Social Justice and Culture: 
On Identity, Intersectionality, and Epistemic Privilege

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Introduction

Many influential modern theories of social justice rely on some basic conception of universalism. We see this in Kant’s famous ideal of the kingdom of ends, for instance, or in Rawls’s radically impersonal veil of ignorance. It is often difficult to see exactly how a particularist approach – such as one that takes social identity seriously – can be compatible with this kind of universalism. Identities, after all, embody a subjective perspective, which implies a partial view. How can they provide secure and objective knowledge that would be relevant to justice, which has universal reach and scope? Recent developments in cultural and legal theory provide a way to address this question. Their most basic claim is that in many crucial instances focusing on the identities and perspectives of the socially marginalized can produce a deeper knowledge of objective social structures and their effects. These theories – elaborated through such concepts as “intersectionality” and “epistemic privilege” -- are based on a non-positivist conception of objective social knowledge. At their core, these concepts contribute to a “realist” theoretical understanding of social identity and its epistemic status.

The importance of subjective perspectives

Let me begin by quoting from a widely cited but not well-understood speech by U.S. Supreme Court Justice Sonia Sotomayor:
“Our gender and national origins may and will make a difference in our judging. Justice [Sandra Day] O'Connor has often been cited as saying that a wise old man and wise old woman will reach the same conclusion in deciding cases. I am not so sure that I agree with the statement. First, as some have [pointed out], there [may] never be a universal definition of wise. Second, I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life….

“Each day on the bench I learn something new about the judicial process and about being a professional Latina woman in a world that sometimes looks at me with suspicion. I am reminded each day that I render decisions that affect people concretely and that I owe them constant and complete vigilance in checking my assumptions, presumptions and perspectives and ensuring that to the extent that my limited abilities and capabilities permit me … I reevaluate them and change as circumstances and cases before me require. I can and do aspire to be greater than the sum total of my experiences but I accept my limitations. I willingly accept that we who judge must not deny the differences resulting from experience and heritage but attempt … continuously to judge when those opinions, sympathies and prejudices are appropriate (emphasis added).”

I begin with these quotes from Justice Sotomayor because the phrase “wise Latina” was very much in the news during her Senate confirmation hearings and it was widely interpreted as a defense of separatism and a denial of judicial objectivity in the name of narrow identity politics. But neither of these charges is valid. In fact, they ignore the deeper questions her comments raise, questions that have been at the heart of the humanities and some of the
social sciences for at least four decades now. These questions define what is called the “hermeneutical turn” in the human sciences, an attempt to go beyond positivism: Should we attempt to ignore all our subjective experiences in order to be objective -- or are some subjective experiences in fact sources of valuable knowledge about the social world in which we live, a world that is shaped profoundly by inequality? And if inequality affects us not only as individuals but also as members of social groups (organized around, say, class or gender, race or sexuality), are the particular experiences we have as members of such social groups (and these groups can of course overlap) relevant if we want to attain a more objective knowledge of our society? If they are, then are we saying that we need to take subjectivity into account in order to be objective? To put it more bluntly, are we saying that we need to be biased in a certain way if we want to be objective?

One implication of Justice Sotomayor’s questions is that, especially in conditions defined by social inequality, the experiences of subordinated groups provide insight into the nature of the society in which they live. These subjective experiences provide access to a more objective understanding of unequal social structures and their effects on the lives of individual human beings. I develop and defend this idea, which contains a “realist” view of the epistemic privilege of the oppressed, later in this paper. But I focus first on the theory of “intersectionality,” which – especially as formulated by the feminist anti-racist scholar Kimberle Crenshaw (1991) – makes a similar claim about the epistemic implications of experience and social group identity. In particular, it addresses the failures of even the dominant versions of feminist and antiracist theories and political practices to be adequately objective as social-theoretical categories. These theories, in Crenshaw’s view, make only fitful contact with real social experience, and the experiences and lives of real people are left out of their accounts:
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 (Ibid.: 1242). Because of their intersectional identity as both women and of color within discourses that are shaped to respond to one or the other, women of color are marginalized within both. (Ibid.: 1244)

It would be a mistake, I propose, to read Crenshaw as recommending merely that theory and discourse be descriptively more complete. It is true, as the philosopher of social science Daniel Little says (2010), that ‘theorists of intersectionality have demonstrated that most of us possess multiple identities at the same time … We are Irish, European, lesbian, working class, anti-fascist and Green, all at the same time. And the imperatives of the several identities we wear are often different in the political actions that they call for.’ But this is only part of, and a secondary aspect of, the theory of intersectionality. The more fundamental claim lies elsewhere. It would be a mistake, for instance, to read the passage from Crenshaw I just quoted as recommending merely that theory and discourse be descriptively more complete in accounting for our various identities. The deeper problem is not descriptive but rather explanatory: the intersections she identifies are causal relations, crucial features that are invisible to the dominant social theories.

The gap between theory and lived social reality has practical consequences. So, for instance, the “Marriage Fraud Amendment” passed by the U.S. Congress in 1988 to the “Immigration
Reform Act” of 1986 was meant to prevent what the Attorney General deems “improper marriages” as a basis for residency applications. The amendment was an attempt to place a burden on male spouses to prove that their marriages were proper and legal. But in the specific context of the lives of many immigrant women, especially poor women with limited linguistic and cultural resources, this produced a situation where domestic violence or battery went under-reported. Immigrant women were afraid that reporting domestic abuse would place their entire families in legal jeopardy, leading to a rejection of their application for permanent residency. Moreover, the domestic violence waiver law required the battered spouse to base her appeal for a waiver on reports from the police, medical personnel, psychologists, and similar authorities. But cultural barriers, as well as lack of independent access to information by non-English-speaking immigrant women, made many women even more vulnerable than before to the power of their husbands. This, Crenshaw points out, was not what the law intended to do. But “[by] failing to take into account the vulnerability of immigrant spouses to domestic violence, Congress positioned these women to absorb the simultaneous impact of its anti-immigration policy and their spouses’ abuse” (Ibid.: 1250). In law and public policy, then, the gap between theory and reality appears quite clearly to have negative social effects. Making the male immigrant spouse stand in for all immigrants and English-speaking and culturally relatively privileged women stand in for all female immigrants, ends up exacerbating (or at least not addressing) the vulnerabilities of immigrant women.

Similarly, rape crisis services fail to serve many women of color adequately when they are designed to meet the needs of white and middle class women. Rape counselors often report that funds are mainly earmarked for legal counsel and support, which means that “information and referral” – which includes dealing with the housing and other immediate
needs of poor, especially minority, women – are relatively underfunded by the funding agencies (Ibid.). These needs are genuine, but they remain invisible because of an inadequately complex definition of the target group (i.e., women who are victims of rape) in which relevant socially-produced vulnerabilities are not recognized. Legal and public policy efforts often remain ineffective, Crenshaw argues, because they rely on social explanatory categories (race, gender, etc.) that do not allow them to see how groups of people (low-income immigrant women of color, for instance) have vulnerabilities and hence social needs that are particular and unique. Theory (and practice informed by it) fails to be adequately objective about the complex social relations that structure the lives of such vulnerable groups. Theory remains overly abstract and rigid since it is tied to the relatively privileged perspectives of some groups.

The theory of intersectionality, as formulated by many activist-scholars over the years (see, e.g., Combahee River Collective, 1986 [written 1977] ) and developed in more detail by Crenshaw, is often misread as an attack on feminist or antiracist efforts to create solidarity. The intersectional approach, especially as Crenshaw articulates it, is instead an attempt to deepen solidarities among oppressed peoples by pointing out how differences in power and social location within subordinated groups need to be registered and understood. The implication is that a deeper and more genuine solidarity can only be achieved on the basis of this knowledge. Crenshaw does not advocate a mere cataloguing of social differences; her approach calls for a fuller, more adequate explanation of our complex social locations and identities. It points to how the experiences of subordinated social groups (and sub-groups within those groups) are shaped by social forces, and “race” or “gender” are causally complex and interrelated social phenomena. Thus, the argument would go, existing explanatory categories are not adequate since they provide accounts that are in these contexts
overly simple. The intersectional approach calls not so much for greater descriptive fidelity as–more crucially–for explanatory depth, explanations that allow for more causal complexity. The renewed attention to the erased subjective experiences of some groups will, it is implied, lead to a more objective knowledge. This is a post-positivist attempt to reflect on the epistemic deficiencies that produce or cause these erasures and to achieve a more robust objectivity. Intersectionality theory has at its core a project that is “realist” in the philosophical sense of the word. Categories, it assumes, can capture social truths accurately, but the categories we employ need to be adequate to the social context we are analyzing. Crenshaw makes it clear in the concluding section of her classic essay that the intersectional view of identity is quite different from the antirealist constructivist view of postmodernists who attack the very notion of identity as incoherent and unstable (1296-1299). Intersectional theory both takes identity seriously and attempts to refine the categories by which we define it in a given social context. As a realist project, it takes both error and objective knowledge seriously and sees them as socially-grounded phenomena.

Realism and Epistemic Privilege

The recognition that categories of social analysis can fail to produce objective knowledge in some formulations takes us back to the questions Justice Sotomayor raises about social identity and its epistemic value. If, as Sotomayor indicates, objectivity is not mere neutrality, if genuine objectivity requires us to deal squarely with socially-produced experiences and even biases, then do the experiences and subjective perspectives of members of groups that are systematically oppressed and marginalized contain valuable knowledge about the society in which we–all of us–live? Can we talk about this knowledge as a form of “epistemic privilege”?
But the moment we formulate the issue this way, another question arises: can we talk about the epistemic privilege of oppressed social groups without invoking romantic notions of inaccessible inner properties? Appeals to mysterious inner properties that are inaccessible to outsiders, and hence unanalyzable by others, rest on an essentialist notion of what it means to belong to a social group – say, people of color, or women, or the working poor, or gays and lesbians. If we want to avoid essentialism, as I certainly do, are we forced to give up talking about epistemic privilege altogether? Or are there non-essentialist ways of talking about social identity and the experiences of social groups that will allow us to retain the notion of epistemic privilege?

I have argued elsewhere (Mohanty 1993; 1997: 198-251) that the notion that members of some social groups have a kind of epistemic privilege or advantage in some situations is a valuable one, and that it does not need to be defended by relying on essentialist notions. I have defended a philosophical approach called “postpositivist realism”, one that is able to take the epistemic status of social identities seriously without relying on dangerous talk about mysterious ahistorical essences. It is this view that I draw on in this essay; it complements the intersectional approach to identity by responding to the theoretical charge (made by postmodernist thinkers, among others) that experience is too subjective to be epistemically reliable. I would like to show what a defensible notion of identity and epistemic privilege would look like. Part of my motivation in undertaking this project is to respond to those who dismiss all claims about identity and epistemic privilege as essentialist and hence politically separatist. Such dismissals are misguided, and my main goal in this chapter is less to offer a critique than to sketch a constructive theoretical counterproposal.
One of the central theses of the realist theory of identity I and others (Linda Martin Alcoff, Paula Moya, Bill Wilkerson, Michael Hames-Garcia, Chandra Talpade Mohanty, Sean Teuton, Ernesto Martinez, and others working in many different disciplines) have been defending for several years now is that claims about identity are never claims about an individual group in isolation (Mohanty [1993]; Moya and Hames-Garcia [2000]; Alcoff et al. [2006]; Mohanty, C. (2003)). They are, instead, claims about a system of social relations and about the world in which the relations among groups are shaped and defined. To talk about a group called “people of color,” for instance, is meaningless without reference to a social system in which people of color occupy a common social location, a commonality that will tend to produce similar social experiences among them. So the category “people of color” will make no sense at all if you use it in a purely descriptive way – that is, if you choose to use it to talk only about common physical features such as skin color.

The term “people of color” refers outward, beyond its narrow descriptive function, to account for key features of the social world in which individuals and groups take on their particular roles and features. The term is essentially an analytical or explanatory, rather than a descriptive, one because the social world to which it refers is a dynamic network of causal forces that makes these groups, these identities, what they are.

Let me give you an obvious but nonetheless useful example. In some social contexts in the United States, I call myself a “person of color.” It is an important part of my identity, one that is both objectively verifiable and subjectively important to me. It informs my sense of who I am in this society, and an important part of what it means for me to live and act as a social being. Now, consider what happens when I get on the plane one evening and land the following day in, say, Tokyo or Lagos or Mumbai. Imagine that I get off the plane, raise my
arms, and declare with aplomb: “I am a person of color!” My friends in Tokyo or Lagod or Mumbai would have every reason to put me back on the plane and ask me to return to the U.S.! The term person of color becomes meaningless (or merely pompous) in a social context where race is not one of the primary principles of social division and hierarchy, at least the way it is in American society. When I call myself a person of color, then, I refer less to my skin color than to one aspect of my social location in contemporary American society, with its racial social organization. So to call someone a person of color is simultaneously to draw on a fairly complex social theory, a theory that explains systemic features of a social world that divides and shapes individuals according to accidental and morally irrelevant features such as skin color, cultural background, and ancestry. Identity claims thus do more than describe members of a social group; they come claiming clouds of theory, as it were, and these theories – even when they are not explicitly stated -- analyze and explain a social world.

To talk about epistemic privilege is to use social theory and analysis in exactly the same way. To say that members of a group possess an epistemic advantage over other groups about a certain subject is to say that they are located in society in such a way that their everyday experiences are likely to produce certain kinds of insight about the social world. It is to say something about an angle of vision, a vantage point, which is shaped by causally significant social relations. It is also to assert, in an anti-idealist, indeed materialist, spirit, that human knowledge is not simply the product of disinterested contemplation; molded as it is by historical and social forces, knowledge is often the product of activism, of social engagement and deliberately partisan inquiry. Taking our identities seriously, examining their significance, can thus yield objective knowledge about the social world in which we live, especially when unequal relations among groups are constitutive of this world.
The view of identity and epistemic privilege I am outlining here is “realist” because it asserts that identities and the knowledge we derive from them can be objective. There is, however, no claim that the knowledge that is based on our identities is automatically generated. For central to the realist theory is a view of experience that is fundamentally non-essentialist – and indeed “postpositivist” (on realism, see Mohanty 2008). The realist theory posits that the experiences of social subjects can be the source of genuine knowledge but that there is nothing inevitable about this, for experience is not self-evidently meaningful. Experiences of human subjects are inevitably mediated by theories and ideologies, by presuppositions and paradigms, and an accurate interpretation of experience depends on good, more accurate, theories and paradigms. Experiences do not wear their meanings on their sleeves, postpositivist realists assert, and the job of interpreting them accurately depends on our doing a great deal of analytical and theoretical work. In analyzing experiences, there is room for both genuine knowledge and for error and mystification. This emphasis on the inevitably mediated nature of experience makes it inimical to an essentialist view of experience and identity; there are no mysterious inner properties and ahistorical commonalities quite simply because experiences and identities have no unmediated core that guarantees their social meaning. And if we say that oppressed social groups have epistemic privilege, we mean simply this: their social locations make it more likely that they will, in the natural course of their social lives, come to interpret their experiences accurately. There is no straight line leading from the social location of oppressed social groups to an accurate understanding of society. That understanding will be the product of work, work that is theoretical as well as political, brushing against the grain of the dominant social ideologies that naturalize social inequality, make it invisible and hence seem inevitable.
By now, many readers will certainly have discerned in the theoretical view I am describing affinities with the feminist standpoint epistemology as developed by Nancy Hartsock, Sandra Harding, and others in the 1980s (see Harding 2003). In fact the realist theory of identity owes much to the standpoint theory, as well as to a tradition that runs through Lukacs and Marx back to Hegel, the tradition to which standpoint theorists were indebted. The key idea, as the socialist–feminist Nancy Hartsock had explained, was derived from Lukacs’s notion that proletarian class consciousness was uniquely valuable in revealing the workings of capitalism, the system that was predicated on the social and economic exploitation of the labor of the proletarian class. In his book *History and Class Consciousness*, Lukacs argued – following Marx – that the class consciousness of the proletariat exists as a potential to be realized; for structural reasons, he argued, the proletariat had a uniquely accurate vantage point on the workings of capitalism, and the goal of political organizing was to realize this potential, to make the unorganized consciousness of any given group of workers align with the genuine interests of workers as a socio-economic and political class. Class consciousness is thus dynamic rather than static, a growing and evolving thing, and for both Marx and Lukacs the dominant social ideology and genuine class consciousness were opposed to each other the way error and truth are opposed and dialectically related. It is social practice and conscious social organization that diminish ideological distortion and produce valuable social knowledge.

Now this, however, is where Lukacs and Marx part company. Lukacs, influenced by Leninist political thought, assumed that it was the Party as a political vanguard that would infuse the proletarian class with genuine class consciousness about its interests and values. Marx was at least ambiguous on this important question. At least in key texts, as I have shown elsewhere, Marx argued that genuine class consciousness is the product of lower-level – we might say
“grassroots” – organizing on the part of workers. He speaks (in Capital I) of the kind of epistemic advantage that workers have when they have developed basic forms of “rational organization.” Such basic forms of organization make more conscious and effective inquiry possible, according to Marx (at least the way I read him), and hence grassroots and autonomously directed political organizing (rather than, for instance, organizing from above) produces a critical consciousness about the social world. It is this aspect of Marx that must be behind the insightful work of radical educators like Paulo Freire, for instance; the main emphasis in Freire and the texts by Marx I am referring to lies in the link between everyday practical organization and critical social consciousness (for page references and fuller discussion of the ideas in this paragraph and the previous one, see Mohanty 1997: 79-81).

The reason I wanted to lay out the intellectual background of aspects of the realist theory of identity was, first, to substantiate and develop my earlier claim that the realist approach to experience is a materialist one, that it is grounded in the causal network that defines objectively verifiable social relations. For if we see genuine class consciousness as Marx does (and contrary to Lukacs’s Leninist, top-down view) as the product of everyday political organization, then it becomes evident that knowledge of the world grows out of practical engagements with it; this knowledge does not have to be seen as either the spiritual manifestation of the inner essence of groups or as externally imposed by an all-knowing vanguard Party. Behind this materialist notion is its not-too-distant ancestor -- Hegel’s thesis, in the famous Master-Slave dialectic, that the labor imposed on the Slave leads, ironically, to his peculiar advantage: a more acute and perspicacious knowledge. It is this notion of everyday practice, or labor as an ordinary and not-overtly-theorized experience, that is behind the realist theorists’ view that the ordinary experiences of social subjects produce genuine knowledge about the world. Central to the notion of “epistemic privilege” is the
materialist thesis that social location can be linked causally to genuine knowledge, and the
related idea that such knowledge would not be automatic but a practical achievement, a
product of reflective social activity. Both Marx and the realist theorists of identity assume,
then, that conscious social organizing is a form of reflection, often a form of sustained
theoretical reflection. And the capacity to do such organizing (and the reflection it embodies)
is not the unique property of a political or intellectual vanguard group; all of us ordinary
mortals draw on this ability as we live our daily social lives, cooperating with others to make
sense of things as we engage in our various common projects.

If we define the notion of epistemic privilege in this way, as the product of the labor of
living in oppressive social conditions, we can see how realist theorists reclaim and
rehabilitate the much-needed notion of experience – ordinary, everyday experience – as a
materialist one, as an aspect of a wider cluster of views about knowledge and social identity.
Contrary to much poststructuralist theory done since the early 1980s (see Scott 1991), which
dismisses experience as radically constructed and hence contingent and epistemically
unreliable, realists provide a richer notion of experience as both constructed and reliable. To
claim, with the realist theorists, that the oppressed possess an epistemic advantage or
privilege, we need to argue simply that in their everyday lives members of an oppressed
group experience the world in a relatively unique way, a way that is rarely the case for
members of dominant social groups. This everyday experience is itself layered and partly
reflective, and it can be the source of knowledge about relevant aspects of the social world.
To assert these things is to assert something that is complex and theoretical, but it is hardly
based on mysterious claims about essences!
Conclusion

Let me conclude by presenting, in schematic form, some of the implications of what I have been saying about the notions of intersectionality and epistemic privilege:

1. It should be clear that if the notion of the epistemic privilege of the oppressed is developed in this non-essentialist way, any particular claim about epistemic privilege (of this group or that) will be only as convincing as the social theory that accompanies it. Since the realist view is that the notion of epistemic privilege is inevitably tied to a social account of groups and their social location, a claim about a particular group can be convincing or accurate only to the extent that it provides a convincing or accurate account of the social system in which the group is located. Bogus claims about identity, such as most essentialist or extremist ones, almost always rest on wildly inaccurate social explanations.

2. Cultural productions of minority and oppressed groups are then valuable sources of theoretical ideas about the society in which we live, and not just about those particular groups and their experiences. The notion of epistemic privilege gives progressive scholars and artists, activists and curators, an essential tool, both practical and theoretical, and we should resist theoretical proposals that we give up such a notion. In fact, cultural institutions such as libraries, art galleries, and museums should embrace the idea that social and cultural identities can contain deep bodies of knowledge and explore and contextualize the identities of the oppressed. By seeing their own work as continuous with the “history from below” movement among progressive scholars since the 1950s, cultural institutions can undo the damage done by the dominant culture, which naturalizes inequality and obscures the perspectives of the oppressed and the disempowered.
3. Acknowledging that the oppressed have an epistemic privilege means that members of dominant groups acknowledge, in the relevant contexts, their own blindesses, their own socially-shaped ideological distortions. These blindesses could be productively explored in both art and scholarship by juxtaposing the competing social perspectives that sometimes emerge from different identities.

4. Since social forces produce both knowledge and ideological distortion, this account of the epistemic privilege of the oppressed leads to political conclusions that are anything but separatist. Valuable social knowledge, in this theoretical view, is the product of cross-group interaction. Indeed, on this general view, social knowledge is the product of conscious political organizing across social groups, across, for instance, racial divisions, and such organizing is not just politically valuable -- it is a form of epistemic cooperation. Awareness of intersectional identities forces us to produce deeper and more accurate social analysis, just as recognition of epistemic privilege of the oppressed or the marginalized provides the bases for non-exploitative and mutually respectful forms of solidarity. Political or moral solidarity cannot be predicated on erasure of crucial differences in our social locations when those differences point to valuable alternative -- but complementary rather than incommensurable - - perspectives.

5. Perhaps the most surprising implication is this: one can believe in the salience of social and even cultural identity while being committed to the kind of moral universalism that informs, for instance, our best conception of human rights. In fact, as I have argued elsewhere, identity and universalism are not just compatible, they can be complementary concepts (Mohanty 1997: 234-247). Knowledge gained from the subjective, identity-based struggles
of subordinated groups – women, workers, gays and lesbians in a heterosexist social structure – is indispensable for a richer, more nuanced conception of universalist ideals and values.

The kind of universalism we want to get away from is the one imposed from one narrow perspective – let’s call that ethnocentric or colonialist universalism. In order to enrich and deepen our notion of genuine universalism, we need fine-grained accounts of the socially-produced vulnerabilities of actual human agents, going beyond our conceptions of disembodied, idealized, and ahistorical persons. This is where identities become relevant. Or, as Justice Sotomayor would say, our experiences and our cultures become important. Even as we aspire to create a genuinely universalist vision, she points out, we need to be careful not to overreach: “I can and do aspire to be greater than the sum total of my experiences but I accept my limitations…. [W]e who judge must not deny the differences resulting from experience and heritage…. ” The judge needs to seek a deeper social understanding, going beyond general legal principles to the particulars of “experience and heritage.” And that includes her own experience and heritage: “I am reminded each day that I render decisions that affect people concretely and that I owe them constant and complete vigilance in checking my assumptions, presumptions and perspectives and ensuring that to the extent that my limited abilities and capabilities permit me, … I reevaluate them and change as circumstances and cases before me require.” The point is not to ignore her subjective perspectives but instead “attempt … continuously to judge when those opinions, sympathies and prejudices are appropriate.” Beneath every sound legal judgment lies the task of achieving a deeper understanding of socially-based subjectivities, of the poverty or “richness of … [relevant] experiences” -- and the differences they make. The task of achieving this deeper understanding is an ongoing one. This is the task that the judge and the
artist, the political organizer and the cultural historian share. It is the epistemic ground where they can come together and make common cause.

References