Access to Justice: Mass Incarceration and Masculinity Through a Black Feminist Lens

HETEROPATRIARCHY KILLS: CHALLENGING GENDER VIOLENCE IN A PRISON NATION

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[footnotes omitted]

Abstract

We need an analysis that furthers neither the conservative project of sequestering millions of men of color in accordance with the contemporary dictates of globalized capital and its prison industrial complex, nor the equally conservative project of abandoning poor women of color to a continuum of violence that extends from the sweatshops through the prisons, to shelters, and into bedrooms at home. How do we develop analyses and organizing strategies against violence against women that acknowledge the race of gender and the gender of race?[1]

Introduction

In September, 2011, the American Civil Liberties Union (ACLU) National Prison Project and the Southern California ACLU released a report titled "Cruel and Usual Punishment: How a Savage Gang of Deputies Controls LA County Jails."[2] The report describes a jail system completely out of control--rife with corruption, malfeasance, and above all, unchecked violence.

The ACLU alleges that much of the violence is perpetrated by deputies on inmates. One story is illustrative:

The confrontation began because deputies thought Mr. III had called them "gay." When Mr. III repeatedly denied the accusation, a deputy yelled to a row of pro per inmates--who serve as their own legal representatives--"Y'all pro pers think you can get away with anything. We the 3000 boys."--a reference to the gang-like group of deputies in Men's Central Jail. "That shit ends now!" the deputy continued, as Mr. III stood one foot away from a cement wall. Suddenly, the deputy grabbed Mr. III's head, slamming his face into the wall. Blood poured down, pooling on the ground. Mr. III passed out.

When Mr. III regained consciousness, one deputy was sitting on his back, punching his face and head. Another was kicking Mr. III's ribs. Although Mr. III was motionless, the deputies yelled, "Stop resisting." Mr. III pleaded with them to stop. A deputy shot him with pepper spray. Another sunk three Taser probes into his flesh. * * * Mr. III spent two days in the hospital and four days in the jail's medical unit. The deep cut in his forehead took 35 stitches to close.[3]

The report also details incidents of inmate-on-inmate violence, alleging that deputies often encourage it. Here is a sample story:

> After severely beating inmate Juan Pablo Reyes, deputies placed him in a cell with inmates who would unleash a nightmarish litany of attacks on Reyes, punching, hitting and sexually assaulting him off and on for a day. The cell contained two gang members who likely viewed Reyes as an enemy. Prior to placing Reyes in the cell, deputies had also publicly referred to him as "gay," and had paraded him naked in front of these inmates. Thus, Reyes said, the inmates proceeded to beat him up for gang-related reasons, because they thought he was gay, or because the deputies' humiliating behavior gave them license. The inmates began attacking Reyes in the morning. Throughout, deputies ignored Reyes' pleas and his battered appearance. When night fell, the two inmates began sexually assaulting Reyes. The third inmate in the cell helped mask Reyes' cries for help by repeatedly flushing the toilet. At one point, Reyes' cellmates stuck his head in the toilet and flushed while entering him from behind. Reyes lost consciousness several times. Eventually, the two inmates fell asleep, but they resumed their attacks at 5 the next morning. Deputies continued to ignore Reyes' cries. The cell door opened at 7 a.m., at which point a third gang member entered and tried to beat Reyes. Reyes, however, managed to escape, yelling for help and running to the laundry room where a chaplain found him. At the hospital, Reyes could barely walk. He felt extreme pain in his face and ribs. He had a broken eye socket from when he was attacked by deputies. His buttocks were sore. Rather than receive the necessary surgery on his eye, jail officials released Reyes earlier than he expected from the jail. He could not afford the surgery on his own.[4]

In an article published over ten years ago, I argued that much of the violence perpetrated by the men who commit crimes as well as the men who investigate, arrest, and incarcerate the criminals can be described as "gender violence."[5] I began that article with a description of the sexual assault of Abner Louima by officers of the New York City Police Department, one of whom used a broken broomstick to sodomize Louima and then bragged about it to his fellows.[6] Louima's rape, I suggested, was a message in one of the many dialects of masculinity, spoken alike by gang members and by "boys in blue."[7]

Over a decade later, the dialect of sexualized violence continues to flourish. The brutal rape of Juan Pablo Reyes, the violence perpetrated in the name of "the 3000 boys," and the circulation of the word "gay"--surely less a sexual identity label than an attribution of failed masculinity and consequential vulnerability to attack--all indicate loyalty to a particular way of being male. Street gangs and "the 3000 boys" may be on opposing teams in the criminal justice system of Los Angeles County, but they understand one another perfectly.

Call it "toxic," or "destructive," masculinity.[8] Manhood as enacted in these brutal vignettes relies on two negative identities--not being a woman, and not being gay--and violence is the means by which these identities are disavowed. As I have argued, men, individually or in groups, may use violence or the threat of violence as a sword to attack others in the name of their own masculinity, or as a shield to defend themselves against an intolerable threat of being "un-manned."[9] We are familiar with the use of "gender violence" to mean male violence against women. Defense attorneys and scholars have even coined a term--"homosexual panic"--to describe violent attacks by men in a state of emotional overload on men identified as gay or transgender.[10] Less well recognized is the fact that male-on-male violence is also gender violence.

Although destructive masculinity and its prominence in the criminal justice system have seemingly not changed much in the past decade, at least two new developments have taken place. First, scholars and activists committed to ending domestic violence and violence against sexual minorities have become increasingly disenchanted with the criminal justice system, and increasingly aware of its insidious role in the decimation of poor black and brown communities. Meanwhile, racial justice scholars have become increasingly aware of the toll that destructive masculinity takes on those communities. The prospects thus seem better than ever for anti-violence alliances that, in the words of the epigraph to this Article, "acknowledge the race of gender and the gender of race," while similarly acknowledging the importance of sexuality and class.

Second, in the past decade the "restorative justice" movement has gained traction in the United States. Restorative justice offers a powerful critique of the existing criminal justice system, one that supplements a critical race feminist critique. Its positive program has paid less attention to the dynamics of subordination. However, a small group of advocates has built on the critical insights of restorative justice to develop a vision--dubbed "transformative justice"--that holds promise for the struggle to undermine the mutually reinforcing systems of toxic masculinity and conventional criminal justice.

In Part I, I revisit the concept of gender violence, which I explored in my earlier article, and note its connection to "heteropatriarchy"--a system of subordination that burdens not only women and sexual minorities but also the straight-identified men that it purports to privilege. Understanding this connection, I argue, makes it possible to see how gender violence produces not analogous or even "intersecting" forms of oppression, but an interconnected web that stretches across civil society and the state. This web creates a common interest among women, sexual minorities, racialized **18** minorities, and straight-identified men in eliminating gender violence, as well as potentially making allies of feminist, queer, and race scholars and restorative justice advocates.

In Part II, I describe the central practices and principles of restorative justice, and suggest that restorative justice has something to offer as a critique of these interlocking vectors of gender violence. In return, the insights of anti-subordinationist scholars and activists can provide the restorative justice movement with an analysis of power and privilege that will alert advocates to the need to challenge heteropatriarchy in the state and the family. The resulting vision--which activists have dubbed "transformative justice"--can help academics and advocates rethink our conceptions of what "security" means, and move toward practices that aim to heal rather than those that perpetuate harm.

I. Masculinities, Gender Violence, and Heteropatriarchy: Toward an Integrated Approach

A. Theorizing Masculinities: Heteropatriarchy Defined

Understanding gender violence requires us to begin with the familiar claim that identity is a social construction. As Simone de Beauvoir put it long ago, "One is not born but rather becomes a woman."[11] Drawing on the disciplines of sociology, anthropology, cultural studies, queer theory, feminist theory, and history, masculinities theorists similarly argue that men are not born but made.[12] The genes and genitalia we are born with, they argue, are less important in shaping and expressing our gender identity than are cultural norms.[13]

This assertion reflects masculinity theory's intellectual debt to second-wave feminism. Second-wave feminists distinguished the biological contributions to masculinity and femininity--which are popularly considered fixed, unchangeable, and determined at birth--from the social practices and meanings culturally ascribed to sex, naming the first "sex" and the second "gender."[14] Masculinity theorists are interested in the gender part. In the social world, masculinity is a product both of individual agency and cultural structures. "Men," "women," and people who identify as both, or neither, claim gender identities by the way they dress, walk, and talk. At the same time, they have gender identities ascribed to them under social rules established by institutional practices and cultural beliefs: for example, the rule that people born with penises are always and forever "male."[15]

Scholars often describe this interplay of individual agency and cultural constraint using the metaphor of "performance."[16] Depending on where we find ourselves geographically and socially, a gender performance might be considered secure or suspect--unproblematic and scarcely notable, or outrageous and upsetting. Moreover, even within the same social context there are multiple ways of performing manhood, womanhood, or something else, and multiple ways of demonstrating to others that you claim (or disclaim) a particular gender identity. There is not always social room for changing one's perceived sex, but there is often room for changing the sort of man or woman you want to appear to be. From this perspective masculinities theorists argue that sex/gender is not a thing you have, but a thing you do.

A second important tenet of masculinity theory is that although there are many ways of being a man or a woman, they are not all equally socially valued. "Hegemonic" masculinity is what scholars call the privileged style of masculinity in a given historical moment: the most desirable or most proper way of being a man.[17] Some men have better access to hegemonic masculinity than others, depending on their position in various interconnected hierarchies of privilege and oppression. Nevertheless, hegemonic masculinity functions as an ideal that regulates all men.[18]

Hegemonic masculinity in the contemporary United States emerges from a set of connected beliefs collectively called "heteropatriarchy."[19] Heteropatriarchy includes at least five linked assumptions widely taken for granted in Western culture. First is the assumption that every person is born, and thereafter remains for life, either male or female. Second, one's sex at birth is assumed to determine one's gender; biology therefore controls one's social behavior. (This was the proposition that second-wave feminist theorists rejected when they introduced the distinction between "sex" and "gender.") Third, sex/gender causes males and females to be distinctively and dramatically different along dimensions of appearance, character, behavior, interests, and innate abilities. Indeed, men and women are popularly said to be so different that they are "opposite" sexes.[20] Fourth, because "opposites attract" and sex differences are complementary, sexual and romantic relationships should occur only between men and women, not between people of the same assigned sex. Moreover, opposite-sex couples

are best situated to rear children, because the two sexes have different but complementary capacities and skills, and children need to be exposed to both.

These four linked assumptions constitute the "hetero" of heteropatriarchy. The fifth assumption provides the "patriarchy": though male and female are opposite sexes, they are not quite equal. Masculinity is the privileged sex/gender. In nearly every setting, as feminists have pointed out, masculine characteristics and attributes are considered superior to feminine ones. Little boys are encouraged to distinguish themselves from girls early on, and failure to do so is socially punished.[21] The political and economic order is largely controlled and shaped by men in societies around the globe; and women are everywhere subjected to rape, sexual harassment, forced pregnancy and forced marriage by men.[22] Worldwide, it is better to give birth to a baby boy than a baby girl; economist Amartya Sen has estimated the number of "missing women" who either are not born or who die prematurely because of this preference.[23] Even in the United States, which prides itself on its commitment to human rights, including women's rights, women lag far behind men on indicators of political and economic power.[24]

B. Heteropatriarchy and Gender Violence

Heteropatriarchy shapes the two most important rules of hegemonic masculinity: a "real man" is not a woman, and he is not gay. As I have argued previously, one of the greatest contributions of feminism has been to show how much one's masculine identity depends on disclaiming femininity - "at best by being 'not a woman,' at worst by excluding, hurting, denigrating, exploiting, or otherwise abusing actual women."[25] In the contemporary United States, distancing oneself from homosexuality is at least as important. Training in not being "gay" (where "gay" is not really about sexual desire but rather denotes a failed or "spoiled"[26] masculine identity), like training in not being female, begins early. For example, researchers studying the social lives of students in middle and high schools have noted that although the kinds of activities that give a boy status and respect vary from school to school, the boys at the bottom of any social totem pole--along with any activities or objects associated with them--will reliably be called "gay" and will be ridiculed and disparaged accordingly.[27]

The need to not be gay, moreover, does not disappear after high school. As literary theorist Eve Sedgwick argues, masculinity is a double bind for men: being a "real man" requires that one secure the love and respect of other men, who hold the ultimate power to affirm one's masculinity. Yet the activities best designed to confer true masculinity--including participation in sport, the military, and mentoring relationships--involve "just the sort of close, emotionally intense, and frequently physical and sexually charged relationships that subject men to the suspicion that they are homosexual."[28]

The result can be, especially for young men unsure of their identities and for older men with few other resources for self-esteem, a profound anxiety. Sociologist Michael Kimmel argues that "men's fear of other men[] is the animating condition of the dominant definition of masculinity in America . . . the reigning definition of masculinity is a defensive effort to prevent being emasculated."[29] Being judged and found wanting in one's masculinity is a constant possibility for men; they are constantly under the male gaze of judgment.

Sedgwick identifies two results of the masculine double bind: "[f]irst, the acute manipulability, through the fear of one's own homosexuality, of acculturated men; and second, a reservoir of potential for

violence caused by the self-ignorance that this regime constitutively enforces."[30] James Gilligan, a psychiatrist on the faculty of Harvard Medical School who directed the provision of psychiatric services to Massachusetts prisons and prison mental hospitals for twenty-five years, links the defense of masculinity with violence, through the psychological experience of "shame." Although Gilligan acknowledges that violence is multi-causal, shaped by the interaction of biological, psychological, and social determinants as well as individual agency,[31] at the intra-psychic level Gilligan argues that chronic "shame" is an important proximate cause of violence.[32]

Shame, respect, and honor are key words in the production of gender violence. Gilligan notes that in his years doing psychotherapeutic work with violent criminals, "I kept getting the same answer when I asked one man after another why he had assaulted or even killed someone: 'because he disrespected me.'"[33] He cites a study by David Luckenbill, who analyzed the history of seventy murders that occurred in one California county from 1963-72.[34] As Gilligan describes Luckenbill's findings:

> [I]n all cases the murderer had interpreted his violence as the only means by which to save or maintain "face," and to demonstrate that his character was strong rather than weak, in a situation that he interpreted as casting doubt on that assessment of himself. The opening move that started this process was some behavior by the victim that the perpetrator interpreted as insulting or disparaging to him and that would cause him to "lose face" if he "backed down" rather than responding with violence--even when the victim was only a child who refused to stop crying when ordered to.[35]

Gilligan adds that a failed masculine gender performance--as in, for example, the suggestion to a straight-identified man that he is really "gay"--threatens shame, confirming Sedgwick's analysis:

> The image or concept of "homosexuality" functions as a kind of universal symbol or equivalent of every form of masculine sexual inadequacy . . . it therefore epitomizes every cause of shame; and . . . there are few self-images that cause patriarchally conditioned men to feel shame more deeply than the perception (by themselves or others) that they might be "gay." Many men will resort to almost any degree of violence if that is what it takes for them to ward off that perception of themselves.[36]

If Gilligan is correct, then a man hyper-sensitive to shame will likely respond to any denigration of his gender performance with violence. Moreover, violence is connected with heteropatriarchy in another way: violence itself is culturally perceived as masculine.[37] Boys don't cry, but they do fight. Thus, for men acculturated to hegemonic masculinity, engaging in violence is a sword as well as a shield: it is both a way of defending oneself against shame and a way to affirmatively demonstrate one's manhood.

C. Gender Violence and the "Cycle of Destructive Masculinity"

In his article in this Symposium, SpearIt argues that impoverished African American and Latino/Latina communities are afflicted by a "cycle of destructive masculinity" that perpetuates gender violence across generations and across space, circulating norms and practices of straight male dominance in and among the street, the home, and the prison cellblock.[38] Impoverished straight-identified men of color, in his account, are both victims and perpetrators of gender violence. A key site of this violence is in the prison

system, where destructive masculinity is not only reflected but is intensified by state action.

The racial effects of our contemporary United States policy of mass incarceration have been well documented and criticized. Not only is the United States the undisputed global leader in mass incarceration,[39] but our criminal justice system also disproportionately burdens the brown, black, and poor. Taking the city of Chicago as a case study, Michelle Alexander notes that "[a]bout 90 percent of those sentenced to prison for a drug offense in Illinois are African American," and that "[t]he total population of black males in Chicago with a felony record (including both current and ex-felons) is equivalent to 55 percent of the black adult male population and an astonishing 80 percent of the adult black male workforce in the Chicago area."[40] Nationwide, the Sentencing Project reports that more than 60 percent of the people in prison are now racial and ethnic minorities, and that for black males in their twenties, one in every eight is in prison or jail on any given day.[41] With the rise of what scholars call "crimmigration"--the folding of immigration enforcement into the criminal justice system--undocumented immigrants living in the United States are increasingly shunted into jails and prisons as well, intensifying the burden of the criminal justice system on Latino communities.[42]

The combined effects of mass incarceration on black education, housing, employment, and political voice have led Alexander to describe the current United States criminal justice system as "The New Jim Crow."[43] Alexander joins a chorus of other critics who have condemned the political and social effects of the existing criminal justice system on African American communities in particular.[44] These critics observe that not only are policing, jail, prison, and probation powerful sites for ideological "race-making"--perpetuating anti-black and anti-Latino stereotypes--but also that contemporary criminal justice policy is economically, politically, and socially devastating for poor black and brown communities.

The criminal justice system is not only a race-making institution, however. It is also a gender-making institution, and destructive masculinity is a key product.[45] The incorporation of gender violence into the criminal justice system begins with the police. In the United States, policing, like the military, is deeply rooted in ideologies of physical bravery and brotherhood that stem from hegemonic ***29** masculinity.[46] Male police officers still dramatically outnumber female officers in most departments around the country;[47] police training emphasizes the importance of physical strength and the ability to intimidate;[48] and the number of openly gay male police officers is extremely low.[49] Policing borrowed from the military a hierarchical institutional structure and a culture of solidarity that has traditionally emphasized notions of homosocial "brotherhood," making tolerance of homosexuality unthinkable;[50] hence the report that no police officer in the United States admitted in public to being gay or lesbian until 1981.[51] Moreover, surveys suggest that the resistance of police officers to accepting gay men and lesbians in their ranks continues.[52]

Frank Rudy Cooper has shown how policing, both in its structure and in the way it is practiced in many American cities, incorporates hegemonic masculinity in often destructive ways. Cooper points out that officers' concern with establishing dominance in any situation and with punishing disrespect sets them up for "masculinity contests."[53] When male police officers confront male civilians in such contests, the result may be injury or death.[54]

Incarceration, however, most dramatically incorporates gender violence and the most destructive forms of hegemonic masculinity. Giovanna Shay notes that "the rule of law," as we are accustomed to

imagining it, constrains practices in the American criminal justice system only weakly because of the courts' extreme deference to prison administrators, the lack of transparency of prison affairs, and the public's apparent desire that prisoners be out of sight and out of mind.[55] In this environment, Kim Shayo Buchanan argues, prison administrators create their own rules of governance, incorporating social norms of subordination that divide prisoners to make them more manageable.[56] Prison officials' use of racial designations to "divide and conquer" groups of inmates is well known.[57] In addition, Buchanan argues, prison officials enforce "the rules of masculinity in their crudest and most violent forms."[58] Sexual violence is one of those forms.

As Buchanan observes, the idea that incarcerated men are vulnerable to sexual violence perpetrated by other men is a well-known subject of hilarity in the general culture.[59] The humor indicates anxiety, but also truth: same-sex rape and other forms of sexual violence do happen to incarcerated men. In accordance with heteropatriarchal norms, gay, bisexual, transgendered, and effeminate men experience dramatically elevated rates of sexual abuse.[60] But straight-identified men are also vulnerable to violence. For example:

> Guards and administrators often require the prisoner to "be a man" by fighting off his assailants. If the prisoner is unable to protect himself, he is often told that he does not deserve their protection because he is "gay." This practice requires prisoners to prove their manhood by fighting, on pain of rape.[61]

Buchanan notes that black men are widely presumed to be the perpetrators of rape in prison and white men the victims.[62] In fact, research suggests that most victims are men of color.[63] And as SpearIt points out, the traumatized victims and the perpetrators of gender violence are likely to return to the same communities where they grew up, now at greater risk of traumatizing others.[64] Violence against women is one predictable consequence of a destructive masculinity that degrades femininity and whose coin is force. Homophobic violence is another. Finally, we may guess that child abuse, including child sexual abuse, is facilitated by the return of sexually abused prisoners to their neighborhoods. SpearIt concludes that through the cycle of destructive masculinity, prison does not simply punish the perpetrators of gender violence; it also facilitates and escalates more gender violence, involving straight-identified men both as victims and as perpetrators.[65] Therefore, though some gender violence in prison can be traced back to civil society, much is iatrogenic--caused by the very mechanism that purports to stop the violence.

D. Toward an Integrated Approach to Gender Violence

Queer theorists have long identified gender violence as a strategy to maintain heteropatriarchy. Darren Hutchinson makes a representative argument: "[h]omophobic violence . . . executes (or 'enforces') the political, social and ideological institution of heterosexism; it punishes non-heterosexual practice, and it aims to prevent future challenges to heteronormativity by employing the threat of violence to attach fear and stigma to nonheterosexual intimacy and desire."[66] Feminist scholars similarly see violence against women as a way of keeping all women (and men) compliant with compulsory heterosexuality.[67] As Elizabeth Schneider has written:

> [H]eterosexual intimate violence is part of a larger system of coercive control and subordination; this system is based on structural gender inequality and has political

roots. . . . In the context of intimate violence, the impulse behind feminist legal arguments [is] to redefine the relationship between the personal and the political, to definitively link violence and gender.[68]

These analyses are not wrong, but they have nevertheless laid the groundwork for a dependence on the criminal justice state that has intensified rather than ameliorated gender violence. For instance, in the 1970s and 1980s, feminist advocates challenging rape and domestic violence began to rely heavily on a criminalization strategy, fighting for policies such as mandatory arrests for domestic violence police calls, calling for more rape prosecutions, and developing new kinds of "social frameworks evidence" such as battered women's syndrome.[69] In the 1980s, anti-violence advocates representing both women and sexual minorities began to fight for the adoption of, and inclusion in, "hate" or "bias" crime statutes as an equality issue.[70] The logic behind this reliance on the criminal justice system is clear: because violence against women and sexual minorities intensifies and legitimizes discrimination against these groups, criminal punishment for the perpetrators of such violence furthers the cause of equal citizenship. Like expressive violence itself, criminal punishment is widely understood to "send a message"[71]--the message that women and sexual minorities matter.

In the last few years, however, feminist academics and advocates have become increasingly uneasy about their reliance on the criminal justice state. Leigh Goodmark argues that mandatory arrest and no-drop prosecution policies reflect "maternalism," an advocacy approach that "assumes that women who have been battered are incapable of considering the full range of possibilities and deprives them of the ability to make choices for themselves, based on their own goals, values, beliefs, and understanding of their situations."[72] Aya Gruber argues that rape reform has failed to substantially benefit victims, while bolstering a program of state power and control that is antithetical to feminist principles.[73] Janet Halley and others similarly argue that feminist alliances with the criminal justice state mark the development of a new feminist strategy--"governance feminism"--that may result in policies and rules that are inconsistent with feminist principles.[74]

Queer theorists, taking a similar critical turn, have criticized hate crimes legislation as a path toward equal citizenship. Jane Spade and Craig Willse argue that "the rhetoric of hate crimes activism isolates specific instances of violence against queer and transgender people, categorizing these as acts of individual prejudice, and obscures an understanding of the systemic, institutional nature of gender and sexuality subordination."[75] Leslie Moran argues that "the gay and lesbian demand for law reform feeds a law and order politics of retribution and revenge that may be implicated in the promotion, institutionalization, and legitimization of hate."[76]

Taking seriously the gender violence inflicted on men in the criminal justice system adds another dimension to these criticisms. Tracing gender violence as it moves through different social sites--the street, the home, the prison-- makes it clear that heteropatriarchy kills: not only women and sexual minorities, but men, including those who identify as "straight." SpearIt's notion of the cycle of destructive masculinity makes clear as well that gender violence is a race and poverty issue.

Accordingly, anti-violence theorizing and advocacy must take an integrated approach, understanding the interplay of race, sexuality, class, and gender and taking account of the places where, and the means by which, gender violence is perpetuated. "Violence against women" is not distinct from "violence against

sexual minorities." Nor are analyses of the United States as a "prison nation" complete without a reckoning of the toll that gender violence takes on the vulnerable of all sexualities, colors, and genders.

The approach that I am advocating here has been given many names-- "intersectionality," "co-synthesis," and "multidimension-ality," among others.[77] At its heart is a theoretical shift of focus from group identities to interlocking practices and beliefs that makes possible a broader definition of the problem: in this case, the shift from "violence against women" to "gender violence." Sometimes the technique that Mari Matsuda named "looking to the bottom" can make such a reframing possible.[78] Thus, even within the "violence against women" frame, scholars have long recognized that women of color tend to be more poorly served by existing institutions and practices, even feminist ones, than white women.[79] But, as we have seen, the move from violence against women to gender violence makes possible an even more comprehensive mapping of the ways in which heteropatriarchy kills. What might initially look like a dilemma--a choice between women's safety or racial justice--turns out to be an instance of interest convergence.[80]

This turn to a gender violence analysis--instead of the "violence against x" analysis--should not be confused with the project of simply making existing programs "diverse" or "inclusive." Advocates for women of color experiencing intimate violence, for example, complain about the effort to "include" them in campaigns framed by and for white women.[81] Instead, the task is to develop anti-violence proposals and projects that are responsive to the experiences of differently situated groups from the very beginning. Efforts to pay attention to the race of gender, the gender of race, and the sexuality and class of each may demand new kinds of conversations with different people at the table. The process may not be an easy one, but the potential is great.

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