

Introduction

The year 2010 marked several important anniversaries in my work as a Black feminist scholar and anti-violence activist. More than 25 years earlier, I was one of a group of women of color living in New York City who organized one of the country's first community-based anti-violence programs for women of color. We were working in Harlem, a predominantly Black and Latino community in New York whose renowned history of cultural and political activism led us—perhaps naively—to expect that our community would be open to our feminist analysis of, and responses to, gender-specific problems concerning the community's health and well-being. We were surprised to find ourselves struggling with the community leadership who, at the time, resisted our attempts to intervene in what we considered problematic politics around issues of gender and sexuality.

That same year, I attended a conference sponsored by the National Coalition Against Domestic Violence in Milwaukee, Wisconsin. There, I learned about the dynamic radical feminist activists who were building a grassroots movement in response to the problem of violence against women. Their analysis of gender inequality was powerful; it resonated deeply with the political work that we were doing in Harlem, except that their emerging feminist analysis did not adequately incorporate an understanding of race and class inequality. I was reassured that there was a Woman of Color Institute at the conference where a more inter-

sectional analysis of the problem prevailed—a perspective that was more consistent with our own experiences. I was immediately drawn to nationwide efforts by women of color to challenge white-dominated groups to relinquish their hold on the growing resource base and resultant power, and to challenge patriarchal assumptions in communities of color and the growing body of Black feminist literature that was informing my work. It was an exciting time to be a Black community activist coming into feminist consciousness, and the burgeoning anti-violence movement served as a stimulating environment for my feminist anti-racist praxis.

Our young, energetic, feminist group of women of color had very high expectations for both the anti-violence movement *and* our communities. Our analysis around race, class, gender, and sexuality was solidly embedded in our everyday activism, which was informed by the stories of women among us who were beaten, raped, stalked, kidnapped, harassed, humiliated, and degraded by individuals *as well as* by state-operated systems of domination. We were as spontaneous, and naively optimistic, as we were strategic. We were passionate about our work and profoundly determined to find ways that communities of color and anti-violence programs could join forces to end the systematic abuse of women of color. We thought social and political conditions were ripe for building autonomous Black and Latina feminist organizations, and we expected that people we considered “natural” social justice allies would meet our efforts with enthusiasm. Instead, we found ourselves in a constant struggle with the more mainstream groups around us. The white feminist anti-violence movement was becoming more entrenched in an overly simplistic analysis that argued that gender inequality was the main factor that motivated violence against women—almost to the exclusion of other factors. At the same time, the leadership in male-dominated organizations in communities of color actively rejected the notion that gender inequality had much of an impact on women of color and that feminist analyses had much to contribute to racial justice work.¹

These political contradictions and dichotomous analytical positions have profoundly shaped my work as a Black feminist activist working against gender violence for the past 25 years. Despite some important intellectual and political progress in advancing a more coherent analysis of the relationship between white supremacy, class exploitation, and gen-

der inequality, I continue to feel a strong tension in political and cultural spaces where theories of race, class, and gender oppression clash, *in particular* in the U.S.-based anti-violence movement.² The tension has escalated for me in the past ten years as a new political dynamic has emerged in this country—the buildup of America’s prison nation.

The notion of a prison nation reflects the ideological and public policy shifts that have led to the increased criminalization of disenfranchised communities of color, more aggressive law enforcement strategies for norm-violating behavior, and an undermining of civil and human rights of marginalized groups. A prison nation refers to those dimensions of civil society that use the power of law, public policy, and institutional practices in strategic ways to advance hegemonic values and to overpower efforts by individuals and groups that challenge the status quo. The political apparatus that goes into building a prison nation includes (1) practices that increasingly punish or disadvantage norm violations (adolescent pregnancy); (2) institutional regulations designed to intimidate people without power into conforming with dominant cultural expectations (welfare reform); (3) legislation that deliberately narrows opportunities for cultural expansion (English-only laws); (4) and ideological schemes that build consensus around conservative values (the primacy of heterosexual nuclear families). A prison nation depends on the ability of leaders to create fear (of terrorism or health-care reform); to identify scapegoats (like immigrants or feminists); and to reclassify people as enemies of a stable society (such as prisoners, activists, hip-hop artists). Most intellectual and political responses to this buildup look at how these developments disadvantage men, particularly Black men.³

Some aspects of the work to end violence against women have benefited from the ideological shifts associated with the buildup of America’s prison nation. These “benefits” include harsher punishments for so-called violent perpetrators, technological advances to monitor threatening and illegal behavior, and a fundamentally conservative public commitment to “law and order” that does not take into account the roles that families play in social stability. To the extent that these changes can be considered advantages at all, it is critical to note that they have benefited groups of women who have power much more than others. Indeed, there is evidence that *some* women are safer in 2012 than they were 25 years ago

because of the success of the anti-violence movement in changing policy and because of America's growing prison nation and the concurrent focus on punishment in the United States.⁴ At the same time, there is growing concern about women with less power who are in as much danger as ever, precisely because of the ideological and strategic direction the anti-violence movement has taken during the buildup of America's prison nation.

This, the central argument of this book, takes me back to the blatant contradiction that I initially felt between white feminist anti-violence activism and Black community organizing efforts. Still, after 25 years, racism persists in the mainstream anti-violence movement, and some leadership in communities of color continues to refuse to pay sufficient attention to gender inequality. In fact, the politics that led to the buildup of America's prison nation may have actually deepened the divide between mainstream anti-violence work and marginalized Black communities. That growing divide, and the women whose lives are caught in it, compelled me to write this book.

Three specific stories of male violence against Black women that I describe in detail, and the others that I reference throughout the book, inspired me. I learned about them quite by accident, *not* from my involvement with feminist anti-violence agencies or community-based organizations in the Black community. Upon reflection, it is the lack of response from social justice networks that I had worked within that shocked me, almost more than the stories themselves. Investigating them left me with feelings of outrage and despair and confirmed my sense that more than 25 years after my first introduction to the work in New York City and at the National Coalition Against Domestic Violence, Black women in low-income communities are perhaps in greater danger than ever.

A Discovery in the Schoolyard

There was something about the number of police cars, the schoolyard full of reporters instead of children, and the morning sunshine casting a bright light on such a troubling moment that made the discovery so shocking. It amazed me that an otherwise mundane object—a trash dumpster—could be transformed by one simple act of despair into a site of tragic meaning and consequence. At first, the discovery so vio-

lated my sensibilities that I couldn't grasp its enormous significance; the scene seemed so fundamentally out of order. It took only a few moments, however, for me to realize that under different circumstances the young woman at the heart of this tragedy very well could have been my niece, my sister, or one of my female students. Indeed, any number of young Black women I have known might have become pregnant at age 15. I could well imagine that one of them might have found herself sitting in a bathroom stall at her high school, desperate and frightened, trying to figure out what to do. I attempted to convince myself that if it *had* been someone I knew, the outcome would have been different, although there was no way to know for sure. But on this spring morning, one particular young woman, who until this point was a stranger to me, decided that she had no better option when she went into labor at school but to deliver the baby herself, put the newborn into her backpack, and then place the backpack in a dumpster behind her south side Chicago high school.

Why? How could anyone feel so desperate? What tragic events could possibly have led to such a heinous act? There seemed to be no good explanation for what I was witnessing. The public discourse that surrounded the event offered no plausible explanations for it. When the young woman's friends learned what had happened, they claimed ignorance of both the pregnancy and the tragic discovery in the dumpster. Her overwhelmed teachers, alienated by their work as public school educators and socially distant from their disadvantaged students, responded with shock. Her parents, distracted by pressures of negotiating a large family's needs with insufficient resources, denied any knowledge of the young woman's impending crisis. Then, in a bizarre and outlandish move, the media spun the story as part of an ongoing labor strike that was crippling trash collection in the city.

In a matter of hours, the wider public was riveted by local news coverage of the discovery of a newborn who died tragically, in a dumpster. The story, buttressed by stereotypical images and accompanied by the quick judgments and constraints of television sound bites, was embellished and spread quickly. A dramatic and troubling narrative emerged that portrayed a ruthless, irresponsible, and brutally uncaring young Black woman whose unconscionable behavior was heroically revealed by reporters covering the labor strike. By nightfall, most audiences accepted

this analysis of the infant's death because of the way moral condemnation and institutional disregard for their well-being have shaped the general conception of young women of color's lives in contemporary society.^{5,6}

From here I will use the name Tanya to refer to the aggregate version of several similar cases where this racialized formulation of gender and class—sexually promiscuous young girls, turned into irresponsible young pregnant women and then recklessly dangerous Black mothers—can flourish in part because in many cases no one—no friend, family member, or advocate, no official representative from the state, and no reporter—asks about these young women's lives outside of the tragic events. The fact that a dangerous series of abusive episodes could escalate in a young woman's life for years until everything spiraled out of control is astonishing; all the while she could be repeatedly raped by her uncle, under her boyfriend's constant surveillance, and terrified of her family or community's response.

The more I learned about the similarities between the cases, the more I became convinced that young women's marginalized status in their communities, coupled with their isolation, had a great deal to do with both the harm caused to the infants in these cases and the resulting furor. Like most vulnerable young women of color, these young women did not turn to formal systems as a remedy for their victimization because of the strong distrust of the criminal legal system in their disadvantaged communities. There was no official documentation of their victimization and no references in public records to the broader context of their lives. No one responsible for investigating the cases seemed to have the insight or the inclination to delve deeper into the situations to uncover the difficult circumstances they were in. And no one from their communities spoke out to support them or offer more information. There was no counter-narrative of how the combination of childhood sexual abuse, adolescent intimate-partner violence, racial stigmatizing, and social marginalization could turn lethal; resulting in young women's desperate feelings of hopelessness. The absence of such a counter-narrative combined with community silence and the passivity of anti-violence advocacy groups around cases like these is deeply disappointing.

As a result, highly sensationalized, oversimplified versions of these stories prevail. The institutions that should have protected young women are not held accountable for their failure to intervene. The adults who should look out for their well-being are absolved of any responsibility as they claim shock

and horror. Members of the advocacy community distance themselves from these cases. Because of the profound stigma associated with such events and young women's social vulnerability, the tragic circumstances that culminated in pregnancies and the outcomes were ignored.

The aggregate version of several cases is emblematic of hundreds of other Black women in low-income communities where disadvantages are concentrated, and who experience male violence during an era in which public policy has virtually locked them into desperate and often dangerous situations. This public policy environment is the prison nation I referred to earlier, where conservative state forces have gradually but systematically eroded the rights, privileges, and opportunities afforded disadvantaged groups. In cases like Tanya's, the political dynamics of a prison nation interact with racial and other stigmas in such a way that women of color are more likely to be treated as criminals than as victims when they are abused. Indeed, the victimization of some Black women seems to invoke a set of institutional reactions that lead to further vilification, rather than protection or support. In the face of ongoing abuse, these young women acted out of desperation to shield themselves from further harm, largely because of the early lessons learned as poor, young, Black women trapped in dangerous interpersonal relationships. The media's portrayal of these events typically furthered the criminalization of their experience. Because young Black women in these circumstances are depicted *not* as frightened, pregnant adolescents who are raped and abused by men in their families, but as criminal defendants charged with neonaticide, it is virtually impossible for the mainstream public, their communities, or their potential advocates to understand their vulnerability or to respond accordingly. Instead, these women became known as "perpetrators" of one of the most unthinkable crimes a woman could commit; the "ultimate other," immoral and beyond redemption in the eyes of a society that is increasingly committed to unconditional punishment.

*Arrested Justice: Black Women, Violence, and America's Prison Nation*⁷ is about how the prevailing analysis and the dominant rhetoric about violence, race, class, gender, and sexuality conspire to limit comprehension of the experience of male violence for Black women like Tanya. The conventional analysis of crime and victimization, and the public policy

that it reflects, makes it impossible to fathom that a young Black woman's options could be so limited that she would feel compelled to place her newborn in a backpack and leave the bundle in the school trash. As such, these situations became a criminal matter for the police.

The Brutality in Public Housing

Three weeks after a young Black woman was arrested for murder of her infant, just nine blocks south of her high school, Ms. B was watching television in her small apartment when she heard a loud knock at the door. When she opened it hesitantly, she was violently pushed back and thrown against the wall of her narrow hallway. The lightbulb had burned out, which prevented her from seeing their faces, but Ms. B was sure that the intruders were the five undercover Chicago police officers who had been harassing her for three months. She was terrified that they had come back to make good on their ongoing threat to “never let her forget who she is.”⁸

This intrusion, the latest in a series of violent attacks, could be traced back to an evening two months earlier when the same police officers stopped Ms. B outside her apartment building in the large public housing complex where she had lived for 27 years, which had recently been targeted for demolition by the city's Department of Housing.⁹ Paradoxically called “The Plan for Transformation,” the city's decision to tear down the building represented a complex set of public policy decisions that included temporarily suspending public services in the area, increasing police surveillance of residents during the transition, and advancing a public relations campaign to convince homeowners in neighboring communities that the widespread destruction of this disadvantaged community would ultimately benefit them.¹⁰

The initial attack on Ms. B was facilitated by the barrenness of the landscape; approximately 75 percent of the units were empty at the time. Former residents had been forced to leave their homes for unfamiliar neighborhoods in outlying areas where the housing was even less secure than the tenuous—but familiar—environment they were accustomed to as residents of deteriorating public housing in the city. The arbitrary and chaotic nature of the human dispersion meant that the remaining

residents, mostly Black women and their children, did not know which apartments were occupied and by whom. Women like Ms. B were left to fend for themselves, making their way through a once lively but increasingly desolate neighborhood. Now her daily life—trips to the grocery store or the laundromat, visits to members of her family, and other activities—were fraught with the risks that characterize abandoned and isolated streets. Ms. B did *not* expect that the police would pose the greatest danger to her life.

On the evening of the first attack, the five undercover officers, three with guns drawn, accosted Ms. B outside of her building and demanded that she give them her apartment keys. The officers then forced Ms. B into the one working elevator and, when the door opened on her floor, pushed her inside the apartment. They then proceeded to ransack her home, throwing her belongings around and breaking precious objects (like a picture of a brown-skinned Jesus) while they cursed and threatened her, referring to her in sexually and racially demeaning terms like “nigger-cunt-bitch.” Three of the officers broke down the door to her 19-year-old son’s bedroom and ordered him and a visiting friend to lie face down on the floor while they handcuffed them. Three officers took turns punching and kicking them for more than 30 minutes before taking them forcibly out of the apartment. In response to Ms. B’s pleas for mercy for the young men, the two police officers who remained in the apartment led her to the bathroom, ordered her to remove all of her clothing, to lie down on the floor, to spread her legs, and to effectively do an internal cavity search on herself while they stood over her and watched.

During the vicious attack, the police officers made constant demands that Ms. B give them the drugs that they were *allegedly* searching for, threatening to “put some stuff on her” if she did not produce some illegal substances. The officers never found any drugs. They did, at one point in the ordeal, find approximately \$100 in cash, which one of the police officers pocketed. By the time the police officers left the ransacked apartment, Ms. B was physically battered, naked, emotionally traumatized, and terrified about where and how her son and his friend were. The police officers, who work on a special unit of the Chicago Police Department, never identified themselves as such. They did not produce a search warrant, explain the reason for the “search,” or read Ms. B her constitutional

rights as required by law. They left as abruptly as they came, leaving a trail of violence, fear, humiliation, and degrading destruction in their wake.

That occurred on April 13, 2003. Over the next three months, this same group of rogue police officers (all white, all men, and all young) assaulted Ms. B six times. The brutality included physical beatings, sexual harassment and stalking, destruction of her personal property, and threats to members of her family who were particularly vulnerable because they were on parole or probation (and subsequently at risk of re-arrest at the whim of the police). During most of these assaults, the police officers had their weapons drawn. In three of the instances, the officers placed drugs on her person and forced her to perform sexual acts in order to avoid false accusations and subsequent arrests. Ms. B called these experiences “dry rapes.”

Regrettably, it was easy for Ms. B to make an analogy between her experiences with the police and being sexually assaulted. She had been gang-raped twice, both times by acquaintances. Her tense neighborhood in transition served as an ideal backdrop to the violence she was experiencing. Community members were resentful of the potential displacement that they faced and misdirected anger toward other vulnerable residents, like Ms. B.¹¹ The presence of aggressive demolition crews and other city workers was a constant reminder of the general vulnerability that she faced. Ms. B learned that it was futile to rely on state authorities for protection. Her attempts to get help from two rape crisis centers were futile. On no fewer than three occasions, she filed complaints with both the Chicago Housing Authority and the Chicago Police Department’s Office of Professional Standards, to no avail. Eventually, Ms. B began staying home, avoiding interactions with others, and refraining from seeking any personal or institutional support. In doing so, she left herself at even greater risk because she was so isolated and attempting to cope alone.

Although it was never clear why these police officers targeted Ms. B, it is possible that it stemmed from her activities years earlier as a member of several local community organizations, particularly one that was beginning to organize in resistance to the city’s plan to demolish public housing. Ms. B had no criminal background, she had been an active member of her church, and she had raised three sons in the once-thriving

community of Stateway Gardens.¹² As the city divested its resources from the neighborhood in order to “transform” the community, she became a target for horrific abuse, from which there was virtually no protection. Even after her case was taken up by a progressive university-based legal clinic and eventually resulted in an out-of-court settlement from the Chicago Police Department, she was still living in isolation and in fear. She still has a hard time believing what happened to her because, as she says, even after all that she lived through, never in her wildest imagination did Ms. B anticipate that at age 50 she would be targeted for such brutality by the police, and that her case would become emblematic of the state’s complicity in gender violence and the impunity of white men who work for it.

As with Tanya’s case, I listened to Ms. B’s story in horrified disbelief. How could I have been living in the same city, not very far from where these incidents happened, and not have known about them? How is it that the representations found in the local or national campaigns against police brutality seldom depict *women* as victims? Where were the local anti-violence programs when Ms. B needed them? And what political and ideological shifts associated with the buildup of America’s prison nation linked Ms. B’s situation with those of women like Tanya?

The Trial Injustice in the Courtroom and the Streets

Both women live in disadvantaged African American communities. Their neighborhoods are typical of low-income urban areas in the United States where public policy decisions made principally between 1996 and 2006 have created the dynamics that I am calling a prison nation. These include the passing of legislation that created a set of economic conditions that has seriously limited opportunity and essentially destroyed the possibility that individuals can ever become self-sufficient.¹³ In these communities, the generally accepted measures of economic and social well-being—income, homeownership, high school graduation rates—predict ongoing disadvantages and persistent poverty, which profoundly shaped women’s experiences of abuse.

This link is critical, but it is important to understand that the male violence that Black women experience stems not only from neighborhood

conditions or poverty. As the analysis in later chapters will show, other factors are equally important, including issues related to how racial ideologies interact with hegemonic ideas of proper gender roles, and how cultural and political shifts over ideas about crime and punishment reflect growing conservatism in the United States. These factors were readily visible in a very different kind of neighborhood, halfway across the country, where four young African American women found themselves in trouble.¹⁴

Early one summer evening in 2006, Venice, Terrain, Patreese, Renata and three of their friends were walking through the streets of Greenwich Village in New York City, an urban neighborhood with a liberal reputation earned through activism and resistance by members of the Black gay, lesbian, bisexual, and transgender community in the late 1960s.¹⁵ Today, Greenwich Village is associated with ideals of tolerance and openness, and these proudly lesbian-identified, young women (aged 19–24) were enjoying the rare public space where being openly gay was acceptable—or so they thought. As they walked past a young man selling DVDs from a card table on the sidewalk, he sexually propositioned them in insulting ways by hurling degrading proclamations at them like “I will fuck you straight” while grabbing his genitals. Angry and embarrassed, the young women hurried to cross the busy street. A security camera from a nearby store shows the young man following them and escalating his defaming remarks. He continued harassing them as they moved down the street, until they finally stopped and confronted the harasser, which led to a heated argument. When the aggressor spat in the face of one of the young women and threw a lighted cigarette at another, a physical fight ensued.

Eyewitnesses have verified what happened next.¹⁶ The young man pulled out patches of hair from one of the young women and choked a second one. Eventually, one of the other women pulled out a small kitchen knife and threatened to stab the man if he did not stop the violent assault. Two men who had been watching intervened to help the women. At some point, the young man who began the assault was stabbed in the abdomen; he later required surgery for a lacerated liver. He initially reported to the police that he was stabbed by one of the men who had intervened, *not* by any of the women.

Indeed, there is no forensic evidence linking the woman's knife to the injury because investigators did not deem forensic testing necessary. Eyewitnesses confirm that the young women acted in self-defense against a blatant anti-gay sexual attack, and that the fight became physical only after the young man's violence escalated. Witnesses further reported that the men who intervened were, in fact, significantly more aggressive than the women who were defending themselves.

The two young men who intervened are both white; the police never interviewed them. The aggressor, who was never charged with a crime, is an African American man reported to be a part-time student at an elite university in Greenwich Village. All seven of the young African American women, the victims of the attack, were arrested and charged with crimes such as "gang assault." Three of the women took plea agreements. The other four went to trial and were found guilty. Terrain Dandridge spent two years in prison, after which her conviction was overturned. Renata Hill and Vernice Brown served more than two years and then were released on bail after a re-trial. Patreese Johnson, initially sentenced to 11 years, has had her sentence reduced to 8 years and continues to be held in a New York State Prison. At the time of this writing, Patreese remains in prison, where she has gotten her GED and is planning to attend college. The jury that convicted them was comprised mostly of white women. Despite the widespread media coverage of the case, mainstream gay rights organizations and groups concerned with violence against women did not attend the trials. Also absent was the established African American community leadership known for their engagement both with high-profile trials of African American people arrested in New York City and vicious hate crimes—especially those against Black men. There is now a powerful, grassroots advocacy network led by mostly queer young women of color and transgendered people who are supporting the women. Updates on their case, as well as information regarding a documentary film that is being made about them called *The Fire Within* can be found at www.freenj4.wordpress.com.

By most accounts, these sentences are extreme, given the nature of the case. Those who worked on the defense attribute the long sentences to several factors. First, the media accounts of the incident inflamed growing anti-gay, anti-youth sentiment in New York City, where tourism and gentri-

fication are hallmarks of the city's new, more conservative image of itself. In addition, consistent with various themes about the motivations and actions involved in gentrification in urban areas, there is a strong lobby of wealthy real estate developers in New York City advocating for the "law and order" agenda that local politicians have advanced since the tragedy at the World Trade Center on September 11, 2001.¹⁷ This agenda has included increased surveillance of young people and the enforcement of curfews and other "anti-loitering" ordinances in the historically tolerant but now gentrified neighborhoods. Second, and most important, the racist and homophobic atmosphere that the prosecution created at the trial essentially convicted the assaulted women before the jury reached its verdict. The women's names were seldom used and when they were, they were mispronounced. There was constant reference to their non-normative gender appearance and how it threatened public safety in New York City. The case resulted in intense media scrutiny and the creation of numerous derogatory titles to describe the women, including "lesbian wolf pack" and "fawl brawl," and the vast majority of media outlets referred to the assailant as the victim. The *New York Times* reported that Justice Edward J. McLaughlin used his sentencing speech to comment on the importance of prosecuting "criminals" so that New York City can welcome tourists. In this book, I will refer to the women as the "New Jersey 4," as they have come to be known.

It is obvious that the young Black self-identified lesbians, visiting the city from a working-class neighborhood in New Jersey, were *not* the tourists with whom the judge, the mayor, or the wealthy developers were concerned with. The male violence they experienced was *not* considered a serious blemish on the city's reputation by those conservative forces attempting to redeem it. On the contrary, the convictions and the long sentences are important lessons about increased intolerance for perceived gender transgressions and open displays of nonhegemonic sexuality in the now much-less-tolerant Greenwich Village.

There are a number of factors that comprise the larger backdrop to this story, including how the erosion of hate crime legislation by the U.S. Supreme Court increased anti-gay violence in urban areas,¹⁸ affected the ways that sexual assaults are complicated by issues related to sexuality,¹⁹ and, most important, affected how the prison nation's criminalization of young women of color clearly makes their experience of male violence worse.

Violence against Black Women Inside America's Prison Nation: The Links between the Stories

I was deeply moved by the stories of abandoned newborn babies, troubled by the portrayal of the New Jersey 4 and the outcome of their trials, and outraged by the silence that surrounded the police brutality Ms. B experienced. Together, they represented the new level of disdain for Black women who are young, poor, queer, or living in vulnerable circumstances during the buildup of America's prison nation—groups that mainstream anti-violence programs typically ignore. Indeed, a large part of my strong reaction to the stories resulted from the lack of formal or organized response by *either* the feminist-based anti-violence movement or groups working on racial justice issues. This silence raised old questions for me as a Black feminist scholar and as an anti-violence activist. I was amazed that once the stories broke, anti-violence programs did not respond aggressively to the homophobic violence, the unchecked police brutality, or the complicated situations that women like Tanya find themselves in. It profoundly disappointed me that in each instance the impact of the male violence these women experienced was complicated by policies related to the buildup of a prison nation and that this was not the subject of a rallying call for action.

The links between the cases are as compelling as they are clear. The stories of the New Jersey 4, Ms. B, and women like Tanya become generalizable to other Black women who experience male violence to the extent that they illustrate the perils inherent in relying on intervention strategies that emerge from conservative public policies that focus on punishment rather than on prevention of violence and that ignore the broader need for redistribution of social power along gender and racial lines. These six women represent thousands of Black women, who are similarly situated—in dangerous households, in disadvantaged communities, in neighborhoods in transition, and on contested streets. The abuse they experienced takes many forms and happens in many contexts. It is likely to be physical, sexual, and emotional; it will happen across their lifespan; it will originate from different sources. The more stigmatized their social position, the easier it is to victimize them. The further a woman's sexuality, age, class, criminal background, and race are from

hegemonic norms, the more likely it is that they will be harmed—and the more likely that their harm will not be taken seriously by their community, by anti-violence programs, or by the general public. Black women similar to those whose stories I have recounted will be left to cope without formal institutional support. And for that, they will be punished. The punishment—the isolation, further stigmatization, or long prison sentences—is made possible by the social climate that constitutes the prison nation.

The general conditions that link these stories will be familiar to Black women and other women of color who have been activists in the anti-violence movement for the past 25 years. We have been confronting our communities about their complacency on the issue of gender violence and mainstream anti-violence organizations who do not adequately address the concerns of women of color for years. What feels new and different to me as I consider these stories is the pernicious relationship between the mainstream anti-violence programs and the Black community's lack of response *and* the contemporary buildup of America's prison nation.

On a very pragmatic and deeply personal level, the urgency represented by and the links between these stories of violence against Black women led me to write this book. They provided a way for me to frame difficult questions about the relevance of the feminist-based intervention programs that have been created over the past 25 years, and about the outcomes of the social change movement that has dedicated itself to ending violence against women in this country. Indeed, I read the stories as illustrations of how profoundly inadequate some of these efforts have been, particularly the over-reliance on law enforcement. More subtly, perhaps, Black women like Tanya, Ms. B, and the New Jersey 4's experiences show the tremendous cost that resulted from the anti-violence movement's deployment of a rhetorical strategy aimed at bringing legitimacy to the issue of gender violence and the ensuing refusal to acknowledge state violence by, and because of, the public policies associated with the climate of a prison nation.

Put more simply, the cases and the ways they were handled call attention to what happens when the work to end violence against women becomes more focused on establishing credibility with elite power holders than on challenging state institutions or creating social change. These

women's experiences demonstrate the need for attention to issues of social marginalization and community disempowerment; they highlight the dangers of relying on mainstream state institutions to solve complex social problems, in particular those embedded in race, class, gender, and arrangements regarding sexuality in contemporary society. The three cases raise fundamental questions about what happens to Black women who experience male violence in a climate that gives way to the buildup of a prison nation—a climate where the broader social agenda is shaped by mean-spirited public policies designed to create intolerance of difference, to erode public services, and to increase social inequality. It bears repeating that in this book, I use the notion of a prison nation because it points directly to the conditions that have made violence against Black women worse in recent years. The term connotes the set of conditions that surround the abuse; externally imposed state policies that control marginalized communities and limit access to services, resources, and power. A prison nation depends on tactics such as the development of new laws and aggressive enforcement of social norms; tactics that are reinforced by ideology that suggests that deviations from normative behavior or violations from conservative expectations should be punished by the state. Instead of benefiting from law enforcement and punishment, this book argues that women of color from marginalized communities who experience violence are made more vulnerable by the operation of a prison nation.

I begin the discussion here because it is important to notice how the buildup of America's prison nation has an impact on how Black women like the New Jersey 4, Ms. B, and Tanya are treated when they are in crisis, *including* the silence of the anti-violence movement that surrounds them. In addition, a consideration of the prison nation framework allows for a critical examination of the progress of the feminist-based anti-violence movement and the ways it has been derailed because of pressure to legitimize itself in the eyes of powerful elites, and resorted to some of the same tactics that characterize a prison nation. Indeed, the climate associated with a prison nation is characterized by a web of ideological and material constraints that leaves Black women in low-income communities—young, pregnant women like Tanya, women displaced from public housing like Ms. B, and women who dare to transgress geographic and

sexual boundaries like the New Jersey 4—in serious trouble. These women’s stories demand a reconsideration of the development and design of a social movement in which conservative state forces associated with a prison nation have disrupted its transformative potential and momentum for change. At the very least, thinking about the New Jersey 4’s trial, choices that women like Tanya are forced to make, and Ms. B’s experiences of state violence, offers us a way to broaden our understanding of violence against women of color and to problematize the evolution of anti-violence work in the United States. That is the goal of *Arrested Justice: Black Women, Violence, and America’s Prison Nation*.

The Book

This book is an attempt to provide a context for understanding women like Tanya, Ms. B, and the New Jersey 4 and, ultimately, the thousands of other Black women who find themselves socially marginalized and invisible in very dangerous circumstances. It is a book about women who are disadvantaged by structural racism, economic exploitation, political disenfranchisement, the ideology that informs conservative public policy *and* who experience gender violence. It is *not* a book about all women, all Black women, or all survivors of violence, but rather those who are the most stigmatized, the least protected, and therefore in greater danger. By reviewing the history of the anti-violence movement and then locating the work within the larger public policy shifts associated with buildup of America’s prison nation, this contextualization allows us to look at how the disadvantaged position of some women renders the multiple forms of abuse they experience invisible, and thus allows for a more accurate depiction of how gender violence is seriously complicated. It will show how their experiences with sexual violence, physical aggression, and psychological abuse are made more dangerous by communities that tolerate or dismiss the degradation that Black women experience. Furthering this effect are state institutions built on racist stereotypes that profoundly misunderstand and misrepresent Black women’s experience of male violence, and public policies characteristic of a prison nation that create a hostile social environment for many poor Black women. The cumulative effect is a vicious cycle of danger, discrimination, and despair.

As part of this effort, *Arrested Justice: Black Women, Violence, and America's Prison Nation* traces the history of the contemporary anti-violence movement in this country between 1960 and 2010 to show how questions of race and class got lost in the battle to win mainstream support and resources for victim services, and how the movement's strategic approaches converged with conservative public policies that are consistent with a prison nation. This is an account of how, in the process of moving toward legitimacy, anti-violence activists have grown (perhaps unwittingly) complacent about repressive shifts associated with the prison nation and the deployment of conservative law-and-order rhetoric. I am challenging the anti-violence movement's uncritical positioning around state policy and punitive interventions, which I argue have contributed to the ongoing escalation of male violence against Black women. So while I wrote this book most immediately because of how the specific women's stories made me think back on 25 years of activism, I hope it will also serve as a way to reflect more broadly on the history of the anti-violence movement and the heightened stakes that I feel characterize anti-violence work against the backdrop of the U.S. policy of criminalization, punishment of the poor, disenfranchisement, and mass incarceration.

In chapter 2, I present the empirical data and a review of the theoretical literature concerning the problem of violence against Black women. The first part of the chapter presents the findings from quantitative and qualitative research that firmly establishes the pattern of physical and emotional abuse, sexual and economic exploitation, and social degradation that Black women experience as a result of male violence. The second part of the chapter reviews the analyses of causes and consequences of abuse, providing a theoretical framework for understanding the social and political context of the stories told at the beginning of the chapter.

Chapter 3 provides the historical backdrop to the data by presenting a chronology of the anti-violence movement in the United States that coincided with the buildup of America's prison nation, which is described in chapter 4. Specifically, I focus on the various critical junctures when ideological, political, and economic decisions won mainstream support for reformists' strategies to end male violence against women while reflecting a decreased commitment to some of the more radical tenets of the work. I argue that the success of the anti-violence movement, measured

by factors such as public and private funding for services, academic credibility, and legislative changes, has brought with it unintended negative consequences for women whose experience of male violence does not fit within the dominant paradigm with which the anti-violence movement established its credibility. In particular, I show how the dominant analysis failed women like Tanya, the New Jersey 4, and Ms. B because it relies on a sense of generalized vulnerability based on gender oppression but does not incorporate other manifestations of power imbalances and abuse (most notably issues of race, sexuality, and class). In the end, I argue that despite the important victories for the mainstream movement that I describe in chapter 3, many Black women from low-income communities continue to encounter unsupportive services from anti-violence programs and hostile public policies that leave them in great danger.

Chapter 4 takes up the issues of America's prison nation that have recently surrounded the activities of the anti-violence movement. Here I explore the social, political, economic, and ideological mechanisms that have created a climate of social conservatism with a particular intolerance for poor women of color. I describe in further detail the buildup of the punishment industry in the United States, the subsequent mass incarceration of women from low-income communities who break laws in order to survive abusive relationships, and the so-called deviant behavior that women engage in to cope with the devastation that they face, for which they are ultimately punished. I also present evidence of the negative consequences of the buildup of America's prison nation that complicated the abuse that women like Tanya, Ms. B, and the New Jersey 4 faced. This includes the increased poverty of women who can no longer rely on public assistance for support; the dilemmas women face as they navigate the narrowing options related to their reproductive health, parenting choices, and sexuality; and the sanctioning of women because their economic position or social status leads them into contact with the punitive child welfare system. Readers will note in chapter 4 that I am also using the notion of a prison nation metaphorically to represent the ways that public policy leads to punitive state intervention that targets Black women in ways that leave them vulnerable to male violence.

I make the case in chapter 4 that the buildup of a prison nation is relevant to the discussion of Black women and male violence for two reasons.

First, we cannot understand the experience of violence against women who are socially disadvantaged without an understanding of the broader context of their lives within this prison nation. Secondly, the buildup of the prison nation that surrounded them, the erosion of public support, the mean-spirited public policies, the disenfranchisement facing their communities, and the conservative anti-violence movement are clearly linked in ways that, for them, are deadly. After defining what a prison nation is, I document how its construction is motivated by goals that are far apart from the stated goals of advancing social stability, increasing individual responsibility, protecting vulnerable women, or controlling crime. Instead, criminalization of violence through mass incarceration and other manifestations of the prison nation are linked to goals of maintaining inequality, scapegoating marginalized groups, and promoting economic benefit for social, political, and corporate elites—goals that seem glaringly antithetical to the initial radical work of the anti-violence movement. I explain how the mainstreaming of the anti-violence movement I described in chapter 3 led to the over-reliance on criminal legal responses to male violence, which contributed to the co-optation of once-radical anti-violence work by the conservative mechanisms associated with the buildup of America's prison nation.

In chapter 5, I present an alternative analytical framework, one that provides a much more useful way to understand stories like Tanya's, Ms. B's experience, and what happened to the New Jersey 4 in Greenwich Village and the courtroom. Here, I rely on Black feminist theory to show how Black women are abused and imperiled by the collusion of mainstream feminist dogma and conservative social policy. I argue that conservative rhetoric, punishment ideology, and crime policies have skewed the framework used to understand the violence against Black women in low-income communities, making it virtually invisible to mainstream policymakers, service providers, and the media. This invisibility has positioned Black women's experiences as marginal to anti-violence groups and community-based organizations which, in turn, have failed to address violence against women as a social or political priority. In the end, Black women in vulnerable positions within disadvantaged communities fall so far from the gaze that is now sympathetic to some women who experience violence that they have virtually no right to safety, protections, or

redress when they are victimized. At best, they are relegated to the status of undeserving. More often, those Black women with the least privilege, who live in the most dangerous situations, are criminalized instead of being protected or supported. Black feminist analyses can problematize and explain this.

The discussion in chapter 5 concludes with examples of resistance—Black women’s anti-violence activism. In many ways, this chapter could be a book unto itself, so powerful is the evidence of Black women’s resistance to the degradation of male violence and the destructive power of America’s prison nation. Instead, I merely highlight some of the key events, major organizations, and influential theorists who are challenging the anti-violence movement and the process of prison buildup, hoping to thereby reveal possibilities for change. I believe that it is through everyday acts of resistance—the micro-activities that are based on Black feminist politics and the slow but consistent erosion of white supremacy and male power that characterize this work—that the foundation for change will be set. Chapter 6, the concluding chapter, sets out this foundation.

Throughout the book, I ground my analysis of how America’s prison nation contributes to and complicates the violence that Black women experience by sharing stories of that abuse. I do so because, as a Black feminist activist scholar, I know that the best way to change how society understands this problem is through sharing the reality of women’s lives. It is also the case, however, that by doing so, readers may take the stories out of context, they may assume that Black women are a monolithic category or that I may inadvertently reinforce stereotypes of Black women. Not all Black women live in disadvantaged communities, for example, and the women who do are surely more than victims of abuse. So while *Arrested Justice* focuses on those segments of the Black community who face the most serious social, political, and economic challenges within America’s prison nation, readers are advised to understand the stories and the facts that surround them as prototypes of a particular dynamic that is related to the intersection of race, class, gender, sexuality, and political and social ideology, rather than a generalized statement about Black life in America.