

## The Inclusive Office: Feminism isn't feminism unless it's intersectional

By: Special to The Daily Record Heather Neu October 27, 2020

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Feminists have been celebrating frequent cracks in the glass ceiling lately: Hon. Amy Coney Barrett was confirmed to the United States Supreme Court to fill the seat held by the late luminary and legend Hon. Ruth Bader Ginsburg; Sen. Kamala Harris became the first Black and Asian woman nominated to the vice presidency; Kristen Welker became the second Black woman in history to moderate a presidential debate; September saw the first time in NFL history where there was a female coach on both sidelines and a female official on the field; and Drs. Jennifer Doudna and Emmanuelle Charpentier were the first all-woman team to receive a Nobel science prize. However, as these news stories break, it is important to remember that “women” are not a monolith, and that an achievement for A WOMAN does not necessarily mean achievement for WOMEN or feminism.

Feminism that is not intersectional is not feminism. (Or as activist Flavia Dzodan so powerfully stated in what has become a feminist rallying cry: “My feminism will be intersectional or it will be bull\*\*\*\*!”)

Merriam-Webster defines intersectionality as “the complex, cumulative manner in which the effects of different forms of discrimination combine, overlap, or intersect.” According to UN Women, intersectional feminism centers “the voices of those experiencing overlapping, concurrent forms of oppression in order to understand the depths of the inequalities and the relationships among them in any given context.”

The term “intersectional feminism” was coined by Columbia Law professor Kimberlé Crenshaw, Esq. in her 1989 paper “Demarginalizing the Intersection of Race and Sex” in the University of Chicago Legal Forum. Crenshaw analyzed three Title VII cases and the deciding courts’ handling of both racial discrimination and sex discrimination. She concluded that in each case, the court’s narrow view of discrimination was a prime example of the “conceptual limitations of ... single-issue analyses” — that is, the law did not account for the fact that Black women are both Black and female and thus subject to discrimination on the basis of both race, gender, and a combination of the two.

One case Crenshaw reviewed was *DeGraffenreid v. General Motors Assembly Division, St. Louis*, 413 F. Supp. 142 (E.D. Mo. 1976), wherein five Black women sued General Motors for an allegedly discriminatory seniority policy. Essentially, prior to 1964, GM did not hire Black women, meaning that when seniority-based layoffs were needed during an early 1970s recession, all the Black women hired after 1964 were laid off. A policy like that does not fall cleanly under either gender or race discrimination, but the court decided that efforts to unite the racial discrimination and sex discrimination claims would be unworkable. Indeed, Judge Harris Wangelin wrote that “black women” could not be considered a separate, protected class within the law as “[t]he prospect of the creation of new classes of protected minorities, governed only by the mathematical principles of permutation and combination, clearly raises the prospect of opening the hackneyed Pandora’s box.”

What Judge Wangelin and the courts failed to recognize of course was that the existence of overlapping discriminations faced by Black women was an actual reality, regardless of whether it fit neatly into the established textual understanding. As Crenshaw eloquently states, “Intersectionality was a prism to bring to light dynamics within discrimination law that weren’t being appreciated by the courts. In particular, courts seem to think that race discrimination was what happened to all black people across gender and sex discrimination was what happened to all women, and if that is your framework, of course, what happens to black women and other women of color is going to be difficult to see.” Intersectionalism is vital because it is the only way to achieve meaningful and lasting solutions to the issues facing society. Failing to analyze issues via an intersectional lens means we are not seeing the true scope of the problem.

For example, we have all heard that women make 71 cents for every \$1 a man makes. Actually, white women make \$0.71 — Black women make \$0.66 and Latinx women make \$0.58. Nationally, approximately 33% women are sexually assaulted in their lifetime, but 83% of women with disabilities will be sexually assaulted. Today, a Black mother is 3-4 times more likely to die in childbirth than a white woman; and their child is 2.3 more times likely to die. Black transgender women have the highest rate of HIV diagnoses in the United States. (N.B. Intersectional feminism also inherently includes the fact that transgender women are women. TERFS (trans-exclusionary radical “feminists”), like J.K. Rowling, are not feminists and can’t sit with us).

This is even more pressing right now as we face the crushing reality of several large-scale national crises stemming from COVID-19. NPR analyzed data as of May 2020, and found that: Black Americans have died at nearly two times greater rates than would be expected based on their share of the population; in 42 states and the District of Columbia, Hispanics/Latinos make up a greater share of confirmed cases than their share of the population; and white deaths are lower than their share of the population in 37 states and the District of Columbia. Minorities are also facing greater economic impact. According to the World Economic Forum, Black Americans “represent a disproportionate

percentage of nine of the 10 lowest-wage jobs that are deemed to be high-contact, essential services..., many of those jobs are front-line healthcare positions.”

At its most basic, intersectional feminism is the recognition that we cannot talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status because to do so, according to Crenshaw, is to miss “how some people are subject to all of these, and the experience is not just the sum of its parts.” As UN Women encourages, “Taking an intersectional feminist approach to the crises of today helps us seize the opportunity to build back better, stronger, resilient, and equal societies.”

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