as a complaint.

I consider this disruption in the spirit of memorializing an aspect of the colloquium for those who were not there. It was a wonderful colloquium, an invigorating day of interaction among LatCrit theorists who were serious and excited about presenting their work to other respected LatCrit scholars and the students in the study abroad program. It became the highlight of the three months I spent outside the U.S. at the beginning of my sabbatical.\textsuperscript{34} Student complaint drew me back to consider that which has been a challenge for me in law school institutional space and I reflect on student complaint generally and what I teach, in a way that is allowed by sabbatical distance.

I begin with the general absence of the mindset to teach oneself in law school and the increasingly important need for students to bring such a mindset into law school. Much of the knowledge presented in the law school classroom does not necessarily invite the student to move beyond what and how it is presented in the classroom and the texts, or beyond the analysis that students learn they should expect to be judged by in class examinations, in their written papers and ultimately, in the bar examinations which will permit them to practice law. A deeper legal education, therefore, requires students, who wish to graduate with more than the ability to analyze law in the specialized way law schools are designed to train law students, to possess the ability to teach themselves more than that specialized analytical skill.

Complaint that arises when a shift away from the law of white space is introduced is a telltale sign of an education that has failed to teach its students, as Donaldo Macedo in Literacies of Power: What Americans Are Not Allowed to Know describes it, to read the world critically.\textsuperscript{35} For those from settler nation states, a lifetime of participation in the mainstream educational systems, indoctrinates, rather than educates\textsuperscript{36} young minds regarding many things, including the relationship of the Indigenous population to the formation of nation states. Both positive (the contributions and accomplishments) and negative (the demise, subjugation and oppression) are collapsed into fleeting references to the encounter and disappearance

\textsuperscript{34} I traveled first to Ecuador for two months to take part in a English-Spanish language exchange program being developed for Indigenous Peoples between UNM and the Universidad de San Francisco de Quito and then to Paris for the Colloquium, Switzerland and England with my husband, Robert, and our twelve year old son, Fabrice. I have always found it invaluable to view the United States externally and to travel with family to other countries.

\textsuperscript{35} DONALDO MACEDO, LITERACIES OF POWER: WHAT AMERICANS ARE NOT ALLOWED TO KNOW 16 (2006).

\textsuperscript{36} \textit{Id.} at 36.
of Indigenous Peoples in the national discourse of the birth of nation, despite their relevance to the very opening of place to build a nation and to the questioning and understanding of the political theory that could arise in the face of their existence and “disappearance.” The extra-constitutional, as well as the constitutional presence of Indigenous Peoples is relevant knowledge. For most law students, if it is acquired, it must occur through independent critical analysis and thought, especially because it is not generally taught in law school, except in the handful of federal Indian law courses taught across the country. However, even in these courses, a critical read of the world is essential, particularly if one is Indigenous.

As Paulo Freire and Macedo suggest, students who possess the ability to read the world critically incorporate a historical and cultural reading of the world and move beyond a technical training devoid of political, social and critical analysis. A technical understanding of the law in itself is insufficient. Fragmentation of knowledge inhibits contextual understanding and makes it difficult to link law, a lived world experience, and social, cultural, and institutional relations of power and privilege. The questioning of the relevance of a lived experience to a legal education can also be explained in respect to the compartmentalization and specialization of knowledge. As law is taught in isolation to other disciplines, and perhaps to the history of Other in particular, the suggestion that issues of the Other complicate the learning of law, are irrelevant, unhelpful and derogatory to white privilege is not surprising.

By way of example, I focus here on the particular link of the relevancy of Indigenous language and identity to comparative constitutionalism, specifically to the Constitutions of the United States, México and Ecuador. All three Constitutions address Indigenous Peoples. The identity of the Indigenous Peoples referred to in each becomes critical by virtue of the fact that the identity of Indigenous Peoples must be addressed in the interpretation of the Constitutions. Language becomes an issue in respect to the dominant language in which the Constitution itself is written, the protections, if any, afforded to language rights under the Constitution, as well as the legal tradition represented by a Constitution, which make Indigenous rights embedded in an Indigenous legal tradition nearly incomprehensible to the civil and common law traditions in which language or law is not associated with land. Literacy and access to legal education for Indigenous Peoples, which allow them to have their own technical experts, are sub-issues.

The Indigenous Panel required the students to ask themselves (or the panelists) many questions, assuming they sought to connect the panel presentations with their class on comparative constitutionalism and cultural rights. The most basic questions to pose would query into the historical and present treatment and relationship of Indigenous Peoples to the constitutions of nation states, in particular, those of the American nation states discussed—the United States, México and Ecuador. Questions such as, how/do the Constitutions of the United States, México, and Ecuador situate Indigenous Peoples? How is Indigenous identity a subject of comparative constitutionalism? How/why is an Indigenous identity or language of any import to constitutionalism? How do language rights fare under the Constitutions

37. MACEDO, supra note 35, at Foreword.
38. The specific class our panel on Indigenous language and identity replaced was the class on comparative constitutionalism. The class was considering cultural rights.
of Mexico and the United States? In the United States, what is the relationship between tribal constitutions and the United States Constitution? These questions, in part assume the student sees there is a relationship between Indigenous Peoples, their Identity, and Language issues and comparative constitutionalism. The problem runs a little deeper than a student’s ability to self-teach and to probe through self-generated questions if it is asserted that identity and language issues of Indigenous Peoples are irrelevant to comparative constitutionalism. The above questions one might pose are connected to the assumptions one has already made about the relationship between Indigenous Peoples and constitutionalism and about the worth of the subject matter itself.

The typical law school class room is classic white space where, as analyzed by Goodrich and Mills, “the emotional and epistemic relationships between the white participants” and “their internal relationship” is considered and where race, color, culture and their privileging or disabling impacts is not recognized and is either silenced or denied. Thus, the relevancy of Indigenous Peoples to constitutionalism must be independently mined outside the white space of the typical law school class on constitutional law. But there is more going on in the white space of legal academy that ties to the issues of color, race, and Indigenous legal tradition that I am exploring in my research on the external reaction to Indigenous identity.

Generally, there is a silencing of knowledge of the Other, as well as silencing of the knowledge frames of the Other in western education. The concept of Indigenous intellectualism is alien. As Freire states, “The intellectual activity of those without power is always characterized as nonintellectual.” Additionally, outside of red space, red, street-raced Indigenous Peoples are not typically privileged as knowledge bearers, particularly the more western the subject matter. The presumption of incompetency is a challenge of the academy to most people of color. Color, often in combination with gender, accent, and dominant language mastery, affect the association with competency or intellectual capacity. The Indigenous academicians closest to whiteness are deemed more coherent, relevant, and intellectual than those from or closest to the Indigenous core.

The Indigenous panelists presented their research in the context of the Colloquium theme, seeking to answer the question selected, Are there global patterns to the homologous development of nationhood and sovereignty alongside the disestablishment of indigeneity? in the affirmative. For students of comparative constitutionalism the connections were there to be made. It required that students actively engage in their own learning, beginning with the most basic question of how Indigenous Peoples and tribalism fit vis-à-vis both the historical and the modern constitutional nation state. It was something students minimally knowledgeable about the history of Indigenous Peoples, apart from the national mythologies, could be expected to do; however, critical analysis of the social and political order requires willingness to question. Students who expect discussions of law to be framed neatly in a “legal issue, rule, analysis of law and conclusion” framework do not easily employ the skill of making connections themselves through questioning, self-generated research or an expectation that they (the students) themselves are to answer the question of “how does what is addressed connect?” However, students

40. MACEDO, supra note 35, at 102-03.
can also be hindered by judgments regarding the competency of raced knowledgebearers to address topics previously explored only under the law of white space,where notions about the relevancy of what is discussed, and the irrelevancy of whatis not discussed, are formed.

The challenge is not only upon the professoriate at professional schools butupon our entire educational system to produce students who function as self-teachers, as participants in their education. It requires students to look further into what is covered or to make a connection with what was not covered. I did not learn all I needed to learn in law school. Once I left, I sought out what I had not learned, and it made me appreciate the skill of self-teaching. Throughout my own education Iencountered only two such students, one at the undergraduate level and one at theprofessional school level. They provided me with a model of self-teaching. Bothexplored on their own narrower subjects mentioned, but not expounded on in class inthe form of books. Such simple acts made a strong impression on me and opened aportal to the student aspect of learning.

Part of my self-teaching comes from the chthonic legal tradition. It is a legaltradition unlike all the other legal traditions, requiring a paradigm shift in how one thinks of the law. The Indigenous legal tradition in itself can be challenging to lawstudents because it is embedded in an Indigenous knowledge base that is not easily understood by students whose frame of law is the common law legal tradition. Perhaps it is the subtext of Indigenous legal tradition that carries a questioning of the common law tradition. After years of teaching in the legal academy where the law of white space operates I can speak to the difficulties of piercing frames, shifting paradigms, and shattering stereotypes. Who or what is worthy of consideration is best responded to by students who first ask how is what I am hearing connected to the subject I am studying—that question in itself will launch the student on the all important road to self-teaching. That the students do not ask, however, is evidence that they have succumbed to the compartmentalization and specialization of knowledge and does not serve to prepare students to expand their knowledge base.

The Colloquium occurred at the beginning of my sabbatical; a sabbatical I sorely needed to recover from micro-aggressions in academia, like that captured by the act of complaint at what was an amazing gathering at the Paris Colloquium. It did not make my year sabbatical seem long enough. In retrospect, it was a valuable aspect of the colloquium to process.

What I ultimately considered is the need, at all levels of our educational system, to impress on our students the responsibility for developing their own spontaneous or organic intellectualism, as professional specialization and a reliance on spoon-fed knowledge is dangerous to their own education.

VI. CONCLUSION

I returned home to a tribal election to amend our Constitution to lower the blood quantum required for tribal membership and a challenge to the election to rule on as a member of the Appellate Court. As I mentioned earlier, the measure failed. As I continue my work on Indigenous identity I consider how change must be adjusted to, and how that adjustment can be difficult. If, however, we keep our sights on core principles that should not change, the line of tribes will not dissolve, it will
adjust. And the “illusion of the ONE-TRIBE NATION”\textsuperscript{41} will prove itself just that, an illusion.

\textsuperscript{41} DAVID WOJNAROWICZ, CLOSE TO THE KNIVES: A MEMOIR OF DISINTEGRATION 153 (1991).
To the Queer Black Kids

by Mia McKenzie

Yesterday, while driving, I was stopped at a light and I saw a little boy, maybe six years old, waiting with his mother to cross the street. The way he stood, with one hip jutted out and a hand on the other hip, filled me with happiness. He had very large eyes and long lashes and as he looked around, he seemed to take everything into his small self, his eyes bright with excitement over the woman selling strawberries on the corner, and the sounds coming from the barber shop. As they started to cross the street, as they started walking, the mother reached over and grabbed the boy’s shoulder and said, “Stop walking like that!” The boy’s entire demeanor
changed. His shoulders rounded, his head lowered. I couldn’t see his eyes anymore.

I thought about all the boxes black children are forced into. All children are forced into boxes, but for black children there is a particular urgency about it. When his mother said what she said, her voice sounded angry, cruel, but also scared. Because for black bodies, it’s a matter of survival, always. I don’t need to quote statistics. You know what I’m talking about. If you don’t, then this message is not for you.

This message is for the queer black kids, queer in all kinds of ways, including but not limited to different, gay, quirky, dykey, and fabulous, who are learning right now that they shouldn’t walk like that. Who are being told right now that there is shame in not being small enough to fit neatly into a box marked boy or girl. Who are being fooled into thinking that those boxes mean anything at all.

I want you to know I see you. With your hip out to one side. With your wide eyes. I want you to know that we are out here, too, that we were once you (in a way, because no one is exactly you), and we know.

We know how confusing it is when people talk about wanting you to be free, and then do everything they can to keep you from being free. We know what it is to wonder how freedom could possibly look like just the same old box.

Your mother may be trying to protect you. But hurting someone yourself to keep others from hurting them is really no kind of protection at all. I wish
your mother knew that. I wish a lot of mother’s knew it.

Anyway, I just want you to know that I am out here, that we are out here and that we love the way you walk. That it fills us with happiness to see you being who you are, whoever you are. That there are people who cross your path every day and come away better for it. That you are a gift.

Keep switchin’ them hips.

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Get Mia McKenzie’s debut literary novel, _The Summer We Got Free_. It’s a finalist for the Lambda Literary Award!

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WHY ARE LGBT PEOPLE OF COLOR OVERREPRESENTED?

**PERVASIVE DISCRIMINATION & STIGMA**
LGBT people are pushed into the system by:

- Unsafe Schools and School-to-Prison Pipeline
- Family Rejection and Negative Child Welfare System Experiences
- Poverty, Unemployment, and Pervasive Discrimination

**DISCRIMINATORY ENFORCEMENT OF LAWS**
LGBT people disproportionately impacted by:

- HIV Criminalization Laws
- Drug Laws

**HARMFUL POLICING STRATEGIES & TACTICS**
LGBT people experience negative policing strategies, including:

- Quality-of-Life and Zero-Tolerance Policing
- Policing of Gender Norms
- Aggressive Enforcement of Anti-Prostitution Statutes
- Stop-and-Frisk and Profiling
- Collaboration Between Police and Immigration Enforcement
- Discrimination and Violence When Seeking Assistance
- Abuse and Brutality

HOW ARE LGBT PEOPLE OF COLOR TREATED IN CRIMINAL JUSTICE INSTITUTIONS?

**DISCRIMINATION IN COURTS**

**UNFAIR AND INHUMANE TREATMENT IN CONFINEMENT FACILITIES**

WHAT IS THE IMPACT ON LGBT PEOPLE OF COLOR?

**LACK OF SUPPORT**

**COLLATERAL CONSEQUENCES OF CRIMINAL RECORD**
Untangling the Racialization of Disabilities

An Intersectionality Critique Across Disability Models

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Abstract
This article advances an intersectional perspective in the analysis of racial inequities in special education so that theoretical refinement of this problem will strengthen educational equity research and theory. Racial disproportionality in some disability categories continues to affect a sizable number of students in the United States, with dire long-term consequences for the educational trajectories of these learners. After more than four decades, the problem continues to be debated in research, practice, and policy circles. There is consensus among researchers that the racialization of disability embodies complexities that defy linear explanations. But this debate has overlooked the potential of intersectionality to document complexity and to transcend the individual-structure binary that tends to permeate previous scholarship. Indeed, intersectionality’s explicit attention to how the complexity of people’s everyday experiences is connected to larger historical processes could offer key insights. I analyze how disproportionality research has addressed the intersections of race and disability (along with other markers of oppression) through a contrapuntal reading of works framed with medical, social, and cultural disability models. I conclude with reflections for future research on racial disparities in special education that is mindful of intersectional complexity.

Keywords: Disability, Race, Intersectionality, Disability Models, Contrapuntal Analysis

DISRUPTING ORTHODOXIES IN THE RACIALIZATION OF DISABILITIES

The quest for educational equity has been elusive and fraught with paradoxes throughout the history of American education, particularly for racial minorities and disabled learners. These two groups have complicated and politically charged histories linked to assumptions of deficit often used to justify inequities. Both have endured significant barriers and injustices ranging from limited access to educational resources to overrepresentation in poorly funded schools and negative post-school outcomes (Anyon 2005). Although massive political and technical resources have been deployed in efforts to secure educational equity, remedies for one group can have deleterious consequences for the other, thus muddling the effects of well-intentioned justice.
projects. For instance, under the Individuals with Disabilities Education Act (IDEA), students with disability diagnoses are extended rights and entitlements intended to ensure educational equity, on the assumption that disability diagnosis is beneficial to covered students. However, this guiding assumption has been critiqued by racial minority groups who have argued that disproportional diagnoses of disability in students of color creates a “double bind” that further compounds the structural disadvantages that each group has historically endured (Artiles 2011).

The racialization of disability is of concern because disability diagnoses for racial minorities often have concomitant negative consequences, such as educational segregation, limited access to the general education curriculum, and a host of negative long-term outcomes (Artiles 2003). This problem is connected to poverty, geographical location, cultural practices, and ideologies of difference (Albrecht et al., 2012; Artiles 1998). Moreover, it is visible across a range of disabilities—including high-incidence categories such as learning disabilities, intellectual disabilities, emotional/behavioral disorders, and speech/language impairments—accounting for approximately 4 million students (i.e., two thirds of the special education population) (U.S. Department of Education 2009).

The evidence has consistently shown that African American learners have substantially higher probabilities than their counterparts to be diagnosed with high incidence disabilities. At the national level, these students are three times more likely to be diagnosed as intellectually disabled and over 200% more likely to be diagnosed with emotional/behavioral disorders. American Indian/Alaska Native students have a 50% greater chance than their peers to be identified as learning disabled (U.S. Department of Education 2006). Latino/a students are overrepresented in some categories in certain regions, states, and school districts, though not at the national level (Artiles et al., 2011).

These statistics defy easy explanation. For instance, despite the disproportionate poverty rate among these groups (e.g., Latinos/as), racial inequities are not observed in disability categories generally associated with biological causes linked to poverty, such as sensory and orthopedic impairments and multiple disabilities (Losen and Orfield, 2002). Moreover, after controlling for poverty, race still makes a significant contribution to predicting a disability diagnosis (Skiba et al., 2008).

While the problem is long-standing, the racialization of disability has received more attention in the last decade (Waitoller et al., 2010). Federal government actions have intensified: there is an increase in the number of published studies acknowledging federal funding support, technical assistance centers have been created to address the problem, and there have been key changes in IDEA (i.e., requirements for reporting, monitoring, and eliminating racial inequities in placement patterns). Despite progress, unsettling questions remain unanswered: How do legal protections for one marginalized group—e.g., people with disabilities—become sources of inequities for another marginalized group, such as racial minority students? What types of evidence would be needed to document the ways in which the equity agenda of the IDEA collides with racial groups’ search for justice? Why have research and policy communities given so much attention to this longstanding problem in the last ten years? Perhaps more importantly, why have the historical and cultural sedimentations of race and disability, and their complex intersections, not been theorized and analyzed in this scholarship?

The racialization of disability has not occurred in a vacuum. Scholars have documented how “disability has always been racialised and how race has been conceived as disability” (Bolaki 2011, p. 48). Since at least the nineteenth century, race and disability have been intertwined and linked to ideologies of evolutionary
hierarchy—“nonwhite races were routinely connected to people with disabilities, both of whom were depicted as evolutionary laggards or throwbacks” (Baynton 2001, p. 36). Moreover, attributions of disability were often used to justify the institution of slavery and deny basic rights to African Americans (Baynton 2001).

Douglas Baynton argued that “not only has it been considered justifiable to treat disabled people unequally, but the concept of disability has been used to justify discrimination against other groups by attributing disability to them” (2001, p. 33, emphasis in original). The racialization of disabilities reminds us that racial minorities have been consistently subjected to such “double bind” discrimination (Artiles 2011). Unfortunately, the racialization of disability scholarship has been dominated by the notion of “damage imagery”—the idea that African Americans and other racial minorities “are and historically have been psychologically damaged” (Scott 2007, p. 1). It is typically assumed that damage imagery is the byproduct of innate inferiority and/or the sequela of poverty or inferior cultural practices; the result is deficit-driven narratives about racial minorities in which mental and cognitive pathology are paramount (Scott 2007; Valencia 2010).

Despite recurrent historical convergences, scholars in psychology, education, and medicine artificially maintain a divide between race and disability, enforcing troubling silences and invisibilities. Key dimensions of marginalized groups are simultaneously visible and invisible. How and for what purposes do scholarly communities manage to maintain what Ned Mitchell (2011) described as the “absent presences” of raced and disabled bodies? What work is accomplished when race and disability are kept in separate spheres? (Bell 2011).

Most scholarship on the racialization of disability has been grounded in the so-called “medical model” in which the unit of analysis is the individual, completely devoid of social or historical influences. My colleagues and I have found a profound silence about race in research based on this model (Artiles et al., 1997). The medical model fragments the individual, focusing either on race or on disability, rarely examining the interplay of race and disability with other key dimensions such as social class and gender.

Social and cultural models of disability have also been used, though to a lesser extent, in analyses of racial inequities in special education. The social model locates disability in a societal plane, “conceptualized as a discourse of opposition, directed primarily against societal oppression” (Schillmeier 2010, p. 4), particularly against barriers imposed by an ableist society, prejudices and biases against disability, and deficit models that dismiss the lived experiences, viewpoints, potential, and contributions of disabled people. The cultural model, in turn, raises the question of the social construction of disability, though it has been less concerned with the perspective of disabled people as a minority group, and more with the inequities endured by racial minorities as they are disproportionately placed in special education (Patton 1998).

We know little about how scholarship based on these models has paid attention to the historical intersections of race and disability, how it has framed justice questions, and the similarities and differences among the analyses conducted from the vantage points of medical, social, and cultural models. Given these substantial gaps, an alternative interdisciplinary analytical project is needed. Two theoretical aspects are central to this project.

First, we need to use the lens of intersectionality to analyze these bodies of research for “[r]ace and disability are always inbricated with gender, sex, sexuality, and class” (Dolmage 2011, p. 27). The notion of intersectionality emerged in critical race theory, and has been subsequently developed in the social sciences and humanities, precisely as a resource to understand the complexity of people’s identities and
experiences in stratified institutions and societies (Collins 2003; Crenshaw 1991). Intersectionality is a useful theoretical framework to understand the tensions between the lived experiences of people with multiple intersecting identities and communities’ needs for identity politics: racial minorities and disabled people need group identities for material and symbolic purposes, but this does not mean group categories are essentializing artifacts as community members embody complex intersectional identities (Crenshaw 1991). Intersectionality attends to identity categories—such as race and disability—because they have meaning, social gravity, and consequences; indeed, “power has clustered around certain categories and is exercised against others” (Crenshaw 1991, p. 375). Thus, intersectionality affords crucial insights about the racialization of disability, compelling us to focus on both the power of assigning categories to individuals and on the authority of those categories “to have social and material consequences” (Crenshaw 1991, p. 376).

Second, we can benefit from a contrapuntal reading of intersectionality in the scholarship produced from the medical, social, and cultural models. Contrapuntalism links ideas and practices that are regarded as being opposites or in contradiction, thereby revealing points of contact across these bodies of work that are not readily apparent. “A contrapuntal reading is to emphasize and highlight the disjunctions, not to overlook or play them down” (Said 1993, p. 146). From a contrapuntal standpoint, we are compelled to cross the liminal spaces between different disability lenses. As Said explained in the context of discussing exile, “[b]ecause the exile sees things both in terms of what has been left behind and what is actual here and now, there is a double perspective that never sees things in isolation” (p. 60, emphasis added). Thus a crucial implication of a contrapuntal analysis is an unceasing concern with what to read (i.e., disproportionality research grounded in seemingly contradictory models of disability) attached to an unremitting mindfulness about how to read—i.e., being reminded of the “intertwined and overlapping histories” (Said 1993, p. 18) of race and disability as they intersect with gender, social class, and language. Through a contrapuntal analysis we can “be able to think through and interpret together experiences that are discrepant, each with its particular agenda and pace of development, its own internal formations, its internal coherence and system of external relationships, all of them coexisting and interacting with others” (Said 1993, p. 32).

What can we gain from using the double vision of a contrapuntal analysis of intersectionality to read disproportionality research across medical, cultural, and social models of disability? First we can gain insights about blind spots in these literatures to understand how various categories and domains of experience have been disaggregated; such analysis will allow us to read these categories and realms of experience in an integrated fashion and as mediated by institutional processes (Ribet 2010). Moreover, a contrapuntal reading of intersectionality in this research literature will enable us to claim that disability and race do more than intersect in order to reinforce or intensify ideological stereotypes . . . it is not simply that the inherent, acquired or attributed characteristics possessed by members of racial groups are interpreted based on a white supremacist construct of ability. Literally physical or psychological disablement (as well as social and political subordination) can also be a process that results in disability imposed through racial power relations (Ribet 2010, p. 217).

Thinking through critical interdisciplinary questions can help us approach the racialization of disabilities from a more complex perspective. These questions include: How
has research on the racialization of disabilities examined the historical entanglements of race and disability? How has it examined intersections in categories of difference (e.g., race, disability, social class, gender)? What insights about racial inequities in special education result from the analysis of research based on purportedly opposing models of disability? I argue that a contrapuntal analysis of the racialization of disabilities using an intersectional prism promises important insights into these questions and illuminate generative and enduring questions about educational justice. Following Chris Bell (2011), this analytical project enables us to keep alternative disability models in conversation with one another; it will ultimately assist us to re-interpret the cultural dynamics of difference that mediate representations of marginalized groups.

I first provide an overview of research on disproportionate representation, various disability models, and intersectionality. I then present a contrapuntal critical reading of intersectionality in the scholarship on the racialization of disabilities across disability models, and conclude with reflections on future inquiries into this topic.

SETTING THE CONTEXT: RACIALIZATION OF DISABILITY RESEARCH, DISABILITY MODELS, AND INTERSECTIONALITY

Why Are There So Many Minority Students in Special Education?
A Historical Outline

The research on why there are so many minority students in special education (see Harry and Klingner, 2006) paints a complex picture in which individual factors, institutional practices, organizational forces, and fiscal and bureaucratic pressures contribute to the racialization of disability (Skiba et al., 2008). There is little consensus on a theoretical explanation of the problem; some studies do not even specify the theoretical frameworks that guide their analyses. Research has tended to examine the role of individual or structural factors, mostly from a quantitative perspective (Waitoller et al., 2010). This literature commonly concludes that a disproportionate number of racial minorities live in poverty, which in turn can mediate the onset of certain disabilities, particularly those conditions with biological etiologies. For instance, American Indians/Alaska Natives are overrepresented in the category of deaf-blindness, and along with African Americans, are disproportionately diagnosed with developmental delays. However, developmental delays are not consistently diagnosed with clear biological roots. Indeed, this diagnosis tends to be grounded in a view of human development that largely ignores its cultural roots (Rogoff 2003). There is evidence of systemic forces at play—e.g., student race makes a significant contribution to risk of being identified as disabled, even after statistically controlling for poverty level; students who are racial minorities tend to be placed in segregated programs more often than their White counterparts with the same disability diagnosis (Skiba et al., 2008).

Nonetheless, some commentators still question whether the racialization of disabilities is a problem, claiming that concerns are likely grounded in an opposition to special education. They overlook the significance of the problem. First, disproportionality raises the question of misidentification in the case of overrepresentation, and exclusion from services in the case of under-identification. Second, overrepresentation adds another layer of marginalization and disadvantage for racial minority students—particularly since disability identification is closely associated with long-term negative consequences that include persistent lower academic achievement, higher risk of placement in the juvenile justice system, higher school dropout rate, and lower access to higher education (Artiles et al., 2010). Third, these commenta-
tors overlook the specific arguments involved: critics of the racialization of disabilities remind us of the histories of using disability to justify inequities for disabled people as well as for racial minorities and women, of the material and symbolic negative consequences of the entanglement of race with disability and its relation to the concept of the “normal.”

Changes to federal law in 2004 require states to track and address racial disproportionality. This legal change was welcomed by most commentators as a step forward. But confusion about the new legal requirements and manipulations of racial disproportionality definitions and metrics, along with converging pressures stemming from educational accountability reforms, are shaping a perverse policy climate (Artiles 2011). For instance, disproportionality may be deepening in some states and districts, but it is not acted upon because of placement threshold requirements. Daryl Scott (2007) documented similar problems in examining the persistent association between race and mental health pathology: “the threshold for what experts considered a mental health problem continuously shifted” (p. xiv). This difficulty is exacerbated because federal law now requires that states determine whether disproportionality is present; if so, they must decide if such patterns are the result of inappropriate practices that must be redressed through specific actions and extra resources. Unfortunately, a sizable number of states are concluding that high disproportionality levels are not the result of inappropriate identification practices (Artiles 2011).

Discussions about the disability models underlying this research are virtually nonexistent. The de facto lens has been the medical model, though some analyses have been grounded in social and cultural models. I outline these paradigms in the next section as a means to inform the contrapuntal reading of intersectionality in this research across disability models.

Ways with Theories: Professional Visions of Disability

I outline key ideas of the three disability models, though there are not impermeable lines demarcating the models (Shakespeare 2006) and there are points of tension among them (Ribet 2010, personal communication).2

Medical Model

The medical model’s defining characteristic is the assumption that disability is located in biological impairments within the individual, “neglecting the reality of discrimination” (Watermeyer 2013, p. 14); policies and services consequently aim to fix the disabled person (Crossley 1999).3 Implicit in the “damaged body” trope of the medical model are uninterrogated assumptions about a normal body. Thus, this model is driven by a “moral imperative to ‘healthy normalcy’” (Watermeyer 2013, p. 29) that will cure or rehabilitate impairments; it regards disabled people as different and inferior, a premise that justifies their exclusion and creates barriers for rights and entitlements (Crossley 1999), or as Tobin Siebers (2008) described it, for the “right to have rights” (p. 176). Given the biological roots of disability, it is assumed that “the social disadvantages and exclusion that accompany the disability can be explained as natural and not ascribable to any social cause. Because disability is not socially caused, the disabled individual has no claim of right to social remediation, and any benefits or assistance that society chooses to bestow on persons with disabilities can be viewed as a charitable response” (Crossley 1999, pp. 651–652).
The medical model views disabled people as dependent upon professionals, not only to validate their condition via a diagnosis, but also to determine and provide the best treatment or prosthetics needed to be cured or rehabilitated, to decide on relevant social benefits, and to certify any entitlement to exemptions (e.g., work), as long as individuals agree to receive the prescribed treatment (Crossley 1999). The perspective of the disabled is irrelevant, and hence, no efforts are made to gather or use such information (Linton 1998).

Despite the strong critiques raised against the medical model, it pervades the legal, policy, and professional domains. It has been the primary lens to examine the racialization of disability. Because the medical model foregrounds the individual as the unit of analysis, it disaggregates race from disability and other markers of difference (e.g., gender, social class, and language), resulting in a fragmented individual. In this model, racial and cultural differences can be construed as comparable and indexed as demographic markers (Artiles et al., 2010).

**Social Model**

The social model of disability offers “new and political understandings of disability . . . [which] is seen as interacting with social, cultural, historical, legal, and medical discourses, as well as further complicating factors such as race, ethnicity, gender, age, and class” (Connor and Ferri, 2005, p. 110). The social model sees the idea of disability as the product of oppression and structural exclusion that should be eliminated (Shakespeare 2006). This vision has significant implications for policy; instead of fixing disabled bodies, it encourages policies informed by an “accommodation imperative” that change the social and physical structures of society (Crossley 1999, p. 658). Disabled scholars and activists have led the way in developing the social model of disability. This model regards disability as a social construction, thereby locating disability in society (not the body), and drawing distinctions between disability and impairment. In this view, the presence of an impairment does not necessarily constitute a disability. Disability arises out of society’s ableist assumptions and practices about what is considered normal. Thus, it is a social environment that “disables” a person in a wheelchair if stairs are the only means to reach different building floors. The “wheelchair user is disadvantaged not by her inability to walk, but by the way in which buildings are designed and constructed” (Crossley 1999, p. 654).

The concept of the impairment-disability binary has been criticized. Indeed, disabled authors have called attention to the messy and ambiguous overlaps between bodily aspects of their experiences and societal dimensions of both impairments and disabilities. Experiencing impairments rests on cultural meanings, emphasizing the “interpenetration of impairment and disability” (Shakespeare 2006, p. 37). Moreover, the social model can elaborate its attention to the psychological realm and the body (i.e., impairment) (Watermeyer 2013).

This model also encourages attention to the cultural construction of disability as reflected in the images and perceptions of people with disabilities in popular culture, policies, media stereotypes, and the like. These constructions contribute to the othering of disabled individuals and mediate processes of exclusion that this community endures over time (Crossley 1999). Embedded in these constructions are assumptions about “normal” that structure cultural and material worlds that cater to the needs of nondisabled individuals (Watermeyer 2013). The social model is critical of the notion of “normalization” because it rests on ideologies of homogeneity and control that date back to the nineteenth century when statistical reasoning and technologies were produced (Crossley 1999; Watermeyer 2013). However, just as the social model has criti-
icized the essentialist logic embedded in the idea of normal, the emergence of the social model has required the adoption of a kind of “strategic essentialism” (Garland-Thomson 1997, p. 283). Moreover, criticisms have been raised about the social model’s attention to the experiences of Western white middle class males with physical disabilities (particularly in its early work) (Watermeyer 2013).

Cultural Model
The third perspective is reflected in a body of scholarship concerned with racial disproportionality. This corpus of scholarship shares some traits that I label here the cultural model. For instance, this work critiques the racialization of disability with an utmost concern for the oppression endured by racial minorities (Patton 1998). This work also relies, to some degree, on a social construction view of disability. Finally, some analyses based on the cultural model tend to be informed by a dynamic and historically-based notion of culture that opens analytical spaces to examine the agency and cultural assets of communities (Artiles et al., 2010). It is not clear, however, how issues of intersectionality are addressed in this scholarship.

To summarize, the racialization of disabilities has been studied primarily through the lens of a medical model, with some attention by those using social and cultural models. But do the differences among models result in disparate framings of the problem, alternative insights across analyses conducted from different models, and distinct ways of engaging with the intersections of race and disability? Before I address these queries through a contrapuntal reading, I provide an introduction to the concept of intersectionality.

Complexity in Analysis of Unjust Practices: The Promise of Intersectionality
Intersectionality examines the influence of power to provide limited frames for people’s multidimensional experiences, particularly those of women of color, as a response to “the tendency to treat race and gender as mutually exclusive categories of experience and analysis” (Crenshaw 1989, p. 139). Intersectionality acknowledges that “systems of race, social class, gender, sexuality, ethnicity, nation, and age form mutually constructing features of social organization” (Collins 2000, p. 299). Intersectionality, thus, rejects the “separability of analytical and identity categories” and captures “the relationships among multiple dimensions and modalities of social relations and subject formations” (McCall 2005, p. 1771). Intersectionality challenges essentialist views of groups, single-axis analyses, and additive models of identity (Crenshaw 1991). Intersectionality’s sensitivity to within-group diversity challenges the logic of “group unity equals group uniformity” (Hancock 2007, p. 65). Intersectional analysis aims to document the convergence of multiple forms of oppression in people’s lives as shaped by distinct markers of difference. An implication of this analytic perspective includes policy responses that are sensitive to the convergence of multiple forms of oppression (Crenshaw 1991; Hancock 2007).

There are a number of types of intersectionality. I discuss structural and political intersectionality here and other types when critiquing the racialization of disability in the next section. Crenshaw (1991) describes structural and political intersectionality. Structural intersectionality refers to how intersectional locations make the experiences of groups qualitatively different. In this analysis, structural intersectionality suggests that boys of color from low-income backgrounds, particularly African Americans and Americans Indians, at the intersection of race, gender, and class
experience their identification as disabled and efforts to address it in ways qualita-
tively different from that of White middle-class boys. In turn, political intersection-
ality emphasizes that intersectional identities may be 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[n ad-
ditional] dimension of intersectional disempowerment” (Crenshaw 1991, p. 360). Think-
ing in terms of political intersectionality suggests that low-income boys of color with
disabilities or with a heightened probability of disability identification are situated
within multiple subordinated groups that frequently pursue conflicting political
agendas. This liminal position creates a sort of intersectional disempowerment that
middle-class boys with disabilities, low-income boys of color without disabilities, and
White girls and girls of color rarely experience. Intersectional analysis has the
potential to address this problem.

INTERSECTIONALITY IN DISPROPORTIONALITY RESEARCH:
REIFICATIONS, CONTRADICTIONS, AND PROTEAN NOTIONS

The bulk of the evidence on racial inequities is based on quantitative analyses, mostly
based on a medical model. A few quantitative studies have been informed by cultural
perspectives. There are fewer qualitative studies designed with cultural processes in
mind.

This section discusses trends in this research with regards to intersectionality
across the three disability models, with specific focus on the use of the unitary
approach and hybrid narratives. I used the scholarship of a few established authors
working in the medical, social, and cultural models of disability to exemplify distinc-
tive inquiry features of each model. I selected articles that broadly addressed at least
two vectors of discrimination, even though some of these authors did not originally
set out to conduct intersectional analyses.

Written on the Body: The Unitary Approach

Many disproportionality studies rest on a “unitary approach” to identity. As described
by Ange-Marie Hancock (2007) this approach endorses a universalistic perspective in
which one “variable” or marker of difference, such as race or class, is assumed to be
both more important than the others and stable. Thus, researchers set to identify the
one variable that has the greatest explanatory power in predicting special education
placement. Inquiries are generally constrained by adherence to the medical model of
disability, as outlined above. Typically, secondary datasets at the school district, state,
or (less frequently) national levels are used to gauge the factor that best explains/
predicts placement. Structural conditions in the special education field offer incen-
tives for a unitary approach in disproportionality research. For example, federal law
defines learning disabilities diagnosis as unrelated to socioeconomic and cultural
differences. Thus, the law indirectly prevents intersectional analyses of disabilities
with other markers of difference.

The search for the variable with the greatest explanatory power is sometimes
imposed through methodological means, such as use of covariates. One such example
is the work of Jacob Hibel and his colleagues in which they investigated “how student
and school characteristics relate to the student’s placement into special education”
(2010, p. 313). These authors explained that “[d]isproportionate representation may
be especially likely to occur for those types of disabilities that rely more on a teacher’s
judgment and contextual factors (e.g., LD, EBD) than those types that rely on relatively more objective criteria (e.g., MR, visual impairment)” (p. 314). Building on the force of a unitary logic, individual judgments, such as teacher referral decisions, were examined as mediated by a single factor—e.g., teacher’s race or school/classroom demographics. This led them to conclude that teacher judgments of acceptable student achievement or behavior are necessarily based on the performance of the teacher’s particular referent group, which naturally consists of the other students in the school. Thus, the student’s peers within his or her school provide the normative standard for identifying whether the student is disabled and so is eligible for special education (p. 315).

For this approach, not only is disability an objective condition that is written on the body (Watermeyer 2013), but it is also the result of linear and unidirectional causal influences (even though the links between these factors are often correlational) that move from membership in a racial or ethnic group, to living in poverty, and end up in disability status. Donald MacMillan and Daniel Reschly, for instance, concluded that, “social class, and not ethnicity, would explain more variance in the rates of detection for these high-incidence disabilities, particularly MMR” (1998, p. 20). Hibel and his colleagues offered a comparable theory by explaining that class and race effects for lower income African American and Hispanic children are compounded by greater exposure to factors “that themselves contribute to disability identification,” including biological trauma (e.g., low birth weight, poor nutrition, and child health) and increased exposure to environmental toxins; “social trauma” such as being raised in poverty or by a single or teenage parent; and having parents who are high school dropouts or second-language learners, depressed, disorganized, unemployed, or incarcerated and who reside in high-risk neighborhoods. These factors may result in the lower cognitive and behavioral performance displayed by low-income minority students when they begin kindergarten (2010, p. 316).

Other studies have applied similar intersectional reasoning (Hosp and Reschly, 2003; Oswald et al., 1999; Skiba et al., 2005).

Four themes stand out in the unitary work: (a) essentializing sociocultural groups; (b) stripping historical and structural influences from the study of people’s actions and decisions or framing them as static factors with linear relations; (c) neglecting the problematic historical intertwining of race and dis/ability; and (d) assuming that disabilities are objective features located in the individual. In this sense, the unitary approach naturalizes the racialization of disabilities, marshalling evidence that conceivably legitimizes racial disproportionality.

**Hybrid Circular Narratives: Between Intra-Categorical and Unitary Intersectionalities**

Let us now review what I call “hybrid circular narratives” of intersectionality. One form of intersectional analysis is concerned with examining intra-categorical complexity. This perspective interogates the boundary-making and boundary-defining process [of categorization]. . . . It acknowledges the stable and even durable relationships that social
categories represent at any given point in time, though it also maintains a critical stance toward categories. . . [It also] tends to focus on particular social groups at neglected points of intersection” (McCall 2005, pp. 1773–1774).

Work by disability studies scholars that relies on premises from this perspective includes Erevelles and Minear (2010), who linked Critical Race Feminist Theory with Disability Studies Theory in their assessment of the historical nexus between race and disability (see also McCall and Skrtic, 2010). They situated the connections between race and disability in historic and postcolonial contexts, arguing for an intersectional analysis that avoids limiting the scope of inquiry to a single marker of difference. Taking the history of the eugenics movement and its concomitant conflation of race with disability, they argued that “the continued association of race and disability in debilitating ways necessitates that we examine how eugenic practices continue to reconstitute social hierarchies in contemporary contexts via the deployment of a hegemonic ideology of disability that have real material effects on people located at the intersections of difference” (pp. 133–134). Similarly, in a recent paper (Artiles 2011), I situated the racialization of disability in historical context by exploring conflation of the two in laws covering “ugly” and impaired bodies. I went on to stress the complicity of research communities in this conflation by revealing associations drawn between racial minority status and deviance, illness, and depressed abilities.

Bringing together frameworks deployed in both Cultural and Disability Studies affords a number of opportunities for nuanced analysis of intersectional identities because the theoretical apparatuses in these scholarly communities engage with complexity in contextualized and systematic ways. These frameworks afford powerful tools to examine disability as it is constituted discursively, culturally, and institutionally across multiple contexts, ultimately revealing that disability is a protean notion that requires situated scrutiny with sociocultural and historical imaginations.

Other intriguing patterns emerge in work based on the social and cultural models. Works grounded in a social model start with a compelling critique of disability as historically and bureaucratically situated, showing how definitions evolve over time, ultimately reminding us of the ways in which race, class, gender, and disability have had entangled histories. In this sense, these works are rooted in an intra-categorical intersectional frame, though the focus is on disability. That is, disability is at the center, with all of the other difference markers linked to it. This is apparent in the fact that these inquiries do not include comparable in-depth critiques of race, social class, and gender—in other words, critiques of other difference markers are proffered only to the extent they inform disability. These works provide a more balanced theorizing of other markers when they acknowledge, for instance, that special education placement was used to maintain the racial segregation of schools in the post- Brown era (Baker 2002; Connor and Ferri, 2005). Thus, on the one hand, disability is socially constructed and is a tool of exclusion for racial minority students, but on the other hand, oppression is stressed only in discussions of race. While such analyses reveal how disability is constituted and used with specific purposes—i.e., through the concerted efforts of cultural, historical, and ideological processes—some scholarship on the racialization of disabilities grounded in social or cultural models only foregrounds oppression as it relates to race in its analysis. In other words, while these works pay attention to processes and instrumentality in the analysis of disability, they stress the end result when dealing with race.

When the tropes of disability and race converge and the analysis focuses on the racialization of disability, complications crystallize. One such example arises when
researchers premise their work with the caveat that “certain disability categories may be considered more problematic than others” (Connor and Ferri, 2005, p. 111; emphasis in original), an assumption which stands in tension with understandings of disability as social construction. A quasi-unitary framework emerges since the bulk of the analysis relies on studies framed from a unitary vantage point. For example, evidence on student placement by student race is discussed to support the argument about the racialization of disability, but certain structures and blind spots are left intact. Scholarship committed to a cultural model (Artiles et al., 2005), has made the same move in some studies, serving as reminder of the protean nature of disability as analyses morph from a critique of disability as a social construct to a medically-based category (as embodied in the databases used in these studies) within the same investigation. Such studies may theorize disabilities as socially constructed, but call some categories “subjective” or “soft,” with a structural argument leveled against special education, namely that the bureaucratic and middle-class nature of this system oppresses families of color (Blanchett 2006). Agency and within-group diversity in low-income racial minority communities tend to be invisible in this work, which may reflect an essentialized view of these groups.

In all fairness, scholars using social and cultural models are aware and do recognize more complex views of culture and give analytical space to agency when working with marginalized communities. My point is that a contrapuntal analytic stance shows that competing views of race, disability, and intersectionality coexist in this work, in part, because we use some of the analytical tools of the medical model (e.g., analysis of placement patterns by race and disability category) that we strive to contest.

A contrapuntal reading of the research literature makes visible the coexistence of tools and premises from opposing paradigms within and across work based on distinct disability models. Researchers using a medical perspective have occasionally drawn tools from social and cultural models. For instance, MacMillan and Reschly (1998) drew on arguments based in social construction to argue for strengthening measurement precision. They argued that race and ethnicity are ambiguous constructs measured in disparate ways and “should not be interpreted as scientific and anthropological in nature . . . yet, that is exactly how they are treated in the OCR overrepresentation dataset” (pp. 18–19). They highlighted the inaccuracies and inadequacies of racial categories for capturing information about within-group diversity and mixed race groups and noted that schools collect such data idiosyncratically. Their arguments are used to justify the need to control for ethnicity, particularly as it is often a proxy for social class, which seems to be their preferred explanation for the disproportionality problem.

These authors acknowledge the ambiguous and unstable nature of ethnicity for identity purposes while also arguing that it is necessary to take within-group diversity in racial and ethnic minority groups into consideration when analyzing the overrepresentation of students of color. The implication is that we do not know who these learners really are. Yet within the same analysis, these authors summoned an essentialist model of White students and a medical frame of disability to support a poverty hypothesis. They cite a study that found the prevalence of mild intellectual disabilities to vary as a function of social class: the lower the social class, the higher the prevalence of disability, with no occurrences in the highest status. The authors’ reliance upon essentialist models and a medical frame are illuminated by the following disclosure: the “study was conducted in Aberdeen, Scotland involving only White subjects, thereby avoiding the confound of ethnicity and social class” (MacMillan and Reschly, 1998, p. 19).
This comment then implies that in some cases the measurement of ethnicity and disability is no longer problematic. The authors assumed there is no within-group diversity in White communities, ignoring the cultural history of Europe, and the United Kingdom in particular. This is a longstanding trope in the “othering” of non-White communities that keeps White folks at the center of defining consequential categories like ability and dis/ability. Following a longstanding tradition in the history of the United States and the social sciences, these authors made two problematic conceptual moves within the same article. First, they equated race with ethnicity, which deflects discussion of race: “the origins of . . . ethnicity lie in an attempt to find another way of talking about race” (Harris 2001, p. 1773). Second, the authors relied on a recognition/de-recognition dynamic to “see race” (i.e., the racial identities of particular bodies) in order to de-recognize or not see race (i.e., a structural system of group-based privileges and disadvantages produced by socio-historical forces) (p. 1758).

To conclude, a contrapuntal reading of the disproportionality literature enables us to discern hybrid patterns in intersectional analysis and warns us about the need for strengthening theoretical clarity and its concomitant methodological implications.

**COMPLEXITY IN FUTURE RESEARCH ON THE RACIALIZATION OF DISABILITY**

A contrapuntal perspective enables us to challenge our assumptions about coherence and purity within conceptual models. A “contrapuntal analysis should be modeled not . . . on a symphony but rather on an atonal ensemble; we must take into account all sorts of spatial or geographical and rhetorical practices . . . all of them tending to elucidate a complex and uneven topography” (Said 1993, p. 318). A contrapuntal analysis of the racialization of disability could stimulate conversation between seemingly opposite or contradictory disability models, and between their respective ontological assumptions about disability and race. A contrapuntal analysis asks: what can we learn about the nature of disability and race in bodies of academic work that are deemed to be distinct and even mutually exclusive?

This initial critique suggests the potential of an intersectional analysis grounded in a contrapuntal perspective for studying the racialization of disability. This analysis illustrated the ambivalent status of categories and illuminated the shifting topographies between the discursive and material dimensions of these categories (McCall 2005). Indeed, race and disability have mimetic properties across and within the various models of disability. While the study of race and disability intersections often relied on a unitary approach, a contrapuntal reading of the disproportionality literature based on alternative disability models also revealed complex hybrid patterns in intersectional analysis, and suggested the need to strengthen theoretical clarity and its concomitant methodological implications. Social and cultural approaches to disability used medically-based tools and analytic strategies to address race-disability intersections. While we possess sophisticated toolkits to theorize and study race and ability discrimination, we routinely fail to deploy them when studying the racialization of disability. What cultural dynamics are at play to produce this state of affairs? To what extent does the history of the racialization of disability—and the ways in which intersectionality has been addressed in the research across the medical, social, and cultural paradigms—constitute what Fischer called “involutionary change,” where the construction, treatment, and consequences of race and disability intersections become “more elaborately the same”? (cited in Danforth et al., 2006, p. 19).
This preliminary analysis identified connections not readily perceived, connections between notions such as race and disability that are often dichotomized. To some extent, this emerging contrapuntal analysis suggested a blurring of boundaries between paradigms. An intersectional prism, in turn, revealed the protean nature of disability and race not perceptible through single axis analysis. The potentially negative consequences of hybrid circular narratives require us to forge a new language about the complex intersections between race and disability. This contrapuntal analysis suggests that we undertake what Lennard Davis described as the Chris “‘Bell imperative’ to think more clearly, more politically, about disability” (Davis 2011, p. xi) and its entanglements with race.

In closing, I offer several reflections to consider for further developments in this line of work:

1. *Prepare the next generation of scholars with an intersectional imagination.* We need more scholars using intersectional analysis to study racial inequities in special education. In the United States, few doctoral programs in special education (and even in Disability Studies) include training in intersectional analysis. Theoretical and methodological attention to intersectionality will stimulate the growth of communities of scholars that can benefit from each other’s engagement with this perspective.

2. *Take advantage of the potential of intersectionality: Probe the depths within categories.* Intersectionality provides tools for complex “intergroup” analyses, going beyond examining a single dimension of a category (e.g., race, gender, and class), at the expense of dimensions within categories (McCall 2005). McCall, for example, has produced quantitative intersectional analyses in which “different contexts reveal different configurations of inequality in [a] particular social formation” (p. 1791). This is the direction that Erevelles and Minear are taking, examining the lived experiences of individuals as located in “structural conditions within which . . . social categories are constructed by, and intermeshed with each other in specific historical contexts” (2010, p. 131). Studies could also address a variety of other intra-categorical issues, such as what Cathy Cohen (1999) described as the “politics of secondary marginalization” through which marginalized individuals with privilege—in our case male students of color—police those without privilege (i.e., disabled male students of color). To my knowledge, studies examining secondary marginalization processes in the racialization of disabilities have not been conducted.

3. *Add detail and texture to analysis of categories.* An implication of the previous point is the need to look at neglected categories or subdimensions of categories. Although racial inequity in special education research has made visible the historical intersections of race and disability, “visibility in and of itself does not erase a history of silence, nor does it challenge the structure of power and domination, symbolic and material, that determines what can and cannot be seen” (Hammonds 1994, p. 141). For instance, certain racial groups (e.g., Latinos/as and American Indians), and language minorities have been largely invisible in special education research. Other dimensions such as gender require more complex analysis: a great deal of attention has been given to boys in special education, particularly from racial minority backgrounds (the majority in a number of disability categories), without drawing on important scholarship on gender and sexuality from other fields. Such scholarship can provide more insight about gender differences in school disengagement, violence, and crime. A nuanced analysis of categories and...
their intersections also requires attention to students’ agency. The research to date has primarily used static demographic markers to identify students, overlooking their active, innovative, and improvisational lives.

4. **Build coalitions to advance equity agendas.** While there are always complications in building coalitions (see Engel and Munger, 2003), this project can advance equity agendas in politically profound ways, creating possibilities for coalitions not previously considered (see Crenshaw 1991). Although coalitions between inclusion advocates and individuals addressing the racialization of disability, for instance, could have been formed in the early years of the inclusive education movement, such work could be pursued in the future.

5. **Nurture disciplinary reflexivity through contrapuntal critiques.** Using contrapuntal critiques in examining intersectionality offers opportunities for dialogue across communities of scholars within and between disciplines. They can explore the benefits and consequences of “strategic borrowing” of analytical tools across disability models. For instance, statistics about race and disability deployed in the medical model have already been used for research grounded in the social and cultural models. Previous uses of racial statistics in this literature compel analysts to fragment and purify identities by extracting the potential intersections with other markers of oppression. But, as Kenneth Prewitt (2012) challenged us, “can there be a policy that misuses race statistics” (p. 1)? There is already evidence about gaming strategies being used in states and districts to avoid sanctions from federal policy requirements to monitor racial disproportionality. The point is not that racial statistics are useless; indeed, complex statistical analyses of intersectionality are possible due to methodological advances. Here, the contrapuntal reading of this research allowed us to unveil how analytical tools are used across disparate disability standpoints that do not necessarily subscribe to the tools’ core assumptions. An unintended consequence is that the scholarship on racialization of disability (independent of its theoretical commitments) continues to use tools that maintain the focus on traits typically located in the individual. This prevents us from broadening the analytic spotlight to account for influences such as the nature of the categories involved, the role of ideological influences in the design of curricula and assessment, and the mediating force of institutional racism in the racialization of disability. In turn, these contrapuntal readings of disparate research traditions can inform disciplinary reflexivity to raise questions about the postulates and toolkits deployed to understand the complex predicament described as the racialization of disability.

Ultimately, this line of analysis promises to answer Bell’s “invitation to keep [race] and disability in conversation with one another. It is an invitation to rethink embodiment and representation” (2011, p. 4). A critique of the research on the racialization of disability affords us opportunities to examine “particular social groups at neglected points of intersection of multiple master categories” (McCall 2005, p. 1780). It enables us to prevent shifting views of *difference* from reifying enduring educational injustices in the contemporary policy, research, and practice landscapes of U.S. education.

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NOTES

1. I acknowledge the support of the Equity Alliance and I am grateful to the Center for Advanced Study in the Behavioral Sciences at Stanford University for the residential fellowship that allowed me to research and articulate the theoretical foundations of this analysis. Endorsement by these organizations of the ideas expressed in this manuscript should not be inferred. Earlier versions of this article were presented as keynote lectures/plenary talks at the Emerging Scholars Conference, Chapman University (September 2011), the 2011 annual meeting of the National Association of Multicultural Education, and the Race and Disability Lecture Series at the University of Illinois-Chicago (February 2013). I am grateful to Phil Ferguson, Kris Gutierrez, Elizabeth Kozleski, Tom Skrtic, Stan Trent, and the Sociocultural Research Group for their encouragement and substantive feedback and suggestions. I also acknowledge the feedback of three anonymous reviewers; their critiques and suggestions improved the quality of this article. I remain responsible, however, for the shortcomings of this work.

2. I use the term “model” in the broadest sense to make visible the premises and constructs used by communities of individuals. This perspective is aligned with Goodwin’s notion of “professional vision”: the “socially organized ways of seeing and understanding events that are answerable to the distinctive interests of a particular social group” (1994, p. 606).

3. The term “medical model” is commonly used in disability theory. Oliver (1996) uses instead the term “individual model” to pinpoint the model’s primary emphasis on an individual unit of analysis, with medicalization constituting but one key element. Watermeyer explained that the problem does not necessarily reside in the medical sciences field, but in a “mode of performing medicine” (2013, pp. 30–31). Moreover, Shakespeare has questioned the presumed clear differences between the medical model and a “family” of social contextual approaches (one of which is the social model); in fact, he concluded that the term medical model “is not a coherent or useful concept” (2006, p. 18).

4. There are important distinctions in scholarship using the social model of disability according to geographical location. The United Kingdom and the United States differ in the origins and evolution of the model, the disciplines and actors participating in each community, and the versions of the model they deploy. The U.K. perspective has been largely informed by a Marxist critique in which the oppressive weight of disability is foregrounded; this way, “society itself [is situated] as the ‘patient’ to be investigated” (Watermeyer, 2013, p. 31). Disabled scholars and activists have played a central role in this movement, though non-disabled people have also participated. In the United States, work has also included disabled and non-disabled scholars and activists; however, cultural dimensions of disability are made prominent, particularly in relation to a minority group perspective applied to disabled people. Work produced in the humanities, liberal arts, and to a lesser extent the social sciences has increased substantially in the United States, and more recently, a Disability Studies in Education group has emerged to carry out this project as applied specifically to education matters.

5. See Schillmeier (2010), Shakespeare (2006), and Watermeyer (2013) for critiques of the social model of disability.

6. In some instances, these decisions are studied with an additive intersectionality perspective in which interactions among several factors are analyzed—e.g., teacher’s race, social class, and gender. Unlike the unitary approach, these analyses examine the simultaneous influence of race, social class, and gender in disability identification. The end result, however, can be a ranking of these factors depending on the predictive value or the size of the statistical effect. Hancock (2007) reminds us this approach presumes static groups and predetermined generalizations about the influence of these factors. Equally important, this perspective assumes the various analytic categories—e.g., race, gender, class, and disability—had independent political developments from one another (Hancock 2007). The result is to analyze disability as completely separate from the history of racial groups, as if these histories have never intersected.

REFERENCES

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