

Power of the Powerless – Fighting the Good Fight Against Double Oppression

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Abstract

Double Oppression (DO) is a phenomenon that encompasses the experience of individuals facing intersecting forms of oppression based on various identities, such as race, gender, sexuality, and class. DO arises from the interconnectedness of societal structures and systems of oppression, with racism, sexism, homophobia, transphobia, and poverty being interrelated factors. Individuals who identify with multiple marginalized identities may face compounded forms of oppression, resulting in distinct experiences and social disadvantages. While the legal response to DO is essential, it poses unique challenges due to its intersectional nature. Law may also perpetuate or exacerbate existing forms of oppression.

This paper argues that legal frameworks and policies must consider the specific needs and experiences of affected individuals and groups. Inadequate consideration of intersectionality can result in insufficient legal remedies that fail to address the complexity of intersecting discrimination. Effective legal strategies require a comprehensive approach that acknowledges the distinct experiences of marginalized communities. This includes ensuring access to legal protections and resources, funding legal aid services, promoting community-based legal advocacy, and addressing systemic barriers to legal resources. Collaboration between legal experts and social justice advocates, as well as ongoing engagement with impacted communities, is crucial in developing tailored legal strategies. This paper advocates for a holistic approach that acknowledges the empowerment of marginalized individuals in their resistance against oppression.

Keywords

Double-oppression, systemic barriers, law, marginalized communities, holistic approach

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

Introduction

Double Oppression (DO) is a phenomenon. It encompasses the experience of individuals facing intersecting forms of oppression based on various identities, including race, gender, sexuality, and class. DO emerges due to the interconnectedness of societal structures and systems of oppression. For example, racism and sexism are interrelated, and individuals who identify as both people of color and women may face compounded forms of oppression, such as poverty and other social disadvantages. Similarly, LGBTQ+ individuals from underprivileged backgrounds may face compounded forms of oppression due to the intersection of homophobia, transphobia, racism, and poverty. In recent years, DO has gained attention in social discourse as the activism and awareness have also increased concerning how systemic oppression operates in society (Adamu, 1999; Stuart, 1993; Valdés, 2019; Van Severen, 2021).

The legal response to DO is multifaceted. Law offers and addresses legal frameworks and policies that address the intersecting forms of discrimination and oppression. Nonetheless, DO characteristically intertwined with multiple forms of discrimination, developing effective legal strategies has been constantly challenging (Ajele & McGill, 2020). Any legal framework that does not consider intersectionality fail to offer adequate legal remedies and therefore neglect the distinctive experiences and requirements of the affected individuals and groups. For instance, a legal approach that is successful in addressing racial discrimination may not be as effective in addressing gender-based discrimination and vice versa. Additionally, law is expected to guarantee marginalized communities' access to legal protections and resources. It involves providing funding for legal aid services, developing programs that support community-based legal advocacy, and addressing systemic barriers that impede marginalized communities from accessing legal resources. Thus, the legal response to DO necessitates a comprehensive approach that takes into account the intersectional nature of discrimination and the specific experiences and needs of the affected individuals and groups.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

However, one must acknowledge that the law may not always be effective, and in some instances, it may perpetuate or exacerbate existing forms of oppression. For example, the criminal justice system explores a disproportionate impact on communities of color and can often fuel cycles of poverty and disenfranchisement. Therefore, an effective response to DO requires addressing both legal and systemic barriers that contribute to oppression. This necessitates a commitment to working across multiple sectors and disciplines, engaging in ongoing dialogue with impacted communities, and prioritizing collaboration between legal experts and social justice advocates. Continuous engagement with law and consultation with affected communities is necessary to ensure that legal strategies are tailored to the unique needs and experiences of those most affected. I posit that while individuals facing DO may feel powerless, the power of the powerless lies in their ability to resist and fight against oppression, and the law can play a crucial role in supporting these efforts.

The second part of this essay focuses on a comprehensive review of the concept of DO and the role of law, legal frameworks, and policies that have been utilized to address intersecting forms of discrimination. The third part of the essay highlights specific challenges that arise when attempting to develop effective legal strategies. These include criticisms that legal remedies often focus on individual cases rather than addressing systemic inequalities, the law may be biased towards certain groups and may reinforce existing power structures rather than challenging them, and that the law should not be the sole focus of efforts to address DO but should be complemented by other forms of activism and social change. The fourth part of this essay emphasizes the importance of, and the challenges pertaining to, adopting a holistic approach. The final part is the conclusion.

The Concept of DO and the Role of Law

As a concept, DO originates from feminist theory. Originally sought to comprehend the social, political, and economic inequalities faced by women, DO recognizes that women's experiences are not uniform and are influenced by various intersecting factors, including race, class, sexuality, and disability (Carastathis, 2014; MacKinnon, 1989; Nicholson, 1997). Contemporary DO reflects on intersectionality as a critical component and recognizes how different forms of oppression intersect

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

to create unique experiences of marginalization, and that compounding effect of multiple forms of oppression leads to more severe disadvantage (Van Bussel, 2014). For instance, DO acknowledges that a transgender person of color may encounter discrimination based on their race, gender identity, and sexual orientation, creating a unique and intricate form of marginalization not experienced by cisgender or heterosexual individuals. Similarly, a person who experiences both racism and ableism may encounter significant obstacles in accessing education, employment, and healthcare, thereby exacerbating the negative effects of both forms of oppression.

a) Historical Account of DO

The evolution of DO has undergone several interpretations throughout history. For example, in the United States, the intersection of race and gender oppression is evident since the days of slavery. Black women were subjected to both racial discrimination and gender-based violence, often in ways that were unique to their experiences. For instance, slave women were frequently subjected to sexual assault by their white masters, and their children born from these unions were often treated as property rather than family. During the 1960s civil rights movement, the concept of DO gained wider recognition as Black women activists highlighted how their experiences differed from those of Black men or white women. They pointed out that they faced discrimination based on both their race and gender, which often intersected in complex ways. The Civil Rights Act of 1964 prohibited discrimination based on race, color, religion, sex, or national origin, but many Black women still experienced discrimination based on both their race and gender. Black women activists, such as Fannie Lou Hamer and Ella Baker, played critical roles in the civil rights movement. However, their contributions were often overlooked or undervalued due to their gender. For example, Hamer, who was a leader in the Mississippi Freedom Democratic Party, faced both racial and gender-based discrimination from her male colleagues in the movement. Despite her significant contributions to the movement, she was frequently silenced and excluded from decision-making processes.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

Indigenous women in Canada have endured a lengthy history of oppression, marked by their forced removal from their families and communities to attend residential schools where they were subjected to physical, emotional, and sexual abuse. Such experiences have left an indelible impact on their lives, contributing to the ongoing social, economic, and health disparities they continue to face. They are also disproportionately affected by gender-based violence, with the National Inquiry into Missing and Murdered Indigenous Women and Girls revealing that Indigenous women and girls are 12 times more likely to experience violence than non-Indigenous women. This violence is often rooted in systemic discrimination and poverty, which make Indigenous women particularly susceptible to exploitation and abuse. Moreover, Indigenous women in Canada have faced discrimination based on their identity and culture, which have hindered their well-being. For instance, the Indian Act of 1876 compelled Indigenous women to forfeit their status if they married a non-Indigenous man, which had long-term impacts on Indigenous women and their families, including a loss of cultural identity and heritage. To date, many Indigenous women in Canada still experience discrimination, particularly in accessing basic services and resources such as healthcare and education. This has contributed to continued disparities in health outcomes and educational attainment between Indigenous and non-Indigenous peoples.

Despite efforts by the United States and Canadian governments to address DO, progress has been slow and incomplete. The US government has implemented policies and programs such as affirmative action to combat both racial and gender-based discrimination in employment, housing, and public accommodations. Similarly, Canada has established programs and organizations, such as the Native Women's Association of Canada, to support Indigenous women's health and well-being. However, these measures have often been inadequate, and Black women in the United States and Indigenous women in Canada continue to experience high levels of poverty, violence, and discrimination. In the United States, the Black Lives Matter movement has brought renewed attention to the intersectional experiences of Black women and other women of color. It has emphasized the need for an intersectional approach to social justice, highlighting the ways in which police violence, racism, and sexism intersect.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

b) Criticisms Against DO

Criticism of the concept of DO has been raised on various grounds, with one of the main concerns being that it assumes a fixed and essentialist identity for individuals who experience it (Dube, 1999). This perpetuates harmful stereotypes and fails to account for the diversity within groups, ultimately erasing the experiences of individuals who do not conform to the categories of DO. Therefore, it is essential to exercise caution in employing the DO framework to understand and address the ways in which multiple forms of oppression intersect and impact individuals differently, acknowledging that unique identities and social positions shape these experiences in the context of broader systems of power and inequality.

Critiques of the DO framework highlight its inability to capture the complex, intersecting nature of various forms of oppression (Bartky, 2015), which are shaped by broader systems of power and inequality, such as capitalism, colonialism, and imperialism. Capitalist economic structures, for example, not only perpetuate existing forms of oppression but also create new ones. Exploitative labor practices, including wage theft, unsafe working conditions, and job insecurity, disproportionately affect marginalized groups such as low-wage workers, immigrants, and communities of color. These practices reinforce pre-existing forms of oppression and contribute to the emergence of new ones, such as economic marginalization and financial insecurity (Young, 2014). Moreover, capitalist economic systems concentrate wealth and power in the hands of a privileged few, resulting in the marginalization and exclusion of individuals who do not belong to the dominant economic class, including women, people of color, and LGBTQ+ individuals. Economic inequality exacerbates existing forms of oppression and generates new ones, such as limited access to essential resources and opportunities. Capitalist economic systems perpetuate and reinforce existing forms of oppression by commodifying basic necessities like healthcare, education, and housing. As a result, individuals who cannot afford these necessities or who face discrimination while trying to access them are excluded and marginalized.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

The concept of colonialism and imperialism has been recognized as a system of power and control that perpetuates different forms of oppression through the imposition of dominance over colonized and subjugated peoples. This power dynamic can result in the erasure and suppression of cultural practices, languages, and traditions, as well as the exploitation and marginalization of colonized communities (Nejat & Jamili, 2014). Colonialism and imperialism manifest as one society's control over another through military conquest and political influence, founded on the belief in cultural superiority. Cultural norms and values can be imposed onto the colonized population, leading to a loss of cultural identity and heritage, contributing to the perpetuation of other forms of oppression such as economic exploitation and political marginalization. Additionally, colonized, and subjugated communities can experience oppression through forced labor, land seizures, and resource extraction, leading to environmental degradation and economic marginalization. The imposition of power and control can also create and reinforce other forms of oppression, such as racism, sexism, and heterosexism. Moreover, colonized, and subjugated peoples may be subjected to violence and repression, including torture, imprisonment, and extrajudicial killings.

The interaction and intersection of various forms of oppression are complex and influenced by the social and historical context in which they occur. For example, Black women in the United States experience a unique intersection of race and gender-based discrimination, distinct from that of Black men or white women (Mercer et al., 2015). This particular experience of oppression is referred to as "intersectional oppression" (Remedios & Snyder, 2018) resulting from the legacy of slavery and Jim Crow laws (Feinstein, 2018). In other contexts, the intersection of sexuality and religion may result in distinctive forms of oppression experienced by LGBTQ+ individuals. The impact of the intersection and interaction of different forms of oppression is also reflected in the social movements that arise to challenge them. While some movements focus on specific forms of oppression, such as the civil rights movement in the United States, others, like the feminist

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

movement, aim to address multiple forms of oppression, including gender discrimination and how it intersects with other forms of oppression like race and class.

Critics argue that the concept of intersectionality can create a hierarchy of oppressions, where certain forms of oppression are considered more significant or fundamental than others (Coaston, 2019; Fox, 2016; Nash, 2008). This hierarchy can emerge when specific social categories are viewed as more salient or privileged in society. For example, in a society where whiteness is privileged, individuals facing racism and sexism may be seen as experiencing intersectional oppression, but their experiences of racism may be regarded as more fundamental than their experiences of sexism. Similarly, in a patriarchal society, individuals who encounter homophobia and transphobia may be seen as experiencing intersectional oppression, but their experiences of homophobia may be considered more significant than their experiences of transphobia. This hierarchy may marginalize individuals who face multiple forms of oppression that are not viewed as fundamental or significant, and it can erase particular identities and experiences (Fox, 2016). For instance, individuals who are both queer and disabled may find that their experiences of disability are ignored or minimized in LGBTQ+ spaces that prioritize experiences of homophobia and transphobia or within disability spaces that prioritize experiences of ableism.

c) The Role of Law

The law plays a crucial role not only in mitigating, recognizing, and protecting individuals from discrimination and oppression but also in demanding reasonable accommodations, taking an intersectional approach to analysis, and providing a platform for advocacy and representation. For example, laws that prohibit discrimination on the basis of multiple characteristics not only ensure that individuals are not denied opportunities or subjected to unfair treatment based on any of their protected characteristics, but also acknowledge and account for the complex and intersecting forms of oppression that an individual may experience. Furthermore, laws provide a platform for affirmative action policies that promote anti-oppression by providing opportunities and access to

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

historically marginalized groups. Additionally, the legal system offers possibilities for advocacy and representation, both within and outside the juridical framework. Advocacy groups can use the legal system to challenge discriminatory practices or policies through public interest litigations, where lawyers can provide representation to individuals who have experienced discrimination based on multiple characteristics.

The law serves as a platform for individuals and groups to challenge oppression and promote social justice. It plays a pivotal role in raising public awareness of oppression and empowering individuals and groups to use the law to organize and mobilize their communities around issues that affect them. For instance, Rosa Parks' refusal to give up her seat on a Montgomery, Alabama bus designated for white passengers only in 1955, which led to her subsequent arrest, sparked a boycott of the city's bus system lasting over a year. The boycott ultimately led to a U.S. Supreme Court ruling that declared bus segregation unconstitutional. Similarly, the March on Washington for Jobs and Freedom in 1963, which drew more than 200,000 participants, was instrumental in pushing for the passage of the Civil Rights Act of 1964, outlawing discrimination based on race, color, religion, sex, or national origin. These examples demonstrate how law and advocacy can work together to challenge oppression and promote social justice.

Law regulates social governance by establishing legal frameworks and institutions that govern and regulate social and political interactions in society. This includes establishing guidelines and standards for behavior, defining rights and responsibilities, and providing mechanisms for dispute resolution. Furthermore, social governance promotes social compliance through the promotion of diversity and inclusion, the creation of safe and inclusive spaces, and the encouragement of legal and non-legal actions against oppression. By embracing diverse perspectives and experiences and eliminating bias and discrimination in all its forms, social compliance can help to create a more inclusive and equitable society. Creating safe and inclusive spaces involves fostering environments where individuals and groups feel valued, respected, and empowered to express their identities and experiences without fear of discrimination or marginalization. Such spaces can be established in a variety of contexts, including schools, workplaces, and community organizations. Encouraging

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

legal and non-legal action against oppression recognizes the ways in which DO affects individuals and communities, and involves advocating, educating, and engaging in activism to address these issues.

Law also facilitates cooperation and coordination among marginalized groups through several means, including establishing clear guidelines and regulations that promote fairness and equality, providing a framework for collective action and mobilization, and offering a platform for marginalized voices to be heard. Clear guidelines promote trust and cooperation among marginalized groups, as they know they are protected under the law and can work together to fight discrimination and inequality. The framework for collective action and mobilization organizes common causes and coordinates efforts towards shared goals. Moreover, the platform for marginalized voices fosters a sense of belonging and solidarity, as marginalized groups know that their voices are being heard and their contributions are valued.

Challenges in Implementing Effective Legal Strategies

The task of addressing existing forms of oppression is complex and multifaceted, requiring effective legal strategies to be successful. However, several challenges need to be addressed to develop such strategies. One primary challenge is the lack of legal protection for certain groups who are frequently the targets of oppression, which makes it difficult to challenge discriminatory behavior through legal means. Moreover, oppressive systems and structures are often deeply rooted in society and can be resistant to change, making it challenging to introduce new laws or policies aimed at addressing oppression. Additionally, oppressors may exploit legal loopholes to evade accountability or continue their oppressive behavior. Oppression is often perpetuated by cultural attitudes and beliefs that justify or normalize discriminatory behavior, and changing these attitudes can be a difficult and gradual process (Burns, 2011). The identification and exploration of specific legal challenges related to addressing oppression are of significant importance in understanding the limitations and possibilities of legal strategies for combating oppression. Three specific legal challenges can be identified in this context, and each deserves further consideration.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

Firstly, legal remedies may be criticized for focusing on individual cases rather than addressing systemic inequalities and may not be effective in changing societal attitudes and norms that perpetuate discrimination. Secondly, the law may be biased towards certain groups and may reinforce existing power structures instead of challenging them. Lastly, the law should not be the sole focus of efforts to address DO but should be complemented by other forms of activism and social change.

a) Legal Remedies Focuses on Individual Cases and Not Addressing Systemic Inequalities

Legal systems often prioritize individual cases over systemic inequalities, posing a pertinent legal challenge in addressing oppression. While legal remedies may provide compensation for individual cases of discrimination, they fall short in addressing broader, systemic issues of oppression. Factors such as racism, classism, and ableism contribute to systemic discrimination against marginalized groups in areas such as housing, and legal remedies that focus on individual cases are limited in their ability to address the root causes of oppression. A more effective approach requires legal systems to adopt a comprehensive strategy that recognizes the intersectionality of oppression and addresses the multiple ways in which systems of power and privilege intersect to produce and perpetuate oppression. Such an approach works towards challenging the underlying power structures and norms that sustain oppression rather than just providing individual remedies or punitive measures that offer temporary deterrence to oppressive behavior.

The second legal challenge that hinders the effective addressing of oppression is the limitations of legal frameworks and precedents to recognize and appropriately address the complexities of DO (Morris, 2002). For instance, legal remedies aimed at addressing gender-based discrimination may not fully address discrimination based on other intersecting identities like race, resulting in inadequate protection and remedies for individuals experiencing DO. Legal systems may also be constrained by political or economic interests, limiting their ability to effect systemic change. Political leaders may be reluctant to enact policies challenging the status quo, while economic interests may exert their influence on legal systems to constrain efforts that challenge oppressive

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

power structures. To address DO effectively, legal systems must challenge legal frameworks that do not recognize the complexities of intersecting forms of oppression and promote policies that confront oppressive power structures. Legal systems must also confront political and economic interests that foster oppression and limit their ability to effect systemic change.

Thirdly, legal remedies alone may not be sufficient to challenge the underlying power structures and norms that perpetuate systemic oppression. To effectively address DO, a coordinated effort across various sectors is necessary. Governments can enact policies that challenge systemic inequalities, civil society organizations can mobilize communities to advocate for change, and the private sector can promote diversity and inclusion in their workplaces and supply chains. Legal remedies should be seen as one component of a larger strategy that includes policy advocacy, community mobilization, and education. Policy advocacy allows organizations to challenge laws and policies that perpetuate systemic oppression, while community mobilization can create a groundswell of support for systemic change. A comprehensive approach is essential to effectively address the multiple ways in which systems of power and privilege intersect to produce and perpetuate DO.

b) Biased Law and Reinforcement of Existing Power Structure

The legal system is designed to uphold justice and equality, yet biases in the enactment, application, and interpretation of the law can reinforce existing power structures rather than challenge them. These biases may arise when laws are created by individuals who belong to a particular social or economic group, resulting in laws that reflect their interests and values, rather than those of marginalized groups. Laws created by dominant groups, such as white men, may overlook the experiences and perspectives of those who experience DO, perpetuating systemic inequalities and injustices. Additionally, societal power dynamics and political forces can influence the creation and enforcement of laws, leading to laws that prioritize those in power over those who experience DO. To combat such biases in the legal system, proactive efforts must be made to challenge existing power structures and promote equality and justice for all groups. This

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

includes creating and enforcing laws that recognize and address the experiences and perspectives of marginalized groups, implementing diversity and inclusion initiatives within the legal profession, and promoting the voices and perspectives of marginalized groups in the lawmaking process.

In addition to biases within the legal system, biases among law enforcers can further perpetuate DO (Jones, 2021; Mookherjee & Png, 1995; Wu, 2014). Police officers, judges, and lawyers may have personal biases based on their experiences and beliefs, resulting in disproportionate targeting, arrest, and mistreatment of individuals who experience DO. For instance, a Black trans woman may face increased scrutiny and suspicion compared to a cisgender white woman during police stops and searches. Biases can also affect decision-making in cases involving individuals who experience DO, leading to unequal treatment under the law. Moreover, a lack of diversity within the legal profession can result in ineffective representation for marginalized groups. To address these issues, legal systems must actively work towards addressing bias within the legal profession and the way the law is enforced. This can include providing diversity and inclusion training for legal professionals, ensuring diversity in the representation of perspectives and experiences, and promoting the voices and perspectives of marginalized groups in the lawmaking process. Legal systems must also strive to create laws and policies that address the needs and experiences of those who experience DO, such as laws that protect against discrimination based on race, gender, sexuality, or disability. By doing so, legal systems can promote a more just and equitable society for all, including those who experience DO.

In certain instances, laws themselves may exhibit discriminatory tendencies by restricting the rights of certain groups or denying them the opportunity to participate in certain activities (Choudhry, 2000; Price & Payton, 2017). Such laws have the potential to aggravate existing inequalities and foster oppression. For example, laws prohibiting same-sex marriage or adoption by LGBTQ+ individuals can perpetuate societal discrimination against this community and inhibit

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

their access to the same rights and opportunities as heterosexual individuals. Similarly, laws curbing access to reproductive health services or limiting the availability of contraception can disproportionately affect women and individuals who are assigned female at birth, thereby reinforcing gender-based oppression. These laws can intersect with other forms of oppression, such as racial or economic inequality, further marginalizing certain groups. Discriminatory laws can lead to DO among individuals who experience multiple forms of discrimination, restricting their ability to attain complete equality and access to justice.

The enforcement of laws can also display bias. Law enforcement agencies may concentrate their efforts on specific communities or groups, resulting in disproportionate arrests and convictions, which can have a reinforcing effect on the marginalization of certain groups by the law. Biased law enforcement can further marginalize individuals who already experience multiple forms of discrimination. For instance, law enforcement agencies may disproportionately target communities of color or homeless individuals, leading to higher arrest and conviction rates in these groups. Such biases can intersect with other forms of oppression, such as gender identity or sexual orientation, exacerbating marginalization within these communities. Additionally, biased enforcement can result in a cycle of marginalization, where individuals who have been arrested or convicted encounter additional obstacles in accessing employment, housing, and other resources, thereby reinforcing their oppression. Hence, it is crucial for law enforcement agencies to address biases in their enforcement practices and work towards creating a more equitable and just legal system for all individuals, especially those who experience DO.

c) Law: Sole Focus of Efforts or Complemented by Activism and Social Change?

While the law can be a crucial tool in addressing DO, it is important to acknowledge its limitations in addressing systemic inequalities. Therefore, addressing DO requires efforts that go beyond legal remedies and focus on broader social change.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

In the context of DO, community organizing, policy advocacy, and education can be powerful tools that complement legal efforts and create broader social change. Community organizing can mobilize individuals who experience DO and their allies to build collective power and demand change. This can involve organizing demonstrations, protests, and other forms of direct action to raise awareness about the issues and pressure decision-makers to take action. Policy advocacy can also be effective in addressing DO by pushing for changes at the systemic level. This can include advocating for policy changes that address the root causes of DO, such as poverty, discrimination, and lack of access to resources. For instance, policy changes could include increased funding for affordable housing, expanded access to healthcare, and improved public transportation. Education is another important tool that can raise awareness about the issues faced by individuals who experience DO, challenge stereotypes, promote greater understanding, and build a more inclusive and equitable society. This can involve educating the public, policymakers, and other stakeholders about the root causes of DO, as well as strategies for promoting greater equity and inclusion.

Furthermore, efforts to address DO must involve diverse stakeholders and voices, including those most affected by the issues. This requires actively engaging and centering the perspectives of marginalized communities, grassroots organizations, and individuals with lived experience of DO. Engaging diverse stakeholders and voices can bring a range of perspectives and insights to the table, helping to create a more comprehensive understanding of the issue and its root causes. It can also help build trust and foster collaboration, as individuals feel heard, valued, and included in the process of developing solutions. By working collaboratively and holistically, we can create a more effective and sustainable approach to addressing DO. This includes building partnerships across sectors and communities, engaging in meaningful dialogue and consultation, and ensuring that solutions are informed by the perspectives and needs of those most impacted by DO. Engaging diverse stakeholders and voices can also challenge power imbalances and promote greater equity and inclusion, by creating opportunities for marginalized communities to have a seat at the table and have their voices heard in decision-making processes. Ultimately, involving diverse

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

stakeholders and voices in efforts to address DO can create more inclusive and equitable solutions that better reflect the needs and aspirations of all individuals in society.

Adopting a Holistic Approach Against DO

A holistic approach denotes a comprehensive and interrelated strategy that diligently considers the multifaceted nature of discrimination and marginalization. It strives to identify and rectify the intricate intersections of diverse forms of oppression, encompassing both legal and systemic dimensions (Burnette & Figley, 2016).

a) Positive Outcomes of a Holistic Approach

A holistic approach plays a pivotal role in confronting discriminatory laws that sustain oppression by embracing the intricate and interrelated nature of diverse forms of discrimination. This approach allows for the recognition of how a law or legal framework may discriminate against one or more marginalized communities (De Beco, 2017). Advocacy and legal initiatives aimed at ushering in changes to existing laws or the establishment of new laws that prioritize equity and justice are fundamental to challenging discriminatory laws. Through cooperation with policymakers and legal experts to identify and redress these discriminatory laws, while fervently advocating for changes that acknowledge the diverse experiences and requirements of marginalized communities, a more equitable and just legal system is fostered, safeguarding the rights of all individuals, irrespective of their race, gender, sexual orientation, or other identities (De Beco, 2017). Furthermore, the holistic approach is adept at addressing systemic issues that perpetuate legal obstacles and oppression by taking on institutionalized racism, sexism, and other forms of discrimination, which culminate in unequal treatment within the legal framework. This approach is indispensable for pinpointing and rectifying the root causes of DO and instigating a more extensive societal transformation.

The holistic approach, which embraces the intricate intersectionality of various forms of oppression, equips marginalized communities with the tools to identify and confront deeply

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

ingrained systemic barriers that fuel discrimination and oppression. To achieve this, the approach necessitates the formulation and execution of all-encompassing policies and practices that champion principles of fairness and justice (Friedman & Jillions, 2015). Simultaneously, it necessitates challenging discriminatory policies, practices, and institutional frameworks. This would entail collaborative efforts with policymakers, stakeholders, and the affected communities to pinpoint areas of concern and devise effective strategies for their mitigation. Additionally, the implementation of diversity and inclusion initiatives, such as inclusive training and equitable hiring practices, would contribute to the realization of a more just and inclusive society. The holistic approach would foster alliances between different communities, unifying their efforts to combat systemic barriers collectively. By working in concert, these communities can advance shared interests and combat systemic discrimination and oppression more effectively. This approach acknowledges the interconnectedness of different forms of oppression and highlights that addressing one form of oppression can generate positive reverberations in the fight against other forms of oppression. Thus, the holistic approach stands as a linchpin in promoting social justice and equity throughout society.

The approach aptly recognizes the intricate and interconnected web of various forms of oppression, making it well-suited to address the deep-seated causes of discrimination and oppression. It champions inclusivity, fosters alliances, and culminates in a comprehensive, sustainable solution to the problem at hand. By delving into the root causes of discrimination and oppression, the holistic approach paves the way for more effective and enduring solutions. For instance, when the deficiency of awareness or understanding is pinpointed as the underlying cause of a particular form of discrimination, initiatives involving education and awareness-raising campaigns can be executed to rectify the issue. Conversely, if systemic inequalities are revealed as the root cause, the holistic approach facilitates the implementation of changes in policies, practices, and institutional structures to promote inclusivity and equity. Through addressing the foundational

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

causes of the issue, the holistic approach not only resolves the problem at hand but also ensures that it does not resurface in the future.

Furthermore, the holistic approach underscores the intricate and interrelated nature of various forms of oppression, striving to comprehensively address the multifaceted factors contributing to the issue. Rather than isolating and tackling individual forms of oppression in a siloed manner, the holistic approach endeavors to identify and rectify the underlying causes of all forms of discrimination and oppression. Additionally, the holistic approach acknowledges the differential impacts of various forms of oppression on diverse communities. For example, a policy that discriminates against women may disproportionately affect women of color or LGBTQ+ women (Jefferson et al., 2013). The approach thoughtfully takes into account the distinct consequences of various forms of oppression on different communities and endeavors to rectify these disparities. Furthermore, the holistic approach actively promotes inclusivity by addressing the specific needs of marginalized communities and advancing equity in terms of resource access, education, employment, and other opportunities. It also forges alliances between disparate communities, uniting them to confront systemic barriers, advance shared interests, and collectively challenge discrimination and oppression. Through collaborative efforts, marginalized communities can effectively champion equity, justice, and inclusivity in the realms of policies, practices, and institutional structures.

b) Challenges and Potential Problems

Reaching towards holistic approach is not without its challenges and potential problems. First, a holistic approach to addressing Double Oppression (DO) necessitates a profound understanding of the intricate intersections and interactions of various forms of oppression within an individual's identity. These intersections manifest when different facets of an individual's identity, encompassing elements like race, gender, and sexual orientation, converge to shape distinct

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

experiences of oppression. Yet, attaining a deep comprehension of these intersections is far from straightforward, primarily due to the multifaceted nature of human identity.

The Civil Rights Movement of the 1950s and 1960s offers a poignant illustration of the intricacies inherent in intersecting oppressions. Black women, in particular, confronted a unique and challenging form of oppression due to the convergence of racial and gender-based discrimination. Their experiences were marked by the need to combat both racial and gender biases, giving rise to the concept of "intersectional oppression." This necessitated the recognition of the distinctive hurdles and experiences faced by Black women, setting them apart from Black men or white women. Similarly, within the LGBTQ+ rights movement, individuals may encounter discrimination rooted in both their sexual orientation and gender identity. Transgender individuals, in particular, grapple with distinct challenges resulting from the interplay of their intersecting identities (Hagai et al., 2020). Thus, an understanding of these specific intersections is imperative in developing comprehensive strategies to combat the discrimination and oppression faced by such individuals.

Furthermore, the challenge of understanding intersections extends to the realms of policymaking and legal systems. These systems often focus on specific aspects of identity, such as gender or race, rather than acknowledging the intricate interplay between diverse forms of oppression (Hankivsky & Jordan-Zachery, 2019). This limitation creates gaps in legal protection and remedies, potentially leaving individuals experiencing DO without the comprehensive support they require (Collins et al., 2009).

Second, the endeavor to develop and implement a holistic approach presents a formidable challenge in terms of the substantial resources required, encompassing funding, expertise, and time. To shed light on the financial aspect of this challenge, the data from the U.S. Bureau of Labor Statistics underscores that non-profit organizations dedicated to social advocacy, particularly those focused on addressing various forms of oppression, often heavily rely on donations and grants for

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

their funding (*Fundraisers*, n.d.). This financial reliance on external sources introduces several complexities. First and foremost, it casts a shadow on the financial stability of non-profit organizations. While these organizations may be passionately committed to addressing systemic issues of oppression, they must continually grapple with financial uncertainty, as their budgets fluctuate in response to the ebb and flow of donations and grants. Furthermore, there exists an inequality in access to funding. Well-established organizations with extensive networks and strong track records are more likely to secure substantial donations and grants.

In contrast, smaller or newer organizations, even if brimming with innovative ideas and the potential to drive change, may find themselves struggling to access the resources necessary to realize their vision. The reliance on donations and grants can also lead to an unintended shift in focus. Non-profit organizations may feel compelled to direct their efforts toward short-term projects that can quickly attract donations or grants (Jenkins, 2006). Unfortunately, this emphasis on immediate, tangible outcomes may divert attention from the more intricate, systemic issues that demand sustained, long-term endeavors. Moreover, the dynamics of donor and grant provider influence cannot be overlooked. Some individuals, organizations, or institutions offering financial support may have specific agendas or priorities that they expect the non-profit organizations to adhere to. In this context, non-profits may need to tailor their work to align with these external agendas to secure the funding they require.

The pursuit of holistic approaches underscores the need for expertise across diverse fields, encompassing law, sociology, psychology, and public policy. However, the access to such expertise can be a challenging endeavor, especially for smaller organizations and communities. The associated hurdles become more apparent when considering statistics that reflect disparities in educational attainment, potentially hindering the adoption of holistic approaches. Data from the U.S. National Center for Education Statistics shed light on the educational imbalances faced by minority communities, particularly those with lower socio-economic status (*Status and Trends in the Education of Racial and Ethnic Groups*, n.d.). These imbalances can manifest as limited access to higher education, subsequently affecting the community's capacity to promote a holistic

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

approach. For instance, when a community seeks to concurrently address racial and gender disparities, it ideally requires individuals with expertise in both racial and gender studies. However, these educational disparities can constrain the pool of individuals possessing interdisciplinary knowledge, making it challenging for these communities to access the requisite expertise.

Furthermore, many community advocacy groups at the grassroots level rely on volunteers and community members to drive their efforts. While these volunteers bring passion and dedication, they may not inherently possess the full spectrum of expertise needed to comprehensively address the complexities of double oppression. This constraint is further illuminated by a study conducted by the Corporation for National and Community Service, which found that volunteer-led organizations grapple with limitations in terms of the diversity of expertise they can access.

Third, efforts to challenge systems benefiting from existing power structures are often met with formidable resistance (Täuber & Moughalian, 2022). Similarly, attempting to alter deeply ingrained cultural attitudes and societal norms that perpetuate discrimination proves to be a gradual and formidable endeavor (Moussa, 2011). For instance, in the mid-20th century, African Americans, supported by allies, embarked on a mission to dismantle the systemic racism deeply entrenched in American society. They encountered staunch resistance from white supremacist groups, segregationist governments, and even law enforcement agencies. Despite the Civil Rights Movement's successes in dismantling legal segregation and achieving pivotal legislative milestones like the Civil Rights Act of 1964 and the Voting Rights Act of 1965, systemic racism endured. An example of this enduring issue is the problem of mass incarceration in the United States, which disproportionately affects African Americans. The criminal justice system, in certain instances, has perpetuated racial oppression, as African Americans are incarcerated at significantly higher rates than their white counterparts (Strunk et al., 2017).

Moreover, although legal segregation in schools no longer exists, substantial disparities in resources, funding, and the quality of education persist between predominantly minority and

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

predominantly white schools (Strunk et al., 2017). Coupled with economic inequalities, contemporary events such as high-profile cases of police brutality against African Americans emphasize the enduring, deeply rooted nature of systemic racism within law enforcement institutions. The continued mistreatment of African Americans by some law enforcement agencies underscores the formidable challenges in addressing racial oppression, even within institutions that should be dedicated to protecting and serving all citizens (Strunk et al., 2017).

Similarly, many entrenched power structures and gender norms continue to influence the status of women today, irrespective of the Women's Suffrage Movements achieved remarkable milestones. For instance, gender stereotypes and the objectification of women persist in media and popular culture, contributing to the perpetuation of harmful ideas about women (Murnen & Don, 2012). Moreover, the gender pay gap remains a stark illustration of ongoing gender-based discrimination. Women, particularly women of color, continue to earn less than their male counterparts for equivalent work (Kochhar, 2023). Instances of gender-based violence, encompassing domestic violence and sexual assault, remain pervasive, underscoring how societal norms and established power structures perpetuate violence against women. Likewise, women's reproductive rights, notably access to safe and legal abortion, have remained contentious subjects of ongoing political and legal disputes (Coen-Sanchez et al., 2022; Daigle et al., 2022; Joseph, n.d.; Strebin, 2023).

Fourth, the legal landscape itself is inherently intricate, often failing to comprehensively address the intersectionality of DO. For instance, existing laws may provide protection against discrimination based on individual characteristics, such as sexual orientation or gender identity. However, they may fall short in effectively addressing the distinct challenges confronted by individuals who belong to multiple marginalized groups, such as LGBTQ+ individuals who are also people of color. Similarly, anti-discrimination laws designed to combat gender-based and racial discrimination individually may not offer adequate protection to women of color who experience the combined effects of these oppressive forces. In such cases, the law may lack the breadth necessary to provide all-encompassing protection that considers the complex interplay of multiple forms of discrimination.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

Similarly, resistance within the legal system to change or update existing laws and policies in order to address the complexities of DO presents a formidable challenge (Aljumah, 2022). This resistance significantly impacts both the creation of new laws that support a holistic approach and the enforcement of existing laws. For instance, the recognition of same-sex marriage in various countries and states has been met with legal challenges stemming from resistance to traditionalist viewpoints. In the United States, the path to legalizing same-sex marriage was marked by decades of activism, litigation, and shifts in public opinion as it sought to overturn laws restricting marriage to opposite-sex couples. Even after the Supreme Court's landmark ruling in favor of marriage equality in 2015, various entities, including county clerks and businesses, resisted compliance with the law on religious or personal grounds (Fradella, 2023; Robinson & Frost, 2023; Wang et al., 2022).

Similarly, efforts to address systemic racism and police brutality have encountered resistance within various legal systems. The Black Lives Matter movement, ignited by instances of African Americans being killed by law enforcement, called for extensive reforms in policing practices and policies (Legal-Miller, 2022). Despite widespread protests and advocacy, the implementation of meaningful changes in policing and the eradication of racial profiling has faced pushback from certain law enforcement agencies, unions, and political leaders who staunchly oppose altering existing practices (Boudreau et al., 2022). These examples underscore the challenges of introducing legal reforms that are integral to a holistic approach against DO and the persistent resistance that such changes encounter.

Conclusion

Fighting against DO is a crucial aspect of promoting equity, justice, and inclusivity in society. A holistic approach towards addressing the underlying causes of discrimination and oppression, as well as promoting inclusivity, building alliances, and addressing systemic issues, is necessary to achieve long-term change. This also entails comprehending the role of law within the framework of DO. To achieve, raising awareness is not only vital for highlighting the positive outcomes of a

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

holistic approach but also for understanding the critical and intricate aspects that sometimes necessitate a deep comprehension. DO, due to its very nature, involves the convergence of multiple forms of discrimination and oppression. This intersectionality is intricate and often challenging to fully grasp. DO often persists because it is fortified by deeply ingrained societal norms and systems that are resistant to change. These norms may be so deeply entrenched that challenging them requires a profound understanding of their mechanisms and how they intersect with various forms of oppression. Awareness plays a pivotal role in recognizing that changing these norms is a complex process and may encounter resistance from those who benefit from the existing structures.

Being aware of these critical aspects prevents the underestimation of the challenges at hand. When difficulties are not adequately acknowledged, there is a risk of trivializing or oversimplifying the issues. This can lead to inadequate resource allocation, half-hearted efforts, and a lack of commitment to meaningful change. In contrast, individuals and organizations that are aware of the complex challenges that accompany addressing DO are better prepared to engage in informed and realistic advocacy. This understanding prevents over-optimism, which can lead to frustration when progress is slower than expected. Advocates who are well-informed about the obstacles can develop more effective strategies and engage in sustained efforts.

Furthermore, recognizing the complexities of DO fosters more inclusive engagement. When people understand the intricate web of intersecting oppressions, they are more likely to be sensitive to the diverse experiences of marginalized communities. This awareness can lead to more empathetic and inclusive advocacy that respects and addresses the unique challenges faced by various groups. Lastly, awareness of the complex nature of DO challenges reinforces the need for sustained commitment. Change rarely happens quickly, and raising awareness about the long-term nature of the struggle can help maintain momentum even in the face of setbacks. It reminds advocates that persistence is key to overcoming deeply rooted oppressions.

Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

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Muthukumar: Power of the Powerless – Fighting the Good Fight Against Double Oppression

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