

Adopting an Intersectional Lens

By KAREN DEMEOLA

“Black women, historically, have been doubly victimized by the twin immoralities of Jim Crow and Jane Crow...Black women, faced with these dual barriers, have often found that sex bias is more formidable than racial bias.”

– Pauli Murray



Since October 2020, *CT Lawyer* magazine has published articles addressing Diversity, Equity, and Inclusion (DE&I). The first year focused on advancing DE&I in the profession, providing common language, pitfalls, and practical steps to assist in the journey. Lawyers shared their lived experiences, formulated calls to action, opened eyes, and created dialogue. Narrative storytelling, as referenced in an early article, breaks down barriers and biases and gives us a better understanding of those who have identities different from our own. Further, understanding that identities are not monolithic but instead exist independently and intersectionally is critical to moving inclusion and equity forward.

People are unique and complex. Shaped by family, friends, faith communities, neighborhoods, schools, and cultures. Our race, sexual orientation, ability, ethnicity, gender identity, and other aspects of who we are also define us. Moreover, overarching societal constructs, U.S. history, the legal system, and structural inequities place these identities into unique and complex boxes, creating and defining our place in society, organizations, and the profession.

I learned I was adopted when I was five, came out as a lesbian at 18, and shortly thereafter learned I was bi-racial. I was raised Italian Catholic in a suburb of New Haven. Life was about food, faith, family, and friends—mostly in that order. I knew I looked different from my family and was constantly asked why I was in a particular store and with whom I was shopping. However, I did not think about identity, as I did not yet have the language. I have experienced biases and stereotypes on each front, but separating one identity from the rest is impossible, because I am all things.

Society as well as the legal framework addressing discrimination take a singular approach and often fail to recognize that people have multiple identities and each one has a unique history as well as systemic barriers and marginalization attached thereto. Intersectionality and adopting an intersectional lens would allow us to take a more inclusive approach not only to anti-discrimination cases but also in our DE&I work.

Pauli Murray was a civil rights lawyer, activist, poet, and Episcopal priest. In 1947, she coined the term Jane Crow to highlight the impact of gender-based oppression against Black women. The phrase recognized that Black women experienced oppression in terms of race and gender within Jim Crow. Murray was a black, multiracial, gender fluid woman who was active in the civil rights and feminist movements in the 50s and 60s. Her identity and experiences as a Black woman allowed her to see the way power and privilege collided in both of those movements and she openly criticized the Black civil rights movement for relegating women to the back seat of the movement.

Murray's approach to advocacy focused on eradicating Jane Crow by removing the systemic barriers Black women faced. As a result, an intersectional lens framed her advocacy and work, including with the NAACP and ACLU.

Forty-two years later, in 1989, scholar and civil rights leader, Kimberlé Crenshaw, coined the term intersectionality, to explain how discrimination and oppression overlap. Like Murray, Crenshaw wrote about the unique experience of Black women. Intersectionality, as conceptualized by Crenshaw, is a recognition that there are overlapping forms of discrimination and oppression based on a person's identities. Though used originally to highlight the experience of Black women was different than white women and black men, intersectionality is inclusive of the experiences of multiracial, LGBTQ+, and other minoritized communities.

In the May/June 2022 issue, then President Cecil Thomas, in his final column before ascending to the bench, provided data highlighting the progress made in the CBA Diversity & Inclusion Pledge signatories. Like all data, it does not explicitly address intersectionality. The data, however, includes the lived experiences of attorneys of color, trans men and women, lawyers with disabilities, immigrants, queer lawyers, women, first generation, and other lawyers who have multiple identities.

A one size fits all approach to DE&I does not exist. Recognizing that colleagues with similar identities are different and that some colleagues carry more than one identity, even if that identity is invisible, is critical in moving DE&I forward.

We are complex and unique. That complexity allows us to experience and see the world in a unique way. Intersectionality recognizes that identity is not monolithic, and that each identity has unique experiences, and barriers, systemic or cultural, that serve to oppress and marginalize. Intersectionality is a lens through which we can move DE&I issues forward in a more inclusive way. ■



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