

*Bodies in the Middle:
Black Women and Sexual Violence in Law and Literature of Twentieth Century America*

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Williams College, 2011

A Dissertation presented to the Graduate Faculty of the University of Virginia in
Candidacy for the Degree of Doctor of Philosophy

Department of English

University of Virginia
August, 2018

Abstract

My dissertation, *Bodies in the Middle: Black Women and Sexual Violence in Law and Literature of Twentieth Century America*, argues that when we move a conversation about rape, race, literature, and the law from the period of enslavement to the twentieth and twenty-first centuries, we also move the conversation from one about binaries of agency/subject, triumph/abjection to a spectrum of intelligibility. My work is indebted to the work of Saidiya Hartman, Hortense Spillers, Hazel V. Carby, and Karla FC Holloway because they established how literature represents black women as both object and subject of the law, ones who find ways to *act* despite the total deprivation of legal rights. Hartman's reading of Harriet Jacobs in *Incidents in the Life of a Slave Girl* as an agent of her own desire when she chooses a white lover is just one example of an entire body of scholarship. *Bodies in the Middle* continues this work while it departs to argue that, when juxtaposed, the twentieth century and contemporary novels and legal cases at the center of the project reveal how black women who have experienced sexual violence rather than existing on a binary of agent/object are on what I call a spectrum of intelligibility. Under slavery, black women could rarely if ever attempt to get justice for sexual crimes committed against them. The first chapter examines two artifacts from the 1940s, The Case of Recy Taylor and Richard Wright's *Native Son*, to showcase how Jim Crow extended the legal deprivations of slavery while a burgeoning civil rights movement motivated new modes of intelligibility, legal and otherwise, for black women who have been raped. The second chapter asserts that when read together *State of North Carolina v. Joan Little*, 1974-5 and Gayl Jones's *Corregidora* reveal how black women and their allies caused monumental shifts, both theoretical and actual, to occur regarding

their intelligibility as victims of crimes. And finally, chapter three examines two wildly compatible artifacts, the dismissed trial, *New York v. Dominique Strauss-Kahn*, 2011 and contemporary novel, *Americanah* by Chimamanda Ngozi Adichie to engage with the particular struggle and/or avenues of possibility that black immigrant women and their allies have and/or create to make themselves intelligible to the law. Ultimately, the argument that I am setting forth about intelligibility, sexual violence, race, gender, and the law is also an attempt to stand in solidarity with contemporary social justice movements, such as #SayHerName, Black Women's Blueprint, and Survived and Punished to memorialize all of the black women and black trans women who have been victims of sexual violence, who never report it, who never seek out legal counsel or mental health services. I want to memorialize those who report their assaults and regret it because the exposure to the legal system only resulted in more trauma, more shame, more powerlessness. This project is doing precisely what the women at the center of my dissertation do: *attempting* to make intelligible those crimes that were previously unintelligible.

Acknowledgements

There are so many to thank for helping this project reach completion. The Woodrow Wilson National Fellowship Foundation, the University of Virginia (UVa) Arts, Humanities, Social Sciences, the UVa Americas Center/Centro de las Américas, the UVa Power, Violence, Inequality Collective, and the UVa Institute of the Humanities and Global Cultures Buckner W. Clay Endowment for the Humanities provided financial support, which allowed me to travel to all of the necessary archives. I would like to thank the members of my committee for your magnificent intelligence and unwavering encouragement: Marlon B. Ross, Victoria Olwell, Lisa Woolfork, and Anna Brickhouse. I would like to thank Grace Hale, my outside reader and teacher whose graduate-level course in history, *The South Since 1900*, prompted this entire project. And I have to thank other invaluable members of the UVa faculty for teaching me both inside and outside of the classroom: Deborah E. McDowell, Mrinalini Chakravorty, Jennifer Greeson, Sylvia Chong, Clare Kinney, Cynthia Wall, Njelle Hamilton, Kwame E. Otu, James Seitz, and Susan Fraiman. Sarah Goldberg put an enormous amount of labor into proofreading the entire dissertation and helping me to prepare it for submission.

I cannot thank every single one of the intellectual ancestors of this project, but there are a few key figures that I must thank. I am forever indebted to the work of those scholars without whom my own dissertation would not have been possible: Danielle McGuire, Kimberlé Crenshaw, Richard Delgado, and Patricia J. Williams. I leaned with special gratefulness on the black feminist literary criticism of bell hooks, Deborah McDowell, Hazel V. Carby, Saidiyah Hartman, Karla F.C. Holloway, and I was fortunate to study critical rape studies through the work of Sabine Sielke and Regine Michelle

Jean-Charles. This project was heavily inspired by the new vanguard of black feminist studies represented by Brittney C. Cooper and Jennifer C. Nash who are continuing to work beyond the binaries that have been established by their fields. Many thanks to scholars of race and technology who are constantly pushing my thinking forward: Jessica Marie Johnson, Catherine Knight Steele, Meredith Clark, and Safiya Noble.

This project is also indebted to the wonderful librarians, archivists, and staff at the archives in which I was fortunate enough to conduct research: The Alabama Department of Archives and History and the Southern Historical Collection in the Wilson Library at University of North Carolina, Chapel Hill.

I am forever grateful to my friends and fellow graduate students for showing and telling me that I could reach my goals even when I was less certain: Alyssa Collins, Sophie Abramowitz, Esther Yu, Karen Huang, Eva Latterner, Anastatia Curley, Dionte Harris, Joe Wei, Ethan Reed, Carol Guarnieri, Stephanie Bernhard, and Anuj Kapoor. A very special thanks to Shermaine Jones and Kimberly Love who are two of the most thoughtful and kindest people on this planet and who forged a path for me through graduate school and beyond.

A very special shout of gratitude to the artists who changed my life for the better and continue to shape my future: SZA, Lorde, Frank Ocean, Princess Nokia, Issa Rae, Phoebe Robinson, John Early, Naomi Ekperigin, Jessica Williams, and Dave Chappelle.

I am thankful to my dearest friends Christine Chung, Sarah Mount, Felix Owusu, Madeleine Jacobs, Jack Wadden, Aldona Dye, Mateja Putic, Fhatarah Zinnamon, and Corey Benson for always being there when I needed you and for giving me a couch to crash on during many a research trip. My brother, Rasheed Hislop, is my number one fan

and I love him for that. I especially love my brother and my sister-in-law, Rosalba Lopez-Ramirez, for giving me my nephews, Hatuey and Junot Hislop, who are two of my biggest sources of inspiration. To my parents, Julie May and Frank Hislop, who inspire me everyday to be braver, kinder, and more at ease with myself and the world than the day before.

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Introduction

The penultimate chapter of W.E.B. DuBois's *Souls of Black Folk*, a text that contains multitudes but is largely an historical and cultural critique of "the Negro Problem" in America, is a fictional narrative, "Of the Coming of John". Though published at the turn of the century, "Of the Coming of John" is very familiarly 19th century as it follows the lives of two Johns, one who is black and one who is white. Negro John is the descendant of a very recently freed family and White John descends from the family who owned Negro John's family. The two Johns leave the old homestead to go North for school, but they have very distinct and very separate experiences. Negro John experiences discrimination and humiliation and White John knows only privilege and experiences little to no struggle. At the end of the story, both Negro John and White John have returned home to see their families and suddenly they collide. Negro John catches White John as he is about to rape Negro John's sister and, he, in a fit of rage, erupts with violence against White John. In the final scene of the story, Negro John sits, waiting for the men on horses to inevitably take their violent revenge on his own act of violent revenge. DuBois uses this story to illustrate some of the points that he makes throughout the text about what it feels like to be a problem, but the sexual violence scene hits upon a deeper point about the paradoxically violent intimacy of racism.¹ The ending of the story is also a nineteenth century trope. The nineteenth century is full of implicit and explicit scenes of sexual violence and especially interracial sexual violence. Even if the violation of black women is not explicit in this literature, it is almost always implicit due to the omnipresence of the mulatta figure, a figure who is often the product of rape that has been sanctioned by the law.² What is so striking about these stories is that even when the

violation is named as such, such as in Harriet Jacobs's *Incidents in the Life of a Slave Girl*, there is no mention of taking legal action to punish the assailant. And, I would argue, that it is precisely this total absence of legal recourse that makes Negro John so angry. He sees the violation happen and knows that there is no other way to achieve "justice" for his sister except for violent revenge. Or is there? The story portrays the limited imagination on early twentieth century writers and thinkers because of how heavily the narration relies on the silence of Negro John's sister. We know little to nothing about his sister and almost never hear her speak in the scene. DuBois desires the reader to see Negro John's split decision to leap to action as an act of heroism, a courageous salvaging of the dignity of his sister, a black woman who, from the white supremacist gaze, has no dignity worth protecting. However, Negro John's heroic leap is only stable as such so long as his sister stays silent.

The trope of the black woman suffering sexual violence in silence is as familiar to nineteenth and early twentieth century texts as the trope of the black (or white) male hero leaping to her rescue. Even Linda Brent in *Incidents*, who Saidiya Hartman argues manages to exert agency over her life within her "loophole of retreat", is very careful not to publicize the specific details of the ongoing physical and psychological sexual abuse that her master, Mr. Flint, inflicts upon her. Of course, the silence of enslaved and newly freed women is highly conditioned by their historical contexts especially with regard to their relative silence around sexual violence as a crime. This project, *Bodies in the Middle: Black Women and Sexual Violence in Law and Literature of Twentieth Century America*, argues that a shift occurs in the mid-twentieth century during which black women and their allies begin to see the law as a receptacle through which their sexual

abuses can, at the very least, be made public if not legally intelligible. *Bodies in the Middle* offers a space in which we can see how the legacy of slavery both persists and transforms as black women slowly but surely become (or make themselves) intelligible to the law as victims of sexual crimes. To rephrase the central concern of the project as a question, what problem do black women and immigrant women of color who have experienced sexual violence pose to the legal system when they attempt to get justice for the crimes committed against them? Do black women navigate within, without, and/or around the obstacles to justice? If so, how and why do they succeed? If not, how and why do they fail?

To frame the project with this introduction will first briefly sketch some definitions of the terms that I will be using. I will then offer some of the background information necessary to understand the various academic conversations into which I am intervening, and, finally, I will summarize the argument of each chapter. Before jumping into terms I would like to explain how I arrived at this project.

African Americanists and Americanists, especially those who focus on the nineteenth and twentieth centuries, are familiar with the convergence of racialized sexual violence because it appears in nearly every single piece of literature in one way or another. From Faulkner's *Sound and the Fury* to *Clotel*, from Douglass's *Narrative* to James Weldon Johnson's *Ex-Colored Man*, from the works of Gwendolyn Brooks to James Baldwin to Amiri Baraka. The list of authors, poets, and visual artists who depict race and sexual violence is a long one. However, the form in which racialized sexual violence most often occurs, especially in African American literature, is usually through the eyes of black men. Although *Souls* sets itself apart from the majority of twentieth

century literature and offers a depiction of the sexual violation of a black woman, the reader still views this violation from the perspective of a black man. Black men and white women have long been the focus of literary and historical scholarship on sexual violence and race because of the phenomena of lynching, a violent form of white supremacist revenge taken out on black men and justified using false rape claims from white women. Contemporary scholars of race and rape largely understand lynching as a means through which white supremacy violently stifled the perceived threat of black male economic success which was always bound up with the perceived threat of black male sexual access to white women's bodies. This is not to say that there are no accounts of sexual violence that place black women at the center, but these narratives are fewer and farther between and often maintain a focus on the period of enslavement.³ What's more, there is very little literature, scholarly or literary, which explicitly examines the ways that the law impacts women of color who experience sexual violence and vice versa. This is why the project must be in conversation with the historic legal cases at the center of each chapter. Each legal case offers some context about the way the law worked at the time which helps me to read each novel.

I must admit that I did not perceive that there was a void in both literary scholarship and in African American literature regarding black women, sexual violence, and the law in a twentieth century context until I read Danielle L. McGuire's book *At the Dark End of the Street: Black Women, Rape, and Resistance--A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power*. In her book, McGuire captures an American history that I had never heard, one in which black women and their allies attempt to wrest legal justice for the sexual violations committed against them.

What's more, she convincingly argues that the reason that the historical connections between anti-rape and anti-racism activism are untold is because it sullies the sanitized version of the modern Civil Rights Movement as a sexually conservative movement, a movement that is not about sex and/or sexuality. There is a level of sexual shame within the most prominent and popular activist struggle for black rights in American history. The shame is a reaction to the racist hypersexualized stereotypes that white supremacy and white supremacists used to discredit and humiliate black men and women alike. This shame is at least one of the reasons why so many of the names of black men who were murdered are known--Medgar Evers, Emmett Till--and yet we continue to know none of the names of black women who were raped during the Civil Rights Movement, even those who attempted to receive justice for their rapes in very public ways.⁴ McGuire proves that to be deprived these stories is to be deprived of a history recounting the specific ways that black women can or cannot achieve justice. The stories at the center of McGuire's book are the stories of Recy Taylor and that of Joan Little because each of them experienced an extreme level of public exposure at the time that each case occurred. Though I was not interested in how the authors of novels were responding directly to these cases (there is no evidence to suggest that any of the authors were studying these cases closely or even knew about them at the time), I was very interested in how twentieth and twenty-first century authors Richard Wright, Gayl Jones, and Chimamanda Ngozi Adichie were and/or are meditating on black women, sexual violence and the law. How are their imaginations for what is possible for these women surprisingly limited and/or realistically pessimistic? How do the law and representations of the law offer black women liberative possibilities and/or squash any and all access to intelligibility

and/or justice? Before moving on to a sketch of the scholarship that lies at the foundation of my work, I will briefly define some important terms.

The terms which are most fundamental to this dissertation are intelligibility, justice, and legibility. Though a few of these terms may seem quite common, I am using them in specific ways that I want to make clear. I use the terms “intelligibility” and “justice” somewhat interchangeably because the requirements of both are the same. For a black woman to be intelligible to or receive justice from the law as having had a crime committed against her, two requirements must be met: 1) individuals and/or state official(s) must recognize that a sexual crime has been committed and 2) the individuals and/or state officials must act in some way to compensate for the crime either by punishing the assailants and/or offering the victim financial restitution. Justice is a way of referring to the second requirement of intelligibility on its own meaning that justice refers specifically to the compensation that a victim of sexual violence receives if any such act occurs.

Certainly, the investigation of black women as victims of systemic sexual violence has been quite extensive and thoughtful given the work of black feminist theorists, literary theorists, historians, and critical race theorists, such as Saidiya Hartman, Hortense Spillers, Hazel V. Carby, Kimberlé Crenshaw, Patricia Hill Collins, Danielle McGuire, and bell hooks to name a few. All of these scholars, except Crenshaw, McGuire, and Collins meditate the issues of rape and race as they emerge within the context of enslavement and/or nineteenth century American literature and/or cultural production. This work is invaluable and conveys the complexity that black women present to systems and institutions that were not built for them. I want to first focus

exclusively on how this work has helped me to identify the specific stereotypes around black female sexuality and how some of those stereotypes persist or do not in my work.

As mentioned, during periods of enslavement and colonization, black male sexuality has been heavily mythologized as bestial, savage, and uncontrollable as a means of making black men seem incapable of ownership, self-determination, and/or holding positions of political power. Black female sexuality was also mythologized as uncontrollable during enslavement in addition to carrying other, often contradictory labels which are recounted in “A Black Feminist Statement” by the Combahee River Collective as one of the principles of exclusion against which they are radically organizing, “Merely naming the pejorative stereotypes attributed to Black women (e.g. mammy, matriarch, Sapphire, whore, bulldagger), let alone cataloguing the cruel, often murderous, treatment we receive, indicates how little value has been placed upon our lives during four centuries of bondage in the Western hemisphere” (212). Each of these stereotypes functions to sideline black female sexuality as other, nonexistent, and/or excessive thusly marking black women as unlovable, unrapeable, and/or inhuman.⁵ Estelle B. Freedman and others remark upon the ways in which all of these stereotypes combined to make it especially difficult and/or nearly impossible for enslaved black women and freedwomen to see themselves as having experienced sexual violence let alone capable of convincing others of this experience.⁶ Therefore, these stereotypes had consequences that were both social (average white people do not see the rape of black women as crimes) and legal (white juries, judges, prosecutors do not see black women as victims of rape as a crime). For enslaved women the question was, how can someone who is legally considered chattel and incapable of consenting, consent or not consent to

sex? The answer was that, legally, consent was impossible and therefore rape was impossible. This changes somewhat dramatically in the mid-twentieth century when not only are black women no longer legal chattel, but also the ways in which they are being deprived of rights to their bodies have changed. In the twentieth century, the legacy of slavery lives on but in specific ways. Stereotypes around black female sexuality abound, but there are two which become especially salient: prostitute and/or criminal. Both of these stereotypes emerge in all three of the legal cases under discussion in this project. Though they all have quite dissimilar consequences on each case, those who are attempting to squash the voices of these women lob accusations of prostitution and/or criminalized sexuality in an attempt to utilize an altered, updated yet very familiar version of the myth that black women cannot be raped. The focus has shifted since enslavement. It is no longer the majority opinion that black women cannot be raped, but the jury is still out, sometimes literally, on whether the rape of black women can be intelligible as a crime or, if it is instead, an act of bad judgement but not one that deserves criminal punishment. There is of course important contemporary scholarship on the role that law plays in the lives of black women more broadly thusly inclusive of sexual violence but not narrowly focused on it to which my work contributes.

On the one hand, Kimberlé Crenshaw claims that the law has a difficult time digesting black women not just in cases of sexual violence, but also in anti-discrimination cases because the law only understands single-identity discrimination and black women suffer indignities in the workplace, schools, hospitals, the military, and elsewhere because of the way two of the identities that they inhabit disenfranchise them. It is not always easy to track which identity is the reason behind the discrimination. On the other

hand, Saidiya Hartman cautions us against declaring enslaved black women to be totally devoid of agency. Though Hartman and Crenshaw share a critical lens to some extent, they differ on the extent to which black women are at the mercy of the court. Crenshaw acknowledges that the law views black women as a problem because the law is generally not supposed to dwell on the particulars of what judges and prosecutors might describe as the idiosyncrasies of individual experience. That is, of course, unless they have substantial empirical evidence that proves the individual experience to be more generalizable.⁷ But sometimes even this is not enough to sway the law, a very slow-moving entity, to move in the direction of justice for black women. Hartman also acknowledges that the law is a lackluster space for black women, but is more interested in what healing, justice, and/or self-fulfillment they are able to achieve regardless, despite and/or because of oppressive forces. This is, for example, how one may argue that Linda Brent's blackness is actually what enables her to build her own liberation strategy through premarital sex, something that if she were absolutely beholden to the standards the cult of white womanhood she would have been incapable of doing without risking enormous consequences.⁸ *Bodies in the Middle* intervenes in the discourse around race and sexual violence in the period of enslavement to propose that, although the questions of agency, discrimination, hypersexualization, and objectification persist into the middle of the twentieth and twenty-first centuries, new questions also arise around intelligibility, the possibility of systemic manipulation, and mediated/digital avenues of healing and/or justice for black female victims of sexual violence. The temporal shift from the period of enslavement to a Jim Crow and post-Jim Crow era encourages us to see black women as those who attempt to use the law to achieve justice. Both critical race theory and black

feminist literary theory offer important foundations for *Bodies in the Middle*, but another important discourse with which I am in conversation is critical rape studies.

Critical rape studies may be less well known than its theoretical ancestor, critical race studies, but its scholars are contributing work that is vital to this project. Critical rape studies is broadly defined as a theoretical and critical approach to culture and its products which places sexual violence at the center of theorization. Sabine Sielke and Regine Michelle Jean-Charles are two of the few who claim this label of “critical rape studies,” but there are others who are doing this work without naming it as such. Several scholars put sexual violence at the center of their work which exists across a variety of disciplines; scholars such as Estelle B. Freedman, Pamela Haag, Sandra Gunning, Glenda Gilmore, Cassia Spohn, Julia Horney and, of course, the patron saint of this dissertation: Danielle McGuire. Much of this work is dedicated to unpacking sexual violence itself and the rhetorics that it calls up around gender and consent, for example. Critical rape studies is also deeply invested in tracing the history of anti-rape and/or rape law reform movements, and/or how the representation of sexual violence in literature, film and/or visual art reinforces negative stereotypes for real victims of sexual violence. There is a branch of legal studies that dedicates itself to critical rape studies and more specifically calls for rape law reform from within the law. Of the legal studies branch, I have found the work of Hannah Brenner and Michael Bucchandler-Raphael to be especially compelling because they consider the impact that power-centric definitions of rape could have for rape cases, replacing consent-centric definitions. The work of these scholars are at the foundation of this project primarily because they allow for me to understand what it means in a contemporary moment to approach the study of sexual violence in a legal

context with a pro-victim lens. However, this field of study somewhat sets *Bodies in the Middle* apart as both within and outside of critical rape studies because I am not necessarily focused on unraveling how rape is defined or the intricacies of certain laws unless they are especially relevant to the legal case and/or novel at hand. What's more, critical rape studies conducted from the vantage of literary studies focuses a great deal on how language is used to represent sexual violence. I am not as concerned with the *representation* of sexual violence against black women, but it is, at times, a byproduct of my investigation into the juxtaposition of the legal record and the novel. In sum, I am certainly benefitting from terms and concepts that critical rape studies as well as rape law reform movements have made commonplace, such as the notion that sexual violence is not about sex but it is about power.⁹ Power-based notions of sexual violence are invaluable to an understanding of the dynamics at play for black women who are raped or sexually assaulted however when that power becomes racialized in addition to being gendered, it makes the "power" being utilized more ambiguous. This ambiguity is evinced by the fact that, of the critical rape studies scholars that I named above, only one focuses exclusively on black women.

The other scholarship that I use to develop my argument is critical race theory, a branch of legal and cultural studies that examines race as a foundational aspect of the American legal system. The founders and proponents of critical race theory, Kimberlé Crenshaw, Richard Delgado, Patricia J. Williams, and Andrew Taslitz have developed a number of useful principles and frameworks, but the most useful for an examination of sexual violence, race, and the law are intersectionality, the role of voice in the courtroom, and a pessimistic view of legal systems and their capacity to serve justice.

Intersectionality is a theoretical lens that Kimberlé Crenshaw developed for reading legal cases at which black women and other women of color are the center. This lens helps me to read the cases as well as the novels at the center of this project because it emphasizes race and gender as not only the identities of individuals, but also as categories that determine power hierarchies of society. Because of this emphasis on power, I view Crenshaw as often working in tandem with critical rape studies scholars and aforementioned black feminist scholars; after all, the Combahee River Collective puts nearly all of their political ideology in terms of power which they explain as what makes them socialists, “We realize that the liberation of all oppressed peoples necessitates the destruction of the political-economic systems of capitalism and imperialism as well as patriarchy” (213). Though Crenshaw never espouses socialism directly, much of critical race theory is based upon the belief that one must be suspicious of all systems, especially those founded upon the exclusion and objectification of women, people of color, people with disabilities, poor people, and people of other marginalized identities and/or social circumstances. Richard Delgado asserts this suspicion of the American legal system as the foundation of critical race theory and one of the potential albeit problematic tools that Delgado cites as serving to rectify legal injustice is narrative and voice. Both Crenshaw and Delgado point to the legal system as well as the dominant voice in legal scholarship as in agreement that the law is a system that has no race, no bias, and is only concerned with the facts of any given case. For this reason, conservative legal scholars saw the work of what they once called, the “New Race Theorists” as privileging the stories and voices of “non-whites” over “non-minorities” (6). Delgado explains that when people of color get to tell their own stories, this is not a privileging of those stories, but rather an

opportunity to bring our attention to “the abuses and petty and major tyrannies that minority communities suffer...systemic injustices that might otherwise remain invisible” (109). This project is a contribution to this continuous shedding of light upon voices that otherwise go unheard not just for the sheer act of doing so but because doing so has the capacity to broaden our understanding of the very definition of things we have previously taken for granted. What does justice for a victim of sexual violence look like if they are a black woman? If they are indigenous? If they are a trans woman? Each chapter ventures to use the specific arguments of critical race theorists to answer this complex question of justice while considering the historical context within which each case and novel emerges.

In the first chapter, “Justice in the Abstract: The (Un)intelligibility of Sexual Violence Against Black Women in the Case of Recy Taylor and Richard Wright’s *Native Son*,” I read The Case of Recy Taylor, a case in which a young black woman, Recy Taylor, is gang raped in 1944 in Abbeville, Alabama, with and against Richard Wright’s *Native Son*, a novel that follows its young black protagonist, Bigger Thomas as his own rage against white supremacy has the (un)intended consequence of raping and murdering his black girlfriend, Bessie Mears. The circumstances of the raped black women at the center of each case are markedly different. A grand jury fails to indict Taylor’s white rapists twice even after an international movement erupts in her defense. Contrarily, the character Bessie is not getting the chance to see her rapist and murderer indicted, convicted, and sentenced to death for the crimes he committed against her not only because she is dead, but also because, as many scholars argue, Bigger Thomas is on trial for the false rape and murder of a white woman, Mary Dalton. Though it takes some

effort to make these cases speak to one another because of these varied circumstances, they share the language of intelligibility. I use the biopolitical theories of Abdul JanMohamed as well as Patricia J. Williams' notion of gratuitous violence to argue that reading these cases alongside one another illuminates the proximity of death to intelligibility for black women who experienced sexual violence during Jim Crow and tried to make this violence intelligible as a crime. Vital to my research methodology is also archival research. I read closely the archival documents of the activist campaign to defend Taylor called the Committee for Equal Justice for Mrs. Recy Taylor. I analyze these archival documents according to literary studies strategies of close reading. This chapter also raises additional questions about justice, intelligibility, and the politics of respectability that I attempt to answer in the following chapter on Joan Little and Gayl Jones's black feminist novel, *Corregidora*.

In the second chapter, "Manipulating Bodies: Black Women Imagine Criminal Justice Systems in Gayl Jones's *Corregidora* and *State of North Carolina v. Joan Little*, 1974-5" I juxtapose the legal case, *State v. Little*, in which a young, black, poor, jailed woman is on trial for the murder of the white prison guard who sexually assaulted her and the novel, *Corregidora*, whose protagonist, Ursa Corregidora, is learning to reckon with the sexually violent, traumatic past of her formerly enslaved matriarchal ancestors, who I refer to as the Corregidora women. I use the work of critical race theorist, Andrew Taslitz's criticism on voice in the courtroom, black feminist literary criticism on the novel as well as archival research and analysis to argue that to read this case and novel alongside one another is to see intelligibility for black women as not only possible, but something which they can manufacture themselves albeit in problematic and, possibly,

self-terrorizing ways. The archival materials that I focus on are newspaper reports on the trial as well as Joan Little's testimony. In this chapter, black women are recognized as having had crimes committed against them and, though the circumstances are quite specific in that they are those of a murder trial and not those of a rape trial, it is vital to see that the recognition comes not in spite but because of the victim's blackness as her defense team works to use the historically violent treatment and neglect of black women under the legal system as evidence of the need to use *State v. Little* as precedent that this act is indeed a crime. There is no trial in *Corregidora*, but all of the characters are obsessed with legal language and the framing of legal systems, so much so that they build their own justice systems based off of tenets of the American legal system while imagining their own impossible rules and standards. In this chapter I argue that to read *State v. Little* with and against *Corregidora* is to shed light upon the ways that black women manipulate the mechanics of the legal system to make themselves intelligible as victims of sexually violent crimes. One of the gaps that both this chapter and chapter one leave open for chapter three to fill is the narrowness with which the project defines "black women". In chapter three, I consider the ways in which the rules around intelligibility that I have learned from the previous cases and novels apply and/or fail to apply to black immigrant women and other immigrant women of color.

In chapter three, "'I love this country but sometimes I not sure where I am": Black Immigrant Women, Sexual Violence, and Conceptions of Justice, Legal and Digital, in *New York v. Strauss-Kahn*, 2011 and Chimamanda Ngozi Adichie's *Americanah*", I examine the legal case *New York v. Strauss-Kahn* in which the city of New York charges the former director of the International Monetary Fund, Dominique

Strauss-Kahn, with sexually assaulting a Guinean hotel maid, Nafissatou Diallo alongside the contemporary novel, *Americanah* by Nigerian author, Chimamanda Ngozi Adichie, which follows Ifemelu as she migrates as a student from Nsukka, Nigeria to the the East Coast of the United States and then back to Lagos. When she is in America and experiencing serious financial constraints living as a student, she performs a sexual act in exchange for money that traumatizes her. The result of both the novel and the legal case is that neither Diallo nor Ifemelu experiences something that is intelligible as a crime. Both unintelligibilities are also rooted, in one way or another, in their statuses as noncitizens. In this chapter, I argue that to examine *New York v. Strauss-Kahn* and *Americanah* together is to discover the significant ways that the law continues to refuse to accept the complexity of some of the most vulnerable subjects as well as the ways that black immigrant women use digital and other visual media tools to circumvent that refusal and express their own truths. This chapter also raises a question that is lying beneath all of the chapters, but is especially present here which is the question of criminal punishment as a punishment for rapists. The legal cases which are featured in this dissertation do not represent the majority of rape cases in the United States because they are all cases of stranger rape. The majority of rapes that are committed in the U.S. are acquaintance rape and/or intimate partner rape, rapes that are committed by someone that the victims knows or has been intimate with in the past. Many of the state and federal protections that exist for immigrant women of color arose to protect them from intimate partner violence. This is a much more difficult crime to protect women against, especially undocumented immigrant women of color, because they fear that if they report the abuse to the police, they will be deported. Black women who are U.S. citizens share this

suspicion of the police, but not because of a fear of deportation but because of a fear of incarceration for either themselves, their abusive partners or both.¹⁰ Obviously not all black women in the U.S. have an intimate relationship with the criminal justice system either through their own experiences or the experiences of family members, romantic partners, and/or friends, but mass incarceration does impact an astonishing number of black women that is far out of proportion with their percentage of the overall American population. The coda works to briefly conclude the dissertation by clarifying its desired impact, the illusion of progress in its structure, and the thematic connections and disconnections between each chapter.

¹ Sharon Patricia Holland talks at length about the entanglements between eros and racial hatred in her foundational book, *The Erotic Life of Racism*.

² *State of Missouri v. Celia, A Slave*, 1855 is one legal case that solidified the rape of slaves as lawful under United States law. Celia endured five years of sexual violence at the hands of her master until, reaching her limit, she retaliated with violence and killed him. She was put on trial for murder during which the judge and jury stated that Celia had no right to defend herself against the desires of her master because, as his property, she must perform the duties asked of her. Celia was sentenced to death, concretizing the total lack of access enslaved peoples had to their sexual violations being intelligible as crimes.

³ Novels and plays such as *Meridian*, *The Color Purple*, *The Street*, *The Bluest Eye*, and *A Raisin in the Sun* are some of the most notable contributors to this category of literary works that place black women at the center of a twentieth century conversation about sexual violence, but the law is often excluded from the narrative or is at least not as prominent a part of the story as it is in the novels which are under examination in this project.

⁴ The absence of a public memorial of the names of black women who have been raped continues, but there has at least been a very recent push to memorialize the names of black women who were lynched as The National Memorial for Peace and Justice in Montgomery, AL evinces. The memorial opened on April 26, 2018.

⁵ A note on the stereotypes mentioned here. In her landmark essay, "Love No Limit: Towards a Black Feminist Future (In Theory)," Brittney C. Cooper passionately interrogates the future of black feminist theory. Though she sees that there is worthwhile work being done, she is disappointed that the expansive work of theorists like Patricia Hill Collins have been reduced to black female stereotypes as their catchphrase and nothing else (12). This lead me to think that to focus on stereotypes of black female sexuality could be misconstrued as a theoretical reduction. I agree that to reduce all black feminist theory to an unpacking, undermining, and general messing with stereotypes is unfair, but this does not mean that those stereotypes cease being useful analytic tools.

⁶ This does not mean that enslaved women never reported their sexual violations. There are a handful of cases in which enslaved women attempt to get justice for these violations. One of the most famous is *State of Missouri v. Celia, a slave* (1855) in which an enslaved woman named Celia is “tried, convicted, and executed” for killing her master who subjected her to sexual torture. Fundamental to the case was the question of whether Celia had the right to resist her master’s advances and it was determined that she did not. Certainly, there are similar cases waiting to be unearthed.

⁷ A good example of the ways that the law rejects individual experience until it is proven to be generalizable is what is commonly known as “the doll test” used during the *Brown v. Board of Segregation* Supreme Court case in 1954. The doll test was formulated by sociologists at the time who used it to prove that school segregation, and the doctrine of separate but equal more broadly, did not only cause black children to suffer a lack of educational resources, but also that it made them internalize anti-black racism so deeply that they viewed their blackness as a moral flaw. I conclude from this and other maneuvers that appear throughout this project that the court tends to err on the side of not believing black people, women, and other marginalized peoples until empirical evidence can corroborate those stories which is not always possible.

⁸ Catherine Knight Steele quotes Patricia Hill Collins to corroborate this idea about marginalization as allowing for creativity, “Patricia Hill Collins (2000, 226) explains, racism has created a separate communal structure for African Americans where a culture of resistance may exist apart from the dominant structure” (114). Steele goes on to mention that this is hotly contested ground amongst critical race theorists, but I tend to agree with Collins though I am primarily concerned with creativity and/or imaginative thinking (not always resistance-based) as a byproduct of marginalization.

⁹ Though this power-based definition of sexual violence is common in certain cultural contexts, it has still not had a great track record of penetrating the legal side of things. An example of this is the advent of rape shield law which was a demand of rape law reform advocates in the 1990s to keep the question of victims’ sexual histories out of the trial. The reasoning being that if rape is about power and not about sex those sexual histories will not be relevant to the case. But it is very hit and miss whether or not rape shields are actually able to function in the courtroom when prosecutors and judges either find ways around them or dismiss them entirely.

¹⁰ There are a number of cases in which black women call the police on their abusers and end up being the one handcuffed and charged with a crime. The case of Marissa Alexander is one of the most recent and high-profile. In 2012, Alexander fired a warning shot at her abusive husband and was charged and convicted with 20 years to life imprisonment for aggravated assault with a deadly weapon. She served five years and was able to negotiate her release for February 2017 through a plea deal thanks in part to the grassroots movement, Free Marissa Now Campaign.

Justice in the Abstract:
Sexual Violence Against Black Women in the Case of Recy Taylor and Richard Wright's *Native Son*

It is the evening of January 7, 2018, the 75th Annual Golden Globes ceremony is in full swing, and Oprah Winfrey is on stage to accept the Cecil B. DeMille Award for outstanding contributions to the world of entertainment. She gives an invigorating speech about diversity, representation, and equity in the industry. But the bulk of Winfrey's speech, and the parts that went viral on social media the following day, was devoted to the #MeToo and #TimesUp movements. Though the reader may already be aware, I'd like to pause to define these movements. The #MeToo movement is a broad online conversation about sexual violence whereas #TimesUp is a specific movement around the issues of sexual assault in the workplace, particularly the film industry of Hollywood.¹ Rather than speak narrowly about these contemporary movements, Winfrey established how far-reaching the problem of sexual violence is not only historically, but also geographically.

Most significant is that the story that Winfrey used to express the gravity of this point was the story of Recy Taylor. After triumphantly expressing gratitude for the women in occupations and fields of labor—from domestic workers to academics—who have come forward, Winfrey introduced the world to Recy Taylor:

And there's someone else. Recy Taylor. A name I know and I think you should know too. In 1944 Recy Taylor was a young wife and a mother. She was just walking home from church service when she was abducted by six armed white men, raped, and left blindfolded by the side of the road coming home from church. They threatened to kill her if she ever told anyone. But her story was reported to the NAACP, where a young worker by the name of Rosa Parks [applause] became the lead investigator on her case and

together they sought justice. But justice wasn't an option in the era of Jim Crow. The men who tried to destroy her were never persecuted.² Recy Taylor died 10 days ago, just shy of her 98th birthday. She lived, as we all have lived too many years, in a culture broken by brutally powerful men. For too long, women have not been heard or believed if they dared to speak their truth to the power of those men. But their time is up. Their time is UP! [applause] (00:05:19-00:06:55)

As seen from this excerpt, Winfrey tells the story of Recy Taylor with a great deal of detail, making sure to dwell on the most graphically violent details. But it is vital to note that Winfrey never mentions that Recy Taylor was a black woman. Instead Winfrey allows the majority white and wealthy audience in the room to infer Taylor's racial identity given clues like the whiteness of the assailants, Rosa Parks, the NAACP, and the era of Jim Crow. She relies on the audience knowing, without being told, that black women are the ones who suffer such deprivation of rights in American history. It almost seems unnecessary to mention Taylor's blackness given this historical truth. Nevertheless, it is the explicit omission of Taylor's blackness that allows for Winfrey to further abstract her in the latter half of the quote: "She lived, as we all have lived, too many years in a culture broken by brutally powerful men." By not mentioning Taylor's blackness and thus inviting Taylor into a royal "we," Winfrey transforms Taylor from a person who is particularly embodied into a person who is the disembodied symbol at the center of a neat universal story about sexual violence.

I do not mean to put undue pressure on Oprah Winfrey or her speech. After all, an awards show speech is not exactly the appropriate format for nuanced and complex discourse. Winfrey's speech is, however, a handy contemporary container for some of the most vital aspects of Taylor's case as well as of this chapter: abstraction and intelligibility. Winfrey, in fact, uses

Taylor and her story in much the same way that Taylor's committee of defenders used her. In this part of the chapter I will show the layered and complex nature of the discourse around Recy Taylor's defense through an analysis of select archival documents.

Integral to the logic of this chapter is some engagement with the terms mentioned above: "abstraction" and "intelligibility" and my usage of them. When I use the word "abstract" as a verb, I am contributing to volumes of scholarship about black erasure, the dangers of whiteness as a universal default, and the notion of abstraction as a form of cultural smudging à la Orlando Patterson, Fred Moten, and Marlon B. Ross.³ In the context of both the Case of Recy Taylor and *Native Son*, to be abstracted specifically refers to being abstracted from aspects of one's embodiment, be that raced, gendered, and/or sexually traumatized. I am using the term "intelligibility" to refer to the capacity of the black woman's body to be coherent to a public audience as one that has had a sexually violent crime committed against it. To avoid confusion, I will largely use the full phrase "coherent as having had a sexually crime committed against her" in place of "intelligible" throughout this project.

In this chapter I argue that the Case of Recy Taylor and *Native Son* are instructive, helping us to see that the role of the law is not only one of the villain who coerces black women into abjection, into a space of neglect where their sexual violations are never made intelligible to the state nor to its inhabitants.⁴ When legal and literary evidence speak to one another, it allows us to notice that law plays a more Afropessimistic role in the lives of black women who have experienced sexual violence than previously thought. Under the guidance of scholars and artists like Frank Wilderson, Jared Sexton, Toni Morrison, and Suzan Lori Parks, I discover an Afropessimistic analysis of the law in the legal cases and novels under consideration. From this perspective, the law is not always a branch of naked oppression; in fact, the law can both combat

the abstraction of black women at the very same time that it weaponizes that abstraction to maintain the unintelligibility of those women.

In order to engage with the complex layers of critical rape studies and critical race studies at play in the Case of Recy Taylor, we must first understand exactly what happened to Recy Taylor. On September 3, 1944, in Abbeville, Alabama, Recy Taylor, age 24, was abducted and gang-raped by seven white males: Hugo Wilson, age 16; U.S. Army Private Herbert Lovett, age 18; Dillard York, age 17; Billy Howerton, age 14; Luther Lee, age 17; Joe Culpepper, age 15; and Robert Gamble Jr., age 17. Recy Taylor reported the crime to Sheriff Gamble (no relation). The rapists were never charged with any crime. A grand jury was held on October 3 but the all-white, all-male jury chose not to indict. Months later, the grand jury was forced by governmental pressure to convene again, but returned the same failure to indict. Flash forward almost six decades later. In 2011, the Alabama Senate joins the House in passing a resolution that expresses “deepest sympathy and deepest regrets” to Recy Taylor for the cover-up of the crime, a cover-up committed by local and state officials.

The case of Recy Taylor is a story. As the above synopsis demonstrates, her individual story contains many stories. Her story is that of a black female rape victim, a story of rape survival, a story of the modern expansion of the civil rights movement, a story of the failure of a movement, a story of world war, of conservative views of democracy, of the legal justice system, of liberal feminism, of the politics of respectability. The list of stories contained in this single case could go on forever.

It is not the purview of this project to address all of the potential national and international narratives that this case raises. My project engages with the problem that black women who are sexually violated pose to the legal systems from which they are trying to get

justice. Due to a long history of sexual violence under slavery as well as the stereotypes about black female sexuality that haunted black women throughout the postbellum period, literary scholars and historians, such as bell hooks, Darlene Clark Hine, and Saidiya Hartman often argue that black women lack access to justice for sexual crimes committed against them.

Recy Taylor's case proves that this argument about access is incomplete. It is not as if Taylor received justice, but we cannot pretend that she utterly lacks access to justice either. Recy Taylor is the first black woman whose reporting of her rape sparks a national movement, the Committee for Equal Rights for Mrs. Recy Taylor. Although this international, interracial social justice movement brings widespread attention to Recy's case, it fails to bring her any justice.

The primary concern of this chapter is best phrased as a question: How is the raped black female body made intelligible as having had a crime committed against her? I define intelligible as a state of being that satisfies two requirements: 1) the state and/or the public recognize that the black woman has been sexually violated and 2) the state and/or public acts in defense of the black female victim either to compensate her, punish her assailants, or both. I will think about this question of recognition and intelligibility in the terms that two narrative sites offer: the legal case of Recy Taylor and the novel *Native Son*.

In conjunction with the case study of Recy Taylor, Richard Wright's *Native Son* not only poses this same question of intelligibility for its character Bessie, but also offers an answer that requires a biopolitical approach to rape. Such a *bios*-focused approach to race and violence has been implemented by Alexander Weheliye in his recent book *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*, in which he develops theories of race and life primarily using the theoretical scholarship of Hortense Spillers and Sylvia Wynter. Though this work does not focus on rape alone, it attends to definitions of the

human and issues of the body. My project contributes to the line of thought that this work inhabits by incorporating the case of Recy Taylor and other historic legal cases of race rape to test the boundary between theory and praxis.⁵ Weheliye proves that Taylor's case and Bessie's fictional trial walk on common theoretical ground. Bessie and Taylor are also similar because of all of their situational commonalities: both are black women who experience sexual violence and receive degrees of justice for that crime. But Richard Wright also uses Bessie in much the same way the Committee uses Recy: as symbols of the broader issue that black women face when crimes committed against them are made unintelligible to the law. The legal case and the novel, however, present differing yet coinciding views on intelligibility and the role of death in critical rape and critical race discourse. Though the two cases are different, they are similar in how they treat abstraction.

During Jim Crow, *Native Son* and Recy Taylor act as witnesses to the cultural shift occurring during the 1930s and 40s as the modern civil rights movement (as it would come to be known) was just beginning to develop its most fundamental strategies, particularly its legal strategies.⁶ At this time, on both sides of the political debate, arguments were being made for abstracting black women from their bodies in order to make them digestible as victims of crimes. Though abstraction was useful it was damaging because it failed to insist that black women could access justice through embodiment rather than in spite of it. One of the primary manifestations of abstraction is the issue of biopolitics that occurs for black women who are sexually violated.

In this chapter I argue that the case of Recy Taylor and *Native Son* point to how the Jim Crow-era legal system used death and/or the abstraction of black women from their raced and/or gendered bodies to make them intelligible as victims of crimes. Ultimately, I want the reader to

understand that in the story of black women and sexual violence, the law is not always the villain and the artist the rescuer. And vice versa. The law does not always function to abjectify and exclude black women.

In her book *At the Dark End of the Street: Black Women, Rape, and Resistance—A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power* (2010), Danielle L. McGuire places a number of rape cases in which black women were victimized at the center of a civil rights discourse. McGuire opens her book with the story of Recy Taylor, whose rape case had gone unrecognized since the occurrence of the crime in 1944. McGuire's book is informed by several interviews she held with Taylor, who passed away in 2017, as well as with Taylor's brother. It was in fact McGuire's work that motivated Taylor's brother, Robert Corbitt—who was 8 years old at the time of the rape—to bring the case to the Alabama Senate and seek acknowledgement and compensation either through punishment or financial compensation for the damages that Taylor and her family incurred.

Thanks to McGuire's book and the state of Alabama's public apology to Taylor in 2011, Taylor gained more widespread attention from blogs and other media outlets. Taylor spoke several times with the online black news outlet *The Root* and mentioned her support of Robert's actions, saying, "It was a long time ago. But I still think something should have been done about it."⁷ Her words are vague. What could she mean by "something"? This vagueness encapsulates the disregard with which society treated the rape of a black woman in 1944. It makes sense that Recy cannot articulate precisely what "should have been done" because she had no "thing" to refer to. Only "something." "Something should have been done" implies that nothing was done, that no action was taken. McGuire, however, would say that something was indeed done. Using an in-depth examination of several overlooked archives of social justice movements, McGuire

asserts that despite the failure of a very public year-long campaign, the Committee for Equal Justice for Mrs. Recy Taylor (I will refer to it as the Committee) set an important precedent for anti-rape and anti-racist activism that eventually spread around the country. But, Recy Taylor is right to say what she says in her interview with *The Root*. Ultimately, she received no justice. Taylor's words echo loudly in this chapter because they prove the unintelligibility of the raped black female, particularly in the Jim Crow-era. It seems that nothing can be done for the woman who society has deemed unrapeable and constantly sexually available.

But it is not so simple. The actions and rhetoric of the Committee confuse the tautology of the black female: the raped black female is unintelligible as such. By unintelligible I mean that the black woman is not yet coherent as one whose sexual violation may be deemed a crime. After all, the Committee's year-long campaign attempted, very earnestly and sincerely, to make the rape of Recy Taylor intelligible. Even if they were unsuccessful, their attempt is proof of a change in cultural attitudes toward black women that deserves specific attention.⁸ Her case is essential to our understanding of the raped black woman not simply because it is a documented example of when this bodily suffering was discounted (there are likely many stories like this) but rather because Recy Taylor's rape was made *temporarily coherent as a victim of rape* through the more than year-long Committee for the Equal Justice for Mrs. Recy Taylor.

The Committee for Equal Justice for Mrs. Recy Taylor

Upon going through "The Case of Recy Taylor" files in the Alabama Department of Archives and History, I found hundreds of letters, postcards, telegrams, and petitions to Governor Chauncey Sparks asking him to bring justice for the young Negro woman in Abbeville, Alabama.⁹ These documents are crucial for understanding the several strategies-in-common that

Committee leaders and concerned individual citizens used to make Taylor coherent as a victim of a sexual crime to Governor Sparks and the white supremacist state he represented.

Before delving into these strategies, I want to explain an important detail. The Committee makes Governor Sparks the target of all of their efforts. And this makes sense. It is within Governor Sparks's power to investigate the Taylor case and force another grand jury to convene in an attempt to indict. But it is worth noting that Governor Sparks's powers are limited.¹⁰ He did in fact investigate the case and got another grand jury to convene in Abbeville. But once he did this it was up to the individuals on that jury whether to indict Taylor's rapists.

That the Committee chose to focus their energies on state powers is one indication that the organization was not expecting systemic change—reform of the jury selection processes, considering race and gender as key considerations in selecting a “fair” jury—but rather wanted to use the case of Recy Taylor to point to broader systemic inequalities. Instead of aiming to fix the issues that were specific to Taylor's case, the Committee, the NAACP, and Rosa Parks see her case as an opportunity to make public certain systemic injustices, such as the threats being posed to the equal rights protections in the constitution.

This is the difference between “making legible” and “making intelligible.” The Committee were able to make Taylor's rape legible to a wider public audience, meaning that they were able to convince those living and working outside of the Committee (even the Governor, Attorneys General, and other state officials) that a crime was committed against Recy Taylor. To make Taylor “intelligible” requires that not only the crime be made evident as a crime, but also that there be some level of action to punish the rapists.¹¹ Though we can commend the Committee for their advocacy it is important to see the limits of their efforts to provoke *action* against Taylor's rapists. It is clear that the Committee was aware of its goal to

make Taylor legible as *criminally* raped to audiences with a range of receptiveness to this idea. Significantly, when communicating to a more conservative audience, the committee *abstracts* Taylor from her particular embodied identity in the hopes of making her a defensible universal symbol.

We can uncover their strategies by investigating a few of the most common rhetorical themes running through a few of the archival materials that the Committee produced. As mentioned, the Committee left behind an impressive record of their work on behalf of Recy Taylor. There are hundreds of letters, telegrams, and postcards amongst these archival materials. The writers of these documents are often from the kinds of politically active, left-leaning justice organizations one might expect to be involved in civil rights work, such as black churches, interracial labor unions, black justice leagues, and white anti-racist organizations from the North and South.

There was special investment from women's rights organizations and individual supporters of such causes. Carrie Chapman Catt was once such individual. Catt, one of the establishing members of the suffrage movement and founder of the League of Women Voters, was one of several white, Northern letter-writers to make a connection between Taylor's case and the dissemination of democracy abroad during World War II. Catt makes this connection between domestic and international struggles in her letter to Governor Sparks dated 4 months after the crime, January 19, 1945:

In the course of a lifetime I have received a good many letters from organizations, informing me of some terrible crime that has been committed and asking me to do something about it. I have always felt that this was not the responsibility of private citizens, but now that our indignation is whipped up daily by some kind of crime

committed in the name of war by the Germans or the Japanese, I feel that our own reputation for decency and morality is at stake. (1)

In this excerpt, Catt uses one of the most common rhetorical strategies amongst letter-writers. In general, Catt's sentiments about "decency and morality" are wildly at odds with racist and sexist perceptions of black women in 1940s America. As the signifiers of all things bodily and earthly—their bodies nearly synonymous with the earth—black women were relegated to the past—a slave past, a primitive African past—that permitted and even mandated their sexual victimization as white men were granted open access to their bodies.¹² Black women are seen as unrapeable because one cannot coerce or force sex upon a body that is predisposed to be sexual, or so the misogynoirist logic goes.

Though it is remarkable that Catt defies white supremacist illogics here in defense of a black woman, there are also limits on this defense of Taylor as a defense of national morals. At the same time that these concerned citizens want to defend Recy Taylor, they will only do so under a conservative view of equal protection that subsumes Taylor's racial identity to her gender identity. Catt is eager to incorporate the attack on Taylor as an attack on national ideals. Like Winfrey's abstraction of Taylor in the opening of this chapter, it is possible that the Committee leans so heavily on the concept of equal protection that it fails in its efforts to make a black woman coherent as a victim of rape. The Committee knows that if it makes Recy Taylor's blackness explicit, this will turn the cause into a black rights issue when they really want to maintain its status as an equal rights and/or women's rights and/or human rights issue. On the one hand, Catt's rhetoric is radical for her time as she refers to what happened to Taylor as a "crime" and to the defense of black women as on par with issues of national security. On the other, the language that Catt uses is also a helpful introduction to the conservative rhetoric

echoed by so many other concerned citizens who expressed an eagerness to abstract Taylor as a means of defending her from being overlooked as the victim of a crime.

This conservative logic around the black woman's body can be seen not only in the letters to the governor from individuals, but also in the propaganda material circulated by the Committee.¹³ This includes the several pieces of correspondence Henrietta Buckmaster, the Committee chairwoman, wrote to Governor Sparks, as well as the documents she wrote attached to Committee propaganda with the goal of spreading the word of Taylor's story quickly and, thus, applying external pressure to the governor to act in her defense. A few of the documents that Buckmaster wrote evince the way that the Committee used different rhetorics around black women and intelligibility depending on the audience that they were trying to sway. Buckmaster sent a telegram to the Alabama governor that asserts conservative views—similar to those of Catt—toward rights and political subjectivity; this is one of the earliest pieces of correspondence received by Governor Sparks's office on December 29, 1944, only three months after the grand jury failed to indict on October 3, 1944. Buckmaster writes, "Our deep interest [in Recy's case] is dictated by considerations of the protection of all American womanhood and equal application of the laws which protect women from brutality regardless of the race or color of any of the persons involved. . ." (1). Buckmaster's phrasing, "regardless of the race or color. . .," is on the one hand, radical for its time and, on the other, abstracts Taylor from her racial identity to form a paradox: Taylor needs to be portrayed as a black woman to stay true to her story of victimization even as her blackness contradicts access to being coherent as a victim of a sexual crime given the deeply embedded myths around black women as unrapeable. Even the chairwoman of the very movement that was fighting for Recy Taylor to receive justice could not do so without abstracting her blackness from her "womanhood," her race from her gender. Buckmaster is

aware that she must translate Taylor's defendability as a raceless one for an audience like the governor of Alabama. Recy Taylor must be positioned as deserving of rights not *because* she is a black woman, but rather *in spite* of this fact. Her race, therefore, becomes not just an incidental trait, like a birthmark or a speech impediment, but also a stumbling block rather than a boon to political equality.

Such abstraction within the context of activism is far from surprising. The civil rights movement as a whole has received much retrospective criticism, and was criticized at the time, for ignoring other identity-based issues that were perceived as possibly distracting from the focus of racial injustice. Danielle McGuire's book asserts that although the subjugation of black women in slavery has been heavily theorized, the rape of black women has never been addressed as historically relevant to the modern civil rights narrative. Her subtitle alone, "A *New* History of the Civil Rights Movement," suggests that the old history excludes the stories of raped black women because such stories are not conducive to formations of national identity. Buckmaster's strategy above is aligned with mainstream civil rights strategies: use cases in which black women are violated as examples of broader human rights violations so as to make an argument for either racial equality and/or gender equality overall.

This representation of Buckmaster may not be fair: after, all, she is communicating a certain version of Taylor's story because of her audience. In other words, Buckmaster does not abstract Taylor from her blackness *unless* doing so would be beneficial to making Taylor coherent as the victim of a sexual crime. This consideration of audience is crucial in any analysis of the Committee's archival materials, which included, in addition to letters to the governor, a number of pieces of organizational propaganda to spread the word about Taylor's plight to universities, left-leaning institutions, and interested individuals.

One such piece of propaganda is an informational pamphlet titled “Equal Justice Under Law.” The pamphlet is a call to action. Aimed at an audience that will likely be sympathetic to Taylor’s plight, the pamphlet tells the story of Taylor’s violation, the subsequent governmental inaction to come to her defense, and what the recipients of the pamphlet can do to push those in power to defend Taylor. In this piece of Committee propaganda, Buckmaster’s rhetoric appears more radical. Buckmaster seems eager to use Taylor as less of an abstracted symbol of the denial of rights and more as a black female symbol of the denial of a woman’s right to protect her own body:

When indignities occur, when humiliation is thrust upon any woman in Alabama, in New York, in California, it is an indignity which must strike the nervecenter of everyone who deserves the name of human being. The sacred white-woman-cult of the South is a blood-sucking disease which affronts me as it affronts you. It robs the white woman of hope and self-respect, and it strips the Negro woman of dignity and confidence. Let us acknowledge then what Recy Taylor represents to us. She represents more than a woman who chances to be a Negro in Alabama. She represents all the past and the future—our hope of a free new world, our passionate conviction that the day has almost come when women everywhere may raise their children without fear, and love their husbands with assurance, and be the individuals to which their highest hopes and capacities entitle them. This is what we are fighting for. When we say “Equal Justice for Recy Taylor!” we are also saying, “Equal Hope, Equal Joy, Equal Dignity for every woman, child and man the wide world over!” Is that too much to ask? Why, that is the very meaning of life itself!

(2)

There are two ways to read this excerpt. A less generous reading sees Buckmaster's language as a repetition of the previous excerpt. Buckmaster pushes Taylor's blackness aside when she states, "[Taylor] represents more than a woman who chances to be a Negro in Alabama." This dismissal could be read as demonstrative of the narrow line that the Committee walked between black rights as human rights and black rights as black rights. In other words, that the Committee publicizes Taylor's blackness as not what makes her deserving of rights—it is not the centuries of disenfranchisement, it is not the particular conditions of poverty that the Jim Crow south enforces, it is not the mental system of intimidation and corruption that keeps white men in power protecting other white men in power who commit acts of sexual violence—but rather it is her raceless humanity. Not only is Taylor not a mere representative of her race or her gender, but "She represents all the past and the future—our hope of a free new world, our passionate conviction that the day has almost come when women everywhere may raise their children without fear, and love their husbands with assurance. . ." With her language, Buckmaster once again positions Taylor as a symbol, the crime committed against her black and gendered body is once more abstracted as a crime committed against the highest ideals of the country, such as hope, freedom, and egalitarianism.

But, there is a second, more generous way to read this excerpt. Yes, Buckmaster is abstracting Taylor from her race, but she is simultaneously racializing her. Buckmaster invokes "The sacred white-woman-cult of the South" as a "blood-sucking disease" "that strips the Negro woman of her dignity and confidence" (2). This graphically racial and violent language is completely absent from Buckmaster's direct message to Governor Sparks precisely because it would not convince him of Taylor's humanity to hear of how the specific myths around white female purity put black women in a specific kind of vulnerable, threatened, and physically

brutalized position.¹⁴ What Buckmaster's various writings for the Committee make clear is that any defender of Taylor who was invested in speaking to a variety of audiences spanning the political spectrum had to talk out of two sides of their mouth: out of one side, defenders or allies had to defend Taylor, which meant abstracting her from the very thing that made her undefendable: her blackness; out of the other, they could defend Taylor *as* a raped *black* woman and not ignore or blur the very aspect of her identity that made the crime committed against her unintelligible to a grand jury not just once but twice.

There is a historical precedent for the act of abstracting I am committing by pointing to Recy Taylor as representative of larger problems that black women confront when seeking justice for their rapes. But there is in fact historical precedent for this. Unfortunately (or fortunately), Recy Taylor's case quickly became representational for the raped black woman. McGuire details how subsequent anti-rape/anti-racist protests that arose in the 1950s and beyond explicitly bore the legacy of Taylor's case. These protests used some of the strategies they learned from the Committee and other earlier civil rights movements to build defenses of other individual black women like Melba Patillo, Betty Jean Owens, and Joan Little. Since Buckmaster and Catt are working within the abolitionist and suffragist strategies of previous generations, it is no wonder that abstraction is their key to intelligibility for the raped black woman when communicating Taylor's defendability to certain audiences. However, this does not erase the fact that the various correspondences and propaganda of the Committee showcase how Taylor was abstracted from her blackness in order to be made coherent as a victim of a crime for specific audiences.

The issues of abstraction, race, black women, and sexual violence continues, albeit in a different shape, with Bessie Mears, the raped black female character who I place at the center of

an analysis of Richard Wright's most well-known novel, *Native Son*. A biopolitical approach is crucial when considering race, rape, and abstraction in this novel. Unlike with Recy Taylor, Bessie's rape is made coherent as a crime. Unlike Recy Taylor, Bessie dies. The critical theory of biopolitics articulated by Giorgio Agamben, the sociopolitical theory of biopolitics elucidated by Abdul JanMohamed, and the critical work of Sondra Guttman frame the relationship between abstraction and death for black women as well as the comparative reading of "The Case of Recy Taylor" and *Native Son*.

Biopolitics, Rape, and Representation

Though there are several scholarly works that read race in *Native Son* with a biopolitical lens, there is little to no scholarship that directly applies biopolitics to the combined issues of race and rape with Bessie at the center.¹⁵ Though Abdul JanMohamed somewhat unconsciously attempts to correct this gross oversight in his book, *The Death-Bound-Subject: Richard Wright's Archaeology of Death*, even he fails to see rape as an essential piece of the theoretics of politicized life.

Giorgio Agamben heavily influenced Jan Mohamed's conception of biopolitics.

Agamben defines biopolitics according to Foucault's notion that once a society reaches the "threshold of biological modernity," the "individual as a simple living body [will] become what is at stake in a society's political strategies" (136). In other words, biopolitics is an area of study in which critics and researchers examine the politicization of life. Although Agamben does not make this leap explicitly, Weheliye, JanMohamed, and others have clearly noted that there is room within biopolitics for the useful, albeit outdated, notion of "identity politics." Identity politics asks us to examine the politicization of identity. To study black women, be they fictional

or historical representations, is to investigate the inextricability of black women's lives from their identity.¹⁶ Although he never interrogates his claims with regard to race, gender, class, or sexuality, Agamben's entire argument centers on the relationship between the nation and the individual lives that inhabit it.

State power, as enforced by law, is crucial to the relationship that Agamben formulates between the individual and this notion of "life." He uses legal terms from ancient Rome, "bare life" (*zoe*) and "sacred life" (*bios*), to stage an argument about a foundational assertion regarding the state of exception. The body politic is not only formed around the individuals that it includes—the citizens, those whose lives are sacred, and the bare lives—but also around those lives that it chooses to exclude. The state can choose to exclude in a number of ways, but the most significant way is through the power over the state of exception: the power to decide when and where and for whom the law is suspended. This is a paradoxical view of certain bodies who are included into the state by the fact of their exclusion from it. Agamben draws from ancient Rome for the origins of biopolitics, but harps on World War II as a time when the powers of state over life were at their most obvious and cruel.

Agamben's historical perspective brings Catt's description of the context of the Recy Taylor case back into view and therefore bears repeating: "now that our indignation is whipped up daily by some kind of crime committed in the name of war by the Germans or the Japanese, I feel that our reputation for decency and morality is at stake." As previously noted, Catt draws a parallel between the abuses of state power by Nazi Germany and white supremacist Alabama. Agamben refers to this blurring of state power structures (democracy and totalitarianism) as a byproduct of this politicization of the *bios*, qualified life, and *zoe*, bare life.

Given his focus on how some inhabitants of a society become legible precisely because they are excluded from it, Agamben's theories are helpful for thinking through the relationship between intelligibility, sexual violence, and death represented through Bessie in *Native Son*. As mentioned earlier, the case of Recy Taylor proves that the rape of black women cannot be both abstracted *and* intelligible. In order for her rape to be validated, both her racial and gender identity must be recognized when the state acknowledges the crime against her. The character of Bessie from *Native Son* offers an example of such dual recognition. Bessie is the raped black woman who stands in partial defiance of Agamben's state of exception; it is in fact her death, the very thing that is supposed to exclude her from society and the state, that begins to make her intelligible as a raped black woman. The work of Abdul JanMohamed is useful for teasing out Bessie's place in a biopolitical frame. Many people have employed the theories of Agamben in literature, but none quite so electrically as JanMohamed in *The Death-Bound-Subject*.

There are a number of ways that Bessie and the crimes committed against her are abstracted in *Native Son*. The first way is that both the novel and scholarly criticism of the novel discuss the sexual violence that she experiences in a way that erases the act or subsumes it under some seemingly all-encompassing terminology, namely death. JanMohamed, for example, categorizes the act of rape as just one of many abuses to which the "bare life" is made vulnerable. In this way, JanMohamed mimics Wright and the character of Bigger Thomas in *Native Son* by eliminating all gender-specific boundaries that exist between rape, death, and other forms of physical and psychological abuse (9). By not isolating the raping of black women in *Native Son*, we miss out on the specific history of unintelligibility that this sexual crime holds as well as the particular way that the law racializes and genders consent and rape law.¹⁷ Though JanMohamed blurs the lines between rape and death, he at least recognizes the role of gender in

this blurring. Even this use of gender, however, maintains a focus on Bigger Thomas while ignoring Bessie (81–82). In JanMohamed’s estimation, whereas white supremacy utilizes forces of sexualization and racialization to “feminize” the black male, Wright employs them to destroy, actually and metaphorically, the very objects of which his protagonist, Bigger Thomas, is supposed to be deprived ownership: the bodies of white and black women. Though JanMohamed puts a great deal of emphasis on sex as an aspect of his theorizing, he elaborates upon his understanding of the specific role that he sees rape playing in Wright’s work when he takes a close look at “How ‘Bigger’ Was Born,” Wright’s Introduction to *Native Son*.

In the prefatorial essay. . . [Wright] argues: . . . “the reason for the lynching is usually called “rape,” that catchword which has garnered such vile connotations that it can raise a mob anywhere in the South pretty quickly, even today.” “Rape” thus becomes the metonymic sign for all violations of the racial border. Wright’s primary focus in *Native Son*, however, is, not on this injunction, or on racialized sexuality, but on the dialectics of death. . . Wright thus articulates the conjunction of eros and thanatos in such a way that he is able to enhance dramatically our understanding of how the slave or the Jim Crow racial economy deploys death to bifurcate life into two, into one portion that has use-value, which the slave is allowed to keep in exchange for the other portion, the exchange-value of life, which the master appropriates for his own use. (83–84)

JanMohamed replaces Wright’s metonymic of “rape” with his own metonymic of death. Both metonyms abstract Bessie, causing the act of sexual violence that Bigger Thomas commits against his girlfriend, Bessie, to lose its gendered and racial specificity. JanMohamed’s focus is on the entire body of Richard Wright’s work through the lens of death so he is not wrong to place the abstracted “violence” rather than the particular “rape” at the center of his study. In

other words, it makes sense that JanMohamed places Bigger rather than Bessie at the heart of his interrogation of the novel.

However, for my purposes of centering Bessie to theorize the intelligibility of the raped black woman, rape is not “the metonymic sign for all violations of the racial border” because this would require a hierarchical relationship between death and rape. This hierarchy is impossible for Bessie because Bigger rapes *and* murders her. Yet the novel insists upon a hierarchy between these violent acts by constantly omitting the fact of this sexual violence. The novel therefore insists upon a frustrated relationship between death and rape as well. It may seem unnecessary to harp on the centrality of rape in a novel like *Native Son* since sexual violence plays such a major role in the plot: a young black male protagonist is accused of murdering and raping a young, rich white woman, rapes and murders his young, poor black girlfriend, and, generally, has a difficult time separating pain from desire, pleasure from violence throughout the novel. However, my project demands that sexual violence be at the center of a reading of *Native Son* because this is an investigation of the extent to which this crime can be intelligible as a crime when black women are the victims.

As mentioned, JanMohamed mirrors the novel when he enacts an abstraction of rape under the guise of death in his theory of the death-bound subject. Richard Wright seems to have created *Native Son* with this abstraction keenly on his mind as “How Bigger Was Born” elucidates. In fact, *Native Son* is one of the most well-known contributors to the literary history of black women, sexual violence, and the law. And Wright himself was possibly consciously deciding to contribute to such an entangled discourse.¹⁸ Though sexual violence holds a privileged status in the novel, it is also continuously abstracted from the “real” crime that the protagonist commits.

One such moment of abstraction occurs at a pivotal moment when Bigger Thomas has just confessed to “his girl,” Bessie, that he murdered a white woman, Mary Dalton. In the following scene, Bigger’s confession is bound to a proclamation of a troubling rape theory that allows him to maintain his status as an uncomplicated victim of white supremacy, a status that is highly gendered and sexualized:

Bessie cried again. He caught her face in his hands. He was concerned; he wanted to see this thing through her eyes at that moment.

“What?”

“They’ll. . . They’ll say you raped her.”

Bigger stared. He had entirely forgotten the moment when he had carried Mary up the stairs. So deeply had he pushed it all back down into him that it was not until now that its real meaning came back. They would say he had raped her and there would be no way to prove that he had not. That fact had not assumed importance in his eyes until now. He stood up, his jaws hardening. Had he raped her? Yes, he had raped her. Every time he felt as he had felt that night, he raped. *But rape was not what one did to women. Rape was what one felt when one’s back was against a wall and one had to strike out, whether one wanted to or not, to keep the pack from killing one.* He committed rape every time he looked into a white face. He was a long, taut piece of rubber which a thousand white hands had stretched to the snapping point, and when he snapped it was rape. But it was rape when he cried out in deep hate in his heart as he felt the strain of living day by day.

That, too, was rape. (213–14) [emphasis added]

Bigger’s elucidation of his “rape theory” is one of the most famous scenes in the novel yet one from which scholars almost always exclude Bessie in their readings. Bessie is incredibly central

to this scene. It is her knowledge of rape and race that (re)awakens Bigger to his own internalized confusion around rage, race, and rape when she says, “They’ll say you raped her.”

Bigger also has a role in the scene as he uses language to abstract rape as just another form of violence. The language of Bigger’s rape theory is vague enough to remain open to several interpretations. On the one hand, I concede to JanMohamed’s reading: Bigger abstracts rape here because it is a metonym for his own death-boundedness. On the other, his theory is as full of meaning because of what it declares as it is because of what it omits: “Rape was what one felt when one’s back was against a wall and one had to strike out, whether one wanted to or not, to keep the pack from killing one.” Bigger’s denial that rape is something done to women is one of many times that Bigger will abstract Bessie. Sondra Guttman affirms this point in her essay “What Bigger Killed For: Rereading Violence Against Women in *Native Son*,” in which she works to reject the notion that Wright only uses rape as a metaphor for suppression of black resistance, “. . . in *Native Son* the word ‘rape’ also means sexual violence against women—in particular black women” (170). At this point in the novel, Bigger has not yet raped and murdered his girlfriend, Bessie. However, here she is standing before him, confronting him with the reality before him and he immediately removes her from his mind to focus instead on his own violation. It makes sense that Bigger is having difficulty focusing. After all, he is on the run for the murder and false rape of a white woman. But it is also true that even before physically brutalizing Bessie, Bigger repeatedly sacrifices her mentally so as to place himself at the center of a white supremacist world of violence. Just as violently disturbing as Bigger’s rape and murder of Bessie is his inability to even imagine himself as linked to Bessie, to seeing both of them at the center of white supremacist violence together, completely truncating the possibility for a mixed gender, intraracial coalition against that violence.¹⁹

As mentioned earlier, Bigger abstracts rape through his theorization of it. He then goes on to abstract the sexual crime that he committed against Bessie in the courtroom scenes in the final section of the novel. In these scenes, Bigger continues to abstract Bessie in death just as he did in life. However, during the trial, Bessie is also made coherent as a victim of a sexual crime. Only now the agents of these abstractions/coherences are men other than Bigger. The trial scenes of the novel are key in establishing how law abstracts and/or makes Bessie intelligible as well as the sexual crime committed against her. Additionally, the scene in which Bigger actually rapes and murders Bessie both aligns with and fails to align with the work that state agents—the deputy coroner, the state attorney, David Buckley, and Bigger’s defense lawyer, Boris Max—do to either make Bessie intelligible as a raped black woman or not.

It is clear that Bigger’s incoherent theorizing of rape as an abstract concept is at odds with the trial scenes in the novel during which Max, Bigger’s defense lawyer, goes to great lengths to parse out the crime of rape from the crime of emotional trauma that Bigger suffers at the hands of white supremacy from the crime of murder. Even if the racism that Bigger experiences causes him to commit rape, Max treats them as separate. The spiritual murder of Bessie is a slow and painful process and one that Wright attempts to make the reader comprehend, but there is only so much he can do to give Bessie her own voice when every vision, dream, fight, fantasy, and nightmare is seen through the eyes of Bigger Thomas. That is to say, everything until the courtroom. The reader receives the courtroom scenes, like everything else in the narrative, from Bigger’s perspective, but his typical narratorial diatribes are nearly absent from the proceedings, making way for pages and pages of dialogue between other characters who are endowed with the authority to speak in the courtroom. In other words, the

chapter devoted to the trial provides a more neutral territory on which characters other than Bigger have an opportunity to become the focus of the reader's imagination.

This is one of the many explanations for why much of the courtroom scene belongs to the corpse of Bessie, the revelation of which is not only the climax of the court case, but also the key to understanding the relationship between death and intelligibility for the raped black female. The requirements for intelligibility are different in the novel than they are in the case of Recy Taylor. Taylor would have been intelligible if the state had recognized the crime committed against her as a crime (i.e., charged the assailants) and if those who committed the crime had been punished. In the case of the novel, we already know that the criminal justice system will punish Bigger, Bessie's assailant, in some way, but it is not clear whether he will be punished for raping Bessie. For this reason, it is necessary to find clues of Bessie's intelligibility in the language that is used to describe her throughout the trial.

When the coroner presents Bessie's body as evidence, he makes an important intrusion into the world of the novel when he says:

"As Deputy Coroner, I have decided, in the interests of justice, to offer in evidence the raped and mutilated body of one *Bessie Mears*, and the testimony of police officers and doctors relating to the cause and manner of her death. . ." (306)

This is the moment when Bessie is made intelligible as a raped black woman. It is in this small moment that Wright is once more commenting on the depressingly low status of black women when he declares this marginal character's full name only when she has died. However, the simple detail of the deputy coroner, an appendage of state power, proclaiming Bessie's full name for the official court record proves that Wright is making another powerful statement. When Bessie is alive she has a life full of "hard trouble" (215) largely because of the minimal role she

is permitted to play: as a vessel for Bigger's sexual energy, as domestic labor for white families, as "plain black trouble" (215); "Bessie is raped" (216). But who is "Bessie Mears"? The coroner's announcement makes the sexual crime against Bessie intelligible by publicly announcing it in a court of law.

As the scene continues on from the deputy coroner's introduction, Wright uses Bigger to explain exactly who he thinks "Bessie Mears" is and, at the same time, emphasizes the necessity of death for the raped black woman to become intelligible:

"Mr. Coroner," Max said. "This is outrageous! *Your indecent exhibition of that girl's body* serves no purpose but that of an incitement to mob violence. . ."

"It will enable the jury to determine the exact manner of the death of Mary Dalton, who was slain by the man who slew *Bessie Mears!*" the coroner said in a scream that was compounded of rage and vindictiveness.

". . . You are criminally appealing to mob emotion. . ."

"That's for the grand jury to determine!" the coroner said. "And you cannot interrupt these proceedings any longer! If you persist in this attitude, you'll be removed from this room! *I have the legal right to determine what evidence is necessary.* . . ." [. . .]

[Bigger] had completely forgotten Bessie during the inquest of Mary. He understood what was being done. To offer the dead body of Bessie as evidence and proof that he had murdered Mary would make him appear a monster; it would stir up more hate against him. . . They were bringing Bessie's body in now to make the white men and women feel that nothing short of a quick blotting out of his life would make the city safe again. *They were using his having killed Bessie to kill him for his having killed Mary, to cast him in a light that would sanction any action taken to destroy him. Though he had*

killed a black girl and a white girl, he knew that it would be for the death of the white girl that he would be punished. The black girl was merely “evidence.” And under it all he knew that white people did not really care about Bessie’s being killed. . . His eyes rested wistfully on the still oblong white draped form under the sheet on the table and he felt a deeper sympathy for Bessie than at any time when she was alive. He knew that Bessie, too, though dead, though killed by him, would resent her dead body being used in this way [. . .]

The coroner rapped for order, then rose and stepped to the table and with one sweep of his arm flung the sheet back from Bessie’s body. The sight, bloody and black, made Bigger flinch involuntarily and lift his hands to his eyes at the same instant he saw blinding flashes of the silver bulbs flicking through the air. . . (306–09)

Bigger is right to be suspicious of how the state is “using” Bessie’s body, which I will attend to. But for now, it is noteworthy that the coroner’s reference to the raped black female body as “Bessie Mears” is an attempt to legitimize her or, as Bigger implies, to demonstrate that one can permit the black female’s entry into the cult of white womanhood perhaps under the condition that she is dead, voiceless, mangled, and brutalized. In this moment, Bessie is intelligible as having had a crime committed against her. Below this, however, are the important layers of raped black female intelligibility.

Recy Taylor’s case shows that the attempt to make the black female legitimate requires the removal of her gender from her blackness, which can only happen temporarily. Once “Mrs. Recy Taylor” is absorbed into the realm of “All American womanhood,” she becomes legitimate as a woman “regardless of race.” To make the raped black woman’s rape coherent as a crime is to recognize that a crime has been committed against the very body that has been socially

scripted as unrapeable. In the realm of the novel, when the coroner uses Bessie's full legal name, he uses the trappings of middle class mobility to make this poor, young, black female character into a full person with a past, an inheritor of familial history. "Bessie"—like Topsy from *Uncle Tom's Cabin* or Queequeg from *Moby Dick* or Dilsey from *The Sound and the Fury* and many other minor minority characters from American literary history—is not a fully realized character because she exists only in relation to the narrator or protagonist; she is a creature born from dependence and nowhere else. The coroner, in declaring this name at the same time that he reveals Bessie's body, declares that her blackness, her status as raped, *and* her femaleness can be made citizen.

This act of making Bessie intelligible, however, is not absent of violence. Though this reading grants Bessie access to intelligibility, it is the kind of violent intelligibility that the state of exception chooses to enact. Bigger narrates this violence as one that is in fact inflicted upon him, "They were using his having killed Bessie to kill him for his having killed Mary, to cast him in a light that would sanction any action taken to destroy him" (306). Bigger's ego forces him to maintain Bessie as a pawn, a tool of dependence, one who, even in death, solely exists in relation to him and his fate. Although Bigger is not exactly wrong, Wright implies that his protagonist's inability to privilege Bessie's pain above his own is yet another example of biopolitical maneuvering. The state is "using" Bessie to make a suspension of the law—Bigger's execution for crimes to which he has confessed and for those that he has not—seem justified.²⁰ Of course, the very "need" that Bigger felt to kill Bessie is a product of his abjection.

Unfortunately, any attempt to center Bessie in a discussion about *Native Son* is somewhat doomed to fail. She cannot be a coherent subject because that is not her role in the economy of the novel. But Bessie resists simplification because, when her name is called out, though she

cannot respond, her body speaks for her and/or for the idea of Bessie as intelligible black female, raped and murdered by a black male. Like Recy Taylor, Bessie Mears is neither coherent nor incoherent, neither subject nor object. There are other factors involved in this process of making the black female victim coherent as the victim of a sexual crime. Similar to the Committee in the first part of this chapter, an important factor in how Bessie becomes coherent as the victim of a crime is audience.

I must retrace a few steps to turn to the importance of audience and perception in Bessie's intelligibility. I would like to re-examine the explanation that Richard Wright gives for Bessie's death through Bigger. As Bigger explains it, Bessie is only intelligible as raped and black so that she can be used as evidence to finalize the judgment to legally execute Bigger Thomas for murdering and "raping" the white female Mary Dalton. Bigger is in fact making an argument about audience. Bessie's rape is coherent as a crime because it is important to convince the jury (and the audience of the novel) of a certain verdict, a verdict of guilty with a recommendation to sentence to death.

At the same time that Bigger makes a convincing argument about the role of audience in Bessie's intelligibility, he erases the fact that he raped her. Among his many literary strategies, Wright uses formal tactics to minimize the fact of Bigger raping Bessie. It is necessary to repeat an excerpt so as to integrate it into the next phase of my analysis:

They were using his having *killed* Bessie to *kill* him for his having *killed* Mary, to cast him in a light that would sanction any action taken to destroy him. Though he had *killed* a black girl and a white girl, he knew that it would be for the *death* of the white girl that he would be punished. The black girl was merely "evidence." And under it all he knew that the white people never searched for Negroes who *killed* other Negroes. He had even

heard it said that white people felt it was good when one Negro *killed another*; it meant that they had one Negro less to contend with. . . He knew that Bessie, too, though dead, though *killed* by him, would resent her *dead* body being used in this way. (307)

[emphasis added]

Nothing in this language reminds the reader that Bigger rapes Bessie almost immediately before killing her. Her death is the only crime that matters to him because of how it will be used against him. But I argue that this is not because Wright wants us to believe that Bessie is only coherent as a victim of a crime as a strategy to be used against Bigger. This is made clear through the other factors that impact Bessie's coherence, factors beyond Mary and Bigger. One such factor is audience. There are many different audiences inside and outside of the courtroom and therefore many different perspectives in need of persuading. Bigger uses language to persuade the reading audience of the primacy of death over rape in the novel. This primacy is evinced by Bigger's repeated use the word "kill" and "death." Perhaps this emphasis on death is a result of Bigger's rape theory: everything is rape so to mention the rape of Bessie is pointless. However, such a verbal dismissal endangers Bessie's coherence as a raped and black woman. In this short excerpt, Bigger refers to his having *killed* Bessie seven times. And not once does he mention raping her. On the one hand, it is possible that Bigger does not admit that he raped Bessie because he actually does not believe that he did. According to Bigger's amorphous definition of rape, it is something that happens to him rather than something that he does to others. I do not think that Wright wants the reader to accept Bigger's forgetfulness of Bessie or the fact that he raped her. In fact, Bigger's forgetting it, his inability to even remind himself of the fact that he raped Bessie, at a moment in the novel when he expresses such deep sympathy for how she is being "used" by the white supremacist court, acts as a special reminder to the reader of her rape.

Though Bigger mentions an external audience of white people who are clamoring to use Bessie's death against him, it is clear that he also sees himself as an audience for whom Bessie's death is nothing but a cog in the white supremacist machine that oppresses him. In other words, with Bigger as audience, Bessie cannot be coherent as the victim of a sexual crime. But there are other ways that audience functions. The prosecutor, Buckley and that of Bigger's defense lawyer, Max are intent on persuading their audience, the jury of distinct perspectives which rely on the abstraction of different aspects of Bessie's identity.

No one in the novel acknowledges Bessie's blackness. That is to say, no one except for Bigger and Max. We have seen Bigger describe the corpse as "black and bloody," which abstracts Bessie's race and gender. Bigger abstracts Bessie in this way because he has a particular relationship to the audience that is the jury and it suits his agenda for her to remain an abstracted symbol of his own oppression. Max has a similar relationship to the jury in that he must defend Bigger, but it is also distinct in that he must maintain protectiveness of Bessie in a way that Bigger does not have to. Max therefore attempts to revive Bessie from obfuscation in his closing statement:

I have not explained the relationship of Bessie Mears to this boy. I have not forgotten her. I omitted to mention her until now because she was largely omitted from the consciousness of Bigger Thomas. His relationship to *the poor black girl* also reveals his relationship to the world. (367)

On the one hand, Max acknowledges Bessie's blackness, but only to advance his agenda to defend Bigger, as seen when he continues to remark upon Bessie. This agenda leads Max to assert Bessie's blackness at the expense of explicitly acknowledging her rape:

But Bigger Thomas is not here on trial for having murdered Bessie Mears. And he knows that. What does this mean? Does not the life of a Negro girl mean as much in the eyes of the law as the life of a white girl? Yes, perhaps, in the abstract. But under the stress of fear and flight, Bigger Thomas did not think of Bessie. He could not. The attitude of America toward this boy regulated *his most intimate dealings with his own kind*. (367)
[emphasis added]

Setting aside for the moment Max's "abstract" illustration of equal protection for black and white women, I want to focus on the direct acknowledgement of Bessie, "the poor black girl" and "a Negro girl." At this point in the novel, Max can directly use Bessie's blackness, but he must evade the fact of her rape using vague rather than graphically violent language: "this boy regulated his most intimate dealings with his own kind."²¹ In Max's estimation, the intimacy between Bessie and Bigger suffered at the hands of a white supremacist American system, rather than at Bigger's hands. As an audience member trying to keep Bigger from death row, Max must abstract Bessie's rape in order to also abstract the truth of Bigger-as-rapist.

Returning to the agenda of the opposition, represented by the prosecuting attorney, Buckley, as well as the state coroner, it is interesting to see where they diverge and converge with Max. It is of course in Buckley's interest to make Bessie coherent to the jury as a victim of a crime as a means of indicting Bigger. And the state agents (Buckley and the coroner) make her rape coherent three different times: when reading the charges against Bigger (342), when announcing her corpse as "raped and mutilated" (306), and when bringing her corpse into the courtroom as visual evidence of the crimes committed against her (306). However, as Guttman reminds us in her essay, "What Bigger Killed For: Rereading Violence Against Women in *Native Son*", Bessie's is not the only name of a sexually violated woman that the prosecution

announces. Buckley tries to pin several unsolved rapes on Bigger and Bessie acts as evidence of those rapes as much as she acts as evidence of the false rape of the white Mary Dalton. Guttman expounds upon this announcement of victims as another way that Wright makes the typically invisible sexual violation of black women visible.

While the women Buckley mentions . . . are without a doubt white women, their numbers suggest the prevalence of sexual violence. Their whiteness coupled with the use of Bessie's body in Mary's trial make present uncounted numbers of raped black women—the women of whom Buckley will never speak unless their rapes give him some information about the violations of white women. (187)

I agree with Guttman that the names of violated white women speak to this double standard around sexual violence and race for black and white women. But this does not necessarily discount the fact that the state makes Bessie coherence as having had a crime committed against her; it only places in doubt the reasoning behind this coherence. Though Buckley, the coroner, and Max have opposed motivations, they are united around their ill treatment of Bessie in one way or another. Max must downplay Bessie's rape to save his client while the prosecution makes Bessie intelligible as raped only to further his case against Bigger as a savage rapist of white women. I am not defending Buckley and the coroner, but even if they are motivated by the white supremacist desire to legally murder a black man for the false rape of a white woman, the fact remains that they use the resources of the law to recognize Bessie's rape as a crime and one that deserves compensation. Bessie's intelligibility is therefore neither wholly positive nor wholly negative, but rather a neutral fact. I am not trying to argue that to be made coherent as the victim of a sexual crime is always a positive outcome for victims of sexual violence. Instead, I want to assert that to take stock of the moments when black women become intelligible to the state as

sexually violated is historically and politically valuable because it defies the assumption that the law has only ever failed to acknowledge and/or act upon these violations as crimes.

But Bessie's coherence as a victim of rape does open up the possibility of a fantastical optimistic reading of *Native Son*: perhaps if Max, Buckley, the coroner, and the judge were not so consumed by Bigger, if, in other words, this were another novel, perhaps Bessie's blackness and gender could be made intelligible with less hesitation. However, Recy Taylor exposes a claim: while it is not impossible to legitimize the raped black female and to make her coherent as the victim of a crime is difficult and nearly impossible, perhaps she does not have to die for this level of coherence to occur.

Conclusion

In "Demarginalizing the Intersection of Race and Sex," Kimberlé Crenshaw uses her theory of intersectionality to clarify this difficulty that the black female faces when subject to the anti-discrimination rhetoric of the late-20th century justice system:

Black women sometimes experience discrimination in ways similar to white women's experiences; sometimes they share similar experiences with Black men. Yet often they experience double-discrimination—the combined effects of practices which discriminate on the basis of race, and on the basis of sex. And sometimes, they experience discrimination as Black women—not the sum of race and sex discrimination, but as Black women.

Black women's experiences are much broader than the general categories that discrimination discourse provides. Yet the continued insistence that Black women's

demands and needs be filtered through categorical analyses that completely obscure their experiences guarantees that their needs will seldom be addressed. (63–64)

In this 1989 article, in one of the seeds of what would become critical race theory, Crenshaw uses case studies as well as historical accounts to trace a long record of black women as impossible subjects of a single-identity discrimination discourse. Here, Crenshaw, like Max, acknowledges that black women and white women may experience discrimination similarly. But Crenshaw emphasizes that, more often than not, these experiences are different in ways that the law of equal protection fails to encompass.

Crenshaw is right to find fault with anti-discrimination rhetoric, but her argument cannot unearth the complexities within the black female struggle for legal recognition. Crenshaw must compare the suffering of black women to that of white women and black men. This is the rhetorical trap in which discrimination discourse places Crenshaw, and all critical race theorists.

This reliance on black men and white women to establish black female identity is the same exact trap that Bigger falls into when he formulates, “They were using his having killed Bessie to kill him for his having killed Mary. . . . Though he had killed a black girl and a white girl, he knew that it would be for the death of the white girl that he would be punished” (306-07). To break Bigger’s formulation down even more simply, the novel and, in some ways, Crenshaw, cannot imagine the death of the black man, the suffering of the black woman, and the death of the white woman outside of a relational frame. This may seem obvious given the race and sex of the assailant, but it is not a foregone conclusion that all of these particular people become the relational referents for Bigger (the black male). As we have seen, this insistence upon relationality also exists in the case of Recy Taylor. Buckmaster invokes the defendability of white womanhood because Taylor’s race and sex are incoherent unless they are being related to

something coherent. I call this “relational coherence.” Relational coherence occurs when black women are coherent as victims of a crime only so long as that coherence is in service of a white woman’s coherence.

Wright makes the case for relational coherence in *Native Son* but his argument is missing some vital information. There are two kinds of logic behind relational coherence: 1) an advocacy logic and 2) a biopolitical logic. Though unlike in the case of Recy Taylor, Bessie’s rape, race, and sex are made coherent, this coherence is temporary and capricious: it depends on the advocacy agenda of the perceiver. If you are Max, an advocate for the black male rapist murderer, you prioritize Bessie’s race over her rape. If you are Buckley or the coroner, an advocate for the right of the white supremacist state to eliminate the black male rapist murderer, you are able to see Bessie fully, to make both her race and rape coherent as a crime on both verbal and visual registers. The second logical framing of Bessie’s coherence is her death.

But death is not the only factor that controls whether black women of the Jim Crow era can be made coherent as victims of sexual crimes to the law and/or to a voting public. Also crucial, as we have seen, is audience and the extent to which those audiences’ agendas find the sexual violation of a black woman compelling enough to make it intelligible. Finally, one factor that I have not covered as extensively in this chapter is the race of the rapists.

I want to conclude by attending to the argument that the sexual violations of black women can be made intelligible as crimes so long as their rapists are not white. There is something seductive about using the race of her rapists to explain Recy Taylor’s absolute dismissal and the denial of a crime being committed against her. But to say that she was denied due process, denied the right to be acknowledged as a victim of a crime because her rapists were white, is unsatisfying. This perspective is not unsatisfying because it is inaccurate. In fact, it is

impossible to object to the importance of the whiteness of Recy Taylor's rapists. Her illegitimacy as a victim is bound both to the whiteness of her male assailants as well as to her blackness. However, when we take Bessie's "case" into account, it is also impossible to *unsee* how this explicit focus on the race of the rapists nearly deletes the races of the rape victims. This overwhelming need of the state to racialize the rapists inevitably sidelines the blackness of the victims as unimportant or as a means of exchanging the rapeability of the black woman for the killability of the black man.

In *Native Son* and the case of Recy Taylor, the issue of abstraction is key in understanding how black women can or cannot be made coherent as victims of sexual crimes. The Committee for Equal Justice for Mrs. Recy Taylor used a rights-based movement to make Taylor coherent to several kinds of public audiences. Though the Committee's strategies to abstract Taylor from her race for certain audiences had limits, it is vital to note that the very fact that this interracial coalition as well as the NAACP sought legal justice for this violation is indicative of a shift that was occurring around this time about the law as a useful tool for making the crimes against black women at the very least legible if not intelligible. The story of Bessie in *Native Son* raises the idea of death as an avenue to coherence. In fact, Bessie's death seems like a sick, albeit ironic, joke that Wright is playing on the reader: the only way for the sexual violations of black women to be intelligible—for the law to declare her to be raped and for the rapist to be punished—is for her to die and for her rapist to be a black man whom the state is hell-bent on legally murdering for the false rapes of numerous white women. When read with and against one another, the case of Recy Taylor proves Wright wrong in some ways and right in others. It is possible that Taylor could have been coherent as a crime had her rapists been black, but it seems less possible that her death would have made any difference regardless of her

rapists' races. It seems just as likely that the all-white, all-male grand jury that failed to indict Taylor's white rapists twice would not have been swayed had she been dead.

A more interesting question is whether the Committee would have been swayed to rise up in defense of Taylor had the crime committed against her not been so egregious, violent, and the very definition of unjust. What if it had not been a gang of young white men who raped Taylor, but rather one white man? What if they had not abducted her and held her up at gunpoint, but rather it was someone she knew? Someone with whom she had been intimate before? In her brilliant book on the personal and anecdotal ways that race and the law collide, *Alchemy of Race and Rights*, Patricia J. Williams raises this question about black women, intelligibility, and extreme violence. When talking about Tawana Brawley, she wonders if the case would have reached such a high profile had it not been for the extreme brutalization of Brawley's body. Would well-meaning liberal white people have been able to make Taylor legible if had she suffered the rape of an acquaintance?

Many believe that these kinds of questions around coherence as existing along a broader spectrum of the definition of rape did not arise until the rape reform movement of the 1980s and 90s. However, these questions actually arise a decade earlier in the 1970s. In the following chapter, Joan Little is the victim at the center of a case. She is not only alive, but also raped by someone she knew rather well. The next chapter takes up the issue of how Little and her defenders manipulate the system to make even acquaintance rape intelligible and how Gayl Jones's novel *Corregidora* introduces forms of systemic manipulation that could only exist in a novel. This does not mean that both Little and *Corregidora* act as utopic doorways to justice; they too are caught in a system that forces black women to prove that they were sexually violated in ways that circumvent standard judicial procedures. However, both Jones's novel and the

defenders of Joan Little indicate the ways in which possibilities were expanding for black women to be seen as victims of crimes.

¹ #TimesUp is a hashtag as well as a movement that began in January 2018 as a response to the growing number of accusations of sexual violence against powerful men in Hollywood. #TimesUp consists of a group of Hollywood actresses, activists, and legal consultants who are outspokenly dedicated to ending sexual harassment in their own industry, to providing anti-violence groups with grants, and to supplying women with funds to cover their legal costs for those seeking justice for sexual crimes committed against them. #MeToo began in 2006 with Tarana Burke, a black woman and longtime anti-violence activist, but gained a resurgence of popularity when the famous white actress Alyssa Milano tweeted the hashtag in October 2017. The story of #MeToo is itself a microcosm of the story of black women that my project tells and hopes to annotate.

² In her speech, Oprah says the word “persecuted”. Though I believe that she meant to say “prosecuted,” I am transcribing her speech as she said it.

³ Perhaps the best example of this usage of “abstraction” as I am using it is in Marlon B. Ross’s “Race, Rape, Castration: Feminist Theories of Sexual Violence and Masculine Strategies of Black Protest.” He writes: “Rather than assuming an equal, reciprocal, or analogous relation between rape and castration, however, I want to consider the equivocal imbalances and disruptions operating in this cultural logic, which equates graphic racial violence against black men with an abstraction of men’s sexual violence against women” (306).

⁴ The discourse of sexual violence and race requires a more flexible definition of the “state.” When I use that term, I am referring to individuals and institutions who represent local, state, and/or federal power. The state can refer to a range of people: elected officials, governing bodies, juries, lawyers, and/or activists, though I will parse those groups when necessary. The idea behind this usage of the term is that activists can play as much of a role as agents of the state as those who are elected and/or hired to such governmental positions. The activist groups represented in this project see themselves as exemplary agents of the state, advocating for the preservation of the Union, at the same time that they are railing against the state to motivate change.

⁵ In his essay “Race, Race, Castration: Feminist Theories of Sexual Violence and Masculine Strategies of Black Protest,” Marlon B. Ross uses the phrase “race rape” to refer to the symbolic union of two kinds of violence: rape and castration.

⁶ Danielle McGuire makes such an argument about the Jim Crow era. See Blair Murphy Kelley’s *Right to Ride: Streetcar Boycotts and African American Citizenship in the Era of Plessy v. Ferguson* for an in-depth and far-reaching argument on the activism of the Jim Crow era as a vital building block for the modern civil rights movement.

⁷ Gordy, Cynthia. “Recy Taylor: A Symbol of Jim Crow’s Forgotten Horror.” *The Root*, 9 February 2011. Web.

⁸ Of course, the entire country was not shifting its attitudes in any unified sense. But Recy Taylor reported her rape at a time when the entire country—some areas at a quicker pace than others—was slowly beginning to see the destructive nature of both de jure and de facto racism; this was playing out with especial vigor on the national media stage as a fight between the “integrated” North and the “uncivilized” South in 1944, the year of Racy Taylor’s rape.

⁹ Danielle McGuire speaks generally about these correspondence materials between concerned citizens and the governor, but I have not yet seen any other scholars talk about these materials in a way that is as specific as I am doing here.

¹⁰ I do not want to valorize Governor Chauncey Sparks. He was a pro-segregationist governor and did little to improve the lives of his black constituents during his time in office. However, it is complicated. On the one hand, he probably could have done more than he did to help Taylor, but on the other, the people of Abbeville are primarily to blame for the failure of the case to be seen as a criminal case.

¹¹ I want to be cognizant of the way that my project exists outside of a prison abolitionist framework. On Tuesday March 27, 2018, Angela Davis gave a speech in Charlottesville as a part of the University of Virginia's Excellence Through Diversity Speaker Series, Angela Davis remarked on the #MeToo movement. She expressed support for survivors, but was simultaneously expressing wariness of any proposed solutions to rape that focus on imprisonment. My analysis of Taylor's case and *Native Son* is not taking an abolitionist stance; I define justice for raped black women as including some form of punishment of the rapists. But I am eager to use future opportunities to engage with modern and contemporary abolitionist scholarship regarding crimes of sexual violence.

¹² In Tera Hunter's *To Joy My Freedom: Southern Black Women's Lives and Labors After the Civil War* (1997), she touches on the overly sexualized, savage pastness projected upon the black female body.

¹³ To qualify the Committee's strategies as conservative may seem unfair and anachronistic. I do so fully aware of this problem. The Committee was quite radical for its time. However, I also take issue with the notion that being forward thinking in one area gives a person permission to be reactionary in another. For example, the Committee could be criticized for its heterosexism because it relies on Recy Taylor's role as a wife and mother to justify her status as a citizen deserving of legal protection. I want us to hold both of these readings of the Committee at once: it was somewhat conservative at the same time that it was progressive and ahead of its time.

¹⁴ Buckmaster's framing of Taylor as racialized *and* defensible do not exist in a vacuum. It is important to pay special respect to the work of Ida B. Wells for publicizing this kind of defense of black women in her 1892 pamphlet, *Southern Horrors: Lynch Law in All Its Phases*.

¹⁵ Aside from JanMohamed, see Jack Taylor's "The Political Subjection of Bigger Thomas: The Gaze, Biopolitics, and the Court of Law in Richard Wright's *Native Son*" for a solid example of this scholarship.

¹⁶ Many contemporary scholars of both biopolitics and necropolitics, such as Alexander Weheliye, Simon Gikandi, and Achille Mbembe, have argued that Agamben pretends that identity does not exist and is not a valuable factor in the theorization of life. These scholars point to the fact that scholars like Agamben cannot complete his conceptual work without working from within the very particular framework of the Holocaust, a historical event based on the blurred line between the politicization of identity and life. It is unsurprising that Agamben has a difficult time making the distinction between identity and life because he wrote his book, *Homo Sacer: Sovereign Power and Bare Life* in the 1990s, at the height of identity politics.

¹⁷ Scholars of critical rape studies, like Sabine Sielke and Regine Michelle Jean-Charles, place rape and/or sexual assault at the center of a critical race discourse not merely because such woman-centric/race-centric stories are historically underrepresented, but because American history demands it. As stated in the introduction of this dissertation, the history of lynching

proves that rape, race, and death are some of the most entangled and fundamental building blocks of national identity formation in the United States.

¹⁸ Richard Wright began to work on another novel while he finished *Native Son* in 1939. The never-published novel, "Little Sister," would have been an updated retelling of the "tragic mulatto" centered on the black female protagonist, Maude, who passes as white to get a better job. We can see that Wright desired to center the black female experience in another novel, but, lacking an actual copy of the unfinished book, we must seek ways to center the black female in *Native Son*. For more on Wright's unpublished works, see Michel Fabre's *The Unfinished Quest of Richard Wright* (1993).

¹⁹ Guttman offers a parallel, albeit different, reading of the novel as one about the success of political organizing. She analyzes the elimination of women from the novel as necessary to Wright's larger communistic project of interracial labor organizing amongst men (171).

²⁰ The prosecutor, Buckley, wants to foment mob violence as well as advance his own political career by pinning two additional rape/murders on Bigger Thomas (283).

²¹ Max renders Bigger and Bessie as animals with the phrase "with his own kind" thusly affirming racist stereotypes about black people as savage beasts. This proves that Max is only going as far as is necessary to try to keep the Chicago jury from executing Bigger.

Manipulating Bodies:
Black Women Imagine Criminal Justice Systems in Gayl Jones's *Corregidora* and *State of North Carolina v. Joan Little*, 1974–75

Black women and other women of color have fought for centuries to have the crimes committed against them, sexual or otherwise, recognized as crimes. In chapter one, I argue that although the state and individuals of the Jim Crow era were ready to make black women legible as raped, they were not yet ready to make her rape intelligible as a crime. For her rape to be deemed a crime that action would have to not only be declared unlawful, but also punishable by law. As the title of this project, *Bodies in the Middle*, implies, the term “manipulate” is central to this project.

In the 1970s, however, this fight for intelligibility evolved. Amidst the rise of black power and “the women’s movement,”¹ the 1970s featured the gaining visibility of black women as justice-seekers as Angela Davis was freed from jail in 1972, Shirley Chisolm ran for president that same year, and organizations like the Combahee River Collective and National Black Feminist Organization established black feminism as a social justice praxis and an intellectual approach. But as much as black women advanced during the 1970s, there continued to be setbacks. The 1975 novel *Corregidora* by Gayl Jones and the groundbreaking trial *State of North Carolina v. Joan Little*, 1974–75 spotlight how black women and their allies both confront and/or evade a white supremacist legal system. These women and their defenders, black and white, therefore work hard to manipulate a white supremacist system to coerce it to function for black women rather than against them. Despite the fact that Jones wrote and published *Corregidora* within the same year, there is no evidence to suggest that the case of *State v. Little* inspired Gayl Jones to write it. I argue, nevertheless, that when these two cases are

juxtaposed, they are in communication. *State v. Little* reveals the unmined legal aspects of *Corregidora*. And conversely, *Corregidora* responds by revealing the traumatized and imaginative, albeit failed, approaches that black women (must) use to create their own justice systems. Before I begin my analysis of these literary and legal cases, I will give a brief summary of each.

Corregidora is a *bildungsroman* that traces the early and mid-life of a young black woman named Ursa Corregidora, a blues singer in 1947 Kentucky who attempts to live with the remnants of a familial past steeped in Brazilian enslavement. Ursa's great grandmother, Great Gram, and grandmother, Gram, pass on the story of their enslavement through sessions of oral storytelling. During these sessions, Ursa learns of their white Portuguese master and forefather, known only as "old man Corregidora," who subjected Gram and Great Gram to decades of sexual violence, incest, and/or coerced prostitution. Contrarily, the case *State v. Little* results from a single incident. On an August night in 1974, a young black prisoner in Beaufort County jail, Joan (pronounced Jo-Anne) Little, was the victim of a sexual assault by her white guard, Clarence Alligood, whom she killed in self-defense. Nevertheless, the above plot summaries of the novel and legal case fail to capture the new reading that the historic trial offers to the contemporary critical landscape around Jones's *Corregidora*. As I mentioned, manipulation is at the foundation of black women's relationship to the law when they seek justice for their sexual violations. Black women and their allies must find ways to manipulate the context of justice systems to change the outcome in their favor.

Much of the most prominent black feminist criticism has worked to rescue black women who have experienced sexual violence from the margins of society in and around

which their bodies, emotional labor, and freedoms are manipulated. I want to maintain the focus on being manipulated while acknowledging the spaces in which black women are the manipulators.² *Corregidora* offers such spaces, ones in which the manipulated bodies become manipulators of not only their own bodies, but also the very definitions of justice that have historically made it impossible for them to access justice.

In this chapter, I will explore the various areas of manipulation in which black women and their allies operate. For *State v. Little*, the areas of manipulation under consideration are geography, audience (i.e., jury), and voice. Similarly, in *Corregidora*, the areas of manipulation are voice, body, and audience.³ Because these areas of manipulation are separable in *State v. Little*, I will analyze them individually. It is, however, impossible to separate the voice from the body from audience in the novel and therefore the analysis of these areas of manipulation will overlap more. The purpose of this chapter is to not only showcase how the case and the novel speak to one another in this language of manipulation, but also how each offers new ideas about what justice means to black women at this time. I will first discuss the manipulation of geography, voice, and body as they arise in *State v. Little*.

***State v. Little*, 1974–75: Geography, Voice, and Body as Sites of Legal Manipulation**

The night of August 4, 1974, Joan Little, a twenty-one year-old black woman jailed for larceny, breaking and entering, and receiving stolen property in Beaufort County, North Carolina, was visited by Clarence Alligood, a sixty-two year-old white prison guard. As guard of the prisoner for many months, Alligood was often inappropriate with Little, making sexual comments, entering her cell at his leisure, and giving her sandwiches. But

on that August night, Alligood made those allusions physical when he forced Little to perform fellatio, using an icepick to threaten her life if she did not comply. During the sexual assault, Little struggled to retrieve the icepick from Alligood, and, once successful, struck him several times. Little then fled the jail using Alligood's keys and went into hiding. By her account, she left Alligood alive, though he died within a few hours.

The whole county and even state were abuzz with the scandal of having a known fugitive on the loose, no less a black woman wanted for murdering a white prison guard. A close friend of Little's, Margie Wright, knew where Little was hiding and called Golden Frinks. Frinks, a very well-known local black civil rights lawyer with connections to the famed activist group the Southern Christian Leadership Conference (SCLC). Frinks had himself just been released from jail with the help of his friend, Jerry Paul, a local white civil rights lawyer.

Given Frinks's recent run-ins with the law, Paul was asked to offer his assistance by covertly moving Little, with the help of Margie Wright, from her hiding place in Beaufort County, which was under constant police surveillance, to Chapel Hill.⁴ Paul immediately began to negotiate her surrender to the head of the State Bureau of Investigation, Charles Dunn. Little was arrested for first-degree murder on September 7, 1974 and, two days later, she was indicted by an all-white grand jury in Beaufort County. Almost exactly a year after her assault, in 1975, an entirely different jury in an entirely different county acquitted Little of murder and found her not guilty on the grounds that she acted in self-defense. Paul's strategy to liberate Little from geographic constraints marks an essential

shift in the discourse around black women and sexual violence that *State v. Little* helped to push forward.

North Carolina in the 1970s was undergoing an enormous amount of upheaval due to school integration, black rights activism, and white supremacist violence.⁵ At the same time, the nation as a whole was beginning to respond to women's rights organizations as they called for awareness around job discrimination, domestic violence, and rape, among other issues.

State v. Little arrived into this perfect storm around sexual and racial discourses. With regard to *State v. Little*, the defense team, consisting of Jerry Paul and Karen Galloway, not only wanted to prove that Little was raped and innocent of murder, but also to place a very public amount of pressure on the criminal justice system. Because Little was a poor black woman with a criminal record, the social structures of race, gender, class, and regionalism were working against her. An all-white jury in Beaufort County immediately indicted Little of murder. Long-standing myths around blackness and black female sexuality lead them to question the veracity of her claim that she had been sexually violated. Paul and Galloway intended to use the racism displayed by the grand jury in Beaufort County to get the case moved, which had never been done on the grounds of racial and gender demographics.⁶ And the defense could never have proved the racial bias that existed in Beaufort County without the \$300,000 raised through the Joan Little Defense Fund. The enormous effort put into proving the need for trial relocation underscores the difficult and collective labor that was required to make Little coherent as the victim of a sexual crime.

The funds raised through the Joan Little Defense Fund were used to cover several expenses, perhaps most important among them the sociological study conducted about racially biased jury selection strategies and the attitudinal survey that revealed significant racial bias amongst white Beaufort County residents. Courtney Mullin was a graduate student in social psychology at North Carolina State University when she heard about *State v. Little*. She saw in the news that the defense had petitioned the court for money to hire a criminologist to conduct a survey, though they were not yet sure what kind of survey. The judge denied this motion, so Mullin called Jerry Paul and Karen Galloway to volunteer her services as someone well-versed in conducting surveys. When she met with Galloway, the two women tried to figure out a way to present reasons to move the trial; Mullin stated in her interview with James Reston, “neither of us had a clear idea of how to do that at all” (00:05:13). Eventually, Mullin worked with her advisor at NC State U. to develop a questionnaire and an area survey. Some of the money in the defense fund was used to pay a sample size of 100 participants who were interviewed either over the phone or in person. Funds were also used to pay research assistants for their labor.

The primary goal of the area study that Mullin and others conducted was to determine “attitudes” of participants. However, the researchers were also interested in the process of selecting juries. If they could prove that white residents held biases and they were consistently taking up all of the slots on juries due to partial jury selection processes, then they could argue for the need to relocate the trial. Mullin concluded that more white residents than black residents of Beaufort County saw black women as having “lower moral standards than white women” and that “a black woman who is raped by a white man has probably tempted him into it” (184). In other words, Mullin used

sociological research to prove that white people held onto the white supremacist, psychosexual myths around black female sexuality. The other side of Mullin's work was trying to prove that the courts were conducting jury selection in such a way as to purposely exclude black jurors, but she was unable to do so. Though Mullin could not prove with total certainty that the jury selection itself was biased, she found damning evidence that this was the case because the county was "randomly" choosing their jury pools from lists of only the white residents.

Although Little's defense was able to get the trial moved from Beaufort County, a majority white, rural county, to a more urban, diverse one, Wake County (home to the more liberal Raleigh), Judge Henry A. McKinnon refused to acknowledge that the trial relocation was the result of research conducted by Courtney Mullin on racial bias. Instead, McKinnon granted relocation because of the bias against Joan Little in Beaufort County. The small county, McKinnon explained, was poisoned against the case as a whole due to overexposure to details through high levels of local and national media coverage.⁷ And this was true. Many Beaufort County residents resented that their home was suddenly under the nation's microscope as a stand-in for racist, southern, and backward. But it is also difficult to take McKinnon completely seriously here. Because the survey findings of Courtney Mullin, one of the lead social psychologists who volunteered to work for the defense, regarding the opinions of Beaufort County residents, black and white, about justice, black women, sex, and/or sexuality are quite pertinent. Mullin's work even set a precedent for future arguments around jury reform.⁸ Mullin used her attitudinal survey to argue that the large differences in opinions between black and white residents in Beaufort prove that the race of an individual juror has an impact on

how that individual makes decisions. The survey posed a variety of questions about race, justice, and the Little case specifically, but some of the most alarming results concerned black women (Fig. 1).

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RACE (cont'd)

	Whites	Blacks	Percentage Difference Between Blacks and Whites
<i>Attitudes relevant to rape victims</i>			
1. A black woman who is raped by a white man has probably tempted him into it.	58%=No	81%=No	23%
2. If a woman says she's been raped, that should be enough evidence that the rape has actually occurred.	15%=Yes	29%=Yes	14%
3. Black women have lower moral standards than white women.	49%=No	72%=No	23%
<i>Attitudes about the Joan Little case</i>			
1. Do you believe Joan Little killed Clarence Alligood in self-defense?	58%=No	1%=No	57%
2. From your knowledge of this area, do you believe Joan Little can get a fair trial in Beaufort County?	84%=No	86%=No	52%
<i>Other attitudes</i>			
1. Policemen spend too much time arresting kids for smoking marijuana.	17%=Yes	41%=Yes	24%
2. Police should not hesitate to use force to maintain order.	71%=Yes	59%=Yes	12%
3. People should support state authorities even when they feel they are wrong.	29%=Yes	43%=Yes	23%
4. White people are more greedy than black people.	27%=Yes	83%=Yes	56%

Fig. 1

An expert witness for the defense, Dr. Robin Williams, a sociologist from Cornell University, said of the results, "With the question, 'Do you believe Joan Little killed Clarence Alligood in self defense?' the differences there are very, very great, with almost no black people saying no. I would take that to mean they are withholding judgement on that matter, whereas fifty-eight percent of whites said no, creating the presumption in my mind that they have already made up their minds" (Reston 185).

Trial relocation demonstrated a shift around black women and sexual violence. Prior to this case, the general strategy of civil rights lawyers and activists, when faced

with the rare case of a black woman reporting her rape to authorities, was to either hope that the system would work to protect her or that the very public failure to do so would prompt activism in her defense.⁹ Though Little's defense team incorporated the latter strategy by starting such public movements as Free Joan Little and the Joan Little Defense Fund, they also added other strategies made possible by a slightly more progressive national context than in preceding generations. Only thirty years previous it had seemed unfathomable that any jury in any southern state would acknowledge that a white man had raped a black woman, let alone supplement that acknowledgement with some form of public action. The state acquitted Joan Little, but not because the 1970s criminal justice system suddenly functioned to protect black women. On the contrary, *State v. Little* marked the beginning of a new rhetoric around black women and sexual violence in which the manipulation of the law can in fact function to not only gain state acknowledgement of the crime, but also subsequent action by the law. As seen in the trial relocation strategy, the system must be manipulated in order for it to function for black women who have been raped.¹⁰

The historic case of *State v. Little* acts as a guide for how the fictional *Corregidora* women must manipulate the context of systems of justice—both within and without the American legal system—to achieve what I call “presentist” as opposed to “millennialist justice.” Another way to label this binary is real (presentist) vs. hypothetical (millennialist). This framing of justice as either real or hypothetical exists on a spectrum.

This spectrum will become relevant in the analysis of *Corregidora*, but is also made concrete for *State v. Little* as the the public comments made by agents of change in the media coverage of the trial often show.¹¹ Jerry Paul made a telling comment only a

few months after the end of the trial to a local newspaper, *The Charlotte Observer*, confirming that justice for Little was compelled from the system rather than being a natural product of its functioning, “[Paul] says . . . that the whole trial process had nothing to do with justice. . . He says that he simply ‘bought’ Joan Little’s acquittal. . . This system doesn’t want justice. It wants convictions. That’s why, given enough money, I can buy justice. . . By saying that, I point out the defects of the system. You hold it up to ridicule” (1). When Paul claimed to have “bought” Little’s freedom, he was not relying on false histrionics. On the one hand, as a white man, Paul had access to manipulating the system in ways that Little and, more broadly, women of color do not. On the other hand, black women were also working behind the scenes to “buy” the system. Before the trial began, Paul, Rosa Parks, Karen Galloway, Paul’s co-defense attorney, the SNCC, SCLC, and other civil rights organizations donated to the Joan Little Legal Defense fund, which raised over \$300,000. This money paid for Mullin’s research as well as “the best counsel, to mount an extensive jury selection process, to hire investigators, to fly in expert witnesses, to spend thousands on ‘counseling’ ” (1). And it was the extensive jury selection that was perhaps one of the most important costs. Paul’s motion to have the trial relocated from a smaller, whiter county in North Carolina to a larger, more diverse one was central to what made *State v. Little* historic. Little’s defense team proved that in order for Little to have a fair trial, fair access to even the *possibility* of her rape being coherent as a crime, they had to work on her behalf to manipulate the system to the fullest extent available.

This causes me to ask, did Little achieve justice? And if so, what kind? I’ll attend to these questions in more depth in the conclusion of this chapter. Though Little’s

acquittal was a great triumph because of how it exposed the system as malleable, her liberation was also bittersweet because she could not expose the system without also exposing herself in the process. Such exposure required her to not only attempt to manipulate (and have her lawyers manipulate) her own voice but to remain vulnerable to the manipulation of others using her voice against her.

Every trial relies on voice as evidence in one way or another, be it through witness testimony, phone records, confessions, etc. However, the voice is an especially contested aspect of a rape trial given the centrality of consent. This is conceptually paradoxical because the victim must use their voice on the witness stand to try to convince a jury that they were incapable of using their voices to “resist” coerced sex.¹²

Consent was especially frightening territory for a rape victim seeking legal justice in 1974, long before the rape reform movement of the 1990s, which, abstractly, focused largely on the voice. Two of the achievements of this movement were the advent of rape shield laws and the decentering of verbal and/or physical resistance from the definition of rape in rape law (cite *Rape Reform*). Rape shield laws emerged to keep victims’ sexual histories out of their trials so that they might feel safer reporting their rapes to authorities. Reformers also hoped that by broadening the definition of consent and/or resistance, this would also make more women feel safer reporting their sexual violations. None of these official protections existed for Little.

Nevertheless, because black women’s bodies are always already speaking their sexual histories to a jury, as the results of the aforementioned sociological surveys demonstrate, Little’s defense team was acutely aware of the issues of sexual history and how to frame Little’s resistance to Alligood’s sexual advances. The prosecution,

comprised of William Griffin and John A. Wilkinson, was similarly aware, however, of the issues of race, gender, and sexual history and how they could use these issues to play on the prejudices of the jury. Just as the defense was manipulating the legal system, the prosecution was manipulating Little herself, hoping to obscure her intelligibility as a black woman whose rape can be seen as a crime.

Griffin formed a case centered around voice by three crucial strategies: limiting the testimony of the victim, (re)inscribing myths of black female sexuality, and ventriloquizing the black female victim-as-liar. These align with the multiple strategies that defense lawyers in rape trials use when the victim is testifying to place her story under severe suspicion, as described by Andrew E. Taslitz in his book *Rape and the Culture of the Courtroom*. One of these tactics is the asking of “forced-choice” questions. As Taslitz writes, “Research indeed shows that ‘forced-choice’ questions—those requiring a yes or no answer—are quite effective in limiting the witness’s independent voice” (90). Griffin uses this tactic with Little throughout the cross-examination, but a prime example occurs at a pivotal moment as Little explains her sighting of the “murder” weapon and her utter lack of consent to Alligood’s assault that fateful night in her cell:

Q . . . You had known he wasn’t supposed to be [in your cell] on previous occasions hadn’t you?

A Yes.

Q But there he was, fully dressed at that time, did you see an ice pick in his hand at that time?

A No.

Q What did he say to you?

A He came in and stood at the door and he said it's time that you be nice to me because I been nice to you.

Q What did you say?

A I told him no that I wasn't gonna be nice to him.

Q Is that the words, is that the exact words that he used?

A That he used?

Q Yes?

A Yes.

Q Is that the exact words that you used?

A Yes. (225–26)

Griffin tried to confuse Little here, to see if the barrage of “yes or no” questions would cause her to make a mistake. Though the forced-choice questioning strategy failed here, to examine it closely evinces the goal of the tactic. Griffin used a “yes or no” line of questioning to limit the amount of time that Little speaks and that the jury heard Little speaking. As the prosecutor, it is Griffin’s job to poke holes in the testimony of the accused, but Griffin’s tactics were so clearly accusatory that at the very end of this exchange Paul objected “to him arguing with her.” And the exchange restricted Little’s voice on a metalevel. Not only is Griffin limiting Little’s voice, but he is also limiting her voice while she narrates her own resistance to Alligood’s sexual advances: “I told him no that I wasn’t gonna be nice to him.” He attacks the possibility of such a lack of consent by immediately questioning her about the wording of their exchange again, “is that the exact words that he used?” Griffin uses these and other strategies throughout the

examination and cross-examination to manipulate Little's voice and how it is being perceived.

But Little resists such manipulation as much as she can. Throughout the testimony, Little resists questions by answering "I don't know" or "I don't remember," one of the few forms of resistance that Taslitz mentions is at the disposal of the victim (95). But the "choice" between silence or assertiveness that victims of rape face on the witness stand is racialized and gendered. We see that, for Little, being silent or resisting can be both a weapon to wield against misogynoiristic tactics to trip her up or can be held against her to make her seem like an uncooperative black woman.

The final aspect of voice in *State v. Little* that I want to cover is how Griffin exploits misogynoirist stereotypes to denigrate the character of Little, thusly blocking her access to being intelligible as the victim of a crime. To understand this tactic, it is helpful to return to Andrew E. Taslitz's argument that the culture of the courtroom is patriarchal, adversarial, and capitalistic and therefore anathema to the kind of culture that would support rather than demonize rape victims. Given that *Rape and the Culture of the Courtroom* is part of a series called Critical America, edited by two of the founders of critical race theory, Richard Delgado and Jean Stefancic, and that it is published in 1999, near the time of the inception of critical race theory as a field, some of Taslitz's claims on race and gender are overly general and verge on essentialist. But this does not discredit all of the arguments that Taslitz makes.

One of Taslitz's most compelling assertions supports the aforementioned double-edged sword that black women confront in the courtroom: "Black women finally face a race-based catch-22. If they speak 'women's language,' they will be less credible, as is

true of white women adopting the same style. But if black women adopt a more assertive style, white jurors will perceive them as rude, hostile, out-of-control, and hence less credible” (79). By “women’s language,” Taslitz refers to an overtly feminine linguistics, such as speaking softly, behaving with shyness and, to some extent, expressing embarrassment.¹³ But Taslitz states that black women are just as mistrusted when they are performing in stereotypically feminine/quiet ways as when they are vocal. The black woman’s voice is therefore under enormous scrutiny.

Griffin intensified this scrutiny by attempting to solidify misogynoirist stereotypes around black female sexuality and thusly, as Taslitz says, discredit Little. There were many aspects of Little’s character that Griffin attempted to denigrate, including her home life, her romantic relationship with Julius Rodgers, and criminal history. The “black sapphire” myth was perhaps the most harmful in Griffin’s arsenal. During his cross-examination, Griffin made a disrespectful reference to Little’s sexual history and criminality. The way in which he asks this question triggers an immediate objection from defense attorney Jerry Paul:

Q You were in love with Julius Rogers were you not?

A Yes, I cared about him. . .

Q Now at the time that Mr. Freeman turned you in, did you tell him that you would have sex with him if he signed your bond for no fee?

MR. PAUL: Object to that. . . This type of character assassination has nothing to do with this trial and what they are trying to do with this girl. (126)

Paul’s objection here to Griffin’s insinuation that Little was a prostitute or of such low morals as to exchange sex for financial favors is quite prescient. Paul predicted some of

the rape law reform to come in less than twenty years. Little's lawyers understood that black women's experiences with "character assassination" are rooted not only in sexist myths around the distrustful nature of female sexuality, but also the racist myths around black female sexuality. However, Griffin pulled a cruel maneuver. By getting Little to confess genuine care for an ex-lover and then immediately imply sexual impropriety, Griffin attempted to convince the jury to distrust Little based on reductive stereotypes about class, criminality, and black female sexuality. In other words, if she was willing to be in a sexual relationship with a man she does not love, what else might she be willing to do? Griffin exploits the power of his own voice's whiteness and maleness over Little's to try to convince the jury of pejorative stereotypes of her race, sex, and sexuality.¹⁴

To close this analysis of voice in the trial, I must acknowledge that there is no such thing as "Little's voice" purely. Almost everything that she said on the witness stand were statements on which the defense team worked with her tirelessly. In her book *At the Dark End of the Street*, Danielle McGuire mentions the months of coaching and training that they had to put Little through to make sure that she would be able to withstand the pressure of having to prove to a majority older, white and male audience—including a racially diverse group of jurors, mostly white and male lawyers and mostly white and male news reporters—that she had been raped by an aged white male. Little's aforementioned resistance to Griffin's attempts to trap her were likely results of this training.

But there was an especially salient moment in her testimony when Little's preparedness is not just a smart defense move, but almost seemed like a potentially vital source of empowerment for a rape survivor. Where once her refusal to have sex with

someone was completely and utterly ignored, where once her voice was powerless to keep her violation from happening, now her voice had the power to not only captivate an entire room, but also manipulate the people in that room to see her as the victim of a crime. As the excerpt below shows, Griffin tried to catch Little in a lie but she evades his trap, completely taking control to question the very definition of “voice as evidence” that he is attempting to manipulate against her:

Q So, and you didn’t let the other jailers know that he was coming back there bringing sandwiches, is that right?

A If I had they wouldn’t ever have believed me anyway.

Q Well you had the evidence right there to show them didn’t you?

A Mr Griffin sometimes you have evidence and you tell people the truth, but then they twist it in a way that it makes it seem that you’re not telling the truth and in Washington, North Carolina, coming up as a black woman it’s different in saying what you did and having your word to go against a white person’s. It is not acceptable. (151–52)

Little and her defense team never let the jury forget about race or the larger issues at stake in this case. And I would argue that this was one of the keys to their victory. As discussed at length in chapter one, Recy Taylor was unable to make herself intelligible as a *black* woman who had been the victim of a sexual crime. Little *is* able to convince the public, a jury, and state officials, that she was sexually assaulted. This achievement cannot be understated. Though there are major circumstantial differences in their cases, it is remarkable that only thirty-five years prior an Alabama jury could not even charge Recy Taylor’s rapists with a crime let alone compensate her for that crime. Joan Little

and her defense team prove that black women can use justice systems to make themselves intelligible as victims of sexual violence. However, just looking at what Little says in the excerpt above, it is clear that this intelligibility is still mired in historical baggage:

“sometimes you have evidence and you tell people the truth, but then they twist it in a way that it makes it seem that you’re not telling the truth and in Washington, North Carolina, coming up as a black woman it’s different in saying what you did and having your word to go against a white person’s. It is not acceptable.” When Little says “people,” she is not only referring to the white residents of her hometown, but also to the local and state police, the county sheriff, the attorney general, the judges, the prosecutors, and the jury. She is marking a clear distinction between telling the truth and being believed.

Her acquittal in 1975 worked to shorten the distance between telling and being heard for black women, but it is not a clean victory. There is almost no way that Joan Little would have been acquitted without the massive amount of resources that she and her allies worked to gather in her defense, resources that could be used to not only “have the evidence” but coerce the system to see this evidence as legitimate proof that a crime occurred. Joan Little and her allies were able to manipulate geography so that not only could Little’s voice be manipulated to resist manipulation by the opposing side, but also so that the audience of that voice could be manipulated to believe that voice using trial relocation. Little’s defense team manipulated areas of the law to which they had access through funding and educational resources. It was the goal of Paul and Galloway to show the public that the system could be manipulated both to protect and/or punish American citizens. They particularly wanted to demonstrate that, if you are a black American

woman who has been raped, history shows that it is far more likely that the system will be manipulated to punish you rather than to protect you.¹⁵

Their strategies revealed specific injustices within the system (i.e., the potential harm of racially and sexually homogeneous juries) to shift a conversation around black women and sexual violence that had, in previous cases like Taylor's, relied upon passive trust in the system or hope that exposing its failures would awaken enough public sympathy to provoke change. This perspective is common in legal strategies from the civil rights era, which took a "long view" of justice, often hoping to achieve hypothetical/millennialist rather than real/presentist justice. The success of Little's case, from the perspective of hypothetical justice, would not necessarily be her release on murder charges, but rather that it would serve as precedent for the next legal strategy to defend the next black woman who is raped.

These terms identifying the varieties of justice accessible to black women are central to understanding the different ways that generations of black women choose to or are forced to approach justice in *Corregidora*. Though *State v. Little* opened the doors of possibility for black women seeking justice for the sexual crimes committed against them, Gayl Jones's "blues novel," *Corregidora*, shows how black women may refuse to open the doors, opting instead to destroy the whole concept of doors and replacing it with their own concept, a concept that they insist on owning even if it is to their detriment.

"That's why they burned all the papers"

Spanning generations of women, from enslavement in Brazil to Jim Crow-era Kentucky, Gayl Jones's novel *Corregidora* presents ideas around justice that are much more abstract

than those in *State v. Little*. For Little, there is a clear goal of systemic manipulation to secure her liberation from imprisonment and/or the death penalty for the charge of first-degree murder. In *Corregidora*, Gayl Jones implicitly illustrates a more expansive definition of justice than what the standard American legal system provides. This definition is mobile, made to function for all black women across international borders, historical time periods, and geopolitical circumstances.

There are a number of scenes in *Corregidora* that illuminate the relationship between the Corregidora women and the criminal justice system. The first to examine is a scene that repeats in a variety of ways throughout the novel: the scene in which Ursa recalls Great Gram telling her five-year-old self “the same story over and over again” (11), the story of being enslaved by old man Corregidora, forced by her master to prostitute herself and her daughter, known only as Gram, at young ages, and the suppression of this story by the Corregidora masters. Though the content of Great Gram’s story is important, it is more crucial to focus on her language: the source of her brand of systemic manipulation. The horrors that Great Gram describes are so surreal that a young Ursa questions their veracity, leading her ancestor, the former slave, to outline the justice system that she has created:

“You telling the truth, Great Gram?”

She slapped me. “. . . don’t you ever ask if I’m lying. Because they didn’t want to leave no *evidence* of what they done—so it couldn’t be held against them. And I’m leaving *evidence*. And you go to leave *evidence* too. . . we got to have *evidence* to hold up. That’s why they burned all the papers, so there wouldn’t be no *evidence* to hold up against them.”

I was five years old then. (14; emphasis added)

Great Gram's repeated use of the word "evidence" here is an important indication of not only her awareness of the criminal justice system, but also her investment in utilizing it as a model for her own form of hypothetical/millennialist justice.¹⁶

The Corregidora women form their own version of black millennialism as a means of accessing justice that is both temporally and definitionally outside of the bounds of the American legal system. Of course, this outsider status is a product of enslaved black women's exclusion from the legal system. Out of necessity or not, Great Gram creates what I will refer to as a "reproductive justice system" within which she redefines the meaning of "evidence" in hopes that this redefinition will one day be capable of repairing the crimes committed against her by her masters/forefathers in an unlikely utopian future. Additionally, Great Gram interprets her justice system as having an impact on serving future justice in a world in which men who own slaves, rape their offspring, and coerce them into prostitution are punished to the fullest extent of the law. Though Great Gram cannot control the punishment of those who have violated her, she can redefine certain mechanisms of the law, such as what "evidence" means, to facilitate this future punishment.

Evidence holds a dual meaning for Great Gram. Evidence refers to, on the one hand, the offspring of the women and, on the other, the "story" of brutalization that they pass down through those offspring.¹⁷ But the two pieces of evidence are clearly inextricable from one another because, without offspring, the stories have no way of reaching the moment of hypothetical justice. Great Gram views it as the duty of the women to "make generations" that will act as proof, by their mere existence, of the rape

and incest by their enslaver/forefather, old man Corregidora. Each woman must pass the story of sexualized violence from mother to daughter, great grandmother to great granddaughter, and so on.

The details of this system are vague, but telling, as when Great Gram says, “And when it come time to hold up the evidence, we got to have evidence to hold up” (14). Great Gram is aware that even in the year that she is telling Ursa the story, 1927, the time has not yet arrived when holding up the only resources at their disposal—their capacity to reproduce and the oral storytelling of their memories—will be successful.¹⁸ But, when will it “come time”? And even if the time arrives, to whom would the evidence be “held up” and to what end? Great Gram’s use of the word “evidence” implies that a standard judge and jury would be involved, but what would a successful outcome of such a trial look like? Contemporary scholars of the novel often pay more attention to the pain that the Corregidora women inflict on one another than on the pain they hope to inflict on those who have harmed them. And this is valid. The Corregidora women recycle their traumas through the system that is meant to be a source of healing. The mandate to reproduce as well as the endless retelling of the tales of their brutalization contribute to the same cycle of trauma that they endured.

Nowhere is this cycle of pain more evident (or more complex) than in Ursa’s mother, Irene. In order to fulfill the family mandate to reproduce, Irene, a virgin, seeks out non-consensual sex with a male acquaintance who then becomes an abusive husband. This ambiguous sexual act then produces Ursa, potentially damaging our protagonist’s future ability to be intimate with others. Scholars like Sirène Harb and Jennifer Cognard-Black use such excerpts to declare *Corregidora* a novel about psychological trauma.

Trauma is certainly one part of the novel. But *Corregidora* is also a novel about justice. Rather than dismissing Ursa's foremothers as broken spirits inflicting pain on one another, it is worthwhile to understand the logic of their methods for achieving the forms of liberation that they deemed accessible.

The timeframe of their reproductive justice system illuminates the thought processes of the Corregidora women. The American justice system traditionally seeks to use evidence from a recent crime to produce a punishment for said crime in the "now."¹⁹ Alternatively, Great Gram's justice system functions as a modified version of what Timothy E. Fulop calls "cultural millennialism," an offshoot of black millennialism in the nadir, 1877–1901. Cultural millennialism still places God above all, but also puts "profound trust in American cultural principles and institutions" (96). Great Gram maintains most of the standard American language of trial ("evidence" "verdict" "guilt vs. innocence") to establish the notion that there will be a time on Earth when the evidence of her masters' brutality against them will be "held up" so that the abusers may be appropriately judged for their crimes. The millennialist underpinnings of the reproductive justice system are tailored to the needs of enslaved black women, a group with a total lack of access to justice in their contemporary moment. However, the system is inherently hopeful, imagining that there will be a time in the future when this total deprivation of rights will no longer be the law of the land. The process relies heavily on a chain of inheritance, demonstrating that the Corregidora women believe that, if nothing else, at least their justice system having been modeled after the traditional American justice system, one so established and seemingly permanent, could therefore ensure the survival and efficacy of this justice system constructed for black women.

Gayl Jones uses millennialist language more definitively when Ursa's mother, Irene, invokes her own version of her inherited justice system: "But you got to make generations, you go on making them. . . And when the ground and the sky open up to ask them that question that's going to be ask. They think it ain't going to be ask, but it's going to be ask. They have the evidence and give the verdict too. They think they hid everything. But they have the evidence and the verdict too" (41). Irene highlights a feature of the millennialist justice system established by the Corregidora women that seems counterintuitive: it has an inevitable failure built into it. Not only is the approach to justice impossible, but also the women will never live to see justice served. And they cannot know to whom the evidence will be shown. The vague pronoun "they" that Irene uses when she states, "They have the evidence and the verdict too. They think they hid everything," makes it difficult to discern those who could "have" the evidence, from those who "hid everything." This confusion between the saviors and the accused in this hypothetical justice scenario also proves the impossibility of this system actually functioning to bring the women justice. However, the doomed nature of this system does not mean that the women should not be lauded for their attempts. And Gayl Jones is intent on the reader seeing Ursa and her foremothers as attempting to access liberation for themselves. Jones treats the reader like Little's defense team treats the jury. Jones is training us to read justice systems as processes for black women who have experienced sexual violence—processes of manipulating the context to manipulate the outcome. Paul uses trial relocation to conduct such manipulations in *State v. Little*. As both Great Gram and Irene prove in their adamant speeches above, the Corregidora foremothers use the language and meaning(s) of evidence to manipulate the context in doomed hopes of

manipulating the outcome. Though both Paul and the women of *Corregidora* are invested in systemic manipulation, they approach the audience for that manipulation very differently.

Great Gram is aware that evidence, in all of its forms, is at the foundation of the American criminal justice system. However, whereas a trial like *State v. Little* relies on publicizing that evidence to achieve “real justice,” the Corregidora women wish to maintain a closed circuit around the evidence until “time come,” to achieve hypothetical/millennialist justice. Great Gram views the “burning of the papers” as both an erasure of the crimes committed against her and her progeny as well as an implied admission of guilt on behalf of the enslavers. The bodies of Great Gram’s children and those of her children’s children, etc. therefore act as enforcers of guilt in place of the burned papers. But bodies can be a faulty substitute for paper evidence, evidence like documents of slave purchase or other evidence of enslavement that could be more easily publicized. Karla FC Holloway acknowledges this attitude toward evidence as a burden on slaves, “caught in a brutal reality that would make [their] progeny also [their] documentary evidence of the rapes” (67). However, what Holloway characterizes as a brutal reality is just as much a precious, albeit doomed, opportunity. Using their progeny may not act as a solid testament to the burners’ guilt. But the offspring are intentionally private forms of evidence until “time come.” Only Great Gram, her “generations,” and their masters can see the children of slaves as evidence of enslavement.²⁰ The privacy of this system allows the Corregidora women to feel some sense of control over a system that was built to exclude them. Great Gram’s intense demand upon the specific term “evidence” points to a desire to publicize this guilt within the imagined boundaries of a

millennial justice system. Though this is a system that does not function to compensate the women for their various abuses, it gives them a sustained hope that one day it will.

Reading *State v. Little* alongside *Corregidora* reveals a new reading of the novel as a novel about justice. In addition to elucidating the foundations of a reproductive justice system at the core of *Corregidora*, *State v. Little* also helps to illuminate the geographical aspects of the justice system that the Corregidora women construct. For Little's defense team, trial relocation is the system weakness that they can exploit, but only with a mountain of financial resources. Both national and international demographics play important roles for Ursa and her foremothers. It is uncertain which legal system the women are using to model their own on because the boundaries around nations and therefore around legal systems are not clear in the novel. Great Gram and Gram are born into slavery in Brazil, where they serve Portuguese masters, before migrating to Kentucky years after U.S. slavery has legally ended. Although the migration from Brazil to America is not narrated overtly in the novel, the relocation implies a desire to both physically and mentally flee the space in which their sexual violation occurred as well as seek out an entirely new land with an entirely new set of laws, an entirely new set of potential judges for whom to publicly exhibit the evidence of that violation. One would think that the women would use a set of logics around trial, verdict, and evidence that was specific to Brazil rather than those of their new home, the United States.²¹ But, in fact, the Corregidora women do not seem to be tracking the influence that national borders may have on their appeals for justice. The women never make references to location the way that they make references to time. This geographical adaptation of justice systems further proves the extreme audacity of their project to not merely

manipulate the law to gain restitution for enslavement and sexual violence, but to do so internationally and retroactively, outside of both the country and the time in which they were enslaved.²²

Like Joan Little and her defense team, the Corregidora women believe that they must attempt to manipulate the context in order to manipulate the outcome, but the intricacies of that manipulation vary quite vastly between the two cases. Little and her allies have more resources to conduct manipulation that they believe will be convincing to the U.S. criminal justice system. The context that Great Gram attempts to manipulate is the definition of “evidence” at her disposal: her own body, the bodies of her offspring, and the stories that they tell one another.²³ The Corregidora women emphasize evidence within their control, operate on a millennialist timeframe, and dismiss geography—these machinations of their system prove that the women must manipulate the justice system that excludes them in order to manipulate the outcome from one of injustice to one of a vague, millennialist/hypothetical justice—in hopes of obtaining a vague justice that is hoped for but may never arrive. The Corregidora women, both by choice and the lack of choice forced on them by misogynoiristic discrimination, become manipulators of the legal system. The efforts of this matriarchy to punish their rapists, masters, and brutalizers demonstrate that *Corregidora* is not only a novel about trauma, but also a novel about justice. And to view the novel as a novel about justice has direct implications on how one views the protagonist, Ursa Corregidora, the inheritor of this flawed reparations project.

Ursa’s Future and the Barren Hope of Departing From the Past

This reading of *Corregidora*, as a book about justice, calls into question previous scholarly assertions about Ursa. Many scholars claim that Ursa is a victim of her family and their traumatic past. However, understanding the strategies of the Corregidora women as forms of justice-creation show that Ursa is not only a victim of her family's cycle of trauma, but also the inheritor of a doomed-to-fail justice system. As enticing as it is to endow Ursa with agency over her relationship to her past, Jones does not allow such clear-cut lines to be drawn. Neither the doom nor the potential hope that many scholars project onto Ursa is within her control. For example, Ursa becomes barren at the outset of the novel when her husband, Mutt, pushes her down a flight of stairs. She suffers a miscarriage and doctors insist that she undergo a hysterectomy to save her life. Some scholars read Ursa's barren state as a clue that she is in fact taking the power over her own body. Following this logic, Ursa's foremothers pass down an abusive system that mandated reproduction and Ursa resists that abuse through her miscarriage. But Ursa has no control over her miscarriage and therefore scholars overestimate her ability to control her fate. I am primarily interested not so much in how Ursa is retraumatized by her familial past, as Jennifer Cognard-Black argues, but rather how she both resists against and perpetuates the violence of the justice system that she inherited (49).²⁴

I agree with Cognard-Black that the Corregidora foremothers replicate the trauma by retelling the story of their enslavement so exhaustively, but I also think that *The Case of Joan Little* offers a version of a black woman using evidence of one's brutalization to heal or to be liberated that can complicate our attitude toward representations of "record-based" evidence as necessarily belonging to white supremacist rhetorics in the novel. Little's defenders, for example, rely on something documentable like the survey to obtain

an acquittal. Beyond the scope of these two cases, there are many examples that refute the alignment between “recorded history” and white supremacy—i.e., the level of secrecy/anonymity within institutions like the Klu Klux Klan, the reliance on the slave narrative as a record of great black historical and evidentiary significance, etc. But, rather than outright reject Cognard-Black’s advocacy of silence as an alternative rhetorical strategy, I want to insist that Joan Little offers yet another model with and/or against which to read the Corregidora women, and black women in general, as owners of the official record, and not necessarily the white heteropatriarchy. Both Little’s defense team and the Corregidora women act against injustice when they see that it is not necessarily the form in which the system operates—language, records, physical evidence—that is always the obstacle to justice so much as how white supremacy manipulates those forms to unequal, unlawful, and unjust ends. The unfairness with which systems are manipulated to the deprivation of the oppressed is precisely what Jerry Paul meant when he declared that the system could be bought and therefore there is not really such a thing as justice for black women without manipulation.

Ursa’s infertility is a kind of silencing but also an opportunity for her own voice to take center stage and for her to change the very definition of “public,” another concept upon which the Corregidora women’s justice system hinges. The Corregidora women point to a fundamental imbalance of justice by manipulating the very definition of “evidence.” In the “private” world of the Corregidoras, of black women, stories and offspring are as useful as paper or blood is to their oppressors.¹⁵ The family of women admits that stories and offspring are not very good forms of evidence, but they are the most readily available tools for systemic manipulation. Ursa is simultaneously of and

apart from the “Corregidora women” because of how she shifts the definition of justice from one that is private and millennialist/hypothetical to one that is public and presentist/real.

Throughout the novel, Ursa reframes audience and the kind of justice that is possible for her. When Ursa is made barren by domestic abuse, the white heteropatriarchy, the burners of the papers, get what they wanted all along: a literal drowning out of the already fragile and faint message of the black offspring-as-evidence. Ursa’s barrenness helps to undermine the viability of redefining evidence as a strategy for gaining justice. Not only does Ursa’s barrenness make reproduction-as-justice impossible because no more mixed-race black children will be born under the Corregidora family name, but her womb-lack also exiles the story of their violations from any public forum, forcing it to always stay within the enclosed circle of the four generations of women. The procreative evidence will live and die with Ursa. This death of a kind of definition of evidence spells disaster of sorts for the justice project to which her family has been committed. The body (voice, existence, ability to reproduce, etc.) alone can no longer act as either subject or object of forensic analysis.²⁵ Many Corregidora scholars view Ursa’s inability to reproduce as a positive end to a degrading cycle, but the end of reproduction does not mean that the story of brutalization will not be retold.

Instead of ceasing the retelling of the story of her family’s brutalization, because she no longer has offspring to whom to pass it on, Ursa changes the definition of “public” from the private public of Corregidora women to the public public of her blues singing. This dichotomy between a private public and a public public is an adaptation of Deborah McDowell’s delineation between black women’s writing that is meant for a black

(female) audience (a private public) and writing that is meant for a majority white audience (a public public). There is no representation of anyone who is described as white in the novel except for old man Corregidora, but because Ursa sings her songs in a club she is relinquishing control around the makeup of the audience to whom she hopes to pass her family history, as one lyric excerpt indicates: “*While mama be sleeping, the ole man he crawl into bed/While mama be sleeping that old man he crawl into bed/When mama have wake up, he shaking his nasty ole head*” (67). These lyrics do not speak directly to the brutal violence that her ancestors endured, but it is difficult not to see that Ursa is using the song as a replacement for the story of old man Corregidora raping his own daughter, Gram, while Great Gram is fully aware and can do nothing to stop it. Donia Elizabeth Allen reads the blues as a musical form evident in a “blues linguistics” that the entire novel takes on, but it is also a public forum through which Ursa can circumvent the mandate to physically reproduce, a forum through which she can create songs as evidence in a new kind of justice system. This is one way in which Jones never really allows us to see the cycle of violence end. Jones continues to represent evidence-based systems at crucial points in the novel, plaguing Ursa and, possibly, helping her embrace hopelessness.

It is not until late in the novel that the reader learns of a private memory that Ursa possesses that allows her to access a new definition of justice—presentist/real justice—that her foremothers never could. Throughout *Corregidora*, nearly all of Ursa’s memories are of conversations she had with her Gram, Great Gram, or mother about their enslaved past, about their abuser and master old man Corregidora, or about their inherited mandate to reproduce. Jones makes the reader feel the same way that Ursa feels: deluged with the

voices, opinions, and horrific memories of Ursa's family members. Whether in bed with a lover or talking to one of her girlfriends, the disembodied voice of one of her foremothers never strays too far from Ursa's mind.²⁶

It is therefore an enormous break from the previous tone of the novel when Ursa reveals a private memory more than two-thirds of the way through. The revelation of any private memory belonging to Ursa would be significant on its own, but that this memory pertains so immediately and exactly to the issues of race, sexual violence, and the law makes it especially telling about the role of justice in the novel.

I couldn't have been more than ten the year the Melrose woman committed suicide. . . I just sat down at the kitchen table and listened. "Yeah, they found her over in Hawkins' alley," Mama was saying. . .

"Had to been some man," Gram said. "I ain't never known a woman to take her life less it was some man." . . It wasn't until later that I knew what they were talking about. I was down at Mr. Deak's store, and him and these men were talking. They weren't like Mama and Gram. They didn't care if I was there or not . . . the girl was . . . one of Mr. Melrose's girls. She was in her twenties . . . Melrose is up there now . . . he gon try to find out what man's responsible . . .

"How her daddy gonna find out, and the whole police couldn't?"

"A daddy got ways the police ain't. Anyway, she wasn't nothing but a nigger woman to the police. You know they ain't gon take they time to find nothing about a nigger woman. . . . 'Here, put it in the nigger file.' That mean they get to it if they can. And most times they can't. Naw, they don't say put it in

the nigger file, they say put it in the nigger *woman* file, which mean they ain't gon never get to it . . .

It wasn't until I was about fifteen that I learned from reading back papers in the school library that . . . now Mr. Melrose was in jail, and the police had claimed they still didn't know whether the man he had shot or knifed had had anything to do with his daughter. They still didn't know why she'd killed herself. John Willie, of the police department, had said, "There's some things them people just won't let be our business no matter how hard we try. We still asking around though." . . . I don't think anything ever worked me up so much as that woman, and I hadn't really known her . . ." (133–45)

From her encounter with the case of the "Melrose woman," Ursa learns a valuable lesson about alternative approaches to justice that her foremothers are either incapable of or refuse to expose her to. Other scholars of *Corregidora* might read the suicide of "the Melrose woman" in Ursa's town as yet another instance of trauma and therefore a continuation rather than a disruption of the rhetorics of pain against black women in the novel. In other words, previous scholarship would see Ursa as learning nothing new in this scene: the Melrose woman is another example of black women as perpetual victims of violence who cannot rely on traditional channels for justice. To be sure, for Ursa to learn of a young woman's demise (supposedly at the hands of "some man") at such a young age is an emotionally challenging experience. Yet turning attention away from Ursa's emotional response to this "crime" (of which there is little textual evidence), and toward the way it informs her about about justice for black women in the 1930s, reveals the details of Ursa's departure from the reproductive justice system of her foremothers.

Jones never answers the questions around what happened to the Melrose woman. The ambiguity around this black woman's death is one of many instances in the novel where Jones confuses societal expectations about women as victims of male violence. The first of these is in the novel's opening. The first of these is in the novel's opening, in which it is unclear whether Ursa lands in the hospital because she was pushed down the stairs by her husband, Mutt, or because she fell. The Melrose woman's death is similarly confounding. Was the Melrose woman murdered or did she commit suicide? There is never a definitive answer. The distinction is important when viewing this scene as one that reveals to Ursa alternative approaches to justice. The presence of a crime is uncertain as every character discussing the case blurs the line between murder and suicide for black women. As Gram says, "Had to been some man . . . I ain't never known a woman take her life less it was some man" (133). Gram's statement suggests that even if the Melrose woman committed suicide, it could still be considered a crime because it "Had to been some man." Mr. Deak echoes Gram's sentiments, thusly asserting the issue of justice by assuming that anytime a black woman is found dead, a crime of some kind must have been committed.²⁷

Ursa is accustomed to justice that occurs on the specific terms of her foremothers: as we have seen, redefinitions of the concept of evidence and a millennialist/hypothetical justice timeline are the central features of the Corregidora women's justice system. The story of the Melrose woman, however, offers concepts that are traditional to the American legal system, but new to Ursa: that is, conceptions of evidence and a contemporary/real justice timeline on which justice can (or can fail to) occur in the present. The presence of a dead body and police files, whether hidden or not, are markers

that a justice system, however corrupt it may be, exists outside of the one that Ursa has inherited. Significantly, Ursa is introduced to a new kind of justice timeline because, unlike the crimes committed against her foremothers, the Melrose woman's death as well as the fallout of the case occurs while Ursa is still alive. The foremothers speak of an impossible justice on a millennialist timeline that they will never live to see, but Ursa, somewhat obsessively, tracks the case of the Melrose woman throughout her life. Though many of the circumstances are left open-ended, the system of justice is functioning in real time for Ursa, and therefore loses the hypotheticalness that Great Gram manifested and/or was forced to manifest in her own justice system.

Part of Ursa tracking the case of the Melrose woman throughout her life involves a shift away from the alternative forms of evidence of the Corregidora women towards more traditional forms of evidence. Ursa acts as historian and critical race theorist of the case, seeking out an archive through which she might investigate the conclusion of a case whose implications for the relationships between the law, race, sex, and gender are uncertain. The archive she seeks is one that she finds five years after the crime is committed and consists of "back papers in the school library . . ." (144) When Ursa accesses a newspaper archive she arms herself with a record of the crime. This tactic of using an archive runs directly contrary to her foremothers' system of using their bodies and oral histories to redefine the very meaning of evidence and use that as the foundation of a private approach to justice.

This is not the only way that Ursa uses "paper" records as evidence. The "nigger woman" file mentioned by Mr. Deak is another allusion to the use of paper records to keep track of crimes that places the victimization of a black woman into recorded history

as opposed to outside of it. Of course, this inclusion of black women's pain in the record is not entirely unproblematic. As Mr. Deak says, "Anyway, she wasn't nothing but a nigger woman to the police . . . Somebody go down there and file a complaint, they write it down, all right, while you standing there, but as soon as you leave, they say, 'Here, put it in the nigger file . . . Naw . . . they say put it in the nigger *woman* file, which mean they ain't gon never get to it . . .'" (134)

Whether or not the Melrose woman receives justice for her death through the official channels is not of import in this instance, but rather how Ursa's exposure to the case gives her access to the specific, traditional mechanisms of the U.S. justice system. According to Mr. Deaks, in 1930s Kentucky the time has still not come when black women can expect their abusers to receive just punishments. Importantly, Mr. Deaks and the Corregidora women do not seem to possess the entire story. According to the police of Bracktown, Kentucky, the lack of justice is not the work of Jim Crow era white supremacy: "There's some things them people just won't let be our business no matter how hard we try. We still asking around though" (144). Over the span of five years, Ursa learns from black onlookers who have become accustomed to the failure of a system to protect black lives. She learns that there are other ways to not only define, but also uncover evidence as well as other timelines upon which justice can occur: both forms more tangible, albeit not necessarily more successful, than those her foremothers construct. Much of this may seem obvious. Perhaps it seems obvious that, living in the U.S., Ursa would inevitably be made aware of a more official justice system, one that consistently fails black people yet maintains a formal approach to justice that differs from that of her family.

But Ursa's departure from the Corregidora women is, instead, earth-shattering. Jones structures the narrative so that the reader is constantly bombarded with the sense that Ursa is trapped by her family's mentality. As mentioned, Ursa repeatedly insists that she has no other memories, no other connection to her individual past than those of her foremothers, nothing but an audio transcript of the brutality they suffered as slaves playing on an endless loop in her mind. This scene in Mr. Deak's store, the memory of the Melrose woman, is an enormous break in the text. It is a moment unlike any other in the novel thus far, one in which Ursa is in command of her own memory and, rather than being the recipient of a story, is the teller of her own. Or rather, she tells her own story-within-a-story, the story of her experience of another woman's story. The death of the Melrose woman opens a new space of thought for Ursa in terms of how she defines justice, evidence, and the potential for black women's pain to be recorded and then used for the transformation of another black woman. Ursa is, in fact, so "worked up" by the Melrose woman that she changes her entire perspective about herself and the role that she plays in the story of her family.

Conclusion

Through the character of Ursa, Jones maps a psychological shift from hypothetical to real justice in her novel. The Corregidora women use their bodies, their stories, and the bodies of their children to formulate a millennialist justice system intended to achieve justice at some vague point in the future. Whether she recognizes the fatalism of this justice system or is forced to alter her perspective because of her infertility is not of major consequence because Ursa Corregidora still begins to break free from her ancestors by changing the

definition of public, the definition of story, and the definition of evidence. In other words, Ursa begins to develop the tools needed to build a real justice system. Even if Jones does not allow us to see the capacity of these tools to fully heal Ursa or to bring her to a point where she can “move on” from her traumatic familial past, there is triumph in the very fact of these changes in her perspective because they liberate her from a cycle of trauma from which she seemed previously incapable of escaping.

Many scholars of *Corregidora* read the novel as one about healing, but not in the terms of justice that I have applied. It is thanks to *State v. Little* that such a reading of *Corregidora* as a novel about justice could emerge. This reading of *Corregidora* as a novel not about healing, as previous scholars have argued, but rather about justice is made possible by juxtaposing it with *State v. Little*. This case helps illuminate the legal language that the Corregidora women use as not only an idiosyncratic quirk or something not worth reading at all, but rather as a symptom of a larger perspective on justice as something that black women can create even if the results of that creation not only fail to bring about real justice, but in fact have negative and injurious effects on their creators’ bodies and minds.

The focus of previous scholars on the moments of healing from trauma in the novel is, though appealing, incomplete: it is not possible to ignore the ways in which Jones limits healing. The novel ends with a sexual encounter between Ursa and her ex-husband, Mutt, that leaves the entire possibility of healing from the pain of sexual violence (and a familial history of violence) uncertain. In a blues-y refrain, Mutt tells Ursa that he does not want a woman who will hurt him and Ursa responds, “Then you don’t want me.” They go back and forth this way three times until, “He shook me till I

fell against him crying. ‘I don’t want a kind of man that’ll hurt me neither,’ I said. He held me tight” (185). Many have read this scene as the moment of healing, the moment that Ursa is finally able to express herself emotionally; I would argue, however, that though it is certainly the beginning of some kind of transformation for Ursa, Jones intentionally leaves the reader in the dark about what form that transformation will take. Will it be one of healing? Will it be one of even more abuse between herself and Mutt? By ending the novel so indefinitely, Jones propels Ursa into a space that is not-yet-healed, but not quite as traumatized as it once was either. Similarly, all of the work that Ursa is able to accomplish to redefine her inherited justice system—from hypothetical to real, from story to song, from private to public—could contribute to a multiplicity of possibilities for her, either perpetuating the familial cycles of trauma in new forms or terminating those cycles for good.

Both Ursa and her foremothers incur a variety of traumas on their paths to create and/or reenact justice systems. The foremothers retraumatize themselves every time they tell the story of their abuse to one another. Ursa relives this familial trauma through song and is also exposed to brutal truths about black women and justice at an early age through the Melrose woman. Jones therefore implies that there is no path to justice that is without trauma. Trauma is, perhaps, always an unhappy byproduct of black women’s attempts to find justice, especially for sexual violence.

State v. Little corroborates this sentiment about justice and trauma. Though Joan Little was acquitted, her life was forever changed by the trial. For any victim of assault to have to recount that assault on the witness stand is already retraumatizing enough, but Little had to tell the story of her assault over and over and over again to her defense

attorneys, to the prosecution, to the jury, to the judge, to the entire world. In 1975, presumably after the trial ended, Little wrote a poem, “I am Somebody!” that points to this vacillation between how the path to justice both involves reliving the original trauma as well as potential healing.

Every hurt and pain I feel inside,
 Everytime I pick up the morning news
 only to see my name on the front page –
 I begin to wonder; they make me feel
 less than somebody.

But in the end I will have freedom
 and peace of mind. I will do anything
 to help prove my innocence. Because
 of one important fact above all . . .

‘I am somebody!’ (1)²⁸

Little’s declaration, “I am somebody!” insists that a healing has already occurred, but the opening line of the final stanza implies a more vague temporality of healing: “But in the end I will have freedom/and peace of mind.”²⁹ Like the Corregidora women’s “when time come,” Little’s “in the end” implies an uncertainty about when exactly a black female victim of sexual violence can say she is finished healing. Of course, such uncertainty is to

be expected, but it is interesting that both Jones and Little not only emphasize this uncertainty, but also emphasize the systems that are both at fault and yet must, by necessity, be used if not to identify the black woman's rape as a crime, at least to give her a template through which to manufacture her own justice system. The system that she creates may be just as flawed and full of failure as the one that excludes her, but at least she owns it.

Ownership and the audacity to change the rules under which the U.S. justice system functions are key components of both Little's and the Corregidora women's approach to justice as a means of healing. However, failure is just as key. The Corregidora women create a justice system that fails. Though Little's defense team successfully manipulates the aspects of the U.S. justice system that are at their disposal, it is uncertain whether this brand of manipulation is generalizable. In other words, Little's case is a failure when we approach it with the millennialist lens because the stakes and details of the case are so specific that perhaps they won't be applicable to a more standard rape case in which a black woman experiences sexual violence. Nevertheless, that both the legal case and the novel fail is not something from which to run away or of which to be ashamed. Rather, failure proves itself to be useful and, in fact, essential to systemic change for black women who experience sexual violence.

Gayl Jones proposes that the relationship between black women and the law does not strictly suffer a systemic failure or the failure to overhaul a behemoth as large and far-reaching as white supremacy. Of course it suffers from those ills. But Jones clarifies that the U.S. justice system also suffers from a failure of imagination. The Corregidora women as well as Little's defense team prove that leaving room for outlandishly

imaginative and impossible forms of justice may be the only way for black women to have their crimes be intelligible as crimes, for their assailants to be punished, for them to have, as Little says, “peace of mind,” even if that peace of mind is a lie.

Finally, manipulation is the common language in which *State v. Little* and *Corregidora* speak, and importantly, the forms that systemic manipulation takes are also somewhat shared. Little and her allies use trial relocation to manipulate the geographical context in which the trial occurs: in other words, they change audience. Audience, similarly, is a key factor for Ursa and her foremothers as we see when Ursa departs from the private public of the justice system that she inherits and moves on to manifest her own public public, the audience of her blues concerts. The material that each audience receives is also common as a means of manipulation between both Little’s case and Jones’s novel. The *Corregidora* women and Ursa redefine evidence and Little circumvents attempts by the prosecution to turn her voice into a piece of evidence against her. Black women’s bodies speak to their respective audiences in the language of mythically excessive sexuality before they themselves can speak to corroborate and/or contradict that language. Both the *Corregidora* women and Little’s defense use their own strategies to dismiss and/or find loopholes around those myths. The *Corregidora* women’s reliance on reproduction seems to make myths of excessive sexuality useful in a very particular way. Little and her defense team have inherited the language of black power and a burgeoning language of women’s rights so that they can not only educate their audiences about this history of mythologized sexuality that makes white supremacy and white supremacist systems see black women as unrapeable, but also combat those myths with their own systemic manipulations.

To read *Corregidora* alongside *State v. Little* opens up an entirely new and enthralling avenue of interpretation for the novel, one that examines this literary product as heavily invested in justice for black women who experience sexual violence. Likewise, Jones's novel helps us to see the ways that Little's triumph is earned by a massive amount of labor—that it is, in other words, the result of manipulation. The *Corregidora* women expose justice for black women who have experienced sexual violence as either doomed to fail or a path to healing that is entirely uncertain. This perspective of doomedness causes us to reflect upon Little's triumph as less of a triumph for her and women like her in the future and more of a very particular triumph for a very particular case that allowed for a very particular outcome.

The very fact that the U.S. criminal justice system must be manipulated for black women to receive justice for their sexual violations returns to haunt us in chapter three as we see how this fight continues for a specific population of black women, those whose rights are confined in very particular ways. But their particularity, similar to that of Little and the *Corregidora* women, does not mean that they are necessarily doomed to fail so much as that the alternative paths to justice/healing that they carve out for themselves take a powerfully malleable shape and it is to this shape that we turn next.

¹ In a recent book *How We Get Free: Black Feminism and the Combahee River Collective*, Keeanga-Yamahtta Taylor interviews Barbara Smith, a pioneer of black feminism. Smith distinguishes the “women’s movement” from what the National Black Feminist Organization (and its later offshoot, the Combahee River Collective) to refer to a largely upper middle class white women’s movement. That is how I am using the phrase here.

² Only recently have African American literary scholars begun to call into question the absolute agency of black subjects. I want to make a distinction between black women as manipulators and black women as agents. In her foundational work *Scenes of Subjection*, Saidiya Hartman argues against limited notions of enslaved women as passive objects. Hartman makes a convincing case for the agency of both enslaved and newly freed women. Only now are African American literary scholars eager to deflate

what has become a fetishization of agency as the magical cure to abjection/objecthood. In this project, to see black women as manipulators is a way of assuming their agency without pretending that it cures them of being denied rights.

³ I am detaching “voice” from “body” in a way that I hope is reminiscent of how this disconnect arose for Recy Taylor and Bessie Mears in *Native Son* in the previous chapter. More often than not, the black woman’s body is discussed without her being able to voice dissent, whether because she is physically incapable or silenced in other ways. See Darlene Clark Hine’s work on the dissemblance of silence in her article, “Rape and the Inner Lives of Black Women in the Middle West.”

⁴ One of the most powerful details from the story of this covert removal of Little from her hiding place is that Margie Wright insisted that Little wear one of her wigs as she walked from the hiding place to Paul’s car. The wig was used to disguise her from the gaze of Beaufort County police who were constantly surveilling and directed to “shoot on sight” if they discovered Little. McGuire tells the story of the wig in her book, but hearing Margie Wright tell it infused a level of humor that I had not anticipated. Wright was herself a black sex worker in North Carolina. I got to hear her tell this story when I heard James Reston’s recorded interview of her in the Southern Historical Collection at UNC Chapel Hill thanks to funding that I received from the Power, Violence, Inequality Collective of the University of Virginia.

⁵ For more detail on the racial politics of North Carolina in the 1970s, see Danielle McGuire’s *At the Dark End of the Street* (2010).

⁶ Prior to *State v. Little*, race as well as other facets of identity had not been successfully used to argue for the bias and relocation of a jury. Notable and relevant examples include the all-white jury in Mississippi that acquitted Emmett Till’s murderers in 1955 as well as the multiple juries, even one including a single black man, that repeatedly found the Scottsboro Boys guilty of rape in multiple counties in Alabama to no avail. *State v. Little* was the first time that a lawyer successfully argued for trial relocation based not only upon bias against the race of the defendant, but also their gender.

⁷ McKinnon’s reasoning aligned with that of the prosecution, Griffin and Wilkinson, who also wanted the case moved because of high publicity. However, Griffin and Wilkinson wanted the case moved to Pitt County, one of the six options available. The defense wanted the case moved to Orange County, “the liberal seat of North Carolina” according to Mullin. Mullin wanted to investigate Pitt County because she suspected that she could prove that it had similar attitudinal problems as Beaufort in terms of race. But Mullin knew that in order for it to be compelling to Judge McKinnon as biased she would have to also prove that the majority of residents held specific prejudices against Little because of how it was being used to turn them into a national enemy of racial justice. Mullin did both in another attitudinal survey of Pitt County (192–93).

⁸ A little more than a decade after Little was acquitted, *Batson v. Kentucky* (1986) ruled that prosecutors may not use race alone to dismiss jurors under peremptory challenge. Prior to this, each side in a trial had a certain amount of jurors that they could dismiss without having to state a reason why. It was found through *Batson* that many of those jurors were being dismissed to curate the racial makeup of juries.

⁹ Rosa Parks's staged attempt to sit at the front of a bus in Montgomery, AL in 1955 is probably the most famous version of an activist organization using the public failure of a system to demand social change. However, as McGuire argued, *The Case of Recy Taylor* (1944-5) predates it and ties an anti-rape and anti-racist rhetoric to the foundations of civil rights movements. Recy Taylor was gang raped in Abbeville, AL and an all-white and male jury fails to indict her rapists twice. Rosa Parks and other members of the NAACP used this systemic failure to begin The Committee for the Equal Justice of Mrs. Recy Taylor.

¹⁰ *State v. Little* was no average rape trial; therefore it cannot be representative of all rape cases for black women. Not only was it a case that landed in the right place at the right time with the right amount of resources, but also it is technically not a rape case. Joan Little was on trial for the murder of her rapist. Though this invariably means that Little's character and her capacity to be visible as a victim of rape are on trial, it is ultimately a unique case in this regard. The jury had to choose between jailing a woman who was lying about being raped and who killed for malicious reasons and freeing a woman who had been the victim of a crime on the grounds of self-defense.

¹¹ "Agents of change" refers to such public civil rights figures as Julian Bond and Angela Davis, both public supporters of Joan Little. An essay by Angela Davis published in *Ms. Magazine*, "Joan Little: The Dialectics of Rape" (1975), demonstrates Little's defensibility by pointing to the ways in which poor prison conditions allow for and even motivate the sexual assault of black women.

¹² This is a slight oversimplification of the innumerable ways that resistance to sex can occur, but I am being hyperbolic because this is often the kind of oversimplification that rape laws make: one can only demonstrate that they resisted sex through a verbal rejection or proof that they were physically forced (defensive bruising, etc.). Though the definition of consent varies somewhat across states, most state prosecutors must maintain this narrow view of consent because they may be the only determining factors that they have at their disposal.

¹³ Even Taslitz's distinction between "women's language" and black women's demeanor betrays the continuation of a misconception that black feminists Barbara Smith, Akasha (Gloria) T. Hull, and Patricia Bell-Scott attempt to combat with their edited anthology, *All the Women Are White, All the Blacks Are Men, But Some of Us Are Brave* (1982).

¹⁴ There are so many other interesting ways in which Little's voice is manipulated—too many to recount here. But one other aspect worth mentioning is how Griffin tries to use Little's diary and correspondence with friends or family members, her own written voice, to ventriloquize the stereotype of a black woman he hopes to invoke for the jury. At one point in his questioning, he asks Little to read a passage from a letter in which she says that "the jailers are being very nice to me." He tries to use her note about the kindness of the jailers to deflate the defense's argument that Little suffered poor conditions in the jail and that she in fact invited Alligood's sexual advances.

¹⁵ For more on the explicit use of United States history to defend Joan Little, see "Argument to the Jury by Jerry Paul" in *State v. Little*, Box 1, Folder 9, 16–22.

¹⁶ Isaac Sheen explains that millennialism is a more literal interpretation of a section of the Book of Revelations: "The Millennial state will be the renewed state, which will precede the eternal state" (1). John D. Fitzpatrick adds detail to this notion and

portrays the millennial state as one that will arise when Jesus returns causing a golden age of “new hope and promise. . . [of] a better day. . . would come and bring the world new hope” (3). This sense of hope and renewal lends itself extremely well to the African American Christian tradition, as Timothy E. Fulop lays out in his article, “The Future Golden Day of the Race: Millennialism and Black Americans in the Nadir, 1877–1901.” Fulop argues that black millennialism of the postbellum period took a variety of shapes that distinguished this ideology of nadir-era Christians from the quietist millennialism of enslaved peoples. Within the various approaches to millennialism was a disagreement about whether or not America was the location in which this golden age would arise: “A large segment of black millennial thought did locate the millenium in America, which was congruent with the dominant ideology of America as a redeemer nation. . .” (81). Following this faith in America that Fulop mentions, it is not difficult to understand how black approaches to justice through the legal system are inevitably millennialist. The combination of law and theology is evident in how Jerry Paul and other civil rights movement leaders and organizations like the National Association for the Advancement of Colored People (NAACP) used the law. In the Case of Joan Little, in the Case of Recy Taylor, and in the case of Rosa Parks, and in countless other cases, lawyers and organizers knew that justice for that individual plaintiff was probably impossible, so the focus was instead on a much larger, broader sense of justice that would come “some day” as the lyrics of the protest song “We Shall Overcome” dictate. Paul reveals this attitude towards the legal system in much more cynical terms than one would think given the hopefulness of millennialism. These civil rights movement strategies were millennialist because they held onto a faith in the American legal system as a problematic albeit useful tool that could be used to the advantage of oppressed groups.

¹⁷ Jones is very consciously twisting many nineteenth-century tropes inside out, such as that of the “tragic mulatta” and what the novel calls “a slave-breeder’s mentality” (20). The “tragic mulatta” could be the result of a consensual relationship between an enslaved woman and her master or of a nonconsensual relationship, but her downfall was almost always inevitable either way. The Corregidora women are declaring their light skin (and possibly other phenotypical features that they share with their white antecedents) as another layer of evidence against their abusers. Similarly, reproduction is being turned on its head. The Corregidora women turn reproduction from a means of torturing enslaved women to breed more slaves to a means of evidence-production to feed their reproductive justice system.

¹⁸ I should mention that time is infrequently marked in the novel. Jones marks that the novel opens on 1947 and ends in 1969, but the action in between is difficult to historically pinpoint. I was able to identify a few other time markers using other temporal clues, but I think that it is significant that Jones is largely disinterested in marking time in the novel because it speaks to an overall desire to make the past, be it enslavement or the Jim Crow era, not only relevant, but also not-past, to use Faulkner’s phrase. Though the novel is set in the past (in multiple, overlapping pasts), the lack of temporal markers make it difficult to read as necessarily historically specific. Though it helps to feel the urgency of Ursa’s life choices as a very recent descendant of enslaved women, it is not difficult to see how Jones saw herself and other black women of the 1970s as beset with those same choices and questions. How do we engage with or disengage from the history of enslavement in our country, in our own families, and in our ourselves?

¹⁹ There is the rare “cold case” occurrence in which new evidence emerges about cases from the past and previous rulings are changed and/or revoked. But, for the most part, justice is on a timeline that exists in the present and/or as immediate of a future as possible.

²⁰ The progeny of masters and slaves do not necessarily act as evidence of sexual violence because not only was it difficult for enslaved women to argue that they had the right to resist sex with their masters, but also some of the children born to enslaved women were born out of consensual relationships. The bodies of the children do not themselves act as proof of nonconsensual sex between enslaved women and masters.

²¹ As an aside, I do not want to suggest that the Corregidora women innately know the ins and outs of the U.S. criminal justice system. Nor do I want to suggest that the women know that the criminal justice system is unfair because they are black and enslaved. They learn that they have no access to justice when they hear the story of a woman on a neighboring plantation who, when she killed and castrated her white rapist in self-defense, was forced to watch the brutal lynching and castration of her husband and then lynched (67). This is a fictionalization of a real case, *The State of Missouri v. Celia, A Slave* (1855). The tale of this woman in the context of *Corregidora* teaches Gram and Great Gram that American justice is vengeful: a white man is castrated and murdered, so a black man must be castrated and murdered. White supremacy demands that something fill the lack. In a similar vein, the Corregidora women are performing a revenge-based justice: their white masters burn the papers, so they must fill that lack with story and offspring. *State v. Little* tells the story of racialized rape-revenge but somewhat in reverse when, in his closing statement, Jerry Paul declares that Joan Little’s triumph would be a small albeit necessary balm on centuries of sexual violence perpetrated against enslaved black women. Despite this seeming obsession with revenge inside and outside of the legal system, the 1970s were home to debates between criminal justice reformers interested in rehabilitative justice and those who maintained the importance of retributive law. I will cover this notion of retributive justice briefly in the coda.

²² In *Bridging the Americas: the Literature of Paule Marshall, Toni Morrison, and Gayl Jones*, Stelamaris Coser argues that despite the shift in geography, Jones is working within the broader context of the “Americas” when she blurs the lines between American and Brazilian institutions of slavery. I think Coser’s point is well-taken, but the fact remains that the legal jurisdictions would have been different.

²³ Holloway refers to this use of the body and its progeny as “pitiful” and, although it is unfortunate, it is one of the important results of slavery to attend to. Enslaved people created their own ways of “moving without moving” says Trueblood, a character in Ralph Ellison’s *Invisible Man*, a concept that Houston A. Baker expounds upon in his essay “To Move without Moving: An Analysis of Creativity and Commerce in Ralph Ellison’s Trueblood Episode” (59).

²⁴ The title of the novel, “Corregidora”, is obviously a reference to the name of the masters and their enslaved descendants, but the translations of the word are also condensations of a larger theme. The word “corregidora” literally translates from Portuguese and Spanish to mean “the wife of the mayor or judge” and “corrective” or “corrected”. Every move that each bearer of this name makes reflects a desire to correct a past wrong. The Corregidora slave masters “burn the papers”, as Great Gram says, to correct the book of history and wipe their sins of brutality from it. In turn, the

Corregidora women wish to correct this burning by providing their own stories and children in lieu of the unburned paper. Ursa subsequently is coerced by her infertility to correct the flawed justice system that her foremothers passed down to her.

²⁵ This language around forensics comes from Eyal Weizman's *Forensis*.

²⁶ Jones separates the voices of Ursa's foremothers (and other voices) from the rest of the narrative by italicizing the conversations that occurred in the past. My own archival research of Jones's papers reveals that the italicization was likely the result of an editorial note that Jones received after she had already written two drafts of the manuscript.

²⁷ This is an interesting reversal of the dominant narrative around black women and sexual violence that I have been tracing. The dominant narrative portrays black women as incapable of having their sexual violations seen as crimes. Mr. Deak and the Corregidora women seem to overcorrect by asserting a new narrative, that any kind of violence that befalls a black woman is a crime.

²⁸ This poem and another poem written by Little titled "Not a Poem" were published in *Save Joan Little*, a booklet created by the Women's Press Collective. The New York City-based collective sold booklets and donated the proceeds to the Joan Little Defense Fund. Aside from Little's poems the booklet also included an essay by Angela Davis, a statement about women in a prison in Raleigh, and other general information about the case.

²⁹ Joan Little reappropriated a phrase from the poem "I am Somebody" by Rev. William Holmes Borders published in 1943. However, it is more likely that Little became familiar with the phrase when Jesse Jackson recited an excerpt from Borders' poem on Sesame Street in 1971. The phrase then took off as a popular cultural phenomenon, showing up in various songs, movies, books, and other popular cultural products.

“I love this country, but sometimes I not sure where I am”:
Immigrant Women of Color, Sexual Violence, and Conceptions of Justice, Legal and
Digital, in *New York v. Strauss-Kahn* and Chimamanda Ngozi Adichie’s *Americanah*

In her 1991 essay, “Mapping the Margins,” Kimberlé Crenshaw applies the tool of intersectional analysis that she created in 1989 to consider how legal systems and political institutions perpetuate violence against black women and other women of color. One of the populations on which she focuses are undocumented immigrant women of color who come to the United States to marry permanent residents, citizens, and/or undocumented workers. If this woman is in an abusive relationship, her access to potential services that may be of assistance (police, social service agencies, etc.) is limited not only because she fears deportation, but also because of possible cultural and/or linguistic barriers (1248). At the time Crenshaw wrote her essay, women who had obtained visas through marriage could not go through the process of applying for citizenship without their spouse being present in many states, a requirement that put these women at great risk. This problem of access is exacerbated by the fact that communities of color and immigrant communities of color are more heavily policed, the police are threatening rather than helpful to immigrant women suffering from domestic violence. Though there has been much reform between then and now, immigrant women of color remain extremely vulnerable. The legal case *New York v. Strauss-Kahn* and novel *Americanah* by Chimamanda Ngozi Adichie exemplify this persistent vulnerability, as do hundreds of cases of women struggling to survive in the xenophobic Trump era.

Contemporary discourse around immigration as a whole is so toxic that Crenshaw’s call for more significant policy changes to protect the most vulnerable has gone largely unheard as (politically) violent attacks on immigrant women of color have

continued, if not increased. There are stories of women being arrested by Immigration and Customs Enforcement (ICE) agents at the courthouse before or after their hearings against their domestic abusers, stories of white nationalists committing hate crimes against women in hijabs or those that they presume to be immigrant women of color from Muslim countries, and a general stoking of fear of immigrant women as invasive reproducers with the “anchor baby” uproar of 2006.¹ Fear of immigrants has been a consistent presence in the United States since the nation’s founding and both federal and state law have served as critical enforcers of such xenophobia. However, what is especially frightening about our current moment is the way that laws enable enforcement agencies like ICE and the Department of Homeland Security to use technology to track, incarcerate, and deport immigrants.² Yet at the same time that law enforcement agencies can use social media and relaxed privacy laws around internet and phone use as weapons against immigrants, documented and undocumented alike can also use the internet as a form of creative expression, community formation, political organizing, and healing.

Both Crenshaw, the current resurgence of xenophobia, and the rise in political organizing amongst activist groups like the DREAMers lead me to ask, How have these concerns also been expressed in literature and legal cases?³ If married immigrant women of color had to confront an immigration system that did not consider their specific needs, certainly unmarried immigrant women faced other, related issues. Certainly there were other ways that the law failed to account for the intersections of gender, immigration status, and race.

Though there are numerous examples of writings by women who cross the wide spectrum of races and ethnicities of immigrant women in the United States, Chimamanda

Ngozi Adichie's novel *Americanah* and *State of New York v. Strauss-Kahn*—the legal case of Dominique Strauss-Kahn, the former director of the International Monetary Fund (IMF), sexually assaulting Nafissatou Diallo, an immigrant woman from Guinea—speak to each other with uncanny precision. Both the novel and the legal case specifically center on African women who have migrated to America and are sexually assaulted here. In both, the assault places them at the center of systems that fail to capture personal and political complexity, thus rendering their assaults unintelligible as crimes. In both cases, the women at the center of the story try to craft alternatives and/or supplements to the law. Adichie uses Ifemelu's exploration of blogging in a similar way that Nafissatou Diallo uses the television network, ABC News: they both use these mediated platforms to creatively extract their potential to help other immigrant women of color narrate their traumas beyond the confines of the law. In a broader sense, *Americanah* and *New York v. Strauss-Kahn* not only expose the ways that the immigration system and the legal system do not have language to communicate the crimes committed against Ifemelu and Diallo as crimes, but also how the women themselves may not have access to such language.

***New York v. Strauss-Kahn* and *Americanah* in Brief**

On May 14, 2011, Nafissatou Diallo, a 32-year-old Guinean maid working at the Hotel Sofitel in New York City entered the room of now former International Monetary Fund (IMF) director, Dominique Strauss-Kahn. Diallo, believing that the guest had checked out and the room was empty, began to clean it. The guest, however, was still in the room and proceeded to attack Diallo and force her to perform fellatio. Diallo reported the incident to her supervisor, then to police who apprehended the man at the airport. Only a few

months later, on August 22, 2011, the District Attorney's office dropped the case. Like many other sexual assault cases, the case against Strauss-Kahn fell apart, according to the prosecution, because they determined her to be an unreliable witness. But what is striking about *New York v. Strauss-Kahn* is that Diallo's unreliability is entirely rooted in her identity as an immigrant woman of color. *New York v. Strauss-Kahn* upsets the issues of immigration policy, race, and sexual violence in such a way that makes these same issues readily apparent in the Chimamanda Ngozi Adichie's novel *Americanah*, a novel that is not necessarily known as a novel about sexual assault.

Americanah has what I would call one and a half protagonists, featuring Ifemelu as its primary protagonist and her highschool sweetheart, Obinze, as her other half both narratively and romantically. The focus is largely on Ifemelu, and most of the novel is written from her third person limited perspective. The novel opens on Ifemelu and her family living in Lagos, Nigeria with moderate financial means. The family gets by, however, with the help of Auntie Uju, the sister of Ifemelu's father, who is a young medical student also being financially supported by the wealthy general—known only as The General—with whom she is having an affair. After The General is assassinated, Auntie Uju flees to live in America. Uju's departure creates a great amount of unease in Ifemelu's family because they had been relying on Auntie Uju's financial assistance ever since Ifemelu's father lost his job.⁴ This first experience of economic instability for Ifemelu sets up what happens in America, the sexual assault that lives at the center of this chapter and, I argue, of the novel.

When Ifemelu meets Obinze as a teenager, their young romantic love takes center stage, melting the political-emotional chaos of Nigeria away so that the reader can revel

in their courtship and near-screwball-levels of witty rapport. It is important to understand the fear of financial uncertainty as well as the joy of the love between Ifemelu and Obinze because both are at the foundation of the novel's representation of immigration law and the role it plays in the sexual violation of immigrant women of color. After some time at college in Nsukka, where there are constant faculty strikes that stall their educational progress, Ifemelu applies for and receives a scholarship and, subsequently, a student visa to attend college in the United States.⁵ Because she is on a student visa, also known as an F-1 Visa, she cannot work off campus and must try to find work to support herself through school. Those who are approved for an F-1 visa in the United States are classified as "nonimmigrants" because their entry into the country is contingent upon an agreement that they will not stay in the U.S. once they complete their studies. This is one of many ways in which Ifemelu differs from Diallo. For example, Diallo's refugee status grants her a work visa, whereas Ifemelu's nonimmigrant status makes it much more difficult for her to find work and therefore puts her in a financial crisis.

While searching the want ads one day, Ifemelu happens upon an ad from a tennis instructor who is seeking an assistant (145). While interviewing her, the instructor explains that Ifemelu's duties are to help him "relax." Ifemelu, spooked, declines the job. However, later on, after being rejected from every single waitress, retail, and nanny job she applies for, and emotionally crushed by her roommates urgently demanding the rent, Ifemelu returns to the tennis instructor and undergoes an exchange of money for physical touch. Though the scene consists of what I will call non-coerced sexual touching, it is still emotionally devastating and sets an entirely new trajectory for the remaining narrative: the fallout between Ifemelu and Obinze, Ifemelu's subsequent climb

upward into financial and emotional comfort, the inception of her popular blog on race and national identity, which gains her a livelihood when she decides to return home to Nigeria and, eventually, to Obinze.

Though the scene with the tennis coach in *Americanah* is one of many examples in literature of immigrants of color experiencing sexual shame or humiliation in a new country, Ifemelu's journey is contemporary evidence of the nearly incomprehensible complexity of sexual violence as it exists both within and outside of the parameters of law. As I will explain in greater detail in the second half of this chapter, Ifemelu is not sexually assaulted by any legal definition but she certainly has a traumatic experience, one that she goes on to indirectly explore through her blog. The novel takes up the possibilities of this new mediated space and the altered shape that narratives around immigrant women and sexual violence can take with access to social media and other digital spaces that they control. When read alongside *New York v. Strauss-Kahn*, the scene of sexual assault in *Americanah* reveals the ways in which immigration policy cannot or does not have appropriate language to capture, let alone defend against, the particular sexually violent acts to which immigrant women of color can be vulnerable. As I argue in this chapter, both the legal and literary cases extend the arguments of chapters one and two about the (un)intelligibility of raped black women into new territory. At the same time that there are new challenges to being intelligible to the law that black immigrant women face, there are also new avenues for finding community and modes of expression around those challenges.

New York v. Strauss-Kahn: Immigrant Women of Color, Complexity, and the Televisual

It is nearly impossible to recount the details of an act of sexual violence in a neutral way. I am positioning myself as one who believes the victim, Nafissatou Diallo, so the previous account is a summarized version of the one she gave to prosecutors in her interviews with them and that she later repeated in public appearances. Now, I will repeat some of these details and add new ones.

On May 14, 2011, Nafissatou Diallo, a 32-year-old Guinean maid working at the Hotel Sofitel in New York City, entered the room of a guest who, unbeknownst to her, was Dominique Strauss-Kahn, the head of the International Monetary Fund (IMF). Diallo, believing that the guest had checked out and the room was empty, began to clean it. Upon entering the bedroom of the large suite, she found a naked man.

I will be describing the remaining details of the assault that Strauss-Kahn committed in somewhat graphic language. It is valuable to speak in such detail, given the ways that the legal term “sexual assault” tends to silence specificity for women, especially black women and women of color, who are sexually violated.⁶ This man, who proceeded to attack her, groped her vagina, and forced Diallo to her knees to perform fellatio, then eventually released Diallo from his grip. Diallo exited the hotel room and stood in the main hallway. She saw her attacker also exit the room and get on the elevator. Diallo immediately told her supervisor, Jessica, what happened. The police were notified and Diallo submitted to a rape kit at a nearby hospital. The rape kit revealed that the redness of Diallo’s genitalia as well as her hurt shoulder were consistent with her story of being forced to commit a sexual act. Diallo’s clothing was also swabbed and

eventually tested positive for Strauss-Kahn's semen. There was, in other words, profound physical evidence to suggest that a sexual assault occurred. Police apprehended Strauss-Kahn that same day, just before his flight from New York to Paris.

On May 19, 2011, a Manhattan grand jury indicted Strauss-Kahn on two counts of a criminal sexual act in the first degree, forcible touching, unlawful imprisonment in the second degree, sexual abuse in the first degree, third-degree sexual abuse, and first-degree attempted rape. Such a high number of criminal charges left Strauss-Kahn facing up to seventy-four years of jail time. Later, Strauss-Kahn's lawyers convinced the judge to release him on \$1 million bail so long as he remained under house arrest and surrendered his passport.⁷

But only a few months later, on August 22, 2011, the District Attorney's office dropped the case. After months of investigation, prosecutors filed a motion to have the case dismissed and all of the charges against Strauss-Kahn dropped. The primary reason that the prosecution offered for dropping the case was its assessment of Nafissatou Diallo as a witness. The DA's office conducted at least five separate interviews with Diallo after the grand jury indicted Strauss-Kahn and every interview revealed a new inconsistency in her story about the assault as well as her personal history. District Attorney Cyrus R. Vance, who was slated to represent the state of New York against Strauss-Kahn, wrote in his motion to dismiss that "our post-indictment investigation severely undermined her reliability as a witness in this case" (2).

It is not exactly the fault of Cyrus R. Vance—though, interestingly, he has come under fire recently as the same lawyer who dismissed a case against Harvey Weinstein in 2009—that the case against another powerful white man accused of rape was dropped. It

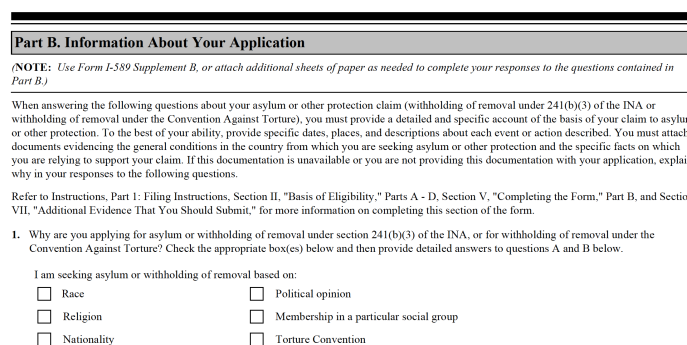
is more so the fault of a criminal justice system whose standard for conviction is “beyond a reasonable doubt,” and that defines reasonable doubt in ways that disadvantage immigrant women who came to the U.S. fleeing violence and deprivation. In the words of Kristie Dotson and Marita Gilbert, who write about Diallo in their essay “Curious Disappearances: Affectability Imbalances and Process-Based Invisibility,” the failure of the case is the fault of a system that is incapable of reading “complex social identities” (875).⁸ Vance, by virtue of his job title, is incapable of reading Diallo complexly because of the questions he is restricted to asking. Therefore the failure of the criminal case against Strauss-Kahn failed not because of a district attorney, but rather because of a legal system restricted to asking questions like, “Is this victim’s testimony reliable?” instead of asking “How can we understand the systemic underpinnings of this victim’s ‘unreliability’?”

A good deal of the questions surrounding Diallo’s “reliability,” as Vance puts it, are rooted, directly or indirectly, in her immigrant status. In other words, Diallo’s intelligibility as a victim of rape is inextricable from the story of how she arrives on the path to citizenship in the United States of America. Diallo’s case helps us to explore the problem of complex social identities that many immigrant women of color pose to legal systems.

It is not possible for scholars to investigate all of the details of Nafissatou Diallo’s journey to America and her application for asylum because those records are confidential. However, here is what we do know. When Nafissatou Diallo was around 27-years-old, she was already in the United States, living apart from her 7-year-old daughter, who

remained in her home country of Guinea.⁹ It was then that Diallo began the process of applying for asylum.

To apply for asylum, one must fill out an I-589 form and pass an interview. Both the form and interview act as extensive checks on the applicant's background, addresses of every single residence, current and former, every family member's name, names of spouses, and children. But the most important questions on the form and in the interview are those that ask why you are applying for asylum under guidelines that outline the limited ways one can become eligible to be in the United States: "I am applying for asylum. . . based on: (check the appropriate box) race, religion, nationality, political opinion, membership in a particular social group, torture convention" (5).



Part B. Information About Your Application

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part B.)

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.

Refer to Instructions, Part 1: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D, Section V, "Completing the Form," Part B, and Section VII, "Additional Evidence That You Should Submit," for more information on completing this section of the form.

1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? Check the appropriate box(es) below and then provide detailed answers to questions A and B below.

I am seeking asylum or withholding of removal based on:

<input type="checkbox"/> Race	<input type="checkbox"/> Political opinion
<input type="checkbox"/> Religion	<input type="checkbox"/> Membership in a particular social group
<input type="checkbox"/> Nationality	<input type="checkbox"/> Torture Convention

Fig. 1

In none of her interviews does Diallo reveal her answers to this or any other questions on the form, but she does admit to the DA that she "made a mistake" on the application. Her refusal to say exactly where she made a mistake makes it likely that she lied on this part of the form, the part where they ask her why she is seeking asylum. According to her interviews with the DA, Diallo admits that she lied on her application and that she even lied to the DA about a lie. Two days after Strauss-Kahn was accused, the DA asked Diallo if she had been the victim of any other assaults in her past. Diallo responded with an account of a gang-rape by soldiers in Guinea with great emotion and

conviction. She also mentioned to the DA that she used this story in her application for asylum. Later, her civil attorney Ken Thompson urged her to admit that not only was the story of the gang-rape by soldiers false, but also that she did not use this story in her asylum application. In a footnote of the motion to dismiss, there is a significant detail: “In her interviews of June 9 and June 28, the complainant stated that she had indeed been raped in the past in her native country, but in a completely different incident than the one that she had described in her earlier interviews. Our interviews of the complainant yielded no independent means of investigating or verifying this incident” (15). These lines reveal that, according to the DA, Diallo claimed to have been raped in Guinea, but in a “completely different incident.” Before the case was dismissed, Diallo revealed the story of this rape in her televised interview with ABC News. She explains that she was gang-raped by a group of men while closing up her brother’s cafe where she worked in Conakry, the capital of Guinea. In the latter half of this section, I will touch more on the emotional aspects of such telling and retelling for Diallo in her ABC News interview, but for now it is most important to recognize this pattern of lying. In addition to reading this pattern of lying as indicative of Diallo’s inability to tell the truth about anything, this pattern demonstrates the ways that systems, as well as cultural norms around immigrant narratives, condition such lies.

The work of scholars Lisa Lowe and Mae Ngai (and even Adichie) around the dangers of restrictive immigrant narratives help to understand the socio-historical context in which Diallo’s lies occur. In her book *Impossible Subjects*, Mae Ngai argues that narratives both inside and outside of the law about illegal immigration were used to racialize citizenship in the United States, particularly for Asian immigrants. Ngai builds

off of the foundational work of Lisa Lowe, *Immigrant Acts*, which asserts that the story of Asian immigration in the U.S. is the story of legal, racial, cultural, and linguistic exclusion often disguised as economic and political inclusion. Ngai and Lowe are also interested in the issue of narratives and norms. The U.S. tells its own stories about “foreigners” and those stories so deeply infect the cultural memory as to influence legal, cultural, and racial definitions of citizenship.

Landmark Supreme Court cases such as *Ozawa v. U.S.* (1922) and *U.S. v. Thind* (1923), in which men of Asian descent attempted to become legally white, were essential to cultivating scripts for a group now called Asians as not white and not of African descent and therefore ineligible for citizenship (Ngai 38). The decisions in *Ozawa* and *Thind* not only define whiteness from a specific racialized otherness, but also show the existence of a “good immigrant” narrative, a narrative that individuals like Takao Ozawa and Bhagat Singh Thind attempted to use as evidence of their assimilability. Thind harped on his time served in the U.S. Army, while Ozawa asserted his “honesty and industriousness” to the court. These and other characteristics mark a good immigrant. Even if the narrative of the hard-working immigrant who contributes to society, lacks a criminal record, and is family-centered did not work for Ozawa and Thind, their arguments reveal that there are standards by which immigrants are judged as assimilable and those standards are highly racialized.

Diallo’s case is embedded in this history of the “good immigrant” narrative because of the ways in which her case relies heavily upon the standards by which someone is judged as worthy of asylum or not. Though the standards for asylum are different from those of naturalization, ultimately they bear much resemblance to one

another because asylum provides those who are approved with a path to citizenship: they can work, they pay taxes, and they can apply for a green card (what can be a very long and expensive process). But there is another standard of “good immigrant” that Diallo had to fit: the violence she faced in her country had to be political; in other words, a kind of violence she could only escape by physically escaping her country. This is probably why Diallo did not merely lie about being gang-raped by soldiers; she also admitted to the DA that a male friend gave her a recording of someone else telling this story and she memorized it in preparation for her asylum interview. The DA gained access to her asylum application and verified that she used the story of the gang-rape on her application. The story involves not only being gang-raped by soldiers, but also that this rape was an act of retribution against Diallo’s husband, a political dissident. This story makes Diallo legible to an asylum application review board as a victim of “political” violence, a kind of violence that, presumably, her country cannot protect her from because the government is sanctioning it. Diallo shows that new immigrant bodies and new avenues to citizenship and migration require the “good immigrant” narrative to shift to accommodate other updated standards, but this does not mean that the old standards no longer exist.

Though Diallo slots herself into a more specific set of narratives around political asylees, Ngai and Lowe offer a helpful framing for these narratives as products of both cultural and legal systems. One might even consider the lies that Diallo told about her rape in Guinea to be what Lowe calls “immigrant acts”: the maneuvers that immigrants of color must make to either disappear into the American cultural lexicon and/or to appear,

to be legible as one who has suffered in the right way—in other words, one whose suffering marks a need for asylum.

Diallo's lie on the asylum application and to the DA is understandable given the various assumptions and scripts that exist for black women, immigrants, and immigrant women of color in particular. One script, for example, that Diallo's lie seems an attempt to both confirm and deny simultaneously, is that black women from socially conservative African countries are in desperate situations as a result of the political ineptitude, legal misogyny, and/or despotism in those countries. In her book *Terrorist Assemblages*, Jasbir Puar points, in a peripheral argument, to the ways that misogyny can act as a scapegoat for American geopolitical warfare and/or intervention (6–7). In a post-9/11 landscape, this narrative of the U.S. caring for women who are experiencing gender violence under their country's despotic regime seems especially relevant for Diallo because Guinea is a majority Muslim country. But the DA's decision to dismiss the case also reflects the ways in which both the legal system and the immigration system folds Diallo into stereotypical notions of blackness, low socioeconomic status, and femininity in an American context. Diallo is a single mother, living in government-subsidized housing with her 15-year-old daughter and working as a hotel maid. These details not only place Diallo into a pathological understanding of black women à la Daniel Patrick Moynihan, but also add to her unreliability (6).¹⁰ In the motion to dismiss the case, the DA mentions Diallo's "additional falsehoods," one of which is that she failed to mention income on her application for low-income housing (16). Another falsehood was that she received money from a man who was now in jail for drug trafficking, which she claimed to believe was money that he made selling handbags. Obviously, it is not as if being a poor, black single

mother automatically discredits Diallo, but it is striking that the systems can initially recognize her as a victim because of these narrow stereotypical narratives and then those same elements work to discredit her when they reveal her negative interactions with other historically racist systems: the housing system, the prison industrial complex, and the immigration system.

Though Diallo lied on her asylum application, to the grand jury, and to the DA, she did so under enormous systemic pressure. I can only speculate as to why exactly she lied to the DA. Perhaps Diallo recognized that, since the case was going to trial, any previous assault she mentioned to the DA would have to be politically charged in some way in order for her to be intelligible to the jury as a political asylee. Or perhaps she recognized that the story of a previous assault would have to be dramatic and compelling to convince any public audience of her status as a believable victim. Whatever the reason that Diallo lied to the DA, it is crucial to see that the system through which people migrate to the U.S. conditions these kinds of lies. Was Diallo safer in Guinea because she was raped by citizens instead of soldiers? In other words, is someone more or less in danger because the danger that they face is “political”? Diallo’s case forces us to reconsider not only the means by which human beings become intelligible as needing “asylum,” but also the limited modes of expression at the disposal of immigrant women of color who have experienced sexual violence to circumvent their own unintelligibility.

One such limited mode of expression is the civil case that Diallo won against Strauss-Kahn. The files of this case are closed so there is no way of knowing how Diallo was able to make herself a compelling victim to that jury.¹¹ The one document at our disposal is the civil court filing that Ken Thompson, Diallo’s lawyer, made to sue

Strauss-Kahn on August 8, 2011. What we do know is that the standards of proof of a civil case are much lower than those of a criminal case. Whereas in the criminal case Diallo had to prove beyond a reasonable doubt that Strauss-Kahn sexually violated her, in the civil case she had to prove that she suffered damages during their encounter and that these damages put a significant financial strain on her and her family. The civil court filing encompasses the official charges of battery, assault, intentional infliction of emotional distress, and false imprisonment. The definition of justice also differs between civil and criminal court. For criminal court, justice typically means the imprisonment of the criminal for a certain amount of time. In civil court, justice is monetary compensation for damages incurred by the plaintiff. In the “prayer for relief” portion of the filing, Thompson argued that Diallo is owed an “award. . . to compensate Plaintiff for all monetary and/or economic harm; for harm to her professional and personal reputations and loss of career fulfillment. . . compensation for mental anguish; all other monetary and/or non-monetary losses suffered by Plaintiff. . .” (15). The civil court filing is clearly acting in lieu of the criminal case because so many of the charges around the physical assault are the same, but the form of justice is distinct. Aside from the criminal case, Diallo and her defense team sought other ways to substitute and/or supplement legal justice. Having failed with criminal law—in other words, after criminal law failed to ask the appropriate questions to capture what happened to her in Guinea and therefore find her story about Strauss-Kahn credible—Diallo looked for other avenues through which she might be able to use her own language to not only express her story, but also make it legible to a new audience, the audience of primetime evening news.

Nafissatou Diallo never wanted to “be in public,” as she says in her ABC News interview. Instead, she only felt compelled to reveal herself to clear her name and reputation after several media outlets falsely reported that she was a prostitute in an attempt to, supposedly, nullify her claims that Strauss-Kahn assaulted her.¹² *New York v. Strauss-Kahn* was an extremely high profile case during the summer of 2011, garnering frequent coverage from reputable news outlets like *The New York Times*, *Slate*, *The Nation*, and *The Atlantic*.

However, no local news outlet covered this case more than the *New York Post*, which devoted nineteen front-page headlines to the scandal.¹³ The extensive coverage in the *Post*, known as a sensationalist and punny rag, captures the evolution of Diallo’s story as it was portrayed in the mass media. There is a clear evolution in public perception of Diallo as the following front page covers demonstrate:



Fig. 2

Figure 2 is from the May 17 issue of the *Post*, published less than a week after Strauss-Kahn was accused of assault. It represents much of the coverage at this early stage, when little to nothing was known about Diallo and the case seemed like a straightforward

example of a powerful white man abusing that power to exploit someone innocent and powerless. The *Post* seemed to revel in watching the downfall of this powerful man. However, the headline makes no judgements about the sex as consensual or not—which ends up setting the stage for the news outlet’s absolute flip from seeing Strauss-Kahn as a powerful abuser of an innocent maid to the vilification of Diallo as a money-hungry prostitute. The next cover, published less than two months after the first, speaks to how swiftly the public narrative around the case changed as it became public that the prosecution was having doubts about Diallo’s credibility:



Fig. 3

Inside this July 2 issue, the reporter uses both image and word to express a complete reversal in perspective. In the span of two months, we see Strauss-Kahn go from slumped, disheveled and guilty of assault to a smarmy yet charming, refined womanizer. In this July issue, the reporter, Brad Hamilton, makes the unfounded assertion that Diallo worked as a prostitute in various hotels around the city. This headline is a mass media reflection of a leaked letter that Vance sent on to Strauss-Kahn’s legal counsel on June 30, 2011, which expressed the doubts that the prosecution was having.¹⁴ The front page

then takes that prosecutorial doubt about Diallo's credibility to its most racist and sexist conclusion: if Diallo was lying about Strauss-Kahn forcing her to perform a sexual act, what else might a black woman of a certain class have been doing in the hotel room of a powerful white man? The reporter borrows from long-held myths around black female sexuality as excessive and boundaryless as well as myths around domestic workers and immigrant women of color as desperate, money-hungry victims, and/or perpetrators of sex trafficking in its many forms (2).¹⁵ These *Post* headlines are offensive and hurtful.¹⁶ But the headlines retell Diallo's story in terms that are familiar to the immigration-processing systems in the U.S. The "hooker" rumor about Diallo is just one manifestation of precisely the problem that Diallo poses to the legal system and to the immigration system discussed earlier. In effect, Diallo reveals the American binaristic view of immigrant women: an immigrant woman of color can either be the victim of political abuses (whether those are the abuses of Strauss-Kahn, a wealthy banker and former IMF director or the abuses of soldiers in her home country) or a lying whore.

In an attempt to speak back to media rumors, Diallo took her story to the public stage. Around the same time as rumors circulated that the case would be dropped, she decided to reveal herself as the victim of Strauss-Kahn and tell her side of the story on national television. Diallo's interview with ABC News reveals both the openings for and limits on immigrant women of color who opt to use public forms of expression to narrate their traumas. The full interview is over an hour long (and available online) but is cut down into a three-and-a-half minute segment of soundbytes for air. In addition to editing, Diallo had no say over other production details, the questions she was being asked, lighting, audio, or special effects. As much as Diallo tried to take control of her story, the

means of mass media production made such control nearly impossible. Mass media thus replicates the machinations of a legal system that cannot digest Diallo as someone who is on a sliding scale of danger that does not reach the level of intelligibility for a criminal case nor satisfies the requirements of federal agencies such as Homeland Security and/or Immigration and Customs Enforcement. As limited as the televised news interview is as a platform, at the very least it provided Diallo an opportunity to express herself.

On July 25, 2011, Nafissatou “Nafi” Diallo’s interview with anchor Robin Roberts aired on ABC News. The interview reached national airwaves at a critical point in the course of the New York Defense Attorney’s (NYDA) criminal case against Dominique Strauss-Kahn. The interview aired before the NYDA officially announced the dismissal of the case on August 11, but after June 30, the date that the NYDA had leaked a letter to the defense about Diallo’s lack of credibility. The prosecution expressed doubts about the strength of her testimony in a criminal trial after several interviews with Diallo that revealed gaps in her account of the assault as well as lies about her past.

The actual content of the TV news interview is vital, but so is its very existence. Diallo’s (seeming) decision to sit down for an interview with a major news media outlet is an active choice to defy her right to remain anonymous under rape shield law, made federal under the Violence Against Women Act of 1994.¹⁷ Rape shield law gives rape victims the right to remain anonymous throughout criminal proceedings, which primarily means that news media are banned from releasing their names.¹⁸ Whether she knew about such protective laws or not, Diallo expresses in her interview with Roberts that she feels safe coming forward as Strauss-Kahn’s victim because she is doing so in America.¹⁹ She elaborates that she believes America to be different from Guinea, not necessarily in terms

of how sexual violence is reported, but rather in broader terms of equality: “I know if that was my country, he’s a powerful man like that? They gonna kill me before someone know what happened to me. This country? America? They do the right things. They take everybody like the same. . . Doesn’t matter if you poor or you rich. . . But that day—I don’t know that. . . I think they gonna kill me” (36:50). Diallo explains here that she is aware that the context of Guinea is different from that of America and that this benefits her. There are several times throughout the interview that Diallo calls upon American ideals as motivators for her asylum application, for her feeling safe enough to report her rape, and for her feeling safe enough to go on national television to talk about her rape. This reveals the ways in which not only do scripts of the “good immigrant” determine how systems digest the stories of sexual violence from immigrant women of color, but also how narratives of America as a fair and equal country hold shared weight over which modes of expression immigrant women of color seek to tell their stories of assault. Diallo demonstrates the extent to which an understanding—or, at the very least, an awareness—of the racialized and nationalized nature of several systems, combined with access to media (digital or televisual), is a particularly good recipe for immigrant women who wish to supplement or seek alternatives to justice through the legal system.

In one of the few academic articles about the role of media coverage in *New York v. Strauss-Kahn*, Jordi Xifra pays little to no attention to Diallo and is much more interested in Strauss-Kahn’s media strategy as he went on an apology tour on French news outlets after the criminal charges were dropped.²⁰ Xifra, a communications studies scholar, uses image repair theory to conduct an analysis of Strauss-Kahn as an example of how the politically powerful course-correct after scandals.²¹ There is, however, an

entire part of Xifra's analysis missing because Nafissatou Diallo (and her lawyer, Kenneth Thompson, no doubt) also used the media as a mode of expression.²² Diallo and her defense team likely saw the televised interview as an opportunity to pull public opinion back into her favor even if the legal branch was showing signs that the criminal case would not proceed. In the ABC News interview, Roberts asks Diallo why she has chosen to come forward now, and Diallo states that she was motivated to come forward by the lies of outlets like the *Post*:

I never want to be in public. Now I have to be in public. Like my daughter tell me, like two weeks ago, I was so crying I don't know what to do. I hear people call me many names now. I just don't know. . . . One day my daughter tell me, "Look, stop crying. . . this guy, everybody say he's a—I don't know how to call that in English—he's a powerful man. He's—everybody knows him. But you? . . . People don't know you. That's why they say bad things about you. . . . Any place you used to live or any place you used to work, and the people knows you back home, all of them they say good things about you because they know you. . . . And I know you mom. You are a good mother." (00:2:30)

Though Diallo does not mention here the specific "lies" that prompted her to come forward with her story, it is difficult to ignore that the *Post* headlines calling her a "hooker maid" were some of the most splashy and sensational. This excerpt from Diallo's interview is notable because she directly states that her desire to reveal her name and identity as the victim of Strauss-Kahn is in an effort to change a false narrative about her, her sexuality, and the general deviancy of immigrant women of color. Also, Diallo is adamant that the prostitute narrative is false and must be replaced with, for example, the

“good mother” narrative; this is just one of several narratives that Diallo tells to transform the conversation around her from one about her unassimilability to one about her assimilability.

Later on, when Roberts asks Diallo “Are you a prostitute?” Diallo responds in the negative but also names Strauss-Kahn himself as benefiting from this invalidating account of her sexuality and poses a significant question: “That’s why I have to show myself. I want everybody to see me. They gotta know that I’m not [a prostitute] because everybody [who] knows me, they know that I’m not. . . They call me that because of *him*! Because he want to make me look the—Because I’m poor? Because I’m what?”

(00:49:30) In these last two questions, Diallo opens the door to a broader question about why this particular label of “prostitute” gets attached to her. Diallo recognizes that it is one thing to be called a liar, but wonders why the notion that she receives money from guests for sexual favors would feed that lie. She wonders, logically, if prostitution is linked to her because of her socioeconomic status. But, in this line of questioning, she does not mention race as a possible factor. The exclusion of race from her questioning here could be a result of having lived outside of an American context, outside of a context in which, in the presence of a black minority, white supremacy breeds certain sexualized racial stereotypes.

Race would not serve the new narrative that Diallo is offering. One of Diallo’s strategies is to present counter-narratives that denounce the false, misogynistic narratives. In other words, she asserts her counter-narrative through negatives: I am *not* a liar, I am *not* a prostitute. Another strategy is her attempt to replace those negative narratives with positive ones, such as being a hard worker and a good mother. But what is

important to note is that Diallo is squeezed into a defensive position as she states that her reason for going public is to combat lies about her and to tell her side of the assault. Underlying this reasoning, however, is the fact that the televised interview offers Diallo an opportunity to present counter-narratives to the racist-sexist-classist scripts that mark black women as prostitutes and black immigrant women as gold-diggers. As discussed earlier, both the DA's motion to dismiss and the asylum application process put immigrant women of color who have experienced sexual violence into a binary that resembles these misogynoirist tropes: either the trauma you've experienced is political and makes you worthy of asylum or the trauma is personal and makes you unworthy; either you are a credible witness beyond a reasonable doubt or you utterly lack credibility and cannot be made intelligible as the victim of a crime. Diallo speaks to a more complex story of an immigrant woman of color who lies about some things but is not a "liar," who has suffered both political and personal violence.

But why do Diallo and her lawyer, Ken Thompson, choose the televised interview as the mode of expressing this counter-narrative? What are the limits and/or openings of this medium for immigrant women of color who have experienced sexual violence? I have excerpted a number of quotes from Diallo's ABC News interview not only to portray the content of what Diallo says to defend herself against media accusations, but also to capture the way in which she says it. Diallo uses the television news format so that she may put herself on display sonically and visually. Her aesthetic presentation personalizes her side of the story as the story of an immigrant woman of color.

These aesthetic aspects of the interview are key to concluding how Diallo manipulates a media system as a means of supplementing legal justice. As mentioned,

though the criminal case against Strauss-Kahn was dismissed, the accused settled with Diallo in civil court; this is the legal justice to which I am referring. In the above quote, Diallo says, “That’s why I have to show myself. I want everybody to see me. . . They call me [a prostitute] because of *him*! Because he want to make me look—” Watching the interview, you can see that Diallo stops at the word “look” because she is searching, trying to imagine what category she fits that is most beneficial to Strauss-Kahn’s defense. Given the medium of television, it is telling how often Diallo emphasizes the visual here, using the words “show,” “see,” and “look.” Diallo touches on an important disadvantage to rape shield law: if a victim of sexual violence uses rape shield law to protect their identity, they are also, in some ways, barring themselves from visual and sonic avenues through which to present themselves as victims of crimes. This is especially limiting for immigrant women of color whose skin color, bodies, accents, and voices contribute to giving an audience a sense of them as whole humans with particular identities. Up until her interview, there were no images of Diallo in the newspaper and no one had heard her voice. One way to view this absence of self-presentation is that it provides the press with a vacuum that acts as an opportunity. If the victim does not present themselves to the press, the news media is free to fabricate an image of the victim that aligns with the most sellable version of their character. Of course, newspapers, social media, and televised news can conjure stories about personalities in a criminal case whether the defendant or plaintiff offer their own narrative or not. However, for rape victims who are immigrant women of color to maintain anonymity is unique in the way that it restricts their ability to let their bodies speak for them both visually and sonically.

As discussed earlier, Diallo's decision to "show" herself as she says is not one that all immigrant women of color can access. Her refugee status, proclaimed love of hard work, and relatively assimilable appearance grant her some of the security to reveal herself to the world. Through dress, hair style, skin color, and gesture, Diallo's image doubles down on her defendability, the defendability that the *NY Post* rejects (Fig. 4).



Fig. 4

As seen in Fig. 4 the images of Diallo during her ABC News interview, she is dressed relatively conservatively in a half-sleeve peach cardigan, white scoop-neck blouse, and black slacks (not pictured). She wears little to no makeup on her face and her hair is straightened into a not-quite shoulder-length bob that frames her face. Diallo's attire offers visual confirmation of her own verbal counter narrative to the *Post*'s "hooker maid" narrative. Conservative dress has the ability to speak volumes about one's character, implying that a person is decent, trustworthy, and financially independent. Of course, it is not possible to know if Diallo dressed herself, if ABC News gave her a specific wardrobe, or if her lawyer provided her with suitable clothing. However, the fact remains that her dress is useful and contributes to her agenda of appearing assimilable

and trustworthy. Everyone who appears on national television can attempt to use dress to influence the audience's perspective of them, but black women, especially non-American black women with accented English bear the pressure of attempting to use dress as a form of defiance against those misogynoirist scripts that their skin color, voices, and gender identities may be writing for them. Whether appealing to Judith Butler's language of performativity or Evelyn Brooks Higginbotham's politics of respectability, Diallo's strategy remains the same: using conservative dress to reject the rumor that she was paid for sex and promote her truth as the victim of an act of sexual assault. Though dress is an important part of Diallo's effort to perform "white middle-class propriety," this strategy is not specific to her as an immigrant woman of color.

The sonics of her interview with ABC News tell a marginally different story than her attire about her status as a defensible citizen. As mentioned, there are two versions of Diallo's ABC News interview. There is a full, unedited version of the televised interview that was made available on their website on August 18, 2011, nearly a month after the edited version, which was broadcast on July 25, 2011. The full version is over an hour and the edited version is under four minutes. I will be examining both versions because they share a great deal in common with regard to links between sonics and identity. From the outset of the full interview, after Robin Roberts asks her one of the first questions, "Why have you decided to come forward now?" Diallo responds, "Ok—I decided to come—Sorry, my English, you know, is difficult for me. I don't speak that much but I'm gonna try. . ." (00:03:17). The moment in which Diallo hesitates to apologize for her English is the moment that her identity as an immigrant woman of color becomes known, somewhat on her own terms. In the edited version, this moment is excluded. Robin

Roberts' voiceover frames the edited interview with Nafissatou Diallo, but she does not mention that Diallo is from another country, only mentioning the most pertinent facts of the case: maid, Dominique Strauss-Kahn, hotel where she worked, trying to clean his room, IMF. After in-studio Roberts's framing, the video cuts to Diallo at the moment during her interview when she is at her most animated, the moment when she is using expressive hand gestures and pantomiming as well as her words in accented English to describe the act of sexual assault that Strauss-Kahn committed against her. There is then a cut to footage of Diallo walking alone on a New York City street and into a building while Roberts' voiceover explains that she is from Guinea, West Africa. This is quite powerful. ABC News allows Diallo's embodied voice to inform the viewer of her status as someone born outside of the United States. In this way, Diallo's accented English takes on a great deal of performative and interpretive weight, attempting to explain the parts of her identity that are, as Ifemelu would say, "wrapped in gauze": in other words, the parts of identity that make immigrant women of color both hypervisible and invisible.²³ The accent, the apologies about her inability to express herself in her second language as fully as she would like—these sonic aspects of the interview mark it and its subject as an immigrant woman.

Diallo's accent is the most prominent aspect of the sonics of the interview that clearly present her as an immigrant woman of color, but there are other aspects of Diallo's voice that work to portray her not only as a non-American woman, but also as a victim of sexual assault. As I have tried to portray through the stitched image of Diallo above, over the course of the unedited interview (and even the shorter edited broadcasted interview), Diallo expresses many versions of herself. She achieves this through facial gestures as the

image indicates (Fig. 4), but also explores a range of emotions vocally. She begins the interview with a soft voice. Her voice has a raspy quality that could be her regular speaking voice, a tone that occurs when she speaks in English, and/or the result of a harrowing two-month period over the course of which, as she describes it, she has been crying, contemplating suicide, fearing for her life, and anxiously awaiting justice. Through the combined soft strength of her voice, Diallo is able to convey an image of herself as shy and yet also entitled to justice, someone who experienced fear when being sexually assaulted in her workplace by a stranger. Her voice also seems to register shame as she must actually respond on national television when Roberts asks, “Are you a prostitute?” The soft, raspy quality of Diallo’s voice never goes away, but rather is heightened when he becomes less meek and more passionate, less uncertain and more enraged, less fearful and more demanding of her assailant’s punishment. Even as Diallo’s voice reads as “soft” and thusly fits a certain “ideal victim” profile, there are a few times when the softness combines with expressed innocence and/or ignorance to represent the “ideal immigrant woman of color victim” more specifically.

One of the most impactful moments of Diallo represented as an ideal immigrant woman of color victim is when she is detailing the moment she just happened to bump into her supervisor, Jessica, immediately after the attack and was deciding whether to tell her what happened.

I see her I say “Oh, thank god, Jessica, I was gonna call you!” . . . I say “I was gonna call you! I wanna tell you something.” And she say, “What do you wanna tell me?” I say, “Let’s go inside because, you know, that was a lot of rooms ‘do not disturb’ I don’t wanna like, you know—but I was so sad. I go in. I was

spitting, I want to throw up. I don't know what to do, I feel so—I say, “Jessica--” but I was so *afraid* to lose my job. I don't know the *law*! I don't know if someone do this to you, what you *have* to do? I don't know nothing about that in that job I don't know because I never had that happen there.” (00:28:09) [emphasis added where Diallo drags vowels]

Throughout this part of the interview, Diallo's voice vacillates between its lowest and highest volumes. Of special interest is when Diallo says, “I don't know the *law*!” She says this loudly and drags the “a” vowel of the word so that “law” gets the most emphasis in the phrase. Her statement here denotes a seeming lack of awareness that may be unique to immigrants. Even though Diallo does not say, “I do not know the law *in this country*!” the statement of a lack of knowledge combined with her accented English implies this interpretation. Diallo expresses a lack of knowledge in other moments as well, such as when she tells Roberts that she is aware of the difficulty of getting work without any formal education, when she makes it clear that she did not know who Dominique Strauss-Kahn was, and when she goes on to tell Roberts after this excerpt that she had no idea that reporting the assault would invite such chaos into her life.

However, behind her declaration that she does not know the law is a deeper admission about the scripts around immigrants. There are a variety of ways to view this statement as it relates to her identity. On the one hand, for Diallo to express ignorance of how the American legal system works is to position herself as an innocent, someone who does not lie, someone who could be easily manipulated and taken advantage of, someone who could be sexually assaulted rather than someone who manipulates a situation with a wealthy man for a payday. On the other hand, Diallo's expression of legal ignorance risks

placing her in a category of “undeserving immigrant,” someone whose ignorance is reflective of their inability to assimilate and therefore acting as proof that they should be excluded from the country altogether.

This misogynoirist interpretation of Diallo’s ignorance works in conjunction with asylum standards to confound the immigrant subject, making her incoherent no matter what she does to try to make herself coherent. The typical xenophobic standard above claims that to qualify for American citizenship, one must embed oneself in a certain version of American history, know the law, know English, and reject one’s country of origin. Asylum standards require the immigrant’s suffering to be of a certain form, one that is legible as political rather than personal violence. These standards are so incomparable that they are not even competing, yet Diallo seems caught between them and others, caught between a constant stream of binaristic expectations—knowledgeable/too knowledgeable; liar/victim; victim of personal violence/victim of political violence, etc.—with which her actual story (of assault and rape), body, and life cannot align.

The televised newsscape is one such system that Diallo is using—through visual and sonic cues—to craft a more complex version of the immigrant woman archetype for which the law does not have language: one who is sexually modest, religious, maternal, too ignorant to know “the law” but not so ignorant that she does not feel entitled to justice.²⁴ Diallo demonstrates how an immigrant woman of color might use her refusal of anonymity through televised news to pose her own counter-narrative to the narratives that systems use to digest her as one thing or another.

Similar to Diallo, Ifemelu's experience is, implicitly, the result of systemic failings. Unlike Diallo, Ifemelu gets the chance to not only express her feelings about the failings of systems through her blog, but also totally control that mode of expression. Chimamanda Ngozi Adichie implicitly uses her protagonist Ifemelu to explore how the law fails to capture the character's violation itself. This failure is to such an extent that the assault cannot be legally categorized as an assault. Though there are many scholars who consider *Americanah* as a novel about migration, race, cyberspace, and/or national belonging, those same scholars significantly read Adichie's latest novel as a departure from her first two novels, *Purple Hibiscus* (2012) and *Half of Yellow Sun* (2007). Scholars like Nora Berning, Shane McCoy, Yogita Goyal, and Jennifer Leetsch mark this departure by using trauma as the now-lost thematic thread. Though it is true that Ifemelu's experience in *Americanah* is qualitatively different from the traumas that other characters experience in her other fictional work, it is still a traumatic experience. My reading of the novel thus counters the dominant scholarly reading of *Americanah* as a departure from Adichie's previous trauma-centered work. Through her blog, Ifemelu creates an alternative, albeit limited, space for immigrant women of color to not only build community and share their stories, but also to control both of these political and social projects.

Ifemelu, the protagonist of *Americanah*, is a college student in Philadelphia on an F-1 visa. Upon arriving in the U.S. around 1993 Ifemelu is almost immediately struck with the realities of severe financial deprivation. One of the stipulations of her student visa is that she cannot work. She can earn money through the work-study job provided on campus, but this barely covers her rent let alone other living expenses.²⁵ And the student

visa forbids recipients from working off campus. Somewhat fortunately, Ifemelu has an informal knowledge network through her aunt and a friend, Ginika, who migrated to the United States years before Ifemelu. These women offer their guidance and tools of survival: Aunt Uju gives Ifemelu the Social Security card of a friend so that she can apply for jobs which require such a document. Ginika helps Ifemelu edit her resume so that it looks like she has far more work experience than she does. Like Diallo, Ifemelu participates in the culture of lying that the immigration system conditions through its limited definitions and standards. Despite her access to all of this knowledge and support, Ifemelu cannot get a job. The narrator describes the pain and anxiety of this period in Ifemelu's life so vividly that it is almost physically painful to experience alongside her, such as when she must borrow books from a fellow student because she cannot afford to buy them. "It stung her, to have to beg. . . the students walking past the large grey sculpture in the middle; they all seemed to have their lives in the shape that they wanted, they could have jobs if they wanted to have jobs, and above them, small flags flapped severely from lampposts" (136). Nearly everything in this period is described this way, as "grey," "severe," and shapeless with spots of light being Ifemelu's phone conversations with Obinze, who encourages her, and her younger cousin, Dike, whose innocence inspires her. But her joblessness still hovers over these moments of levity.

After what seem like months of searching endlessly for waitress, home service care provider, and babysitter jobs, Ifemelu happens upon a want ad in a local newspaper. The ad reads, "Female personal assistant for busy sports coach. . . communication and interpersonal skills required" (146). The first time Ifemelu visits the sports coach to inquire about the job, he tells her that he needs someone to help him "relax." She thinks

to herself, “He was not a kind man. She did not know exactly what he meant, but whatever it was, she regretted that she had come” and leaves only to continue to suffer for want of income (146). Importantly, she even briefly considers an “ESCORTS” ad in the newspaper, but remembers Ginika’s warning about such ads: “Forget that escort thing. They say it isn’t prostitution but it is and the worst thing is that you get maybe a quarter of what you earn because the agency takes the rest. I know this girl who did it in freshman year” (153).²⁶ Ifemelu does not call.

In this moment, Ifemelu’s knowledge network saves her from one kind of exploitation, but after her roommates complain about her paying the rent late again, Ifemelu returns to the office of the tennis coach a second time. She is still uncertain about what the sports coach wants from her, but as we hear her internal monologue during their encounter, it is clear that, for her, her mere presence acts as a form of consent for what happens next.

_____ “Come over here,” he said. “I need to be warm.”

She should leave now. The power balance was tilted in his favor, had been tilted in his favor since she walked into his house. She should leave. She stood up.

“I can’t have sex,” she said. Her voice felt squeaky, unsure of itself. . .

“Oh no, I don’t expect you to,” he said. . . She moved slowly toward the door, wondering if it was locked, if he had locked it, and then she wondered if he had a gun.

“Just come here and lie down,” he said. “Keep me warm. I’ll touch you a little bit, nothing you’ll be uncomfortable with. I just need some human contact to relax.”

There was, in his expression and tone, a complete assuredness; she felt defeated. . . He knew she would stay because she had come. She was already there, already tainted. She took off her shoes and climbed into his bed. She *did not want* to be here, *did not want* his active finger between her legs, *did not want* his sigh-moans in her ear, and yet she felt her body rousing to a sickening wetness. Afterwards, she lay still, coiled and deadened. *He had not forced her*. She had come here on her own. She had lain on his bed, and when he placed her hand between his legs, she had curled and moved her fingers. Now, even after she had washed her hands, holding the crisp, slender hundred dollar bill he had given her, her fingers still felt sticky; they no longer belonged to her. (156; emphasis added).

Ifemelu seems to make up her mind that this is a consensual encounter when she thinks, “He had not forced her. She had come here on her own.”

But so many other moments in the scene belie that binaristic view of consent, such as when she thinks, “The power balance was tilted in his favor. . .” or “She moved slowly toward the door. . . wondered if he had a gun.” These phrases demonstrate that Ifemelu is frightened and is in a position of powerlessness, making it impossible to discern consent in a legal sense. Though some states recently chose to define consent and differentiate “freely given consent” from “affirmative consent,” Pennsylvania law does not. Like most states, Pennsylvania instead defines the absence of consent, what is called “forcible compulsion,” as “compulsion by use of physical, intellectual, moral, emotional or psychological force, either express or implied. The term includes but is not limited to compulsion resulting in another person’s death, whether the death occurred before, during or after sexual intercourse” (18 Pa.C.S.A. § 3101). According to this definition,

the tennis coach does not legally commit sexual assault because he does not forcibly compel Ifemelu to perform a sexual act. But the reader knows that even if the tennis coach is not personally to blame, he is benefitting from the complex circumstances that *are* forcibly compelling Ifemelu to exchange money for sexual touch. Though Ifemelu legally consents to be with the tennis coach, her language clarifies that she does not desire to be with the tennis coach. Adichie seems to be conscious of the fine line that the scene walks between consent and desire. Perhaps the sentence that best encapsulates the ambiguous line between consent and desire is the repetitive phrasing towards the end: “She did not want to be here, did not want his active finger between her legs, did not want his sigh-moans in her ear, and yet she felt her body rousing to a sickening wetness.” In a single sentence we get a sense of the paradox that Ifemelu faces: at the same time that she consented, she did not desire; at the same time that she mentally rejected this man’s touch, she physically responded in a way that might be interpreted as desirous, but which her internal monologue reveals is not. This contradiction of affect and action causes her to feel deep self-loathing, depression, and isolation in the immediate aftermath of this trauma. All of these confusing and contradicting details set Ifemelu’s experience in steep contrast with Diallo’s, which was, in Diallo’s account, a more straightforward case of sexual assault: in a legal sense, the sports coach’s actions did not meet the legal definition of sexual assault, whereas Strauss-Kahn’s, in Diallo’s account, did.

But even if it is true that Ifemelu is not sexually assaulted in a way that would be intelligible to the law, this does not mean that she does not experience severe trauma. Her trauma is so severe, in fact, that she goes into a deep depression, immediately cuts off communication with those closest to her who are in Nigeria: her boyfriend, Obinze and,

for a shorter time, her parents. The severity of this silencing that Ifemelu enacts cannot be overstated. It is not only a silencing of others, but also a silencing of her own story of her trauma for herself: “She would never be able to form the sentences to tell her story” (160). I would argue, however, that Ifemelu finds a way to tell this story without telling it. In this way, these various forms of silence are what prompt Ifemelu to explore blogging as a form of expression through which to heal and possibly reap a form of justice, if not directly for the sexual trauma she experienced, then indirectly for the burden of racial trauma she took on upon migrating to America and becoming black.

Adichie hints at the capacity of the blog to give language to things that neither Ifemelu nor the law can articulate as she is near tears with her friend, Ginika, who is driving her home from finally getting a babysitting job:

. . . Ginika said, “I think you’re suffering from depression.”

Ifemelu shook her head and turned to the window. Depression was what happened to Americans, with their self-absolving need to turn everything into an illness. She was not suffering from depression; she was merely a little tired and a little slow. “I don’t have depression,” she said. Years later, she would blog about this: “On the Subject of Non-American Blacks Suffering from Illnesses Whose Names They Refuse to Know.” A Congolese woman wrote a long comment in response: She had moved to Virginia from Kinshasa and, months into her first semester of college, begun to feel dizzy in the morning, her heart pounding as though in flight from her, her stomach fraught with nausea, her fingers tingling. She went to see a doctor. . . she refused to accept the diagnosis of panic attacks

because panic attacks happened only to Americans. Nobody in Kinshasa had panic attacks. It was not even that it was called by another name, it was simply not called at all. Did things begin to exist only when they were named? (160)

This past future tense (“Year later, she would. . .”) disrupts the normal, simple past narrative flow a number of times throughout the novel, particularly in the chapters that cover Ifemelu’s pre-blog life. Usually, the past future tense gives a glimpse into the blog either by talking about the title of a post or an experience that Ifemelu has that prompts a blog post, some of which is then excerpted for the reader. This disruption is especially remarkable because even as the narrator turns the focus to mental illness, the comment on naming here could easily apply to the sexual trauma that occurred only pages before: “It was not even that it was called by another name, it was simply not called at all. Did things begin to exist only when they were named?” One could easily replace the vague pronouns “that” and “things” with the term “sexual trauma” to read the blog post as implicitly about Ifemelu’s experience with the tennis coach: “It was not even that the sexual trauma was called by another name, it was simply not called at all.” Does sexual assault only exist when it is called “sexual assault”?

The line of narration that nearly ends this chapter (Chapter 15), “She would never be able to form the sentences to tell her story,” is therefore at odds with the blog post. This is not only literally untrue because Ifemelu tells Obinze about her sexual trauma when they are reunited in Lagos more than a decade later, but it is also figuratively untrue because the blog that Ifemelu writes about depression is an implicit reference to the depression that resulted from her experience with the tennis coach. Therefore, though

Ifemelu's silence results from the assault, this moment of disruption acts as a clear indication that the blog is, in one way or another, connected to the assault.

The blog functions as a mode of expression through which Ifemelu can verbally lambast the systems that made her non-forcible assault possible. When she begins blogging, many years have passed since her encounter with the sports coach. She now has a regular job in Baltimore at a public relations office and a white and wealthy boyfriend, Curt, through whom she gets the job which, fortunately, includes a work visa and a path to a green card.²⁷ Having such an intimate relationship with a white and privileged man and existing in such a white, corporate space, Ifemelu confronts microaggressions that induct her into a common black American experience of a white or non-black person asking uncomfortable questions about her hair, skin color, or accent. These microaggressions are so named because they do not fit under the category of macroaggressions, such as acts of explicitly violent racism. Because there is seemingly no legal recourse, the microaggressed must deal with their discomfort/pain through interpersonal confrontation and emotional labor that can be psychologically and physically draining to perform on a constant basis.²⁸

Though Ifemelu is sometimes capable of responding to microaggressions in real time, given the difficulty of doing so she seeks alternative spaces through which she can express her emotions. She begins to explore the natural hair community online, first as an observer and later as a participant, commenting on the stories of other black women, learning tips on hair care, and generally building a sense of community. This online community is not only explicitly black and dominated by women, but it is also steeped in

African American ritualistic traditions, as Ifemelu implies after leaving a comment on happilykinkynappy.com.

Jamilah's words made me remember that there is nothing more beautiful than what God gave me. Others wrote responses, posting thumbs-up signs, telling her how much they liked the photo she had put up. She had never talked about God so much. Posting on the website was like giving testimony in church; the echoing roar of approval revived her.

On an unremarkable day in early spring. . . she looked in the mirror, sank her fingers into her hair, dense and spongy and glorious, and could not imagine it any other way. That simply, she fell in love with her hair (215).

As evinced above, the natural hair community becomes a source of positive affirmation for Ifemelu. And this esteem-building functions as an antidote to the poison of self-hatred, shame, and silence she incurs and self-inflicts as a result of her sexual trauma. It particularly reforms the relationship with her body that Ifemelu at least partially gained after her non-coerced sexual assault, as denoted in the way she physically dissociates: “. . . her fingers still felt sticky; they no longer belonged to her” (156).²⁹ Many scholars who have written on the novel, such as Yogita Goyal and Cristina Cruz-Gutiérrez, emphasize the role that hair plays in the novel; hair is a political and sociocultural lens through which Ifemelu observes and is observed by the world.³⁰ But the natural hair community has its own cultural blind spots. If Ifemelu has an experience that is particular to her identity as a non-American black woman, the hair community does not provide an outlet.

In order for Ifemelu to indirectly confront the sexual trauma she experienced, she must turn toward her particularity, toward her identity as an immigrant. Through this turning inward, Ifemelu also uses the blog to turn outward, toward the immigration system that put her in a position in which her vulnerability can be neither legally nor emotionally processed. It therefore makes sense that Ifemelu starts her own blog. The black blog is a special space that, as Catherine Knight Steele asserts, “creates alternate publics that use covert methods to interrogate issues politically critical to the resistance of oppression” (113). Ifemelu’s blog exists outside of the confines of the law and she can use it to create alternatives to the master narratives that exist about immigrant women of color, alternatives that she not only writes, but that she also produces and owns.

Aside from Steele, other scholars such as Safiya Umoja Noble and Alondra Nelson write at length about the powers, both liberative and structurally problematic, of the internet for black and brown people. Steele’s writing about “black blogs” is largely positive, but Noble’s recent book, *Algorithms of Oppression: How Search Engines Reinforce Racism*, points to the ways in which search engines specifically, and the internet more broadly, maintain the same racially and sexually oppressive structures that they purport to neutralize. Nelson counter-argues that the internet can be a positive tool for social justice organizing as evinced by the #BlackLivesMatter Twitter hashtag.

Even before publishing *Americanah*, its author, Chimamanda Ngozi Adichie seemed primed to enter this discourse about the liberative and/or oppressive powers of the internet for people of color and other marginalized identities given her own “viral” explosion on the internet. Adichie rose to prominence not only as a novelist, but also as a public figure when her TEDxEuston talk, “We Should All Be Feminists,” went viral on

YouTube in 2012 (it now has 4.7 million views) as well as when Beyoncé used a sound bite from this talk in one of her most popular songs, “Flawless,” which appeared on her fifth album, *Beyoncé* (2013).³¹ Adichie therefore reads the internet more subjectively than the academics with whom she is in conversation as she uses fiction to test the limits of its powers through Ifemelu and her blog, *Raceteenth or Various Observations About American Blacks (Those Formerly Known as Negroes) by a Non-American Black*.

The liberating aspects of Ifemelu’s blog resemble those of the natural hair community. The blog is collaborative from beginning to end, including the voices of other women. And Ifemelu is almost never alone in her blog posts. She uses the platform to offer humorous yet politically profound retellings of interactions she has had with others, as is clear from the titles of some of these blog posts: “Not All Dreadlocked White Guys Are Down,” (4) “Badly-Dressed White Middle Managers from Ohio Are Not Always What You Think,” (5) and an ongoing series of “Understanding America for the Non-American Black.” This last title is especially helpful as it shows how Ifemelu often uses the blog to perform a sarcastic mode of cultural authority, instructing while entertaining her non-American readers on how to best navigate the experience of becoming black in America.

Everything about the blog gives Ifemelu space to not only potentially unconsciously reverse the pain surrounding her sexual trauma, but also to offer others the emotional tools that she believes may have diverted her from ever being in that room with the tennis coach in the first place. Whereas the trauma caused Ifemelu to feel completely isolated and alone, the blog creates community. Whereas the trauma made her feel powerless, Ifemelu has total creative control over the blog. Whereas trauma turned

Ifemelu's immigrant status into something exploitable, Ifemelu uses the blog to point out the aspects of existing as a non-American black that are empowering, funny, and culturally profound.

Most importantly, Ifemelu can use long-form blogging to offer more complex, contradictory counter-narratives to the simplistic master narratives that exist about immigrant women of color. An outcome, I might add, that accords with Adichie's own discussion of "The Dangers of a Single Story," in another one of her famous TED talks. In one such blog post, titled "To My Fellow Non-American Blacks: In America, You Are Black, Baby," Ifemelu sarcastically unpacks the unspoken "rules" and codes that a non-American black person who has just arrived can use to navigate this brave, new racialized world called the United States:

Dear Non-American Black, when you make the choice to come to America, you become black. Stop arguing. . . America doesn't care. . . We all have our moments of initiation into the Society of Former Negroes. Mine was in a class in undergrad when I was asked to give the black perspective, only I had no idea what that was. So I just made something up. . . So you're black, baby. And here's the deal with becoming black. . . In describing black women you admire, always use the word "STRONG" because that is what black women are supposed to be in America. . . When a crime is reported, pray that it was not committed by a black person, and if it turns out to have been committed by a black person, stay well away from the crime area for weeks, or you might be stopped for fitting the profile. . . If you go to eat in a restaurant, please tip generously. . . You see, black people have a gene that makes them not tip, so please overpower that gene. . . Most of all, do not be

angry. Black people are not supposed to be angry about racism. Otherwise, you get no sympathy. (222–23)

This post probably best captures how drenched in hilarious sarcasm and irony *Raceteenth* is.

But there are also a number of indirect links to Ifemelu's assault beneath the top layer of humor. The very first line of this blog post is full of implicit allusions to Ifemelu's experience with the tennis coach. Unlike other blog posts, this one is directly addressed to the reader/visitor of her blog, who she presumes to be a non-American black person. The epistolary form is reiterated in this opening line as well as in the more academic format of the title. At the same time that the addressee is faceless and nameless, reduced to their race and immigrant status, there is also something tender and caring in the address "Dear." To address her blog reader with such tenderness speaks to the lack of tenderness that Ifemelu received from Auntie Uju after Ifemelu told her aunt about the assault without telling her. Immediately after the sexual encounter, Ifemelu calls Auntie Uju: "I went to work for a man in the suburbs today. He paid me a hundred dollars." "Ehn? That's very good. But you have to keep looking for something permanent" (157). In that moment, Auntie Uju reacts to her niece in the most practical of ways. This is understandable, given that Auntie Uju does not get the full story of what happened and she has her own financial and personal struggles. But who knows what healing Ifemelu may have been able to access had she been received with more tenderness, less judgment, more warmth, less severe practicality? Who knows, in other words, what would have become of Ifemelu had she had a blog like *Raceteenth* on which to anonymously express herself as a commenter or even motivate her to go to therapy, a cultural abnormality that

the earlier blog post on mental illness works to normalize. Ifemelu, consciously or not, performs the tenderness that she never got for her reader, cajoling them with humor and a certain disingenuousness into the horrifying yet profoundly absurd experience of becoming black in America.

The opening line, however, also smudges the coercive elements of the immigration system when Ifemelu writes, “when you make the choice to come to America, you become black.” This notion of choice is complex for our protagonist. Here, Ifemelu speaks to the contradictory relationship that she has with her privileged status as a student at an American university, a status that is at odds with her harrowing impoverishment. In some ways she chose to migrate, but in other ways she did not because it was a choiceless choice between a constantly shut-down university in Nsukka, Nigera or a functioning one thousands of miles away. Ifemelu either broadly applies choice to the migration narratives of her reader or is using “choice” here to ironically undermine the choicelessness of becoming black for the non-American black person who arrives in the United States.

The way that Ifemelu serves to her reader the horrors of being black in America is also telling of how the blog is a means through which she can use humor to work out her own healing, how irony functions to mend the wounds wrought by a system that cannot make visible what the tennis coach did to her. As she writes, “When a crime is reported, pray that it was not committed by a black person. . . you might be stopped for fitting the profile” (223). Here, Ifemelu takes the brutal reality of “stop and frisk” police surveillance, under which black Americans (particularly young black American men) live, and nearly empties it of its systemic valence, of violence, of the fear of death, and/or

imprisonment. Instead, Ifemelu renders it a nuisance to be under such constant surveillance, something against which prayer is the only thing keeping the criminal from being black. By vanishing the system around which racism is implemented while laughing at it, Ifemelu both deflates and misrepresents the situation. This aligns with Steele's reading of the "black blog," whose creator gets to imagine a new and/or adjacent reality to the one they are actually living. In Ifemelu's imagined reality, she does not pretend that racism disappears when we laugh at it, but rather leaves room for the impact of systemic racism to be weakened if it is transformed into something silly, something minimal, something manageable. Ifemelu thusly uses humor to transpose two sets of anguishes—the anguish of her racialized and gendered trauma and the anguish of becoming black—from one context to another: from the context of private, internal suffering to the context of public, external expression. The fact that Ifemelu is able to perform the role of racial and cultural ironist so publicly while also maintaining anonymity plays with the limits and possibilities that traditional definitions of "public" impose upon black women writers.

In her book, *Algorithms of Oppression*, Saifya Umoja Noble argues that search engines, and the internet more broadly, perpetuate racist and sexist myths, especially about black and latinx women and girls, who are the least represented in the technology industry. For example, though Google responded to criticism about the top hits for searching for "black girls" or "latina girls" being porn sites, the tech conglomerate dismissed it as a problem with how their algorithm interacts with users rather than a problem with the race and gender makeup of their employees and CEOs. Noble sees this persistence of stereotyping as a result of the way that corporations like Google sell

themselves as politically neutral or even in service of doing good in the world (Google's motto is "Don't be evil."). One of the reasons these companies can sell themselves as neutral is that the owners and employees of these companies remain relatively anonymous.³² In this way, Noble indirectly reads anonymity as one of the dangers of the internet, something that allows largely white and male companies to perpetuate a masculinist and white-centric lens without anyone knowing. Though Noble stages the argument around anonymity in the arena of technology juggernauts, a similar battle has been raging around anonymity and the internet since its inception. There are those who argue that access to online anonymity is the only way to truly protect free speech, while others argue that online anonymity actually only ends up protecting hate speech.

Ifemelu's experience writing her anonymous blog, *Raceteenth*, leads her to enter the fray to speak from both sides of the issue of anonymity and, in turn, speaks to both the limits and possibilities of blogging as a space for immigrant women of color to heal their trauma. Anonymity is both personally and logistically crucial to how Ifemelu operates her blog. Her readers know she is a non-American black woman, but they do not know her country of origin. She mentions the import of her anonymous status when telling the story of her conversation with an Ethiopian cab driver in Baltimore: "When, years later, she wrote the blog post 'On the Divisions within the Membership of Non-American Blacks in America,' she wrote about the taxi driver, but she wrote of it as the experience of someone else, careful not to let on whether she was African or Caribbean, because her readers did not know which she was" (208). Here, Ifemelu implies that there is a voice missing from the debate around anonymity online. There are not only intergroup reasons why anonymity becomes controversial (i.e., white men decry a loss of

anonymity as a loss of freedom while people of color claim that less anonymity might mean less horrific hate speech online), but also intragroup reasons for anonymity to act as a protective shield. Ifemelu is aware that if her readers know that she is Nigerian, all of her perspectives on race, culture, and politics will be read as skewed, inflected with special interest, with the bias of national origin.

In addition, Ifemelu garners a certain pleasure from being anonymous online that she and other immigrant women of color can never have in the analog world, as a story of her first meeting the friends of white and wealthy Curt illustrates: “[Curt’s] friends were like him. . . . To them, she was interesting, unusual in the way she bluntly spoke her mind. They expected certain things of her, and forgave certain things from her, because she was foreign. . . . [she realized] that Curt and his friends would, on some level, never be fully knowable to her” (209). Here, Ifemelu feels the twoness of hypervisibility. On the one hand, Curt’s friends put Ifemelu into a special category of “foreign”; on the other hand, her “blunt” way of speaking is forgiven perhaps more easily because of this category. In other words, though this twoness can be pleasurable, the things that they will expect and the things that they will forgive are out of Ifemelu’s control. Online, Ifemelu has total control over everything: she can delete comments, block users, respond or not respond, delete posts, edit posts even after publishing, and limit the amount of personal information that she makes public. This kind of control is not merely something Ifemelu can exercise as a means of revenge against what the tennis coach took from her, but also against the way that systems of oppression, and agents of those systems, classify her as “immigrant woman of color” without her consent and without her being able to control the characteristics and assumptions that follow from that classification. Not allowing her

readers to know what kind of non-American black she is is one way in which Ifemelu asserts control not only over the narratives about immigrant women of color, but also over the very concept of a narrative existing about any group.

The longer that Ifemelu has her blog and as the blog becomes a serious means of income, however, her anonymity becomes less fixed as a liberating possibility and emerges as a limiting aspect of blogging while black, immigrant, and female. *Raceteenth* effectively becomes an emotional burden that bears some resemblance to the emotional burden that the non-forcible sexual assault represents to Ifemelu. The blog is with Ifemelu through a number of personal and political life changes: when she breaks up with Curt and begins dating Blaine, a young black professor (whom she serendipitously meets, for the second time, at a Blogging While Brown convention); quitting her corporate job; when she decides to return to Nigeria; and when America elects its first black president. Not only is the blog a witness to several important life events, but it also is responsible for many of them. After gaining a certain amount of notoriety, Ifemelu begins to monetize the blog, selling enough ad space and receiving enough donations from readers that she can live off of the money that she makes as a full-time blogger. But this new financial success has consequences, as Ifemelu explains when she receives an email after giving a speech called “How to Talk About Race with Colleagues of Other Races” to an all-white audience of employees at a small company in Ohio: “That evening she received an e-mail: *YOUR TALK WAS BALONEY. YOU ARE A RACIST. YOU SHOULD BE GRATEFUL WE LET YOU INTO THIS COUNTRY.* That e-mail. . . was a revelation. The point of diversity workshops. . . was not to inspire any real change but to leave people feeling good about themselves” (307). Ifemelu receives comments that she is racist

before monetizing her blog, but now that the blog makes money and is more accessible to a larger, whiter audience, it is also even more vulnerable to these kinds of attacks. The emailer's final line about Ifemelu being grateful that "we" gave her entry to America is especially relevant. The popularity of her blog leads to Ifemelu appearing in public, her photo being posted on other blogs that profile her. Now that she is embodied for her audience, there are more opportunities for her complex ideas to either be misunderstood or undesired, as she says: "They did not want the content of her ideas; they merely wanted the gesture of her presence" (307). Ifemelu's body is in fact all that the audience really wants, precisely because her body speaks to a simplistic multiculturalist narrative that they can digest, a narrative about good white folks trying to understand the perspectives of those who are different from them.

Ifemelu is demanding much more from her audience, but when she begins to be an embodied public intellectual, she learns how to code-switch, how to distinguish between her public person and her private public persona:

. . . as she gave more talks at companies and schools, she began to say what they wanted to hear, none of which she would ever write on her blog, because she knew that the people who read her blog were not the same people who attended her diversity workshops. During her talks, she said: "America has made great progress for which she should be very proud." In her blog she wrote: *Racism should never have happened and so you don't get a cookie for reducing it*. Still more invitations came. She hired a student intern, a Haitian American, her hair worn in elegant twists, who was nimble on the Internet, looking up whatever information Ifemelu

needed, and deleting inappropriate comments almost as soon as they were posted (307).

The consequence of the blog's popularity here is a division of Ifemelu's self. Ifemelu divides herself in two so as to satisfy the needs of her distinct audiences and arenas. On the one hand, this seems like an act of surrender because she acquiesces to the demands of a more conservative audience. In a way, Ifemelu behaves here like a politician.³³ On the other hand, she treats a complicated situation with the kind of care and specificity of which most of the systems at play in this novel and in *New York v. Strauss-Kahn* are incapable. If the legal system, for example could always stay constantly attuned to how specific circumstances make certain populations vulnerable to certain kinds of violence, perhaps the assaults committed both against Diallo and Ifemelu would be legible as crimes. Whether one sees Ifemelu's strategy here as subversive or accommodationist, it remains true that upon relinquishing some of her anonymity, Ifemelu also relinquishes some of the control that she has over the blog and its impact on others.

The blog gives Ifemelu a feeling of control that she lost during her encounter with the tennis coach. The tennis coach makes Ifemelu feel like she has no control over her body and the blog gives her total control, or at least the illusion of total control, over a narrative and/or community of immigrant women of color. This control allows Ifemelu to complicate overly simplistic notions of immigrant women of color as either romantically oppressed, as represented by the white liberal perspective of Kimberly, the woman whose children she cares for as her first job in America, or from the conservative perspective of some of her blog readers, as criminals hell-bent on taking over the country.

Ifemelu hints at this increasing lack of control as the blog's popularity increases: "The blog had unveiled itself and shed its milk teeth; by turns it surprised her, pleased her, left her behind" (305). Here, she describes the blog as a child who grows not just apart but beyond her. Because the novel opens on Ifemelu just as she is shutting down the blog, the reader gets a sense of how the blog disappoints Ifemelu long before we are even aware of her long journey to creating it.

As Ifemelu describes her decision to shut the blog down, it is only upon rereading that the reader sees that the blog has grown from being an innocent adolescent into an all-consuming nightmare.

All those readers, growing month by month. . . they had always frightened and exhilarated her. . . Readers like SapphicDerrida, who reeled off statistics and used words like "reify" in their comments, made Ifemelu nervous, eager to be fresh and to impress, so that she began, over time, to feel like a vulture hacking into the carcasses of people's stories for something she could use. Sometimes making fragile links to race. Sometimes not believing herself. The more she wrote, the less sure she became. Each post scraped off yet one more scale of self until she felt naked and false. (5)

The blog evolves once again from something over which Ifemelu has lost control, what was once a somewhat harmless child, into something that has consumed her, turning her into a frightening animal that objectifies its interactions with other human beings.³⁴ At the same time that Ifemelu is consumed by the blog, it strips her, "[scraping] off yet one more scale of self until she felt naked and false." The description of herself as "naked and false" is the most horrifying yet because it is reminiscent of her scene with the tennis

coach, not only because of the nudity but because of the dissociation from her body she experienced after performing a sexual act with the tennis coach. It therefore makes sense that once the blog begins to reenact the time in her life when she was least in control is also the time when she decides to shut the blog down.

Despite being shut down, however, the blog lives on as an archive. We find out about the blog's permanence when we see that her ex-love, Obinze, reads it for clues about Ifemelu's life (374). *Raceteenth*, therefore, continues to live on beyond and without Ifemelu, but she seems to be at peace knowing that its sustained life is no longer her responsibility. Despite the many limits that the blog comes to place on Ifemelu, its strength as a space of healing cannot be underestimated: it gives Ifemelu a way to express her rage against systems of racial oppression, a community through which she can share in the experiences and perspectives of immigrants of color and immigrant women of color, and, most importantly, a space over which she, initially, has total control.³⁵

Conclusion

Clearly, the blog does not solve all of the emotional trauma that Ifemelu's encounter with the tennis coach causes, but it is vital for understanding how, through *Raceteenth*, Ifemelu is able to do what Diallo cannot: create an alternate public over which she has control that allows her, as an immigrant women of color, to be more than either the innocent victim or the lying whore, the sufferer of political violence who qualifies for asylum or the manipulative sufferer of personal violence who does not qualify for asylum.

As mentioned in the opening of this chapter, Kimberlé Crenshaw's 1989 call for massive legal reform more inclusive of multiple forms of discrimination has happened in some respects. Efforts on the federal and state level such as the Violence Against Women Act, the creation of the U-Visa, and reforms to the rules around spousal visa processing have made great headway in the movement to recognize the specific legal needs of immigrant women of color. However, it is uncertain whether reform is necessarily the solution for women in Diallo's and Ifemelu's positions. Through Ifemelu, Adichie proposes that the cultivation of spaces external to the law, spaces in which immigrant women of color are both affirmed and in control of that affirmation process, is essential not only to the emotional health of immigrant women of color, but also to sustaining generations of migration that do not participate in cycles of violent trauma. As seen in Diallo's case, the criminal branch of law, mass media, and immigration systems impose very serious limits on the complexity of immigrant women of color.

Putting literature and court cases in conversation allows us to understand what is possible in terms of the intelligibility of women of color if not to radically dismantle at least to provide alternatives to exclusionary systems. A close juxtaposition of *Americanah* and *New York v. Strauss-Kahn* not only complicates narratives around immigrant women of color, but also complicates the relationships that immigrant women of color develop to those narratives. The title of this chapter is an excerpt from Diallo's ABC News interview in which she responds to Roberts' question about the doubt circling Diallo's asylum papers, "I love this country but sometimes I don't know where I am" (00:58:39). One could read this as Diallo succumbing to a narrative of the good America-loving immigrant in order to combat doubt that she gained permanent residence in the

United States on false grounds. But this reading only examines the first part of her sentence. Superficially, when Diallo says “sometimes I don’t know where I am” she is referring to the fact that the case has revealed America to be different from the country with which she fell in love. But, the shape of this phrasing is much more amorphous than that superficial reading allows. The case has not just revealed America to her, but also a personal placelessness, an esoteric feeling of loss, uncertainty, and spatial and/or psychological instability. Diallo therefore offers a narrative of America as one whose systems betray its ideals of equality and inclusivity.

This loss is not something that Ifemelu seems to experience. Shane McCoy offers a reading of Ifemelu as straddling the line between an old-wave of 1960s and 70s African immigration that struggled for black political solidarity and a new wave of 1990s and 2000s African immigration that was apolitical and comfortable with capitalism and other structural obstacles to bridging different black experiences. Both waves have fallen steeply out of love with America or any illusion of its greatness so much so that, it would seem, such a romantic narrative would be incoherent to Ifemelu.

I would argue that Diallo picks up on a much older narrative of immigrant-as-patriot because she chooses the televised news interview as her mode of expression: she has less than four minutes to get across that, though she has made mistakes in the past, she is the victim of this crime. Ifemelu not only has much more time to develop her voice and persona through her blog, but none of her expression has the added pressure that Diallo’s has, the pressure to prove her to be a coherent victim of the crime of sexual violence. Though both women seek ways to make themselves heard on issues of injustice, they need these modes of expression to do distinct kinds of work. Mere

expression seems to be enough for Ifemelu to heal from the wounds of her assault whereas Diallo may be interested in some form of healing, but is mainly focused on turning the popular perspective of her from “hooker maid” to legible victim of a crime.

Neither mode of expression functions as well as it could for each victim, but they offer potential openings that did not exist before they stepped onto the public (or private public) stage to tell the story of their own experiences. One of the larger consequences of an examination of *New York v. Strauss-Kahn* and *Americanah* is a helpful illustration of the problem that immigrant women of color pose to the legal system and the immigration system. There are superficial problems, such as problems with translation, both linguistic and cultural, but there are more subtextual problems as well. It is a problem that the legal system cannot afford to ask questions about the circumstances in which an act of sexual violence occurs and the particular power positioning of specific victims and/or their assailants. It is a problem that immigrant systems do not consider personal violence to be a compelling enough reason for someone to need asylum whereas “political” violence is.

Both of these problems are ultimately existing under a larger problem: immigrant women of color must be made coherent to systems by oversimplifying their experiences. Ifemelu shows this when she dumbs down her criticism of American racism for her in-person public audience whereas Diallo demonstrates this in the mistake she makes on her asylum application. Diallo and Ifemelu see that they are more valuable to these systems when they speak in terms of the good and grateful immigrant narrative that their audience tends to expect. The two women become indigestible when it turns out that they lie, have unappetizing opinions, have sexual desire at the same time that they do not give consent,

are the victims of personal and political forms of violence and when, sometimes, it is impossible to tell the difference between the two.

Diallo and Ifemelu, thus, enter into a long history of testimony as a form of healing for black women, but similar to Ursa Corregidora in chapter two, they usurp the notion that healing will be holistic. Through the civil trial, Diallo receives financial compensation for what Strauss-Kahn did to her, and though there is no way that money can heal the many wounds that he or the media inflicted, no one can take away from Diallo that she used her voice and access to a very public platform to exact justice from her rapist. Though Ifemelu's vocalization of the anguish incurred by her assault is a much more slow and arduous process, she, ultimately, creates a private public/alternate public in which her readers can laugh, analyze, and emotionally cathect through their shared experience of becoming black in America. The reader of the novel gets very little information about Ifemelu's readers, but a comment from one of her avid commenters, SapphicDerrida, lamenting the blog's end, speaks exactly to the emotional work that the blog performs for its audience: "You've used your irreverent, hectoring, funny, and thought-provoking voice to create a space for real conversations about an important subject" (5). The creation of "space" has become something of an empty cliché amongst white liberals and liberals of color alike, and SapphicDerrida namely points to the blog as creating space for the non-American black experience.

But space-making has special resonance for victims of sexual violence for whom there is often an absence of legal recourse and even an absence of language to describe what happened to them. Though the televised news interview and the blogosphere fail to wholly capture the experiences of immigrant women of color, they offer opportunities to

empower their voices, for them to dismantle oversimplified outsider perspectives about who they are and replace them with narratives of complexity, violence that has no language but speaks through its lingering emotional effect, spaces in which community is possible and information-sharing is potentially life-saving. I say life-saving not to be hyperbolic, but to echo a statement that Diallo makes in her interview: “I want to talk here not for me. For my daughter. And for other women. I don’t want this to happen to any other woman” (00:44:10). Dialo demonstrates that when immigrant women of color speak their truth on a platform as accessible as a network television news show or a blog, it could be reaching someone somewhere who may actually believe these women, who may actually hear the words of another survivor and be motivated to reach for the same possibility of justice and/or recognition.

¹ On February 9, 2017, Irvin Gonzalez, a trans woman, was met by ICE agents at the courthouse after her case for a protective order against her extremely abusive boyfriend (P.R. Lockhart, “Immigrants Fear a Choice Between Domestic Violence and Deportation.” *Mother Jones*, 20 Mar. 2017). On February 10, 2015, a white male, Craig Hicks, murdered Deah Barakat, Razan Abu-Salha, and husband of Deah, Yusor Abu-Salha (Reema Kharis, “Shaken By Shooting, North Carolina Muslims Emerge ‘Proud’ One Year Later.” *NPR*, 10 Feb. 2016). The term “anchor child” was first used in reference to the children of the second wave of Vietnamese refugees from 1987. The term “anchor baby” gained new relevance in 2006 as the immigration debate grew hostile, particularly targeting Mexican immigrants. Especially relevant to this project is the way in which the rights of immigrants as well as slaves born in the United States were conferred through the Fourteenth Amendment, which grants citizenship to anyone born on U.S. soil (*jus soli*) (Kelly Frances, “A Profile of a Lost Generation.” *Los Angeles Times Magazine*, 13 Dec. 1987; Marc Lacey, “Birthright Citizenship Looms as Next Immigration Battle.” *New York Times*, 4 Jan. 2011).

² Congress passed the Patriot Act a little over a month after the September 11, 2001 acts as a means of beefing up national security. Of the many things that the act did, one of the most worrisome was expanding the power of the FBI to search telephone, email, and financial records without a court order (Orin S. Kerr, “Digital Evidence and the New Criminal Procedure.” *Columbia Law Review*, vol. 105, no. 279, 2005, pp. 279–318.)

³ DREAMers, as they are commonly known, are the group of young immigrants who benefitted from the Development, Relief, and Education for Alien Minors (DREAM) Act of 2012. This act was written in 2001 and aimed to give a path to

citizenship to anyone who was brought to the U.S. as a child under the age of 16. The DREAM act has never passed despite significant efforts by politicians and activists. Instead, President Obama passed the Deferred Action for Childhood Arrivals (DACA) Act in 2012, which basically allowed this same population to remain in the U.S. to attend university or work, but without access to a path to citizenship. Women make up a slight majority of active DACA recipients, according to the Pew Research Center (Gustavo Lopez and Jens Manuel Krogstad, "Key facts about unauthorized immigrants enrolled in DACA." *Pew Research Center*, <http://www.pewresearch.org/fact-tank/2017/09/25/key-facts-about-unauthorized-immigrants-enrolled-in-daca/>.)

⁴ I will be focusing intently on the subtle ways that structures function in the novel to comment on immigrant women of color, sexual violence, and the law in an American context. This should not overshadow the fact that Adichie is also invested in those same ideas in the Nigerian context as well as a British context. The firing of Ifem's father, for example, is the result of structural failures, as he was fired for refusing to call his boss, a woman, "Mummy," implying that Nigerian systems of power are, at times, faulty.

⁵ It is worth noting that the visa process is quite easy for Ifemelu and she remarks upon this ease as being very unexpected: "She applied for a visa, convinced that a rude American would reject her application, it was what happened so often, after all, but the gray-haired woman wearing a St. Vincent de Paul pin on her lapel smiled at her and said, "Pick up your visa in two days. Good luck with your studies" (101). It is useful to think of this ease in terms of historical context. Ifemelu is a young woman from a near-majority Muslim country who is applying for a student visa in the pre-9/11 era.

⁶ According to psychologists Cassia Spohn and Julia Horney, authors of *Rape Law Reform*, rape law reformers of the 1990s hoped that more vague terminology in rape law would lead to more women feeling comfortable reporting their sexual violations and thus more convictions of people committing a broader range of coercive sexual acts. Spohn and Horney conclude that such positive changes never really came. Legal scholar Hannah Brenner further explains that the term "sexual assault" and other such ambivalent language in rape law obscure the variety of ways that assailants use power to coerce. The employer/employee power play has its own legal consideration so why not take into consideration racial power, gender power, class power, and/or social status power?

⁷ One of the reasons that Strauss-Kahn's lawyers were able to argue for his house arrest (despite state arguments that he was a potential flight risk) is because of Strauss-Kahn's lack of prior criminal convictions. However, this seemingly clear history glosses over the fact that Strauss-Kahn had been accused of sexual assault before, in 2008, by an employee of the Monetary Fund. The Monetary Fund carried out an investigation but did not fire Strauss-Kahn, claiming to have found no evidence for what they deemed a "sexual affair," despite the employee's claims that Strauss-Kahn abused his power to coerce a relationship. This demonstrates that even if one has a record of prior abuses, it is very difficult to use that in a subsequent case as proof that they have a habit of abusing their power to force another person to perform sexual favors.

⁸ Dotson and Gilbert define "complex social identities" as those which are socially readable, defining them against those identities which individuals apply to themselves internally. This term is certainly indebted to Kimberlé Crenshaw whose term "intersectionality" describe the ways that systems of power (i.e., racism and sexism)

intersect to disenfranchise individuals possessing identities which are impacted by more than one form of systemic oppression. Crenshaw clarifies that people who live under two or more intersecting systems of oppression are not legible to legal systems, particularly in terms of discrimination law, because such systems are incapable of legislating more than one form of discrimination in a single case. Recently, black feminist scholars like Jennifer C. Nash, Brittney C. Cooper, and Crenshaw herself have lamented the misappropriation of the term “intersectionality”. Many feminists, especially online, use the term intersectional when they really mean diverse or considering multiple perspectives. Therefore, a more accurate term for this than “intersectional” would be inclusive of “complex social identities”.

⁹ In her interview with ABC News, Diallo tells another story of gendered violence, “When I was seven years, they cut me in my private area. . . My daughter was only seven or eight years old. . . I don’t want her to get cut and I don’t want her to get raped. If that happen there, you don’t tell nobody. I know I have a better life here. That’s why I make mistake on my asylum. I make mistake because I want to be here” (00:58:01). Diallo explains her experience undergoing female genital mutilation (FGM) in Guinea at the same time that she tells the story of her rape in the restaurant. Diallo acknowledges the necessity of lying to have one’s asylum application approved, but is still guarded about the content of the lie. This portion of her interview gives us some insight into the kinds of narratives that asylum seekers presume may be most compelling to United States officials. FGM and a gang-rape committed by civilian men were allegedly not the stories that Diallo used on her asylum application precisely because they do not satisfy the requirements of “political” violence as the portion of the form in Fig. 1 outlines.

¹⁰ This citation refers to a brilliant critical analysis of black LGBTQ families, which uses The Moynihan Report as a basis for its arguments. This article is “Intersectionality, Heteronormativity, and Black Lesbian, Gay, Bisexual, and Transgender (LGBT) Families” (2008) by Juan Battle and Colin Ashley.

¹¹ The jury is an important facet of Diallo’s civil suit against Strauss-Kahn, as *New York Magazine* and other local news media reported that by filing her civil suit in the Bronx, Diallo could be judged by a jury of her peers, “other immigrants, more minorities, and less wealthy than it might be in Manhattan” (1).

¹² It is appalling that, for so long, the assumption that sex workers cannot be raped has been maintained by systems and agents of systems. This is an avenue of thought that I hope to cover in the longer book project.

¹³ In “From ‘Frog’ to ‘Fraud!’: How the *New York Post* Told the DSK Story,” Joe Coscarelli reported on the *Post*’s many headlines on the case (23 Aug. 2011).

¹⁴ The leak of this letter and other statements that discredited Diallo in the eyes of the press form a core part of Thompson’s civil case filing, in which he claims that the DA failed to protect Diallo from the release of her personal information.

¹⁵ For more on this see Grace Chang’s *Disposable Domesticity: Immigrant Women Workers in the Global Economy* (2016).

¹⁶ Soon after the publication of these stories of sex work, Diallo sued the *Post* for libel, claiming that the reporters reported that Diallo was performing sexual acts for money knowing that it was not true. This case never went to trial.

¹⁷ Rape shield law not only protects victims' identities if they choose to report their sexual violations, but it is also meant to protect them from having their sexual history used against them during the trial. Diallo reveals a loophole in U.S. Rape Shield law when she tells Robin Roberts that a female French journalist called her cellphone the night that she was assaulted, asking her questions. It is quite remarkable that this overseas journalist already knew the story and how to contact Diallo even before the police had fully processed her report. It is possible that international journalists are not beholden to these federal rules around anonymity. There may also have been extenuating circumstances in this case given the high-profile status of Strauss-Kahn in his native France.

¹⁸ For more on rape shield laws, see *Rape Law Reform: A Grassroots Revolution* (1992) by Cassia Spohn and Julia Horney.

¹⁹ It is unlikely that Diallo decided to come forward totally independently. Her lawyer, Ken Thompson, the first African American district attorney of Kings County, New York, probably strategized this public reveal with Diallo. Sadly, Thompson passed away from cancer in 2016 at the age of 50. Many speculated that, had he not passed away, he could have been a strong contender for Vance's job as the NYDA. It is almost certain that Thompson played a large role in helping Diallo to tell her story on ABC News and in shaping her as an "ideal victim" that could be legible to such a large audience.

²⁰ In September 2011, Strauss-Kahn sat down for several interviews with French media outlets to discuss what happened in New York. His first was with Claire Chazal, a close friend of his wife's, and it was visibly uncomfortable for both of them. Strauss-Kahn continues to experience legal trouble and reports of sex scandals to this day.

²¹ In some respects, this focus on Strauss-Kahn is fair because he was gearing up to run for President of France and so his moral indiscretions were of great interest to his fellow citizens. However, the media's intense focus on those who commit sexual assault creates a culture in which the voices of the victims are marginalized in favor of the spectacular fall of a person in power.

²² It may seem unforgiving to call Diallo's use of the media a "strategy" if, following a pro-victim stance, her status as a truth-teller is to be maintained. However, as has been demonstrated in the previous chapter, the black woman who has experienced sexual violence must manipulate a system for that system to even attempt to function in her defense.

²³ There is a sizable portion of *Americanah* that touches on accents. Early on during her time in America, Ifemelu loses her Igbo-dialect-inflected accent and takes on an American one. She then retrains herself to lose the American accent. This is especially interesting because of how Ifemelu puts the learning/unlearning of accents in terms of authenticity. She is motivated to lose her American accent after a phone call with a telemarketer who compliments her undetectable accent: "Only after she hung up did she begin to feel the stain of a burgeoning shame spreading all over her, for thanking him, for crafting his words "You sound American" into a garland that she hung around her own neck. . . Her fleeting victory had left in its wake a vast, echoing space, because she had taken on, for too long, a pitch of voice and a way of being that was not hers. And so she finished eating her eggs and resolved to stop faking the American accent" (177).

²⁴ Diallo invokes God a number of times throughout her interview with Robin Roberts, citing a divine power as the ultimate bearer of justice and truth, “I think why people have to believe what I say God as my witness I’m telling the truth” (01:05:49).

²⁵ Immediately after the Hart-Cellar Act of 1965, which removed the language of numerical quotas from immigration policy, there was one wave of black immigrants from both Africa and the Caribbean who arrived in America not only looking for work, but also invested in Pan-African modes of racial solidarity. A second wave of black immigrants from Africa were less interested in political racial solidarity, but not necessarily disinterested. Ifemelu falls into what Shane McCoy calls the “new” wave of the African diaspora, given that she migrates to the U.S. around 1993. At this time, institutions of higher education were opening their doors to black international students to increase diversity. Ifemelu is therefore the beneficiary of decades of struggle for diversity at the level of higher education while also acting as a model minority against which black Americans are judged. All of this is important to understanding her financial deprivation because, on the one hand, she is privileged (she is in the United States; she is getting a good college education), but, on the other hand, the F-1 visa puts her into a less privileged place because of the limits on employment. The limits on employment are intended to allow international students to focus on their studies while also removing a population of smart, educated immigrants from competing with (white) citizens in the American job market. There are other kinds of visas that purposefully “brain drain” other countries such as India, Pakistan, and Nigeria of their most talented to reap the benefits of their labor in specific areas, such as engineering, medicine, and other STEM fields. From the perspective of undergraduate institutions, the F-1 visa works to benefit the diversity aims of American universities. It is clear that the student visa functions to limit employment options for international students while claiming them as part of the diverse university community precisely because it is part of the visa process. In order for recipients of the F-1 visa to receive their visa, they must sign a statement that promises that they will return to their country of origin upon completion of their studies. In other words, once universities have benefitted from black and brown bodies as increasing their numbers of minority students, the country hopes to be rid of them. Though applicants break this promise all of the time, it is a strong indication of just how badly the U.S. immigration system does not want international students to have full-time employment while they are in school.

²⁶ The flippant tone with which Ginika addresses the idea of sex work is somewhat striking because Ginika is more concerned with how little money one makes than the potential emotional trauma one could incur from doing that sort of work out of financial desperation. However, such indifference towards relationships between men, women, and money is a common tone for a number of characters throughout the novel. When Aunt Uju is still in Nigeria, her role as The General’s mistress involves financial dependence. When Ifemelu returns to Lagos more than a decade later, her friend Ranyinudo is in a similar position as a mistress of a wealthy man, but she also searches for alternative suitors. Both Obinze and Ifemelu have direct and indirect experience with the exchange of money for sex/romantic attachment. Ifemelu’s assault demonstrates this exchange; while living as an undocumented person in London, Obinze has an experience trying to pay some shady men to find a woman who is a British citizen he can marry so that he may get a visa to stay in London. Obinze’s marriage plot is unfortunately

discovered by immigration agents and he is deported. On the one hand, the multiplicity of this triangle between money and sex/love normalizes an exchange that is typically seen as problematic. On the other hand, perhaps Adichie features so many of these entanglements as a way of glorifying a troubled part of the plot: the affair between Ifemelu and Obinze at the end of the novel. The reader is clearly meant to feel conflicted about the affair between our primary characters, but perhaps the extent of this conflict is lessened when the “pure love” relationship between Ifemelu and Obinze is compared to the affairs “contaminated” by money.

²⁷ Adichie narrates Ifemelu’s access to citizenship with little fanfare, therefore corroborating the arguments of Shane McCoy and others that Adichie is very purposefully writing against older migrant narratives in which the path to citizenship is arduous and at the center of the protagonist’s life. This is not to say that Ifemelu is not pleased with her good fortune, but she is a more complex migrant figure because she has misgivings about this privilege as she compares herself to her college friends from the African Students Association (ASA): “It was good news, and yet a soberness wrapped itself around her. Wambui was working three jobs under the table to raise the five thousand dollars she would need to pay an African-American man for a green-card marriage, Mwombeki was desperately trying to find a company that would hire him on his temporary visa, and here she was, a pink balloon, weightless, floating to the top, propelled by things outside of herself. She felt, in the midst of her gratitude, a small resentment: that Curt could, with a few calls, rearrange the world, have things slide into the spaces that he wanted them to” (204). Without psychoanalyzing Ifemelu too directly, it would seem that the assault continues to leave its imprint upon her as she has a difficult time accepting that she is deserving of victory especially after suffering financial indignity and a sexually traumatizing experience. But Ifemelu’s recognition of injustice here is appropriate. She is right. It *is* unfair that Ifemelu’s single connection to wealth makes the immigration system bow at her feet whereas others have to wrangle it into a shape that will permit them to stay in the country. This is one of many ways that Ifemelu begins to sharpen her culturally critical and observant eye in service of acknowledging racial and national systems of oppression.

²⁸ There have been a number of studies on microaggressions and how they (and other stressors) cumulatively contribute to an imbalance in black-white experience of anxiety as well as mortality. One such study is explained in Kenrik O. Duru’s “Allostatic Load Burden and Racial Disparities in Mortality”. Duru examines what is called the “allostatic load,” or “the accumulation of physiological perturbations as a result of repeated or chronic stressors in everyday life” (2). This “load” could result from the virulence of constant gun violence in one’s neighborhood, stop and frisk police surveillance, microaggressions, etc. The study concludes that the allostatic load partially explains higher mortality rates amongst blacks when variables such as socioeconomic factors and health behaviors remain constant.

²⁹ I say “partially” because Ifemelu’s migration also changes her relationship with her body, as we see when she begins gaining weight.

³⁰ The role of hair appears throughout the novel in numerous ways. *Americanah* opens on Ifemelu as she makes her way from Princeton, New Jersey, where she works on fellowship to an African hair salon in Trenton, New Jersey to get her hair braided before her return to Lagos, Nigeria (which is subsequently delayed because of a suicide attempt

by her younger cousin, Dike). Hair also arises as a topic when the narrator recounts Ifemelu's teenage years in Lagos and the ways that her best friend's looks are praised because she has naturally long and wavy hair whereas Ifemelu gets her hair relaxed. When Ifemelu decides to go natural, she is met with questions from her white coworkers about whether or not this is a political statement. At the same time, her black boyfriend Blaine questions the political significance of her blog, seeing it as talking only about frivolous things like hair and the idiosyncratic and mundane unusualness of living as a black person in American.

³¹ In several interviews, Adichie remarks that her enormous popularity and rise to fame in America was part of the impetus for writing *Americanah*. Adichie also shares a good deal in common with her protagonist, which makes it difficult for readers to separate them from one another, as Nora Berning suggests (3).

³² The faces of companies like Microsoft, Apple, and Facebook are relatively well-known as Bill Gates, Apple CEO Tim Cook and Facebook CEO Mark Zuckerberg. But what about the rest of their employees? What about other people with a great deal of power at these seemingly omniscient companies? These people are not so publicly visible and therefore obscure the extent to which these companies can achieve the kind of public good that they purport to do or desire to do. And what about other omnipresent companies like Google, Wikipedia, Reddit, etc.? Is it in the best interest of their CEOs to maintain a level of anonymity so as to maintain the charade of "do-gooderism"?

³³ Ifemelu's politician-like behavior is appropriate given the particular role that President Barack Obama plays in the novel. It is clear that Obama raises the specter of the black politician as someone who must have a range of cultural fluencies, which was on especially public display during Obama's presidential campaign. Ifemelu has conversations with Blaine and his friends about Obama while he is campaigning for the Democratic nomination. This leads her to write a blog post about Obama that is seemingly apolitical, but is in fact very political: "Why Dark-Skinned Black Women—Both American and Non-American—Love Barack Obama" (215-16).

³⁴ This transformation of the blog from an innocuous to a monstrous creature could also be read as Adichie's own critique of the internet and the way that internet fame has spun her own public image almost entirely out of her hands.

³⁵ A peripheral interpretation of Ifemelu's control arises when the novel is paired with Noble's *Algorithms of Oppression*. Noble claims the racial bias that is inherent in the structure of the internet because of who its owners are. In some respects, Ifemelu "owns" her blog and has control over it because she decides its output. However, because Ifemelu runs her blog through a corporation called Wordpress, she enjoys the illusion of control while a larger company is in fact in control. This issue of control does not arise in the novel in any explicit way, which is why I do not address it, but it is an important avenue of thought for other scholars of Adichie's work to explore in the future.

Where Have We Been and Where Are We Going?: The Unknown Future of Justice for
Black Women in America

Bodies in the Middle argues that twentieth and twenty-first century legal cases and novels at which raped black women are the center prove that black women are not merely the objects of a neglectful, racist, and sexist legal system. *Native Son* and *The Case of Recy Taylor*, *Corregidora* and *State v. Joan Little*, and *Americanah* and *State v. Strauss-Kahn* are the central novels and legal cases under examination. Each pairing shows how black women find ways, both productive and destructive, to act as subjects, manipulating the legal system, creating their own legal systems, and/or replacing legal justice with other modes of expression. And in between all of these attempts are the non-attempts, the failures, and the deaths. The law, as each cultural case represents it, consists of historic cases which I use as examples of how the legal system never functions to make black women coherent as subjects who have had crimes committed against them. Contrary to previous scholarship on this topic, black women who are not trapped in a binary of being either subject or object and the authors who write about them resist this reductive binary as well. I am excited to contribute to a body of scholarship that argues that black women are, in fact, in a particularly unique position to play a multitude of roles, roles that are convenient or inconvenient for legal systems within their particular historical contexts. At the same time that my work aims to highlight black women's penchant for gleaning justice from the most adverse circumstances, I do not want to pretend that this is the finish line. My work is also invested in portraying various forms of justice that the subjects of this project either create or endure or both simultaneously. Beyond its scholarly contribution, I also want my work to demonstrate how a more historically-

enriched public conversation about sexual violence and race helps us to reframe that conversation so as to allow new avenues of justice to emerge.

I arrived at this topic in the Fall of my second year of graduate course work when I took an incredible history course with Professor Grace Hale called “The South Since 1900.” There were a number of monographs in this course that argued that the intermingled history of race and sexual violence lay at the foundation of how a white supremacist legal system consistently denied rights to black people—books like Glenda Gilmore’s *Race, Gender, and Jim Crow*, Blaire Murphy Kelley’s *Right to Ride*, and Grace Hale’s *Making Whiteness* to name a few. All of these books maintained that lynching, the murderous violence against black men for the false accusation of raping white women, was one, if not the most, important element at the foundation of a white supremacist denial of rights. If sexual violence against black women was mentioned, it was in the context of enslavement. This isolation of black women and sexual violence in the context of slavery was true except for in Danielle McGuire’s book, *At the Dark End of the Street: Black Women, Rape, and Resistance--A New of the Civil Rights Movement from Rosa Parks to the Rise of Black Power*.

McGuire’s book astounded me. And it inspired my entire dissertation. Each chapter of *Bodies in the Middle* works with and against McGuire’s argument that change happens when black women use institutions like the legal system to make their voices heard. I wanted to use my work to dig underneath this assumption around the black woman’s voice, to reconsider how hopelessness, despair, and failure have been just as essential as hope, pride, and victory to the legal project of intelligibility for black women who have experienced sexual violence.

In addition to McGuire, there are a number of other scholars who have begun a necessary conversation about the intersection between black women, sexual violence, and social justice movements in a twentieth century context. Scholars like Andrea J. Ritchie, Jennifer C. Nash, and Patricia J. Williams are making valid and intellectually electrifying arguments about rape, race, and gender. But few have added the voices of black artists to this discourse. The voices of black novelists are especially critical because they provide a perspective that is able to test the limits of legal reality in ways that social justice movements often cannot afford. In other words, black novelists investigate and imagine seemingly impossible paths to justice for black women. To juxtapose these unusual avenues of fiction with the contemporary public conversation about race and sexual violence is vital to widening the oftentimes narrow definitions of justice in which this conversation traffics. As much as I want this project to have an impact on these academic circles, I also want to use it to reconsider problems outside of the academic bubble.

The #MeToo movement is an extremely useful test case for teasing out the assertions of my dissertation. How does public discourse around sexual violence, race, and the law change when we place black women at the center? What lessons do black novels teach us about this discourse that the law cannot? The founder of the Me Too movement (no hashtag), Tarana Burke, a black female activist from the Bronx, articulated some of the issues with the public discourse around sexual violence when she appeared on MSNBC responding to the news that Harvey Weinstein had been arraigned. She stated, “The act of Harvey Weinstein being arrested is not what the movement is about. The movement is about supporting those women who accused him... so many people, so many women they’ll never have a day like today. They’ll never see the person

who harmed them in handcuffs. They'll never see anything happen to the person who changed their lives. And we still have to support those people and make sure they have what they need to heal." Burke speaks from a black female perspective of legal justice for victims of sexual violence, a perspective that is understandably circumspect. A survivor of sexual violence ought not to see her journey to healing as a zero sum game the way that the media does: either her assailant is captured and she is healed or the assailant is not and she is not. I agree with Burke. Black women have a particular relationship with legal authorities--from police to judges to prosecutors--that often forces them to dismiss legal justice as beyond their reach. Therefore, it ought not be the only avenue to healing for survivors. However, the cases at the center of my project prove that there is a way to be mindful of the overwhelming failure of the law to exact justice while also acknowledging the extreme vigilance of black women and their allies to bend the law to their will. The conversation would be enriched by such an acknowledgement because it offers a perspective on racism and sexual violence that places black women at the center. While intent on seeing their assailants "in handcuffs," at the same time these women are building alternative systems of justice. *Corregidora* and *Americanah* provide the best versions of that as Gayl Jones and Chimamanda Ngozi Adichie, respectively, imagine what a black female survivor of assault might create--be it her own justice system or a blog-- when the option of American justice is foreclosed to her. Both the black novelists and the black women and their allies that I examine in this project enrich the national conversation around racism and sexual violence because they serve as reminders of how integral the law is to this history even as people have been working to think beyond those systemic bounds.

Bodies in the Middle is an historical project as well as a literary one. On the one hand, the structure and organization of the entire dissertation imply an argument about progress, anti-rape activism, and anti-racist activism. On the other hand, at the same time that the novels speak to the legal cases within their particular periods, the cases and novels also converse across the eras in which they occur. Like many chronologically organized monographs, *Bodies in the Middle* may lead readers to assume that there is a progressive relationship between each chapter; that access to justice becomes easier from the 1940s to the 1970s and then even easier from the 1970s to the 2000s. Though it is difficult to speak generally about the “ease” in which justice becomes accessible to black women, in general this assumption of relative progress is true. One of the great advancements in social justice strategies for black women between the 1940s and 1970s is that legal defense teams and activist groups alike benefit from a shifting social climate that is a bit less tolerant of blatant racism and so they are able to argue for black women as victims of sexual violence without sacrificing the women’s blackness and/or their less-than-ideal victim status. The clearest example of this is how the leftist newspaper for Recy Taylor’s defense also refigured her blackness into more sympathetic white, middle-class terms by referring to her motherhood and wifedom to make her coherent as one whose rape can be seen to break the social code. Thirty years later, during the trial *State v. Little*, Little’s defense team historically contextualized Joan Little as part of a legacy of black women rendered incoherent as victims of sexual crimes. Though it is true that there are some advancements represented by the legal cases at the center of *Bodies*, it is also true that the United States continues to be haunted by the ghosts of race rape’s past.

It would require little effort to read the final chapter on *Americanah* and *New York v. Strauss-Kahn* as one that is pointing to how much more progress has been made in the fight for justice for black women because it includes a discussion of technology. A good portion of the writing about the internet and/or twenty-first century technologies claims that these new inventions are our saviors, bringing us into an age of greater democracy through an informed citizenry and equality through inexpensive access to education. Of course, for every argument asserting the internet will save us, we can find another warning that technology will inevitably be our downfall. Between these extremes of utopia and apocalypse, there is something close to the truth. The final chapter both aligns with and diverges from the notion that technology is a justice-making tool for black women. Instead, I propose that technology reinforces some of the inequities of the past while giving black women an opportunity to possess and have control over a mode of expressing their trauma. Despite its liberatory potential, the internet and television perpetuate the same opportunities for an audience to misread black women as outside of the realm of “ideal victim,” as a body whose violation may not be considered a crime. The failure of New York state’s criminal case against Dominique Strauss-Kahn is an indication of a number of systemic failures, but most significantly it exposes the failure of the legal system to digest the complexity of black women as victims of crimes. In addition to presenting an overarching argument both against and veering towards a progressive justice narrative, the study makes some significant connections across the chapters.

Although I emphasize death and/or the threat of death as an aspect of making black women coherent as victims of sexual crimes in the first chapter, fatalism is present

across all of the texts and cases in one way or another. This duality indicates how conversations about black women and sexual violence enjoin both the theory of Afropessimism, which emphasizes how the racial past impedes future racial progress, and the theory of Afrofuturism, which seeks to imagine a future in which racial oppression is made irrelevant. Joan Little is on trial for the murder of the man who sexually assaulted her; therefore, the jury is deciding on her coherence as a rape victim at the same time as they are judging her capacity to commit premeditated murder. In fact, because she is claiming self-defense, there is a direct correlation between rape and death for Little: the closer she gets to being seen as a murderer, the further away she gets from being seen as raped. Little's life is also hanging in the balance of the jury's judgement. If they are able to see her as raped, she will not be sentenced to death, a sentence that was overwhelmingly meted out to black people in the state of North Carolina. According to Angela Davis's essay in *Ms. Magazine*, "Joan Little: The Dialectics of Rape," of only two women sentenced to death in the country at the time, both were women of color (one black and the other Native American) and both were sentenced to death in North Carolina (2). The other manifestation of death that appears in almost every text and case is either a fantasizing or an actualizing of rape revenge. In Adichie's novel, the protagonist, Ifemelu, vividly dreams of creeping into the room of the tennis coach, killing him, and stealing his money so that she may pay her rent. A similar fantasy appears in a story that the Corregidora women rehearse of a woman being lynched for killing her master, who had subjected her to years of sexual abuse. Joan Little, of course, actualizes a version of rape revenge against Clarence Alligood in the moment. The subject of violent and/or non-violent rape revenge deserves greater attention not only because it circulates through so

many historical and literary texts, but also because it continues to work within the penalizing frame of the American criminal justice system.

There are a number of other thematic connections to be made transhistorically amongst the cases and novels at the center of this project. However, I am most interested in one of the disconnections: the final chapter does not trace a social justice movement in the way that the first two chapters do. For Recy Taylor, the Committee for the Equal Justice for Mrs. Recy Taylor arose out of her violent attack. For Joan Little, the Joan Little Legal Defense Fund resulted from Little's arrest and murder charge. There was no such official movement that emerged to support Nafissatou Diallo, but there was some amount of unofficial, organized activism to support Diallo and the state of New York's case against Strauss-Kahn. I look forward to creating an archive of this activism as no such archive yet exists. The archives around activism in the twentieth century cases were already formed and therefore facilitated my project. To build an archive of the anti-rape and anti-racism activism that surrounded Diallo and her case is an arduous undertaking, but one that will be worthwhile as it will allow future researchers to build additional projects around this groundbreaking case.

Bodies in the Middle not only documents but also joins a number of social justice movements—such as Black Women's Blueprint, #SayHerName, Sister II Sister, and INCITE!—to contemplate alternative forms of justice that black women and women of color are building for themselves. All of these groups are invested in imagining what justice may look like for women of color who would rather not engage with the police or carceral state as a means of exacting justice against their abuser/rapist. But there is Afropessimism underpinning these vital acts of rethinking justice, as well as afrofuturism

in re-imaging a future beyond the racial traps of the past: many of these creative remakings of justice continue to rely on the established legal system for definitions of punishment. The major distinction between the community-based forms of justice that groups like INCITE! and Sister II Sister promote is that these activist groups center the desires of the victim. The community asks the victim, aside from violent retribution, what would they like to happen to her abuser/rapist? And the community attempts to honor this desire to the best of their abilities. This version of alternative justice is problematic because it is reminiscent of a bygone era of black power ideology, which mandated that black women and women of color put the needs of “their men” above and before their own. There would have to be protections set up to avoid an abuser/rapist manipulating the victim into avoiding police reporting for his sake rather than for her own peace of mind. However, at a time when fear of unpunished police brutality is at an all-time high, it also makes sense that women of color may seek options that do not further endanger them or their families by involving the police state. Additionally, police are well known for failing to believe victims of sexual violence, blaming them for being victimized, and/or using their power to sexually abuse them with impunity. This may seem like a negative depiction of the future of justice for black women who been assaulted, but I’d rather frame it as a more enlightened one, one that is more historically conscious, more politically honest, and more emotionally evolved. Despite all of the ways that black women continue to be misread by refusing to recognize them as victims of sexual crimes, there is hope in the fact that the street is nowhere near as dark as it once was for Taylor, for Little, or even for Diallo. These women fought to make justice systems malfunction in

their favor, providing all women who come after them a blueprint to continue that fight but with, we hope, less effort, more allies, and greater systemic power on their side.

Bibliography

- #4006, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill.
- “Argument to the Jury by Jerry Paul.” Box 1, Folder 9, pp. 16–22. James Reston, Jr., Collection of Joan Little Trial Materials #4006, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill.
- 130 NY Penal Code. Sec. 130.05. *NYPD Crime*, 2017. 11 Dec. 2017, <http://ypdcrime.com/penal.law/article130.htm>.
- Box 1, Folder 14–16. James Reston, Jr., Collection of Joan Little Trial Materials
- State of Alabama. Office of the Attorney General. “Report.” Montgomery, AL. 14 Dec. 1944. The Alabama Department of Archives and History. Jun. 2014.
- State of Alabama. Office of the Attorney General. “Supplemental Report.” Montgomery, AL. 27 Dec. 1944. The Alabama Department of Archives and History. Jun. 2014.
- “Documents in the Strauss-Kahn Case.” *NY Times*. <http://archive.nytimes.com/www.nytimes.com/interactive/2011/08/22/nyregion/ds-k-documents-and-court-filings.html>.
- “Dominique Strauss-Kahn’s Accuser, Nafissatou Diallo, Speaks Out to ‘GMA’s’ Robin Roberts (07.25.11).” *YouTube*, uploaded by ABCNews, 25 July 2011, <https://www.youtube.com/watch?v=lx8rmcNr9A>.
- Adichie, Chimamanda Ngozi. *Americanah*. First ed, Alfred A. Knopf, 2013.
- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New Press, 2010.

- Allen, Donia Elizabeth. 2002. "The Role of the Blues in Gayl Jones's 'Corregidora'." *Callaloo*, vol. 25, no. 1, 1 Jan. 2002, pp. 257–73.
- Antony, Pemberton. "Dangerous Victimology: My Lessons Learned From Nils Christie." *Temida*, vol. 19, no. 2, 2016, pp. 257–76.
- Aryani-Sabet, Samar. "Battered Iranian Immigrant Women and the Ineffectiveness of U.S. Antiviolence Remedies." *Temple Law Review*, vol. 88, no. 2, 2016, pp. 313–56.
- Bailey, Moya. 2010. "They aren't talking about me." *Crunk Feminist Collective*, <http://www.crunkfeministcollective.com/2010/03/14/they-arent-talking-about-me/>. Accessed 18 May 2018.
- Baker, Houston A. 1983. "To Move Without Moving: An Analysis of Creativity and Commerce in Ralph Ellison's Trueblood Episode." *PMLA*, vol. 98, no. 5, 1 Oct. 1983, pp. 828–45.
- Battle, Juan, and Colin Ashley. "Intersectionality, Heteronormativity, and Black Lesbian, Gay, Bisexual, and Transgender (LGBT) Families." *Black Women, Gender & Families*, vol. 2, no. 1, 2008, pp. 1–24.
- Brenner, Hannah. "Beyond Seduction: Lessons Learned about Rape, Politics, and Power from Dominique Strauss-Kahn and Moshe Katsav." *Michigan Journal of Gender & Law*, vol. 20, no. 2, 2014, pp. 225–90.
- Buckmaster, Henrietta. "Foreword." *Equal Justice Under Law*. Governor Chauncey Sparks Papers at the Alabama Department of Archives and History, Recy Taylor Case, Administrative Files, Montgomery, AL.

Buckmaster, Henrietta. 29 Dec. 1944. Governor Chauncey Sparks Papers at the Alabama Department of Archives and History, Recy Taylor Case, Administrative Files, Montgomery, AL.

Butler, Judith. "Performativity, Precarity and Sexual Politics." *Antropólogos Iberoamericanos En Red*, vol. 4, no. 3, 2009, pp I–XIII.

Campbell, Timothy C, and Adam Sitze. *Biopolitics: A Reader*. Duke UP 2013.

Catt, Carrie Chapman. 19 Jan. 1945. Governor Chauncey Sparks Papers at the Alabama Department of Archives and History, Recy Taylor Case, Administrative Files, Montgomery, AL.

Chan, Sewall. "Recy Taylor, Seeker of Justice, Is Dead at 97." *New York Times*, 30 Dec. 2017, p. D7.

Coker, Hillary Crosley. "Daniel Holtzclaw, Former Cop Accused of Raping 13 Black Women, Gets an All-White Jury." *Jezebel*. 4 Nov. 2015.
<https://jezebel.com/daniel-holtzclaw-former-cop-accused-of-raping-13-black-1740529093>

Coscarelli, Joe. "From 'Frog' to 'Fraud!': How the New York *Post* Told the DSK Story." *New York Magazine*, 2011.
http://nymag.com/daily/intelligencer/2011/08/dsk_case_new_york_post.html.
 Accessed 1 Dec. 2017.

Coser, Stelamaris. *Bridging the Americas: The Literature of Paule Marshall, Toni Morrison, and Gayl Jones*. Temple UP, 1995.

- Crenshaw, Kimberlé. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *The University of Chicago Legal Forum*, vol. 140, 1989, pp. 139–67.
- Davis, Angela. "Joan Little: The Dialectics of Rape." 1975. *Ms. Magazine*, Spring 2002, <http://www.msmagazine.com/spring2002/davis.asp>.
- Delgado, Richard, and Jean Stefancic. *Critical Race Theory: An Introduction*. 2nd ed, New York UP, 2012.
- Dotson, Kristie, and Marita Gilbert. "Curious Disappearances: Affectability Imbalances and Process-Based Invisibility." *Hypatia-a Journal of Feminist Philosophy*, vol. 29, no. 4, 2014, pp. 873–88.
- Duru, O. Kenrik, et al. "Allostatic Load Burden and Racial Disparities In Mortality." *Journal of the National Medical Association*, vol. 104, no. 1–2, 2012, pp. 89–95.
- Erlanger, Steven and Maïa de la Baume. "Strauss-Kahn Concedes Error in Sexual Encounter With Maid." *The New York Times*, 18. Sept. 2011. <https://www.nytimes.com/2011/09/19/world/europe/in-interview-strauss-kahn-acknowledges-his-moral-failings.html>. Accessed 19 May 2018.
- Fabre, Michel. *The Unfinished Quest of Richard Wright*. 2nd ed, University of Illinois Press, 1993.
- Forensic Architecture (Project), Anselm Franke, and Haus der Kulturen der Welt. *Forensis: The Architecture of Public Truth*. Sternbreg Press, 2014.
- Frances, Kelly. "A Profile of a Lost Generation." *Los Angeles Times Magazine*, 13 Dec. 1987. http://articles.latimes.com/1987-12-13/magazine/tm-28306_1_schooling.
- Goffman, Erving. *The Presentation of Self In Everyday Life*. Overlook Press, 1973.

- Golding, Jonathan M., Kellie R. Lynch, and Nesa E. Wasarhaley. "Impeaching Rape Victims in Criminal Court." *Journal of Interpersonal Violence*, vol. 31, no. 19, 2016, pp. 3129–49.
- Gordy, Cynthia. "Recy Taylor: A Symbol of Jim Crow's Forgotten Horror." *The Root*, 9 Feb. 2011. <https://www.theroot.com/recy-taylor-a-symbol-of-jim-crows-forgotten-horror-1790862716>.
- Gross, Kali N. *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880–1910*. Duke UP, 2006.
- Guarracino, Serena. "Writing So Raw and True: Blogging in Chimamanda Ngozi Adichie's *Americanah*." *Between*, vol. 4, no. 8, 2014, 1–27.
- Guttman, Sondra. "What Bigger Killed For: Rereading Violence Against Women in *Native Son*." *Texas Studies in Literature and Language*, vol. 43, no. 2, 2001, 169–93.
- Hamilton, Brad. "Dominique Strauss-Kahn 'refused to pay' hooker maid for sex." *New York Post*, 3 Jul. 2011. <https://nypost.com/2011/07/03/dominique-strauss-kahn-refused-to-pay-hooker-maid-for-sex/>. Accessed 19 May 2018.
- Hamish Dalley. "The Question of 'Solidarity' in Postcolonial Trauma Fiction: Beyond the Recognition Principle." *Humanities*, vol. 4, no. 3, 2015, pp 369–92.
- Hanna, Cheryl. "The Violence Against Women Act and its Impact on the U.S. Supreme Court and International Law: A Story of Vindication, Loss, and a New Human Rights Paradigm." *Duquesne Law Review*, vol. 52, no. 2, 2014, 415–31.

- Harb, Sirene. 2008. "Memory, history and self-reconstruction in Gayl Jones's Corregidora." *Journal of Modern Literature*, vol. 31, no. 3, 22 Mar. 2008, 116–36.
- Hartman, Saidiya V. *Scenes of Subjection: Terror, Slavery, and Self-Making In Nineteenth-Century America*. Oxford University Press, 1997.
- Higginbotham, Evelyn Brooks, and ACLS Humanities E-Book. *Righteous Discontent: The Women's Movement In the Black Baptist Church, 1880–1920*. Harvard UP, 1993.
- Hine, Darlene Clark. "Rape and the Inner Lives of Black Women In the Middle West." *Signs*, vol. 14, no. 4, 1989, pp. 912 - 920.
- History.com Staff. *The History Channel*. "Carrie Chapman Catt," 2009, www.history.com/topics/womens-history/carrie-chapman-catt. Accessed 17 May 2018.
- Holloway, Kali. "When You're a Black Woman, You're Never Good Enough to Be a Victim." *Jezebel*, 11 Sept. 2014, <https://jezebel.com/when-youre-a-black-woman-youre-never-good-enough-to-be-1633065554>.
- Holloway, Karla F. C. *Legal Fictions: Constituting Race, Composing Literature*. Duke UP, 2013.
- Hull, Akasha Gloria, et al. *All the Women Are White, All the Black Are Men, But Some of Us Are Brave: Black Women's Studies*. 2nd ed. Feminist Press, at the City University of New York, 2015.
- Hunter, Tera W. *To Joy My Freedom: Southern Black Women's Lives and Labors After the Civil War*. Harvard UP, 1997.

Illuzzi-Orbon, Joan and John McConnell. "Letter to the Defense." 30 Jun. 2011.

Italiano, Laura. "Gabby maid dooms own case." *New York Post*, 26 Jul. 2011.

<https://nypost.com/2011/07/26/gabby-maid-dooms-own-case/>.

JanMohamed, Abdul R. *The Death-Bound-Subject: Richard Wright's Archaeology of Death*. Duke UP, 2005.

Jean-Charles, Régine Michelle. *Conflict Bodies: The Politics of Rape Representation in the Francophone Imaginary*. Ohio State UP, 2014.

Jennifer Cognard-Black. "'I said nothing': The Rhetoric of Silence and Gayl Jones's 'Corregidora'." *NWSA Journal*, vol. 13, no. 1, 1 Apr. 2001. pp. 40–60.

Jones, Gayl. *Corregidora*. 1975. Beacon Press, 1986.

Katersky, Aaron. "Strauss-Kahn's accuser speaks out." ABC News, via Good Morning America, 2011, <https://abcnews.go.com/US/video/dominique-strauss-kahn-accuser-nafissatou-diallo-complete-interview-14336006>. Accessed 12 Dec. 2017.

King, Wayne. "Joan Little's Lawyer Smirks at 'Justice.'" *Charlotte Observer*, 21 Oct. 1975. Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill.

Krishnaswamy, Revathi. "Mythologies of Migrancy: Postcolonialism, Postmodernism and the Politics of (Dis)Location." *Ariel*. vol. 26, no. 1, 1995, pp. 125–46.

Lacey, Marc. "Birthright Citizenship Looms as Next Immigration Battle." *New York Times*, 4 Jan. 2011.

<https://www.nytimes.com/2011/01/05/us/politics/05babies.html>.

Lawrence, Charles R. "The Id, the Ego, and Equal Protection: Reckoning With Unconscious Racism." *Stanford Law Review*, vol. 39, 1 Jan. 1987, pp. 317–88.

- Leetsch, Jennifer. "Love, Limb-Loosener: Encounters in Chimamanda Adichie's *Americanah*." *Journal of Popular Romance Studies*, vol. 6, 2017, pp. 1-16.
- Levine, Caroline. "'The Strange Familiar': Structure, Infrastructure, and Adichie's *Americanah*." *Mfs-Modern Fiction Studies*, vol. 61, no. 4, 2015, pp. 587-605.
- Little, Joan. "I Am Somebody." *Save Joann Little*. Women's Press Collective, 1975.
- Lockhart, P.R. "Immigrants Fear a Choice Between Domestic Violence and Deportation." *Mother Jones*, 20 Mar. 2017.
<https://www.motherjones.com/politics/2017/03/ice-dhs-immigration-domestic-violence-protections/>.
- López, Gustavo, and Jens Manuel Krogstad. "Key Facts About Unauthorized Immigrants Enrolled in DACA," *Pew Research Center: Fact Tank*, 25 Sept. 2017,
<http://www.pewresearch.org/fact-tank/2017/09/25/key-facts-about-unauthorized-immigrants-enrolled-in-daca/>. Accessed 19 May 2018.
- Lorde, Audre. 1976. "Eva's Man by Gayl Jones: A Review." *I Am Your Sister: Collected and Unpublished Writings of Audre Lorde*. Edited by Rudolph P. Byrd, Johnnetta Betsch Cole, and Beverly Guy-Sheftall, Oxford UP, 2009.
- Lowe, Lisa. *Immigrant Acts: On Asian American Cultural Politics*. Duke UP, 1996.
- Macklin, Audrey. "Truth and Consequences: Credibility Determination in the Refugee Context." *International Association of Refugee Law Judges*, 1998.
- Mallapragada, Madhavi. "Immigrant Activism: Narratives of the 'H-4 Life' by Indian Women on YouTube." *Communication Culture & Critique*, vol. 10, no. 1, 2017, pp. 76-92.

- Malone, Noreen. "Why DSK's Accuser Might Have Decided to File Her Civil Suit in the Bronx." *New York Magazine*, 10 Aug. 2011.
http://nymag.com/daily/intelligencer/2011/08/why_dsk_accuser_might_have_de.html. Accessed 19 May 2018.
- Mani, Bakirathi. *Aspiring to Home: South Asians in America*. Stanford UP, 2012.
- McDowell, Deborah E. *"The Changing Same": Black Women's Literature, Criticism, and Theory*. Indiana University Press, 1995.
- McGuire, Danielle L. *At the Dark End of the Street: Black Women, Rape, and Resistance: A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power*. 1st ed, Alfred A. Knopf, 2010.
- McNeil, Genna Rae. "The Body, Sexuality, and Self-defense in State vs. Joan Little, 1974–1975." *The Journal of African American History*, vol. 93, no. 2, 1 Apr. 2008, p. 235-261.
- Muhammad, Khalil Gibran. *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. Harvard UP, 2010.
- Narayan, Uma. *Dislocating Cultures: Identities, Traditions, and Third-World Feminism*. Routledge, 1997.
- Ngai, Mae M. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton UP, 2004.
- Noble, Safiya Umoja. *Algorithms of Oppression: How Search Engines Reinforce Racism*. New York University Press, 2018.
- Passalacqua, Camille. 2010. "Witnessing to Heal the Self in Gayl Jones's *Corregidora* and Phyllis Alesia Perry's *Stigmata*." *Melus*, vol. 35, no. 4, 22 Dec. 2010, pp. 139–63.

Puar, Jasbir K. *Terrorist Assemblages: Homonationalism in Queer Times*. Duke UP, 2007.

Rape, Abuse & Incest National Network. “Public Policy: How does your state define consent?” 2016, <https://www.rainn.org/news/how-does-your-state-define-consent>. Accessed 19 May 2018.

Reston, James, Jr. *The Innocence of Joan Little: A Southern Mystery*. Times Books, 1977.

Ritchie, Andrea J. *Invisible no More: Police Violence Against Black Women and Women of Color*. Beacon Press, 2017.

Roberts, Robin. “DSK Accuser Nafissatou Diallo: Full Interview.” *Good Morning America*, 2011. <https://abcnews.go.com/US/video/dominique-strauss-kahn-accuser-nafissatou-diallo-complete-interview-14336006>.

Rushe, Dominic, et al. “Strauss-Kahn case maid sues New York Post Over Prostitute Allegation.” *The Guardian*, 5 Jul. 2011. <https://www.theguardian.com/world/2011/jul/05/strauss-kahn-maid-new-york-post>. Accessed 19 May 2018.

Sexton, Jared. 2016. “Afro-pessimism: The Unclear word.” *Rhizomes: Cultural Studies in Emerging Knowledge*, vol. 29, 2016, pp. 1–13.

Sielke, S. *Reading Rape: The Rhetoric of Sexual Violence in American Literature and Culture, 1790–1990*. Princeton UP, 2002.

Smith, Dinitia, and Nicholas Wade. “DNA Test Finds Evidence of Jefferson Child by Slave.” *The New York Times*. 1 Nov. 1998.

Stanley, Susie C. "Righteous Discontent: The Women's Movement In the Black Baptist Church, 1880–1920 by Evelyn Brooks Higginbotham." *Church History*, vol. 63, no. 2, 1994, pp. 310–12.

Steele, Catherine Knight. "Black Bloggers and Their Varied Publics: The Everyday Politics of Black Discourse Online." *Television & New Media*, vol. 19, no. 2, 2018, pp. 112 - 127.

Tani, Karen M. "An Administrative Right to be Free from Sexual Violence? Title IX Enforcement in Historical and Institutional Perspective." *Duke Law Journal*, vol. 66, no. 8, 2017, 1847–903.

Taslitz, Andrew E. *Rape and the Culture of the Courtroom*. New York UP, 1999.

Taylor, Keeanga-Yamahtta, editor. *How We Get Free: Black Feminism and the Combahee River Collective*. Haymarket Books, 2017.

TEDTalks: Chimamanda Adichie - the Danger of a Single Story. Dir. Films for the Humanities & Sciences (Firm), and Films Media Group. Films Media Group, 2009.

The Celia Project. University of Michigan College of Literature, Science, and the Arts, 2014, www.sites.lsa.umich.edu/ceciaproject/. Accessed 19 May 2018.

Tipton, Sarah. *Legal Match*. Crime Victim Anonymity at the LegalMatch Law Library, 2018, <https://www.legalmatch.com/law-library/article/crime-victim-anonymity.html>. Accessed 19 May 2018.

Toivanen, Anna-Leena. "Emailing / Skyping Africa: New Technologies and Communication Gaps in Contemporary African Women's Fiction." *Ariel*, vol. 47, no. 4, 2016, 135–61.

Turow, Scott. "Reasonable Doubt and the Strauss-Kahn Case." *New York Times*, 27 Aug. 2011.

U.S. Citizenship and Immigration Services, <https://www.uscis.gov/i-589>

Vance, Cyrus R. "The People of the State of New York Against Dominique Strauss-Kahn (Indictment No. 02525/2011): Recommendation for Dismissal." Document Cloud. Archived.

Weheliye, Alexander G. *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*. Duke University Press, 2014.

Williams, Patricia J. *The Alchemy of Race and Rights*. Harvard UP, 1991.

Winfrey, Oprah. 75th Annual Golden Globe Awards, 7 Jan. 2018, Beverly Hilton Hotel, Beverly Hills, CA. Cecile B. Demille Award Acceptance Speech, www.youtube.com/watch?v=fN5HV79_8B8&t=391s. Accessed 1 March 2018.

Wright, Richard. *Native Son*. Harper & Brothers, 1940.

Xifra, Jordi. "Sex, Lies, and Post-Trial Publicity: The Reputation Repair Strategies of Dominique Strauss-Kahn." *Public Relations Review*, vol. 38, no. 3, 2012, pp. 477–83.