

Intersectionality and Violence Against Women

Transcript

Alice Chan – 0:00

Hello, everyone, and welcome back to another episode of our CRT Podcast Series. I'm Alice.

Marica Wright – 0:06

I'm Marica.

Maria de la Cruz Rodriguez Martinez – 0:07

And I'm Maria.

(atmospheric music)

Alice – 0:08

Today we'll be continuing this series by focusing this episode on the experiences of really a hugely important yet relatively invisible demographic of society. And of course, by that we mean women and specifically women of color. And so we wanted to dedicate this episode to spotlighting the struggles and fights of marginalized women of color against the backdrop of political and social movements, which have taken place in the US and more globally in the last few years. So I was thinking, maybe we could start off by introducing ourselves since for this episode in particular, we are in some ways, both the host and the guests by virtue of the topic we're discussing.

(atmospheric music)

Marica – 0:49

Yes, sure. So I'm Marica. I'm a third year JD student at Columbia Law School. My professional background is primarily in public service in the United States federal government and national politics. As a law student, I'm preparing to join the just 2% of Black women attorneys in the United States. And I've been actively seeking out opportunities to take on public interest work, private sector work, human rights, and racial justice work.

Maria – 1:17

I'm Maria, I'm a Columbia Law School LLM graduate student, and Mexican attorney who has mainly worked in the public sector and NGOs, in areas relating to human rights, immigration, gender and social justice issues.

Alice – 1:32

And just to round us off, I'm Alice, I'm also a Columbia Law School LLM graduate student. My professional background is relatively boring, so I won't go into that. But I will say, because it is relevant in this context, that I grew up in Hong Kong before moving to London when I was 15, which was a very formative time in my life, not least because it was the first time I really kind of explicitly experienced racism and sexism, both separately and together. So before we jump into this, it's important for us to tell you that this episode contains discussions of violence, in particular gender based violence, including murder, rape, sexual assault and trauma. We don't go into too much detail, but if you are uncomfortable with these types of issues or events, then please do skip this episode. Your mental health is of course most important. With that said, Maria, why don't you kick us off with your thoughts on what I think has been a really powerful series of events that has occurred in Mexico for much of this past year.

(people protesting)

Maria – 2:33

Yes. So for those who of us who are in tune into what is happening on the feminist movement run in Mexico, in March, earlier this year, the president of Mexico, Andres Lopez Obrador, backed a politician accused by several women of rape, and this triggered one of the most violent human rights protests in Mexico City. Hundreds of women marched to the National Palace to confront authorities, and in the same day, a group of 2500 women sent a letter to the President asking him to create a national plan of protection for women's against violence, and basically urged him to dismantle the patriarchy.

Alice – 3:16

So I have to confess that I don't really know very much about the plight of women and in particular, marginalized women of color in Mexico. Is this a surprising turn of events, or does it feel like for you, it's been a long time coming?

(atmospheric music)

Maria – 3:29

Well, in a way, I think these events are really the big of a movement that started gaining momentum in January 2020. When Isabel Cabanillas, who is a 26 year old designer artist and women's rights activists was murdered her while she was cycling home in downtown Ciudad Juarez. And just to provide some context Ciudad Juarez is a city situated in the on the Mexican side of the US Mexico border, directly opposite El Paso, Texas. The city is nestled within a valley surrounded with harsh desert and mountain terrain. But more importantly, is a city where hundreds of feminicides have taken place since the mid 1990s.

Marica – 4:13

And just for our listeners, feminicide is a term that has been used to describe both the murder of women and girls because they are female, but also their suffering of systemic forms of violence, which are deeply rooted in social, political, economic and cultural inequalities.

Maria – 4:29

Yes, that's right. And you see that in Juarez, the death toll of gender based murderers is horrific, horrific. I mean, by the end of 2019, almost 1500 women and girls has been mutilated, raped, sexually abused, and murdered. Their bodies has been discovering the desert or in vacant lots in the city. And you know, most of these cases gone so often unpunished. So, Isabel's murder prompted really this first wave of protests through Mexico about gender violence, and impunity granted by authorities to perpetrators. And that's how this is slogan "ni una mas," meaning "not one more," which has since become a viral hashtag on Twitter, came to be.

(atmospheric music)

Marica – 5:16

And have these movements worked? Are we seeing changes in how the government is planning to tackle these issues? Well,

(people protesting)

Maria – 5:24

After (the) March 2021 protests this year, the mayor of Mexico City actually announced the publication of a women's rights booklet, which is a guide that is designed to raise awareness about the type of ways in which violence is perpetrated of women's in Mexico City, as well as a list of public health care services located around the city. But this is inevitably an open ended story because obviously, the key question we really should be asking ourselves is why does this keep happening? Why is femicide a reality in so many communities and cities around the world? And I also think, really interesting, but as well frustrating aspect to all of these too is that President Lopez Obrador regularly points to the large number of women appointed in his cabinet as a display of his confidence in women. But it's so clear from what is happening, that there is an willful ignorance about the everyday violence, that that's being faced by women's in Mexico.

(atmospheric music)

Alice – 6:35

So I think what you said is so relevant, because it kind of leads us to this question or discussion of you know, are we placing too much focus on formal equality? And is the idea of there being equal numbers of women and men in particular positions are of women being accorded legal equality really enough? Because, you know, on the one hand, it's better than nothing. But on the other hand, the legal, social, and political invisibility of women on all fronts is so real and pervasive. And I think a big effect of all of this is that you have the same demographic of society being victimized having to further exert emotional labor in order to advance their own cause and protect themselves. And I have had the privilege of living in and working in relatively liberal and quote unquote, equal societies and workplaces to date. But even the daily grind of bearing the burdens of race and gender, and of constantly being aware of how I need to protect and portray myself is exhausting.

Marica – 7:38

I definitely agree with that, and I think all women to some extent, feel the devastation of how even when we raise our voices and call for change, our criminal legal systems just ignore all this. Women are not receiving remedies for the harms they're facing, except in very rare circumstances. To put it very bluntly, our legal systems are failing us.

Maria – 8:00

Yeah. We were just discussing this the other day, because one of the stories that we've been all being following closely, but especially you, Marica, is the trial of

Marica – 8:12

Of R. Kelly. That's right--which has just been this ridiculous story of how it's taken 15 years for a man who has been consistently called out for sexual misconduct to face any consequences for his actions.

(news reporter announcing that R. Kelly was found guilty in September 2021)

Alice – 8:26

So I assume most of our listeners are probably aware of this story because of how much publicity it's received in the last two years, but why don't we just give a really quick summary just in case?

Marica – 8:39

Yes, so R. Kelly is an American singer and record producer who at the peak of his career was worth around \$100 million and was nicknamed the King of R&B, but since the 1990s. He has been repeatedly accused of sexual abuse, often with underaged female victims, and has faced multiple lawsuits in Chicago, New York, Illinois and Minnesota. In 1994, when R. Kelly was 27 years old, he married the singer Aaliyah who was his protege and over a decade younger than him. Then in 2000, allegations that he had been having sex with underaged girls started making headlines. Very long story short, he was involved in at least six separate lawsuits for various sexual misconduct charges, but never convicted. Now fast forward to 2017. Now this is the year when the tide really turned in the public discourse about our Kelly and black women leaders are really to thank for that. So in 2017, the #MeToo hashtag started getting momentum. Activists Kenyette Barnes and Orenike Odeyele began this movement from their homes in Atlanta to pressure corporations to financially divest from the singer and to bring attention to the multiple sexual abuse allegations. Then the next year, women of color leaders in the Time's Up Movement called on the music industry to cut ties with R. Kelly. And then the next year a black woman filmmaker dream hampton released the Surviving R. Kelly documentary series, and it really radically centered the women who suffered at the singers hands and allow them to tell their own stories. So R. Kelly was finally tried and convicted in September 2021. But, it is really important to note that Black women have spoken up against Kelly at every turn. And many of them did so (by) pursuing action through the justice system and were silenced with settlement payments to end legal action or were physically threatened.

(atmospheric music)

10:44 – Maria

I mean, this, this really is the ultimate example of a privileged man, evading accountability by leveraging his money and power. And it's a manifestation of a much broader problem for marginalized women seeking help from the justice system and not receiving it. But it's more than that too, right?

Marica – 11:04

Right, because there's a deeper discussion we need to have about whether if his victims had been white girls and women, instead of predominantly black girls and women, would justice have taken this long. Even some black men, you know, thought that R. Kelly was being set up and attacked by the system, and that he was just a victim of white supremacy. For example, you know, when they interviewed Chance the Rapper following the release of the Surviving R. Kelly docuseries, he actually said that maybe one of the reasons he didn't value the accuser stories all these years was because these accusers were black women. And around the same time legal scholar Paul Butler also wrote an opinion editorial on this same theme. I mean, there's so much more we can explore here, but I'll pause the story to point out that one of the main reasons why black girls were victims of our Kelly were ignored is because our society routinely undervalues adults fights and hypersexual lies as black women. So the natural assumption is that these black girls wanted it or might have manipulated this older and more physically capable man, or should and could have had the agency to say no to this extremely famous and powerful entertainer.

Alice – 12:25

I think at its core, all this is really touching on one of the core concepts of critical race theory. And that is, you know, the concept of intersectionality. The word intersectional has been used a lot in popular culture lately. The term itself though, was coined by Professor Kimberle Crenshaw in 1989, and it essentially was coined to capture and describe how race, class, gender, and all these other individual characteristics we have intersect, and combine to create different modes of discrimination and privilege. And so the idea is that, for black women, it's not so simple as, you know, one plus one equals two, there's a whole host of prejudices specific to them, which neither black men nor non black women have to contend with in their everyday lives.

Marica – 13:16

It's interesting to note too, that actually, the concept of intersectionality as a whole was born out of the experiences of black women. We are the demographic that inspired the concept. Although the disclaimer here, of course, is that we're talking in particular about cis black women, because there are a whole lot of other issues which come into play when sexuality is a factor. But going back to the vulnerability of black women and girls to sexual violence, it actually doesn't stop there. Disproportionate violence really permeates all aspects of their lives from excessive punishment in school to domestic violence rates, so incarceration compared to non black women, and even police violence.

(atmospheric music)

Alice – 14:04

I think the sheer pervasiveness of all these issues and this question of how in the 21st century, these are still fights that we need to have comes back to the problem of the invisibility of Black women in society and political culture. I think one of the things that we haven't touched on yet, is how in times of huge social reckoning in recent years: Me Too, Time's Up, Black Lives Matters. The needs and suffering of Black women have really taken a backseat.

Maria – 14:33

So if I remember correctly, both the Me Too Movement and the Black Lives Matter Movement was created and led by Black women: Tarana Burke, Alicia Garza, Patrice Cullors, Opal Tometi.

Alice – 14:46

Right. And I think what's so incredibly frustrating is that the me to movement only really gained traction when white female celebrities kind of co-opted the movement. I don't know maybe that word is too harsh? But subsequently, the focus of the movement has mostly been on their stories and on Harvey Weinstein. And in a separate but not dissimilar way, you know, we know the names of George Floyd, Freddie Gray, Michael Brown, Trayvon Martin, but not Alberta Spruill, or Rekia Boyd, or Tanisha Anderson. And so Black women have really been relegated to the sidelines in both gender justice and racial justice movements. Despite being the backbone and the labors of a lot of these movements.

Marica – 15:32

And the point here isn't to say that the brutality faced by Black men is greater than or more important than the brutality faced by Black men.

Alice – 15:41

No, no, not at all. I think it's all equally horrific, and I think we all agree that no one is, quote, unquote, more important than the other. And actually, that reminds me that there was actually a completely separate episode on this podcast series, hosted by our classmates, Paul, Koko, and Stephanie, where they discuss in depth about the black male experience because it too, is so distinct. It's more just that I think we should, as a society and as a community, really wrestle with this idea of how multifaceted systemic oppression is, and that justice just for White women, or just for Black men is, quite frankly, not good enough. We need to mourn and celebrate and uplift the lives and stories of Black women in the same way that we do others.

(atmospheric music)

Maria – 16:32

Yeah, it just reminds me because we touch earlier on Professor Crenshaw 's work on intersectionality, but she launched a campaign some years ago on these exact topics, right?

Alice – 16:44

Yeah, that's completely right. So the campaign that she launched was called #SayHerName, and it was launched by the African American Policy Forum, and the Columbia Law School Center for Intersectionality and Social Policy in 2014. And the idea of this campaign was basically to bring awareness to the invisible names and stories of black women and girls who were victims of racist police violence. Understandably, the campaign received a lot of renewed attention in light of Black Lives Matters. And Breonna Taylor's murder. Although I should say as a side note that actually Breonna Taylor's murder, in and of itself only gained attention after George Floyd. And basically, in December 2016, Professor Crenshaw actually hosted a TED talk titled "The Urgency of Intersectionality," and there's this one portion of her talk where she asks the entire room to stand up while she names victims of police brutality, and then asks them to sit down, as and when they come across the name, she says that they don't recognize. And so for the first half of this exercise, she's listing out the names of male victims of police brutality, and I don't know, maybe half the room remain standing, but the moment that she moves on to female victims, there's like four people left at the end of this exercise. And it was such a powerful and impactful moment for me, even back then, when I was really far more ignorant of race relations and gender issues than I am now.

Marica – 18:19

It's also interesting, because in our conversations about police reform and policing the police, we don't often explore how violence perpetrated by police toward Black women is also gendered. So it's not just that black women are experiencing violence, but they experience police violence in a way that is different from like Black men experience it.

Alice – 18:43

Yeah. And I think one of the first things that comes to mind when we talk about this is that often brutality against Black women takes place at home, obviously, not everywhere, and not all the time, like Maria was saying earlier, in Mexico, it can take place in the public domain. But in the US, actually, it often takes place specifically in the context of Black women having called the police for help. And so there's this crazy, but really not surprising statistic out there, about how when Black women call for help in domestic violence situations, for example, they are more likely to be left alone with their perpetrators afterwards than White women. And then, you know, there's all these other questions about gender dynamics between the police and Black women, for example, in cases of sexual assault, or strip searches or threats to remove Black children from their mothers. And I guess what we're trying to say is, you know, all of these methods of interrogation and violence, they take on a new dimension when they're being inflicted on vulnerable and marginalized women.

(atmospheric music)

Maria – 19:51

In some ways, we have kind of now circled back to where we started, right? Because it's so clear from our conversation that even though the three of us come from different countries that have such different backgrounds, that we all have shared experiences when it comes to

what living as a woman of color means. And for me personally, I mean, in Mexico, we have clearly barely begun to think about how to adequately address these crimes without our political and legal system.

Alice – 20:24

Not to mention, you know, just the tragic fact that it's taken the suffering and really sacrifice of so many women and girls to even get us to the starting line.

Maria – 20:35

Yes. And it demonstrates how these events, whether they're happening in Mexico, in the US, or wherever, they're there are an open wound and a symptom of the social machismo culture and a result of political, economic and illegal discrimination. And its the type of discrimination and prejudice, that quite frankly, none of our current laws and constitution is adept at addressing.

Alice – 21:03

I think it's a testament to how much work still needs to be done within our legal systems. And when I say our I really mean all legal systems, no matter where you are, that despite the fact that this podcast is technically supposed to be a legal podcast, because we're producing it in the context of us being in law school, we really haven't discussed very many legal developments at all.

Marica – 21:26

Yes, and that's not to say that there are no successful legal cases which have been brought by women of color where they've been victims of gender violence and racialized violence, where they've received a remedy from the court. But they are really few and far between, in large part because all of these things we've been talking about, keep women from getting justice in the traditional legal sense. And, and the other key point is that even when these cases are brought to the court, the law really doesn't consider the harm suffered from a gender lens or a racial lens, the law as we know it, and as judges apply it, claims to be steadfastly neutral and equal, it doesn't recognize in a substantive way that formal equality only serves to perpetuate an entrenched inequalities that already exist. Anyway, that's a whole other discussion.

Alice – 22:22

Yeah, I think we have been really ambitious and covered a lot of different topics and dimensions to this subject in the episode. And obviously, we haven't been able to do full justice to all of these different strands of thoughts. But, you know, we hope that as a start for listeners who are interested that this was educational and insightful.

Marica – 22:43

Yes. And to round off this episode, I just want to say that anyone who has not already watched it that I highly recommend the Surviving R. Kelly documentary series. All the episodes are now on Netflix. There are only six episodes so it's a relatively short watch, but it is eye opening in so many ways, and really puts everything we've discussed into perspective.

Alice – 23:05

I definitely echo that. And in the spirit of us kind of all making recommendations, mine would be to listen to Professor Crenshaw's podcast called "Intersectionality Matters." Maybe not today, given how heavy some of the things we've talked about has been, but it's actually a great starting point for continuing dialogue and education. And then last, but definitely not least,

Maria – 23:27

Yeah, my recommendation is actually a poetry collection titled Killing Marias by Claudia Castro Luna. It's a beautiful collection collection of poetry where each poem is addressed to someone named Maria killed instead of Juarez. And really, they're more love poems than elegies.

Marica – 23:48

Shall we end by maybe reading one?

Maria – 23:51

Yes, let's do that. Maria Santos, Sweetest Apple. They say we live on either side of a border. I say that's fodder for a sexist imagination. Coyote's tooth does not alone bite, and falcon's feather takes not alone to the sky. Silo living is not for living things. Like the braid on my abuela's back, and the bead of a rosary strand, (interlinked) we are. Rain, dust, stars.

Alice – 24:29

And on that beautiful and poignant note this brings us to the end of this episode. As always, thank you for listening to another episode of this Critical Race Theory podcast series. We hope you have a lovely day.