Political Identity as Identity Politics

By Richard Thompson Ford*

Identity politics is nothing new. In a sense—apologies to the late Tip O’Neill—all politics are identities; all identities, political. Of course, when we use the phrase “identity politics” we mean something more specific. We don’t mean to evoke people who identify as Democrats, Republicans, Leftists, Conservatives, Libertarians, even when these identifications are an all-consuming obsession as often enough they are. Identity politics suggests a political orientation built around a (pre-existing) social identity. This seems to imply that the identity comes before the politics: we begin with identities whose shape and character are, or at least could be, pre-political and then we opt to get political about them.

Stated this way it’s clear what the argumentative next move is. Of course this can’t be right; the identities don’t precede the politics, they are a product of politics, social identities are inherently and irreducibly political, existence precedes essence, the personal is political, is always already political, [insert your favorite postmodern, critical, existentialist or phenomenological catch phrase here]. And hence it can’t be right to single out “identity politics” for scrutiny; in fact, the whole category must be abandoned, we should bludgeon, jail or at least chastise and mercilessly ridicule anyone who ever uses the term again, etc., etc., blah, blah.

But if the foregoing somewhat predictable defense (or critique of critiques) of identity politics is right, then the politics surrounding the canonical identities are no different than any other type of politics. They are not presumptively any more or less suspect. Racial, gender or sexual identity politics don’t deserve especially intensive scrutiny, but they don’t get a free pass either. This would suggest that claims made on behalf of canonical identities or members of canonical identity groups are just political claims, like claims made on behalf of labor unions or gun owners or oil companies: Gay marriage isn’t necessarily weightier than the Family Medical Leave Act; Title VII is just another regulation of the market for labor, like the NLRA or ERISA.

Deep breath: What if, to abuse W.E.B. DuBois, the problem of the twenty-first century isn’t the color line? What if, apologies to Gunnar Myrdal, racism is not the American Dilemma? Maybe pornography isn’t sexual domination triple-distilled for purity and flattened into celluloid; maybe girls on film aren’t any more potent than a glossy centerfold of the 2006 Mercedes M class or of the foie gras course at Thomas Keller’s new eatery (as the neo-colloquialism “food porn” suggests). If so, maybe it’s time to treat identity politics as politics and give the commonplaces of feminism, anti-racism, multiculturalism and gay rights the same critical attention we give other progressive commonplaces of the late 20th

* George E. Osborne Professor of Law, Stanford Law School.
century, like the hate speech prohibitions or the negative income tax. Of course this doesn’t suggest a repudiation of anti-racism or feminism; it does suggest that we engage identity politics rather than defer to it, and engagement entails critique and at times opposition.

In one sense, my recent work, especially my book, Racial Culture, took this idea as a background working hypothesis: I tried to think and write as someone who hadn’t accepted the presumptions of identity politics; I tried to grapple with identity politics as something I was entitled to evaluate on the merits—as a penitent accepts an article of faith.

An early casualty of the new rules of engagement was a pervasive fantasy in which every project, enterprise, and political cause commonly associated with political “progressivism” coalesces and coheres with every other politically progressive project. In this coherence fantasy the progressive projects are never in conflict with one another and each progressive project is not only complimentary to but also necessary to the success of every other. This fantasy inspires, for instance, banners and t-shirt slogans: “Environmentalists Against the War in Iraq” or “Lab Animals are Victims of State Torture.” But it’s probably most common in the context of identity politics. Here’s an example:

The most general statement of our politics … would be that we are actively committed to struggling against racial, sexual, heterosexual, and class oppression, and see as our particular task the development of integrated analysis and practice based upon the fact that the major systems of oppression are interlocking.¹

Perhaps the most striking aspect of this statement is that the interlocking nature of the systems of oppression is taken as a matter of fact on which analysis can be premised rather than as a hypothesis that analysis might explore and test. The coalescence narrative shares with orthodox Marxian social thought the aspiration for total theory (although it scrupulously avoids any suggestion that some of the systems of oppression may be worse than others, some primary and causal and others secondary and epiphenomenal, some the material base and others “mere” superstructure). If all of the major systems of oppression are interlocking, then to truly understand any of them is to understand them all and to attack any of them is necessarily to attack them all.

The coalescence narrative has some advantages in terms of coalition building—if the major systems of oppression are all interlocking then the victims of all of them are natural allies based on self-interest alone. The foxhole solidarity that the coalescence idea inspires is at times a powerful source of altruism and camaraderie. But if the narrative is overstated or wrong (as I suspect), it has some real drawbacks for analysis: it encourages us to collapse issues better considered separately, applying an analysis or strategy well-suited to one issue to others for which it may be poorly suited.

One of the most powerful concepts underlying the coalescence idea has been that of

cultural difference. Because the members of almost any self-conscious social group share some practices, norms, mannerisms, and narratives, all of the canonical social groups of contemporary identity politics can be said to have a distinctive culture. An abstract commitment to cultural difference can join disparate groups in a coalition: organized around the ideal of cultural difference, racial minorities, Native Americans, difference feminists, homosexuals, people with certain disabilities (for instance, there are theories of a culture of the deaf, emergent from the practice of sign language), linguistic minorities, cross dressers, trans-gendered people (a diverse group who in some way blur, multiply or move between the dichotomous gender categories) and a growing number of newly minted identities all coalesce into a unanimous social movement championing “tolerance” and “difference.” (That’s the way the play closes at intermission. In Act Two our comedy turns tragic as the various groups realize that their cultural traditions and normative commitments are often at odds with each other and that many of their substantive goals require, not tolerance for difference, but instead a broad social commitment to a common project and to common norms or the redistribution of scarce social resources, at times to one canonical identity group at the expense of another.)

While writing Racial Cultures, I simply dropped this typically earnest progressive project. Rather than desperately trying to make divergent and disparate ideological commitments compatible, I found myself exploring the conflicts between left political commitments, methods, and aesthetics. I was not interested in reconciling, say, cultural feminism and sexual liberation or black nationalism and the diversity rationale for affirmative action or critical methodologies and rights analysis; instead, I was drawn to press the conflicts to the breaking point; rather than peaceful reconciliation over afternoon tea, I tried to provoke a gloves-off grudge match.

“It’s a thought experiment,” I rationalized; “I don’t have to embrace the idea at the end of the day to find it liberating for now.” But deep down, I knew there’d be no going back.

Who’d want to? It was fun, and how often have you been able to say that about identity politics, all sanctimonious moralism and schoolmarm-ishness? Face it, a serious conversation about race, gender or sexuality (which, unlike race and gender, used to be great fun once upon a time) feels like a trip to the principal’s office. You feel guilty before anyone says a word. You may not know what you did, but you did something, believe you me young lady, or you wouldn’t be here. Perhaps the best part of the critical thought experiment was thumping my nose at stony-faced principals when I thought I was in the right (Didn’t the left once admonish us to “speak truth to power”? How did it become synonymous with spouting pre-scripted political truisms like a catechism?)

The ability to combine left intellectual work and fun made me wonder why it seemed that the right wing was having all the fun recently. It’s not just that they’re winning elections. If anything the causal relationship is the reverse: they’re winning because they’re having fun. When the right is seductive and charismatic, it’s because they’ve somehow captured a spirit of rebelliousness that belies their substantive commitments. Robert Nozick’s project, launched with the smart and startling Anarchy, State and Utopia, to remake
libertarianism as the sexy new radicalism of the post-boom generation has succeeded; meanwhile reactionary Protestantism has replaced the various New Age spiritualities of the 1960s and 1970s as the charismatic irrationalism of our age. Let’s face it: we’re getting our asses kicked in popular culture, and a big part of the reason is that the right, especially the libertarian right, is hip and irreverent whereas the left is too often ponderous and hectoring. They’ve got Howard Stern and Dennis Miller; we’ve got Howard Dean and Michael Kinsley (thank god for Jon Stewart!)

It’s not that conservatives have captured this vital territory so much that we’ve ceded it, trading the edgy, risky strengths of radical experimentalism, intellectual adventurousness and helter skelter rebelliousness for the virtues of the establishment: cautious incrementalism (with one eye always on protecting the desirable aspects of the status quo), scholarly conventionalism and veneration of a halcyon era that is receding into a hazy and romanticized past (the March on Washington! JFK’s American Camelot! The noble defeat that was McGovernism!) In short, the substance may be Henry George and Mary Wollstoncraft, but the style is John Birch and Anita Bryant.

“Fun” and “style” may strike you as frivolous concerns. Inequality is worsening, bigotry is flourishing, rights are being wronged. We must attack these evils with steely and grim determination, right? Well, it strikes me that style isn’t something we can peel away from substance: if “progressives” have adopted the pompous and sanctimonious style of the establishment, it may well be because their substantive commitments are those of an establishment, if not the establishment. It’s not just that certain progressive projects (such as sex harassment law, affirmative action, anti-discrimination law) have been institutionalized—that they’ve become the projects of the state and of state-like mainstream institutions—the problem is that progressives have made defending these institutional victories the preeminent priority, to the exclusion of riskier ventures with potentially big payoffs and in opposition to the spirit of exploration and critique that would allow us to see the creeping cooptations and inherent limitations of the institutionalized progressive projects.

If progressives have adopted the style (and inevitably some of the substance) of conservativism perhaps elements of “the right” have captured some of the substance, along with the style, of progressive politics. As long as I’m guilty of heresy, let me toy with apostasy: we can occasionally learn something from conservatives. Shaking off the constraints of left-liberal dogmatism should mean dropping the sports league approach to politics that dominates the bi-partisan American scene: it’s our team against theirs, every loss for them is a victory for us and vice versa (now we even have team colors, red and blue). Perhaps the most destructive form of identity politics is this bi-polar identification of American ideology: in the cabined imagination of popular politics “left” and “right” become, not reasoned worldviews and normative commitments that are subject to argument and thoughtful revision, but instead (ironically) almost pre-political identifications from which follow detailed dogmas: bundles of logically distinct and unrelated commitments and positions offered, Happy Meal style, as an integrated package (no substitutions, please).

Identity politics of this sort leads us, when confronted with a social conflict, to ask a familiar question: “What’s the politically progressive position on this?” This approach to
social issues betrays a troubling narcissistic displacement: rather than analyze the social issue on its own merits, the political identitarian uses the issue as a way to assert his own persona. At worst, the social stakes of the issue are just a means to the end of his self-image—what matters is what his position on the issue says about him.

This is bullshit. I use the term advisedly: in the brief and savvy pamphlet, *On Bullshit*, the philosopher Harry Frankfurt gives a directly analogous example to illustrate the nature of bullshit (or its close cousin, *humbug*):

Consider a Fourth of July orator, who goes on bombastically about “our great and blessed country, whose founding fathers under divine guidance created a new beginning for mankind.” This is surely humbug… [because] the orator does not really care what his audience thinks about the Founding Fathers, or about the role of the deity in our country’s history, or the like…the orator intends these statements to convey a certain impression of himself…What he cares about is what people think of him. He wants them to think of him as a patriot, as someone who has deep thoughts and feelings about the origins and the mission of our country, who is sensitive to the greatness of our history, whose pride in that history is combined with humility before God, etc.2

Just as Frankfurt’s orator really doesn’t care to educate his audience about national history, the role of providence and so forth, but rather wants to come across as the kind of person who cares about these things, so too when we adopt a position because it is “the progressive position”—the kind of position committed progressives like us would adopt—it’s our *identities* that are driving the politics. Of course we all do this sometimes; but that doesn’t make it a good idea; indeed, I would suggest it is a practice we should confront, resist in ourselves, and punish in others. I admit to enjoying some sadistic pleasure from forcing students to confront obviously ideologically charged questions on which there is no easy way to identify the left- or right-wing position. They squirm, worried that they’ll be caught out as incompleat liberals or conservatives; they look desperately for guidance: what would Karl Rove or Karl Marx do? The moment when someone takes a position and ideology be damned is, I think, the moment where dogma, narcissism and bullshit end and enlightenment, fun, hope and real politics can begin.

This means that the critique of identity politics is not only a critique from the left, it is also in a sense a critique of the left, of the idea of the left as a position one can occupy and that might have pre packaged entailments and encumbrances. This isn’t to say that any truly left position must always undermine its foundations or any such pseudo-postmodernist cant. But it is to suggest that it is in the nature of political identities, camps, teams, and the corresponding bundled ideological commitments to threaten ossification and stasis—conditions that it seems *progressives* much more than *conservatives* need to be worried about. This suggests a challenge and an enormous opportunity; it suggests the possibility of politics as more than a set of struggles and commitments (read: *obligations*); it suggests politics as an exploration, a creative enterprise, and an adventure.

---