

Identity politics

Identity politics refers to political arguments or movements that cater to the interests, perspectives and concerns of social groups identified mainly on the basis of gender, race, ethnicity, religion, sexual orientation, ideology, nationality, cultural preferences, medical conditions, professions or hobbies. The relationship between identity politics and surveillance is multilayered: surveillance is often seen as a specific management of the relative visibilities and visibility asymmetries; also, the advocacy and the implementation of identity politics-driven policies carry a surveillance potential. Special forms of surveillance come up in the context of ethno-racial identity politics concerning the inherently arbitrary nature of official, politico-legal definitions for groups and membership criteria, and the materialization of free choice of identity.

The concept of identity politics

The term identity politics signifies a collection of political projects, including both theory and activism, founded in the shared experiences of injustice, violence, exploitation, marginalization or powerlessness of members of particular social groups, who challenge dominant oppressive regimes and cultural imperialism, and aim for greater self-determination and the reclaiming, redescription, and transformation of stigmatized accounts of group membership. Identity politics are intertwined with various, i.e. feminist, LGBT, disability, nationalist, regional, indigenous rights and post-colonial social justice movements, which may either focus on individual justice aimed at reducing discrimination, group justice concentrating on redistribution and economic empowerment, the recognition of diverse identities, or social dialogue and representation of the group's priorities and perspectives.

Concerns and criticism regarding the relationship between identity politics and surveillance

IC technologies create new venues, fora, tools and strategies for identity politics. Political and social engagement, as well as expressions of identities, once gone digital, are persistent, searchable, valorized and exposed to dataveillance. Socio-technical devices and visibility regimes are also technologies of power, and are, thus, political; increasing opportunities to classify, monitor and cross-check identities. The general criticism concerning identity politics is that mobilization around a single axis tends toward essentialism, as it assumes and implies that gender, race, or other group characteristics are fixed or biologically determined traits and that these features take priority in representing the self. Also, identity politics have been criticized for describing and dictating a selective and reductive self-understanding group members should have. This effect is increased and reiterated by surveillance identification regimes that are crucial in creating inclusionary or exclusionary features for identity documentation and in the process of moving from self-identification to constituting and directly confirming identities via data matching or biometrical technologies, thus reducing personhood and the complexity of personal identity structures.

Legislation and government policies for preferential treatment, minority rights, targeted anti-discrimination measures (as well as anti-hate crime and hate speech legislation) presuppose identification, classification and surveillance – which also creates a potential for abuse. The Holocaust, the Rwanda genocide, forced population transfers were all administered by relying on easily accessible official registries containing data on religious and ethno-national affiliation. In dataveillance societies parents' choices in religious education in schools may create lists open for potential profiling, and engagement in activism may also lead to

discrimination, such as for example in the case of persons associated with HIV/AIDS by employers, insurance companies or resident communities.

Data protection regimes usually prohibit the collection and processing of information pertaining to personality traits (such as race, ethnicity, religion, political opinion, etc.) that habitually serve as a basis for identity politics, but this shield disappears once these features actually become parts of policies implementing preferential treatment or specialized protection, as these either constitute *ex lege* exceptions from privacy or require some form of initial consent from the individual.

Surveillance in the context of ethno-racial minority protection

Surveillance is inevitable in the context of ethno-racial minority protection, since all such legal mechanisms need to institutionalize some kind of a definition for the targeted groups, and/or membership requirements within the community to be effective. The failure to do so allows for the abuse by persons not having the targeted characteristic, and enables state officials to refrain from applying the protective measures by claiming that they cannot identify the lawful recipients. Also, tax payers arguably have a right to properly identify the beneficiaries of affirmative action and minority rights regimes because of the budgetary burdens of these policies.

Ethno-national identity can be defined in several ways: through self-identification; by other members or elected, appointed representatives of the group; by outsiders, through the perception of the majority; or by outsiders, but using “objective “ criteria, such as names, residence, etc. When it comes to choosing legal or policy means to identify community membership, usually the following methods are used: for hate crimes and discrimination, the perception of the majority and the perpetrators is taken into consideration; in political representation, the perception of the minority community is in the center; and in preferential treatment (remedial measures and affirmative action), self- identification along with community identification or endorsement are the key features. In regards of social policy, anonymized ethnic data is a useful source for planning measures for socially excluded ethnic groups. Under international law, states are explicitly obliged to establish some criteria for group membership in order to do draft affirmative action and ethnicity-based social inclusion policies, and to effectively combat discrimination or bias crimes. In models used for indigenous or aboriginal communities, rigid membership requirements are set forth, where the state either provides strict administrative definitions using some kind of objective criteria, or officially endorses tribal norms. The European model for national minorities usually refrains from creating strict legal definitions for membership. In most cases, a formalized declaration suffices, with occasional additional objective requirements, such as proven ancestry (supported by some sort of official documents) or the proven knowledge of the minority language.

A related question concerns the individual’s freedom to choose from among the institutionalized (administratively recognized) identity clusters. Under international law the right to free choice of identity as a *sui generis* right does not exist. Its core does entail the following: states cannot create mandatory ethno-racial or national classifications; cannot deny the right of individuals not to affiliate involuntarily with any given group – most of all for statistical and census-purposes –; cannot forcefully assimilate individuals into the majority; and insofar as individuals do not wish to make use of minority rights or preferential treatment, the state cannot make arbitrary ethno-racial classifications.

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See also: Agency, Equality, Identity, Religion, Social Justice

Further readings

Amoore, Louise, “Governing by Identity” in Bennett, Colin J., and David Lyon (eds.), *Playing the Identity Card*, Routledge, New York, 2008

Barth, Fredrik (ed) *Ethnic Groups and Boundaries: The Social Organisation of Culture Difference*, Bergen: Universitetsforlaget; London: Allen & Unwin

Brighenti, Andrea, M., *Visibility in Social Theory and Social Research*, Palgrave MacMillan, 2010.

Haggerty, Kevin D., and Minas Samatas, *Surveillance and Democracy*, Routledge, New York, 2010

Pap, Andras L., Overruling Murphy’s law on the free choice of identity and the racial-ethnic-national terminology-triad, In: Kristin Henrard (ed.): *The interrelation between the right to identity of Minorities and their Socio-economic Participation*, Brill, 2012.