# **NC Shell**

Identity is not a fixed concept, nor is it reducible to specific characteristics of a human like race or sex. The following is a criticism of my opponent’s essentialist approach to confronting the issue of domestic violence. I argue that my opponent’s paradigm of solving for [*patriarchal oppression*] is a flawed and disastrous project – instead, we must examine the intersections of different forms of disempowerment.

## **A. Links**

Traditional identity politics establishes an “us-versus-them” mentality – by responding to oppression by drawing sharp divides between the oppressors and the oppressed, the resulting climate of mutual exclusivity fundamentally ignores those who exist as part of both groups. Kimberlé **Crenshaw[[1]](#footnote-1)** explains:

The problem with **identity politics** is not that it fails to transcend difference, as some critics charge, but rather the opposite—that it **frequently conflates or ignores intragroup differences. In the context of violence against women, this elision of difference in identity politics is problematic, fundamentally because the violence that many women experience is often shaped by other dimensions of their identities, such as race and class. Moreover, ignoring difference within groups contributes to tension among groups, another problem** of identity politics **that bears on efforts to politicize violence against women. Feminist efforts** to politicize experiences of women **and antiracist efforts** to politicize experiences of people of color **have frequently proceeded as though the issues and experiences they each detail occur on mutually exclusive terrains. Although racism and sexism readily intersect in the lives of real people, they seldom do in feminist and antiracist practices. And so, when the practices expound identity as woman or person of color as an either/or proposition, they relegate the identity of women of color to a location that resists telling.**

There are specific links in the AC:

1. The AC adopts a monolithic understanding of domestic violence as caused *only* by the patriarchy. They attempt to conceptualize abuse through a feminist lens only, excluding critical analyses of domestic violence that track racial or socioeconomic factors.
2. In CX, he reduces solving domestic violence to fighting back against the patriarchy, claiming that if we solve the negative impacts of patriarchy, abuse just disappears.

## **B. Impacts**

Embracing intersectionality is key to politicizing domestic violence because it recognizes that even within the feminist movement there are substantial power imbalances as a result of factors like race and class. This self-awareness within feminism is key to creating structures to counter oppression across the board. Emi **Koyama[[2]](#footnote-2)** writes:

I argue that, far from being an innocent victim of the patriarchal backlash, **the flawed assumptions** and analyses **of** the **white radical-feminism** that shaped the early “battered women’s movement” are partially responsible for the movement’s uncritical collusion with the racist, imperialist state interests, as well as the abuse of women within the shelter system. By **focus**ing **excessively on “the power of shared experiences among women” marked by the patriarchy and presum[e]**ing **difference as an inherent source of oppression** that need to be eliminated, these radical-feminists in effect created a **[This] movement** that **discourages and suppresses discussions about [the]** specificities of each women’s experiences within a complex matrix of social inequalities and **ways in which some good-intentioned feminist women can** and do **abuse power** over other women. // **If we were to truly “re-politicize” the movement against violence against women, it is more helpful to acknowledge** that there are many **power imbalances among women that are very difficult to eliminate** than to hastily move to make them disappear. **That way, we can hope to create structures that would actively counter the power relationships that already exist, that would hold ourselves accountable to each other. We need to** resist the anachronistic urge to accept euphemism as history, and instead **build a multi-issue movement** whose scope includes, but does not necessarily center, men’s dominance over women, among many other structures of inequalities and injustices.

The essentialism of the AC forces those on the margins to divide their political energies between distinct and potentially conflicting movements – only by drawing together different movements can there be a coherent and successful response to domestic violence. **Crenshaw 2:**

The concept of **political intersectionality highlights the fact that women of color are situated within at least two subordinated groups that frequently pursue conflicting political agendas. The need to split one’s political energies** between two sometimes opposing groups **is a dimension of intersectional disempowerment that men of color and white women seldom confront.** Indeed, their specific raced and gendered experiences, although intersectional, often define as well as confine the interests of the entire group. For example, racism as experienced by people of color who are of a particular gender—male—tends to determine the parameters of antiracist strategies, just as sexism as experienced by women who are of a particular race—white—tends to ground the women’s movement. **The problem is not simply that both discourses fail women of color by not acknowledging the “additional” issue of race or of patriarchy but that the discourses are often inadequate even to the discrete tasks of articulating the full dimensions of racism and sexism. Because women of color experience racism in ways not always the same as those experienced by men of color and sexism in ways not always parallel to experiences of white women, antiracism and feminism are limited**, even on their own terms. // **Among the most troubling political consequences** of the failure of antiracist and feminist discourses to address the intersections of race and gender **is** the fact that, to the extent they can forward the interest of “people of color” and “women,” respectively, **one analysis often implicitly denies the validity of the other. The failure of feminism to interrogate race means that the resistance strategies of feminism will often replicate and reinforce the subordination of people of color**, and the failure of antiracism to interrogate patriarchy means that antiracism will frequently reproduce the subordination of women. **These mutual elisions present a particularly difficult political dilemma for women of color. Adopting either analysis constitutes a denial of a fundamental dimension of** our **subordination and precludes the development of a political discourse that more fully empowers women of color.**

It’s not enough for the AC just to “acknowledge the additional issues” – their discourse ignores a fundamental component of resisting oppression, and they’d be shifting their advocacy if they attempt to include other forms of discrimination within the [*feminist*] project they advocate. **Next**, politicizing domestic violence is key to changing social norms that perpetuate abuse. By enabling a more public presence of the anti-domestic abuse movement, an intersectional challenge to oppression can dispel the notion that abuse is a private issue within the home. By shining light on the *multiple* social structures that underlie battering, social norms can be influenced. Gena **Durham[[3]](#footnote-3)** explains the impact:

However, **even though people can agree in the abstract that domestic violence is a very bad thing, society has held certain attitudes about the crime, and about the victims, that have made previous responses to the crime ineffective at best and inflammatory at worst.** Without knowing the details of a crime, a person can look at a picture of a badly battered victim and say “that poor woman,” imputing, as we do, innocence to the victim and absolute evil to the criminal actor. However, often the closer we get to a true story of what happened, the more willing we are to accept the defendant's claims of mutual combat or provocation by the victim. This tendency to impute some complicity by the victim in her own abuse reflects some of the pernicious underlying societal attitudes regarding domestic violence.

Stemming from a time when women were considered chattel and spousal abuse was an acceptable way for a husband to keep his wife in line, the following attitudes persist, to differing degrees, throughout our society: (1) Domestic disputes are private matters that do not concern the public—the state has no business getting involved (implying that domestic violence is not truly a criminal act). (2) Even if domestic violence can be considered a criminal act, this particular victim has implicitly consented to any domestic behavior short of homicide. (3) Even if domestic violence can be considered a criminal act, this particular victim must have contributed to the problem, by somehow provoking the attack. (4) Even if domestic violence is a criminal act, it is not as serious as crimes by strangers. And (5) even if domestic violence is a horrible crime, some women will claim abuse that never happened in order to "use the system" against their husbands or boyfriends for revenge.

**These attitudes**, which tend to be interdependent, **have caused domestic violence to be treated as something of a noncrime in the past. Even where laws prohibited spousal abuse, law enforcement officials (including prosecutors) had such a difficult time distinguishing in their own minds between private behavior and public crime that the laws went largely unenforced.** Police officers were trained to respond to domestic violence calls by mediating the dispute, perhaps by separating the parties briefly to let the parties cool off. They were trained to arrest only in the most extreme cases, usually those involving serious physical trauma. When the police did make arrests, prosecutors would frequently drop domestic violence cases, sometimes because of their own ambivalence about domestic violence and sometimes because of their acknowledgment that juries, which reflect society's attitudes about domestic violence, might be reluctant to convict.

**The problem with this failure to enforce the law is that the prohibition becomes meaningless and the abusers get some sense of validation for their behavior. Part of the purpose of identifying crimes is to communicate to everyone that society does not condone a particular behavior, but this stigmatizing function is undercut when the law is not enforced. Consequently, the attitudes about the crime persist, and the crime itself continues to flourish unchecked.**

Thus, I control the internal link to the AC’s advantages because only I can completely approach oppression and draw political attention to the plight of battered women. This means that the AC ultimately fails to conceptualize the issues and solving patriarchy does nothing.

## **C. Alternative**

We need a comprehensive analysis of intersectional disempowerment where resisting [patriarchy] is only one of many concerns. Must recognize that there are a bunch of factors that contribute to disempowerment. **Cossman[[4]](#footnote-4)**

The Special Rapporteur of the Commission on Human Rights on Violence Against Women has adopted one of the most expansive conceptions of gender within international law. In her report on *Race, Gender and Violence Against Women*, prepared for the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Radhika Coomaraswamy argued for a gender analysis that is attentive to the multiple forms of discrimination that women experience. n15 [\*286] “**There is a growing recognition that the failure to address the various 'differences' that characterize the problems of different groups of women can obscure or deny human rights protections to all women. Indeed, while it is true that all women are in some way subject to gender-discrimination, it is also true that other factors, relating to women's social identities, such as class, caste, race, colour, ethnicity, religion and national origin,** are 'differences that make a difference' in the ways in which various groups of women experience discrimination.” n16The Special Rapporteur wrote of the importance of developing an approach that is attentive to the particular ways in which gender intersects with other identities. **An intersectional approach to discrimination attempts to capture the interaction between different forms of discrimination, addressing the way in which "racism, patriarchy, economic disadvantages and other discriminatory systems contribute to create layers of inequality"**. The Special Rapporteur argued that **this idea of intersectionality must be adopted into a comprehensive gender analysis: A comprehensive gender analysis requires examination of the effects of gender, the effects of race and the effects of gender and race factors combined on the form violations take, the context in which they occur, their consequences and the availability and accessibility of remedies to victims.**

Reject his essentialist project, and instead endorse a view of power relations that encompasses multiple forms of disempowerment. This is fundamentally incompatible with the AC’s advocacy because his arguments depend on us being able to deconstruct patriarchy, but my argument is that a) this is an impossible project because there’s no monolithic power structure called “patriarchy,” b) attempting to prevent patriarchy is a bad thing because it just reproduces oppression in other loci, and c) this severs the links between reacting to domestic violence and reacting patriarchy because those are two different things from an intersectional standpoint. This also turns his arguments because in attempting to prevent oppression, he oppresses the very people he’s trying to help.

1. Crenshaw, Kimberlé. “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color.” *Stanford Law Review* 43.6 (1991): 1241–1299. JSTOR. Web. [↑](#footnote-ref-1)
2. Koyama, Emi. “Disloyal to Feminism: Abuse of Survivors within the Domestic Violence Shelter System.” Confluere Publications, 2003. Web. [↑](#footnote-ref-2)
3. Durham, Gena L. “The Domestic Violence Dilemma: How Our Ineffective and Varied Responses Reflect Our Conflicted Views of the Problem.” *Southern California Law Review* 71.641 (641–665): 1998. *HeinOnline*. Web. [↑](#footnote-ref-3)
4. Cossman, Barbara. “Gender Performance, Sexual Subjects and International Law.” *Canadian Journal of Law and Jurisprudence.* 15.281 (2002): 281–296. SSRN. Web. [↑](#footnote-ref-4)