

# **Indigenous and Race-Radical Feminist Movements Confronting Necropower in Carceral States**

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## **Dedication**

*To the victims and survivors of both sexual and state violence, to the many shadowboxers whom I know and love who intimately understand that boxing is war but so is life.*

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## Abstract

This dissertation theorizes how Indigenous and race-radical women of color feminist activists—in particular, Black and Indigenous feminists—identify, conceptualize, and resist interlocking forms of interpersonal, sexual, and carceral state violence in white settler societies in Canada and the United States. I argue that the metastasizing carceral state has reconstituted and revived productions of gendered racial citizenship and white supremacy, as well as targeted Indigenous women and women of color for legal elimination and social death. Though largely omitted from the analytic frames of mainstream feminist anti-sexual violence activism, anti-prison abolitionism, anti-police brutality organizing, Indigenous women and women of color are both targets of enforcement and state violence, as well as agents of resistance and theoreticians in our own right.

The purpose of this dissertation is twofold. First, I examine the theoretical insights that Indigenous and race-radical women of color feminists have advanced about state repression and the role of anti-radical, liberal and neoliberal tendencies—namely those perpetuated by mainstream carceral feminisms which advocate for state-driven, pro-criminalization strategies to address gendered and sexualized violence—in sustaining the carceral state. Second, I argue how race-radical, feminist activist-scholarship challenges a liberal politics of recognition and, instead, produces radical, oppositional models of justice, redress and response based in transformative justice feminist praxis. Transformative justice seeks to develop strategies to address intimate, interpersonal, community and structural violence from a political organizing perspective in order to move beyond state-imposed, institutionalized criminal legal and punishment systems.

I situate my research alongside transnational feminist prison studies, critical ethnic studies, Native feminist studies, Black feminist studies, and critical race feminism. To examine the activist-scholarship of girls and women who are at the forefront of developing feminist, anti-violence movements for media justice, transformative justice, and prison abolition, I employ a range of methodologies that include auto-ethnography, case studies, and discourse analysis of media, policy, and social movement texts. I build from the literature to underscore how Indigenous and race-radical women feminist epistemology lays the necessary theoretical and activist groundwork that makes possible a rejection of a liberal politics of recognition and fosters an unwavering commitment to carceral state abolition.

## Résumé

Cette thèse se veut une théorisation des processus par lesquels les activistes féministes Autochtones et femmes de couleur antiraciste-radicales identifient, conceptualisent et résistent aux formes interreliées de violence interpersonnelle, sexuelle et étatique carcérale au sein des sociétés de colons blancs du Canada et des États-Unis. J'argumente que l'état carcéral invasif a reconstitué et revivifié la production de la citoyenneté genrée et racisée et la suprématie blanche, en plus de pousser les femmes Autochtones et les femmes de couleur vers l'élimination légale et la mort sociale. Bien qu'elles soient en grande partie omises des cadres d'analyse de l'activisme féministe de masse anti-violence sexuelle, de l'abolitionnisme antiprison et des mouvements contre la brutalité policière, nous, femmes Autochtones et femmes de couleur, sommes à la fois les cibles de l'application de la loi et de la violence de l'état et les instigatrices de la résistance et des théoriciennes à part entière.

L'objectif de cette thèse est double : d'abord, j'examine les nouvelles connaissances théoriques qui ont été amenées par des féministes Autochtones et femmes de couleur antiraciste-radicales sur la répression étatique et sur le rôle que jouent les tendances antiradicales, libérales et néolibérales (notamment celles perpétuées par le féminisme carcéral de masse, qui promeut des stratégies pro-criminalisation dirigées par l'État pour remédier à la violence sexiste et sexuelle) dans le maintien de l'état carcéral. Deuxièmement, j'argumente que l'érudition antiraciste-radical, féministe activiste vient contrer la politique libérale de la reconnaissance et offre au lieu des modèles radicaux et oppositionnels de justice, de réparation et de riposte qui s'inscrivent dans une pratique féministe de justice transformatrice. La justice transformatrice tend à développer des stratégies pour aborder la violence intime, interpersonnelle, communautaire et structurelle du point de vue de l'organisation politique autonome dans le but de dépasser les systèmes imposés par l'état de criminalisation et de pénitence.

Je situe ma recherche dans une lignée transnationale d'études féministes des prisons, de critical ethnic studies, d'études féministes Autochtones, de Black feminist studies, et de critical race feminism. Afin d'examiner l'érudition activiste des filles et des femmes qui sont aux premiers rangs d'un féminisme en développement, des mouvements antiviolence pour la justice médiatique, pour la justice transformatrice et pour l'abolition des prisons, j'emploie un éventail de méthodologies qui comporte l'auto-ethnographie, l'étude de cas et l'analyse du discours de textes issus des médias, de la loi et des mouvements sociaux. Je me base sur ces textes pour souligner que l'épistémologie des féministes Autochtones et femmes de couleur antiraciste-radicales jette les bases théoriques et activistes nécessaires au rejet de la politique libérale de la reconnaissance et nourrit un engagement sans compromis à l'abolition de l'état carcéral.

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## Chapter 1

### ***Challenging Convictions: Indigenous and Race-Radical Women of Color Feminists***

#### **Theorizing and Resisting the Carceral State**

We cannot live without our lives.

–Banner held by Combahee River Collective members protesting the sexual assault and murder of twelve Black women in the Boston area in the first six months of 1979

In order for us as poor and oppressed people to become a part of a society that is meaningful, the system under which we now exist has to be radically changed. This means that we are going to have to learn to think in radical terms. *I use the term radical in its original meaning—getting down to and understanding the root cause.* It means facing a system that does not lend itself to your needs and devising means by which you change that system. That is easier said than done. But one of the things that has to be faced is, in the process of wanting to change that system, how much have we got to do to find out who we are, where we have come from and where we are going?”

–Ella Baker, “The Black Woman in the Civil Rights Struggle” (quoted in Grant 1998, 230; emphasis added)

*My formal introduction to Indigenous and race-radical women of color feminism was violent, namely due to my own life experience as a survivor of sexual and state violence, my social location as a mixed-race queer woman of color from an urban working-class/working-poor background, and to the wider political conjuncture that was taking place when I was introduced to this activist tradition. Like many poor queer youth of color growing up in the ‘shadow of the prison’ in the 80s and 90s in “Golden Gulag” (Gilmore 2007a) California, feminism—or what I thought at the time was feminism—didn’t speak to me or to anyone else in my hood. It didn’t help me to understand why and how California became comprised overnight of over nine hundred miles of concrete prisons overflowing with the caged bodies of the ‘surplus population’ of young men and women of color victimized by ‘The War on Drugs’ and by other horrors that start with the letter ‘D’: devolution, downsizing, deindustrialization, and dehumanization. What I would later understand to be white, upper- middle-class, hetero “hegemonic feminism” just didn’t do it for me like queer Black and Chicana feminisms and “This Bridge Called My Back” (Moraga and Anzaldúa 1983) feminist praxis would. While “a principled sense of mortal urgency” (Gilmore 2007a, 251) has continued to propel me to act, race-radical women of color feminist thought has continued to teach me to act strategically and tactically, to possess a healthy distrust of easy, instantaneous solutions, and—as sister Audre Lorde reminded us in her poem “A Litany for Survival” (Lorde 1995)—“to speak, remembering, we were never meant to survive.”*

This dissertation theorizes how race-radical women of color feminist activists—in particular, Black and Indigenous feminists—identify, conceptualize, and resist the carceral state and enforcement violence of white settler societies in both Canada and the United States (see Christian 1987, 52). When I speak of state violence throughout this dissertation, I speak more



generally of mass incarceration, militarism, racism, colonialism, and economic exploitation as they operate within white settler societies. And when I speak of enforcement violence, I do so to cover violence and the abuse of authority by the full range of law enforcement agencies that police the national body (Bhattacharjee 2002). According to Sherene Razack, white settler societies are established by Europeans on non-European soil. She elaborates:

Its origins lie in the dispossession and near extermination of Indigenous populations by the conquering Europeans. As it evolves, a white settler society continues to be structured in racial hierarchy. In the national mythologies of such societies, it is believed that white people came first and that it is they who principally developed the land; Aboriginal peoples are presumed to be mostly dead or assimilated. European settlers thus become the original inhabitants and the group most entitled to the fruits of citizenship. A quintessential feature of white settler mythologies is therefore, the disavowal of conquest, genocide, slavery, and the exploitation of the labour of peoples of color. (Razack 2002a, 1–2)

Razack's explanation of white settler societies both work to locate white supremacy as the fundamental, sustaining principle of North American institutional and everyday life.

White settler societies like the United States have built carceral states that are unprecedented among most countries of the Global North. The War on Drugs initiated during President Richard Nixon's administration, legislatively buttressed by the 1973 passage of the Rockefeller Drug Laws (named after then-governor Nelson Rockefeller of New York City), and made into a full-scale war by Ronald Reagan's presidency (see Larson 2011, 88–90) has been

most influential in the nationwide expansion of the prison population, having a particularly devastating impact on poor women and women of color over the past three decades. Whereas in 1970 there were 5,600 incarcerated women, by June 2001, 161, 200 women were held in US prisons and jails, representing a staggering 2,800 increase (Oparah 2005a, xxvi). The reach of the carceral state extends far beyond the more than one million women currently under the supervision of the criminal justice system—including those women on probation or parole—in the U.S. (The Sentencing Project 2007). Canada is also an avid incarcerator of poor Indigenous and Black women, sharing a pattern of phenomenal growth mirrored in most white settler societies like Australia and South Africa. Between 1997 and 2006 in Canada, the number of women in federal prisons grew by 22% (Canadian Association of Elizabeth Fry Societies, 2006). Like the U.S., the number of women in prison in Canada has increased at nearly double the rate of men since the early 1990s. In 2005, Black women in the U.S. were more than three times as likely as white women to be incarcerated in prison or jail, and Chicana and Latina women 69% more likely (Harrison and Beck 2006). In Canada the Commission on Systemic Racism in the Ontario Criminal Justice System found that Indigenous women were admitted to provincial custody at a rate five times that of white women, and Black women are admitted to provincial custody at a rate almost seven times that of white women (Gittens and Cole 1995).

Mass imprisonment is bluntly reconstituting and revivifying North American productions of gendered racial citizenship and white supremacy, as well as targeting a large and permanent group of Indigenous women and women of color for legal elimination and social death. These women would be, as Lisa Cacho argues, “*ineligible for personhood*—as populations subjected to laws but refused the legal means to contest those laws as well as denied both the political legitimacy and moral credibility necessary to question them” (Cacho 2012, 6; emphasis in the

original). The “metastasizing carceral state” has helped to legitimate a new mode of ‘governing through crime’ that has spread well beyond the criminal justice system to other core institutions (Gottschalk 2008, 237). In North America, the ascendance of the carceral state has coincided with neoliberal cuts in welfare, public health provision, and social services and increased state policing and surveillance of as well as heightened economic insecurity and vulnerability for Indigenous communities and communities of color. As I will argue further in Chapter 5, the intrusive reach of punitive carceral controls into the everyday lives and onto the marked bodies of perpetually criminalized Indigenous women and women of color are transcarceral—forming beyond the permeable walls of prisons—and therefore constitute what I and other race-radical feminist activist-scholars call a transcarceral continuum.

The interlocking interpersonal, sexual, and carceral state violence targeting Indigenous and racialized girls and women in white settler societies is an issue that has rarely been analyzed in dominant, hegemonic feminist explorations of women and violence or heteropatriarchal explorations of prisons and policing. Indigenous and race-radical women, however, have engaged in a sustained critique of such framings that evacuate carceral state violence from any critical analysis of or activist engagement with gendered, sexualized, and racialized violence. The historical legacies and activist genealogies of Indigenous and race-radical women feminists explored throughout this dissertation continue to guide feminist anti-violence activists in strengthening contemporary movements capable of dismantling both race-based and gender-based violence sustained and perpetuated by the carceral state. Consequently, I cannot claim that the analysis I present here is solely my own—the felt theories and critical engagements presented throughout this dissertation are a direct outcome of sustained movement-building in the context

of unmitigated carceral state violence confronted by generations of Indigenous and race-radical women of color feminists.

When I refer to “Indigenous feminist and race-radical feminist women of color” in this dissertation, I do so to reference both girls and women of color and Indigenous girls and women who experience gender-based state and enforcement violence and who identify as women, queer, Two-Spirit, lesbian, bisexual, gender queer or gender non-conforming, whose experiences are generally marginalized by both mainstream (white feminist) anti-violence movements as well as more radical (male-dominant, nationalist or anarchist) movements resisting both interpersonal and state violence. My research works to purposefully disrupt white heteronormative scripts that erase the identities and bodies of non-normative raced and gendered subjects.

In this dissertation I spend time on working beyond the place where girls and women of color and Indigenous girls and women are represented as the abject victimized subjects of the metastasizing carceral state; rather than further pathologizing the survivors of violence, I choose instead to deploy Indigenous feminist and race-radical women of color praxis in order to dissect the abject heart of the carceral state. I am acutely aware that the threat of interlocking forms of violence to our bodies and spirits is extremely brutal and pervasively present; the body count of stigmatized, criminalized, incarcerated, legally eliminated, socially dead, expendable and disposable, sexually violated, tortured, missing and murdered Indigenous girls, girls and women of color, queer and trans youth of color, continues to rise and expand unabated in white settler societies. Instead of framing these over-researched women as solely belonging to deficit, depleted, and damaged communities ravaged by interpersonal, intimate, and institutional violence, however, I aim throughout this dissertation to counter what Eve Tuck (2009) refers to as “damage-centered” narratives and research by showcasing how Indigenous and race-radical

women of color feminists have become organizers rather than merely passive academic research subjects, the clientele of social services, or what Sandrina de Finney refers to as “‘ungrievable bodies’ (Butler 2010 as qtd. in de Finney 2014)—bodies without hope, without capacity, victim bodies, disenfranchised bodies” (2014, 4). Such individualized, medicalized conceptions of harm and trauma place the burden for healing on the shoulders of Indigenous women and women of color while facilitating a settler state agenda of neoliberal economic and political control via the “peaceful” appeasement and violent elimination of decolonial movements (de Finney 2014, 4; Million 2013). Unlike the mainstream feminist anti-violence movement, the movements explored throughout this dissertation demand and expect nothing short of an anti-racist, feminist, and decolonial politics of accountability. For these reasons, I aim to celebrate the theoretical and activist work that Indigenous feminist and race-radical feminist women of color do to manifest and practice a radically oppositional politic that contests the carceral state and classic liberal, now neoliberal universal law.

My analysis of state and enforcement violence enables an exploration of the ways that girls and women of color are assaulted, manipulated, not protected, and hyper-criminalized by institutions and the individuals who speak/act on their behalf, and of the development of corresponding Indigenous and race radical feminist praxis. As I argue throughout my work, it is long past time that feminist anti-sexual violence activism, anti-prison abolitionism, anti-police brutality organizing integrate and address the particular experiences of girls and women of color—not just as mothers, partners, and children of men of color targeted by systemic state violence and the criminal legal and punishment systems, but as both targets of state and enforcement violence, as well as agents of resistance and theoreticians in our own right.

This dissertation examines the theoretical insights that Indigenous and race-radical women of color feminists have advanced about state repression, the counter-revolutionary state, and the role of anti-radical, liberal and neoliberal tendencies—namely those perpetuated by carceral feminisms—in sustaining the carceral state. I explore how race-radical, feminist activist-scholarship and movement-building challenges a liberal politics of recognition and, instead, produces radical, oppositional models of justice, redress and response based in frameworks of decolonial praxis and mutual accountability.

Race-radical and revolutionary women of color feminisms explicitly challenge liberalism as expressed by dominant liberal feminism and official liberal multiculturalism that have explained (away) the racialized and gendered violence inherent in carceral states. Despite ideological fluidity and border crossings between and within liberal, radical and revolutionary women of color feminisms, one can make some valid and useful generalizations. Liberal Indigenous women of color feminisms accept the legitimacy of corporate state institutional and police power, but posit the need for humanistic legal reform while radical Indigenous women of color feminisms view oppression as stemming from capitalism, white supremacy, colonialism, heteropatriarchy, and the neoliberal corporate and carceral state that reinforces all forms of subjection. Those revolutionary feminisms explicitly challenge the carceral, settler state itself, not just by protesting its violent excesses—solitary confinement and prison exploitation and torture—but by connecting grounded political theory for radical transformation with political action to abolish capitalism and the nation-state.

As Jodi Melamed argues, robustly materialist and race-radical anti-racisms which originated in the forceful anticolonial and leftist antiracist movements of the 1930s and 1940s “have made visible the continued racialized historical development of capitalism and have

persistently foregrounded antiracist visions incompatible with liberal political solutions to destructively uneven global social-material relations” (Melamed 2011, xvii). Building upon the anti-racist materiality of previous race-radical antiracisms, Black lesbian feminism, and women of color feminism emerged as a social movement in the 1960s, 1970s, and 1980s to contest liberal antiracist terms of difference that have “structured and maintained systems of heteronormativity, political economic normativity, and U.S. national cultural normativity by limiting which social representations of difference have appeared reasonable, possible, or desirable” (Melamed 2011, xvi).

I reference Indigenous race-radical women of color feminism as an analytic to clearly demarcate a radical and revolutionary tradition and standpoint that is separate from, and oppositional to, one that embraces hegemonic feminism and a liberal politics of recognition. The radicalizing potential of Indigenous and race-radical feminism is based on integrative analyses and incisive critiques of heteropatriarchy and racialized and gendered violence within structures of settler colonialism and white supremacy; autonomy from mainstream bourgeois feminism; independence from heteropatriarchal anti-racism; activism that connects with grassroots and non-elite objectives and leadership; movement-building based upon Indigenous politics of decolonization, sovereignty, and nationhood that rejects the givenness of the nation-state system or state-like forms of governance; and a marked distaste for over-relying on corporate philanthropy and liberal rights-and reform-based politics in lieu of confronting corporate power, state authority, and policing.

As Joy James argues, “radical black feminists’ liberation theories address their nemesis: political violence, in both its private and public manifestations; counter-revolutionary state police repression, and a liberal anti-revolutionary discourse that seeks to contain Black feminism by

portraying it as an idealistic maverick” (2000, 249). Black lesbian and radical and revolutionary Black feminist formations arose out of an intersectional analysis of interlocking systems of oppression, including the relations between gender and sex regulation and global capital’s new regimes of exploitation.

As Roderick Ferguson further elaborates, “women of color feminism had to express a politics of negation and difference in which identity was a point of departure since the gendered and sexual regulations of national liberation proved that women of color, in general, and lesbians of color, in particular, could not take comfort in the presumed accommodations of nationalism” (Ferguson 2004, 130). Taking the gender and sexual exclusions of anticolonial, revolutionary, and cultural nationalist social movements and the rise of transnational capital as an economic formation that commodifies third world and immigrant female labor as their starting point, women of color and Black lesbian feminists “gravitated toward culture as a means of formulating a political alternative to heteropatriarchal and nationalist constructions of nonheteronormative racial difference as deviance” (Ferguson 2004, 111). As Ferguson and other contemporary women of color feminist scholars like Grace Kyungwon Hong (2006) and radical Black theorists like Robin D.G. Kelley (2002) have stressed in their work about the materiality of culture, Black feminism and women of color feminisms have reconstructed ideas of culture as a domain for practices of autonomy, cultural production, meaning making, and political activism beyond the nation-state. Even as Indigenous race-radical women of color feminisms disorganized notions of a stable, normative identity and understood coalitions of difference as at once relational and contestatory, their sense of the materiality of culture has allowed both a felt theory and experiential analysis of women’s lives to be the basis of politics. As Cherríe Moraga tellingly wrote about the authors of the seminal anthology that launched the most studied version of



women of color feminism, “This Bridge Called My Back”, “the materialism in this book lives in the flesh of these women” (Moraga and Anzaldúa 1983, xvii).

I pose the following set of questions in this chapter and throughout the dissertation: How have Indigenous and race-radical feminists identified and theorized the legitimized violence of the carceral state? What questions have those identifications and theoretical understandings led activist scholars currently theorizing the carceral state to ask? And what insights have those critiques generated in the activist scholarship on social movements dedicated to anti-racist, feminist anti-violence, Indigenous decolonial, and anti-prison abolitionist praxis? These questions move one beyond introspection or interrogation of texts about violence into urgent conversations that highlight the interlocking nature of interpersonal, sexual, and state violence.

In addition, rather than merely being self- or text-referential, the autobiographical political experiences interwoven throughout this dissertation point to the critical thought of race-radical women of color feminists. These feminists—like those to whom I listened intently to at the first-ever Critical Resistance and INCITE! Women of Color Against Violence conferences held in Northern California in 1998 and 2000 respectively—differentiate between critique of and confrontation with the carceral state and have been largely unsatisfied until the former moves closer to the latter. Critical Resistance (CR) is a national organization dedicated to abolishing mass incarceration and building genuine and durable forms of justice and security. The first CR conference held in 1998 has been credited with the emergence of new CR chapters, antiprison campaigns, and organizations across North America; the popularization of the concept and analysis of the “prison-industrial complex” in white settler societies; and the founding of a broad-based abolitionist movement (The CR10 Publications Collective 2008a; Shigematsu 2011). Drawing from the impetus generated by CR’s activist-scholarship and grassroots

organizing work, INCITE! Women of Color Against Violence was founded in 2000 as “a national activist organization of radical feminists of color advancing a movement to end violence against women of color and their communities through direct action, critical dialogue, and grassroots organizing” (see INCITE! Women of Color Against Violence 2014). Instead of establishing a hierarchical structure that might lead toward cooption, INCITE! members conceptualize it as a movement that emerges out of grassroots struggle. Local INCITE! chapters are generated organically around local issues, but are infused with an analysis that emerges from its conferences and taskforces, the latter focusing on issues ranging from reparations for survivors of Indian boarding and residential schools to violence against queer women of color (see INCITE! Women of Color Against Violence 2006; Sudbury 2003, 136). Ultimately, Indigenous and race-radical feminism demands the abolition of white penal democracy (see James 2007), and the creation of new forms of *non*-nation-state citizenship and *non*-nation-state sovereignty.

Locating these non-nation-state formations and sites of analysis requires a new way of mining various bodies of literature. The methods and scope of what I am calling Indigenous and race-radical women of color feminist epistemology situates my research alongside transnational feminist prison studies (Oparah 2005a, xxvi), critical ethnic studies, Indigenous or Native feminist studies, Black feminist studies, and critical race feminism. These activist forms of scholarship demand nothing less than a fundamental transformation of dominant social structures. Rather than paying close attention to each interdisciplinary field’s discrete modes of inquiry, analytic units, and theoretical approaches, I proceed here and will continue in Chapter 2 by identifying the major theoretical ‘moves’ or interventions made in the literature that help us understand carceral state violence and resistance to it. I mine various bodies of literature that

have demonstrably enabled sophisticated theoretical and activist discussions of the following interlocking social processes: the carceral state and the prison regime; gendered, racialized, sexualized history of state violence; the intersections between intimate and interpersonal violence, community violence, and state violence as it has impacted Indigenous communities and communities of color, in particular girls and women; the creation of differentiated notions of coalition and community formations that challenge single-axis politics based on intersectional subjectivities; and the collective mobilization of emergent social movements that center prison abolitionist praxis, media justice, transformative justice and community accountability. Transformative justice and community accountability are umbrella terms used to define “any strategy to address violence, abuse or harm that creates safety, justice, reparations, and healing without relying on police, prisons,...or any other state systems” (Chen, Dulani, and Piepzna-Samarasinha 2011a, xxiii). I will explore transformative justice and prison abolitionist praxis in greater detail in Chapter 5.

My scholarship identifies the epistemic, analytic, and pedagogical ‘moves’ that have sidestepped an artificial siloing of Indigenous feminist studies, Black feminist studies, and critical race feminisms in order to build and mobilize intersectional frameworks capable of theorizing gendered, racialized violence and resistance to the carceral state. For example, my own working definition of Indigenous and race-radical women of color feminist epistemology emerges from this diverse body of literature as will be discussed in Chapter 2. I now proceed by explaining how this new approach to reading the interdisciplinary literature provides some helpful openings, key conceptualizations, working definitions, and frameworks for the purposes of theorizing the carceral state and abolitionist praxis, feminist anti-violence activism, and movements that reject a liberal politics of recognition. In the following chapter, I continue

building from the literature to underscore how Indigenous and race-radical women of color feminist epistemology lays the necessary theoretical and activist groundwork that makes possible a complete rejection of a liberal politics of recognition and fosters an unwavering commitment to the abolition of the carceral state.

### **Theorizing the Carceral State and Abolitionist Praxis**

As Angela Davis and Gina Dent (2001) argue in their seminal essay “Prison as Border”, the political economy of North American prisons, policing and the punishment industry in the Global North brings the intersections of gender, race, colonialism, and capitalism into sharp focus. The Prison-Industrial Complex (PIC) is defined by Critical Resistance as a “complicated system situated at the intersection of governmental and private interests that uses prisons and policing as a failed ‘solution’ to social, political and economic crisis” (Critical Resistance 2012). The PIC depends upon the oppressive systems of racism, classism, sexism and homophobia operating within white settler societies such as the United States—the world’s largest purveyor of state violence, both militarily and in the scale of its prison system. As Angela Davis and Gina Dent explain:

[W]e continue to find that the prison is itself a border. This analysis has come from prisoners, who name the distinction between the ‘free world’ and the space behind the walls of the prison. This is an important interpretation that undoes the illusions of powerful nation-states on the one hand and the seeming disorganization and chaos of capital’s travels on the other” (Davis and Dent 2001, 1236–1237).

Just as factories and workplaces of transnational corporations discipline the labor of immigrant women of color, the prisons of white settler societies incarcerate disproportionately large numbers of Indigenous men and women, communities of color, racialized immigrants, and noncitizens.

Furthering this analysis which identifies borders and prisons as shaping this moment of global crisis, Ruth Wilson Gilmore argues that prison expansion and mass incarceration of populations deemed surplus or redundant to racial capitalism is the newest iteration of white-supremacist and heteropatriarchal regimes and racism. She defines this as “the state-sanctioned and/or extralegal production and exploitation of group-differentiated vulnerabilities to premature death, in distinct yet densely interconnected political geographies” (Gilmore 2002a, 261). Gilmore’s definition of racism relates closely to postcolonial scholar Achille Mbembe’s conceptualization of necropolitics as politics defined as a “work of death” in that it identifies “who matters and who does not, who is disposable and who is not” based upon race and the logic of racism and colonial domination (2003, 12 & 27). Mbembe argues that meaning of death in necropolitics emerges through interpretations of embodiment: of corpses, of who kills, and of who is targeted for death. As will be further explored in Chapters 3, 4, and 5, in North America, necropower is most visible in the hyper-criminalization, mass incarceration, deportation and liquidation of Indigenous nations and Black communities.

Employing a critical intersectional analysis, race-radical Black feminists like Angela Davis, Assata Shakur, Joy James, Cathy Cohen, Ruth Wilson Gilmore, Beth Richie, and Julia Sudbury (Oparah) have both embraced and critically departed from Michel Foucault’s seminal analysis in *Discipline and Punish* of the ‘birth of the prison’ in order to discuss how the particular formation of the North American carceral state emerges, functions and reproduces

itself. Foucault's "carceral" refers to a network of regimentation and discipline, a prison without walls in turn made up of social networks of surveillance. Since it is, according to Dylan Rodríguez, "the prison regime that possesses and constitutes the state," (Rodríguez 2006, 43) and not the other way around, the analysis of state violence presented by race-radical women of color theorists necessarily centers a race-radical women of color feminist standpoint from which to challenge the expanding, transnational and transcarceral prison regime. The idea of the PIC as a regime, underscores how the cultural and institutional site of prison is no longer a place "outside and apart from our everyday lives, but instead shape[s] and deform[s] our identities, communities, and modes of social interaction" (Rodríguez 2010a, 9).

The metanarrative of Foucault's *Discipline and Punish* has been uniformly contested by Indigenous and race-radical women of color feminists who have critiqued Foucault for universalizing the white, propertied, male body and erasing the spectacle of state-sanctioned racialized and gendered violence targeting Black and Indigenous bodies throughout Africa and the Americas. If the "art of punishing, in the regime of disciplinary power" is designed not to expiate or repress but to 'normalize' (1977, 182–83), as Foucault argues, then one must recognize, as Joy James in turn argues, "that some bodies cannot be normalized no matter how they are disciplined, unless the prevailing social and state structures that figuratively and literally rank bodies disintegrate" (1996, 27). When Foucault reports that "the mechanisms of power" are organized "around the abnormal individual, to brand him and to alter him" (1977, 199–200), he fails to mention how criminality, deviancy, inferiority, insanity, and immorality are biologically inscribed onto the bodies of the poor, nonwhite, non-male, and non-heteronormative. In addition, Foucault's elision of the racialization of bodies and punishment predicts his silence on the racialization and gendering in historical lynching and contemporary policing as well as of

prisons and the death penalty throughout North America. Foucault generalizes here as past phenomena the deadly manifestations of power as well as the visceral spectacles of racist police beatings and deadly carceral state force. Foucault writes, “our society is one not of spectacle, but of surveillance....We are neither in the amphitheater, nor on the stage, but in the panoptic machine....the pomp of sovereignty, the necessarily spectacular manifestations of power, were extinguished one by one in the daily exercise of surveillance” (1977, 7). While Foucault’s carceral refers to a prison without walls which “does not cast the unassimilable into a confused hell” and in turn “saves everything, including what it punishes” (1977, 301)—for racialized and gendered Others, the carceral network refers to “the state’s procedures for discarding the unassimilable into an external inferno of nonexistence” in which “not everything, nor everyone is saved” (James 1996, 34). Most importantly, race-radical feminists have departed from “Foucauldian erasures”, which in arguing that nothing exists outside the carceral, fails to explore the reality of resistance to white supremacist, carceral state violence. As Joy James poignantly writes after discussing the spectacular display of deadly state force used against MOVE—a revolutionary Black organization in Philadelphia which was firebombed by police in 1985—in which eleven people were murdered, four of them children:

Not only those under surveillance but the police themselves believe that blacks have not accepted the state’s “power to punish” with the tolerance that Foucault imagined. Although Foucault seems to suggest that there is little life outside the carceral, the state disagrees, as evident in its distrust of blacks to regulate themselves and in police reliance on symbolic or real threats to discipline black communities. (James 1996, 32)

I now turn to look briefly at those Black and Indigenous anti-prison abolitionist communities who look at political life outside and beyond the carceral to analyze and dismantle racialized state violence and the carceral state.

Poignantly stressing the devastating economic and affective impacts that incarceration has on the children and the communities that incarcerated people leave behind, Ruth Wilson Gilmore explains that prisons, “wear out places by wearing out people, irrespective of whether they have done time” (Gilmore 2007a, 17). In response to the intensity with which the carceral state was locking their children, of all ages, into the criminal punishment system, working-class Black, Chicana and Latina, and Indigenous women have been establishing important grassroots abolitionist collectives and statewide campaigns to challenge the carceral state on a number of fronts, from mandatory minimum three-strikes laws to the siting of new prisons. Gilmore traces how the organization Mothers Reclaiming Our Children (ROC), founded in California in the early 1990s, evolved from being a cooperative self-help group that formed in response to racist police murders of young Black men in deindustrializing South Central Los Angeles “into a pair of political organizations trying to build a powerful movement” to challenge what she calls “domestic militarism” (Gilmore 2007a, 239). Mothers ROC (whose members are known as ‘ROCers’) open up the possibility of identification by “critically deploy[ing] the ideological power of motherhood to challenge the legitimacy” of the changing carceral state and by emphasizing that all prisoners are somebody’s children, and children are not alienable (Gilmore 1999, 27). Neither a non-profit service agency nor a liberal reformist organization, Mothers ROC’s “frontline relation to the state was not that of petitioners for a share of the available social wages, but rather in opposition to the state’s form and purpose with respect to the life chances of the mothers’ family members and those like them” (Gilmore 2007a, 247). By rejecting a liberal



politics of recognition, visibility, and inclusion, this cadre of mothers of color, who first encountered one another in the interstices of the carceral state—waiting rooms, courtrooms, and the information desks of police precincts, detention centers, and prisons—focused on making power through organizational capacity building, political education, coalition building, and direct action driven by “a principled sense of mortal urgency” (Gilmore 2007a, 251).

The new abolitionism of anti-prison movements like that advanced by Mothers (ROC) put into practice a pragmatic intersectional analysis in affinity with that Indigenous and race-radical women of feminism in that abolitionist activists examine how processes of race, class, gender, and sexuality and transnational economic forces aggregate and interlock to create the lived conditions of the everyday under the carceral state. Indigenous and race-radical women of color in white settler societies have created a number of prison abolitionist tools: First, they developed the analytic ability to understand how seemingly disconnected institutions of carceral state violence—citizenship, incapacitation, and punishment, for example—work together to produce and police social difference and to legally consign entire groups of people to precarious futures and premature deaths. Secondly, their organizing points to the centrality of gender politics within antiracist, anticolonial abolitionist struggles and therefore rejects heteropatriarchal racial nationalism espoused within their own communities. Relatedly and as will be discussed in further detail in Chapter 5, Indigenous and race-radical women of color feminists who are both prison abolitionists and anti-domestic and -sexual violence activists have built a strong critique of how the mainstream U.S. feminist and anti-violence movements have been complicit in building up the carceral state (See Bumiller 2008; Collective 2008a; Gottschalk 2006; Richie 2012; Smith 2005a). Lastly, because PIC abolition is both a practical organizing tool and a long-term goal, Indigenous and race-radical women of color feminists have also crafted and honed

inclusive organizing strategies and tactics capable of challenging both racialized gendered violence and systemic carceral state violence waged against Indigenous girls and women, communities of color, and trans people of color.

Dylan Rodríguez argues that the primary task for decolonial, liberatory movements today is developing analytical, conceptual, and practical tools that work against “the *a priori* notion that prisons and policing serve necessary, peace-and-safety making, and ‘good’ social functions that are somehow separable or recuperable from their historical primacy to socioeconomic/class repression, American apartheid, racial slavery, indigenous land displacement and cultural genocide, and white supremacist colonization” (Rodríguez 2010a, 9). Because the PIC is not an isolated system, abolition is a necessarily expansive and broad project that articulates with the “holistic anti-violence agendas” engendered most centrally by Indigenous and race-radical women of color feminists (Sudbury 2003). As Angela Davis (Davis 2003) demonstrates, an PIC abolitionist project is a positive rather than a negative or reactive project; the way out is not to simply keep pushing back against carceral state policies of social control and criminalization that contribute to violence but rather to proactively build grassroots antiviolence mobilizations. Building upon this analysis, Andrea Smith argues, prison abolition is “not simply about tearing down prison walls, but it’s about building alternative formations that actually protect people from violence, that crowd out the criminalization regime” (The CR10 Publications Collective 2008a, 5). Relatedly, Fred Moten and Stefano Harney offer the following musings on prison abolition: “What is, so to speak, the object of abolition? Not so much the abolition of prisons but the abolition of a society that could have prisons, that could have slavery, that could have the wage, and therefore not abolition as the elimination of anything but abolition as the founding of a new society” (2004, 114). In summary, PIC abolition is a political vision with the goal of

eliminating imprisonment, policing, and surveillance—and the ideological structures of white supremacist capitalist heteropatriarchy that shape institutional violence—and creating lasting alternatives to the nation-state, nation-state citizenship, militarized policing, mass incarceration, and border fortification. I now turn to another discussion of mortal urgency in which I analyze how Indigenous and race-radical women of color feminists have underscored how racialized, gendered, and sexualized violence intersect to build up and sustain the carceral state.

### **Racialized, Gendered, and Sexualized Violence in Carceral States**

Race-radical women of color feminists and PIC abolitionists have been at the forefront of analyzing how white supremacist settler state violence depends on heterosexism and heteronormativity and of the deep imbrication of race, gender, class, and sexuality within the colonial world order. María Lugones offers a framework for examining heterosexism as a key part of how gender fuses with race in the operation of colonial power and as “consistently perverse when violently exercised across the colonial/modern gender system” so as to serve “global, Eurocentered, capitalist domination/exploitation” (Lugones 2007, 187 & 196). As Lugones states:

It is part of their history that only white bourgeois women have consistently counted as women so described in the West. Women racialized as inferior were not just their subordinates. They were also understood to be animals in a sense that went further than the identification of white women with nature, infants, and small animals. They were understood as animals in the deep sense of “without

gender,” sexually marked as female, but without the characteristics of femininity.

(2007, 202–203)

Because they were marked as “not *real* women”, the genocide, rape, sexual and labor exploitation of Indigenous and Black women and ‘two spirited’ people by European colonizers was normalized within white settler societies. As Ann Stoler observed, “bourgeois sexuality and racialized sexuality...[are not] distinct kinds...but dependent constructs in a unified field” in which a “hygienic” middle-class domesticity is a result of its positioning against its definitions of the “raced” Native and the chaos of those who are of uncertain category and “blood” (Stoler 1995, 97). A key example of how these middle-class sensibilities were created and sustained under colonialism was the role of racialized women in the early carceral state. When Black and Indigenous women were imprisoned in reformatories, work houses, residential boarding schools, and prisons throughout the late nineteenth and early twentieth century, they were disproportionately segregated from white women and sentenced to men’s prisons to endure the convict lease system unmitigated by the feminization of punishment. As Angela Davis explains: “feminized modes of punishment—the cottage system, domestic training, and so on—were ideologically to reform white women, relegating women of color in large parts to the realm of public punishment that made no pretense of offering them femininity” (Davis 2003, 72). The history of gendered, racialized, and sexualized domination of Indigenous and Black women on the plantation, on reservations, and in prisons is critical to understanding the intersection of carceral state punishment and racialized gendered violence in contemporary white settler societies.

Gendered and sexualized violence are tools by which certain peoples become marked as inherently “rapable” and are then violated through direct sexual assault and a wide variety of

state policies; from environmental racism to sterilization abuse (A. Smith 2005, 3). “Rapable” refers to the extent to which a person's rape “counts” or is considered a legitimate—therefore punishable—act of sexual violation (A. Smith 2005). The rapability of Indigenous women and Black women under current law is continuous with the rapability of Black women under chattel slavery and Indigenous women during colonial genocide (D. E. Roberts 1997; A. Smith 2005). As Smith argues, “it is through sexual violence that a colonizing group attempts to render a colonized peoples as inherently rapable, their lands inherently invadable, and their resources inherently extractable” (A. Smith 2008, 312). The colonization of Indigenous women and enslavement of Black women has therefore been pivotal in instilling heteropatriarchal logics in white, Indigenous, and Black communities, upholding white male ownership of white women, and securing white settler ownership of the nation. As Tiffany Jeannette King states in her study about Black female gender formation at the intersection of slavery and settler colonialism, “both the Slave Master’s need for bodies and the Settler’s need for space required the production of the Black female slave body as a unit of unending property” (King 2013, i). Unfettered sexual access to Indigenous and Black women’s bodies have been materially and symbolically essential to the space making and space clearing practices of settler colonial power throughout North America (see King 2013).

At the intersection of slavery and white settler colonialism, Indigenous men and Black men—who have also been targets of violent sexual domination—have themselves internalized violence and become complicit with the violent sexual domination of colonized women of color. Although Indigenous men and men of color have also been subjected to systematic racialized gender violence, sexual/domestic violence as Andrea Smith argues, does not affect Indigenous men and Indigenous women or Indigenous women and white women in the same way. Smith

states, “When a Native woman suffers abuse, this abuse is an attack on her identity as Native. This explains why in my experience as a rape crisis counselor, every Native survivor I ever counseled said to me at one point, ‘I wish I was no longer Indian’” (A. Smith 2005, 8). As this narrative powerfully demonstrates, the ultimate goal of heteropatriarchy, gender and sexual violence—the primary tools of colonialism and white supremacy—is not just to kill colonized peoples, but also to destroy their sense of being as a people (A. Smith 2005).

The ongoing sexual violations of Black and Indigenous women demonstrate the colonial desire to control racialized women’s sexuality and reproductive ability. Just as Indigenous women’s ability to give birth has historically targeted them for genocidal destruction and Black women’s reproductive ability has historically been tied to slavery and labor exploitation, so today colonizers continue their attacks on the reproductive capabilities of Indigenous women and Black women through unsanctioned sterilization, disproportionate rates of child removal, extended prison sentences that separate women from their children, unethical medical experimentation, lack of access to safe abortions, and physically dangerous forms of birth control (D. E. Roberts 1995; 1997; A. Smith 2002; 2005; Washington 2006). In short, history teaches Indigenous and Black women that they are not entitled to even a modicum of bodily integrity.

All along the continuum of violence, from direct physical assaults to the creation of a toxic environment, a race-radical feminist analysis shows that girls and women of color experience rape and sexual abuse in ways that are specific to their position as racialized, gendered, and colonized bodies. Indigenous feminist critiques have been instrumental in theorizing how heteropatriarchy and gendered, racialized, and sexualized violence is constitutive of the US and Canadian nation-states. The tendency of many scholars to separate race from gender politics, as if there were no colonized Indigenous and Black women, inhibits radical anti-

violence and PIC abolitionist activists from developing what Kimberlé Crenshaw (1991) would call an “intersectional” approach to violence. The bodies of Black women and Indigenous women are simultaneously marked by racial, gender, sexual, color, historical, class, and other stigmas; these stigmatized identities and the subsequent oppressions are not hierarchical or additive but are intersectional. Because gender violence ensures the success of the white supremacist colonial project, the issues of colonial, race, and gender oppression are complex, multidimensional, and cannot be separated.

Indigenous and Black women (including trans and two-spirit people of color) are more likely than other groups of women in North America to be victims of domestic violence and sexual assault by men within their own families and communities as well as by law enforcement agents (Richie 1996; A. Smith 2005). These same girls and women of color who have been battered and sexually assaulted over the course of their lifetime are deemed “not *real* women” due to their unconformity to white, middle-class, heteronormative gender roles. The more racialized women and gender nonconforming women deviate from the norm, the more they are targeted as illegitimate and illegal, which partially explains why they are disproportionately overrepresented in federal, state, and provincial prisons throughout North America (Ross 1998; Richie 2012). The most overt manifestation of victim-blaming is the arrest of women of color who are victimized by and coerced into crime by male violence. Beth Richie (1996; 2005) contends that violent victimization itself is often at the root of the criminalization of Black women and queer Black girls materially constitutes their path to prison. Disproportionate numbers of poor Black and Indigenous women are imprisoned, suffering the oppressions and traumas of sexual violence, racism and classism before, during, and after incarceration. As Richie (2012) persuasively argues:

...the legal changes that include zero tolerance and mandatory arrest policies contributed significantly to the number of women being charged with crimes. More subtly, when women fail to cooperate with law enforcement or do not report abuse to authorities, they are held accountable for what happens to them, even though solid evidence has established the reasons why it is quite reasonable that Black women might avoid interactions with protective or service agencies that do not protect them. The ideological and political apparatus of America's prison nation and the pre-conditions that lead to it turn their abuse into blame, and they are left even more vulnerable to violence.

The blame easily morphs into criminalization, the process by which Black women are turned into virtual social outlaws through excessive monitoring, surveillance, limitation of rights and privileges, and ultimately the belief that they are undeserving of help and that the abuse they experience is their fault. (Richie 2012, 122–123)

The connection between the hyper-criminalization and mass incarceration of and the disproportionately high levels of both sexual and enforcement violence targeting both Indigenous and Black girls and women is discussed throughout this dissertation. As race-radical Indigenous and Black feminists have generally argued, any feminist anti-violence or prison abolitionist analysis that does not challenge heteronormativity and heteropatriarchy cannot substantially challenge white settler colonialism and white supremacy.

As evidenced by two anthologies on enforcement violence produced by Indigenous and race-radical women of color (Bhattacharjee and Silliman 2002; INCITE! Women of Color



Against Violence 2006a), the majority of debate and discourse around race-based policing and police violence are to the exclusion of the experiences of Indigenous women and women of color. “Yet women and girls, and particularly women of color,” Andrea Ritchie reminds readers, “are sexually assaulted, raped, brutally strip-searched, beaten, shot, and killed by law enforcement against with alarming frequency, experiencing many of the same forms of law enforcement violence as men of color, as well as gender- and race-specific forms of police misconduct and abuse” (Ritchie 2006, 139). The lynching of Black women and girls in the postbellum era, the use of sexual mutilation and rape during Indigenous massacres by soldiers and mercenaries, and the death of women of color in police custody by means of law enforcement’s measures to discipline and punish is an issue rarely explored in dominant feminist explorations of women and anti-violence organizing or minority nationalist explorations of racism and policing.

My conceptualization of both state violence and enforcement violence includes abuse that women experience while they are in the custody of institutions like prisons, hospitals, drug treatment centers, and schools as well as abuse by people who are in positions of authority in public governmental agencies that women are required to engage with or depend on, including police brutality and sexual manipulation by public assistance workers and other employees of public institutions who, because of their formal role, wield tremendous power over women’s precarious lives. In addition, such a conceptualization of the context of the state also includes the structural harm resulting from neoliberal public policy, such as decisions made at the federal level that disadvantage women in such a way that they cannot get help when they are harmed. Lastly, it also includes the rules and regulations that strip the authority and self-determination of girls and women of color, leaving them reliant on hostile or ineffective state agencies.

The seminal research, writing, and activism undertaken by race-radical Black and Indigenous feminist scholar-activists have advanced important insights into the relationship between systematic racialized gendered violence and white settler colonialism. The complicity of the state in perpetuating radicalized gendered violence in Indigenous and Black communities through genocide, slavery, prisons, and border patrols is well documented by race-radical feminist scholars (Bhattacharjee and Silliman 2002; Davis 1983; Díaz-Cotto 2006; Ross 1998; A. Smith 2005). These race-radical women of color feminists have served as “radical bridge builders” between a multiplicity of social movements, such as the antiwar, prison abolitionist, political prisoner, police brutality, racial profiling, and domestic violence and sexual assault movements (Sudbury 2003, 135). Their activist praxis points to the manner in which the work to dismantle the carceral state will advance the feminist anti-violence agenda in fundamental and critical ways. Chapter 2 bridges this inter-movement praxis work with a discussion that outlines how the creation of Indigenous and race-radical women of color feminist epistemologies simultaneously has led to the creation of differentiated notions of coalition and community activist formations that challenge single-axis politics based on intersectional subjectivities.

In the next section, I briefly explore how Indigenous and race-radical women of color feminists are not arguing for human rights as envisioned by Western humanism and universalism, which have historically privileged “free” white men and women, but for a politics that calls for collective self-recognition (see Coulthard 2007) and a “turning away” from the carceral state.

### **Beyond a Liberal Politics of Recognition**

Throughout this dissertation, I want to draw attention to Indigenous feminist and women of color feminist social movements and cultural productions that have demonstrated a clear understanding of the operations of state power and ‘the power of the normative’ and whose analyses have foregrounded questions of white supremacist, heteropatriarchal state violence, colonization, economic imperialism, and territorial sovereignty as central to radical transformation and liberationist movements. Instead of accepting the central contradiction of contemporary neoliberal societies that link social emancipation (civil and human rights policies and discourses) to legitimate state violence—what Chandan Reddy has termed “freedom with violence” (Reddy 2011, 37), Indigenous feminist and race-radical women color feminist praxis has historically pointed a way forward in order to undo the persistent, stubborn binding of freedom to violence in order to create a freedom from violence. Liberal and progressive feminists alike appeal to and address the state as if it were self-evidently democratic while permanently criminalized, racialized and gendered others know ‘Other-wise’.

If we stubbornly subscribe to the myth that Canada and the United States were founded on democratic principles, what are we to do with the fact that, as Luana Ross (Ross 1998, 15) notes, genocide has never been against the law in North America? On the contrary, Native genocide has been expressly sanctioned as *the law*. As Sandy Grande states:

The United States is a nation defined by its original sin: the genocide of American Indians...American Indian tribes are viewed as an inherent threat to the nation, poised to expose the great lies of U.S. democracy: that we are a nation of laws and not random power; that we are guided by reason and not faith; that we are governed by representation and not executive order; and finally, that we stand as a self-determined citizenry and not a kingdom of blood or aristocracy...From the

perspective of American Indians, “democracy” has been wielded with impunity as the first and most virulent weapon of mass destruction. (Grande 2004, 31–32)

From this perspective so aptly demonstrated by activist-scholars like Sandy Grande, Joy James, and Andrea Smith—the state has *always* operated through sovereign power exacted through racial, gender, and settler colonial violence. The project of imagining alternative forms of sovereignty and nationalist struggle outside of the Canadian and US nation-state has been rendered possible by the work of Indigenous and race-radical feminists of color. As Andrea Smith states, “when we do not presume that the United States should or will always continue to exist, we create the space to reflect on what might be more just forms of governance, not only for Native peoples, but for the rest of the world” (A. Smith 2008, 311–312). Indigenous and race-radical feminism provides a critical vantage point for destabilizing normative notions of nations and nation-states as well as disrupting the intimately related liberal, multicultural politics of recognition, visibility, and inclusion. In addition, they privilege models of radical participation within Indigenous-led social movements and women of color organizing groups rather than those driven by representational democracy or a Left-wing, heteropatriarchal, revolutionary vanguard.

The models of these grassroots, volunteer-based collectives and social movements are not just focused on winning a specific political goal, but on creating new communities that model their vision for liberation. In their transformative justice work, for example, they develop short-term strategies for protecting and supporting survivors of racialized gendered and carceral state violence as they organize to end the societal structures that enable violence to happen in the first place. Paula X. Rojas is one of the collective members and co-founders of the Sista II Sista Collective—a group of young women of color in Brooklyn, New York, working to end intimate and state violence against women and girls of color. In her article “Are the Cops in Our Head

and Hearts?” Rojas explores how the people’s struggle for autonomy throughout Latin America can inspire grassroots organizing in the Global North that is not reliant on the carceral state.

Rojas writes:

In these newer movements, such as the Zapatistas in Chiapas or the MTD (Unemployed Workers Movement) in Argentina, though each is very different from the other, the emphasis is on people’s struggle for autonomy, not gathering power to topple the state and take it over. Revolution is about the process of making power and creating autonomous communities that divest from the state. And as these autonomous communities build, they can become large enough to contest state power. (Rojas 2007, 200)

When these groups focus on organizing as part of everyday life—making power instead of taking power (as though the entire political set-up were only a matter of “it” (structure) versus “us” (agency)—the process becomes as important as the final product. Thus, these communities of Indigenous and race-radical women of color feminists seek not just to intervene after violence happens, but to create a world in which violence becomes unimaginable.

### **The Questions, Methods and Narrative Arc of Indigenous and Race-Radical Feminisms**

My research focuses on the activist-scholarship of Indigenous and racialized girls and women who are at the forefront of developing movements for media justice, transformative justice and community accountability, and prison abolition. To examine Indigenous women and women of color activists and their activist-scholarship, strategies, and tactics, I employ a range of methodologies that include auto-ethnography, experimental and documentary film production

(Palacios 2013), and critical discourse analysis of media, policy, and social movement texts. The texts and sources that I use to see and think with in new ways require new reading practices and methodologies. For example, my method of analyzing organizational and movement documents and discourse relies on honouring—versus questioning the authenticity and veracity of—the complex and contradictory iterations of truth telling inherent in activist knowledge production.

*Indigenous and Race-Radical Feminist Movements Confronting Necropower in Carceral States* is guided by multiple sets of interrelated questions that build upon each other. The following set of questions guide the work presented in the second, third, fourth, and fifth chapters: How do we identify and critically, symptomatically, and diagnostically “read” racialized gendered violence, social death, and necropolitics in white settler societies? How does the epistemology and movement-building led by Indigenous and race-radical girls and women help us understand and challenge necropower? How do these “radical bridge builders” (Sudbury 2003) challenge necropolitical representations, discourses, policies, and practices in their engagement with a multiplicity of issue-based movements, namely anti-violence movements centered on prison abolition, community accountability, and transformative justice?

Each chapter introduces different sites of analysis, new discursive strategies and activist vocabularies, and connects theoretical traditions and methods that advance Indigenous and race-radical women of color feminist activist-scholars’ active critiques and direct confrontations with the carceral state. In Chapter 2, I provide a genealogy of Indigenous, queer woman of color feminism in order to denaturalize the present and to provide a historical context and precedent for anti-racist feminist anti-violence coalition- and movement-building. “[Genealogies] are about the insurrection of knowledges” in particular those “subjugated knowledges” that have been marginalized, disciplined and erased by dominant discourses (Foucault 2003, 7–9). This chapter

resurrects particular insurgent knowledges produced by decolonial, anti-racist Indigenous and women of color feminist movements. In addition, I offer an extended meditation on—and critical engagement with—a living lineage of revolutionary praxis and movement aimed at abolishing white democracy and the carceral state. This legacy of struggle has been initiated and driven by Indigenous and Black feminists spanning from the emergence of white settler colonialism and chattel slavery/anti-Black racism to the current political conjuncture of global economic restructuring and the War on Terror.

Chapter 3 examines the news coverage of two high-profile criminal cases that are cited as the cause célèbre for the recent passage of the *Citizen's Arrest and Self-defence Act*. This chapter examines how Canadian productions of gendered racial citizenship are reconstituted and revived by the State in key cases of cross-racial vigilante violence. In mainstream media coverage of these cases, white innocence and middle-class “respectability” are juxtaposed to Black and Indigenous “degeneracy,” reproducing a conceptual framework through which gendered racial violence is rendered legible in Canadian media and legal discourse. In order to “read in between the lines” of mainstream crime news reporting that both blames racialized and gendered Others for the violent acts committed against them and denies them the status of victim and of draconian criminal laws and policies that relegate entire Indigenous and Black communities to social death, I draw upon analytical frameworks advanced by Indigenous and race-radical women of color feminists that enable me to analyze how racialized gendered criminality is (mis)recognized.

Chapter 4 directly builds on the preceding chapter by focusing on how the theoretical interventions and movement building led by Indigenous feminist and race-radical girls and women help us to not only identify and understand but create multiple strategies that dismantle

media necropower and the racialized gendered violence that it mobilizes and sustains. To this end, I explore a number of case studies that demonstrate how Indigenous girls and women as well as young Black trans activists mobilize outlaw vernacular discourses and media justice strategies in response to legal constructions and mainstream news portrayals of interpersonal, sexual, and state violence against Indigenous and Black communities. Following in the footsteps of the radical activist Combahee River Collective which organized against a series of murders targeting Black girls and young women in Boston, the activists whose outlaw discourses and practices I highlight in this chapter, are mobilizing against the multiple ways that racialized and gendered Others are made vulnerable to premature death by carceral state violence and white settler colonialism.

In Chapter 5, I examine how Indigenous and racialized girls and women who have become survivors of intersecting forms of interpersonal, sexual, and structural violence learn to create new transformative justice processes and anti-sexual violence initiatives in Canada and the United States. This chapter reveals how the groups and initiatives that I analyze have rejuvenated the mainstream women's anti-violence movement, re-centered social justice in anti-violence work, and developed alternative models to approaching interpersonal, structural, and state violence against multiply-marginalized girls and women. In particular, this chapter underscores the work of organizations for community accountability and transformative justice—grassroots collectives like The Young Women's Empowerment Project (Chicago) and Sista II Sista (Brooklyn)—who are committed to working with both survivors and perpetrators of violence in order to reduce harm and to create new possibilities for mutual empowerment and social justice. In addition, I demonstrate how these girls' activism and felt theory models an affective economy in stark opposition to that proffered by the carceral state. Ultimately, the project of



transformative justice also demands the abolition of white penal democracy, and the creation of new forms of collective belonging and sovereignty.

And finally, in the concluding sixth chapter dedicated to theorizing incommensurable, impractical, and (often) impossible politics, I engage in a critical reading and analysis of texts by race-radical Black and Indigenous feminists. To theorize the emergence of a radically incommensurable politics, Chapter 6 creates a dialogue with a grassroots organizing pamphlet—produced over thirty years ago—that goes beyond literary insurgency, rhetorical resistance, and mere survival to engage in transformative feminist praxis and speculate about liberation: Combahee River Collective’s pamphlet entitled “Why Did They Die?” (1979) reprinted in the November/December issue of *Radical America*. This multi-genre document is read as a race-radical feminist women of color text or “survival guide for oppositional antiracist culture and politics faced with liberal multiculturalism’s foreclosures” (Melamed 2011, xx). As such, this interdisciplinary, multi-axis organizing tool is placed in conversation alongside contemporary Indigenous feminist movements for sovereignty and decolonization as well as anti-violence movements for transformative justice and prison abolition driven by mostly Black queer and trans feminist of color activists. In this concluding chapter, I ask the following questions: What are the implications of thinking beyond the state and the liberal politics of ‘recognition’ in order to move towards a society based on mutual responsibility and accountability? What would it take to end interpersonal, sexual, and state violence against Indigenous and Black girls and women? What would a new anti-violence movement that does not rely on neither the neoliberal settler state nor the carceral state look like?

Throughout this dissertation, I seek to denaturalize intimate and interpersonal violence by bypassing the popular tendency to treat certain kinds of violence as merely a function of

something pathological that is locatable in an individual and somehow disconnected from social structures. Making narratives of harm and crime unfamiliar means asking different questions and expanding the context in which violence occurs. I do this through reading the symptoms or reading texts symptomatically for what they can tell us about necropolitics and necropower, about the production of social death, and about the foreclosure of empathy for racialized and gendered victims and survivors in white settler societies. In addition, my dissertation allows me to think through the ways in which abolitionist and anti-violence movement participation requires and allows us to move outside of the geographical and psychological boundaries set for us by the neoliberal, white settler state.

My archive is both eclectic and unruly. First, I include auto-ethnographic narratives at the beginning and throughout each chapter. Secondly, I engage in critical discourse and textual analysis of multiple media, including popular culture texts, news, and activist documentation. I rely heavily on alternative and mainstream news media because of its public accessibility, but I also examine a range of other dominant and oppositional texts that participate in the discourses that shape each chapter's case study, such as grassroots movement publications, media justice training curricula, police bulletins, court cases, legal transcripts, policy documents, legislative reports, etc. Lastly, in order to imagine a radical politics that challenges the liberal politics of recognition, in the conclusion, I also conduct comparative analysis of a variety of texts by race-radical Black and Indigenous feminists.

By providing my own oppositional, auto-ethnographic narratives throughout my dissertation, I situate myself centrally within a community of activist-scholars working within critical ethnic studies, critical race theory, Indigenous and critical race feminisms, critical feminist criminology, and most recently, "transnational feminist prison studies" (Oparah 2005a,

xxvi) , and connect this lived experience in the service of anti-violence movement-building. By recognizing and resurrecting the urgent, contingent and temporary nature of the intellectual and activist work undertaken by Indigenous and race-radical feminists of color, it is my hope that this work against state violence becomes ultimately obsolete as the prison walls crumble, existing state forms are transformed, and the racialized *and* gendered “racial caste system” (M. Alexander 2012) upholding both the carceral and settler state are destroyed. Indigenous and race-radical women of color feminism can then strategically reorient and reposition themselves and focus all of their energy on the task of building a new unified anti-violence movement to end both interpersonal and normalizing, state violence; a freedom *from* violence.

Ultimately, I have been speaking here in the overall hope that my critique can find some currency with other race-radical feminist, anti-violence and prison abolitionist activist-scholars who are dealing with the problematic of the embedded liberal ideological apparatus, which holds that the very violence that constitutes social institutions is merely a curable excess. The story that I tell here begs the question, to whom do we run for cover from the nation-state if not ourselves? What would this new political formation that does not rely on the state look like and feel like? Can we actually realize a “freedom from violence”? These are the questions that weigh most heavily on my mind and throughout this project.

## Chapter 2

### *Transferring and Going Underground:*

#### **Indigenous and Race-Radical Women of Color Feminist Epistemologies**

*In 1994, on the heels of the passage of ‘Three Strikes’ and my own brief stint in juvenile detention where I met girls scarred for life by the intersections of interpersonal, intimate and state violence, I was fortunately involved in a number of radical youth of color dominant activist groups in San Francisco that were initiated by radical women of color feminists, queers of color, and male of color activists and allies. I remember one particular day after school when I asked Elisha, a queer puertorriqueña who was leading Young Women Empowered for Change if she could help me because I was downright confused about, well, everything. She then introduced me to the upside-down world of heteropatriarchy—a world I already inhabited but didn’t have the language to name. Elisha then proceeded to introduce me to the more motivating, less depressing world of women of color feminism. Skimming her book shelf, she started throwing books down to the floor where I was sitting, propped against the wall behind her. I remember that “Homegirls: A Black Feminist Anthology”, Toni Cade Bambara’s “The Salt Eaters”, Assata Shakur’s and Angela Davis’ autobiographical novels, and Gloria Anzaldúa’s “Borderlands/La Frontera: The New Mestiza” rained down on me like a force field. Absentmindedly, Elisha threw one particular book with such force that it slammed into my face, the sharp edge drawing blood from my cheek. Yes, “This Bridge Called My Back: Writings by Radical Women of Color” (Moraga and Anzaldúa 1983) made me bleed. Perhaps this is the sign I was looking for, I thought as I cringed at all the reading material I committed myself to and the*

*blood that it had caused me to spill. That very night I read Cherrie Moraga's preface which begins with a meditation on the stakes of women of color feminist politics:*

*I can't prepare myself a revolutionary packet that makes no sense when I leave the white suburbs of Watertown, Massachusetts, and take the T-line to Black Roxbury.*

*Take Boston alone, I think to myself and the feminism my so-called sisters have constructed does nothing to help me make the trip from one end of town to another. Leaving Watertown, I board a bus and ride it quietly in my white flesh to Harvard Square, protected by the gold highlights my hair dares to take on, like an insult, in this miserable heat.*

***I transfer and go underground.***

*Julie told me that other day how they stopped her for walking through the suburbs. Can't tell if she's a man or a woman, only know that it's Black moving through that part of town. They won't spot her here, moving underground.*

*The train is abruptly stopped. A white man in jeans and tee shirt breaks into the car I'm in, throws a Black kid up against the door, handcuffs him and carries him away. The train moves on. The day before, a 14-year-old Black boy was shot in the head by a white cop. And the summer is getting hotter.*

*I hear there are some women in this town plotting a lesbian revolution. What does this mean about the boy shot in the head is what I want to know.*

*I am a lesbian. I want a movement that helps me make some sense of the trip  
from Watertown to Roxbury, from white to Black. I love women the entire way,  
beyond a doubt. (Anzaldúa and Moraga 1983, xii–xiv)*

I work from a race-radical feminist epistemological perspective or standpoint. My research centers the organizing of Indigenous women, women of color, and trans people of color who represent the communities most impacted by interlocking forms of interpersonal and state violence. These communities are at the forefront of engendering organic theories about interlocking forms of violence, and of developing community accountability and transformative justice models. This epistemological standpoint is also a call for engaged praxis with the overall goal of political empowerment and social justice. It encompasses several intellectual and political perspectives of women of color whose analyses are shaped by their perspectives as those who must, like Cherrie Moraga, “transfer and go underground” in order to build movements that matter to those most targeted by state violence as well as those who must daily travel within and through dominant institutions as “outsiders within” (Hill Collins 1990, 11–13). These “outsiders within” are other activist scholars marginalized within various institutions (e.g. academia and nonprofit organizations) and movements (e.g. feminist and anti-racist, nationalist movements) whose social locations provide them with a particular oppositional view on self, society, and of the contradictions between the dominant group’s actions and ideologies. For Gloria Anzaldúa, this “outsider within” status imparts to Chicanas like myself who live in the borderlands—a third, hybrid space between cultures and social systems—a “mestiza consciousness” which involves the ability to “see” the socially constructed nature of all social categories, “to break down the subject-object duality that keeps her a prisoner” and to hold

multiple oppositional perspectives while simultaneously maintaining a center that revolves around fighting against concrete material forms of oppression (Anzaldúa 2012, 102).

Locating myself as an “outsider within” academia and an activist-scholar, I aim for my research to challenge exclusionary professional labels that marginalize the knowledge produced by other scholar-activists without formal academic training. As Joy James argues:

In academe, where self/text preoccupation and individualism may marginalize or psychologize these political struggles, conversation deradicalizes as it inbreeds, while the intellectual-interrogator takes precedence over the activist-intellectual. People who resist impoverishment and violence at times seem discouraged by elite academic discourse, the low threshold of political courage it inspires, as well as its truncated visions of radical change (James 1996, 3)

Moving beyond an interrogation of texts or theory that is oblivious to the specificity of people’s daily struggles for a dignified existence free of interpersonal and state violence requires emphasizing and engaging in the works of activist-scholars. “Activist scholarship” is defined by Julia Sudbury (Oparah) and Margo Okazawa-Rey (2009) as the production of knowledge and pedagogical practices through active engagement with, and in the service of, progressive social movements. By using the term activist scholarship, they resist the tendency to separate out the two terms, as if academics carry out activist work “on the side,” outside of their scholarly work. Instead, like Sudbury (Oparah) in her autobiographical essay entitled “Challenging Penal Democracy” (2009), I argue for activist scholarship as a model of active engagement between the academy, prison abolitionist, and anti-violence feminist movements. This call to dedicate oneself to activist scholarship, initiated and sustained by Indigenous race-radical feminist women

of color theorists, is akin to advocating for form of multilingualism; a fluency in activist and scholarly cultures, languages, and worldviews.

I contend that the theorizing of Indigenous and race-radical feminist activist-scholars makes critical and transformative interventions into not only feminist theory, but also into a wide variety of theoretical formations and social movements. Apprehending the significance of women of color feminism, Chela Sandoval writes in *Methodology of the Oppressed*:

The social movement that was “U.S. third world feminism” has yet to be fully understood by social theorists. This social movement developed an original form of historical consciousness, the very structure of which lay outside the conditions of possibility that regulated the praxes of 1960s, 1970s, and 1980s U.S. social movements. U.S. third world feminism...comprised a formulation capable of aligning U.S. movements for social justice not only with each other, but with global movements toward decolonization. (C. Sandoval 2000, 42)

In order to take-up Sandoval’s call to flesh out the complex political and theoretical interventions made by “U.S. third world feminism”, I choose to steer clear of rehashing the well-worn story of how women of color feminism has been marginalized and reductively represented as an ideologically unified movement. To the extent that the activist-scholarship of Indigenous and race-radical feminism is cited, it is often limited to demonstrating the racism of white, middle-class feminism or the heteropatriarchy of minority nationalism. Such rhetorical strategies, in the case of Indigenous feminism as Andrea Smith argues, “limit Native women to a politics of inclusion...which inevitably presumes that feminism is in fact defined by white women” (A. Smith 2008, 309). These rhetorical strategies also work to de-radicalize most of Indigenous and



race-radical women of color feminism's most militant formations—many of which saw Indigenous and Black women organize within and across movements to defend themselves against carceral state violence—such as the Black queer feminist group the Combahee River Collective, which sought explicitly to foster Black female militancy and organize against racialized and gendered violence targeting Black girls and women in the 1970s (Combahee River Collective 1981; See Hanhardt 2013).

I also actively refuse to engage in a periodization of women of color feminism by packaging its singular essence into the so-called first, second or third wave feminisms which situates white middle-class women as the central historical agents to which women of color attach themselves. First, as Andrea Smith reminds us, “if we were to recognize the agency of Indigenous women in an account of feminist history, we might begin with 1492 when Native women collectively resisted colonization” (A. Smith 2013a, 16). Secondly, the complicity of the state in perpetuating gender violence in Black communities through slavery, prisons, and Jim Crow-era lynch mobs has been well demonstrated in both the writings and activism of our “protofeminist ancestors” (James 2002, 41–71) like guerrilla fighter and military strategist Harriet Tubman, abolitionist Maria W. Stewart, anti-lynching crusader Ida B. Wells, and militant civil rights movement and rank-and-file labor organizer Ella Baker; all who pre-shadowed contemporary women of color feminist radicalism before the early 19<sup>th</sup> century (Abdullah 2007; James 2000; 2007a; Wells-Barnett 1997). The historical legacies and activist genealogies of Indigenous and race-radical women feminists continue to guide us in strengthening movements capable of dismantling both the carceral state and the multiple forms of racialized and gendered violence that sustains it.

Since this distinct body of knowledge does not offer a singular or unified feminism, many terms have been used to describe it: for example, Chela Sandoval refers to “U.S. Third World feminisms” (C. Sandoval 2000), while other scholars refer to “multiracial feminism” (Baca Zinn and Thornton Dill 2003), “woman of color feminism” (Hong 2006) or “third space feminism” (Pérez 1999). While conflictual ideologies and divergent practices exist within and across Indigenous, Black lesbian, and women-of-color feminisms, this system of knowledge underscores race as a power system that interacts with other structured inequalities to shape genders. Within white supremacist, heteropatriarchal settler societies, race, and the system of meanings and ideologies which accompany it, is a fundamental organizing principle of social relationships (Omi and Winant 1994). This intersectional analysis of interlocking systems of oppression is a distinguishing feature of women of color feminism (Combahee River Collective 1981; Kimberle Crenshaw 1991). Race-radical women of color analysis not only provides a strong explanation of the multiple dynamics of race, sexuality, gender and class; it also accounts for the various forms of interlocking violence Black and Indigenous women experience and the multiple contexts within which it simultaneously occurs.

Theorizing difference and the simultaneity of oppressions during the 1960s, 1970s, 1980s, and 1990s was a way of naming the manifold outcomes of an unprecedented gender and racial diversity brought on by global capitalism and determining what new strategies for coalition building with third world and immigrant women of color could arise from it. The Combahee River Collective Statement (1981), in particular, demonstrates Black lesbian feminist’s integrative analyses, as well as their concerted move away from struggles for civil rights and national liberation and into a completely different understanding of complex alliances within and across difference: “We are actively committed to struggling against racial, sexual,

heterosexual and class oppression and see as our particular task the development of an integrated analysis and practice based upon the fact that the major systems of oppression are interlocking. The synthesis of these oppressions creates the conditions of our lives” (Combahee River Collective 1981). Combahee’s Black queer feminist manifesto rearticulated a “coalition through difference” to address gender, racial, and sexual dominance as part of capitalism globally and privileged a radical anti-capitalist and anti-imperialist activism that connected with grassroots and non-elite objectives and leadership.

The feminisms created by women of color exhibit a plurality of intellectual and political positions—from liberal, radical, to revolutionary and beyond. My intent is not to falsely universalize women of color feminisms or to promote a new racial essentialism to replace the gender essentialism promoted by hegemonic feminism. In this dissertation, I explicitly name my personal feminist epistemology as that of belonging to Indigenous feminist and race-radical feminist women of color in order to examine the structures and experience produced by interlocking forms of race, class, gender and sexuality. I privilege the conceptual, intellectual, and activist labor of Indigenous and Black feminists, as opposed to white, hegemonic feminisms. Underscoring the anti-racist, anti-colonialist, and anti-capitalist ideologies taken up by race-radical and revolutionary Indigenous and women of color feminists, Chandra Mohanty argues that ‘women of color’ is not an essentialist or biological category, but rather refers to “imagined communities of women with divergent histories and social locations, woven together by the political threads of opposition to forms of domination that are not only pervasive but systematic” (Mohanty, Russo, and Torres 1991, 4). Indeed, as M. Jacqui Alexander and Chandra Talpade Mohanty state, “We are not born women of color. We become women of color” (M. J. Alexander and Mohanty 1997, xiv). We become women of color through a collective determination to

advance national liberation and decolonization—beyond the nation-state—defined not as a metaphor for general social change or racial uplift but as the particular process that brings about Black liberation in tandem with Indigenous resurgence and the repatriation of Indigenous lands and life (Million 2013; L. Simpson 2011; Tuck and Yang 2012). Such a politics of solidarity moves us from an analysis of systems of oppression to action with the urgency that our time of crisis demands. Chandra Mohanty's distinction between, on the one hand, being positioned or situated within systems of oppression (being of/in) and, on the other, positioning or situating oneself in feminist solidarity (being for) helps us to distinguish between passive and active locations. Mohanty explains her own location and self-identification:

I am of the Two-Thirds World in the One-Third World. I am clearly a part of the social minority now, with all of its privileges; however, my political choices, struggles, and vision for change place me alongside the Two-Thirds World. Thus, I am for the Two-Thirds World, but with the privileges of the One-Third World. I speak as a person situated in the One-Third World, but from the space and vision of, and in solidarity with, communities in struggle in the Two-Thirds World.  
(Mohanty 2003, 507)

What is ultimately at stake in Mohanty's edifying distinction is opening up a space to theorize an Indigenous and race-radical women of color feminist subjectivity as it works within race-radical feminist activisms and Indigenous decolonial movements in the streets, on reserves, in prisons, export processing zones, inside and outside the borders of white settler societies.

In brief, I have presented Indigenous and race-radical women of color feminist thought as subjugated knowledge in that both Indigenous and women of color have long struggled to find

alternative locations and methods for articulating our own standpoint. Throughout this chapter, I continue to focus specifically on the women of color feminists who have underscored the conflictive ideologies and divergent practices found within race- and gender-based self-determination-oriented and nationalist social movements of the 1960s, 1970s, and 1980s—and beyond (to encompass contemporary counter-globalization, anti-prison abolitionist, indigenous, labor and migrant justice movements). I now turn my focus to examine the situated, subjugated standpoint of women of color in order to understand Indigenous and race-radical feminist thought as strategic and tactical; a useful tool in resisting the carceral state.

### **Tactical Subjectivities of Indigenous and Race-Radical Women of Color Feminism**

An Indigenous and race-radical woman of color feminist praxis has demonstrated that rights-based struggles that rely on the nation-state are no longer viable. Further, as Grace Kyungwon Hong argues, unlike single-axis forms of organizing, “women of color feminism’s insistence on difference, coalitional politics, and a careful examination of the intersecting processes of race, gender, sexuality, and class, which make singular identifications impossible, displaces a U.S. nationalist subject formation based on homogeneity, equivalence, and identification” (Hong 2006, xvi). For my purposes, what unifies Indigenous and race-radical women of color feminism beyond refusing to engage in a liberal politics of recognition is the ability to see oppression as a “matrix of domination,” (Hill Collins 1990, 222–230) consisting of an interlocking web of race, class, and gender oppression that works simultaneously in the same social structures and the refusal to utilize additive models of oppression rooted in Euro-, Western-centric either/or dichotomies. Beyond asserting that gender is constructed by a range of interlocking inequalities,

a woman of color feminist standpoint also stresses the intersectional nature of all social hierarchies, the relational nature of domination and subordination, as well as “the interplay of social structure and women’s agency” (Baca Zinn and Thornton Dill 2003, 357–358).

Patricia Hill Collins articulates the ground for a Black feminist standpoint, based on the insights of Black feminist intellectual and political traditions. As with all standpoint theories, Hill Collins posits that placing subordinated social groups “in the center of analysis opens up possibilities for a both/and conceptual stance, one in which all groups possess varying amounts of penalty and privilege in one historically created system” (1990, 225) and therefore these “outsiders within” possess a particular insight into the power relations that subordinate them. In rejecting either/or thinking, however, Hill Collins rejects the claim—popular in most Western feminist standpoint theory—that any one social group, particularly Black women and other women of color (because they are presumed to be more oppressed than everyone else due to the persistence of the “Oppression Olympics” (Yuval-Davis 2012), has the best vantage point from which to see the hidden truth about social relations of domination. As Uma Narayan argues in her critique of key components of Western feminist standpoints, “the thesis that oppression may bestow an epistemic advantage and access to greater critical conceptual space should not tempt us in the direction of idealizing or romanticizing oppression and blind us to its real material and psychic deprivations” (Narayan 2003, 317). As Hill Collins clarifies:

Each group speaks from its own standpoint and shares its own partial, situated knowledge. But because each group perceives its own truth as partial, its knowledge is unfinished....Partiality and not universality is the condition of being heard; individuals and groups forwarding knowledge claims without owning their position are deemed less credible than those that do....Dialogue is critical to the

success of this epistemological approach. Nevertheless—resisting power inequities must be addressed ... [and] “decentering” the dominant group is essential. (1990, 236–237)

Given the complexity of oppression, Hill Collins concludes that although Black women and other women of color hold a partial view, such an imperfect and incomplete view of power can still produce valuable, even accurate knowledge of these multiple, intersecting, and interlocking systems. An Indigenous race-radical woman of color feminist standpoint is constituted in and through the politics of continuous interplay between activism and violent repression—what Joy James alludes to as revolutionary Black women’s learned capacity to navigate daily life as if “shadowboxing” (James 2002)—an apt metaphor for the “outsider within” struggle to both “fight the authoritative body casting one off, while simultaneously struggling with internal conflict and contradictions” (James 2000, 255). Militant antiracist feminists in particular have had to negotiate the “internal” opposition of antiradicalism among liberal feminists and antiracists as well as the counter-feminism evident among radicals—all the while fighting carceral state power.

Like Hill Collins does with Black feminism, I stage Indigenous and women of color feminism as process or praxis, rather than as something already existing or accomplished. Race-radical women of color feminism will remain a contradictory, unfinished, and ambiguous political project that rejects final solutions and ideological purity. As Inderpal Grewal and Caren Kaplan argue, feminist movements

must be open to rethinking and self-reflexivity as an ongoing process if we are to avoid creating new orthodoxies that are exclusionary and reifying. The issue of

who counts as a feminist is much less important than creating coalitions based on the practices that different women use in various locations to counter the scattered hegemonies that affect their lives. (Grewal and Kaplan 1994a, 18)

Attentive to Grewal and Kaplan's warning, throughout my research on intergenerational anti-violence movements countering interpersonal and state violence, I stage both Indigenous and women of color feminism as a process or practice, rather than as something already existing or accomplished. I purposefully resist capturing girls and women of color feminism as a *fait accompli*, instead defining it by describing the further coalitional work it inspires. As Joy James writes, "as conditions change, what it means to be revolutionary changes, (therefore the articulation of a final destination for radical or revolutionary Black feminisms remains more of a motivational ideal, and the pronouncement of an arrival at the final destination a depoliticizing mirage)" (James 2000, 244). An Indigenous and race-radical Black feminism encompasses a provisional, future-oriented political project that remains largely fragmented, non-linear, non-teleological, and unfinished.

Herein lies the key to understanding what Chela Sandoval (2000) calls the "tactical subjectivity" of women of color. Sandoval argues that US feminists of color have created a different form of oppositional consciousness, which she calls "the differential form," that resists the absolutism that often produces rigidity and stagnation in social movements (C. Sandoval 2000, 58–63). According to Sandoval, "What U.S. third world feminism thus demanded was a new subjectivity, a political revision that denied any one ideology as the final answer, while instead positing a tactical subjectivity with the capacity to de- and re-center, given the forms of power to be moved" (2000, 59). The differential form of oppositional consciousness utilizes various articulations of truths as tactics practiced through a commitment to resisting violence and



subordination, allowing front-line activists to switch between them as necessary. Building upon Sandoval's argument, Dean Spade observes that the attention paid by women of color feminists to:

resisting absolutism and practicing flexible, thoughtful, reflective, tactical approach to resistance is an enormously useful model for resisting the dangers of institution building and 'state racism'. Women of color feminists have developed resistance practices focused on process, evaluation, consensus, transparency, and a healthy suspicion of universal claims about what constitutes liberation. (Spade 2011, 195)

These values and practices have heavily influenced much contemporary Indigenous and women of color-led anti-violence and prison abolitionist aimed at naming and de-centering normative, state violence. Throughout this dissertation, I aim to demonstrate through various case studies how Sandoval's theorization of Indigenous and race-radical women of color feminist's "differential form of consciousness" combined with intersectional analyses of violence furthered by critical race feminist scholars are taught, engaged with, disseminated, and how these counter-discourses travel and transform within and between academic, activist, and other informal educational and community spaces.

Like Sandoval and Hill Collins, Aída Hurtado theorizes the tactical subjectivity, political socialization and survival skills that Indigenous and race-radical women of color feminists have honed in their daily confrontations with racial and sexual state violence. Hurtado writes:

By the time women of color reach adulthood, we have developed informal political skills to deal with State intervention. The political skills required by feminists of

Color are neither the conventional political skills of the White power structure that White liberal feminists have adopted nor the free-spirited approaches of white radical feminists. Instead, feminists of Color train to be urban guerrillas by doing battle every day with the apparatus of the state. Their tactics are not recorded or published for others to study and are often misunderstood by white middle-class feminists...these fighting capabilities are not codified for women of color to learn.

(Hurtado 1989, 853)

Hurtado's theoretical move locates the daily struggles waged by Indigenous and race-radical women of color feminists to survive within the larger battle of waging "guerrilla warfare" against the "scattered hegemonies" (Grewal and Kaplan 1994b) of unfettered global capitalism, neo-colonialism, and extreme racial and religious fundamentalisms, as well as of the white settler, heteropatriarchal state. Such an analysis is useful to my own theorization of how North American Indigenous feminist and race-radical women of color feminists deploy particular positions, analyses, tactics, multiple subjectivities, and sets of solidarities in order to build and sustain movements capable of countering intimate, institutional, and ideological violence.

In order to apprehend how carceral state violence continually operates in the contemporary period to impact Indigenous and people of color communities differently and how these differences have implications for women of color feminist coalitional politics, I heavily draw upon Andrea Smith's alternative organizing framework, the "Three Pillars of White Supremacy" (2006). This framework "does not assume that racism and white supremacy is enacted in a singular fashion; rather white supremacy is constituted by separate and distinct, but still interrelated, logics" (A. Smith 2006, 67). Smith created a diagrammatic of her pillars analogy. The three pillars which are connected to each other by arrows are, in order:

Slavery/Capitalism, Genocide/Colonialism, and Orientalism/War. For example, the logic of slavery or ‘slaveability’ anchors capitalism as does the logic of physical and cultural genocide which anchors colonialism. It highlights the non-analogous but related racializations of these three different formations. Such a theoretical framework can illuminate how Indigenous communities and communities of color are oftentimes complicit in oppressing each other. For example, in white settler societies, the experiences and interests of Indigenous women and racialized immigrant women can be conflictual for as women of color strive for equal access to citizenship and its rights and entitlements, citizenship has been defined as the ‘final solution’ for Indigenous people, marking the end of their claims to sovereignty and the land (Razack, Smith, and Thobani 2010, 5). Because, as Eve Tuck argues, white settler colonialism “is built upon an entangled triad structure of settler-native-slave, the decolonial desires of white, nonwhite, immigrant, postcolonial, and oppressed people, can similarly be entangled in resettlement, reoccupation, and reinhabitation that actually further settler colonialism” (Tuck and Yang 2012, 1). For example, a concept and a practice of Indigenous decolonization of the land that does not challenge the contemporary use of the prison around the world which thrives on anti-Black racism—and vice versa—can only work as an empty metaphor.

Attentive to the reality that communities of color have political agendas and objectives that are incommensurable with decolonization, Smith’s framework also highlights that these asymmetrical relations between and among Indigenous women, Black women and other women of color have important consequences for the possibility of making strategic solidarities across difference. It is a tool for developing organizing strategies that do not rely on winning one set of (apparent) privileges through reinforcing someone else’s oppression; simply put, our model of liberation should not become the model of oppression for others. The ability to confront one’s

complicity in structures of domination goes far beyond the academic exercise of theorizing one's identity, difference, and privilege. Indeed, as Hill Collins (2002, 84) asks: what type of oppositional politics emerges from a focus on difference devoid of power? As Smith discusses elsewhere:

[W]hen Incite! Women of Color Against Violence, organized, we questioned the assumption that “women of color” space is a safe space. In fact, participants began to articulate that women of color space may in fact be a very dangerous space. We realized that we could not assume alliances with each other, but we would actually have to create these alliances. One strategy that was helpful was rather than presume that we were acting “non-oppressively,” we built a structure that would presume that we were complicit in the structures of white supremacy/settler colonialism/heteropatriarchy etc. We then structured this presumption into our organizing by creating spaces where we would educate ourselves on issues in which our politics and praxis were particularly problematic. The issues we have covered include: disability, anti-Black racism, settler colonialism, Zionism and anti-Arab racism, transphobia, and many others. However, in this space, while we did not ignore our individual complicity in oppression, we developed action plans for how we would collectively try to transform our politics and praxis. Thus, this space did not create the dynamic of the confessor and the hearer of the confession. Instead, we presumed we are all implicated in these structures of oppression and that we would need to work together to undo them. (A. Smith 2013b)

Instead of privileging the rituals of confessing privilege in organizational and activist spaces, Smith's intersectional analytic—based directly upon her “Three Pillars” framework—frees Indigenous and race-radical women of color feminists to concentrate on principles of community accountability rather than a punitive accountability that shames those with undue privilege. Relatedly, this framework helps to challenge the North American feminist compulsion to solely address “the holy trinity” of race, class, and gender without considering that there are “other complex categories of identity and affiliation that apply to non-U.S. cultures and situations” (Grewal and Kaplan 1994a, 19). In addition, Smith's analytic opens up a way to apprehend what Angela Davis has called “unpredictable or unlikely coalitions grounded in political projects,” which emerge when coalition is not imagined only through identification, but through contestation and contradiction (as qtd. in Lowe 1997). Lastly, this framing helps me to focus the particular genealogies of feminists who have historically spoken and organized against enforcement and state violence from the margins of the Black and Indigenous communities located across North America. Throughout my dissertation I underscore how race-radical Black feminists and Indigenous feminists not only theorize carceral violence in settler states but engage in an active, felt resistance to it.

In the next section, I want to underscore the importance of felt theory as community knowledge that interactively informs our positions as Indigenous feminist and race-radical women of color activist-scholars. Inspired by Indigenous and Black women's personal, auto-ethnographic narratives which have both affectively and intellectually explored the racialized, gendered, and sexualized violence of their colonization and enslavement (for example, see Million 2009), I, too, wish to chronicle my growth from someone who lived pain to someone who learned to act from a political consciousness. I situate my individual pain and communal

experiential trauma as a starting point of analysis. Never solely individual, feelings are culturally mediated knowledge. A grounded, felt analysis of the intersections between sexual violence and carceral state violence is one that I believe creates a context for a more complex, less intellectualized and sanitized “telling”. It also helps to reveal the process in which I and other Indigenous feminist and race-radical women of color have learned to create affective economies and relationships in stark opposition to that proffered by the carceral state.

### **A Chicana’s Journey from Vigilante Justice to Transformative Justice**

Because each had discovered years before that they were neither white nor male,  
and that all freedom and triumph was forbidden to them, they had set about  
creating something else to be.

—Toni Morrison, *Sula* (1974, 52)

Being “something else” is not a task restricted to the realm of personal identity but extended to social practice as well. I feel intense anger about the violence being inflicted on the bodies of Indigenous women and women of color across Turtle Island and how violence, both symbolic and real has impacted my own life. Rather than seeking retribution through engaging in vigilante violence or through recognition from both the nation-states of white settler societies in order to address this pain and suffering, I feel compelled to use this anger to build communities where interpersonal, intimate, and sexual violence becomes unthinkable and where the carceral state no longer exists in our minds or in our hearts. The following personal narrative explores the

development of my own “sixth sense” about the immoral affective heart of the carceral state which, in turn, reveals my analysis of the moral affective heart of transformative justice feminist praxis.

...

Let me tell you about the first time I experienced sexual violence. I was six years old and I was raped in broad daylight by the white, middle-class son of the ex-police chief of San Francisco. As a little snot-nosed mixed-race Chicana from a working-class background, I remember feeling fucked in more ways than one. The dirt I was multi-layered and impossible to scrub off. It was only a little later in life that I realized that I was also luckier than other little poor Brown and Black kids who were already treated as disposable garbage due to being born in the wrong body, with the wrong skin color and in the wrong postal code. And I was lucky that my attack was a one-off act committed by a serial child molester and not a sustained, long-term assault by a parent, guardian, sibling, relative, neighbor, teacher, physician, social worker, officer of the law, counselor, local religious leader or other adult-in-charge who likes to take advantage of unilateral adult-child power relations. Yes, I was lucky.

I was raped three more times by heterosexual men in my life—twice as a teenager and once again as an undergraduate student. And fuck calling the cops; it never crossed my mind, not even once. Not after the first time when an officer of the law asked me—a pig-tailed, snot-nosed girl with jeans, a white T-shirt, and pint-sized Nike Cortez shoes—“What did you do to entice your attacker? What were you wearing? Is this what you were wearing [the cop scanning me from my shoes all the way up to my hairband and pig tails]?” The question hit me like a ton of bricks. I needed a translator or someone to extract the teeth that had sunken into my bottom lip

drawing blood. I didn't fully understand what this man was asking me and yet, I totally did. I knew that I was a dirty, stupid little bitch that did something wrong to invite this grown man to sink his dick into my va-jay-jay and tear into my mouth still replete with crazy-crooked baby teeth. This shit lasted a lifetime or all of thirty minutes, I often refuse to recollect. But I do in spite of my shame.

It was my mama who stopped the assault. She was home due to a bad case of the flu. She later told me that she had been very confused when she heard a girl whimpering outside. Thinking that my father had taken me out to the park, she didn't expect to see me tangled underneath the body of a man in the driveway next door. The next thing she remembers is flying down two stories of apartment stairs with the sharpest butcher knife in the kitchen. She was like the Amazonian Wonder Woman. I'll never forget the look of terror on my attacker's face as she ran straight at him. He booked it up the hill struggling to lift up his pants, which were dragging around his ankles. My mother chased him for as long as she could and then remembered me and rushed back. She carried me up the stairs and called the police. What else could she do? An hour later, my mother would come to regret her decision to call the cops without having had the chance to castrate the man first.

At six years old I found out that there was no "it takes a community to raise a child" as this hood I was living was full of dead-eyed, heartless people who must have witnessed a kid being fucked in broad daylight in the driveway of my next door neighbor's house. I thought I had screamed during the assault but I guess I couldn't. For years after, I always wondered who sat silent for over thirty minutes and did nothing in the more than eight, two storey apartment buildings facing the scene of the assault. I know that there are some damn good reasons for people not to intervene, to call the police and come forward as a witness, but at the end of the



day, only a scant few hold up to any prolonged scrutiny. This perhaps explains why I refuse to work with anti-violence activists who erroneously fetishize community as if it were inherently benevolent or otherwise non-oppressive. Their naïveté is dangerous.

Back to my story: at the police precinct, my mama lost her shit when the officer questioned me about what I had done to entice my attacker. After telling the cop to choke on his own dick and die, she proceeded to call some tough civil rights, feminist lawyers and advocates who schooled the public defenders, cops, and judges. In between fond memories of my social worker at San Francisco General bringing me to a petting zoo with bunny rabbits and letting me draw crayon depictions of my dysfunctional family, I remember the terror of testifying in a court of the law and pointing out my attacker sitting across from me in the courtroom. I wasn't video-taped and I believe that my case, along with countless others, led to these tireless child advocates winning a victory-of-sorts: children could testify on video and not in open court facing their attacker. I remember lifting my hand and pointing my finger at the perpetrator even though I wanted to lift up my middle finger and scold the entire courtroom. The judge was a cold, unfeeling asshole, and so were the public defenders, the prosecutorial team, the bailiff, and even my father, who was never there when he needed to be. My mom was the warrior queen, hell-bent on strangling the son-of-bitch that hurt her baby and hating on the pigs, the system, and also her always missing-in-action husband. To this day, she regrets putting me through another rape at the hands of the criminal legal system.

To write this, I had to rely on the memories of my mother. She remembered that I was always worried that my attacker would never get better and continue to sexually assault girls and boys. He received a light sentence and never received the help he needed. His less-than-four-month sentence was probably due to his father's high ranking status as formerly on the top of the

pig-food-chain, and the fact that he never received treatment has a lot to do with the way that the rich and powerful deal with their fucked-up brethren: they hide them away, deny shit ever happened or distance themselves completely from the offender. This occurred right at the height of the Reagan era where neoliberal policies privatized and virtually destroyed the entire public mental health care system; all of the hospitals emptied their patients onto the mean streets of San Francisco without housing or social support, guaranteeing roving armies of homeless people with untreated addictions and acute mental illness.

Years afterward, I would see news reports about his sexually assaulting other children throughout the city. By the time I hit fifteen, he started to stalk me again; we had unfinished business. He would follow me everywhere and leave graffiti messages across the city letting me know that he was always one step behind me: in my favorite weed-smoking, love-making spots overseeing the Pacific Ocean, on sidewalks leading up to my high school and old elementary school, and eventually right in front of my father's apartment. My attacker even had the balls to deface my father's car and graffiti all over the steps of my apartment my name, the date of my attack, and in-depth descriptions of what he wanted to do to me next.

One sunny morning, I woke up to find the guy staring up at my window from across the street. My dad had been working on his car in the garage and already was booking it across the street before I could react. Within three seconds, my towering father was face-to-face to my attacker. I didn't hear what transpired but my father wasn't fucking around; my dad wouldn't let the guy move an inch backward or forward without his fist aimed cocked right into my attacker's face. I watched the whole thing go down and was amazed that my father didn't kill the guy. As a Chicano male with a formal criminal record, he knew that he would've ended up in prison if he touched one hair on this asshole's head; my papa knew that he would end up serving a longer

sentence than that served by my attacker and wouldn't be placed in isolation for his own "safety". For once, I was proud of my father for restraining his violent temper as he never seemed to manage to do so at home. My mom didn't do as well in her confrontation with my attacker's parole officer: she threatened to castrate the dude with a machete if he didn't stay away from me. The officer countered by threatening my mother with arrest for uttering death threats. She had to bite her tongue or be criminalized. The adults in my life were spinning their wheels, going nowhere fast.

So what on earth happened to transform me into a race radical queer feminist, a hard-boiled prison abolitionist who cares deeply about the victims of both sexual and state violence? Someone who knows that the line separating victims from perpetrators is a flimsy and porous one? An activist, who has a complicated relationship to vigilante justice and who—in the dead of night—sometimes prays that she could extract revenge by pressing a shotgun barrel against all those who dare hurt women and children and pull the trigger? What exactly taught me to imagine otherwise, to be someone or "something else"?

I was that pig-tailed kid that used to love to ride the tug boats and ferries with my longshoreman dad past San Quentin State Prison and jump-up-and-down and wave frantically at the buff, tattooed prisoners working out on the yard. All these dudes would stop weightlifting and rush over to the fence and wave back at me. These men never looked anything like my attacker: they were overwhelmingly Black and Chicano men with a legacy of pain and pride etched onto their bodies. Beyond barbed wire, I understood that these men probably had families they hadn't seen in months or years or decades; daughters like me. I also understood that some of them were rapists and predators and intuited that they may also be victims of gendered and sexualized violence themselves. Neither of my parents ever objected to my display of empathy

and even after I was attacked, they let me wave as the boat passed by the prison yard. Even as I child I sensed that the world was a complex and contradictory place. I intuited that “bad” dudes didn’t become “bad” dudes overnight and that there may be something arbitrary about whom we label “evil”. The binaries between inside/outside, black/white, free/un-free, victim/victimizer, innocent/degenerate, and good/evil tell us nothing. President Reagan was deemed an “honorable man” by the mainstream media and my primary school teachers but I knew that he was a warmonger, a criminal, and a white supremacist. I remember feeling acute dread when Ronald Reagan, re-elected in a landslide victory in 1984, proclaimed that it was “Morning in America”. Nuclear war was imminent but all I could do was take the First Lady’s advice and “Just Say NO!”

I was suspended for three weeks for refusing to say the “Pledge of Allegiance” in kindergarten because—as I made perfectly clear to my teacher and the school’s principal—U.S. death squads were killing women and children in Central America. My Salvadoran and Guatemalan playground friends told me so by their actions which portrayed a similar fear that I had only known for thirty minutes; a fear that they experienced most of their short lives which saw their mothers, fathers, sister and brothers murdered while they hid under the bed praying to be killed along with their families but too scared to move or to cry. When *Blue Angels* fighter jet planes used to scour the skies of San Francisco on a weekly basis, hurtling through the skies and flirting with the ground in a rage of noise, I remember my refugee friends taking shelter underneath the playground slides, huddling together in paralyzed fear. They knew what these planes performing aerobatics were really meant for and whom they usually targeted once they stopped playing and started dropping bombs on Black and Brown bodies. I huddled tightly in between them, beneath the innocent school yard play structures.

The entire world of premature death and criminalization is not at all new to me and the community that raised me. How could it be otherwise? I grew up in California where the “rising tide” promised by fiscal conservatism, trickle-down economics, and neoliberalism did not “lift all boats”—the unlucky majority were just left to crash themselves against jagged rocks. In California, there’s a thin line separating those locked up on the inside from those doing time on the outside. As a twelve-year-old incarcerated Black girl once matter-of-factly pointed out to me, “Prison is a ghetto you can’t get out of.”

California: the state where I was schooled in underfunded public schools, schooled again during a stint in juvenile detention, and schooled some more in the once publicly-funded and relatively accessible (due mainly to Third World student of color-led social movements starting in 1968) University of California system. Right after I was born, white, middle- and upper-class ‘activist’ voters launched a taxpayers’ revolt in 1978, which gutted California’s K-12 public school funding. They continued with their fiscally and socially neo-conservative counter-revolution by voting to racially profile young Black, Latino and Southeast Asian youth suspected of being “gang-affiliated” thanks to the Street Terrorism Enforcement and Protection Act (1988); to exclude immigrants—targeting racialized immigrant children—from educational and social services with Proposition 187 (1994); to imprison more people for life with Proposition 184 (“three strikes” [1994]); to put a personal lock on and monopolize opportunities in public sector education, employment, and contracts with Proposition 209 (anti-affirmative action [1996]); and to increase penalties for “gang-affiliated” crimes and to lock more youth away in adult prisons with Proposition 21 (2000). And the ‘hits’ just kept on coming in this time of crisis.

I spent some time on the inside in the juvenile “corrections” system back in the days when I was a 13-year-old going on 31. I was attracting all the wrong kinds of attention: older

men, gang bangers, cops, and the criminal punishment system. I was locked up first at thirteen and again at fourteen years old; the first time in “juvie” for being caught driving around in a stolen car with gang affiliates packing machetes and two guns and the second time, in some mental institution—over-medicated and ‘comfortably numb’—since the cops couldn’t rightly differentiate between my being homicidal or suicidal or both or neither.

Before, during and after my incarceration, I surrounded myself with youth who were identified as “street terrorists” both from known Chicano and Black gangs and the newly emergent Salvadoran gangs (“El Mara” or “Mara Salvatrucha”) who were populated with orphaned children who were also known as “The Fruits of War”. These were the same kids who “survived” the US-sponsored death squads that killed off entire left-wing, peasant and indigenous populations throughout Central America. They had no other choice but to escape and head north to the US West Coast and Southwest where they learned important lessons about survival from other Chicano/Latino and Black gangs who had been in existence since the early twentieth century. I went to school with these “fugees,” who ended up facing even more brutality at the hands of the San Francisco Unified School District, the San Francisco Police Department, and the California Department of Corrections. They were the same orphaned kids—now older, wiser, and a lot colder—who hid in abject terror under the playground slides during fighter jet exercises.

My own incarceration was mild in comparison to that of the girls and young women who ended up progressing up the carceral “food chain” and were shipped into adult prisons. I was locked together with poor girls of color—mostly Black, Chicana, Latina, Filipina, and Southeast Asian—who experienced brutality on a daily basis. I actually don’t think I had met or spoken to a girl who had not been sexually and/or physically abused or assaulted as a child or who wasn’t

continuously experiencing that type of abuse by their husbands, boyfriends, “trusted” adult relatives, or some other “person in charge”. Many of the girls, as young as twelve, were already young mothers who accepted the fact that their “baby daddies” were either in prison at another facility or ‘ghost’—nowhere to be found. It didn’t help that most of the educational programming coordinators would reinforce the feelings of guilt and condemn the girls for not being “good” women and mothers. I remember being told by one conservative Baptist proselytizer masquerading as an empowerment coach that we should learn how to keep our panties up, our legs crossed, and our traps shut. This asshole was calling us sluts while we were being propositioned by three notorious guards who went way beyond “innocent” flirtation to down-right sexual harassment—even assault. But we were the promiscuous “hoes” that didn’t know how to keep our legs sealed tight. And of course, any one of us who were “funny” and displayed “queer tendencies”—and there were a lot of trans, gender queer youth and lesbian, bisexual girls including myself, that were being “naughty” with each other behind bars—were going straight to Hell, no stops along the way. I was comfortable with the prospect of meeting the Devil in my lifetime, but it horrified many of the other girls who were struggling with the painful contradictions of being labelled a “bad girl” by your religion, family and community all the while hiding those feelings of vulnerability and terror behind a mask of unadulterated aggression and bravado.

Many of these close “homegirls” from my adolescence are lost to me. I mourn them like I mourn the dead, even though I sometimes dream that they all managed to escape from prison, and that they healed from the layers-upon-layers of trauma that weighed them down so that they could finally get on with the business of living. But I believe my dreams lied because even if my friends had managed to escape from the prison as institution, they would remain caught up in the

unrelenting grip of the prison as regime; forever marked as economically redundant and forever condemned to transcarceration and long stretches of “time on the outside”. In AmeriKKKa, once you’re labeled a felon, employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service all become “Jim Crow” or “Juan Crow” legal. Girls and women most often lose their children to child “protective” services. There are not many happy endings or “exceptions to the rule” that we can or should celebrate when living in the long shadow of the carceral state.

In 1994, on the heels of the passage of the “Three Strikes” initiative and my own brief stint in juvenile detention where I met girls scarred for life by the intersections of interpersonal, intimate and state violence, I was recruited to a number of radical youth of color dominant activist groups in San Francisco that were initiated by radical women of color feminists, queers of color, and pro-feminist male of color activists. By the time I graduated high school to become the first in my family to access a postsecondary education, I had cut my activist baby teeth on grassroots high school student activism, immigrant, labor, and anti-prison activism, as well as organized against the elimination of affirmative action, ethnic studies curriculum and other programs that are linked to peoples’ justice movements.

In the late 1990s, while a sophomore at the University of California Davis, I was an editor and reporter with a small, bilingual Spanish-English publication in Northern California. I started to correspond with a small group of Black and Chicano male inmates in New Folsom prison who were gang-affiliated. I worked with two men who were political activists and we started a small “Inside-Out” study group. This work lasted ten years and had me eventually working with over ten men inside Pelican Bay State Prison’s infamous Security Housing Unit or



SHU. While we discussed socialism, anarchism, militant rank-and-file unionism, the Black Panther Party, Brown Pride, the American Indian Movement, the Puerto Rican Young Lords Party, political prisoners, and the anti-colonial struggles in Latin America against North American and European imperialism, we never spoke explicitly about gendered violence as it intersects with sexual violence and state violence. One man admitted to me that he had been sexually abused by his father for years until he took “matters into his own hands” and another subtly hinted that he had been raped while inside. We tiptoed around issues of child sexual abuse, domestic violence, and sexual violence against women, queers, and transgender people; I never pressed the issue of our own (dis)similar victimization and/or our own complicity in perpetuating this type of violence. The silence was deafening.

In 1997, I was the only non-White female university student in a class on Native American women co-taught by Professor Luana Ross and a graduate student named Andrea Smith. No-holds-barred, straight-up-no-chaser reality flew from their mouths and shook me violently awake, transporting me back to 1983—the year I was marked a survivor. Their talk about sexual violence, the mainstream domestic violence/sexual assault movements and Indigenous communities left the liberal White feminist students shaking their heads and for once, mute. The gist of one particular talk centered around the story of a young thirteen-year-old Indigenous girl who was brutally raped by a well-liked fancy dancer on an Indian reservation. The girl had no one to turn to: Not friends or neighbors; Not restorative justice which would have just privileged the already privileged perpetrator; Not the court system. So much for even thinking that a dark-skinned, long-haired Indian girl from the reservation would even be heard, believed, or respected by the police and the courts! And good luck finding an anti-racist, anti-colonialist, feminist organization that would understand the complexity of the situation and not

just automatically call the cops, thinking that the criminal legal and punishment system could solve a problem that is over 500+ years in the making, especially when said system has perpetuated sexual and state violence against racialized, colonized, and gendered communities.

The story ended as abruptly as it started with a punch to the stomach: the girl's uncle confronted this fancy dancer in a bar and beat him down to within an inch of his life, probably permanently damaging both his penis and good-looking face in the process. End of story? It wasn't justice benevolently granted by the legal system; it was accountability beaten out of a person by someone bigger wielding a large lead pipe. This was a brutal act, but it was more honest and direct than the purist politics of non-violence. When we are all complicit in perpetuating violent systems, non-violence can only be viewed as a pipedream. For those of us who understand justice as more of "just us" and who recognize court-mandated restorative justice as nothing more than forced "reconciliation", this turn to vigilantism made perfect sense (to me). While the white feminist students shrieked their discomfort in silence and murdered both professors in the margins of their notebooks, I was the sole student that yelled out from the back of the class, "Hell yeah!" In spite of my affirmative gut reaction, I knew this bloody story was absent any form of peaceful foreclosure or lasting justice for the survivor. The perpetrator was left disabled, the uncle ended up serving time locked up in a cage (this time bigger than the 'rez') for this beat-down, and the girl became a woman and the woman became a tough-ass scholar-activist who works with incarcerated and criminalized Indigenous girls and women. I knew there had to be a better way to confront gendered, sexualized violence in our communities that didn't involve lead pipes but I personally lacked the knowledge and the skills to imagine being or doing "something else". All I knew then was that I didn't want to have to seek out allies

in mainstream white feminists—so beholden to feeling innocent and righteous—who really didn’t “get it”.

By the late 1990s, I was ready for what I learned at the first-ever Critical Resistance conference and INCITE! Women of Color Against Violence conference. The activist-scholars who co-authored the INCITE!/Critical Resistance Statement on Gender Violence and the Prison Industrial Complex seek to build a unified anti-violence movement to end *both* state and interpersonal violence. Like these activists, if we’re going to get real about enacting transformative justice in our communities, a justice that is accountable to both the victims of sexual abuse and the victims of state violence (who are usually one and the same) we are going to have to think through some difficult questions: What are we left with to keep girls and women safe if we do not have the prison? What can transformative justice or community accountability offer a victim/survivor of sexual assault that vigilante justice can’t provide? Does having the person who did harm locked-up behind bars for a temporary period truly bring relief to the victims of sexual abuse? What does a justice without cages or a “freedom from violence” taste like, sound like, and feel like? If ending punishment and tearing down the walls of the prison industrial complex is the answer, what are we building in its place?

The urgency to do and be “something else” led me to work in concert with formerly incarcerated Indigenous girls and women, feminist anti-sexual violence activists, and prison abolitionists, to study and engage directly with transformative justice feminist practices that define justice in community-specific terms without fetishizing community as if it were inherently benevolent or otherwise non-oppressive. Working against the romance of community—a play on the title of Miranda Joseph’s important book (see Joseph 2002)—transformative justice movements emerged out of critiques of the criminal legal and punishment systems’ response to

gender violence and child sexual abuse. In particular, transformative justice feminism is grounded in an Indigenous and race-radical women of color theoretical framework that is committed to change social conditions that subordinate and marginalize Indigenous women and women of color. It seeks to develop community responses and strategies to address intimate, interpersonal, and carceral state violence from a political organizing perspective in order to move beyond state-imposed, institutionalized criminal legal and punishment systems and professionalized social services. By developing community responses for support, intervention, healing, and accountability that do not rely on the state, these grassroots movements are building capacity to address multiple forms of structural and state violence. My first individual and collective attempt to practice transformative justice and to build a sustainable system to deal with interlocking forms of violence at the community level occurred in Montreal, Canada, where I currently reside. Although the work was ultimately unsustainable given the lack of organizational capacity, the process we engaged in to build community accountability systems led by formerly incarcerated and currently criminalized girls, women, and trans people still contributed to positive social change at the local level.

Canada has witnessed a twofold increase in the number of federally and provincially sentenced women in the past decade. In particular, Indigenous, Black, racialized immigrant, young, and poor women, as well as women with mental disabilities are over-represented in prisons due to neoconservative and neoliberal policies that have feminized, racialized and criminalized poverty. A profit-making industry, the expansion of the prison regime will continue unabated to destroy entire communities by ‘disappearing’ one-third of Indigenous and Black girls and women and ‘returning’ them to the same neighbourhoods devastated by poverty, interpersonal and state violence. Against this back-drop, I co-founded an intergenerational, all-

volunteer grassroots collective led by currently and formerly incarcerated girls, women, queer, trans, and gender non-conforming people.

The initial aim of *Life after Life* collective was to build a viable community for people locked up within and/or coming out of punitive state institutions who needed a space to heal and support each other, and nurture their leadership. The key principle that underscored and shaped our collective was that of creating spaces for organic community participation and for building collective power that would be truly autonomous from the state; we wanted to re-center participatory movement building focused on leadership by and for those most directly impacted by interpersonal and state violence. Lofty goals, I know. We embraced a critical race feminist intersectional framework for understanding the multiple vectors of vulnerability converging in the harms girls, trans youth, and women face. Our collective did actively engage in building awareness of transformative justice feminist movements as well as provided over twenty, community-based trainings on the theory and practice of transformative justice aimed at countering the expanding carceral state. Our long-term goal was, however, to build our base by developing new leaders, to participate in creating concrete and sustainable community accountability responses that work to address violence without further criminalizing people, and to provide ongoing support to people as they come out of punitive institutions. Sadly, we fell short of achieving any of our long-term goals, but we were still successful in sensitizing many activist groups and community collectives about the importance of building sustainable accountability structures to pre-emptively confront gendered and sexualized violence in their families, educational institutions, and community organizing spaces.

Since *Life After Life* folded, I have immersed myself in co-organizing a community accountability process with a new group led by race-radical Black women confronting an

ongoing legacy of sexual violence in both their intimate and community relationships. As I write this, our accountability circle is engaging in those messy, contradictory conversations about what it means for us to challenge familial-, community-, and state-based violence simultaneously. Through what can only be a long-term process, our collective has come to realize that we can't be in denial about the fucked up state of our so-called benevolent communities and can't rely on romanticized notions that our friends, families, and lovers are ready to be held accountable and to engage in the process of transformative justice. Through a process of collaborative, informal education, we are learning how to organize an end to rape culture within our families and communities without over-relying on the neoliberal, carceral state to carry us forward (while keeping us dumbed-down). As we "break bread" over scrumptious home-cooked meals, we have come to realize that there is no better time than the present to start enacting the collective change we imagine for the world. But first we have to be ready to answer the hard questions of a Black rape survivor and mother of two as well as a six-year-old Chicana sexual assault victim who both want and need a sprinkle of respect, a dash of accountability, a heap of healing, and a couple of dollops of that good stuff called justice.

...

In next two chapters, I take up Cherrie Moraga's preface, which calls for a race-radical women of color feminist analytic that can address "a 14-year-old Black boy...shot in the head by a white cop," a feminism that takes her from racialized ghetto to white suburb. What that means for Moraga is a movement charged with the task of creating a methodology or critical reading practice—a practice that "makes sense of" the links between racial and class segregation, racialized criminalization, racialized and gendered violence, racialized property dispossession, carceral state violence, and white settler innocence. It means contesting and dismantling the

discourses that legitimate state violence, and finding a new, alternative way to make sense of the historical and social conditions. Transferring and going underground means that an Indigenous and race-radical women of color feminist analytic emerges to “make sense of” that which is rendered invisible or disposable by the epistemologies of carceral state violence. Moraga’s testament that a movement must emerge to “make sense of” interlocking forms of violence is a promise that this violence will not exhaust us, disappear us, or render our lives and struggles meaningless.

## Chapter 3

### *Reading In-between the Lines While on the Run:*

#### **Reading Racialized and Gendered Necropower in Canadian News and Legal Discourse**

The contempt some black women activists expressed for the political speech of those who “only knew what they read in a book” galvanized me to become more than an informed, sophisticated spectator ... Sometimes I focused on the work with a transitory attention of a dilettante, sometimes with the staying power of a marathon runner.

Most radical activists read passionately on the run, while organizing and attending political and educational forums and demonstrations, or lobbying for legislation. Waiting for subways, buses, planes, speakers, or cultural workers provided some time for reflection. Sometimes the relentless intensity and pervasiveness of violence in governmental policies led to simplistic readings as well as extreme bitterness and isolation. Yes, in general, the radicals I knew transmitted not only political intelligence but also intense feelings, sometimes bigoted and chauvinistic, most times loving and with enormous intelligence and commitment. That intelligence allowed them to understand contradictions and work for coalitions, exhibiting a political acumen often unacknowledged in most mainstream media or academic representations of street radicalism. The immediacy of the political work, particularly work struggling toward saving lives



or grieving deaths, meant that one studied nearly every moment. People “read” while marching, standing, or praying at memorials...

—Joy James, *Resisting State Violence: Radicalism, Gender, & Race in U.S. Culture* (1996, 9–10)

An Indigenous and race-radical woman of color feminist epistemology equips activist-scholars who look at political life both within and outside the carceral in order to theorize racialized and gendered state violence. Using Joy James’ turn of phrase “read on the run” to describe their practices, these women record and contest the largely obscured or denied existence of terror and resistance to social death and necropower on a daily basis. I draw inspiration from radical Indigenous and Black feminist activists who mobilize on the front lines, from those who have purposefully cultivated the ability to “read” the roles of provocateurs, police, pundits, and protestors on any given day—as a way of life and as a means and method for survival. With the analytical lenses supplied by Anzaldúa’s “la facultad” (2012), Du Bois’ “double consciousness” (2007), and Sandoval’s “differential form” (2000), I, too, have developed the learned capacity to read, construct, deconstruct, renovate, and make signs necessary for both *intervening in power* on behalf of the debased and *making power* alongside the criminalized.

Indigenous and race-radical women of color feminists have cultivated and embraced the flexibility to consciously transform a well-defined structure of identity according to the requirements of another radical or revolutionary ideological tactic if a reading of power’s formation requires it. As previously discussed in the dissertation’s introduction, Chela Sandoval’s “differential form of consciousness and social movement” has posited and embraced

this “tactical weaponry” (C. Sandoval 2000, 57) for reading and intervening in shifting currents of power. As Sandoval elaborates, “the differential mode” is entirely dependent on the “practitioner’s ability to read the current situation of power and self-consciously choosing and adopting the ideological stand best suited to push against its configurations, a survival skill well known to oppressed peoples” (C. Sandoval 2000, 59). Gloria Anzaldúa refers to these learned survival skills as “*la facultad*, the capacity to see in surface phenomena the meaning of deeper realities, to see the deep structure below the surface” (2012, 60). The learned affective and intellectual skill, *la facultad*, cannot be dismissed as merely intuition, sensitivity, or perceptiveness but alludes to a larger collective process and active political commitment to create ever more innovative and radical readings of power. Instead of advocating a singular “privileged” or “correct” reading of power in this chapter—in particular, that of “media necropower” (Osuri 2009)—I hope to demonstrate a differential and coalitional method of “reading on the run” that can aid Indigenous and race-radical women of color feminists in uncovering how racism and heteropatriarchy in white settler societies is hidden, disguised, and often times displaced when it is spoken through the voice of another racialized and gendered Other.

W.E.B. Du Bois’ concept of double-consciousness also works well as an analytical lens to read news media coverage of racialized gendered crime and violence and criminalized rightlessness as I do throughout this chapter. Du Bois defines double-consciousness as “this sense of always looking at one’s self through the eyes of others, of measuring one’s soul by the tape of a world that looks on in amused contempt and pity” (Du Bois 2007, 45). According to Du Bois, Black people in North America are keenly attuned to the ways in which other people “see”, “read”, and perceive them. Double-consciousness aids me in interpreting crime news coverage

through how I imagine other, privileged—read white, male, heteronormative, middle-class—news-consumers see, read, and (mis)recognize racialized and gendered Others. I expose how the ideologically charged context of commercial crime news participates in fabricating racialized and gendered criminality by giving its middle-class white readership the ability to “see” and “read” race and gender and simultaneously deny what they are seeing through “discourses of denial” (Jiwani 2006a) and claims of racial innocence and middle-class respectability—among others. By creating crime news narratives that have coherence as stories about interpersonal, social violence in North America, the media narrators representing a cluster of institutions that serve as gatekeepers for information about crime, criminalization, criminals, and victims are, as Stuart Hall (1984; as qtd. in Stabile 2006, 152) argued, telling stories as they had been taught to tell them, in ways deeply influenced by ideologies of race and gender. Carol Stabile argues that white supremacy and dominant ideologies of gender have been foundational to the institution of crime news which, more than other forms of commercial news, “is a profoundly conservative form of story-telling that has developed in ways so as to constitute those groups most seriously disadvantaged by US capitalism as its main threats” (Stabile 2006, 9). Precisely because crime news reporting ascribes social value and deservingness, it relies on and supports the permanent criminalization of unsympathetic racialized and gendered statuses. Stabile writes:

The lines between victims, victimizers, and protectors are often fungible, but crime news is not a genre that equivocates when it comes to these identities. Rather, crime news has long been in the business of policing these very borders and offering up narratives that...have long denied the basic humanity conferred by victim status to African Americans. It is no coincidence, then, that from the 1980s onward, the only way that blacks made the news in the USA was as the

subjects of crime news, for this is a role that was historically carved out for them and that has over the past three hundred years been reproduced, resanctioned, and reinforced. (Stabile 2006, 4)

Such mass-mediated narratives of criminalized populations of color—fictions of white vulnerability, victimhood, and terror—have consistently foreclosed identification and empathy as well as displaced the material realities of white terrorism waged against Indigenous peoples and Black communities. In this chapter, I am interested in extending Stabile’s analysis as well as Sandoval’s, Anzaldúa’s, and DuBois’ analytic in order to “read” the national, mass-mediated discourse of a crime problem that has reconstituted poor Indigenous women and Black men as primary threats to a Canadian way of life implicitly understood to be white, heteronormative, and “respectable”.

In order to “read in between the lines” of dominant, mainstream media that both blames racialized and gendered Others for the violent acts committed against them and denies them the status of victim and of draconian criminal laws and policies that relegate entire Indigenous and Black communities to social death, I need analytical frameworks that enable me to analyze how racialized gendered criminality is recognized “when the perspective of power and privilege is not represented but also not necessarily not there, such as when the American public ‘sees’ through *another other’s eyes*” (Cacho 2012, 10; emphasis in original).

In the “Three Pillars of White Supremacy” framework—introduced in Chapter 2—Andrea Smith (2006) argues that racism and white supremacy do not operate in a unitary manner. At certain moments the logics of settler colonialism, capitalism and Orientalism will intersect and implicate Indigenous people and other people of color. Indigenous people and

people of color are not theorized as innocent victims of the violence each logic produces, but are theorized as participants in one another's oppression. Such a theoretical framework illuminates how the particular, valorized construction of Asian vigilante masculinity—in the two case studies I analyze in this chapter—is complicit in the devaluation and criminalization of Indigenous and other peoples of color who are constructed as disposable subjects. The relational and conditional processes of differential valorization, devaluation, and revaluation often work invisibly and implicitly, like when the perspectives of dominant power and white privilege are “not represented but also not necessarily not there” (Cacho 2012, 10) in crime news reporting that often represents Indigenous communities and people of color denigrating themselves and others. In the dominant news media, as Lisa Cacho argues, “the most vulnerable populations...are often represented as if they are the primary sources of the other's social denigration. And because they're represented in this way, they are recruited...often unwittingly and/or unwillingly to devalue lives, life choices, and lifestyles because valuing them would destabilize our own precarious claims to and uneasy desire for social value” (2012, 27). In this way, the racialized immigrant men explored in this chapter are recruited to serve as proxies who are represented in crime news as the sole perpetrators of violent vigilantism aimed against more vulnerable racialized and gendered others. In such framings, white terrorism is safely tamed, evacuated, and displaced. I therefore argue for and advance a reading practice savvy enough to uncover the operations of “media necropower” (Osuri 2009) and expose its ‘present absence’.

In the two case studies I analyze in this chapter, racialized Asian and Asian Canadian immigrant men's ways of seeing are used in mainstream news coverage to facilitate the (mis)recognition of Black and Indigenous criminality, to enable white Canadians reading these crime news stories to simultaneously “see” and deny “seeing” racialized and gendered

criminality. In this way, another complex and contradictory layer of consciousness—a third layer—has been added to Du Bois’ theorization of double-consciousness.

Utilizing what I refer to as “triple consciousness,” this dissertation chapter explores how racialized and gendered narratives of degeneracy and respectability are discursively constructed and reproduced in Canadian crime news and legal discourses. It engages in a frame analysis of print news coverage of two widely disseminated media spectacles that have constructed discourses of self-defense, “defense of property,” and citizen’s arrest. The first case is that of David Chen, a Chinese store owner in Toronto’s Chinatown who was acquitted on charges that he beat, hog-tied, and kidnapped Anthony Bennett, a petty shoplifter of Canadian-Caribbean origins, who stole \$60 worth of plants. The second incident involves Korean-born Kwang Soo Kim, a Winnipeg shopkeeper who allegedly murdered Geraldine Beardy, a First Nations woman, because she was stealing a dollar-and-a-half can of luncheon meat. In mainstream print news coverage, these racialized immigrant men are celebrated in dominant frames either for their “heroic” vigilantism or maligned for their “excessive use of force” in dominant counterframes. Chen and Kim serve as proxies through which liberal and overtly racist commentators alike can freely communicate their anxieties. Both perpetrators of violence were recently acquitted: Chen was acquitted of assault and forcible confinement charges in October 2010, and manslaughter charges against Kim were dropped in October 2011. Their high-profile cases have now been cited as the cause célèbre legitimizing the June 2012 passage, March 2013 implementation of Minister of Justice and Attorney General Rob Nicholson’s “Bill C-26: The *Citizen’s Arrest and Self-defence Act*” (Nicholson 2012), which amends the Criminal Code to expand the powers of citizen’s arrest, and to broaden the web of the defense of property and self-defense provisions.<sup>1</sup>

This chapter explores how Canadian mainstream journalism not only interprets reality in ways that reflect reactionary ideologies and prevailing views of “common sense,” but is responsible for constructing that reality. This reality reflects how Canadian productions of gendered racial citizenship and white supremacy are currently being reconstituted and revived by the neoliberal “anti-state state” which depends on the ideological and rhetorical dismissal of any agency or capacity that the state might use to guarantee social well-being (Gilmore 2008, 44). This new kind of state has racialized the beneficiaries of neoliberalism as worthy multicultural citizens and racialized the losers as “ineligible for personhood” (Cacho 2012, 6) on the basis of deviance, criminality, monoculturalism, inflexibility, and other historico-cultural deficiencies. As Jodi Melamed suggests, neoliberalism “has revealed itself to be more than just an economic theory” but one that “encompasses the entire complex of social, political, and cultural norms and knowledges that organize contemporary regimes of ruling and becomes a name for the differentiated experience of citizenship that ensures that governments protect those who are valuable to capital, whether formally citizens or not, and that they render vulnerable those who are not valuable within circuits of capital, whether formally citizens or not” (2011, xxi). I argue throughout this chapter that the creation of newly privileged and historically disposable subjects under neoliberal multiculturalism fuels the discursive and physical violence that drives “necropolitics” (Mbembe 2003). According to Achille Mbembe, necropolitics is “the subjugation of life to the power of death,” which “profoundly reconfigure[s] the relations among resistance, sacrifice and terror” (2003, 39).

### **Reading Necropower “On the Run”: Theoretical Interventions**

In order to uncover the interlocking forms of domination that are operating within Canadian mainstream news, this chapter relies upon Canadian critical race feminism (Pratt 2005; Razack 2002b), race-radical critiques of dominant, mainstream media (Rodriguez 2007a; Stabile 2006), and postcolonial theory (Mbembe 2003; Wright 2011). These theoretical interventions are attentive to how gender and race thinking are co-imbricated in disciplinary and necropolitical forms of power within white settler societies. According to Sherene Razack (2002b), the Canadian settler nation “continues to be structured in racial hierarchy” (1–2). Razack’s explanation of white settler societies works to locate white supremacy as the fundamental, sustaining organizing principle of North American institutional and everyday life.

Since the dualist “construct of respectability and degeneracy” (Fellows and Razack 1997, 335) determines who possesses the rightful claim to full citizenship and who is excluded from belonging within the Canadian nation, it remains important in uncovering interlocking structures of domination. The task of critical discourse analysis is to reveal how particular mass-mediated journalistic discourses of white middle-class/elite, heterosexual male “respectability” are normalized and rendered invisible by dominant Canadian media institutions, particularly those that cover racialized gendered crime and criminality. Rather than viewing such cases of “shoplifting gone wrong” as aberrations from normal practices, this chapter explores how such “irregularities” become taken for granted. Carol Stabile (2006) underscores how the institution of commercial news media, specifically the “crime beat,” has been, since its inception, at the forefront of enshrining and normalizing white supremacy. Stabile paints a history of the present, tracing how, through racialized and gendered news-media narratives of crime and violence, white male violence as the manifest face of white-settler nation-building has been used to criminalize non-white people and decriminalize white people.



Stabile's analysis is also supported by Dylan Rodríguez's (2007) analysis of dominant discourses representing the "social disaster" of Hurricane Katrina. According to Rodríguez, the discursive mechanisms of media institutions upheld the sacredness of white life on the backs of "unworthy" non-white victims of crime, and the discourses sustaining the lie of "natural disasters" contributed to "the time of Katrina . . . in which white subjectivity is both spectator and architect" (138). Rodríguez's examined the complex function of consuming the spectacle of mass-scale "black social death" by underscoring the central role of commercial crime media and disaster coverage in re-enshrining "the sanctity of white [civil] existence, white bodies, and white life as the central condition of the nation's coherence" (134). Of interest here is how the privileged citizen-consumer of news media learns how to perceive and implicate themselves within the white supremacist "spectacle of surveillance" at the same time as they are able to maintain a consistent toehold on respectability. Stabile and Rodriguez make visible the "respectability/degeneracy" dichotomy in mainstream media discourses, and uncover how necropower operates in tandem with interlocking structures of colonial racial domination that ultimately regulates the hierarchical distribution of "social death" (Mbembe 2003, 21).

In Mbembe's rewriting of Michel Foucault's biopolitics, biopower and necropolitics are two sides of the same coin. Rather than the Foucauldian notion of the biopolitical as a regulation and determination of life (Foucault 2003, 241), necropower places the sovereign's right over death at the fore of the political. According to Mbembe, necropower marks the contemporary political space of "death-worlds" haunted by racial slavery in the Atlantic world and the ongoing colonial occupation of Palestine (40). Bureaucratic discourse and Western rationality show state-sanctioned killing as justified and something other than murder (23). Mbembe underscores the relationship between the bureaucratization of genocide and the racist ideologies of the nation-

state and the settler colony (18). The political ability to separate and kill populations with legal sanction leads Mbembe to interrogate the apparent contradiction between the sovereign's right over life and death: "Under what practical conditions is the right to kill, allow to live, or to expose to death exercised? Who is the subject of this right?" (12).

Mbembe's conceptualization of necropower and necropolitics provides a fitting framework from which to consider cases of legal abandonment and the reduction of indigenous and racialized women to "bare life" in Canada. For example, Geraldine Pratt (2005) situates the mass murders of Indigenous sex workers in Vancouver's Downtown Eastside neighborhood as exemplary of Giorgio Agamben's (2005) "state of exception." Like Mbembe and Agamben, Pratt argues that there is a positive relation between the state's assurances of life and its right to kill. The relation between "the production of citizenship" (for example, protecting the rights and freedoms of citizens, as well as the health of the nation) and "the state's sovereignty over life" (and death) is therefore "not incidental but productive and fundamental" (1053). Inspired by Pratt's analysis, this chapter brings to both Mbembe's theory of necropolitics and Agamben's theory of the state of exception a critical race feminist concern: we must theorize how these exclusionary processes are not just raced, but raced, classed, *and* gendered. The bodies of racialized people are simultaneously marked by racial, gender, sexual, color, historical, class, and other stigmas; these stigmatized identities and their subsequent oppressions are not hierarchical or additive, but intersectional (Combahee River Collective 1981; Kimberle Crenshaw 1991). Because racialized gender violence ensures the success of the white supremacist colonial project, the issues of colonial, race, and gender oppression are complex, multidimensional, and cannot be separated.

The beaten and broken bodies of both Beardy and Bennett speak volumes about the close relationship between politics and death in white settler societies. Chen's and Kim's contradictory gendered and raced bodies—excluded and at the same time included by the white settler state—also are put into the service of fueling necropower. Afflicted by both the “model minority myth” and the “perpetual foreigner syndrome,” Asians and Asian Canadians like Chen and Kim have been “excluded through inclusion” since the heyday of Canadian nation-building during the late eighteenth to early twentieth centuries (Dua 2007). Whether citizens or migrants, Asians are elevated over First Nations and Black/Afro-Caribbean communities due to their so-called inherent dedication to heterosexual family life, hard work, educational achievement, and capitalistic values, at the same time that they must contend with the perpetual assumption that they are sojourners, visitors, and/or guests who cannot overcome an inherent alien status. Of course, as Frank Wu (2001, 53–54) cogently argues, “the crux of the perpetual foreigner syndrome is race and not alienage.” Critically interrogating particular racialized and gendered bodies can therefore answer the questions that fuel Mbembe's (2003, 12) work: “What place is given life, death, and the human body (in particular the wounded or slain body)? How are they inscribed in the order of power?”

### **Framing the Degeneracy/Respectability Divide**

A search of the Factiva database using relevant keywords, such as “Geraldine Beardy,” “Anthony Bennett,” “vigilante grocer,” “Citizen's Arrest and Self-defence Act,” “David Chen,” and “Kwang Soo Kim,” yielded a total of 194 stories that had appeared in Canadian print media from 2009 to 2012. These included editorials and letters to the editor, but excluded duplicates of

stories. In total, approximately 180 articles from mainstream newspapers were examined. An analysis of alternative, independent community media was intentionally bracketed, because analyzing oppositional counterframes is currently beyond the scope of this project.

My analysis examines the dominant frames and counterframes that emerged in the print news coverage that made these two stories of vigilantism intelligible to the public. *Framing*, according to Robert Entman (2003), “entails *selecting and highlighting some facets of events or issues, and making connections among them so as to promote a particular interpretation, evaluation, and/or solution*” (417; emphasis in original). He further argues that substantive news frames must perform at least two of the following basic framing functions: they define effects or conditions as problematic; identify causes; convey a moral judgment of those involved in the framed matter; and endorse remedies or improvements to the problematic situation (ibid.). The news stories examined define shoplifting and the unfair criminalization of “vigilante shopkeepers,” who were accused of using “unreasonable force” to protect their property against rampant shoplifting, as the core problem. Second, the cause of the core problem was the so-called career shoplifters and the lax laws that did not deter their crimes. The moral judgment condemned the agents of shoplifting as criminals, as opposed to the innocent victims, portrayed as propertied Canadian citizens “who nab criminals.” And finally, the remedy is expressed as multi-partisan support for legislation supporting vigilantism and the Conservative tabling of Bill C-26. Although this frame so thoroughly dominates the media coverage of these two events, there exist various alternative readings, or counterframes, identified as such by Entman due to their ability to assemble “a complete alternative narrative, a tale of problem, cause, remedy, and moral judgment possessing as much . . . resonance” as the dominant frame held by mainstream journalists and government officials (418). Because frames are complex and often overlapping,

existing in a single news article or within an entire body of news coverage, multiple and opposing frames may exist simultaneously. Even counterframes, however, exist within a larger dominant frame; instead of providing a critique of dominant ideologies, they can also reinforce racist and sexist discourses of Indigenous and Black criminality and white innocence.

This view of the framing discourse is also influenced by Jimmie Reeves and Richard Campbell's 1994 book, *Cracked Coverage*, on television news journalism during the Reagan era's War on Drugs. This particular study is interested in how print news produces, in Reeves and Campbell's words, public "spectacle[s] of surveillance [that] positions the attentive public *in the tower with the guardians of the general population*" (55; emphasis in original). Since the news-consumer is directly implicated in the panoptic machine, the journalist is enacting a cultural performance in which he or she is "actively involved in guarding the horizons of common sense by enacting the rites of inclusion and exclusion" (49).

Reeves and Campbell organize the people, players, and performers who appear in dominant media narratives according to four major social types that are associated with the "distribution of power and knowledge in modern technocracies": *primary definers* (for example, recovery experts and law enforcers); *transgressors* (for example, offenders and delinquents); *representatives of common sense*; and *well-informed journalists* (ibid.). Utilizing Reeves and Campbell's four social types, this present project identifies the primary definers as policymakers and lawyers who utilize the two cases of vigilante shopkeepers to formally introduce to the public neo-conservative reforms to the Criminal Code. While Chen is deemed a hero in most of the dominant news frames, both shopkeepers become the offenders—to a greater or lesser degree. These offenders are, even if also transgressors, subject to "journalistic discourses of recovery" in which they are able to be "purified of the shame" of their transgression,

rehabilitated, and ultimately vindicated (18, 39–40). While the shoplifters are also portrayed as offenders, however, they are “beyond redemption” and are, therefore, subject to “journalistic discourses of discrimination” (49). The representatives of common sense are voyeuristic news-consumers and the well-informed journalist, both of whom participate in the co-construction of discourses of inclusion and exclusion.

This project outlines the particular discourses of discrimination in which the pathology of delinquency is literally inscribed upon the bodies of the urban poor, Indigenous, and Black people whose very lives are punishable offenses requiring disciplinary modes of exclusion and elimination. The historical continuity of race thinking in the particular white settler colonial context of the Canadian nation reveals and underscores the continual containment of both racialized and gendered bodies. In her influential paper on the brutal murder of an Indigenous woman, Razack (2002b) makes the argument that, in particular, racialized gender violence against Indigenous and other women is *the* defining hallmark of *all* white settler societies. White supremacist settler state violence is entirely dependent on heterosexism and heteronormativity, and of the deep imbrication of race, gender, class, and sexuality within the colonial world order (Lugones 2007). As Jasbir Puar (2007, 112) reminds us: “The sexual is always already inscribed in necropolitical power grids implicating corporeal conquest, colonial domination and death.”

Race and heteronormative gender thinking are co-imbricated in the mainstream coverage of these particular mass-mediated incidents. These racist and heteronormative ideologies render hyper-visible the perpetual state of deviance in the life, and the death, of the scrutinized transgressor. As Reeves and Campbell (1994, 57) argue: “In contrast to well-informed reporters and authorized knowers; the . . . transgressor personifies another type of knowledge that is *re-*presented outside the bounds of both expert knowledge and common sense.” Not only do Beardy

and Bennett occupy this “realm of *nonsense*,” (1994, 57) but their families and communities are also hyper-visible, marked as deviant, and denied the power to produce knowledge that is considered legible and legitimate.

The shopkeepers, meanwhile, are included in the realm of common sense and consensus despite their broken English, which is underscored in *all* of the news stories about them and presented as a marker of innate cultural difference. The shared, common-sense language of class and gender power bridges this linguistic difference, however, and elevates Chen and Kim above the Indigenous and Black scrutinized transgressor in the racialized and gendered hierarchy of power. Via news discourses, these “offenders” sit alongside the journalists and representatives of common sense while driving the panoptic machinery.

The general circulation press, with its white middle-class biases, remains the benchmark for “journalistic excellence.” Mainstream journalists are able to claim the middle of the road and, therefore, safely occupy the realm of common sense. By staking out a politically neutral position, journalists are better able to “mask the racial dimensions of the news report” (Reeves and Campbell 1994, 126). The de-racialization of both the shopkeepers and their victims signals this race-neutral position being deployed by journalists in order to safely distance them from having to name race. By strictly adhering to the discourse of Canadian multiculturalism, which does not speak the language of race, these journalists and their readers are able to retreat into a color-blind discourse. This ability to occupy the middle of the road allows journalists and readers alike to participate in the process of consuming images of racialized and gendered violence without directly implicating themselves. The spectacle of under-siege, persecuted property owners beating up homeless drug addicts who are undermining their livelihoods is more easily consumed when race is evacuated from the frame; in this way, the actions of the shopkeepers are

redeemable precisely because they are “respectable” and hence closer to the mainstream white public. Race becomes a glaring present-absence in these news reports: liberals and racists alike can easily support the shopkeepers without having to appear racist; the shopkeepers, in turn, with their broken English become proxies who ultimately relieve Us from owning-up to our national common-sense hatred of Them.

### **Packaging Law-and-Order Politics**

In February 2011, the *National Post*, in “The Picture of Lawfulness” by Peter Kuitenbrouwer, reported on Prime Minister Stephen Harper’s highly publicized photo-op with Chen, “the Toronto grocer who inspired proposed changes to Canada’s Citizen’s Arrest Law,” at Chen’s Lucky Moose Food Mart in Toronto’s Chinatown. The article’s introduction was telling in its framing of Canadian citizenship and the Chinese Canadian community; it recounted how Harper, as well as the federal justice minister and the former chief of the Toronto Police Service, each bought a bottle of maple syrup—packaged in bottles shaped like a maple leaf. Kuitenbrouwer wrote how such purchases are unusual in a Chinese market, since “the pineapples, for example, were a much better buy, at \$1.99 each—and the kids may have found the mango coconut jelly packs more exotic” (Kuitenbrouwer 2011). After clearly establishing the “exotic” foreignness of this particular space and juxtaposing it to the familiarity of a clear bottle of maple syrup purchased by Canadians, the reporter continued framing Canadian citizenship by stating that Chen was now more famous than Olivia Chow, an MP who represents Canada’s New Democrat Party (NDP), as well as the only other “famous person in Chinatown.” Chen, however, unlike Chow, is no longer just a famous local star representing Chinatown, but has become “what a



judge called a ‘cause célèbre,’ a symbol across Canada of honest, hard-working people at odds with a justice system that coddles criminals” ever since Chen “tried to fill the void where the justice system failed” by hog-tying, beating, and kidnapping a shoplifter. After affirming that Chen, while consistently marked as foreign, was a good immigrant representing Canadian values of hard work and justice, Kuitenbrouwer launched into an explanation of how Harper’s visit to Chen coincided with the first reading in Parliament of Bill C-26. In his conclusion, Kuitenbrouwer underscored how the photo-op was a political ploy to garner immigrant support for the Conservative Party platform by mentioning that Harper was two years late on the scene—both the NDP’s Chow and the Liberal’s Joe Volpe had formerly introduced their own bills (Chow’s “Lucky Moose Bill”) to amend the Criminal Code in order to decriminalize Chen’s behavior.

This reporting demonstrates the mainstream journalistic recruitment that has been actively responsible for mainstreaming neoconservative law-and-order politics in order to garner middle-class support for particular policies that actively favor vigilante justice and further criminalization of the poor. In seven articles, Harper admits that the Chen case directly influenced the proposed changes to the Criminal Code (Nguyen 2011): “The case of David Chen has raised concerns right across the country. Now that the case has been ruled on and common sense has prevailed, this government, myself, the minister of justice, *have* instructed the Department of Justice and instructed officials to look at possible changes to the Criminal Code to prevent incidents like Mr. Chen’s from occurring again” (Windsor Star 2010; emphasis added).

The past Liberal and current Conservative administrations have been mobilized by these “series of high profile court cases that have served as a flashpoint for the debate over how far citizens can go to defend themselves and their property” (McMahon 2011c). Using the keywords

“Citizen’s Arrest and Self-defence Act” and “Chen,” a search of the Factiva database yielded twenty-seven stories that had appeared in Canadian print media during the period 2010–12 and that connect the Chen case explicitly to the passage of Bill C-26. This mass-mediated and constructed “ongoing battle against shoplifters” (CTV News–PM 2011), as represented by the Chen case, has been framed by reporters in such a way as to inform federal criminal justice policy. This dynamic “aiding and abetting” or “partners in hysteria” (Reeves and Campbell 1994, 2–3) relationship between policymakers and mainstream journalists’ framing of particular high-profile criminal cases and events is evidenced by the actions of Conservative policy analysts who have been responsible for drafting new draconian amendments to the Criminal Code. These analysts recently admitted that the proposed changes to the law were *highly* motivated by journalists’ framing of high-profile violent crimes that “increased feelings of insecurity among the public” (Casavant and Valiquet 2011, 2). While the federal government has undoubtedly been inspired by the news construction of racialized and sexualized criminality, it does not automatically follow that the current administration is governing directly through the journalistic framing of local crime conveyed as spectacle in both the Chen and Kim cases. As do Reeves and Campbell, I argue against a dichotomous and totalizing construction of crime news as a direct link to criminal justice policymaking; instead, it argues that the news media—in dynamic relation to other dominant institutions and ruling structures—contributes to the co-creation / co-fabrication and management (and not elimination) of necropolitics through the use of formulaic, white supremacist, and misogynist storytelling patterns that construct a national narrative of Black and Indigenous criminality.

As evidence of this dynamic “aiding and abetting” relationship, both mainstream journalists and policymakers have not directly articulated the connection between the newly

proposed amendments with the alleged murder of Beady. Reporters are more than likely cognizant that the outcome of the Beady case, even if Kim was ultimately exonerated, does not reflect well on Harper's stated commitments to safeguard those "citizens who make citizen arrests in good faith," and to discourage the use of "unreasonable force" and a culture of "vigilante justice." Mainstream journalists dissociate Bill C-26 from direct mention of the Beady murder. The majority of the articles connect both the Beady and Bennett cases without directly mentioning the newly proposed amendments or directly implicating the Harper administration in the Beady case. What these articles construct is a powerful opposition between Chen and Kim, buttressed by the legal expertise of law professors and police spokespersons.

Lorne Gunter, a columnist for the *National Post*, takes on the role of legal expert in his 2010 editorial "The Limits of Self-protection; Two Recent Cases Feature Shopkeepers Who Have Been Pushed over the Line by Theft," which quickly establishes this opposition. Gunter writes that "[t]here are strong similarities between the cases of David Chen and Kwang Soo Kim. But in the end, it is only right that Mr. Kim stand trial and Mr. Chen not" (Gunter 2010). Gunter proceeds to make a quick judgment in favor of Chen, but admits difficulty in ascertaining the facts surrounding Kim's charges, which he states are murky and leave him unable to determine whether or not Kim acted with reasonable or excessive force. Chen is viewed as acting rationally and deploying reasonable force even though Toronto police charged him with assault, forcible confinement, carrying a concealed weapon, and kidnapping. Gunter, however, views such charges as that of having "added insult to indignity," especially when prosecutors cut a deal with Bennett. When discussing the Beady case, however, Gunter is more cautious to assign blame or to exonerate Kim; he assumes a "fence-sitting" position and deems that the matter of whether or

not Kim used excessive force can only be resolved in a court of law. Gunter positions himself as a rational, detached legal expert who uses a middle-of-the-road approach. He writes that

[w]hile I am a committed advocate of the right to self-defence of both persons and property, that right is not a license to use any force one chooses. . . . I am not presuming Mr. Kim overreacted to Ms. Beardy's theft. I will willingly give him the benefit of the doubt. And I do not buy the expert argument that his assault on her was excessive because all she was taking was a can of Klik. Such arguments are usually spoken by people who have . . . never been robbed repeatedly, as Mr. Kim had been. (Gunter 2010)

Gunter fails to give Beardy the benefit of the doubt by mentioning that her shoplifting, like her murder, was within the realm of an *alleged* crime. He also fails to mention that Chen and his two coworkers, according to eyewitnesses, Bennett himself, and the Toronto police, never called the police to report that they had in fact done a citizen's arrest. The eyewitnesses called the police; Chen and his accomplices were actually driving the van with Bennett hog-tied in the back before the authorities pulled them over. According to Bennett's testimony, Chen and the others were planning to murder him. Gunter, however, dismisses both Bennett and Beardy as criminals and, therefore, irrational, illegitimate witnesses in their own defense—both residing clearly outside the realm of what constitutes common sense. While Chen is portrayed heroically, Gunter expresses ambivalence about Kim and goes to great lengths both to defend him for legitimately taking a stand against repeated theft and conversely to chastise him for reacting excessively in what he considers a legitimate reaction to being continuously “pushed over the edge by theft”. Gunter focuses solely on the question of whether Kim had gone too far in defense

of his property. While admitting that perhaps something did go “tragically wrong”, Gunter leaves it to the courts to make the rational decision about Kim.

Unlike Gunter, *Toronto Star* columnist Rosie DiManno does not position Chen and his accomplices as heroic, and works to underscore how their actions were actually “a step shy of baseball bat justice” (DiManno 2010b). Without ever mentioning Beady by name or alluding to the fact that she was killed with a baseball bat for her alleged crime of stealing luncheon meat, DiManno establishes the connection between the Chen and Kim cases, but only speaks directly about the former. She writes that “[a]nd while I’m all for walking tall pushback, bushwhacking a petty thief [Bennett] and muscling him into the back of a van is just one step shy of baseball bat justice. The charge may have been excessive, the eagerness to pursue the grocer in court absurd. But no, Mr. Chen, you don’t get a hero’s medal for it.” Like Gunter, DiManno never makes the direct connection between Bill C-26 and these two flashpoints, but they are complicit in dehumanizing both Bennett and Beady. Bennett is relegated to comically occupy the position of suspect-cum-victim, while Beady is doomed to be a nameless, disembodied victim of something called *baseball-bat justice*. Due to the mainstream journalistic framing of the events that occurred in these cases, this form of vigilante-style justice has become enshrined in the newly amended Criminal Code.

## **Visualizing Deviance and Respectability**

*The Offenders: David Chen and Kwang Soo Kim*

Mainstream reporters across the country have called Chen a “vigilante folk hero and a people’s champion” who has suffered from “dying the death of a thousand cuts by shoplifters every day” (Rush and Yany 2010). Upholding the popular frame that Chen is a “law-abiding, hard-working individual [who was] victimized twice” by Bennett and calling the justice system callous for “simply defending this livelihood,” Anthony Reinhart (2010) of the *Globe and Mail* delivers the strongest defense of Chen in an article titled “Store Owner’s Fate Is in Judge’s Hands; Thief Who Stole from Vigilante Shopkeeper Appears on Five More Charges of Stealing Plants from Another Merchant”:

It took mere seconds for Anthony Bennett, career criminal, to steal 11 hours’ worth of honest labor from David Chen. Such is the calculus of working life on the sidewalks of Toronto’s Chinatown, where merchants like Mr. Chen toil 100 hours a week for less than minimum wage between short naps on cots, while thieves like Mr. Bennett buzz about them like wasps, snatching \$6 houseplants to sell for quick-and-easy drug money. (Reinhart 2010)

Much attention has been focused in the mainstream press on framing Chen as an “honest grocer, struggling to make a buck and protect his merchandise” who has been unfairly handled by the Crown prosecution as “a target for punishment,” in stark juxtaposition to “people like Anthony Bennett” (Friday 2010), who are crack addicts and serial shoplifters (Kuitenbrouwer 2010a). Equating Bennett to the level of a wasp is but one example of how the press framed him as not quite human, or subhuman. In contrast to a thieving and wasp-like Bennett, Chen is the glorified poster child of Canadian multiculturalism. His honest pricing of fresh produce, long working hours, and the oft-stated fact that he only sleeps two hours per day are underscored in many of the articles, which equate such diligence as being inherently Canadian. The image of

Chen as a “modest man,” “a shy, married young father,” and “a hardworking immigrant business owner” (Nguyen 2011) does not quite square with other articles that note his status as a wealthy businessman and his purchasing a \$40,000 security system (Rush and Yang 2010), as well as his and his 55-year-old mother’s penchant for aggressively collaring and detaining suspected shoplifters (DiManno 2010c). Even these articles, however, frame Chen in glowingly positive terms.

Using the keywords “vigilante” and “Chen,” a search of the Factiva database yielded 175 stories that appeared in Canadian print media from 2009 to 2012. Out of these 175 reviewed, only two editorials by regular columnists articulated doubts as to the heroism of Chen and his coworkers; these doubts primarily concerned Chen’s use of excessive force (DiManno 2010b; Mulgrew 2011). Instead of boasting the merits of Wild West–style vigilantism, as in the *Calgary Herald* headlines “Unlucky at the Moose; Thief Fortunate Chen Didn’t Mete Out Prairie Justice” (*Calgary Herald* 2010), it is equated with excessive force. In these two editorials, Chen’s vigilantism is forcibly dissociated from heroism, and the newly proposed citizen’s arrest law is renamed “a made-in-Canada Dirty Harry law” and critiqued as encouraging more citizens to “play cop” by taking the criminal law into their own hands and as allowing the citizenry to rely upon privatized security forces that are not held to high standards of public accountability. In his editorial “Go Ahead, Make My Day Punk! Dirty Harry Would Love Canada’s Knee-jerk Legislative Response That Would Loosen Citizen-arrest Laws,” Ian Mulgrew (2011) satirically compares Harper to Clint Eastwood’s Dirty Harry performance, and refers to Chen as a “mercenary [and] darling of the talk-show industry and the sky-is-falling, get-tough-on-crime gang.”

Like Mulgrew, DiManno (2010c) portrays Chen as “thief-thwarter-in-chief” and “little quasi-vigilante” who took justice into his own hands, and does not deserve all the public “rah-rah” support because of it. After reading her column, one cannot help but notice the racialized discourse she uses to emphasize her point and to describe not only Chen, but the entire Chinatown establishment. After discussing how Chen orchestrated a “shanghai in progress” by kidnapping Bennett, DiManno proceeds to offer an analysis of a different kind of shoplifting crime that Chen and other Chinese merchants must be subjected to:

Listen, Chen seems an entirely nice stand-up guy, hard-working husband and father, clearly exasperated with the chronic thieving at his store and the uselessness of turning to the police for help. While it’s never been part of the equation in this case, I suspect Chinatown merchants have simultaneous grievances with extortionists working that ’hood—definitely not the kind of predator they’d hotfoot after on the streets. (DiManno 2010c)

In DiManno’s analysis, Chinatown is marked as a dangerous place of extortion where the Chinese mafia preys on beleaguered and financially precarious Chinese business owners. According to DiManno, Chen obviously would never have attempted to “shanghai” one of these extortionists, whom he must pay off in exchange for protection. The implication here is that white middle-class news-consumers are not wholly privy to the unspoken codes, which dictate how the Chinese deal with petty criminals whom they catch in the act, or the high-level Chinese extortionists who prey on their own kind.

The racialized discourses used to represent Chen are found throughout the mainstream press whether reporters portray him as a vigilante hero or vigilante villain who nearly crossed the



line between reasonable and excessive force. While the overwhelming majority of articles shy away from casting blunt aspersions against Chen's behavior and instead portray him as a folk hero, they only provisionally grant "respectable" status to Chen who, after all, is not quite Canadian enough to escape being dissected by discourses underscoring his noncitizen status and cultural Otherness. For example, many articles make note of his broken English and his being "burdened by an English worthy of a Frank Capra film" (Kuitenbrouwer 2010a), as well as highlight the level of his English-speaking ability, even though he arrived in Canada more than two decades ago. (When Chen is directly quoted in news articles, he is quoted verbatim.) In addition, media attention focused on the "day in court lost to translation" due to the inability of the court to secure a court-accredited Mandarin interpreter who could translate Chen's testimony into English (DiManno 2010a). During Harper's photo-op visit to Chen's store, Kuitenbrouwer (2011) notes how the prime minister refused Olivia Chow's offer to translate, therefore forcing Chen to communicate in "halting English."

Kim has fared far worse than Chen in the media, which is apparent in the framing of the Beardy murder as demonstrating "excessive force." As evidenced in the prior discussion of Gunter's 2010 *National Post* article "The Limits of Self-protection," the Kim case is presented in direct opposition to Chen's. Gunter exonerates Kim and gives him the benefit of the doubt so as to let the justice system determine whether he is innocent. Although Kim used excessive force, his offense, according to Gunter, is pardonable given the repeated robberies "by people like Geraldine Beardy." Emphasizing the regularity of theft at both *Lucky Moose* (in an under-policed Chinatown) and *Okay Grocery* (located in Winnipeg's dangerous West Side), journalists pit Kim and Chen against the threat of thieves preying on the livelihoods of hard-working, financially precarious immigrant shopkeepers. As in the Chen case, law enforcement's inattention to minor

transgressions, such as its inability to deter petty theft, is blamed for a “corresponding decline in the sense of community,” therefore creating a vacuum that can only be rectified by well-armed vigilantes who “fill the void where the justice system failed” (Kuitenbrouwer 2010b). Deploying the theory of broken windows, *Globe and Mail*’s national news covered a story with the headline: “Tensions Rise over Crime in Winnipeg Corner Stores; Vigilantism Could Be Spreading as Beleaguered Shop Owners Deal with Repeated Robberies, Vandalism” (White 2009). In reporting on why the “vigilante attitude” concerning the Beady case may be “catching on in the area” among other immigrant shopkeepers, Patrick White underscores the struggle of immigrant shopkeepers trying to make a living in an area overrun by street crime and petty shoplifting by interviewing Kim’s ex-wife, Luna. Readers are quickly drawn into the plight of Luna and Kim, who moved from South Korea to Canada in the early 1980s, bought two corner stores, had three sons, and hoped that the long hours of labor would result in financial freedom—a dream, we are told, that has been crushed by “long hours,” “slim profits,” and “frequent vandalism,” as well as the overall economic decline and changed racial composition of the neighborhood. Luna shows the reporter her “battle scars from 25 years of working the till at *Young Food Mart*,” which include “several scratches” on both forearms and severe back pain. “I’m not so big,” says Luna, who is slightly taller than five feet. “But I fight back. I have to. It hurts too much right here in the heart to just let them [shoplifters] walk out with things.” White introduces his article by connecting the struggle to make ends meet shared by Luna and Kim:

Seated before rows of cigarettes shrouded from view by an old shower curtain, she cups her head in her hands every time the subject of her ex-husband comes up. “It’s so hard,” she says, rubbing wrists that bear the scratches of several violent shoplifters. “Me and my three boys, they don’t want to see their father like

that. He's a peaceful man.” Regardless, he was charged with aggravated assault on Tuesday in a case that has sparked heated debate in a city where tensions are escalating between hassled corner store proprietors and the city's growing criminal presence. (White 2009)

The frame deployed here is of beleaguered shopkeepers whose dreams of achieving the Canadian dream of making good have been dashed by a criminal underclass, represented by Beady. The image of a vengeful, baseball bat-wielding shopkeeper in response to a poor woman's stealing a can of processed meat is challenged by White's framing of the shopkeepers as legitimately pushed to their “breaking point.” According to Luna, she no longer files insurance claims after vandals destroy her property, and says of her ex-husband, who has had to replace his front window: “The money it costs is second. The worst is how it make him feel in his heart”. Three-quarters through the article, the reporter shifts to describing particular incidents of recent crime in the neighborhood, and concludes with a quote by Tory justice critic Kelvin Goertzen, calling for an increased police presence to alleviate the high crimes in downtown Winnipeg. Immigrant stories of financial precariousness and hard work are presented to support a media-constructed law-and-order agenda.

Another article analyzed, this one by Steve Lambert (2010), portrays Kim in a positive light and is tellingly titled “Two Worlds Collide as Winnipeg Store Owner Charged in Death of Shoplifter.” Lambert first establishes that Kim and Beady are “from different worlds,” and then writes the following introduction, which is replete with tried-and-true stereotypical references to both Korean immigrants and Indigenous women: “He was a Korean immigrant, running a corner store in Winnipeg's tough north end. She was a member of a remote reserve, who fell in with a rough crowd while in the city for medical treatment.” In juxtaposition to Beady's itinerant life,

which was spent in a remote First Nations reservation and on the mean streets of Winnipeg, where she kept company with criminals, Kim is portrayed as an upstanding Korean immigrant struggling to make ends meet in the same mean streets, but on the other side of the law (and the right side of the “respectability/degeneracy” divide) from that of Beardy and her rough cohort. Lambert does not rely upon, as others do, a family member or fellow beleaguered shopkeepers to defend Kim’s alleged behavior or to recount his immigrant story, but instead on the “expert” testimony of David Bryans, head of the Canadian Convenience Stores Association. Bryans helps to portray Kim as someone who was trapped in an “industry in which every theft can make a big difference to a very slim profit margin.” We learn from Bryans that “these new Canadians that come in and open a convenience store or any store” do not possess the requisite training that is necessary to effectively deter shoplifters. Although Kim has resided in Canada since the early 1980s, he is represented as a non-Canadian newcomer with little knowledge of how to run a small, family-owned business. Like Chen, Kim is the perpetual foreigner.

Articles supportive of Kim are limited to the three already discussed. Using the name “Kim” in combination with “Beardy,” the Factiva database cited 109 stories that have appeared in Canadian print media during the period 2009–12. The majority of these do not even identify Kim by name. One of the earliest articles published after Beardy’s September 2009 death by beating only identified Kim as the person with the “broken accent.” Kim’s and Chen’s “newcomer” statuses are highlighted, even though both shopkeepers have resided in the country for a combined total of five decades. The majority of articles on the Beardy case underscore how Kim is not quite respectable, how he is an offender with a penchant for irrational, excessive displays of anger and miserliness. Kim’s escaping first-degree-murder *and* manslaughter charges is deemed business as usual by representatives of the First Nations community. The failure of the

justice system to prosecute Kim is an obvious abuse of the process in which the non-Indigenous perpetrator of violence against an Indigenous person avoids his due because of a long legacy of structural and institutional racism against Indigenous communities in white settler societies. As David Harper, the grand chief of the Manitoba Keewatinowi Okimakanak, which represents thirty First Nations across northern Manitoba, including Beardy's home of Garden Hill First Nation, said: "For any group to come in and say that it's OK to beat an aboriginal woman over the head over a can of Klik is not OK. . . . It's very unpromising to hear that cases like these . . . can get dropped" (Lambert 2011). The fact that Kim can commit such a crime and escape punishment in both the mainstream press and the legal system suggests his relative position of privilege in the racial and class hierarchy that separates those who are deemed worthy of empathy and "journalistic discourses of recovery," on the one hand, versus those who are deemed worthless and subjected to "journalistic discourses of discrimination" on the other (Reeves and Campbell 1994, 49).

*The Deviant Transgressors: Anthony Bennett and Geraldine Beardy*

Unlike Chen and Kim, the drug-transgressor Bennett and the itinerant, ill, and homeless Beardy both carry the stigma of deviancy in life and, for Beardy, also in death. In the mainstream press coverage, Bennett is simultaneously described as "a terrorist" (Paperny 2009), a "small-time crook with a getaway bicycle and a rap sheet THIS long" (DiManno 2010b), a "serial shoplifter" (Rush and Yang 2010), and a "drug trafficker" (CTV News-PM 2011), as well as being relegated to nonhuman status when he is identified as a drug-addicted "wasp" (Reinhart 2010) that threatens the livelihood of hard-working, law-abiding, and heroic noncitizens who strive to uphold honest and upright Canadian values. Anna Mehler Paperny's 2010 *Globe and Mail* article had a sidebar with the headline "Anthony Bennett: A Lengthy Rap Sheet," which offers the most

complete and thorough depiction of Bennett's life history—his “30-year crime spree”—writing that

Anthony Bennett, the chronic thief at the center of David Chen's controversial vigilante case, has a 33-year criminal record and is a long-term crack addict shopkeepers claim has been terrorizing their stores downtown for upwards of a decade. . . . Mr. Bennett, 51, came to Canada from the Caribbean. . . . His six children range in age from early teens to 26; the youngest two still live with Mr. Bennett and his partner. The woman would have been at his bail hearing, but she was with their 17-year-old son who was appearing the same day in criminal court elsewhere in the city. Mr. Bennett's numerous criminal charges date back to 1976. The vast majority are for petty theft, drug possession and violation of probation conditions. But he has also been convicted of fraud over \$200, assault with the intent to resist arrest, invitation to sexual touching and uttering threats. (2010a)

Thus, the beginning and end to Bennett's life history are neatly packaged for the mainstream reading public. We learn that he is of Caribbean descent, is a crack addict, has a relatively large number of children, is currently unemployed, has a son who also has a criminal record, is a thief who terrorizes the innocent, and is prone to violent behavior and sexual misconduct. If Chen is the poster child for the “good immigrant,” Bennett certainly is the perfect stereotypical representation of Black/Caribbean masculinity with its associations of criminality, lasciviousness, and buffoonery. Bennett's representation in the mainstream Canadian press draws on a profusion of anti-black representations that have been in popular circulation since the founding of Canada as a white settler nation.

The only time Bennett gets to speak in self-defense is when two reporters directly cite his testimony from court transcripts. One article recounts his description of how he had been beaten and hog-tied by Chen and his accomplices: “[they] friggin’ tied me up,” and how he screamed, “They’re going to f—n’ kill me!” At another time during the trial, Bennett is also quoted as saying, “It’s plants, man. I didn’t rob him with a gun.” But his assertion that Chen used excessive force and the witness-supported claim that Bennett’s life may have been in imminent danger have no credibility in the courtroom, pressroom, or the court of public common-sense opinion. According to one editorialist, Bennett should just “be thankful that he doesn’t live in Alberta, where prairie justice can be much more severe than at Toronto’s *Lucky Moose*” (*Calgary Herald* 2010)—a veiled threat conjuring images of racist lynch mobs and Wild West vigilantism aimed at Black communities and Indigenous peoples. Furthermore, according to the editorial, Bennett, whose life has been spared due to concerned witnesses who called the police, should also be thankful that he got off, while “hard-working, fed up Canadians who make a fair and reasonable citizen’s arrest” are unfairly charged. In the mainstream press, Bennett is therefore relegated to that of a fool who is not worthy of being called a Canadian citizen; his representation only conjures up *nonsense*, as opposed to expressions of *common sense* made by Chen’s supporters and financial contributors who established the Victims’ Rights Action Committee (Paperny 2010), Chen’s legal team, the press-reading public, and the justice system that ultimately acquitted him and two fellow grocers of all charges. Try as he might to position Bennett as deserving of justice (for example, by saying that “even drug addicts and thieves” are accorded equal protection under the law), his lawyer did not challenge the dehumanization of his client by a mainstream press deploying reliable racist tropes.

The abject dehumanization of Beady downplays her untimely death, her invisibility in a legal system uninterested in seeking justice for Indigenous people, and her defilement by mainstream journalists criminalizing her life though not the deliberate violent actions that led to her death. In the majority of articles already discussed, Beady, in relation to Kim, is identified as criminal, itinerant, and ill; additionally, she is described as someone who was “struggling to get by” and who had a penchant for hanging out with the homeless in a tough Winnipeg neighborhood (Lambert 2011). Articles appearing only in the *Winnipeg Free Press* use “allegedly” to describe her shoplifting, as in “Beady was allegedly caught stealing a can of lunch meat” (Giroday 2009). The majority of articles previously reviewed never dispute Beady’s guilt and reserve the use of “allegedly” to describe Kim’s “alleged assault” of the out-of-control and “intoxicated” “29-year-old shoplifter” Beady, who was “hanging out with two homeless men” (Pritchard 2011; White 2009). The *Winnipeg Free Press* journalists are alone in providing a number of alternative interpretations and counter-narratives that challenge, to varying degrees of success, the official, dominant framing of both Beady and the homeless Indigenous and First Nation communities in Winnipeg.

The *Winnipeg Free Press* serves as an archive to allow any interested party to piece together and document the life and times of Beady and her family and homeless friends. We first hear of her in 2000 in an article titled “Gauze Pad Left Inside Her, Women Sues St. B. MD”:

A 20-year-old woman is suing St. Boniface General Hospital and an obstetrician after discovering a wad of gauze pad was left inside her after she gave birth. In a statement of claim filed last week, Geraldine Beady from Garden Hill First Nation said she had gone into the hospital to deliver her baby. . . . On May 13, Beady discovered there was something lodged in her vagina, according to the



claim, and immediately went to the nursing station on the reserve where a nurse removed a four-inch by four-inch piece of gauze from her abdomen. The nurse also discovered internal tearing. (Winnipeg Free Press 2000)

While the mainstream press covering Beady's murder had always alluded to her as being ill and an ongoing patient at St. Boniface General Hospital, the *Winnipeg Free Press's* article is the only one to provide clues about her illness, which in this particular case was caused by medical negligence. Without this information, many mainstream journalists alluded to Beady's illness as being alcohol related, therefore reinforcing the prevalent stereotype of drunken Aboriginals. We also learn that Beady was the mother of three children, a fact not reported in any articles other than those in the *Winnipeg Free Press*, which also treats Beady as a well-loved member of her family and street community (Martin 2010a).

These alternative stories stand in stark contrast to the articles by mainstream newspapers that rarely, if ever, frame Indigenous and Aboriginal people as anything other than inherently dysfunctional. The headlines of three articles about Beady in the *Winnipeg Free Press* read like obituaries from loved ones: "Meal for Hungry Her Legacy—Sandwiches Tribute to Woman Allegedly Killed over Can of Klik," "Grandma Finishes Slain Woman's Mercy Mission" (Martin 2010a, 2010b), and "A 'Mom' to Her Street Family—Homeless Knew Who Victim Really Was" (Sinclair 2009). While these are good examples of empathic human-interest articles written by well-meaning journalists intent on offering alternative discourses that dignify the voices of marginalized Others, they do not merit being called counter-narratives, since they do not identify and challenge the systemic, structural, and ideological forms of domination that converged to physically and discursively exterminate Beady.

### **News Voyeurism and Proxy Politics**

The crime theme of petty shoplifting and the limits of defense-of-property and vigilantism laws has been featured by mainstream Canadian journalists and promoted by both neoliberal and neoconservative politicians. As is evident, this theme begins to serve as an organizing principle, structuring how the news is told and disseminated. Shoplifting is old news for people who are homeless and underemployed, such as both Bennett and Beardy. For these marginalized communities, journalism's reporting on their petty shoplifting was not so much about the "discovery of a new epidemic as it was about their coming under the unwelcome scrutiny of the optics of power" (Reeves and Campbell 1994, 147). The collective moralistic anger expressed by both middle-class journalists and their middle-class readership was directed against two shoplifters, both of whom being racialized as nonwhite, who were caught in the act and beaten, one fatally. The expression of this outrage reaffirms the normalizing power of crime news, which is most "successful at mobilizing public opinion because, after all, crime is less open than most other public issues to competing or alternative definitions of the situation" (163). In this scenario, Bennett and Beardy are bereft of the ability to defend themselves or to be defended; there is no opposition to the dominant news framing because a racially minoritized criminal underclass is already assumed to have forfeited its citizenship rights and its right to speak anything other than the nonsense attributed to the poor. By Bennett's stealing flowers for cash to buy drugs and by Beardy's stealing a can of processed meat to be used in sandwiches for the homeless, both forfeited the right to be heard by those in power. In both life and in the law, Beardy and Bennett have been subjected to the voyeuristic gaze of and surveillance by those journalists, legal experts, politicians, and news-consumers who constitute and preside over the court of public opinion.

The mobilization of middle-class and reportorial outrage directed at individuals like Beady and Bennett speaks to how it activates “the ‘demarcating imperative’ [that] divides up human and non-human, society and nature, ‘on the basis of the simple logic of excluding filth’” (Stallybass and White 1986, qtd. in Reeves and Campbell 1994, 176). “Filth,” and the self-righteous reaction of disgust to its presence, is being imagined and projected onto the excluded, “Othered” bodies of Beady and Bennett, and onto the specific spaces that these bodies are forced to inhabit. For journalists and their audiences, the privilege of mobility—moving from respectable space, to degenerate space and back again—is an adventure that confirms their racial, class, and gender superiority. First Nations reservations, inner-city slums, downtown areas of prostitution (for example, “the Stroll”), and Chinatowns—spaces that have historically segregated the racialized poor within North America—are the loci of middle-class moral disgust in news coverage of the Beady and Bennett cases. The detailed descriptions of the areas surrounding Okay Grocery and Lucky Moose are clearly calculated by journalists to “inspire revulsion in the audience” (178). As Razack (2002a, 129) argues: “The inner city is racialized space, the zone in which all that is not respectable is contained. Canada’s colonial geographies exhibit the same pattern of violent expulsions and the spatial containment of Indigenous peoples to marginalized areas of the city, processes consolidated over three hundred years of colonization.” In other words, racialized and colonialized groups that come to be physically and metaphorically removed or expelled reside in a permanent “state of exception,” or “a permanent spatial arrangement that remains continually outside of the normal state of law” (Mbembe 2003, 13).

Precisely because Beady and Bennett were both considered to belong to and embody the space of drug abuse, homelessness, prostitution, imprisonment, and degeneracy in which

interpersonal violence routinely occurs, and because the middle-class journalists and news-consumers presumably reside far away from these “degenerate zones,” it becomes easier to mask the structural and systemic violence done to Beady and Bennett, and to diminish the culpability and legal responsibility of Chen and Kim. While these zones “are also designed to demarcate degenerate bodies—those that society deems as being unwanted, unmissed, and ultimately disposable,” they also permit “others to be defined as respectable” (Jiwani and Young 2006, 900). Because Chen and Kim also reside in these degenerate zones, and because “the constitution of spaces reproduce racial hierarchies” (Razack 2002b, 1), they do not entirely escape the “bourgeois revulsion” visited upon their victims by these same mainstream journalists and their audiences.

Chen and Kim are therefore placed in a particular role by mainstream journalists and policymakers—that of intermediaries. While both shopkeepers are overwhelmingly framed by the mainstream media as relatively reasonable and law-abiding, their rationality and, above all, benevolence are called into question. Like their inability to be embraced as fully Canadian, Chen’s and Kim’s perpetual foreignness excludes them from attaining the same level of bourgeois white respectability granted to full upper- and middle-class citizens. Their physical and geographical proximity to the inner-city and its inhabitants render Chen and Kim as touched by filth and contaminated by the poor, racialized Others occupying the lower rungs in the racial hierarchy in place in white settler societies like Canada. The shopkeepers’ relatively higher class status and displays of masculinized violence cannot save them from being simultaneously heralded and pilloried by the same mainstream, news-consuming public. In sum, Chen and Kim do not comfortably fit into the “Asian model minority” role; as “perpetual foreigners,” they are

not assimilated as corporate professionals and do not possess the cultural capital necessary to partake in the rituals of “good” citizenship.

While “ordinary people” consumed the news of Beady’s murder and Bennett’s beating, they did so without ever realizing that they could also be the participants, enablers, and strategists who foster the particular conditions for acts of racialized and gendered violence to occur with such frequency, enmity, and impunity. The ability of ordinary people to witness, via proxy, brutal murders of Indigenous women in national mainstream media serves to “reproduce white bodily integrity as a fundamental and necessary national-racial entitlement, a historically situated reification that forms the political and conceptual premises of national, popular, and ‘critical’ discourses more generally” (Rodriguez 2010b, 153). Chen and Kim protect this “white bodily integrity” by shielding or buffering middle-class viewers from having to openly admit their deep-seated racism, revulsion of the poor, homeless, and addicted, and desire for revenge, and by allowing themselves to be manipulated as middlemen. Chen and Kim became middlemen who delivered particular messages that upheld vigilante violence—messages that enabled the dominant white society to enact its revanchist impulses against racialized Others, thus reinforcing that white supremacist dominance without ever having to admit it. In this way, white innocence and middle-class respectability, juxtaposed with Black and Indigenous degeneracy, remain firmly in place as the conceptual framework through which these incidents of gendered racial violence can be understood.

### **Geraldine’s Body**

Ruth Wilson Gilmore (2002, 261) defines racism as “the state-sanctioned and/or extra-legal production and exploitation of group-differentiated vulnerabilities to premature death.” Her

clarifying definition of racism relates closely to postcolonial scholar Mbembe's (2003, 12, 27) conceptualization of *necropolitics*, which he defines as a "work of death," in that it identifies "who matters and who does not, who is disposable and who is not" based on race and the logic of racism and colonial domination. Mbembe argues that the meaning of death in necropolitics emerges through interpretations of embodiment: of corpses, of who kills, and of who is targeted for death. In white settler societies like Canada's, it is not difficult to argue that the most accomplished form of necropower is the ongoing colonial occupation of Indigenous lands and bodies. History teaches Indigenous and Black women, in particular, that they are not entitled to even a modicum of bodily integrity (see A. Smith 2005).

In our contemporary period, the relegation of Indigenous peoples to social death and permanent states of exception is placed into stark relief by the hundreds of open cases concerning missing and murdered Indigenous girls and women. Canadian critical race feminists (Jiwani and Young 2006; Pratt 2005; Razack 2002a) have remarked that mainstream news discourses have explicitly reproduced and furthered the racialized and gendered marginality of missing and murdered Indigenous women. By viewing the publicly mediated spectacle of murdered women of color, mainstream news-consumers come to know and gaze at these women who are rendered, in journalistic discourses, as simultaneously hyper-invisible as victims of violence and hyper-visible as deviant bodies. The news-consumer is gazing from within the panopticon of power, thus condemning Indigenous women to oscillate violently between hyper-visibility and -invisibility. Common-sense understandings of Indigenous women are premised on violence as pedagogy; news-consumers learn that racialized and gendered violence against Indigenous women is something to be "contained and disappeared into the categorically unremarkable: that which is so taken-for-granted, assumed so organic to the production of the

social landscape, that it is quite literally not worthy of extended remark, much less sustained critical comment or analysis” (Rodriguez 2010b, 153).

Condemned to live a life displaced between two states of exception—the reservation and the inner-city slum—Beardy was “subjected to conditions of life conferring upon [her] the status of *living dead*” (Mbembe 2003, 40; emphasis in the original). But this status is not unique to Beardy; rather, it is a collective reality for Indigenous women across white settler societies globally. In her influential essay on the brutal murder of Pamela George, a Salteaux woman in Regina, Saskatchewan, Razack (2002b) makes the argument that sexualized violence against Aboriginal women is endemic in settler states. Recounting how the court proceedings represented the victim and her two white male victimizers as abstracted characters in a de-historicized context in which “neither side could be seen in the colonial project in which each was embedded,” Razack notes that

[t]he history of dispossession, and its accompanying violence, that brought both Pamela George and her murderers to the Stroll; white people’s historic participation in and benefit from that dispossession and violence; and the law’s complicity in settler violence, particularly through an insistence on racelessness, all remained invisible. At the end of the day, the record showed only that two white “boys” lost control and an Aboriginal woman got a little more than she bargained for. (Razack 2002b, 126–127)

As the historical and contemporary proliferation of gendered, sexualized violence targeting Aboriginal women indicates, this kind of violence is constitutive of necropolitics: the politics of death and the politics of race and gender go hand in hand. Deemed by the court of public opinion

as undeserving of full personhood in both life and death, the spirits of two Salteaux First Nations women, George and Beardy, are trapped by interlocking racist and gendered discourses of degeneracy and deviancy that are upheld by “respectable” white middle-class feelings of denial and innocence. As long as these privileged news-consumers continue to view themselves as innocent, they will be induced to obscure their own complicity in legitimizing necropolitics and fueling the discursive and physical violence that drives necropower. And insofar as the oft-cited conflict and competition narratives of different racialized, colonized, and gendered groups are represented as extraneous to white/non-white binaries, racialized value hierarchies and binaries—criminal/not criminal, colonized Other/privileged settler, minority/model minority—will be reinforced, precluding any possibility of coalition between Indigenous communities, the descendants of chattel slavery, and non-white immigrant settlers.

## Note

1. The Citizen's Arrest and Self-defence Act became law on March 11, 2013. It amends the Criminal Code to permit an individual who owns or has lawful possession of property, or persons authorized by them, to arrest within a reasonable time anyone whom they find committing a criminal offence on or in relation to that property. It also amends the code to simplify the provisions relating to the defences of property and persons.

Nathalie Des Rosiers, general counsel of the Canadian Civil Liberties Association, said that people could use the powers of citizen's arrest to make false accusations against others: “The concern is [that] will it be applied and will it be used in contexts where it could expose citizens to dangerous situations, lead to violence, lead to forms of vigilantism or simply just be



unsafe for everyone concerned?” (qtd. in Mahoney 2013). In addition, the legislation states that an arrest can be made within a “reasonable time,” without being more specific, leading to a potential gray area when matters are brought before the courts. Cases like Chen’s also raise concerns about the notion of “reasonable grounds.” Des Rosiers believes that the new law leaves too much ambiguity: “You can imagine the possibility of mistake, the possibility of abuse, of someone being told, ‘I reasonably believe’” (Wilson 2013).

## Chapter 4

### *Outlaw Vernacular Discourses and Media-Justice Activism:*

#### **Indigenous Women and Black Trans Girls Challenging Media Necropower in Settler States**

But it is not enough to stand on the opposite river bank, shouting questions, challenging patriarchal, white conventions. A counterstance locks one into a duel of oppressor and oppressed; locked in mortal combat, like the cop and criminal, both are reduced to a common denominator of violence. The counterstance refutes the dominant culture's views and beliefs, and, for this, it is proudly defiant. All reaction is limited by, and dependent on, what it is reacting against. Because the counterstance stems from a problem with authority—outer as well as inner—it's a step towards liberation from cultural domination. But it is not a way of life. At some point, on our way to a new consciousness, we will have to leave the opposite bank, the split between the two mortal combatants somehow healed so that we are on both shores at once and, at once, see through serpent and eagle eyes. Or perhaps we will decide to disengage from the dominant culture, write off altogether as a lost cause, and cross the border into a wholly new and separate territory. Or we might go another route. The possibilities are numerous once we decide to act and not react.

— Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza* (2012, 100–101)

I was first introduced to Cynthia Frances Maas as just another disposable, dead-to-others non-entity. Media described her as a five-foot-two Indigenous woman with a “‘high-risk’ lifestyle”

(The Province 2010; Canadian Press 2010) who was reported missing for three weeks before her decomposing body was found in a remote wooded area just off of Highway 16—the so-called Highway of Tears in northern British Columbia—where dozens of mostly Indigenous girls and women, living off-reserve, have systemically disappeared and been murdered (Penner 2010a). Even when there was nothing to link Maas to the sex trade, both the police and journalists publicly identified her solely as a sex trade worker and labeled the area in which her remains were found as a space unequivocally “frequented by sex-trade workers” (The Province; Vancouver Province 2010; Penner 2010b). Gladys Radek is an Indigenous activist whose own niece went missing in 2005 prompting her to cofound Walk 4 Justice to draw attention to the dozens of Indigenous girls and women whose bodies have been discovered in the past four decades along the same stretch of the Trans-Canada Highway. She publicly criticized the RCMP’s statement linking Maas’s murder to her work in the sex trade as a form of discursive violence (Brethour 2010). Underscoring the structural devaluation of the lives of Indigenous women who are exposed to “a lot of brutality, a lot of violence,” Radek states, “They [the RCMP] should be treating that woman as a woman first” (Brethour 2010).

In a statement made later the same day, the Maas family also deplored journalists for highlighting gender and lifestyle descriptions, claiming this practice “numb[ed] public empathy” and detracted from focusing on the murder of their daughter as well as the many other unsolved cases of missing and murdered girls and women (Postmedia News 2011). Speaking about the measure of societal indifference to the fate of Indigenous women, the Maas family writes, “Murders do not just harm families, but our society is harmed as we forget and are numbed by senseless violence perpetrated against women portrayed as deserving of death.” Because she was a disabled, street-involved Indigenous woman, her family adds that “Cindy ... was a poster child

for vulnerability in society” (Postmedia News 2011). After stating how they would like to see Canada strengthen the human rights of women and craft policies which better protect multiply marginalized Indigenous girls and women, the Maas family close by thanking the RCMP detachment in Prince George for their diligence and sensitivity. Cynthia’s aggrieved family deftly refuses to spin a normative narrative that ascribing value to the devalued often demands. A politics of respectability would necessitate that they claim their daughter was actually “the girl next door,” thus disavowing other Indigenous women and women of color who worked in the street economy—and struggled with addictions, poverty, and violence—alongside Cynthia. Cynthia’s family, however, did not have a viable choice to engage in the politics of respectability to begin with; for those already marked as socially degenerate, there can be no claims of innocence and deservingness.

The same day that the Maas family released their statement, a group of Indigenous feminist activists in Vancouver’s Downtown Eastside continued their boycott of British Columbia’s Missing Women Commission of Inquiry while still honoring the families of women murdered by convicted serial killer Robert Pickton (Fournier 2011a). During the protest, Cee Jay Julian announced that Cody Alan Legebokoff, a twenty-one-year-old white man, had been charged with four counts of first-degree murder in the deaths of three women and a legally blind fifteen-year-old girl. Having personally known Maas and two other Northern BC women—who all reportedly worked in the sex trade while raising their children—Julian states, “Cynthia Maas was aboriginal, like many of the Highway of Tears victims, like many of Pickton’s victims, and it seems like our deaths aren’t investigated until it’s right in the face of the police” (Fournier 2011b). Journalist Suzanne Fournier represents Julian as emotional, saying she “broke down in angry tears” and “plead[ed] for help at [the] inquiry” before shouting “When will it stop? Who

will stop these men preying on our women?” (Fournier 2011a). Julian’s intervention underscores a reality in which “violence against Indigenous women is a key index to a hollowing out of any Indigenous self-determination in Canada and the United States, as it poses a loss of integrity to women’s and the Indigenous nation’s body/social body” (Million 2013, 23). Instead of acknowledging the more than 600 cases—half of them unsolved—of missing and murdered Indigenous women in Canada<sup>1</sup>, Cynthia Frances Maas’s life and death or life-in-death are quickly dismissed by the Canadian state and mainstream media as an individualized, random act of violence—and not a systematic outcome of colonialism’s embedded culture of white supremacist hetero-patriarchy. The “600+” statistic is still rarely quoted by non-Indigenous peoples and media; the same is true of specific names, dates, or details on the material conditions that produce violence against Indigenous girls and women.

Even as Maas’s friends and relations as well as Indigenous feminist antiviolence activists reclaim her personhood in story-based terms, Maas’s life-in-death existence remains nothing more than a mere abstraction; “a killing abstraction” (Holland 2000, 17). According to Ruth Wilson Gilmore, such practices and processes of abstraction are violent and not in themselves abstract. Gilmore argues:

Racism is a practice of abstraction, a death-dealing displacement of difference into hierarchies that organize relations within and between the planet’s sovereign political territories.... Indeed, the process of abstraction that signifies racism produces effects at the most intimately “sovereign” scale, insofar as particular kinds of bodies, one by one, are materially (if not always visibly) configured by racism into a hierarchy of human and inhuman persons that in sum form the category “human being.” (Gilmore 2002b, 16)

The violence of abstraction refers to the multiple ways that racialized and gendered Others are made vulnerable to premature death by carceral state violence and white settler colonialism, and it references how they are positioned as permanently criminalized people who are “ineligible for personhood” (Cacho 2012, 6).

Unlike Legebokoff, the “baby faced adult” (Platt 2011) who is judged individually and portrayed in the mainstream press as an “unlikely serial killer” (Hoekstra and Hager 2011) with an “alleged victim pool including prostitutes” (Cooper 2011), his four murder victims—Cynthia Frances Maas, Jill Stacey Stuchenko, Natasha Lynn Montgomery, and Loren Donn Leslie (three sex workers and one “troubled”, legally blind, and lesbian tenth-grade student with a penchant for hitchhiking) (Platt 2011; Hoekstra 2011a; Hainsworth 2010)—appear categorically criminal or, at the very least, “always already” culpable. The mainstream press—deploying headlines such as “Just a country boy; Family at a loss to explain murder charges against 21-year-old” (McMahon 2011b)—has already devoted more than seven full-length feature articles to exploring what could have possibly gone wrong with the “perfectly normal,” white, upper-class, heterosexual “country boy” (Hager 2011a) from a long-standing, prominent family and to commiserating with Legebokoff’s stunned “close-knit” community members who cannot associate the charges with the “upstanding young man” they know and love (Hoekstra 2011b). An avid user of social media and online dating, Legebokoff used the moniker “1CountryBoy” and prominently displayed the lyrics of Justin Moore’s “Backwoods” in his profile: “Out in the backwoods / down in the holler / Out in the backwoods / Working hard for a daller / In the backwoods, yeah we got it done rite / work hard, play hard, hold my baby tight / lord have mercy / it’s a real good life in the backwoods” (McMahon 2011a). Legebokoff murdered and dumped the bodies of Indigenous and disabled women and girls in these very same backwoods. Entitled

white men sexually assaulting and murdering racialized and gendered Others in these remote wooded areas demonstrates how “place becomes race through the law” in white settler societies (Razack 2002a, 1). The mainstream media naturalized the violence against racialized and gendered Others by framing it as merely something that happens in prostitution and in those isolated, wooded spaces. Rendering Indigenous girls and women transparent and disposable—merely a fungible part of the natural environment—is directly tied to the places in which they are killed and their bodies are dumped. The spatiality of the violence and its relationship to Canadian settler colonialism cannot be overlooked because it is in these liminal spaces that mark the border between the civilized and primitive where the white male subject comes to know himself as dominant. As Sherene Razack argues, “the subject who comes to know himself through such journeys first imagines his own space as civilized, in contrast to the space of the racial Other; second, he engages in transgress, which is a movement from respectable to degenerate space, a risky venture from which he returns unscathed; and third, he learns that he is in control for the journey through individual practices of domination” (Razack 2002a, 13–14).

These discourses that privilege white settler innocence and shield white law-breakers from occupying criminalized statuses are legitimated in white settler societies because, as critical race feminist Cheryl Harris succinctly explains, “Whiteness has value, whiteness is valued, and whiteness is expected to be valued in law” (1993, 1777). Harris traces the origins of whiteness as property following the period of chattel slavery and genocidal conquest in the parallel systems of domination of Black and Indigenous peoples out of which were created racially contingent forms of property and property rights. Racialized criminalization, racialized and gendered violence, carceral state violence, and racialized property dispossession are all logical extensions of the white settler state’s history of “whiteness as property” (Harris 1993). The set of assumptions,

privileges, and benefits that are accorded to Legebokoff are conspicuously absent in the dominant discourses and representations of the poor white and Indigenous girls and women who were murdered twice: first, by the “popular well-adjusted young man from a good home” (Hager 2011b) and second, by the killing abstractions that rendered racialized and gendered bodies rightless, property-less nonbeings in both life and death. Clearly, the privilege of specificity is reserved for white men whose whiteness is decriminalized. This case was represented in this way because criminality is racialized and because Legebokoff’s violence is aligned with state-sanctioned violence waged against Indigenous peoples in general and Indigenous girls and women in particular.

This chapter directly builds on the preceding chapters by focusing on how the theoretical interventions driven and movement building led by Indigenous feminist and race-radical girls and women at the forefront of antiviolence movement building in Canada and the United States. This sustained focus helps us to not only identify and understand but create multiple strategies that dismantle media necropower and the racialized gendered violence that it mobilizes and sustains. To this end, I pose the following key questions: In the face of such killing abstractions, what positions are actually available from which to critique and contest these necropolitical logics? How can the aggrieved families and communities of missing and murdered Indigenous girls and women as well as murdered trans and gender-nonconforming Black youth in the United States acknowledge and challenge social death and the mass-mediated necropower that legitimates it? Do the answers lie in continually recuperating social value—the act of ascribing normative social value to one ‘object’ over an ‘Other’—and repudiating these killing, abstracting practices and criminalizing stereotypes? What are the limitations of over-relying on this strategy of disavowal and vindication—of assigning social value to some and *not*-value to others—that so



often can reproduce the same problems we initially meant to resolve? Must we instead work to manifest a politics which dismantles the social value that dictates who does and does not matter, who can and cannot become valuable members of society, and who can and cannot live, let alone survive?

This chapter explores a number of case studies that demonstrate how Indigenous and race-radical feminists engage in innovative strategies that intervene in both dominant and vernacular discourses and official and alternative narratives that are complicit in sustaining social death and the “violence of [social value]” (Cacho 2012, 31). Since Indigenous girls and women in Canada and Black trans and gender-nonconforming girls and young women throughout the United States are marked as “ineligible for personhood” (Cacho 2012, 6) in both life and in death, the activists and movements I explore grasp the importance of not falling into the well-worn trap of ascribing normative value to those already devalued. I underscore both the outlaw vernacular discourses and media-justice strategies that have already been deployed in radical and revolutionary movements led by Indigenous and Black race-radical feminists.

Outlaw vernacular discourses are produced by marginalized communities and are logically incommensurate with broadly accepted, dominant notions of judgment and justice (Sloop and Ono 1997; Ono and Sloop 2002). A key movement that brings forth such outlaw discourses is the media-justice movement—couched within the US-based Black liberation struggle—which has always understood that media access without discursive power is a losing battle in the long-term war for racial justice (Cyril 2005; Cutting and Themba-Nixon 2006). Media-justice activism led mainly by racialized and criminalized communities aims to build social movements capable of challenging the fundamental roots of media power—namely, how the media engage and create culture, representation, meaning, and structural, symbolic violence

(Themba-Nixon and Rubin 2003; Themba-Nixon 2008). Such media-justice strategies do not privilege elite media or public-relations strategies at the expense of building the strategic capacity of directly impacted people to communicate with each other in order to push for change that will significantly improve their lives.

As bell hooks argues, “all marginal groups in this society who suffer grave injustices, who are victimized by institutionalized systems of domination (race, class, gender, etc.), are faced with the peculiar dilemma of developing strategies that draw attention to one’s plight in such a way that will merit regard and consideration without reinscribing a paradigm of victimization” (1995, 58). A paradigm that relies on individualized victimization and injury is rendered legible only if the violated subject—if they are even recognized as a victim—is deemed respectable or symbolic of settler societies’ standards of normalcy. Such a politics of respectability and deservingness broadly describes how dominant groups secure their position of dominance through the margins. As Mary Louise Fellows and Sherene Razack argue, “how groups on the margins are positioned in relation to one another on the disrespectable, or more aptly, the degenerate side of the divide, is of central importance to understanding how the dominant group produces and sustains feelings of innocence for itself and groups on the margins” (1997, 336). Instead of aiming to secure justice by making the dominant claim that murder victims like Cynthia Frances Maas are like other women, or attempting to revalue devalued Black trans youth like Islan Nettles, whose case I will discuss shortly, I aim to take up the challenge presented by critical race theorists and race-radical queer and feminist scholars: “to re-member the Other by dismembering value” (Barrett 1999, 128). In other words, the primary goal of this chapter is to further a politics incommensurate with dominant logics—premised on

outlaw vernacular discourses and media-justice movements—that rejects the inherent violence that is conducted in the name of social value, deservingness and worthiness.

In this chapter, I aim to underscore an Indigenous and race-radical trans and feminist critique of carceral and settler state logics, which work to pacify political movements struggling for decolonization and national liberation outside the nation-state. This chapter prefaces my discussion in both chapters four and five that are dedicated to exploring transformative justice and community accountability projects and to theorizing the incommensurable politics that are needed to build a new Indigenous and race-radical feminist anti-violence movement that does not rely on the carceral or settler state. Here, I introduce multiple Indigenous feminist, race-radical feminist, and queer of color critiques that effectively undermine discourses championing state-sanctioned liberal politics of recognition as the only feasible and pragmatic form of resistance offered to those victimized by hetero-patriarchal, white supremacist state violence. As Indigenous activist-scholar Glen Coulthard argues, “the empowerment that is derived from [a] critically self-affirmative and self-transformative process of desubjectification must be cautiously directed *away* from the assimilative lure of the statist politics of recognition, and instead be fashioned toward our own on-the-ground practices of freedom” (Coulthard 2007, 456; emphasis in original).

This chapter focuses on two particular movements that employ outlaw vernacular discourses and media-justice strategies to subvert human and civil rights-based calls that advocate for a state-led missing and murdered Indigenous women’s inquiry in Canada and for the expansion of federal hate crime protection to include gays, lesbians, bisexuals, transgender, and queer people in the United States. Instead of legitimating calls for legal protection by the carceral state, race-radical Black feminists and queer people of color are building new

antiviolence movements that advance community accountability and transformative justice to prevent the interpersonal violence that targets nonnormative racialized bodies and in particular, the disproportionate criminalization, incarceration, and execution of Black trans and gender-nonconforming youth.

The Indigenous and race-radical feminist activists explored in this chapter advance such radically disjunctive ways of speaking that reject governing logics therefore privileging discussions about the interlocking forms of interpersonal and state violence in order to create discursive changes that shift overall cultural understandings and political solidarities.

As Stuart Hall suggests, “Nothing *meaningful* exists outside of discourse” (Hall, Jhally, and Media Education Foundation 1997, emphasis added). Ultimately, I am undertaking a critical theoretical project that investigates outlaw discourses and utilizes their radically disjunctive and counterintuitive logics to dismember dominant understandings of social justice and value. After studying various forms of outlaw discourses and media-justice strategies, I am equipped to carefully reflect upon which positions to denounce or champion. Finally, I aim to reflect these judgments back to other activist-scholars to be “used as provocateurs for the social imagination, a way to disrupt existing systems and logics of judgement” (Sloop and Ono 1997, 63). My goal is to participate in the process of social transformation, not simply to record its impacts. Like Camille Acey who offers a radical critique of California’s popular, depoliticized “Schools Not Jails” campaign, I too “wish to speak from the margins and discuss how attempts at ‘mainstreaming’ a leftist political agenda problematize and often censure the project, precluding the development of a radical counter-hegemonic political language” (Acey 2000, 208). By drawing attention to and making meaning of outlaw vernacular discourses—no matter how contradictory or ephemeral—that unsettle logics legitimating the legal elimination and murder of

racialized and gendered Others, I am advancing “critical rhetoric with an attitude” (Ono and Sloop 2002, 19). This work is valuable, in large part, because Cynthia Frances Maas—like the many other Indigenous women and Black trans youth who have been rendered ineligible for personhood and marked for social death—was not.

In the next section, I link outlaw vernacular discourses with media-justice movements and analyze a number of case studies of media-justice strategies that move beyond value practices, competing marginalities, and the presumed good of recognition.

### **Outlaw Vernacular Discourses as Media-Justice Strategy**

Indigenous feminist Lee Maracle theorizes decolonization as Native futures without a settler state. Maracle writes, “Without children I could not have learned that what is revival and renaissance for a Native is death for a colonizer” (2003, 10). Similarly challenging the inevitability of settler futurity, in their essay “Decolonization is not a metaphor” Eve Tuck and K. Wayne Yang argue that “decolonization is not accountable to settlers, or settler futurity” but is only “accountable to Indigenous sovereignty and futurity” (2012, 35). Reenvisioning a politics of solidarity that challenges both the discursive and nondiscursive structures of white-settler power, Tuck and Yang forward a call for an “ethic of incommensurability, which recognizes what is distinct, what is sovereign for project(s) of decolonization in relation to human and civil rights based justice projects” (2012, 28). By arguing for the demetaphorization of decolonization and for an ethic of incommensurability, Tuck and Yang relinquish any hope that settlers may one day be commensurable to Indigenous peoples; they assert that some portions of the decolonial project cannot speak to nor be aligned or allied with human and civil rights–based social justice projects. Instead, they are bringing forth an outlaw logic that implicates and unsettles everyone—

white, non-white, immigrant, postcolonial—who can similarly be complicit in the resettlement, reconciliation, reparation, and repossession that further drive settler colonialism. Unable to provide a logic for all peoples and all communities, Indigenous sovereignty movements whose aims are to bring about the repatriation of Indigenous lands and resurgence of Indigenous life are reestablishing themselves as truly self-determining, that is, as the creators of the terms and values of their own recognition. Answers to anxiety-ridden questions such as “What will be the consequences of decolonization for the settler?” will not emerge from polite and friendly conversations and will “require a dangerous understanding of uncommonality that un-coalesces coalition politics” (Tuck and Yang 2012, 35). In recognizing the need to identify their own Indigenous positions and to build inner-group solidarity as an ethical act, these Indigenous activist-scholars and Indigenous sovereignty movements are challenging settlers to rethink our settler ways of operating, our forms of judgments, and our logics:

Peoples whose identities and lives are threatened have historically always found some way to continue existing, to change it, to intervene politically through the articulation of some idea or notion—outlaws, and outlaw discourses, tend toward survival. And it is these *automatically strategic essentialisms*, as provisional as they may be, that oblige the outlaw to make particular judgements and to translate the logic of those judgements to others.... When threatened symbolically or physically, a being or group will preserve its identity—either through the creation of new ways to understand experience ... or through physical force. (Sloop and Ono 1997, 63; emphasis in original)

Arguing that Indigenous decolonization is not accountable to settlers who are not interested in seeking national liberation outside the nation-state is a prime example of an outlaw vernacular discourse. Emerging from the “textual residue of daily life” (Ono and Sloop 2002, 6), these outlaw vernacular discourses are produced and circulated in the everyday conversations, community media, activist-scholarship, marches and protests, and sovereignty movements driven by Indigenous outlaws not beholden to a liberal politics of recognition, and they are therefore discourses that, if and when translated into dominant systems of judgment or procedures for litigation, are deemed illegal, illogical, and immoral.

A key aim of media-justice movements is to advance particular outlaw vernacular discourses and transfer them to a zone of civic discourse and public knowledge without the outlaw logic becoming silenced, erased, or lost. Media-justice activists and practitioners are keenly aware that “choosing to engage a system in which dominant logics predominate is treacherous for those practicing outlaw logics” (Ono and Sloop 2002, 17). As Ono and Sloop explain, once the outlaw logic moves out of localized contexts into areas of the general culture, three distinct and overlapping possibilities emerge: “(1) it becomes popularized and hence productively leads to social change, (2) it is disciplined to become part of the dominant discourse and thus loses what is resistant and challenging about it, thus rendering it unable to alter the status quo power relations, or (3) it remains Outlaw, which means it never becomes part of the larger civic discourse and is, in a sense, remarginalized” (2002, 18). Media-justice activists strive to create the conditions conducive for the first option; they work to bring issues of concern to Indigenous communities and communities of color before the public and to encourage and mobilize individuals and organizations that share those concerns, as well as to shift the public

and media conversations around racialized and colonized communities and their concerns (Cutting and Themba-Nixon 2006).

In addition, media-justice activists understand that to drive discursive change and social transformation necessitates multiple, interconnected strategies as well as acknowledgement of the many positions available inside and outside of the master's house (Lorde 1984) from which to contest and challenge white supremacist, hetero-patriarchal institutions and logics. Their work is premised on resisting the belief that getting that one "good" article about a racial justice issue in the *New York Times* will change the hearts and minds of voters and the general public, thus resulting in meaningful social change. As Dean Spade writes of media-justice work,

The conditions under which we live do not result solely from ignorance or consent, and convincing elites to think about those conditions in a certain way is not the path to building meaningful transformation. The privileging of elite media strategies at the expense of other tactics can actually undermine the transformative potential of organizations. This view also reminds those of us committed to transformative change that elite strategies mired in a particular type of expertise, such as policy reform and work within the mainstream media, must always be engaged in service to the larger struggle to transform the underlying conditions that produce maldistribution. All strategies must work to build up the leadership of the most vulnerable people in the struggle. (2011, 183)

Instead of aiming to achieve visibility and recognition for the most vulnerable from the liberal voting public, media-justice activism is premised on building the communicative capacity of movement organizations led by those most directly impacted by carceral state violence in order



to create dense activist networks and mobilize mass movements capable of both transgressing the territorial-political boundaries of the nation-state and defending themselves against the threat and promise of state violence.

To demonstrate a media-justice frame, I choose to focus briefly on two particular case studies of media-justice strategies deployed by progressive antiracist and pro-immigrant rights activists. These two case studies illustrate the ways “in which arguing with discourses on the very grounds of governmentality and materiality produces a situation in which one is ‘always already’ pulled into governing logics in order to take part in the conversation” (Ono and Sloop 2002, 136).

From its start, the Tennessee Immigrant and Refugee Rights Coalition (TIRRC), located in Nashville, has worked to head off divisiveness and build alliances among low-income communities and communities of color. It was founded in 2001 as a grassroots coalition in support of a bill in the Tennessee legislature that would give immigrants increased access to driver’s licenses (HIP and ABFE 2008, 34). The bill passed and other successes followed. In 2005, TIRRC launched its largest and most successful campaign to date: the Welcoming Tennessee Initiative. Welcoming Tennessee used strategic paid media, primarily billboards, to generate media with the goal of building alliances, educating the public about the value of immigration to the state, and shifting the overall immigration debate. In 2006, TIRRC erected 50 billboards in Davidson County, home to Nashville, at a cost of about \$5,000 for design, completion, and installation (ABFE/HIP Initiative 2009, 36). The campaign was a low-cost, high-result effort that netted good media coverage.

Despite its overall success, not all Welcoming Tennessee messages were resistant to reestablishing and reifying dominant racist logics. In particular, “I was a stranger and you welcomed me” and “Welcome the immigrant you once were” were not effective in Black communities where chattel slavery (and not immigration) determines their collective past and present under the carceral state (ABFE/HIP Initiative 2009, 36). Neither discourse was effective in challenging the dominant representation of the growing tensions between Blacks and Latina/o immigrants, wherein the fear of economic insecurity, xenophobia, and anti-Black racism have taken a toll on Black and Latina/o coalition building in the state. Given the sustained critiques of their media-justice campaign, the TIRRC was proactive and created the Black, Brown, and Beyond project to strengthen a statewide alliance of Black and Latina/o community groups, churches, and grassroots organizations in order to further both Latina/o immigrants’ and African American citizens’ claims to rights (ABFE/HIP Initiative 2009, 37).

Liberal civil and human rights activists like those involved with the TIRRC, while prepared to make critiques of the US and Canadian governments, are often not prepared to question their legitimacy. Similar to the media-justice strategy of the TIRRC, many racial justice organizations in the US and Canada have rallied against the increase in hate crimes since 9/11 under the banner “We’re American [or Canadian] too.” This multicultural allegiance to belonging to “America” or “Canada” legitimizes the ongoing genocide of Indigenous peoples and erases the history of chattel slavery upon which both of these white-settler nation-states are founded. Instead of using this opportunity to articulate other models of nationhood—to challenge the dominant constitution of citizens and noncitizens, of whose labor and value do, and do not, count, and so forth—these antiracist, proimmigrant rights activists relied on broadly accepted,

traditional understandings of citizenship, borders, nation-state building, and governmental legislative rights.

Another key case study emerges in the coverage of the migrant justice marches in protest of the Support Our Law Enforcement and Safe Neighborhoods Act, introduced as Arizona Senate Bill 1070, or simply SB 1070, and signed into law in April 2010. Following the trend in both state and federal immigration enforcement policies, SB 1070 essentially legalized racial profiling, allowing law enforcers to stop anyone they think might “look” undocumented. With a potentially devastating impact on Arizona’s immigrant communities and the possibility of further anti-immigrant legislation in Arizona and across the country, the bill demanded urgent attention. At the same time, antiracist and proimmigrant rights organizers—spearheaded by Puente Arizona, a grassroots, community-based migrant-justice group—needed to find a way to respond and build leadership capacity on the ground, not just react and talk about SB 1070 in terms of the constitution and due process (Echo Justice Communications Collaborative 2013, 8). Without help from a national PR firm, media-justice organizers and cultural workers came together from Grassroots Global Justice Alliance, Domestic Workers Alliance, Jobs with Justice, Miami Workers Center, and Right to the City to help organize a broad-based action on May 29, 2010. Staying at a house near the Puente Arizona office, bilingual communication strategists and artists created core frames and messages, gathered press lists, pitched stories to mainstream press, developed social-media infrastructure, and galvanized cultural workers in Arizona and across the country, to deeply penetrate public consciousness with powerful images and messages. With the help of the communications team, messages like “Legalize Arizona” jumped from the street to national consciousness, helping people to empathize with the human rights and racial justice struggle represented by responses to SB 1070 (Echo Justice Communications Collaborative

2013, 9). Through a network-driven media-justice strategy, Puente and its allies expanded the local base for immigrant rights by the thousands; gained hundreds of local, national, and international news stories; and elevated the voices of those most impacted by the bill.

Despite the apparent success of media-justice movement building, Puente Arizona organizers did admit that one of their largest missteps was their immigrant rights flyers that read, “We are not criminals. We are not terrorists.” Carlos Garcia, Director of Puente, asserted, “When we connected with people working against prisons we realized that messages of our campaign may have cut against the interests of others” (Echo Justice Communications Collaborative 2013, 10). Puente Arizona movement activists and sympathetic reporters highlighted immigrants’ claims to respectability and deservingness by explicitly positioning hard-working, family-oriented undocumented immigrants against incorrigible “criminals” and “terrorists.” By spinning normative narratives that ascribe value to the devalued, Puente Arizona movements organizers’ efforts to produce and circulate outlaw vernacular discourses that challenged the now-reified nature of race and immigration ideologies ultimately failed.

As Lisa Cacho reminds us, “the act of ascribing legible, intelligible, and normative value is inherently violent and relationally devaluing” (2012, 149). Drawing upon criminalizing stereotypes of Black, Arab, and Muslim communities to decriminalize undocumented immigrants stabilizes rather than subverts the nation-state’s exclusionary methods for assigning social value. Instead of establishing an analysis that links deportation, detention, mass incarceration, and enforcement violence, these movement actors engaged in a strategy based on competing marginalities. Moving beyond value practices that will make undocumented social statuses recognizable as valuable to (and often for) the racially and economically privileged of

US society is difficult, if not inconceivable, for most progressive racial justice and human rights politics.

I dedicate the next two sections to highlighting particular outlaw vernacular discourses and media-justice strategies that “finds a way out of the violence of value” and conscientiously works against dominant logics of recognition, rights, and respectability. By highlighting outlaw vernacular discourses that challenge the symbolic and literal extermination of poor Indigenous women and Black trans youth, I am privileging the politics that emerges from the spaces of social death in white-settler and carceral states. As Sharon Holland observes, “you can tell the strength of a nation by the way it treats its poor; today, one can also ascertain this relative strength by examining the way a nation treats its dead” (2000, 18). It is precisely because these outlaws and outlaw discourses emerge from spaces where state violence is not only a threat but a promise that they are the least beholden to the nation-state and can best articulate outlaw ways of knowing and decolonial praxis.

### **Dismembering Value: Against a Politics of Respectability**

Dynamics of social value and deservingness determine which queer and trans murder victims become icons in the battle for antidiscrimination and hate-crime legislation in the United States. The names of white victims and the struggles for healing and justice on the part of their aggrieved friends and family are in greater circulation than those of victims of color through media and non-profit channels, even though people of color are killed at higher rates. Islan Nettles—a young Black trans woman killed in Harlem on August 2013—was one of twelve African-American trans people to be murdered during the 2012–2013 Transgender Day of

Remembrance cycle (M. Roberts 2014). Unlike Sanesha Stewart, Amanda Milan, Marsha P. Johnson, Duanna Johnson, and Ruby Ordeñana, who are just a few of the trans women of color whose murders have been mourned by local communities but mostly ignored by media, large nonprofits, and lawmakers, the significance of Islan's murder is actively being contested at local and national levels. While usually reserved for white queer and trans victims, both mainstream media and legal advocates are struggling to portray the assimilable characteristics of this young Black trans woman in order to emphasize their deserving nature and their ability to be named in hate-crime and antidiscrimination legislation. As Dean Spade points out, the inclusion focus of antidiscrimination law and hate-crime law campaigns "relies on a strategy of simile, essentially arguing 'we are just like you; we do not deserve this different treatment because of this one characteristic'" (2011, 86). Black trans activists and other trans activists challenge the reductionist quests for inclusion and visibility that erase all elements of Islan's identity—her Blackness, her youth, her poverty, her gentrifying neighborhood—except for her gendered self-presentation, in order to read the tragedy of her death as a hate crime, as if the crime was, in fact, the sole injury. The outlaw vernacular discourses that emerge among many engaged in queer and trans resistance also reject how Islan has been used as a poster child by journalists, legislators, and even members of her own kin to expand police surveillance in racially marginalized communities and to bolster the passage of criminal punishment-enhancing laws that purportedly address transphobic violence. Instead of rendering Islan's life and death palatable and legible to representatives of the carceral state, outlaws and their discourses sought to lovingly re-member Islan by dismembering social value and replacing a politics of respectability with "a politics of deviance" (Cohen 2004, 27). Instead of repudiating nonnormative ways of being, Cathy Cohen argues that a politics of deviance would read nonnormative practices as forms of "definitional

power” that have the potential to force us to radically rethink how value is defined, (mal)distributed, and withheld (2004, 38).

A suspect in Islan’s murder, 20-year-old Paris Wilson—a “rising senior at Buffalo State University” who wouldn’t “let up on Nettles, issuing blow after blow even after she hit her head on the pavement” (Reporter 2013)—was arrested on assault charges, but the case against him was later dismissed. So far, no one has been charged with Islan’s murder, which followed a spate of local antigay hate crimes and has been dubbed the “last flail of the homophobes” in New York City (Brooks 2014). In the liberal framing of both mainstream and alternative media, Islan emerges solely as a victim of Paris Wilson’s alleged hatred and disgust toward trans women. This normalizing register, which is incapable of forwarding an intersectional analysis, equates Islan’s injury with that of other cis gays and lesbians who are vulnerable to hate violence by “bigoted thugs” (Moore 2013) like Wilson. Couching Islan’s murder, which took place in “the more menacing stretches of Harlem” (Schwartz 2013), alongside the well-publicized murder of Mark Carson in Greenwich Village, “a normally peaceful and progressive part of Manhattan” (Daily Mail Reporter 2013), functions to effectively bracket their shared Blackness—as if gendered and sexualized violence is not also racialized—and to portray them as two of many LGBTQ murder victims rather than exceptional cases that implicate larger structural inequalities specifically targeting Black female, queer, and trans bodies. In this liberal framing, gentrifying neighborhoods signal proximity to tolerance, openness, and safety for LGBTQ people of color, instead of increased intolerance for perceived gender transgressions and open displays of nonhegemonic sexuality in what could be argued are the much-less-tolerant, now-gentrified Greenwich Village and currently gentrifying East Harlem.

In 2006, four working-class, young, Black self-identified lesbians, Venice Brown, Terrain Dandridge, Patreese Johnson, and Renata Hill, dared walk through the increasingly white and middle-class neighborhood of Greenwich Village and were violently targeted. For their nonlethal efforts to defend themselves against an overtly sexual and homophobic attack, the “New Jersey 4” were convicted by an all-white female jury and received sentences ranging from three-and-a-half to eleven years in prison. Like these other queer Black women, both Nettles’ race, class, and nonnormative gender appearance, as well as her transgression of the boundaries of newly gentrified neighborhoods, rendered her undeserving of “the protection of a prison nation” (Richie 2012, 24, 120, 124). Couched in white supremacy, gentrification is in itself a systemic, intentional process of uprooting and displacing already marginalized working-class queer and trans communities of color. In both dominant and vernacular civic discourses circulating in protests and media in the wake of Islan’s murder, very little attention has been given to these larger structural inequalities that would enable a more holistic representation of the social implications of both Islan’s life and death. Islan is effectively reduced to a slain, parenthetically poor and black, trans body whose agency is realized through the state recognizing her as just another individual victim of a hate crime.

Discourses about the death of queer and trans of color youth are material practices that help affirm what bodies do, and do not, count. On January 30, 2014, a group of trans women of color representing the Trans Women of Color Collective (TWOCC) of Greater New York and their allies gathered outside the New York City Police Department headquarters to protest what they felt was an unsatisfactory investigation and prosecution after Nettles’s murder. These are some of the voices of TWOCC activists, excerpted from a transcript of the rally, that both reproduce and challenge dominant logics of social value. While reading the following excerpts, I



cannot help but think through how these activists navigate the perils of being “‘always already’ pulled into governing logics in order to take part in the conversation” (Ono and Sloop 2002, 136):

**DANIELLA CARTER:** I’m living in New York City. And I’m as educated, and I’m as political, I’m as human—you know, because we’re dehumanizing the trans community. And this is a prime example of dehumanizing someone and their rights.

**LOURDES ASHLEY HUNTER:** With Islan Nettles, she was beaten until she could move no more, outside of a police station. She was in a crux of three different police stations in a gentrified neighborhood of Harlem where 10 different cameras are not working. This goes beyond just brutality and discrimination and against trans folks. What about the safety of all New Yorkers? How could it be in the middle of Harlem and cameras don’t work? This could happen to anyone. If it happened to a white woman, would we be standing out here right here in the freezing cold fighting for justice six months later? There is a target on the backs of trans women of color!

**MADISON ST. SINCLAIR:** He was arrested, but he wasn’t charged. And I sat with his mom, who is actually right there, Islan’s mom, in court to listen to them sort of just destroy her as a person. It was disgusting. And she was the victim.

**LOURDES ASHLEY HUNTER:** Unacceptable. We are tired. We are tired of waiting by lesbian and gay folk to champion their policies and what they’re

interested in. Marriage doesn't impact us. We're tired of being pushed away and discriminated against in housing, access to jobs, education. And we've had enough. And even with this particular murder, you know what I'm saying? This is continual. This is not something new. This is indicative of NYPD. This is indicative of politics in New York City.

**MADISON ST. SINCLAIR:** Trans people are no longer a marginalized community. We're no longer a disenfranchised community. We're doctors. We're lawyers. We're taxpayers. And we demand and deserve the exact same rights as everyone else. We're not asking for special rights; we're asking for human rights. And so, it's disgusting that this happens now. It's constantly happening. People are being killed all the time, and no one is being charged for it. (Democracy Now! 2014)

Not only do these Black trans members of TWOCC daily act in opposition to dominant norms, they also contradict members of established, middle-class queer and Black communities who are committed to mirroring perceived respectable behaviors and hierarchical structures. Upon first reading, Madison St. Sinclair and Daniella Carter appear to be also mirroring and championing a politics of respectability. Daniella's plea to be recognized as worthy of consideration—"I'm as educated, and I'm as political, I'm as human"—presumably by the so-called respectable strata of New York City society, conforms to liberal understandings of what constitutes legitimate politics. Both trans women root their analysis in a logic of visibility and inclusion as well as highlight the exceptionalism of tax-paying trans people with high-level professional jobs and, by extension, uncomplicated—not illegal, not criminal, not deviant, not immoral—status. In no way

is my analysis here meant to negate the struggle of those with little access to dominant power, who are seeking to secure such human necessities as autonomy, recognition, bodily integrity, and a meaningful life. Such attempts at claiming respectability and assimilation, however, imply that trans communities of color deserve social resources, political rights, professional employment because they, too, are just like everyone else who subscribes to the normative values of the neoliberal, carceral state. As Lisa Cacho reminds us, “claims to empowerment through deviant and defiant behavior urgently unsettle the stubborn relationship between value and normativity, but they cannot always offer something more” (2012, 167–68).

For St. Sinclair, justice for Islan and other trans women of color will be realized through the criminal legal and punishment systems. St. Sinclair focuses her disgust on Paris Wilson’s arrest and subsequent release and the misrepresentation of Islan as assailant and not victim in the courtroom. While St. Sinclair is not directly advocating for hate-crime laws, the constant violence against trans women she wants to target is that violence carried out by purportedly aberrant individuals who are motivated by bias and transphobia. Advocating for criminal-punishment-enhancing laws serves to strengthen and expand the criminal punishment system, a system that targets the very same people hate-crime laws are supposed to protect. In the context of hyper- and mass-incarceration and rapid prison growth targeting historically marginalized communities, what is sacrificed by relying on criminal legal and punishment systems to purportedly address violence against these groups? Given how mainstream cisgender lesbian and gay rights work has aligned itself with the neoliberal law-and-order agenda (See Hanhardt 2013), it is not all that surprising that St. Sinclair would repeat dominant logics and “neoliberal reframing of discrimination and violence that have drastically shifted and undermined strategies of resistance to economic exploitation and state violence,” which collude “in the harm and

violence faced every day by queer and trans people struggling against racism, ableism, xenophobia, transphobia, homophobia, and poverty” (Spade 2011, 89). St. Sinclair’s deviant presence as member of a collective of trans women of color at a rally protesting the lack of police accountability and the criminalization of Islam in both the courtroom and the court of public opinion does, however, translate into open defiance of the carceral state. As Ono and Sloop remind us, “dominant vernacular discourses, ... can work defensively even as they are resistant; they often respond to arguments on the playing field of dominant logic, staying within the logic of litigation” (2002, 142).

Unlike her TWOCC sisters, Lourdes Ashley Hunter does discursively articulate an outlaw stance that does not over rely on securing respectability at the hands of the state or from the mainstream cisgender gay and lesbian political establishment. While Nettles’s murder has renewed calls from liberal lawmakers to pass the Gender Expression Non-Discrimination Act (GENDA)—a bill that would outlaw discrimination in New York State based on gender identity or expression and would expand the state’s hate-crime law to explicitly include crimes against transgender people (Squadron 2013; Gottfried 2013)—Hunter condemns Nettles’ murder as an act of racialized and gendered violence exacerbated by enforcement and administrative violence. Instead of reaffirming the central language of GENDA, Hunter critiques the implicit good of gentrification, increased police surveillance, and movements that fight for gay and lesbian marriage rights to the exclusion of addressing the root causes of queer and trans premature death. As Dean Spade argues, “the paths to equality laid out by the ‘successful’ lesbian and gay rights model to which we [trans people] are assumed to aspire have little to offer us in terms of concrete change to our life chances; what they offer instead is the legitimization and expansion of systems that are killing us” (2011, 41). Hunter furthers a critical trans politics by raising

demands that exceed visibility, inclusion, and recognition. Her oft-repeated phrase “We are tired. We’ve had enough” reminds us that people often come to political work through their own immediate experiences and intimate knowledge of harm and need; the bottom-up mobilization of TWOCC and other organizations led by trans people of color like New York City’s queer and trans youth of color-led Fabulous Independent Educated Radicals for Community Empowerment (FIERCE!) (see Hanhardt 2013) is evidence of this truism. The outlaw discourses articulated by Hunter suggest that those in power have produced an atmosphere of transphobic and racist intolerance that has magnified the vulnerability of the living. Hunter also recognizes the central role of racism in determining which bodies are designated as more important and worth saving by a racist and transphobic NYPD (“If it happened to a white woman, would we be standing out here right here in the freezing cold fighting for justice six months later?”). Instead of advancing a politics of respectability palatable to the new liberal NYC political establishment, Hunter’s outlaw vernacular discourses tend toward survival, not legal recognition, and serve as the basis for a mobilized politics of deviance “where not only oppositional ideas and discourse happen, but lived opposition, or at least autonomy, is chosen daily” (Cohen 2004, 43).

On the media-justice front, Black trans celebrity, advocate, and author Janet Mock has strategically utilized the very celebrity machine and mainstream media that pathologize and exoticize trans bodies of color to advance outlaw discourses that are not easily embraced by white liberal (cisgender, queer) logics. In introducing herself in organizing spaces where the conversations were dominated by white (cisgender, queer) upper-middle-class men and women, Mock was cognizant of how her presence inadvertently supported a politics of respectability. Mock writes the following in her popular blog:

I was invited because I was deemed acceptable and appropriate. My sisters—the ones I grew up with on the streets of Honolulu, the ones who were living their lives in men’s prisons, the ones who were serving face and body as a means of survival—they didn’t get an invitation. And, as foremother Sylvia Rivera said, “I will no longer put up with this shit.” (2014a)

Sylvia Rivera was a Stonewall veteran and founding member of Street Transgender Action Revolutionaries (STAR) who actively and vocally spoke out about the violence, injustice, and erasure she and her trans sisters of color experienced, and who was quickly pushed aside in order for the gay rights agenda to appeal to a heterosexual majority. By quoting her, Mock—who herself was a sex worker as a youth—is challenging the ways that assimilationist gay and lesbian activists continue to tokenize certain “respectable” trans women like Mock and to exclude low-income queer, trans, and gender-nonconforming people, those in the sex trade, and survivors experiencing criminalization from anti-sexual-violence work (See Mock 2014).

Mirroring Rivera’s speech at the 1973 Christopher Street Liberation Day, archived by trans activist of color Reina Gossett of the Sylvia Rivera Law Project (SRLP) and Queers for Economic Justice, Mock publicly challenges the violence and dismissals that she and other trans women of color—represented most notably by TWOCC—experienced at a highly publicized vigil for Islan Nettles held in the Jackie Robinson Park in Harlem a week after Nettles’s murder (Guimaraes 2013). In her now-famous blog post “A Letter to My Sisters Who Showed Up for Islan Nettles & Ourselves at the Vigil,” Mock underscores the harm inflicted on trans women of color by cis gay and lesbian organizers, Islan’s grieving family, liberal mayoral candidates like Christine Quinn and Bill de Blasio, as well as by the local media, all of whom took up the most

space at the vigil and relied on racist, classist, homophobic, and transphobic assumptions about gender and sexual violence, survivors and victims, and those imagined to be solely responsible for committing these forms of violence. Mock writes,

We heard politicians' names and offices spoken more than our own. We saw more cis folks who did not know Islan (or the complexity of the lives we live or the difference between sexuality and gender identity) take the stage than we saw her actual girlfriends who stood idly in the crowd, who emailed organizers about speaking but received no response. And we heard her called out of her name countless times, to rarely a correction, and when they were corrected by trans folk in the audience—they were reprimanded for not being 'respectful.'

My heart dropped each time I watched your face cringe with each misgendering. This is more than semantics, more than a family issue, this is our lives. We all know Islan was beaten to death because she fought hard to be Islan, to be *she*, to be *her*. Many of us come from black families, complicated families, families that take their own time with pronouns and names—so we were quiet, giving a grieving mother space to mourn her baby—yet we could not ignore that the misgendering that happened in that space was triggering and it was not merely a private matter. It was public and it was made public by the cis gay and lesbian organizers who distributed the flyers that called it a 'community vigil,' who sat the grieving black family center stage for the media to photograph, who invited the local camera crews to capture the footage, who gave the mayoral candidates a 'gay community-friendly' photo op.

Organizers have told us that last night was not about us, and that was clear from the beginning. Yet I will not ignore the fact that the footage living on YouTube and every local news broadcast, will affect us and our lives, miseducating and misguiding folks (even our own families) on how to treat and name trans women in death and life. (2013)

Mock, like the other trans girls and women of color to whom she lovingly addresses her letter, expresses her rage at the marginalization and decentralization of those people navigating multiple, intersecting oppressions, those young black trans women like Islan who are most vulnerable to being victimized by racialized gendered violence. Naming the myriad ways trans girls and women of color are shut out of mainstream antiviolence narratives, organizing, conversations, and activism, Mock uses an outlaw discourse that destabilizes the narrow confines of a mainstream narrative that will only consider Islan a survivor worthy of respect, consideration, safety, protection, and healing when she is no longer Islan but her birth name or, alternatively, when Islan emerges as poster child for hate-crime legislation aimed at prosecuting and incarcerating homophobic bigots like Paris Wilson. In this liberal framing, Islan is no longer a young black trans woman from a poor, working-class neighborhood, but a rallying symbol for cis lesbian and gay—mostly white and upper-middle-class—activists intent on pushing through antidiscrimination and hate-crime legislation like GENDA, which will benefit themselves while further criminalizing those who are not held up as legitimate survivors by the mainstream antiviolence movement. Mock's intervention works as an outlaw discourse and radical media-justice strategy precisely because she is not directing her analysis or energy toward educating the mainstream press, city hall, or organizers beholden to assimilationist or respectable politics; she is speaking directly to those "sisters" who intimately understand how their own identities impact



their survival and what it means to live in the margins, to have their lived experiences challenged. Throughout her letter, Mock makes it abundantly clear that she is speaking directly to those who carry the knowledge “that Islan was not the first to fall and she will not be the last,” in order to build a bottom-up social movement that does not treat them as though they are merely “an afterthought” (2013).

Outlaw discourses like Mock’s open letter and those heard at TWOCC’s rally function “to re-member the Other by dismembering value” (Barrett 1999, 128), thereby “ensuring that no one rewrote the life that *she* [Islan] brilliantly lived” (Mock 2013; emphasis in the original). The primary argument of each of these living documents is that the human rights of trans girls and women of color outweigh and trump governmental legislative rights. The very question of rights granted by the state is misplaced in their outlaw logics; these trans activists are not arguing for human rights as envisioned by Western humanism and universalism, which have historically privileged “free” white men and women, but for a critical trans politics that calls for collective *self*-recognition and a “turning away” from the carceral state. As bell hooks argues, we need to stop being so preoccupied with looking “to that Other for recognition”; instead we should be “recognizing ourselves and [then seeking to] make contact with all who would engage us in a constructive manner” (1990, 22). Outlaw discourses that make contact within and across radical movements work as politically savvy media-justice strategies that build, strengthen, and sustain mass movements not privy to or reliant upon visibility, hand-outs, or recognition from liberal movements that exclude the most deviant while propping up the carceral state. As I argue in the next section, this critical outlaw politics is part of a larger framework of resistance that must grapple with the complex, interlocking relationship between interpersonal, sexual, and carceral

state violence, and the neoliberal co-optation of social movements through legal reform and the institutionalization of resistance.

### **Outlaws Dismantling the State: Against a Politics of Recognition**

While the interpellation of Islan as a murdered trans woman by the carceral state and mainstream press has been viewed as a triumphant outcome by mainstream LGBTQ organizations who identify the hate crime as the sole injury, race-radical trans activists and their allies argue that hate-crime laws legitimate and expand the very administrative and enforcement systems that are killing the most marginalized among us. As many radical queer and trans activists have demonstrated, trans people of color are disproportionately harmed by police brutality, administrative systems, and mass incarceration (See Mogul, Ritchie, and Whitlock 2011; Smith and Stanley 2011; Spade 2011). Given the reality of carceral state violence, the significance of Islan's experience of discrimination and violent death being mediated through the law and mainstream media cannot be overstated. As Dean Spade argues, "the belief that being named in this way has a benefit for the well-being of trans people has to be re-examined with an understanding that the alleged benefits of such naming provides even greater opportunity for harmful systems to claim fairness and equality while continuing to kill us" (2011, 90). In this section, I explore two additional sets of outlaw discourses emerging in the wake of interpersonal and state violence targeting Indigenous women and trans youth of color. These discourses challenge both the settler and carceral state by refusing such naming premised on recognition, visibility, and inclusion.

CeCe McDonald, a young Black trans woman, was arrested and charged with manslaughter for defending herself and friends against a racist, transphobic attack. Due to the concerted efforts of trans and gender-nonconforming organizers internationally to support

McDonald during her—and many other trans and gender-nonconforming people’s—unjust incarceration, McDonald was recently released in November 2013 after having served nineteen months in a men’s prison. Both CeCe’s sustained activism inside and outside prison and the international “Free CeCe” campaign have advanced the broader movement for prison abolition and transformative justice, which seeks alternative, community-driven processes that do not rely on the criminal punishment system to address harm (See Chapter 4 for a focused discussion on transformative justice activism). As McDonald succinctly states during a public talk with trans activists Reina Gossett and Dean Spade, “police and prisons don’t keep us safe—we keep each other safe” (McDonald, Gossett, and Spade 2014). Shortly after her release, CeCe appeared on Democracy Now! and was interviewed alongside Laverne Cox, an actress, producer, activist, and transgender woman of color, as well as Alisha Williams, staff attorney with the Sylvia Rivera Law Project (SRLP) and the director of its Prisoner Justice Project. After speaking about how CeCe’s case helped place a national spotlight on the violence and discrimination faced by transgender women of color, interviewer Amy Goodman asks CeCe about trans imprisonment and the dire circumstances facing trans prisoners:

**AMY GOODMAN:** CeCe, what was your time like in prison? You’re also a prison activist and have been.

**CECE McDONALD:** Prison was a very dark and bad place, basically. I had to deal with a lot of discrimination, more so than any of the other male inmates.

**AG:** You were put in a men’s prison.

**CM:** Yes, I was put in a men’s prison.

**AM:** You chose not to fight that, to be put in a women’s prison?

**CM:** Yeah, and my reasoning behind that was because after I did some educating myself on the prison-industrial complex and the history behind African Americans in incarceration, I felt like sending me to any prison wouldn't solve my issue. Men's prisons, women's prisons, they're prisons, and they're not good. And I felt like instead of focusing all of the energy of I and the Support CeCe Committee and the people involved, I told them that we can use that energy to make sure that I'm not being discriminated against and to make sure that I was safe wherever I went. And so, by me doing that, people thought I was kind of crazy, because it was like, "Well, you know, you deserve to be in a women's prison." But me, personally, I felt like it wouldn't solve any problems. It wouldn't change the fact that now I'm a felon. It wouldn't change the fact that I have to be under these harsh and cruel policies by the DOC [Department of Corrections] that everyone has to deal with who is in prison. And so, I just kind of stepped back from trying to figure out whether I wanted to be in a men's or women's prison, because it wouldn't help. It wouldn't make me happy. It wouldn't take away that pain that I was dealing with. So I just kind of just let that go and focused my energy on other things. (Democracy Now! 2014)

It is unclear whether or not Amy Goodman is aware of McDonald's unwavering abolitionist stance—is she merely prompting a response or is she genuinely confused as to why CeCe did not prefer to be warehoused in a women's facility? In response, McDonald adopts an abolitionist stance and advances an outlaw discourse that resists the siren lure of liberal feminist and mainstream LGBTQ penal-reform efforts. In this particular instance, McDonald is speaking about new proposals for "gender-responsive prisons" that purportedly transform prisons into

kinder, more benevolent institutions for women prisoners and, by extension, trans women. Led by liberal penal reforms, these proposals have been largely co-opted by the conjoined neoconservative and neoliberal law-and-order agendas, mobilized as rationales for expanding prison construction and tripling the rates of women's imprisonment in jails, prisons, immigrant detention centers, and psychiatric/medical facilities. As Dean Spade argues, "a system designed from its inception as a technology of racialized control through exile and punishment will use any rationale to achieve that purpose [of building and filling more and more prisons]" (2011, 91). Indirectly acknowledging the history of elimination and genocide of Black communities at the hands of white supremacy, chattel slavery, and carceral state violence, McDonald is not so much interested in reforming prisons as she is in abolishing them.

Goodman is rebuffed both by McDonald and Cox numerous times throughout the interview. Immediately after McDonald's outlaw intervention, Goodman continues with a line of questioning directed toward attorney Alisha Williams that virtually ignores McDonald's previous analysis:

**AMY GOODMAN:** Alisha, can you talk about the situation of transgender women in men's prisons, and what are the issues nationwide that they face?

**ALISHA WILLIAMS:** I mean, oftentimes what we see is that when trans women are incarcerated, they are placed in a men's facility because the facilities basically use their assigned sex at birth to determine where they should be placed. We have new laws that are being passed, like the Prison Rape Elimination Act. It's a federal law. It's not mandatory for states to comply with, but if they do not comply, they risk losing some federal funding, so you see states making some

effort to change their policies and come into compliance with PREA. And PREA states that trans people should be—

**AG:** Prison Rape Elimination Act, PREA.

**AW:** Yes, mm-hmm. So, PREA states that when trans people are incarcerated, their individual assessment of where they would be safest should be taken into consideration, along with a lot of other factors. And the courts show the prison system a lot of deference. So, I don't see PREA as being a solution, necessarily, but it is something that advocates have now in their toolkit to use to advocate for safer placements for people. And as CeCe said, it's totally—it should be totally up to the individual. We shouldn't say all trans women should be in a women's facility or vice versa; it should be up to the individual. And that's what advocates have been pushing for.

**AG:** I want to turn to Laverne Cox and your character, Laverne, from the Netflix show, *Orange is the New Black*. Laverne's character is Sophia Burset. That's who she plays. She's been imprisoned for credit card fraud which she used to finance her transition. In this clip from the show, she's speaking with a prison doctor.

[After showing a short clip from the popular TV show] ... That is Laverne Cox in *Orange is the New Black*. She plays the prisoner, Sophia. Talk about your role there and how common this experience is.

**LAVERNE COX:** Well, first of all, I wanted to stay around CeCe's choice to stay where she was housed initially. It's estimated that 49 percent of sexual

assaults that happen in prison happen as a result of the prison staff, that the prison staff is committing these sexual assaults. So, we know that no matter where you're placed, that is really a huge issue that needs to be addressed. (Democracy Now! 2014)

Like hate-crime advocacy, the 2003 National Prison Rape Elimination Act (NPREA) has been a focal point of both mainstream and critical feminist and trans politics (Wolf 2003). While passed with the aim of preventing sexual assault, “abolitionist activists doing prisoner justice support work have pointed out that because some of the main tools the act uses are punishment tools, those tools have become just another part of the arsenal used by punishment systems to increase sentences, target prisoners of color and queer and trans prisoners, and expand imprisonment” (Spade 2011, 91). While NPREA has effectively enforced new penalties against prisoners for consensual sexual activity, no evidence exists that the new rules have reduced the gender-based and sexual violence—perpetuated most frequently, as Cox correctly points out, by correctional staff—experienced by incarcerated trans people in both men’s *and* women’s facilities. McDonald’s and Cox’s outlaw interventions demonstrate that they intimately understand how the criminal justice system is itself the single most significant perpetrator of racialized gendered violence against women and trans people of color. Cox’s numerous interruptions made throughout the interview strategically disrupt the privileging of liberal law reform and the muting of abolitionist activism; even Alisha Williams has to interrupt Goodman to tell her that while the SRLP has “Law” in their name, they do not really believe that law can dismantle various systems’ capacities to harm trans people of color. In addition, Cox critiques a lack of intersectional analysis throughout the interview that fails to account for why, in particular, “Black trans bodies are under attack in this culture” (Democracy Now! 2014). In the interview’s

closing, Laverne directs a pivotal question to CeCe: “How do we create spaces of healing for ourselves as a community in the face of such oppression, in the face of such trauma?” (Democracy Now! 2014). In ending the interview in such a self-affirmative way, Laverne Cox and CeCe McDonald are able to express their interest in nurturing self-determined and community-led solutions to interpersonal and structural violence. Instead of turning toward the carceral state for answers on how to dismantle transphobic racist violence, they consciously turn *away* from it—privileging instead the lure of belonging to a community dedicated to individual and collective *self*-recognition (as opposed to *state* recognition).

Like race-radical Black queer and trans feminists, Indigenous feminism centers antiracist and anticolonial praxis within its antiviolence organizing and challenges the heteronormative and patriarchal nation-state. Currently, numerous Indigenous feminist organizations led by Indigenous girls and women have been challenging calls for a Canadian-based national inquiry on missing and murdered Indigenous women. Instead of conveniently sidestepping outlaw logics and discourses that resist state intervention and litigation out of respect for the other family members of murdered women who wish to engage the state, radical Indigenous community organizers foster a politics of Indigenous resurgence to respond to both racialized gendered and carceral state violence. Indigenous renaissance and resurgence is about reclaiming Indigenous contexts (knowledge, interpretations, values, ethics, processes) for their own political cultures and refocusing Indigenous-led organizing work “from trying to transform the colonial outside into a flourishing of the *Indigenous* inside” (Simpson 2011, 17; emphasis in original). As Indigenous activist-scholar Leanne Simpson further elaborates,

We need to rebuild our culturally inherent philosophical contexts for governance, education, healthcare, and economy. We need to be able to articulate in a clear



manner our visions for the future, for living as *Indigenous Peoples* in contemporary times. To do so, we need to engage in *Indigenous* processes, since according to our traditions, the processes of engagement highly influence the outcome of the engagement itself. We need to do this on our own terms, without the sanction, permission, or engagement of the state, western theory or the opinions of Canadians. (2011, 17; emphasis in original)

Grassroots, volunteer-led, local and transnational groups like Families of Sisters in Spirit (FSIS), No More Silence (NMS), and the Native Youth Sexual Health Network (NYSHN), embrace this politics of Indigenous resurgence and are interested in nurturing self-determined and community-led responses to racialized gendered violence targeting Indigenous girls and women rather than relying on the Canadian nation-state and further engaging with and appealing to state institutions and government bodies. In their joint statement, “It Starts With Us,” which lays the groundwork to support the resurgence of community-based responses to violence, these three Indigenous-led organizations name specific forms of state violence and identify the harms of going through “the proper channels” of state-led interventions—from providing testimonies to British Columbia’s Missing Women Commission of Inquiry to making recommendations to the United Nations Committee for the Elimination of Discrimination against Women (CEDAW) (See FSIS, NMS, and NYSHN 2014). For these organizations, heightened calls for a national inquiry into the phenomenon of missing and murdered Indigenous women in the wake of the highly publicized disappearance and murder of Loretta Saunders<sup>2</sup>, a pregnant young Inuk graduate student who was writing her thesis on the murders of three Nova Scotia Indigenous women (See CBC News 2014; Leroux 2014; 2014), is a waste of time.

More than a waste of time, however, an inquiry, as Robyn Bourgeois argues, “allows the Canadian state to *appear* that it is doing something about violence against women *without ever having to actually do anything*” (Bourgeois 2012b; emphasis in original). Establishing an inquiry or special committee to examine an issue that has successfully been defined in mainstream media and civic fora as a social problem has historically been a common strategy by the state to silence the voices of opposition. After warning other Indigenous women who are advocating for the inquiry about how the “colonial government can, and will, define, dictate, and decide the purpose, mandate, process, and outcome of that inquiry,” Andrea Landry deploys an outlaw discourse that delegitimizes an inquiry “established by a structure meant to murder, rape, and annihilate the Indigenous self” (2014). Landry writes,

Inquiries ... only establish the facts of this crisis in our communities. Guess what? We know those facts, stories, stats, rates and names. We, as Indigenous women, are the facts, we are the stories, the stats, rates, and names.... If the colonial government were to put the dollars in to “fix” an issue that they continuously create and justify, and if we were to agree to work together, we would be shaking hands with and embodying the oppressor. This destructive relationship would ... attempt to disregard and void the grassroots work occurring in our communities to define our own solutions. We are holding on so tightly to a line cast set out by the colonial government to be our saviors in establishing an inquiry that this line is digging deep into our hands and into our spirits, spilling more blood.” (2014)

Landry powerfully equates Indigenous women’s falling prey to the “assimilative lure of the statist politics of recognition” (Coulthard 2007, 456) in the form of a national inquiry to that of the visceral pain induced by internalized oppression and violent victimization at the hands of the

white-settler state. While nothing can be gained from engaging in a liberal politics of recognition, inclusion, and visibility—for Indigenous women, in particular—everything can be lost. The state’s inability to meaningfully address violence against Indigenous girls and women is not simply about a lack of political will but is demonstrative of the critical investment the state has in perpetuating dominant systems of hetero-patriarchy, racism, and colonialism. As the joint statement authored by FSIS, NMS, and NYSHN argues, “as much of the violence we face as communities, nations, and families stems from colonial nation states like Canada and the US and the laws themselves” ( 2014).

Instead of engaging with carceral and settler states, these radical Indigenous feminists are “call[ing] attention back to ourselves; we have the answers and solutions ... we always have” (FSIS, NMS, and NYSHN 2014). The solutions in which communities are already actively engaged range from Indigenous resurgence, teach-ins and critical education, media-arts justice, community accountability and transformative justice, supporting Indigenous people in the sex trades and street economies, centering Indigenous youth leadership and intergenerational organizing, and Annual February 14<sup>th</sup> Memorial Marches for Missing and Murdered Women (Native Youth Sexual Health Network 2013a; 2013b; 2014a), to the “countless acts of hidden resistance and kitchen table resistance aimed at ensuring their children and grandchildren could live as *Indigenous Peoples*” (Ladner and Simpson 2010, 8; emphasis in original).

In the meantime, we can delight in the outlaws and their outlaw discourses that manifest themselves at the most perfect of times, such as at the beginning of Commissioner Wally Oppal’s statement at the public release of the final report of the Missing Women Commission of Inquiry in Vancouver, British Columbia. As Oppal began to speak about some particulars of his report—in which he emphatically repeated words like “forsaken women,” “nobodies,” “abandoned

women,” “marginalized women,” “drug sick women,” “sex trade workers,” “poor women,” “Aboriginal women,” “missing and murdered women”—he was interrupted by drums and singing. This was the Women's Warrior Song, gifted to an Indigenous woman who asked for a song for the Missing Women during a ceremony. Sung to the beat of a traditional Indigenous hand drum, the Women's Warrior Song has become an anthem of courage and strength for those demanding justice for the Missing Women (Bourgeois 2012a). By disrupting the proceedings, these singers and drummers did not just demand space within this “official” event for the voices of marginalized women; as outlaws, they refused to recognize the state’s legitimacy, submit to the dominant logic by which it operates, or abandon their 500+ year “war of position” fought against colonization.

### **Conclusion: Struggling Against All Odds**

As Lisa Cacho argues, “without the expectation of rights and recognition, we start from the reality of social death rather than the promise of a better life” (2012, 145). As I demonstrated in this chapter, the space of social death is a hopeless space but one that is also conducive to producing outlaw vernacular logics and deviant ways of knowing—a space “always graced with hope, courage, and/or youthful idealism, where those who decide to take responsibility for the unprotected are always looking for and stepping on the pressure points that can barely manage the contradictions that their very presence, their very being inspires” (Cacho 2012, 145). The outlaw discourses and actions mobilized by Indigenous and trans Black girls and women—the unprotected and socially dead—who are overwhelmingly the targets of interpersonal, sexual, and carceral state violence in white-settler societies, are direct responses to their subjection,

devaluation, and ineligibility for personhood. When one has nothing left to lose, the fear of failure loses its power to keep one in line. Instead of toeing the line of dominant logics of governmentality, the outlaw discourses advanced by aggrieved friends, family, and community members who have lost yet another mother, daughter, sister, friend, and lover to state-sanctioned racialized and gendered violence, articulate a politics that rejects the violence of social value and deservingness. Regardless of the ephemerality, desperateness, and contradictory nature of the outlaw discourses explored here, they draw upon a well-informed worldview—what Derrick Bell calls a racial realist approach—which intimately understands that victory is not connected to winning but to struggling despite guaranteed failure.

Bell’s “racial realism” which is in line with “Afro-pessimism” (see Hartman 1997; Sexton 2011; Wilderson 2010) is incommensurable with liberal Black spokespersons and traditional civil-rights organizations that rely on legal rights and racial remedies, and remain fully committed to the ideology of racial equality despite the reality of the persistence of white dominance and Black social death. Instead of the “romantic love of integration,” Bell argues that we should seek “a hard-eye view of racism as it is and our subordinate role in it” (1991, 378). In other words, “racial realism” is akin to an outlaw epistemology that not only resists the statist politics of recognition and respectability but also urges us to engage in a politics that is impractical and most likely, impossible. Bell writes,

While implementing Racial Realism we must simultaneously acknowledge that our actions are not likely to lead to transcendent change and, despite our best efforts, may be of more help to the system we despise than to the victims of that system we are trying to help. Nevertheless, our realization, and the dedication based on that realization, can lead to policy positions and campaigns that are less

likely to worsen conditions for those we are trying to help, and will be more likely to remind those in power that there are imaginative, unabashed risk-takers who refuse to be trampled upon. Yet confrontation with our oppressors is not our sole reason for engaging in Racial Realism. Continued struggle can bring about unexpected benefits and gains that in themselves justify continued endeavor. The fight in itself has meaning and should give us hope for the future. (1991, 378)

The outlaws, those “unabashed risk-takers” who deploy media-justice strategies to counter media necropower, for example, acknowledge that there is no clear “winner” in the hyper-media environment except for the interests of white supremacy, the carceral state, and transnational capital. Instead of claiming that they do not reproduce the logic of dominant culture, many who advance outlaw discourses presume that they are complicit in the structures of white supremacy, settler colonialism, and hetero-patriarchy even while striving to resist them; given the power of dominant discourses, for example, these outlaws do not presume that they always think, act, and speak non-oppressively since they are “‘always already’ pulled into governing logics in order to take part in the conversation” (Ono and Sloop 2002, 136). Advanced by outlaws and deviants working to carve out alternative meaning in the devastating spaces of social death, racial realism accepts hopelessness without abandoning hope and takes failure for granted without equating failure with defeat. Because revolutions are necessarily long discursive and ideological struggles (Williams 1961), we must actively seek out, listen for, speak aloud, and be transformed by those radically disjunctive ways of thinking and being born in the fertile spaces of social death.

## Notes

1. Due to sustained pressure and grassroots-led reporting efforts by Indigenous organizations, media, and activist groups, which have estimated that the number of missing and murdered Indigenous girls and women was over 1,000 across the country since 1980, the national RCMP recently released a statement confirming that there are 1,186 police recorded incidents of Aboriginal homicides and unresolved missing women investigations (Do 2014). That figure includes 1,017 murdered Aboriginal women between the years of 1980 and 2012, as well as 169 missing women dating back to 1952. The newly confirmed data—compiled with the assistance of Statistics Canada from close to 300 individual police jurisdictions in Canada—also included the point that while Aboriginal women make up four per cent of Canada's population, they represent 16 per cent of all murdered females between 1980 and 2012, as well as 12 per cent of all missing females on record (Do 2014). Given the failures in policing and data collection identified in the report of Parliament's Special Committee on Violence Against Indigenous Women (2014), the true number is almost certainly higher (Black 2014).

2. Since the news of Loretta Saunders' body being found in a ditch along the Trans-Canada Highway in New Brunswick was made public, several Conservative politicians, centrist media pundits, and radical leftist academics have argued that Loretta's murder had nothing to do with her being an indigenous woman. There have been numerous mentions of Loretta's fair skin and European facial features as evidence that her murder had nothing to do with her indigeneity. Critiquing the mainstream media's and policy maker's denial of patterned violence against indigenous women and of the systematically racist operation of our laws, as well as the

deracialization of Saunders, Darryl Leroux advances an outlaw logic and discourse that denaturalizes white settler colonialism (Leroux 2014b; Leroux 2014a). Leroux writes:

Given all of the predictable attempts to discount Loretta's actual experiences as an indigenous woman, I insist on centering what we do know about her: Loretta is a passionate advocate for justice for indigenous women like herself, outspoken in her pride about being Inuk, and a tireless researcher on these topics. That the accused understood that Loretta was indigenous – while immaterial – is quite clear.

Tragically, on several occasions in her work, Loretta identifies herself as being at risk of the same fate that has befallen so many indigenous women before her. And she insists that she will no longer be silenced by the vicious circle of violence that entangles her. My interest is in honouring Loretta and other indigenous women who have spoken out about the ways in which colonialism continues to eliminate them from society.

As such, attempts to silence Loretta and those indigenous women calling for fundamental change in Canadian society must be viewed as desperate efforts to support the colonial status quo that rely on a decontextualized understanding of crime, a narrowly racist understanding of identity, and a complete disregard for Loretta's own passion and personality.

We must not stand idly by as Loretta's experiences as an indigenous woman are trivialized, denied, misrepresented, or eliminated.



We don't have an Indian problem in Canada. We have a settler problem. A problem with white people like myself. (Leroux 2014b)

## Chapter 5

### ***“Ain’t no Justice ... It’s Just Us”*: Indigenous and Girls of Color Organizing Against Carceral Feminisms and Carceral State Violence**

We have to do what I call visionary organizing: We have to see every crisis as both a danger and an opportunity. It’s a danger because it does so much damage to our lives, to our institutions, to all that we have expected. But it’s also an opportunity for us to become creative, for us to become the new kind of people that are needed at such a huge period of transition....

—Grace Lee Boggs in conversation with Angela Davis (2012)

don't wait for an angel to come down from the sky

to tell the authorities what they have to do.

You are the hands of god.

—Norma Ledezma Ortega, mother of Paloma Angélica Escobar Ledezma, who disappeared in Ciudad Juárez, March 2, 2002. (Fregoso and Bejarano 2010)

The Indigenous Nationhood Movement (INM) recently posted a series of essays, reflections, and poems confronting the crisis of colonial gender violence as part of its “#ItEndsHere” grassroots campaign launched in the wake of the murder of Loretta Saunders—an Inuk student from Labrador who “joins a long and growing list of Indigenous women and girls who have been, and continue to be, killed or disappeared across Turtle Island” (Indigenous Nationhood Movement Collective 2014). The theoretical moves and activist stances taken by this Indigenous feminist anti-violence collective closely mirror those that I have undertaken up to this point in previous chapters. INM starts their series by citing poet and scholar-activist Lee Maracle who states that the mass killing of Indigenous girls and women is a logical extension of genocidal policies intended to remove Indigenous people from their territories and to prevent the reclamation of those territories through mobilization. Maracle argues that the struggle confronting Indigenous peoples, “is not simply about ‘ending violence’ the violation is the colonial order, that rests on our lands, our homes, our lives and kills either overtly [killing young women, slaughters our lineages forever] or covertly, assimilation, reconciling without restoring our nations” (Indigenous Nationhood Movement Collective 2014). White supremacy, rape culture, and gender violence destroy the fabric of Indigenous nationhoods by making it difficult for those communities coping with epidemics of gender violence to mobilize. Like the INM Collective series which positions Maracle as an elder contributing another generational voice to confronting both gender violence and settler colonialism, Chapter 2 of this dissertation presented a brief genealogy of Indigenous and race-radical women of color feminisms that have both theorized the intersections between racialized, gendered, and sexualized violence and the violence of the carceral state in white settler societies.

Chapter 3 deployed critical “reading” practices cultivated by Indigenous and race-radical women of color feminists in order to record and contest the largely obscured or denied existence of terror and resistance to social death and racialized gendered necropower in crimes news reporting and legal discourse. Similarly, Tara Williamson of INM in her essay titled “Don’t Be Tricked” writes about how the mainstream media and criminal legal system has “tricked” Indigenous communities into erroneously believing that the necropolitical state has transformed itself into a benevolent protector of Indigenous communities and is no longer invested in their collective annihilation. Williamson writes:

I got tricked. Normally when I hear about an Indigenous woman gone missing, my first instinct is the one articulated by Darryl Leroux (in his candid piece about Loretta Saunders) [(see Leroux 2014)]: She’ll “show up in a ditch like so many indigenous women before her.” Crass? Yes. True? Sadly, yes.

But, this time, for some reason, when I heard Loretta had gone missing, I had this glimmer of hope, this notion that, for some reason, maybe this time it would be different. I don’t know why. I struggle with the possibility that I let myself be hopeful because she was an urbanized grad student or because she could pass as white. Oh, I know that’s problematic and I struggle with this as the potential cause of my usually-scarce sentiment of hope because it reminds me that I’ve swallowed the pill. Despite all my talk, all my activism, all my ‘decolonizing’ work, I swallowed the pill. If this is the fountainhead of my hope, it means that somewhere deep inside of me I believe that being educated, urban, and light-skinned will protect us. Will protect her. Will protect me.

I got tricked.

...

If you are an Indigenous woman, don't be tricked into thinking you are any more safe than any of our sisters out there. You're not. The system and most Canadians don't give a shit about you, how strong and talented you are, how hard you've worked, or where you live. If you are an Indigenous woman, you are a prime target for colonial violence. (Williamson 2014)

Williamson uncovers how white supremacist, settler colonial and hetero-patriarchal violence is safely tamed, evacuated, and displaced in mainstream coverage of Loretta Saunders and other missing and murdered Indigenous girls and women. She also warns other Indigenous girls and women—those who may be able to access political, economic, or social capital, who may think they are able to “pass” as non-Indigenous, and who may imbibe the myth of meritocracy that explains away rampant racial inequality—that they are foremost Indigenous women who are prime targets for gender- and state-based violence.

After underscoring the necropolitics of the carceral state, Chapter 4 highlights how the discursive and theoretical interventions—in the form of outlaw vernacular discourses and media justice movement building—carried out by Indigenous feminist and race-radical girls and women have worked to dismantle media necropower and the racialized gendered violence that it mobilizes and sustains. In alignment with my own analysis in Chapter 4 which underscores discourses and activist mobilizations that undermine the liberal politics of recognition, visibility, inclusion, and reform, Sarah Hunt provides her own critical reflections on the limitations of state

solutions to gender-based violence. In her contributing essay “I Am Accountable to Loretta Saunders” (Hunt 2014). Hunt writes:

As Indigenous people, we have the power to prevent violence within our own families and communities, such that violence against girls and women is no longer the norm. And if violence does happen, we answer to our own laws and the family members of those we have harmed, shifting our accountability toward one another. I am trying to imagine solutions that will actually lead to changing the kinds of relationships in which the violence we face is normalized. Ultimately I think we need to imagine solutions that counter our dehumanization, and I don't believe that Canadian law is capable of doing this.

I am accountable to Loretta Saunders. The question is how do we make her murderers accountable to her? Only then, I think, will this violence end. (Hunt 2014)

Hunt articulates an outlaw vernacular discourse that advances an oppositional, incommensurable politics in the shape of fostering community accountability and rejecting state-based juridical solutions and legal remedies. Hunt's essay encourages her readers to acknowledge that the Canadian state is itself the primary perpetrator of gender violence in Indigenous nations. Simply put, Canadian law is not an ally. Building upon the preceding three analyses, Leanne Simpson's essay takes on gender violence and underscores that the creation of Indigenous transformative systems of accountability must become “a core resurgence project, a core decolonization project, a core of any Indigenous mobilization” (L. Simpson 2014). Simpson writes at-length:

We cannot create movements, like Idle No More, where women are in leadership positions and where we also have no plan in place to deal with gender violence in an effective manner....

This realization came crashing down to me during Idle No More when I got a phone call from another woman in the movement asking for help because an Anishinaabekwe had been abducted and sexually assaulted in Thunder Bay. The attack was racially motivated and this woman was targeted in direct relationship to the activism around Idle No More.

It became really clear to me really quickly that not only do I personally lack the skills to deal with gender violence but that our community lacks these skills as well....

I felt anger and mobilization was the correct response, but my first concern was with this woman and her family, so I called and asked for help. The Native Youth Sexual Health Network came through in practical, powerful, and beautiful ways centering on support for the survivor and action on the part of the wider community. ...

We must build criticality around gender violence in the architecture of our movements. We need to build communities that are committed to ending gender violence and we need real world skills, strategies and plans in place, right now, to deal with the inevitable increase in gender violence that is going to be the colonial response to direct action and on-going activism. We need trained people on the

ground at our protests and our on the land reclamation camps. We need our own alternative systems in place to deal with sexual assault at the community level, systems that are based on our traditions and do not involve state police and the state legal system. (L. Simpson 2014)

Together, Hunt's and Simpson's analyses that collectively center Indigenous feminist transformative justice and community accountability structures and processes provide me with an ample opportunity to introduce the aims of Chapter 5 which directly builds upon the previous chapters of this dissertation. Now that I have shifted a collective gaze away from an overwhelming focus on a liberal politics of recognition and have forwarded radical, outlaw alternatives to dominant discourses inspired by Indigenous feminist and race-radical women of color feminist epistemologies, I return to the questions I initially posed in the introduction this dissertation: To whom do we run for cover from the carceral state? What do these political formations and autonomous spaces that do not rely on the nation-state look and feel like? Can we actually achieve a freedom from interpersonal, sexual, and carceral state violence? As Leanne Simpson realized, Indigenous feminist youth activists have been consistently at the forefront of supporting survivors of interpersonal and state violence as well as a building their own Indigenous transformative systems of accountability (see Native Youth Sexual Health Network 2014b). I now turn to a discussion of how the most vulnerable girls and young women—those most vulnerable to carceral state violence via incarceration, criminalization, and enhanced surveillance—have actively resisted interlocking forms of violence by advancing transformative justice and prison abolitionist praxis.



This chapter seeks to interrogate normative notions of feminist anti-sexual violence activism and prison abolitionist movements, offering a roadmap for a broader terminology and reconceptualization of resistance against the carceral state. I argue that studying the knowledge produced by Indigenous and race-radical feminist girl-driven activist organizations enables activist-scholars to rethink what constitutes this resistance from a perspective that is critical of how criminalized, homeless and street-involved, and incarcerated girls and gender non-conforming youth have been disciplined, managed, corrected, and punished as prisoners, patients, mothers, and victims of multiple, interconnected forms of violence through imprisonment, medicalization, and secure care. I frame a transnational discussion of girls' community activism within and against exclusionary notions of what constitutes the political when Indigenous girls and girls of color drive feminist anti-sexual violence and race-radical prison abolitionist activism. For this purpose, I analyze case studies of anti-violence and abolitionist activism that contest sexual violence, colonial state control, and carceral state violence undertaken by girls whose identities stretch far beyond normative gender, racial, and class binaries. In other words, I am interested in how this particular form of Indigenous and race-radical feminist movement is bridging and politically reconciling feminist anti-violence activism and anti-racist prison abolition politics in service of transformative justice and decarceral praxis.

Specifically, I demonstrate how girls organizing to represent the communities most impacted by interlocking forms of interpersonal and state violence in Canada and the United States are at the forefront of developing transformative justice models that conceptualize what it means to bridge social movements organizing against racial, sexual, and gender violence—both at the individual and institutional levels. The two cases I analyze here are The Young Women's Empowerment Project, Chicago (YWEP) and Sista II Sista, Brooklyn (SIIS). Both YWEP and

SIIS are autonomous community organizations that seek not only to take power but to make power by building community accountability structures that are not reliant on criminal legal and punishment systems, state funding, private foundations, or professionalized social services.

Transformative justice is an umbrella term used to define “any strategy to address violence, abuse or harm that creates safety, justice, reparations, and healing without relying on police, prisons ... or any other state systems” (Chen, Dulani, and Piepzna-Samarasinha 2011b, xxiii). After highlighting two of these girl-driven collectives’ transformative justice work, I briefly focus on how girls are mentored and trained to become “radical bridge builders” (Sudbury 2003) who engage in intersectional, intermovement praxis in their organizational contexts. Both these collectives’ work adds color to an emerging landscape of alternative interventions to racialized, gendered, and sexualized violence that is developing throughout various sectors of the prison abolitionist and anti-violence movement. Constantly shifting, evolving, and renaming itself, this landscape currently includes such formations as transformative justice as articulated by Generation Five (2007) and Critical Resistance (Shigematsu 2011) in the United States, and a broad movement of mostly indigenous-driven organizations and individuals throughout Canada, Australia, and New Zealand-Aotearoa (Kruger and Second Maori Taskforce on Whanau Violence 2004). While transformative justice is used to specifically underscore accountability and its void left by the resistance and/or reluctance of the mainstream feminist anti-violence movement to address intersection between interpersonal and carceral state violence, the more general term community accountability, is used by INCITE! Women of Color Against Violence, Creative Interventions, and Communities Against Rape and Abuse. It describes practices specifically targeting sexual abuse within the context of the state (INCITE! Women of Color Against Violence 2006b; Kim 2010a; 2010b; Bierra et al. 2006).

Many of these alternative organizing models have developed, in part, as a response to the perceived limitations of restorative justice principles and practices (Generation Five 2007; A. Smith 2010; Kim 2010b) as well as in response to the co-optation and professionalization of the mainstream antiviolence movement (INCITE! Women of Color Against Violence 2005; Richie 2012; Spade 2011). And as will be discussed in this chapter, the African American, Afro Caribbean, and Latina young women leaders of SIIS also draw inspiration from the community accountability action groups organized by the Landless Workers' Movement (MST) in Brazil, the autonomous territories of the Zapatistas, and the many less-known groups of poor women that "live in places where the police wouldn't come even if called" (Sista II Sista 2006, 204).

In addition to their collective commitment to anti-violence and transformative justice organizing, both SIIS and YWEP share certain key principles for structuring their work to be participatory and centered in racial and economic justice, and to resist many, if not all, of the tropes of non-profitization. Dylan Rodríguez defines the non-profit industrial complex (NPIC) as a "set of symbiotic relationships that link political and financial technologies of state and owning class control with surveillance over public political ideology, including and especially emergent progressive and leftist social movements, since about the mid-1970s" (Rodríguez 2007b, 21–22). Both Rodríguez and Ruth Wilson Gilmore (2007b) argue that the NPIC is symbiotic with the mass incarceration and policing of multiply marginalized communities. While the prison industrial complex (PIC) overtly represses radical and revolutionary action, the NPIC manages and controls such dissent by incorporating it into the "shadow state" (Gilmore 2007b) constituted by a network of institutions that do much of what governmental agencies are supposed to do with tax money in the areas of social services and education. As will be discussed in further detail in this chapter, SIIS became aware of this symbiotic relationship between the NPIC and carceral

state when their foundation funding was slashed after their collective started the “Sistas Liberated Ground” project, which directly challenged carceral state violence at home and abroad. SIIS was able to transition from being a non-profit organization chasing after foundation grants back to being a volunteer-run, non-hierarchical collective in the wake of 9/11 (see Burrowes et al. 2007).

Moreover, inspired by Dian Million’s work (2013) which explores how colonialism and resistance to gendered, racialized, and sexualized violence against Indigenous women are felt, affective relationships, I demonstrate how these two girl-led collectives’ organizing models an affective economy in stark opposition to that proffered by the carceral state. Lived structures of feeling—intuited, perceived, felt, and, finally expressed as emotions—constitute an economy in that they do not just affect individuals; they actually bind people and drive interactions that serve to either bolster or dismantle the carceral state. Lauren Berlant proposes the structure of feeling as “a residue of common experience sensed but not spoken in a social formation, except as the heterogeneous but common practices of a historical moment would emanate them” (Berlant 2011, 65). My focus on affective relationships and “felt theory” (see Million 2009) brings attention to how the cultural and institutional site of the prison is “not some building ‘over there’ but a set of relationships that undermine rather than stabilize everyday lives everywhere” (Gilmore 2007a, 242). Uncovering the affective economies sustained by both the criminal punishment system and carceral feminisms is crucial to any abolitionist project. Less is understood, however, about how affect charges positive moments, spaces, and movements; not just negative ones (Million 2013, 50). By exploring the transformative justice feminist work of Indigenous girls and girls of color, I uncover how their work affectively mobilizes positive calls and propositions for collective *self*-recognition and a “turning away” from the carceral state.

These aims necessitate an interdisciplinary analysis and methodology. My primary approach was the collection and textual analysis of various organizational and movement documents produced by the YWEP and the SIIS collectives. I obtained these materials largely through my participation at movement building conferences where these organizations and their participants led workshops and presented on panels. For example, I participated in workshops led by SIIS and YWEP organizers from 2007 onwards at the Allied Media Conference (Detroit) and the United States Social Forum (Atlanta and Detroit), and community-based activist trainings throughout Canada and the United States. I analyzed these texts to examine the organizations' agendas and used them to provide background and context for the girls' political engagements and practices. Both collectives have coauthored and published critiques of their own organizational dynamics and transformative justice processes, incorporating this process into their documentation (for example, *Sista II Sista* 2006; *Young Women's Empowerment Project* 2009). I also use their own critiques of their work to address the struggles that occur in organizing. In this way, I read their documentation as authentic co-publications, rather than emblematic or tokenistic forms of activist knowledge production. I also approach their documented critiques as forms of truth telling that they engage in the context of their activist work.

By describing some of the concrete informal educational and pedagogical activities girl activists develop and the questions of politics and process with which they grapple, this chapter highlights the dynamic process whereby girls learn how to strategically maneuver within their own organizations and between different antiviolence and abolitionist movements. To this end, I pose the following questions: how do girls who face as much interpersonal violence as they do institutional and structural violence understand and represent where the carceral state ends and

the so-called benevolent community begins? How do intimate, interpersonal forms of violence interlock with carceral state forms of violence in the girls' own understanding of their daily lives? How do they strategize to disentangle themselves from the expanding prison regime and other systems of state-sponsored control when patterns of dependency, medicalization, and infantilization persist in the surveillance of girls labeled "at risk"? What places are left for them to go? For those girls who find spaces conducive to individual and collective healing, what draws these girls initially to engage in transformative justice and community accountability work? What affective relationships and emotional ties are created and sustained by and through this work? And lastly, how does this holistic, feminist anti-violence and prison abolitionist activism model an affective economy in opposition to that sustained by the carceral state?

For criminalized Indigenous and girls of color who have spent the majority of their life under some form of state control, the boundaries that separate intimate partner violence, sexual assault, and mass incarceration are porous at best, and nonexistent at worst. I approach violence against young women and their organized resistance to it from multiple intersections: as a queer mixed-race Chicana from an urban, working-class background; as a survivor of sexual violence and incarceration; and with an antiviolence activist and prison abolitionist perspective. I aim to denaturalize intimate and interpersonal violence and its state-supported structures by refusing any neat distinctions between personal and state forms of violence, proposing instead a more layered analysis of intersecting structures of subjection and privilege and the social relations they foster.

By drawing on frameworks developed by Indigenous and race-radical women of color feminists, my analysis of girls' activism interrogates how they represent the raced-gendered logics through which sexual and structural violence operate, and the role violence plays in

producing differently gendered, raced, sexualized, and classed subjects. Girls' activism demonstrates how prison abolitionist and anti-sexual violence movement participation requires us to move outside of the geographical and psychological boundaries set by the carceral state and its affective economies. The courts, federal and state legislation, therapeutic models, and even some domestic violence shelters presume that violence against women is synonymous with domestic violence and that it affects all girls and women equally and in the same ways (Richie 2012). In order to understand violence against girls as a fundamentally heterogeneous phenomenon that requires a heterogeneity of interventions, it is essential to go beyond such universalizing constructs of interpersonal partner violence to consider how sexual, institutional, and structural violence sustained by the carceral state work together.

Additionally, the entrenchment of white western mainstream carceral feminisms which advocate for state-driven, pro-criminalization strategies to address domestic and sexual violence constitute another form of violent confinement from which criminalized girl activists must free themselves. The transformative justice processes and community accountability strategies generated by Indigenous girl and girls of color activists to disrupt interlocking forms of violence under the carceral state alert us to their complex and contradictory relationship to what constitutes a justice-based movement to end racialized and gendered violence, potentially offering a means of creating a political movement dedicated to building communities in which violence becomes unthinkable.

### **Transcarceral Spaces of Subjectivity and Subjection**

Barbara Cruikshank argues that we must not separate “subjectivity from subjection in order to imagine political resistance” (Cruikshank 1999, 120). Subjection indicates that power relations impact how Indigenous girls and girls of color know themselves and each other as subjects through systems of meaning and control such as racism, sexism, ableism, and transphobia—the myriad ways girls understand their own bodies, the things they believe about themselves and their relationships with other people and with institutions, and the ways they imagine radical and revolutionary change. The interpersonal, sexual, and state violence permeating the lives of Indigenous girls and girls of color that limit their ways of imagining transformation is located within the geographical and political boundaries of white settler societies. In her influential paper on the brutal murder of Pamela George, a young Indigenous woman in Canada, Sherene Razack (2002b) argues that gendered and sexualized violence against racialized others and, specifically against Indigenous girls and girls of color, is a defining hallmark of *all* white settler societies.

In North America, Indigenous and girls of color have historically been the primary targets of law enforcement violence and are over-represented in the adult prison and juvenile detention systems due to neoconservative and neoliberal policies that have feminized, racialized and criminalized poverty, mental illness, and HIV status. In the United States, since the 1980s female incarceration rates have steadily doubled every seven to eight years, and one-third of the juveniles arrested in 2003 were girls (Coughlin 2007, 197; Feld 2009, 228). Since the late 1990s in Canada, Indigenous girls’ and women’s rates of imprisonment have doubled (Statistics Canada 2006). In 2008-2009, 44% of all girls in sentenced youth custody in Canada were Indigenous although Indigenous women and girls account for less than 6% of the female population of the country (Native Women’s Association of Canada and Justice for Girls 2012, 24). They are also five times more likely to be victims of femicide than are non-Indigenous girls



and women, and many experience sexual victimization at the hands of police (Amnesty International 2009; Human Rights Watch 2013).

Moreover, female youth are more likely than their male counterparts to be arrested for status offenses and suspected immoral sexual conduct which includes running away, truancy, prostitution, promiscuity, and “incorrigibility” (Chesney-Lind and Shelden 2004, 137). Not only has the carceral state historically criminalized girls’ sexual behavior, but it has widened the net to include criminalizing non-heteronormative and racially marginalized girls of color as violent predators (Richie 2005; Schaffner 2006). Even so-called benevolent alternatives to punishment such as gender responsive training, educational and therapeutic programs inside girls’ facilities and healing lodges for incarcerated Indigenous women expand and deepen the intrusive reach of punitive carceral controls into the everyday lives and onto the marked bodies of criminalized girls (see Hayman 2006; Maidment 2006). Anke Allspach (2010) argues that these controls are transcarceral, forming beyond the permeable walls of prisons and constituting a reconfinement of women after their release. Dominique Moran (2013) furthers this analysis by arguing that transcarceral spaces exist alongside an embodied sense of the carceral that similarly moves beyond prison walls through the corporeal reinscription of permanently criminalized, formerly incarcerated women. The transcarceral continuum manifests itself primarily under the guise of localized mental health agencies, welfare and child protective services, professionalized social services, as well as in individualizing, pathologizing, and self-responsibilizing educational and therapeutic projects. This continuum blurs the boundary between the prison’s “outside” and “inside”, extending its control through stigmatization and the embodied markers of imprisonment of criminalized girls who have spent the majority of their lives under some form of state control.

Racialized and heteronormative constructions of girls bolster the broader racialized logic that drives the transcarceral continuum. In the contemporary carceral state, very few Indigenous girls and girls of color have privileged access to the racialized and hetero-gendered production of innocence, sentience, respectability, personhood, and full humanity. Making a case for the centrality of girls to North American racial formations starting in the nineteenth century, Robin Bernstein argues that “childhood innocence—itself raced white, itself characterized by the ability to retain racial meanings but hide them under claims of holy obliviousness—secured the unmarked status of whiteness, and the power derived from that status” (2011, 8). In stark contrast to the “angelic white girl,” Black girls were defined “out of innocence and therefore out of childhood itself” (Bernstein 2011, 16).

Not only are white innocence, consent, and protection at the center of discussions about incarcerated and criminalized girls, they are also the foundation of our criminal legal and punishment systems. Throughout North America, the carceral state has historically appropriated and channeled the idea of girls—in particular white, poor and working-class girls—in need of protection. This protection of white girls has centered on sexual violence, while obscuring state violence and the ties that suture these together. For Indigenous girls—deemed by the white colonial welfare state as primitive, unreachable, and beyond reform—protection has historically meant moral policing of Indigenous girls’ sexuality by welfare state interventions, large-scale removal of Indigenous young women’s children by the Canadian state, and increased rates of incarceration in residential boarding schools, work houses, psychiatric hospitals, jails, and prisons (Ross 1998; Sangster 2002; Sangster 2011).

As targets of state regulation and containment, the girls I discuss in this chapter are deemed deserving of discipline and punishment, but not worthy of legal protection. Indigenous

girls and girls of color from poor and working-class backgrounds who are on probation or parole, who are undocumented, who are homeless, who survive in the street economy as sex workers or drug dealers, who are drug addicts, who are gang members, and who are young mothers do not elicit sympathy or protection from the carceral state. These girls would be, as Lisa Cacho argues, “*ineligible for personhood*” (Cacho 2012, 6; emphasis in the original). Because they are subjected to laws based on their illegal status, these girls are unable to comply with the rule of law because, as Cacho explains, the North American legal system targets their very being—not their behavior—for legal elimination and social death (2012, 6). Given that the law neither protects nor defends these girls, they experience enforcement violence by local and state police and prison staff.

While the discourse around police violence excludes the girls’ experiences, INCITE! Women of Color Against Violence (2012) argues that when girls and trans youth of color initially call police for help with intimate, domestic violence, and sexual assault, they face sexual harassment, rape, sexual assault, physical abuse and other forms of brutality. As Canadian organizations like the youth-led Native Youth Sexual Health Network and the intergenerational Families of Sisters in Spirit have recently documented in their “Police (In)Justice” collaborative statement and resource guide (2013), sexual violence by state bodies extends far beyond police brutality (see Bhattacharjee 2002). These youth-led and intergenerational Indigenous collectives underscore how transcarceration and enforcement violence have historically permeated the culture of many institutions in white settler societies.

As Andrea Smith argues, a justice-based movement to end gender violence “would not situate the problem of mass incarceration as one of violence *within* prisons, but would instead recognize prisons *as* violence” (A. Smith 2013c). Prison imposes the ultimate state control on

those already disempowered, silenced, and marginalized. Analyzing state sexual abuse in women's prisons and juvenile facilities, Michelle VanNatta argues that prison guards often inflict sexual abuse against those incarcerated in women's prisons with impunity and with the blessing or even the mandate of the state in the form of invasive strip searches and sexually oriented surveillance (VanNatta 2010, 28–29). In a final report of the “Arrest the Legacy: from Residential Schools to Prisons” dialogues on improving conditions and opportunities for Indigenous women and girls impacted by residential schools who are criminalized or incarcerated, Indigenous girls reported high incidences of sexual abuse and harassment by prison officials including guards, doctors, and other professionals; examples include breast and gynecological exams during psychological assessments as well as excessive and degrading strip searches and forced nudity (Native Women’s Association of Canada and Justice for Girls 2012, 28). Luana Ross wrote early on (1998) how the majority of imprisoned Indigenous girls and women were there as a direct or indirect result of being sexually abused in families disintegrating from systemic economic and social violence. Before incarceration, most Indigenous and Black women had experienced physical and emotional abuse, sexual and economic exploitation, and social degradation as a result of male violence (Richie 2012; INCITE! Women of Color Against Violence 2005; A. Smith and Ross 2004). As Stormy Ogden’s narrative (2005; 2006) implies, the feminist anti-violence movement—including tribally-based, anti-sexual violence programs—has often failed to be accountable to the Indigenous girls and women most vulnerable to violence—girls and women in prison. Ogden discloses her experiences of imprisonment for welfare fraud as a young Indigenous woman. She connects her personal biography to the larger societal structure, forms of imprisonment, and colonialism. Ogden's activism indicates that it is essential for domestic violence and sexual assault movement activists to develop strategies that

do not further the victimization of incarcerated girls and women. Since the oppressive context of prison underlies all forms of sexual abuse, and agents of the state directly inflict some of this abuse, VanNatta—like Ogden—calls upon feminist antiviolence advocates “to re-evaluate the antiviolence movement's painstakingly developed alliances with the state and the criminal legal system, and to develop systematic responses to state abuse” (VanNatta 2010, 27). Both activist-scholars—like all of the organizations profiled in this chapter—point to the contradiction of relying upon the state to solve problems it is responsible for creating.

By centering case studies of antiviolence and abolitionist activism that contest colonial state control and surveillance undertaken by girls, I account for and conceptualize the work that girls who are criminalized, incarcerated, and street-involved do; within our current carceral landscape, the risks of not doing so are high. In an expanding prison regime in which racially marginalized and gender non-conforming girls are still targeted for containment and sexual surveillance, it matters, urgently, who is viewed as valuable or disposable. Activist scholars committed to feminist anti-violence and prison abolitionist activism need to continue to challenge the dismissal and trivialization of these girls’ activism. In addition, they need to work to critique and dismantle the transcarceral continuum—and those feminist and abolitionist movements that willingly or unwittingly uphold it—in order to think about the necessity of engaging in radical structural and systematic change in solidarity with the girls whose activism is analyzed here.

### **Shifting from Carceral to Transformative Justice Feminisms**

A primary explanation for prison growth and expansion can be found in analyses of the mainstream feminist anti-violence movement and the emergence of carceral feminisms. In brief, a carceral feminist approach to gender violence uses a gender-exclusive, generic, one-size-fits-all framework and narrowly focuses on individual, isolated incidents of interpersonal physical and sexual abuse by heterosexual partners or acquaintances. Since this approach over-relies on and expands policing, law enforcement, and the criminal legal and punishment systems, it willingly ignores and excludes state violence to gain legitimacy within the agenda of the carceral state. Rather than building a grassroots, feminist, and anti-racist anti-violence movement capable of challenging both interpersonal and institutional violence, carceral feminisms choose to rely on professionalized mainstream social services focused on individuals as well as seek to expand political and civil rights, with a focus on institutional reform (Richie 2012).

Critical race feminist scholars have examined more than two centuries of interlocking prison and legal reforms and have asked what role benevolent liberals—in particular, women fighting domestic and sexual violence—have played in normalizing prison and legitimizing the carceral state (Davis 2003; Gottschalk 2006; Richie 2012). Demands by the mainstream feminist anti-violence movement in the United States to challenge rape, battering, and sexual harassment—beginning with the first organized anti-domestic violence programs in the early 1960s, through the establishment of a formalized governmental response with the passage of the Violence Against Women Act of 1994—have had far-reaching transcarceral consequences in United States, Canada, and globally (see Bumiller 2008; INCITE! Women of Color Against Violence 2006b; Oparah 2005). The historical and institutional factors that made it possible for the US women's anti-violence movement to win mainstream legitimization and public acceptance were important building blocks for the carceral state that emerged simultaneously in

the 1970s. According to Marie Gottschalk, the mainstream feminist anti-violence movement that has over-relied on penal solutions to address violence against women—via mandatory arrest, presumptive arrest, no-drop policies, tougher sentencing policies—“became a vanguard of conservative law-in-order politics in the United States” (Gottschalk 2006, 241–242; 249). While the passage and re-authorization of the Violence Against Women Act (VAWA) and the creation of the United States Department of Justice's Office on Violence Against Women was seen as a critical legal victory for the feminist anti-violence movement, it is important to note that VAWA was part of a larger, more controversial Violent Crime Control and Law Enforcement Act of 1994—one of the most comprehensive, far-reaching crime bills in the history of the United States. The passage of VAWA came with a cost—a set of the most draconian laws that disadvantaged the same communities that the population of girls and women who are most vulnerable to male violence come from (Richie 2012, 86). As Black feminist blogger who self-identifies online solely as “Computer Blue” asks in relation to the uncritical support of law-and-order legislation like VAWA by mainstream feminist anti-violence advocates: “if the state is fundamentally organized around anti-black racism and settler colonialism which systematically brutalizes some survivors in order to secure the provisional ‘safety’ for others, what kind of trade agreement are anti-violence advocates co-signing and helping to authorize” (Computer Blue 2012)?

In her chapter entitled, “How We Won the Mainstream but Lost the Movement”, Beth Ritchie (2012) describes the broader social and ideological changes that were occurring at the same time that the feminist anti-violence movement was evolving; “the conservative wave that lead to the buildup of America’s prison nation” ultimately betrayed the visions of the early grassroots, feminist, anti-racist activism (Richie 2012, 65–65). Richie summarizes the current

reality that Indigenous and race-radical feminists are faced with when struggling to reconcile feminist anti-violence activism, prison abolitionism, and movements for racial and economic justice. Richie writes:

The anti-violence movement buys into the carceral state by advancing “anti-violence” campaigns that rely on arrest, prosecution, and punishment as ways to solve the problem of gender violence. The focus of the problem is individual incidents of abuse rather than public policies that result in state violence against women and queer communities, which are ignored by feminist groups who invest in or accept resources that are tied to the growing punishment industry. Those racial justice organizations that do resist state violence and the concomitant crises that result from mass incarceration see their work in masculinist terms. Some even point to anti-violence activism as one of the culprits in the mass incarceration of poor men of color. Many fail to understand that the criminal legal system is not only racist, it relies on heteropatriarcal assumptions that narrate a kind of social order that is based on domination. (Richie 2014)

As Richie indicates, the mainstream feminist anti-violence movement is complicit in furthering both racist and heteropatriarcal assumptions of “innocence”, “respectability”, and “deservingness” that exclude Indigenous women and women of color who are young, poor, queer, and living in vulnerable circumstances. As these once grassroots, feminist anti-sexual violence networks sought more legitimacy and funding for operations from the neoliberal state, they advised girls and women leaving abusive situations without other economic support systems to accept new “workfare” programs. Due to the dismantling of the welfare state and the rise of “workfare”, poor and working class girls and women of color were forced to turn to economic



crimes such as petty theft, minor drug dealing, and prostitution in order to support themselves and their children and consequently, were incarcerated in increasingly punitive criminal legal and punishment systems (see Bumiller 2008). Sarah Deer has also written extensively that ending gendered and sexualized violence against Indigenous girls and women in white settler societies is more complex than increasing policing and prosecution in Indigenous communities already overrepresented in crime statistics, jails, and prisons (Deer 2009; A. Smith and Deer 2010). Unlike carceral feminist movements, a transformative justice feminist movement would recognize mass incarceration as a central organizing principle of racialized and gendered violence and is therefore fully committed to prison abolition and the dismantling of the carceral state.

Ultimately the House Republicans blocked the Senate's 2012 reauthorization of VAWA, an embattled bill that would have extended "domestic violence protections to 30 million LGBT individuals, undocumented immigrants and Native American women" (Bassett and Bendery 2013). Specifically, these sections create policy that would help make non-Indigenous men who assault Indigenous women on tribal lands subject to prosecution by tribal courts (Stegman 2012), provide U-visas to undocumented survivors who cooperate with prosecuting their abusers (Shurtleff and Edt 2012), and support access to legal and victim services to LGBT survivors, including training police and other law enforcement personnel (Rosenthal 2012). Again, Black feminist blogger "Computer Blue" asks two critical questions of feminist anti-violence activists: what would happen if all of the anti-domestic/sexual violence programs and activists responded to this news about VAWA's descent by collectively, actively, and loudly supporting Idle No More; doing their all to opt out of and eliminate Secure Communities; and focusing on

community organizing to increase safety, support and accountability led by survivors and our communities? What kind of potential insurgencies could we create” (Computer Blue 2012)?

The community organizing “Computer Blue” directly refers to that of community accountability and transformative justice. To summarize, transformative justice feminism is grounded in an Indigenous and race-radical women of color theoretical framework that is committed to change social conditions that subordinate and marginalize Indigenous women and women of color. It seeks to develop community responses and strategies to address intimate, interpersonal, and carceral state violence from a political organizing perspective in order to move beyond state-imposed, institutionalized criminal legal and punishment systems and professionalized social services. By developing community responses for support, intervention, healing, and accountability that do not rely on the state, these grassroots movements are building capacity to address multiple forms of structural and state violence (Richie 2012; chs. 5 & 6). Within our current carceral landscape, prison abolitionist and transformative justice feminist praxis emerge as essential epistemic and organizing tools utilized by girl-led feminist of color collectives.

### **Resisting Enforcement Violence: INCITE! And YWEP**

Walking in the footsteps of the contributors to “This Bridge Called My Back” and “The Combahee River Collective Statement”, activists from the prison abolitionist and domestic violence sexual assault movements came together in 2000 to write the INCITE! Women of Color Against Violence/Critical Resistance (CR) “Statement on Gender Violence and the Prison Industrial Complex” (The CR10 Publications Collective 2008b). The seeds of the action

statement were sown at the first conference organized by Critical Resistance—a national organization dedicated to prison abolitionism—which took place in Berkeley, California, in 1998. Among the lead organizers of that conference were Indigenous women and women of color who had been active in both the prison abolitionist and feminist anti-violence movements. The conference brought together 3,500 activists, students, academics, former prisoners and their families, former political prisoners, and cultural workers to launch a new broad-based abolitionist movement based on a critique of the prison-industrial complex. Julia Sudbury (Oparah) (2003) recounts how some of the feminist anti-violence activists who attended the conference felt that there was insufficient seriousness attached to the question of how women's safety would be guaranteed in the “world without prisons” envisioned by many of the participants. Nor did they feel that the prison abolitionist movement was always serious enough about holding men who had perpetrated violence against women accountable for their actions. At the same time, writes Sudbury:

[T]hose working in communities of color were highly critical of the actual impact of policy initiatives designed to protect women, such as mandatory arrest, zero tolerance campaigns around domestic violence, and enhanced sentencing, concluding that these had contributed to a prison-building boom that was increasingly capturing both men and women of color in its net. Surely it was irrational, they argued, to expect protection from a system that was itself a key perpetrator of violence against poor communities and communities of color. This difference in opinion, rooted in real experiences of the prison abolitionist movement and the criminal justice system, created barriers between the two

movements that potentially threatened the effectiveness of both. (Sudbury 2003, 135–136)

Two years later, some of the Indigenous women and women of color who had been involved in CR, along with many who were involved in the domestic violence sexual assault movements, came together to form INCITE! Women of Color Against Violence and to draft the INCITE!/CR action statement. The statement names areas of challenge represented by each movement while committing to a common vision and future collaborative strategies. Moreover, it is a bold articulation of Indigenous feminist and race-radical feminist politics about the intersections of gendered and racialized violence against Indigenous and girls of color, women, queer, and trans people.

According to Mimi Kim (2010a) of Oakland's Generative FIVE and Creative Interventions, the INCITE! and Critical Resistance collectives have inspired other organizations to move beyond the language of reliance to challenge the liberal notion of the state as a viable partner in the struggle against violence against women and children. In particular, the joint statement calls on social justice movements concerned with ending violence to develop community accountability and transformative justice models that respond to intimate violence without ceding girls' and women's ability to hold their abusers accountable to the prison regime. The possibility for engagement with the perpetrator of violence is by no means a necessary component of this organizing model; it is considered just one of many possible options for individuals or communities that have been harmed. Many of INCITE!'s sister organizations and affiliates such as SIIS and the YWEP challenge the primacy of individualistic and state-based remedies, noting that, for the girls and women most impacted by interlocking forms of violence, the possibility of individual safety is a myth or a luxury afforded to the privileged few (Creative

Interventions 2008; Kim 2010). Their work is anchored in the belief that resistance to intimate and community-based violence, sexual assault, and enforcement violence are inseparable.

At a workshop held at the 2011 Allied Media Conference in Detroit, one sixteen-year-old sex worker, single parent, and lead organizer for the Chicago-based YWEP, who has been in and out of child protective services and juvenile facilities for most of her life, bluntly stated that, “Cops, teachers, and social workers have hurt me worse than any pimp has.” The workshop identified enforcement and carceral state violence as a problem for girls of color and encouraged them to broaden their definitions of violence and to mobilize their peers in a community-driven resistance movement against it.

Chicago’s YWEP is a youth-run member- and peer-based social justice organizing project led entirely by and for young women, girls and transgender youth of color (ages twelve to twenty-three) with current or former experience in the sex trade and street economy. Founded in 2002 in Chicago by a collective of race-radical feminists and harm reductionists who had life experience in the sex trade and street economy, YWEP privileges the values and interlocking strategies of harm reduction, self-care and healing justice, transformative justice, reproductive justice, leadership development, and popular education with the goal of building a social justice movement led by homeless, home-free and street-based girls and trans girls who “do what they have to do to survive” (Torres et al. 2012; Young Women’s Empowerment Project 2009; 2014a). YWEP members emphasized the importance of political education, harm reduction, and leadership capacity building in an interview with “In These Times” magazine. YWEP youth leaders told a reporter: “through the work and programs at YWEP, we have all had individual experiences of developing new skills, making important relevant and positive changes in our

lives and feeling like we have a place to call our own in a world that is adultist, racist, sexist and homophobic and threatens our daily existence” (Lydersen 2012).

YWEP’s mission as a peer-based project (as opposed to a social service agency) “is to offer safe, respectful, free-of-judgment spaces for girls and young women in the sex trade and street economies and to recognize their goals, dreams and desires...We were created by women and girls who believe that any girl can be empowered and that all girls are priceless, creative, and smart and can be leaders in their communities” (Young Women’s Empowerment Project 2014b). “Youth Activist Krew” and “Girls in Charge” are two of YWEP’s core leadership groups that work to deepen their political education and make decisions for the project—including base-building, hiring new staff, and creating campaigns (Torres et al. 2012, 10). YWEP has five main program areas: Outreach, Leadership Development, Popular Education Workshops, Research, and Social Justice. Each interconnected program area is directed by about 30-40 paid youth staffers who are current members with decision making power. YWEP’s peer outreach workers reach over 500 girls per year, and their popular education workshops reached 582 young people and 1,700 adults through conferences, workshops and trainings during 2011. YWEP is also the United States’ only youth-run syringe exchange program, which reaches another 200 young people annually to distribute safer hormone and drug use supplies (Torres et al. 2012, 9).

As experts in their own lives, YWEP organizers are at the forefront of developing a harm reduction approach for girls in the sex trade at the same time as they create collective community-driven strategies to hold both people and institutions that have done harm accountable. According to YWEP’s leadership, harm reduction “means that we give practical options, no judgments, and we respect the choices that girls make. We will work with any girl to find resources that she thinks will be helpful to her. We believe that girls do what they have to do

to survive and we don't question why a girl is involved in the sex trade or street economy, instead we ask them what they think they need to stay safe, feel supported and take care of themselves" (Young Women's Empowerment Project 2014a). Girls learn in paid peer education and harm reduction outreach training how to offer realistic information and education about drugs and the sex trade to other girls who need it. In an excerpt from an article appearing in "The Nation" magazine (McClain 2007), Shira Hassan, co-director of YWEP, provides an illustrative example of YWEP's peer-based harm reduction model:

[O]n a recent day Hassan overheard a 13-year-old girl asking how to tell whether [a joint] had been rolled using papers laced with embalming fluid.

A 19-year-old colleague of Hassan's used the peer education model on which the organization prides itself. Without judgment, without shaming the girl into clamming up, the staffer started brainstorming ways the younger girl could stay safe.

Hassan watched the two puzzle through the problem together:

"If you're out with a guy, don't let him smoke you up," the colleague suggested.

"Roll from your bag. Don't carry too much. Teach yourself how to be in charge of your drug use." (McClain 2007)

In addition, through their long-term "Healing in Action" program and "Street Youth Rise Up!" campaign, YWEP embraces a radical harm reduction and reproductive justice approach that does not presume how street-involved girls and trans girls should live, but provides tips on how they can ensure their own safety, however defined. In their zines "Toolkit to Owning Your Own Life"

(Young Women's Empowerment Project) and "How to do a universal self-exam" (Young Women's Empowerment Project 2014d), collective members provide accessible information on how to conduct self-examinations including pap smears and breast/chest and anal exams, how to stitch yourself up after a "bad date" without going to the hospital, and how to self-cut, squat, turn tricks, panhandle, inject drugs, and smoke crack in safer ways. For example in a section entitled "Sex Trade Harm Reduction" in YWEP's "Toolkit to Owning Your Own Life", after explaining what the sex trade is and clarifying that "just because we are not ready to exit does not mean that we can't take care of ourselves" YWEP staffers provide a 10-step tip list on how to practice harm reduction and resistance when "trading sex for money, gifts, drugs or survival needs". Proclaiming "safety first, money second, sex third", girls write:

1. Wear shoes you can run in. 2. Work with a buddy. 3. Tell someone where you are going, have a safety signal with friends so if you don't come back you know what to do. 4. Have someone write down information like license plate number or addresses, or pretend someone is doing that in front of the guy. 5. Drink a lot of water—pee a lot—before and after sex, it helps prevent infection. 6. Trust your instincts. 7. Wear condoms as much as you can. 8. Take care of yourself first. 9. Find someone you can trust and talk to. 10. Go to a clinic if you are in pain or if you think something is wrong. (Young Women's Empowerment Project, 23)

In addition, both toolkits center reproductive justice and emphasize girls' and trans girls' right to "live in a world without sexual violence", "get whatever birth control, hormones, or medicine you need", and "to make your own decisions about your body and sexual health" (Young Women's Empowerment Project, 1; see 2014b). YWEP's harm reduction model is premised on the idea that young people in the sex trade are the experts in their own lives and know what is



best for themselves, their bodies, and their emotional health and well-being. When institutions fail young people of color surviving in the sex trade and street economies, YWEP uses harm reduction strategies so that girls can negotiate an unsafe world and practice resilience and resistance in their daily lives. Unconventional resilience strategies become a stepping stone to engage in alternative forms of collective resistance.

Promoting a long-term movement- and capacity-building approach, YWEP's first political organizing campaign is based on the findings from their youth-led participatory action research project entitled "Girls do What they Have to do to Survive: Illuminating Methods used by Girls in the Sex Trade and Street Economy to Fight Back and Heal: A Participatory Action Research Study of Resilience and Resistance" (2009). The project found that the individual violence that girls experience at the hands of boyfriends, johns, pimps, family members, and foster care families is exacerbated by the institutional violence that they experience from systems and services. YWEP members were interviewed about their research findings by Chicago Public Radio program, "Eight Forty-Eight" (Cuddy 2009). During the interview, Jazeera Iman, the study's research coordinator, discussed how the research reveals the relationship between sexual and domestic violence between individuals, and institutional violence:

I heard a lot about girls experiencing exclusion from different services because of their participation in the sex trade, because of drug use, because of participation in the street economy, being of color, being young, being young mothers. I also see a lot of girls relying on each other, as opposed to relying on systems. A good example of that is a girl might turn to another girl for help with a medical problem as opposed to going to a clinic. Individual violence was enhanced by institutional violence, meaning that a girl would experience individual violence, for example,

she'd get beat up, and then she would try to go to a clinic or hospital and get care, and they would refuse her because they know she's involved in the sex trade. So, the individual violence she experienced is compounded upon by the institutional violence. She's experiencing two forms of violence.

YWEP co-director, Shira Hassan, continued:

I would say for us, the surprises in the data were about how much people were being denied help from institutions. And by help, we don't mean rescue or saving. We mean, I need stitches. We don't mean, save me from the street. We mean, give me a hug, or I need to file a report against this person. We're not even talking about elaborate forms of life changing help, we're talking about really simple emergency intervention type care that was really shocking to hear how infrequently girls were being successful in getting that help from systems. (Cuddy 2009)

The research underscored how girls of color and trans youth of color suffered from institutional and transcarceral violence by doctors, government officials, social workers, therapists, homeless shelter and domestic violence shelter staff, and foster care workers which included emotional, verbal, physical, and sexual abuse, as well as exclusion from accessing public services (Young Women's Empowerment Project 2009, 25–27).

While conducting this participatory action research project, YWEP members and other girls and trans girls involved in sex work, reported extreme levels of enforcement violence by the police. YWEP staffer Ryanna Sandoval writes at-length for “Left Turn” magazine (2008):

As a project we have had a lot of experience with the police and our constituency often fall victim to racial and gender targeting from the police. This past summer police targeted us, and we sometimes had as many as thirty police cars lined up and down our block. The police harassed one of our outreach workers because she was fliering for a focus group. In the past five years, we have only called the police once, and it was a life-threatening emergency. This is a prime example of how transformative justice applies in our day-to-day project life. Our space is a “no police zone,” meaning we don’t allow any officer inside our space.

Police abuse of power is evident in the research project we are currently in the middle of that focuses on girls’ resilience in the face of and resistance to violence....While conducting this research, we have heard stories about police raping and impregnating girls and forcing them to have abortions. Police have stalked girls, refused to help girls in obvious need of assistance, and arrested girls who work together for safety, charging them with pimping each other. The list of police abuse could be endless, but we focus more on how girls fight back against this violence. (R. Sandoval 2008, 62–63)

In addition to educating girls involved in the sex trade about their legal rights when dealing with the police and about how to engage in transformative justice processes, YWEP members reported in engaging in other creative ways of protection—from finding good places to hide drug stashes when being harassed by the police to “getting over” on a system that refuses to help them and that wants to keep them powerless (Young Women’s Empowerment Project 2009, 27–29).

On the heels of this report, YWEP members created a “Street Youth Rise Up!” campaign that focuses on building the autonomy, self-determination, and resilience of street-involved girls and creating community accountability structures (Young Women’s Empowerment Project 2014f). As a part of this campaign YWEP launched an anonymous “Bad Encounter Line” where girls can use forms, a phone line, blank zines or meeting with advocates to report specific bad experiences with institutions including police, health care and non-profit agencies (a follow-up to their “Bad Date Line” created by sex workers to share incident reports on violent clients) (Young Women’s Empowerment Project 2012b; 2014g; 2014h). Approximately 150 complaints and grievances filed using the “Bad Encounter Line” structure since the project was launched in September 2009 have been compiled and analyzed in another youth-led participatory action research report entitled “Bad Encounter Line Report 2012 Denied Help!: How Youth in the Sex Trade and Street Economy are Turned Away from Systems Meant to Help Us and What we are Doing to Fight Back” (2012b). Almost all of the reported grievances were made by youth of color, and trans youth of color were disproportionately likely to experience institutional violence by police and health care providers such as clinics, hospitals, psychiatric facilities, and the Department of Human Services (2012b, 16–22; see 2014g). Another main finding demonstrated how “Bad Encounters” are increased when social services and healthcare providers rely on security guards and the police. Confronted with transcarceral violence, the report noted how girls are filing grievances, calling friends and co-workers for support, organizing their community to attend city council meetings and protest against police brutality, and when necessary, using violence to protect themselves from attackers or escaping from a violent situation to prevent further escalation (2012b, 16–17).

In addition, YWEP created a “Street Youth Bill of Rights” aimed at training professionalized service providers and educating street-involved youth about their legal rights when interacting with schools, health and social service providers, and the police (Young Women’s Empowerment Project 2012a). YWEP has delivered poster copies of their “Street Youth Bill of Rights” and have asked institutional representatives to sign on and help them promote the campaign. These rights include the right to decide to live without a “traditional” home (defined as “home free”) to have as many sexual partners as one chooses, as well as the right to make a living in informal economies including the sex trade. Detailing how social services can respect the rights of street youth, the “Bill of Rights” states:

1. We have the right to be treated with respect and dignity and to not be judged based on our age, gender identity or expression or sexuality, and/or because we are homeless and/or home free, or because we are involved in the sex trade and/or street economy.
2. We have the right to receive services regardless if we have identification or not.
3. We have the right to receive as much resources and services from both state and non-profit service providers who offer to aid a youth living in a crisis situation. And they should not be judged based on their living situation or because they are homeless, home free and/or street based. (Young Women’s Empowerment Project 2012a)

YWEP leaders explained to a reporter from “In These Times” magazine that a shelter located in Chicago’s West side is using the bill of rights to revise their housing contract and make it more youth-friendly, and organizations including the Broadway Youth Center, Sage Community

Health Collective, Project Nia and the Chicago Women's Health Center have formally endorsed the bill of rights (Lydersen 2012). They said: “We are organizing and building power. After we get 10 more organizations to endorse we will use our collective power to try to influence policy at an institutional or governmental level....We believe institutions will change when they are approached by young people who have first-hand experience in the street economy and by hearing our personal testimony of what the hell we have been through” (Lydersen 2012). While YWEP organizers declare that their organization does “not work on making new laws or policies because we don’t believe that the law can bring fast and positive change to ALL girls in our community” (2012b, 49), YWEP still organizes to hold the state and its representatives accountable and to fight for policy change at the local institutional level—as evidenced by their multifaceted “Street Youth Rise Up!” campaign.

Since YWEP embraces transformative justice defined as “a model that acknowledges that state systems and social services can and often do create harm in the lives of girls” (2012b), they have not abandoned the struggle to confront the carceral state and to pressure it to be publicly accountable to needs of girls and trans youth of color surviving in the sex trade and underground street economy. Rather than over-relying on the carceral state or following “models for social change that about us without including us”, however, YWEP privileges “community-based efforts for social justice beyond the government or other state-sponsored institutions” and seeks to create “a movement for social justice that recognizes and honors our talents as leaders and innovators with us at the forefront” (2012b, 49). Given the reality of enforcement violence in street youths’ lives and the fact that many youths in the sex trade are pimped by family, friends, partners, and community members, YWEP members have little choice but to develop sustainable transformative justice strategies that go beyond seeking to hold social service providers, family

members, and loved ones accountable for the harm inflicted upon girls. Rather, YWEP's community accountability work seeks to create radical alternatives and put into practice how young women themselves think their communities should best address interpersonal and institutional violence.

Moreover, YWEP refuses to collaborate with the anti-trafficking movement that consistently criminalizes sex workers and increases their vulnerability to violence. In their "Helpful tips the Reproductive Justice Movement can use to support Girls, Women and Transgender people of color involved in the Sex Trade & Sex Work" (Young Women's Empowerment Project 2014e), YWEP challenges the anti-trafficking and end-demand rhetoric of abolitionist advocates who support law-enforcement strategies to criminalize both the buying and selling of sex. YWEP youth leaders write:

1. We are not ONLY "victims" or ONLY "empowered"—the reality of the sex trade is complicated and our lives don't fit into a box. Don't ignore our reality by assuming we are one or the other (we might be both or neither—let us define how we view our lives).
2. Don't ask us to tell you how or why we were involved—our stories belong to us and we will share when we are ready.
3. Trust, listen and don't judge young people—even young people under 18. Many of us have been surviving on our own for years and know what we need. Ask us what we think and be ok with hearing something different than you might expect.

4. Instead of supporting government organizations, or organizations that focus on “saving” or “rescuing” us—support an organization that is led by and for girls and young women of color with life experience in the sex trade or sex work.

5. Avoid using the word “prostitution.” This is a legal word that is very stigmatizing and only describes a specific legal act. Our lives and experiences cannot be reduced to a criminalizing label. Instead ask what words someone prefers to use, or use terms like the sex trade which is inclusive of many kinds of experiences.

6. Be wary of the terms “trafficking” language in legislation, funding and popular media. The definition of trafficking has recently changed to mean any trade of sex in exchange for money or resources. This has led to lots of confusion, media madness and increased criminalization for young people and adults involved in the sex trade.

7. Lesbian, Bisexual and Queer girls and women are involved in the sex trade too. We need access and information to condoms, pregnancy prevention, abortion and health care that are free of judgment and stigma.

8. Avoid engaging in or creating opportunities for debate about “choice” vs. “force or coercion” —when these debates happen many of us are silenced. This is



an important conversation that deserves a full discussion where everyone can be heard. It's best to have small groups using popular education questions like "Why does the sex trade exist?" or "How are people involved in the sex trade?"

9. Make sure that the voices of those of us with current and former life experiences are centered in conversations that are about these issues. Especially if decisions are being made or policies are being decided. We are our best leaders!

10. Economic Justice is essential—fight for quality education, jobs, housing, and employment protection for youth, transgender people and women as a part of reproductive justice!

11. Transgender people deserve access to hormones and quality health care—this must be part of our vision for reproductive justice.

YWEP offers a more complex analysis than the dangerously simplistic framing of child sex trafficking, which paints all girls—excluding queer and trans girls—as victims in need of rescue by the carceral state. Instead of appealing to carceral feminists who promote law-enforcement and "victim-centered" approaches to work in the sex trades—approaches that leave girls and women more vulnerable to trafficking and exploitation because they have criminal records, which limit their access to affordable housing, social assistance, education-based financial aid, and sustainable-wage jobs—YWEP organizers address those feminists allies active in the reproductive justice movement. These allies often ask why YWEP does not emphasize immediate exit from the sex trade. Instead of telling girls to stop, YWEP demonstrates an acute

understanding that the sex trade is not about what one person does, but about a system of interlocking forces that intersect to oppress young women of color and trans youth of color. By asking girls how they want to improve their lives and encouraging girls to look closely at the way racism, classism, sexism, transphobia, and homophobia play out and affect them in the sex trade and street economy, YWEP aims to build community and foster “the rebellion of youth impacted by the system” (Torres et al. 2012, 10). In addition, YWEP organizers believe that girls are involved in the sex trade and street economies for various reasons. Many girls living on the streets turn to survival sex in exchange for food and shelter—and many do so without a pimp or other intermediary. According to one YWEP organizer who is anonymously quoted in a New York Times article, “I ran away from all the drug activity at home at 11. I had to do it just to have somewhere to sleep, something to eat” (Thrupkaew 2012). YWEP stresses that exit from the sex trade is a lengthy process that entails “the need to deal with emotions and life issues, the need for survival, job possibilities and life skills and the need to find support to make that change” (Young Women’s Empowerment Project 2014i). Elsewhere, YWEP youth leaders exhort allies to “trust us that we are doing the right thing. Remember the words of one of our founders Claudine O’Leary—‘Rescue is for Kittens!’” (Young Women’s Empowerment Project 2013a). YWEP leaderships intimately understands that it has been sex workers organizing among themselves who have challenged and transformed exploitative and abusive working conditions, not law enforcement, social service providers, politicians, or moral crusaders.

However well-intentioned carceral feminist and law-enforcement strategies intended to “save” and “rescue” girls involved in the sex trade and street economies are, YWEP argues that these “end demand strategies” have been engineered with little attention to the wants and needs of sex workers—and to the violence many of them have faced from state representatives. As Emi

Koyama—gender-queer sex worker and feminist anti-sexual violence activist, member of the Seattle/Northwest chapter of INCITE!, and adult ally to YWEP—explains in her essay inspired by YWEP’s co-founder Claudine O’Leary, “Rescue is for Kittens,” anti-trafficking policies that “rescue” youth in the sex trade actually translate into involuntary detainment of minor victims by the police (Koyama 2013). When girls are forced to call the police, they never actually arrest traffickers or pimps; they simply arrest and/or sexually assault or harass girls and trans youth of color, making it more difficult for them and their children (who are usually removed by Department of Children and Family Services) to survive in the street economy (Lydersen 2012). According to YWEP’s “Bad Encounter Line” report, sexual violence by police officers made up 11% of the total Bad Encounters reported by youth in the sex trade and street economy (Young Women’s Empowerment Project 2012b, 30). According to one girl cited in YWEP’s study: “I was going to meet a new john. It turned out to be sting set up by the cops. He got violent with me, handcuffed me, and then raped me. He cleaned me up for the police station, and I got sentenced four months in jail for prostitution” (2012b, 29; 2014g, 3). Although some jurisdictions in the United States have passed safe harbor laws that abolish prostitution charges against minors, young people are still often arrested under some other criminal charge, then forcibly sent to back to the families or institutions that they had run away from in the first place (Koyama 2013; INCITE! Women of Color Against Violence 2011).

For many currently or formerly incarcerated and street-involved girls struggling with enforcement, domestic, interpersonal, and sexual violence, sexual assault and domestic violence support centers and shelters are also complicit in furthering this transcarceral continuum. Grassroots community organizations like YWEP expose the abuse of genderqueer and trans, poor, and working-class survivors of color within the domestic violence shelter system (Young

Women's Empowerment Project 2009; 2012b). In many communities, lack of access is embedded into program practices and policies, such as screening processes designed to exclude clients that are deemed difficult or nonconforming (Kim 2010b, 199–200). For Indigenous girls and girls of color who are street workers, discussions of sexual assault, domestic violence, police violence, prejudice within courts, and imprisonment cannot be separated from experiences of privilege and marginalization. Overwhelmingly those who are perceived to be white, straight, able-bodied, heteronormative, settlers who are legal residents/citizens, and/or financially stable are less likely to experience violence, while also less likely to encounter the criminal legal and punishment systems than those who are not accorded the privileges associated with these positions. At the same time, sexual assault and domestic violence support centers and shelters are most often designed with these privileges assumed. Because they are not recognized by the carceral state as either rights-bearing citizens or as “*good* or *innocent* (read multiply normative) girls,” street-involved girls are not protected by the paternalistic enforcement agencies and domestic violence support services that speak and act on their behalf. As Emi Koyama argues, “even with outside advocates to push for better services and reforms, to change the design and delivery of services, shelter systems remain an expensive Band-Aid solution to domestic violence, something that is necessary only because we cannot rely on our friends, neighbors, and communities to adequately hold perpetrators accountable and support survivors” (2006, 220–221).

While the anti-sexual/domestic violence movements have been vital in disrupting the silence around intimate and interpersonal violence against girls, these carceral feminist movements have won mainstream legitimization by demanding longer prison sentences for batterers and sex offenders as a front-line approach to stopping violence against women. Since

rape crisis centers and shelters increasingly rely on state and federal sources for their funding, they are reluctant to address sexual and domestic violence within the larger context of state and enforcement violence. Unlike these organizations which rely on city, state, federal and corporate funding, YWEP advocates alternative community accountability and radical harm reduction approaches that would not require survivors to act like model citizens in order to receive support, but would recognize, interrogate, and work within the conditions in which girls actually live.

After nearly twelve years of operating, the Young Women's Empowerment Project dissolved their non-profit "501c3" status in the fall/winter of 2013. Although YWEP no longer has paid staff, an office or a dedicated phone line, several of its programs, including its Syringe Exchange called Sexxy, its weekly "Girls in Charge" meetings for youth in the sex trade, and "Street Youth Rise Up!" campaign to change the ways Chicago's street youth are treated, continue in other venues (Law 2014; Young Women's Empowerment Project 2013a; 2013b). According to YWEP leadership, their decision which was made by consensus was not driven by a lack of funding as the organization was in good financial standing (2013a). They made a decision to "wind down" as a result of the political and economic climate. Due to the financial crisis and in spite of their concerted grassroots funding efforts (see Torres et al. 2012), YWEP could not keep hiring new leaders and promoting them as they progressed up the leadership ladder. In addition, according to YWEP's "Talking Points about Our Sun-setting Process", "the Anti-Trafficking movement changed laws that have made YWEP young people unsafe" by advocating for pro-criminalization policies (2013a). Lastly, in the words of Shira Hassan who served as the co-director of YWEP from 2006-2011, "non-profits should have a clear life cycle and exist to help sustain our movements, rather than having our movements work to sustain large non-profits" (Hassan 2014). In conclusion, YWEP's decision is part of resisting the non-profit

industrial complex that defines and often limits what community organizing can look like. If self-determination is key, then YWEP youth leadership realized that it needed to approach collective organizing in ways that build collective power that is truly autonomous from the carceral state. For YWEP, this has meant rejecting the non-profit industrial complex's 501(c)(3) structure and embracing liberation struggles and grassroots movement-building.

According to groups like the Native Youth Sexual Health Network which is committed to working with Indigenous young people across North America to build comprehensive and culturally safe sexuality and reproductive health, rights, and justice initiatives in their own communities, "YWEP have truly been an inspiration and a driving force of youth leadership as well as peer role models to many of us for living a practice of reproductive justice, harm reduction, transformative justice, and healing" (Native Youth Sexual Health Network 2013). YWEP goes forward with a legacy of twelve years of work, grounded in the strong belief that young people involved in the sex trade and street economies matter, deserve to be treated with dignity and respect, and should have a space at the table where decisions are being made that affect their lives.

In the next section, I describe and explore how the "Sista II Sista" collective and their "Sistas Liberated Ground" project is yet another political formation led by racialized immigrant girls committed to developing new ways of organizing, building community, and social justice movement-building. I focus particularly on their work challenging the police around issues of sexual harassment and violence against young women of color in New York City, building a transformative justice alternative to the police for girls and women to turn to in cases of interpersonal violence, and creating solidarity with other young women facing violence in the Global South/Third World. Like YWEC, I demonstrate how SIIS's feminist anti-violence and

prison abolitionist activism models an affective economy in opposition to that sustained by the carceral state.

### **Transformative Justice: Sista II Sista’s “Sistas Liberated Ground” Project**

Instead of legitimizing a liberal, rights-based politics of recognition, girl-driven organizations are inspired by militant, race-radical, and Indigenous movements for sovereignty and by various women of color-led prison abolitionist movements. Their organizations reimagine what it would mean to turn their gaze away from the carceral state and focus their reflection inward in order to build what Glen Coulthard calls a politics “fashioned toward our own on-the-ground practices of freedom” (2007, 456). Instead of framing over-researched Indigenous girls and girls of color as belonging to deficit, depleted, and damaged communities ravaged by intimate and institutional violence, these collectives counter “damage-centered” narratives and research (Tuck 2009) by showcasing how girls have become political organizers rather than merely passive academic research subjects or the clientele of social services. As Eve Tuck argues, Indigenous communities, poor communities, communities of color, and disenfranchised communities:

...engage, allow, and participate in damage-centered research and in the construction of damage narratives as a strategy for correcting oppression. However, I worry that the theory of change itself may be unreliable and ineffective. It is a powerful idea to think of all of us as litigators, putting the world on trial, but *does it actually work?* Do the material and political wins come through? And, most importantly, are the wins worth the long-term costs of *thinking of ourselves as damaged?* (2004, 414–415; emphasis in original)

Tuck would also argue that real danger exists when the testimony of girls' lived experiences of trauma and injury becomes the primary currency in which to demand accountability from within their own communities as well as from the carceral state. Deploying such first-person affective witnessing and "damaged-centered" life narratives to advance both social justice aims and human rights inadvertently forecloses oppositional kinds of storytelling, outlaw discourses, other kinds of felt knowledge that marginalized communities can and do produce. Offering up testimonials of trauma to the political, legal, and therapeutic domains also naively imagines the nation-state as presently humane and beneficial as well as relies on romanticized notions of community—if community even exists at all.

Based in the Bushwick section of Brooklyn, New York, Sista II Sista (SIIS) is a grassroots, all-volunteer collective of Black and Latina working-class girls founded in 1996 which recognizes "young" (under 21 years old) women of color as organizers for social change rather than as "victims in need of services". According to a piece co-authored by the collective—the leadership body of ten to fifteen SIIS members who made the time commitment—and published in INCITE! Women of Color Against Violence's first anthology (Sista II Sista 2006), many programs geared toward youth utilize a service approach that frames young people in terms of their deficiencies, and very few organizations address the particular experiences of young women of color. The SIIS collective writes:

Taking the principle of self-determination as a starting point, Sista II Sista has created an organization where young women of color take the leadership in transforming themselves and their communities. Though it is true that more services are needed for young women, if we are truly committed to the creation of a society based on social justice, we must encourage young women to actively



struggle for the creation of this vision. It is important to have spaces where young women can be more than recipients, or ‘victims in need of services’ and can fulfill their potential as leaders and creators of a more just community and society. (Sista II Sista 2006, 200)

Unlike the mainstream anti-violence movement that engages with a pathologizing approach in which oppression, pain, and loss singularly define a community, these Indigenous and race-radical feminist movements led by intergenerational collectives of girls and women demand nothing less than collective liberation and the dismantling of the carceral, settler state.

Survivors of intimate violence, sexual assault, community, and enforcement violence, these young female activists are in conversation with prison abolitionist struggles and are at the forefront of radicalizing and rejuvenating the mainstream feminist anti-violence movement. The organizing approaches of these girl-driven organizations challenge carceral state and enforcement violence and build communities that would provide safety for survivors by challenging the sexism, racism, transphobia, homophobia, and other forms of oppression that exist within them. Many girl-led and intergenerational collectives like the Brooklyn-wide SIIS collective have sought community accountability strategies for ending interpersonal and community violence that do not rely primarily—if at all—on the carceral state. Strategies aimed at challenging the system of enforcement violence focus on building community accountability and transformative justice approaches as well as developing non-hierarchical formations not premised on domination, violence, and control.

A transformative justice-based intervention model is fundamentally both an organizing model and a transformative “pedagogical strategy” (Durazo 2010) that seizes upon the

opportunities offered by multiple forms of violence, rather than succumbing to its disintegrating, traumatic effects. It shifts attention and resources back toward those who are most disadvantaged and directly impacted by violence; who are in leadership of sustained, base-building activities for transformative justice. Through the direct process of building new circles of friends, families, and communities willing to come together to address the root causes of racialized, gendered, and sexualized violence and seeking to transform both the person(s) and who is experiencing harm and the person(s) or institution(s) who is responsible for harm, prison abolition becomes less of a distant possibility and more of an urgent necessity. Safety would come from communities, and, therefore, prisons could eventually become obsolete. Strategies to address the harm caused by violence would include the mapping of community resources and allies, the creation of shared accountability outcomes and goals, and the coordination of a plan of direct action and responses (see Creative Interventions 2008). Communities in their various formations can create a new set of norms, practices, and relationships to not only end violence but to build healthy autonomous communities (Bierra et al. 2006). As Rebecca Farr of Communities Against Rape and Abuse (CARA) in Seattle, Washington argue, “I am proposing that we create a world where so many people are walking around with the skills and knowledge to support one another that there is no longer the need for anonymous hotlines” (Chen, Dulani, and Piepzna-Samarasinha 2011b, 1). Ending everyday violence becomes an everyday skill in the hands of those individuals and communities most impacted by violence. Unlike the mainstream anti-violence movement, this movement would not be organized around getting the carceral state to recognize the oppression, pain, loss, and trauma experienced by the communities most impacted by interlocking forms of violence. Rather, it would actually be a political movement designed to circumvent the carceral state and render the violence it engenders unimaginable.

Sistas Liberated Ground (SLG) is a community-based accountability and transformative justice project of the Sista II Sista (SIIS) collective aimed at creating violence- and harm-free zones for Latina, Afro-Caribbean, and African-American girls in their community without relying on the carceral state, cops, or courts. At the second annual “Color of Violence Conference” organized by INCITE! in 2002, Nancy Moran, a 13-year-old member of SIIS spoke, explaining that SIIS came to work on the issue of violence against women not through theorizing, but through the experiences of the girls they work with—almost every member and volunteer has been raped, sexually assaulted, or assaulted in some way (Mantilla 2002). Moran told the audience that one of her friends was killed by an off-duty cop and another was raped and killed by a police auxiliary officer she was dating in 2001 (Mantilla 2002; Sista II Sista 2005). At a New York forum on violence against women of color held at Columbia University’s School of Law in 2003, SIIS representatives argued that “cops are not the solution but also part of the problem” and cited statistics demonstrating that police have been sexually harassing and brutalizing local women (Fisher 2003). As Paula X. Rojas, one of SIIS’s co-founders stated “The local police have a sense of real ownership in the neighborhood. Young women are being stopped in a real way and you don’t know if it’s official or not. The police will ask for your number, almost like they are trying to hit on you. It’s just straight-up sexual harassment. And when there’s a need to call the cops, you don’t feel like you can trust them” (Fisher 2003).

Early on in their organizing work confronting both interpersonal violence and enforcement violence, SIIS asked the following questions: “What if we said a section of Bushwick, Brooklyn, was a no-go zone for rape and partner abuse? What if we sat on the stoop, talked to folks on the block where our office was, and began weaving a web of folks who agreed to try something other than calling the police when it came to violence?” (Chen, Dulani, and

Piepzna-Samarasinha 2011b, xxv). This intergenerational collective “created for women of color to stand together, act together” (Mantilla 2002) and dedicated to “building together to model a society based on liberation and love” (The Barnard Center for Research on Women 2014) wanted their own community to stand up against racialized and gendered violence in ways that no longer depended on the police or other representatives of the carceral state. A collaborative essay by the SIIS collective entitled “On Our Own Terms” explained that they “wanted the community to stand up against violence as a long-term solution” because their “dependence on a police system that was inherently sexist, homophobic, racist, and classist did not decrease the ongoing violence against women” but in fact, exacerbated it (Burrowes et al. 2007, 229).

In 2001, SIIS focused their youth-led participatory action research project on girls’ experiences of violence in Brooklyn. They conducted a community survey of four hundred girls. Out of the four hundred young women surveyed; fifty-seven percent had been raped or knew someone who had been. In ninety percent of those cases, the girls were not helped by the police or by service agencies. Over sixty-four of those asked felt that the community they live in is not safe for girls (Sista II Sista 2002; 2005). As an integral component of this project, SIIS members began to perform skits on the streets of their neighborhood to raise consciousness about sexual violence and held a community forum with INCITE! to strategize about community-based solutions to racialized, gendered, and sexualized violence (Sista II Sista 2006, 201–202). Sparked by the realization that the majority of SIIS’s membership had faced some level of violence in their lives—a reality documented in the community survey results—young women identified both interpersonal and law enforcement violence against girls in Bushwick as their main area of organizing work. They created SLG as a “violence-free zone” for women in their community and as a local alternative to the police. SIIS’s SLG campaign has included extensive outreach with

flyers, posters, stickers, T-shirts, and community murals to “mark their territory” (Sista II Sista 2006, 203). A sample of one of their stickers, replete with a large red stop sign, warns “You have just entered the Bushwick Community! Violence Against Women will Not Be Tolerated!...We are Fighting Back!” which is quickly followed by an explanation of the four main components of the SLG project, an acronym for W.O.M.E.N. (‘We’re Overcoming Mistreatment & Exclusion NOW’), and contact information for their Action hotline (Sista II Sista 2014a).

In 2002, SIIS organized an end-of-summer Action Day, a well-publicized street fair staged across the street from a police precinct where they performed spoken word and street theatre about police harassing young women and projected a 10-minute video documentary entitled “You Have the Right to Break the Silence” on a large wall, all designed to raise awareness about police harassment in their community (Fisher 2003). The video documentary included survey data from their previous youth-led participatory action research project and interviews with young women from the community about physical violence and sexual harassment by the police. SIIS argued that documenting the experiences of girls of color victimized by law enforcement was just as important as monitoring police brutality against young men of color (Sista II Sista 2002). According to SIIS’s press release, the event coincided with citywide press coverage of the New York Police Department’s failure to adequately respond to and follow-up on more than one hundred thousand reported cases of domestic abuse and sexual assault (Sista II Sista 2002). Over 250 community members attended the event and close to two hundred petitions were signed demanding an end to enforcement violence and harassment of young women of color in Bushwick (Sista II Sista 2006, 202). Not coincidentally, SIIS reported that the event sparked heightened police harassment and surveillance of SIIS organizers (Sista II Sista 2006, 202).

SIIS's political organizing work against enforcement violence and the carceral state—at home and abroad—also made them and their allies a target for heightened police surveillance and harassment in the wake of 9/11. Since many of SIIS's members are immigrants and refugees or the children of immigrants and refugees from Latin America, Africa, and the Caribbean, SIIS members became cognizant of their “role living in the ‘belly of the beast’” to “learn from and support the leadership of women struggling in the Global South—women who are directly confronting the intersection of sexism and racism under capitalist imperialism” (Burrowes et al. 2007, 228). Working in coalition with “Third World Within”—a citywide people of color social justice network—SIIS co-organized actions against the U.S.-led invasion of Iraq in 2003 (Sista II Sista 2006, 204–205). One flyer distributed throughout Bushwick entitled “A Message from young Black and Latina women of Bushwick: STOP KILLING OUR SISTAS IN IRAQ!” SIIS members made direct connections between racialized, gendered, and sexualized violence perpetuated by U.S. military forces abroad and the enforcement violence carried out by police and border patrol at home in the following statements: “many of us know directly or know through our grandmothers what it means to be invaded, colonized, kidnapped, and enslaved by invading forces—this is not anything that we can support” and “invading armies and police control have never liberated women—only we can liberate ourselves” (Sista II Sista 2014b).

Since their end-of-summer Action Day held in front of the 83<sup>rd</sup> Precinct in Bushwick to assertively address the issue of police brutality and accountability, SIIS has declared their “Sista’s Liberated Ground” territorial zone as a space where violence and harm against girls, women, and gender non-conforming people is not tolerated, where girls and women can turn to each other for help. The “Sista’s Liberated Ground Pledge” reads as follows:

I believe that in the struggle for justice, women's personal safety is an important community issue.

Violence against women hurts families, children and the whole community.

As a member of this community, I commit myself to ending violence against women!

I stand in support of Sista's Liberated Ground, a territory where violence against women is not tolerated.

I commit myself to working with the community to collectively confront cases of violence against women without the police and to work together so that violence stops happening.

I will dedicate myself to creating relationships based on respect, love and mutual support and to struggling for justice and liberation on a personal and community level. (Sista II Sista 2006, 204)

Beyond seeking to hold those institutions that harm girls and women of color accountable, SIIS focused their innovative SLG organizing project on creating their own alternatives and putting into practice their own "on-the-ground" model of community accountability. As a part of the SLG project, Sista Circles were created to serve as transformative justice support and intervention networks between groups of girls that are friends, neighbors, and coworkers. SIIS members learn transformative justice strategies as they go and experiment with sustainable community accountability strategies to address community members' abusive behavior, creating a process for them to account for their actions and transform their behavior. In addition to

providing immediate safety, shelter, and support to people who have been harmed through their Sista Circles and Action hotline, SIIS members are committed to the ongoing development of the community itself in order to transform oppressive conditions and violent structures. In an interview conducted by Dr. Nadine Naber as a part of the Institute for Research on Women and Gender's "Global Feminisms" project at the University of Michigan, two SIIS collective members shared their own experiences working with the SLG project. The following is an excerpt of the interview transcript:

**NADINE:** Well, this is a perfect transition to go into some of the projects since you started talking about the programmatic. So maybe I can ask you to tell us a little bit about some of the projects that...that you're working on.

**VERÓNICA:** Sure. Well, I can, I can discuss a little bit about our current organizing project...

**NADINE:** Okay.

**VERÓNICA:** ...which is "Sista's Liberated Ground." And much like we...like Loira was mentioning about us...about it not being goal oriented strictly. It's very much about the process. Just like the collective and the squads. If we need to...

**NADINE:** Um-hum.

**VERÓNICA:** ...we need to create another function, like now it's important for us to find...to better incorporate youth that are passing out of the squads and into the Collective or into more of the staff, so we've created a new youth staff position. With, with our SLG work, it's also about the process. Where we think...like we've



already addressed through a video “You Have the Right to Break the Silence,” and through two seasons’ amount of work, like the reality of police harassment, um, on young women of color, in particular within our own communities, we also realize that when there is domestic abuse or familial abuse, calling the police is not really going to solve our issues. And we don’t...and we don’t think that domestic abuse is a woman’s issue. You know, we think of it more as it affects everybody. If we were to call the police or...or if a sister is to be killed like one sister was fighting with her mother by a police officer, it affects the whole family, it affects the whole community, it reverberates throughout the block, throughout the neighborhood. And it affects all of our safety. And so we look as Sistas Liberated Ground as a community effort, as a community work. So what we’re trying to do is we’re trying to change the culture of violence that currently exists within ourselves, within interpersonal relationships, within our families and throughout the community. So the ways in which SLG is trying to affect that culture is by (1), doing cultural events, doing hardcore propaganda stating that violence will no longer be tolerated within a designated zone. Um, and (2), by promoting discussion. We’re having like what we call Sista Circles, which are more like forums for us to throw out issues and discuss it and try to hold one another accountable on if we say we’re not going to, you know, we’re not...we’re not tolerating violence then...

**NADINE:** Um-hum.

**VERÓNICA:** ...what’s up with somebody just yelled at you. You just yelled at somebody back. What’s going on? You know, and you hit somebody...your little

sister? Why? You know. Then we also have an action line which is a way for all community members and all interested people to find out how they can be involved. And, and we also have...what am I missing? Sista Circles, Action Line, propaganda, and...

(Global Feminisms Project 2003; Nadine Naber and Institute for Research on Women and Gender 2004, 13–15)

Girls such as Verónica and Loira learn and train new members in the principles of transformative justice and community accountability as a long-term, holistic process. Not only do they expand the definition of violence to include interpersonal, institutional, and enforcement violence, SIIS participants are engaging in anti-violence praxis in their daily lives.

Through the SLG project, SIIS re-conceptualized safety in ways that did address harm while resisting exile as a solution. Christina Hanhardt's important new book *Safe Space*, addresses why protection, safety, and by extension safe space needs to be critiqued both within mainstream feminist and LGBT anti-violence movements:

I, too, am not convinced that safety or safe space in their most popular usages can or even should exist. Safety is commonly imaged as a condition of no challenge or stakes, a state of being that might be best described as protectionist (or, perhaps, isolationist)...The quest for safety that is collective rather than individualized requires an analysis of who or what constitutes a threat and why, and a recognition that those forces maintain their might by being in flux. And

among the most transformative visions are those driven less by a fixed goal of safety than by... freedom. (Hanhardt 2013, 30)

SIIS's collective quest for safety identified enforcement violence and carceral state violence as the primary threat to their community's holistic and long-term health and well-being.

Upon realizing that young women were collectively organizing to challenge enforcement violence and other oppressive representatives of the carceral state, the same private foundations that had enthusiastically funded SIIS before 9/11 when the collective had been the "flavor of the month" accused SIIS of "brainwashing little girls" (Burrowes et al. 2007, 229). SIIS's steady stream of funding from private foundations was unceremoniously slashed after their collective started to identify, critique, and actively organize against the carceral state via their SLG project. According to the story SIIS members share in the INCITE! edited anthology "The Revolution Will Not Be Funded" the youngest SIIS members were undeterred by foundations pulling their funding due to the radicalism of their SLG project, however, and helped SIIS transition from being a non-profit organization chasing after foundation grants, back to being an all-volunteer-run, non-hierarchal grassroots collective in the wake of 9/11 (Burrowes et al. 2007, 229–230). To determine SIIS's next steps, they organized two caucuses: one with girls and one with adult women (those over 21 years old). The women felt burnt-out and over-extended and thought about closing the center. The girls presented the findings from their re-visioning session: there had been no talk of closing SIIS and no talk of foundations. They talked about what they wanted to see: more members, a new building, more dancing, more fun activities, a video project, more organizing campaigns, and more grassroots fundraising campaigns in solidarity with their counterparts in Central America, Africa, and the Caribbean—for example, they wanted to organize more protest actions against the femicide of working-class girls and women in Juárez at

the Mexican consulate (Burrowes et al. 2007, 229; Sista II Sista 2006, 206–207). It was the young women, not the adults who pushed SIIS organizers to turn their backs on the carceral state. Collective members began to question the ingrained belief that building non-profit organizations was the only effective way to build a base for political education and community organizing. Their collective realization “came in part through our holistic approach, the cultural work we do, and our connections as immigrants to our extended families and communities, where no one has ever been paid to care for each other and create justice in our world” (Burrowes et al. 2007, 230).

After the decision was made for SIIS to remain open and revert back to grassroots fundraising, SIIS continued recruiting new members through their daily organizing work and by practicing community support and accountability processes with their members in the Sista Circles and as part of their Freedom School for Young Women of Color. The girl-led popular educational “freedom school” program is SIIS’s longest-running project and continues to provide political education from an integrated mind-body-spirit framework that trains girls and transgender youth to become activists on their own behalf (Sista II Sista 2006, 197–198). Workshops and course topics have included the theory and practice of intersectionality or (in other words) disentangling the intertwined “braids of oppression” (Burrowes et al. 2007, 228), sexism in hip-hop, holistic community organizing, body and hair politics, revolutionary women of color in history, martial arts, b-girlin’, and the creation of photo autobiographies. The popular educational curriculum has employed methods as diverse as block parties, videos, street theater, dance contests and hip-hop culture or methods that help SIIS members “to engage the community in deeper ways than traditional political work allows” (Burrowes et al. 2007, 228). In one skit performed in the streets of Bushwick, the young women created a “hypothetical” scene

in which a man was physically harassing his girlfriend. In this scenario, passerby and other neighborhood people, including an ambulance crew that was resting nearby, did nothing. No one attempted to help the young woman (Mantilla 2002). This particular example of street theatre demonstrates SIIS's savvy political approach to broadening definitions of gender violence and analyzing interlocking forms of normalized "street" violence. Instead of portraying romanticized representations of community, this example of popular theatre engages audience members to think about their own complicity in allowing violence to escalate unabated.

Like their Sista Circles, the Freedom School for Young Women of Color's focuses on building leadership capacity by collectively engaging in transformative justice. Through their dedication to community accountability processes, SIIS remains process-oriented rather than result-driven, practicing ongoing critical reflection rather than assuming there is a moment of finishing or arriving. As the SIIS collective notes:

[J]ustice is not a product that you arrive at. It's not an "end." Justice is something we have to continually imagine, envision, construct, and practice. It is something that you have to incorporate into your daily life and interactions with those around you in your home, work, organization, spiritual/religious space, and in all the other aspects of a human being's existence....[I]t is not enough to criticize systems that we find oppressive. It is a lot easier to say what's wrong with something than it is to sit with a group of people and imagine what would be better for everyone. It's easier, but it doesn't get us any closer to achieving justice for our communities. (Sista II Sista 2006, 207)

By reminding themselves that power does not reside only in state institutions and rooting their work in the principle of self-determination and remaining a volunteer-run collective, SIIS has resisted becoming co-opted like other antiviolenace organizations beholden to the non-profit industrial complex and the carceral state (Burrowes et al. 2007; INCITE! Women of Color Against Violence 2009; Sista II Sista 2005; Sista II Sista 2006; A. Smith 2010).

The creation of these SLG autonomous zones by SIIS organizers demonstrate the importance of “making power” that crowd out the carceral state instead of focusing solely on opposing corporate and state power (“taking power”). By creating non-hierarchical organizational models and transformative justice practices that are not just focused on winning a specific political goal, race-radical feminist organizations like SIIS are creating new movements that model girls’ and women’s holistic vision for personal healing and collective liberation. As Andrea Smith states, the “practice of making power...speaks to the need of building a fun revolution” (2008, 314). Smith continues her important theorization of how to create revolutionary movements that are sustainable over the long term by recounting her experience of cofounding INCITE! Women of Color Against Violence in 2001:

When we began to develop our structure, we looked to a variety of organizing models for inspiration—not only to groups on the left, but also to Christian Right groups to see why they seemed to be so effective. An INCITE! member attended a Promise Keepers rally with me as part of my academic research, and one of our conclusions was that Christian Right events were much more enjoyable (scary politics aside) than were the leftist events we typically attended. At the Promise Keepers rally, there was singing, comedy, sharing, and joy; whereas on the left, we attend long, boring meetings, eat bad food, and yell at each other for being

counter-revolutionary—and then we wonder why no one wants to join! In the new spirit, one year, instead of holding a conference, we organized a multimedia tour throughout the United States that featured performance artists, singers, dancers, filmmakers, and others, who not only performed but also helped community groups use arts and media as tools for organizing. In addition to being educational, the events offered massage, day care, good food, and other activities to make the work an act of celebration. The idea behind this work is, how do we build movements that engage our whole selves, and in which we get back as much as we give? (A. Smith 2008, 314)

What this theorizing by an Indigenous feminist scholar-activist suggests—and what the transformative justice feminist work of groups like YWEP and SIIS demonstrate—is the potential of affectively-informed movement-building. Indigenous and race-radical feminist theoretical and conceptual frameworks, intergenerational movement building processes, and collective imaginaries, dreams, and desires manifest themselves in concerted efforts to build a new world in which violence is a distant memory. By creating and modeling tangible alternatives to the carceral state and the non-profit industrial complex, SIIS and YWEP engage in “a kind of seemingly impossible political project that is not only attainable but has deeply transformative potential” (Spade 2011, 197). They continue to engage in the interconnected processes of knowledge production, informal learning, collective healing, and holistic self-care in the everyday world of abolitionist movement building in order to address harm while resisting reliance on the carceral state as the solution.

## **Reconceptualizing Resistance to the Carceral State**

Instead of organizing collectively to become better democratic subjects or “citizens in the making” (Gordon 2010, 8), criminalized Indigenous and girls of color at the forefront of anti-sexual violence and prison abolitionist movement-building proudly embody what Soo Ah Kwon calls “uncivil youth” (Kwon 2013, 130). The Indigenous girls and girls of color whose activism I have explored here are “willing to inhabit bad citizenship in order to critique the supposed good faith of the state as a matter of governing ourselves” (Kwon 2013, 130). Due to their identity as “uncivil subjects” and their “ineligibility for personhood” (Cacho 2012), SIIS and YWEP organizers possess an acute understanding that “legal recognition is not and cannot be a viable solution for racialized exploitation, violence, and poverty” (Cacho 2012, 8). Their collective movement work proposes a model of mutual responsibility and accountability not based in calls for recognition from the carceral state as the perpetrator of violence, a stance that challenges the politics of visibility, inclusion, and recognition upon which so many settler-identified and state-centered political models depend. Their activism answers Gilmore’s cogent question in relation to antiprison movement-building: “What are the possibilities of nonreformist reform—of changes that, at the end of the day, unravel rather than widen the net of social control through criminalization?” (Gilmore 2007a, 242) Their transformative justice feminist work negates the professionalization of activism and legal reformism which have normalized the carceral state and enabled the use of transcarceration as an all-purpose remedy for confronting gender violence and sexual abuse. Simply put, their activism necessitates a reconceptualization of what constitutes the political when Indigenous girls and girls of color organize resistance to the carceral state.

By taking to heart the fact that we make places, things, attachments, and selves, but not under conditions of our own choosing, it becomes easier to conceive of transformation as



incremental and change as a shift in the entire structure of meanings and feelings through which we actively understand the world and place our actions in it. The groups profiled here do not arrive at the forefront of transformative justice activism by choice, but out of necessity. Marked as devalued and unworthy subjects of care, these girls participate in transformative justice praxis because there is no other viable option available to them to confront intersecting forms of violence without being subject to further criminalization and surveillance. They will neither be captured by nonprofit-driven, after-school programming aimed at reducing their potential to commit crimes nor captivated by conventional political engagement in a white penal democracy. Empowerment does not come from nonprofit organizations allowing “at-risk” girls to govern and improve themselves through their voluntary and active participation in programs set up to “rescue” them (whereby failure to participate may be used to justify state intervention and legitimate girls’ further criminalization and punishment). Their empowerment is not contingent on taking political power, securing small legal victories, or winning the next big private foundation grant. Rather, as Cacho argues, “in the spaces of social death, empowerment ... comes from deciding that the outcome of struggle doesn’t matter as much as the decision to struggle” (2012, 32). For these young activists, the stakes couldn’t get much higher.

## Chapter 6

### ***With Immediate Cause: Intense Dreaming as World-making***

#### *With No Immediate Cause*

every 3 minutes a woman is beaten  
every five minutes a  
woman is raped/every ten minutes  
a lil girl is molested  
yet i rode the subway today  
i sat next to an old man who  
may have beaten his old wife  
3 minutes ago or 3 days/30 years ago  
he might have sodomized his  
daughter but i sat there  
cuz the young men on the train  
might beat some young women  
later in the day or tomorrow  
i might not shut my door fast  
every 3 minutes it happens  
some woman's innocence  
rushes to her cheeks/pours from her mouth  
like the betsy wetsy dolls have been torn

apart/their mouths  
menses red & split/every  
three minutes a shoulder  
is jammed through plaster and the oven door/  
chairs push thru the rib cage/hot water or  
boiling sperm decorate her body  
i rode the subway today  
& bought a paper from a  
man who might  
have held his old lady onto  
a hot pressing iron/i don't know  
maybe he catches lil girls in the  
park & rips open their behinds  
with steel rods/i can't decide  
what he might have done i only  
know every 3 minutes  
every 5 minutes every 10 minutes/so  
i bought the paper  
looking for the announcement  
the discovery/of the dismembered  
woman's body/the  
victims have not all been  
identified/today they are  
naked and dead/refuse to  
testify/one girl out of 10's not

coherent/i took the coffee  
& spit it up/i found an  
announcement/not the woman's  
bloated body in the river/floating  
not the child bleeding in the  
59th street corridor/not the baby  
broken on the floor/  
there is some concern  
that alleged battered women  
might start to murder their  
husbands & lovers with no  
immediate cause'

i spit up i vomit i am screaming  
we all have immediate cause  
every 3 minutes  
every 5 minutes  
every 10 minutes  
every day  
women's bodies are found  
in alleys & bedrooms/at the top of the stairs  
before i ride the subway/buy a paper/drink  
coffee/i must know/  
have you hurt a woman today  
did you beat a woman today

throw a child across a room  
are the lil girl's panties  
in yr pocket  
did you hurt a woman today

i have to ask these obscene questions  
the authorities require me to  
establish  
immediate cause

every three minutes  
every five minutes  
every ten minutes  
every day.

Ntozake Shange—poem reprinted in the Combahee River Collective's pamphlet entitled  
“Black Women: Why Did They Die?” (1979, 48–49)

*The body count of stigmatized, criminalized, incarcerated, legally eliminated, socially dead, expendable and disposable, sexually violated, tortured, missing and murdered Indigenous girls, girls and women of color, queer and trans youth of color, continues to rise and expand unabated. The growing murder-suicide rates, statistics of missing and murdered Indigenous and Black women, should no longer surprise or overwhelm us but incite us to urgent action and theorization in line with race-radical women of color feminist movements mobilizing to end*

*gendered and racialized violence endemic to the carceral state. A feeling of mortal urgency hounds us everywhere, every day, all the time, all at once in white settler societies like ours; it surrounds, envelops, and blankets us, most often lulling us into a deep, depressed, dreamless stupor rendering us hopeless and immobilized. Many of us have already lost the battle. How many of the contributors to the ground-breaking race-radical women of color feminist text ‘This Bridge Called My Back’ or the earth-shaking Black lesbian Combahee River Collective are surviving and thriving, alive and healthy in 2014? At other times, when not killed-off, bought-off, coopted, or placated by the carceral state and its so-called ‘kinder and gentler’ politics of recognition and reconciliation and its non-profit, professionalized social service apparatuses, we channel the pent-up sum of our intergenerational rage into ‘dreaming big’ and ‘making power’ within our families, intimate relations, and communities. The mortal urgency lies in us staying dormant and continuing to patiently over-rely on the carceral state to guarantee the health of our lands and waterways, our human and civil rights, our bodily integrity, our safety and security, our health and well-being, our children’s futures rather than aligning ourselves with anti-racist feminist, Indigenous decolonial, and prison abolitionist movements. We fail to listen and actively disengage with these (re)emergent and resurgent movements that resist the liberal and neoliberal state’s politics of recognition, visibility, and inclusion at our own peril. Six hundred years after the advent of colonial genocide and chattel slavery, the stakes are as high as ever. As Ntozake Shange declares, “We all have immediate cause”.*

As Indigenous feminist Paula Gunn Allen put it, so much has been taken away by racialized gendered violence and carceral state violence that “the place we live now is an idea” (Allen

1986, 9). I am compelled by the kinds of futures that Indigenous feminists and race-radical women of color feminists envision, and create, outside of Western, non-Indigenous inflections of sovereignty, the nation-state, and a liberal politics of recognition. In order to support these generative and transformative projects and ways of knowing, we need to visualize, speak, and practice toward what we do dream and create.

According to Dian Million, “intense dreaming” is indispensable to the urgent demand made by Indigenous feminist activist-scholars to sidestep the “static taxidermies” (2011, 315) of Western epistemologies and to privilege Indigenous non-Western ways of knowing. Million writes:

Dreaming...is the effort to make sense of relations in the worlds we live, dreaming and empathizing intensely our relations with past and present and the future without the boundaries of linear time. Dreaming is a communicative sacred activity. Dreaming often allows us to creatively side-step all the neat little boxes that obscure larger relations and syntheses of imagination. ... [D]reaming, theory, narrative, and critical thinking are not exclusive of each other. They form different ways of knowing, and I will ask that we might imagine them as uneasy relations and alliances that may acknowledge inclusion while we call for respecting necessary boundaries. (Million 2011, 314–315)

For me, Million’s highly generative “intense dreaming” is founded in radical relational imaginings, the politics of mutual respect and accountability, and transformative justice feminist praxis. Beyond the rational, Western ways of knowing, there are relational ways of knowing that draw from sources we feel, desire, dream, and empathize with rather than from detached

positions we rationalize from. The activist scholarship of Indigenous feminist and race-radical women of color feminists free up our imaginations about what world we really want to live in.

Acknowledging that are our minds, hearts, and political imaginations have been captured by the carceral state and white settler imaginaries, I have consistently pushed back throughout my activist-scholarship against a purist politics that mistakenly believes that there is a clearly demarcated and pure “outside” to the current system. As Million reminds us, “we dance in a politically electrified field most of our lives” (Million 2011, 316). Indigenous feminist conceptualizations of sovereignty and decolonization as well as Black race-radical feminist political claims to what Saidiya Hartman would call statelessness, homelessness, and motherlessness (see Hartman 2007) have, however, furnished new ways for breaking the stranglehold of carceral state necropower as well as provided answers to the questions that have weighed most heavily on my mind throughout this project: To whom do we run for cover from the carceral state? What do these political formations and autonomous spaces that do not rely on the nation-state look and feel like? Can we actually achieve a freedom from interpersonal, sexual, and carceral state violence? The felt theory and activist-scholarship of Indigenous feminist and race-radical women of color feminist formations, specifically feminist formations like INCITE! Women of Color Against Violence, Young Women’s Empowerment Project, Sista II Sista, Families of Sisters in Spirit, and the Native Youth Sexual Health Network or those found in the Free CeCe Campaign or the Idle No More/Indigenous Nationhood Movement have helped us to denaturalize white settler colonialism, carceral feminisms, and their genealogies. Our present reality no longer has to be assumed as a given.

In the dissertation’s introduction, I deliberately provided a historical context and genealogy of Indigenous, queer woman of color feminist anti-violence activism in order to



denaturalize the present; the ability to remember something differently tells us that the carceral state, carceral feminisms, and white settler futurity are not inevitable and can be dismantled. The powerful analytics and politics discussed throughout this dissertation have refused to reproduce what Sandy Grande would call the “theory of property holders” perpetuated in “whitestream feminisms” (2004, 148). Additionally, as Audra Simpson (2014) reminds us—her people—the Mohawks of Kahnawà:ke are “nationals of a precontact Indigenous polity that...insist on being and acting as peoples who belong to a nation other than the United States or Canada” (2014, 2) and who intimately understand that “there is more than one *political* show in town” (2014, 11) beyond the much sought-after and presumed “good” of a multicultural, liberal politics of recognition. While the “place we live now” may seem forlorn, barren, and desolate for Indigenous feminist and race-radical women of color feminists, there is a historical context and precedent for anti-racist feminist anti-violence coalition- and movement- building by those under siege by white settler colonialism and carceral state violence. While a political formation based in transformative feminist and prison abolitionist praxes may seem incommensurable and (often) impractical in activist circles that privilege short-term legal remedies over long-term political movement-building, it is not—and never has been—an impossible politics. It is both possible and preferred.

To underscore the historical continuity of the imaginative visioning and intense dreaming of Indigenous feminist and race-radical women of color feminism, I briefly return here to the importance of intergenerational, historical memory. I want to return to a brief discussion of a grassroots, feminist anti-violence movement—active approximately thirty-five years ago—that went beyond discursive resistance and mere survival to engage in transformative feminist praxis

and speculate about Black female bodily integrity and Black feminist sovereignty: the Combahee River Collective (1979).

Black women, “Third World” women of color, and Indigenous activists within the decolonized space of transformative justice feminist organizing, engage in ceremony and the communicative sacred activity of dreaming. In my own community accountability activist circle—comprised mainly of Black, Chicana, and White lesbian, queer, gender non-conforming and heterosexual feminists, we intimately know another world is possible. At our next meeting, I would like us to continue to “learn in social action” (Foley 1999) and study together one of the early transformative justice feminist projects advanced by the Combahee River Collective, a Boston-based Black socialist lesbian feminist organization. The Combahee River Collective’s pamphlet entitled “Black Women: Why Did They Die?” (1979) addressed the sexual assault and murder of twelve Black and one White cis women in the Boston area in the first months of 1979. Preceding a list of transformative justice-like measures Black, Puerto Rican, and other “Third World” women could take to protect themselves, participate in radical self-defence classes, and build community safety programs (1979, 47), the pamphlet forwards an intersectional analysis of the murders. Immediately following the analysis is a poem by Ntozake Shange entitled “with no immediate cause” which discusses the state’s complicity in racialized gendered violence and Shange’s own feelings of impotence to stem the crushing tide of racist, misogynist violence (1979, 48–49). Noting the devaluation of Black girls’ lives by the carceral state, the pamphlet authors write: “The mother of a fifteen-year-old girl, one of the first two victims, says that when she reported the disappearance of her daughter to the police, they hesitated to file a report, claiming that the girl had probably gone off with a pimp” (Combahee River Collective 1979, 41). Their analysis investigated the complicity of the racialized carceral state and the mainstream

media in these young women's murders, underscoring the difficulties of forging alliances with both white mainstream feminists and hetero-patriarchal Black male leadership. The pamphlet challenged the call for Black men to "protect their women" (1979, 46) and called out white feminists' investments in upholding normative white femininity which racializes Black men as well as Black women. The authors noted that "when eleven white women were raped in another part of Boston, all describing their assailant as a Black man, the press and the city officials were quick to recognize their plight and a great deal of attention was drawn to their situation" (1979, 42). Through their collective analysis, the Combahee River Collective underscored how a singular focus on race or gender unwittingly reproduced the normative narratives of the carceral state and the normative institutions of domesticity, femininity, and "proper" sexuality. Such a perspective was therefore inadequate to address the interlocking forms of violence targeting Black, Latina, and other "Third World" women of color.

The group CRISIS, with a focus on self-help and anti-violence community mobilization, and the Coalition for Women's Safety, a coalition of Black, Latina, and White antiracist feminists working to develop programs for community safety, were formed as a result of Combahee's transformative justice feminist praxis (1979, 42 & 46). The majority—if not all—of the feminism of color and trans feminism of color anti-violence movements discussed in this dissertation recognize the Combahee River Collective as their direct antecedent. As Robin D. G. Kelley states: "Radical black feminists have never confined their vision to just the emancipation of black women or women in general or all black people for that matter. Rather they are the theorists and proponents of a radical humanism committed to liberating humanity and reconstructing social relations across the board" (Kelley 2002, 137). Demonstrating this radical humanism and one of the most compelling aspects of Combahee's anti-violence organizing

work, I have found especially moving a photograph that depicts a banner held by a group of Black and Latina demonstrators at one of the many rallies to protest the murders and lack of police accountability. The banner reads, “3<sup>rd</sup> World Women: We Cannot Live Without Our Lives” (1979, 43). Beyond a simple play on words or a tautology, the banner tells us how Black women and other women of color’s lives have been marked for legal elimination, social death, and extermination by the carceral state. When the promise of life is not extended universally by the state or when life is premised merely on surviving legacies of interpersonal and state violence, it is rendered meaningless, a “death in life” without ceremony.

As Andrea Smith recounted in a recent interview about the role of Indigenous national imaginations, “a group of Indigenous peoples in Bolivia said, ‘we know another world is possible because we see the other world every time we do our ceremonies’” (Khan, Hugill, and McCreary 2010). Every day that these transformative justice collectives meet, break bread together, and model mutual responsibility and accountability in order to interrupt interpersonal, sexual, and state violence against Indigenous and Black girls and women in their families, communities, schools, and workplaces, they evoke their ancestors and partake in ceremony. Every time these collectives of girls and women engage in a politics that calls for collective *self*-recognition and a “turning away” from the carceral state, every time they day-dream about the United States and Canada disappearing into a singular landmass and sacred place called Turtle Island, these collectives engage in ceremony. The kinds of futures evoked during these ceremonies are the worlds of which this project dreams.

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