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Discovering our Connections: Reflections on Race, Gender and the Other Tales of Difference

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DISCOVERING OUR CONNECTIONS: REFLECTIONS ON RACE, GENDER AND THE OTHER TALES OF DIFFERENCE

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[This article is a reflective essay that was written as a result of the author's participation in a symposium held on September 12, 1992 at the American University Washington College of Law on "Discovering Our Connections: Race and Gender in Theory and Practice of the Law." The writer's panel was assigned the topic, "Philosophy, Morality and Foundations of Law" from which to address the symposium subject. The essay explains and addresses why African American women find it difficult to embrace the feminist agenda and reflects on whether there is common ground or some connection among the multivalent interests of race and gender.**]

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** It is ironic that the writer should address the subject of feminism and African American women at American University. Emma M. Gillette, who was one of the founders of the Women's College of Law which became a part of the American University/ Washington College of Law, was a graduate of Howard University School of Law in the 1880's. Gillette established her law school to afford women a legal education because, during that period, most law school doors were closed to women. When Emma Gillette opened her law school doors, the entrance was for white females only. JAMES CLAY SMITH, JR., EMANCIPATION: THE MAKING OF THE BLACK LAWYER, 1844-1944 (forthcoming 1993).

I. THE PROBLEM OF ESSENTIALISM AND THE PARADIGMATIC WOMAN IN FEMINIST DISCOURSE

Elizabeth Spelman's Inessential Woman[1] is another step towards feminist discourse's recovery from the addiction to white solipsism. The detoxification process is begun when Spelman disrobes the term "inessential", and exposes a raw area on the body of feminist theory.[2]

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1. ELIZABETH V. SPELMAN, INESSENTIAL WOMAN/PROBLEMS OF EXCLUSION IN FEMINIST THOUGHT (1988).

2. The feminist's project is to deconstruct cultural or social concepts accepted as universal or natural that reify gender difference. To accomplish such a monumental project, a jurisprudence of feminist scholarship has developed. Even though feminists offer various legal theories in responding to the relation of law and gender, two approaches in analyzing the subject have evolved (i.e., symmetrical and asymmetrical approaches). Christine A. Littleton's article, *Reconstructing Sexual Equality*, 75 CALIF L. REV. 1279, 1291-97 (1987), that the writer relied upon and which formulated the two terms, offers an informative description of these theories: The first is the symmetrical approach which draws upon the legal racial equality theory to argue from a sameness position, that is, there are factually no significant natural differences between women and men. There are two models through which the symmetrical approach is discussed: (1) assimilation and (2) androgyny. The assimilation model is the juridical preference and focuses on requiring the law and social institutions to treat women as they already treat men. An androgyny model employs the sameness or likeness concept of men and women to argue that "equality requires institutions to pick some golden mean between the two and treat both sexes as androgynous persons would be treated." *Id.* at 1292.

The asymmetrical approach, as discussed by Littleton, rejects the sameness view of both sexes and argues differences should not be ignored or eradicated. Four models are identified with the asymmetrical approach: (1) special rights, (2) accommodation, (3) acceptance, and (4) empowerment. Special rights assert that cultural differences (e.g., child-drearing roles) are rooted in biological ones (e.g., reproduction) and society must take account of these differences to ensure women are not punished for them. But what of differences that are not biological, such as, cultural or career interests (described as "hard-to-classify differences")? *Id.* at 1295. An accommodation model would limit an asymmetrical approach to purely biological differences and allow other differences (as noted above) to be dealt with under an equal treatment or androgynous model. As a mediating approach, the acceptance model (which was constructed by Littleton) recognizes and attempts to deal with both biological and social differences. The acceptance model focuses on the ways which sex differences are permitted to justify inequality. "It asserts that eliminating the unequal consequences of sex differences is more important than debating whether such differences are 'real,' or even trying to eliminate them altogether." *Id.* at 1296. How important is difference to the debate on sexual equality? The empowerment model posits that difference has no relevancy because the subordination of women to men has itself constructed the sexes and their differences; or, at the very least, we do not and cannot know whether important differences have not been created by the dynamics of domination and subordination.

The reader is urged to peruse Littleton's article and other scholarly writings that set forth the various legal theories. For an excellent example and cross section of feminist jurisprudence, *see* FEMINIST LEGAL THEORY: READINGS IN LAW AND GENDER (Bartlett & Kennedy eds. 1991) [hereinafter FEMINIST LEGAL THEORY].

> The word "inessential" . . . is meant to point to and undermine a tendency in dominant Western feminist thought to posit an essential "womanness" that all women have and share in common despite the racial, class, religious, ethnic, and cultural differences among us.
>
> It is not news that dominant Western feminist thought has taken the experience of white middle-class women to be representative of, indeed normative for, the experiences of all women. Much of such thought, it is now common to say, expresses and reinforces the privilege of white middle-class women.[3]

Such single sphere ideology in feminist theory creates a paradigmatic woman whose life experiences differ from that of women of color. Proponents of this imaginary paradigm attempt to fuse an essentialist theory into feminist discourse that is problematic for women of color. Professor Angela Harris' poignant writing on this subject reveals the depth of the problem by declaring "[when the] feminist essentialists . . . remov[e] issues of 'race' they have actually only managed to remove black women" from their discourse.[4] Essentialism is defined as a belief in true essence; that which is most irreducible, unchanging, and therefore constitutive of a person or thing.[5] In a more practical sense, essentialism refers to the fundamental, indispensable part or the real true essence of an item, subject or thing. It is the "whatness" of a given entity which is defined by invariable and fixed properties.[6] There is an underlying question as to the constitutive element that lulls feminists to write in a linear voice. Feminism's generic woman attempts to cross cultural and social dimensions shrouded in a cloak of sameness weaved from an essence of shared sexist oppression. The oppressor is a patriarchal

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3. SPELMAN, *supra* note 1, at ix.

4. Angela P. Harris, *Race and Essentialism in Feminist Legal Thought*, 42 STAN L. REV. 581, 592 (1990). Professor Harris uses "black" rather than African American in order to include people of color who do not have African heritage and/or are not Americans but nevertheless identify themselves as black. This article also uses "black" or interchanges it with "women of color" in accordance with Professor Harris.

5. DIANA FUSS, ESSENTIALLY SPEAKING/FEMINISM, NATURE & DIFFERENCE 2 (1989). Fuss states this definition represents the traditional Aristotelian understanding of essence and has the greatest amount of currency in the history of Western metaphysics.

6. *Id.* at xi, 2.

society where power resides in white males, but black women suffer oppression on multidimensional levels.[7] Feminists write to remove the glass ceiling of sexism, but their sisters of color must also write to remove a second barricade called racism. And when we visualize the glass ceiling of sexism being broken, who will ascend and who will be left behind?

Feminist theory which argues from a constructionist position may find the space becoming cramped from the problem baggage of essentialism, but are the two coterminous? Essentialists' and constructionists' ideologies can be identified by their focus on the natural or the social. Constructionists are concerned with the production and organization of differences, and reject the idea that any essential or natural givens precede the processes of social determination.[8] Some feminist scholars have undertaken the task of examining the relation between essentialism and constructionism in feminist theory. Diana Fuss' discussion of John Locke's theory of "real"[9] versus "nominal" essence delves into this issue. Fuss posits that on the basis of Locke's nominal essence, feminists argue for maintaining the notion of a class of women for political purposes. From this perspective, nominal essence is viewed as merely a linguistic convenience, a classificatory fiction needed to categorize and to label. Nominal essences, unlike real essences, are not discovered but rather assigned or produced specifically by language.[10] Nominal essence then appears to allow constructionist feminists to hold onto the notion of a paradigmatic woman—a mere classificatory fiction, a linguistic convenience—who exudes this essence of oppression.

II. RAPE STATUTES: AN EXAMPLE OF WHY ESSENTIALISM DOES NOT WORK

Carnal knowledge statutes and rape laws are illustrative of why feminist essentialism is inappropriate and not embraced by women of color, specifically, African American women. Feminist

7. Questions including whether Latinas, or Native American women, for example, suffer the same type of oppression as African-American women and whether white middle-class women are oppressed by men of color, are fundamental but outside the scope of this article.

8. Fuss, *supra* note 5, at 2-3.

9. *Id.* at 3-4.

10. *Id.* at 4-5.

theory postures that these early laws were enacted to (1) exercise social control of women by exalting female chastity and (2) reinforce the sexual stereotype of men as aggressors and women as passive victims, perpetuating a double standard of sexual morality.[11] In other words, the objective of such early laws was to protect and maintain a property-like interest in white female chastity.[12]

As Professor Kimberle Crenshaw's writings make clear, African American women have not been viewed as passive; indeed, they have been "dogged by the stereotype of the pathological matriarch."[13] Moreover, when rape laws are examined from the African American perspective, our understanding of the untenable nature of essentialism in feminist theory is enriched. Historically, there has been absolutely no institutional effort to regulate the African American females' chastity. Some state courts instructed juries that unlike white women, African American women were not presumed to be chaste.[14] Contrary to white women, African American women have been portrayed as promiscuous and immoral by a racist ideology that has been and continues to be a societal cancer.[15] The ravages of this diseased ideology can be seen in the use of rape statutes to terrorize African American men by white men.[16] African American women raped by white men were virtually denied protection under these laws.[17] The view of the African American woman as an object permitted such treatment, and persists as a demeaning relic of slavery. Slave women, as objects, were not seen as "mothers" but "breeders" whose children could be sold in an economic market that traded in the destruction of human dignity.[18]

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11. Olsen, *Statutory Rape: A Feminist Critique of Rights Analysis, in* FEMINIST LEGAL THEORY 305, 306-08 (1991).

12. Kimberle Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics, in* FEMINIST LEGAL THEORY, at 68 (1991).

13. *Id.* at 67. *See also* JOYCE A. LADNER, TOMORROW'S TOMORROW 43 (1971)(classic study of African American women). Dr. Ladner is an African American sociologist and presently the Vice President for Academic Affairs at Howard University.

14. Crenshaw, *supra* note 12, at 68 (citing Note, *Rape, Racism and the Law*, HARV. WOMEN'S L.J. 103, 117-23 (1983)).

15. *See generally* LADNER, *supra* note 13, at 42-47.

16. *See* Harris, *supra* note 4, at 247.

17. Crenshaw, *supra* note 12, at 69.

18. *See* ANGELA Y. DAVIS, RACE AND CLASS 6-7 (1983). The South Carolina judicial system viewed the female slave as having no legal claim whatever on their children be-

Further, fictitious cries of rape by white women caused many lynchings and imprisonment of African American men.[19] Nineteenth century African American women understood that the rape charge was an attack against the entire African American community. Even some African American women suffered the horrific murder by lynching.[20] In an attempt to protect the race, African American women in 1892 began a forceful crusade against lynching. Ida B. Wells, an African American newspaperwoman led the crusade and published articles in her newspaper against the lynchings. Her newspaper's office was not only burned to the ground but she was also personally threatened with lynching.[21]

White women were present and at times active members of the lynch mob. Some permitted their children to witness the lynchings[22] which encouraged childhood infection of the diseased ideology of racism. A story is reported in Walter White's study of lynching of the time he took an investigative trip to Florida and a nine or ten year old girl told him about ". . . the fun we

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cause the young slave stood on the same footing as other animals. *Id.* (citing BARBARA WERTHEIMER, WE WERE THERE: THE STORY OF WORKING WOMEN IN AMERICA 109 (1977)). *See also* BELL HOOKS, AIN'T I A WOMAN 39-41 (1981) (describes how "[a]dvertisements announcing the sale of black female slaves used the terms 'breeding slaves,' 'child-bearing woman,' 'breeding period,' 'too old to breed.' ") *Id.* at 39.

Female slaves who had living children were also sold. Joyce Ladner recounts the unspeakable trauma the trading in slavery brought to slave children and their mothers. Ladner writes of Frederick Douglas' childhood trauma when his mother was sold to another plantation, and how she walked twelve miles in the night to see him, and had the same distance to travel again before morning sunrise so not to be discovered. LADNER, *supra* note 13, at 26.

This was the evil system of slavery created by white patriarchial society.

19. *See e.g*, DAVIS, *supra* note 18, at 198 (discussing the notorious Scottsboro Nine case where nine young men were charged and convicted of rape based on the false testimony of two white women.) *See also* LADNER, *supra* note 13, at 276.

20. DAVIS, *supra* note 18, at 191. Davis reports of an article with the heading "Rape, Lynch Negro Mother." The article told of Cordella Stevenson's terrifying death by a "bloodthirsty mob who . . . [went] to her home, snatched her from slumber, . . . dragged her through the streets[,]" raped her in a far-off spot, then strung her up without clothing where she was found dead early the next morning. *Id.* citing *Rape, Lynch Negro Mother*, CHICAGO DEFENDER, December 18, 1915.

21. DAVIS, *supra* note 18, at 191-92. *See also* SARA M. EVANS, BORN FOR LIBERTY/A HISTORY OF WOMEN IN AMERICA 212 (1989). It records that Ida B. Wells wrote (and in later years careful research supported Wells) that few lynching victims were even accused of sexual assault, most lynchings were terrorist acts against African Americans who encroached on the economic power of white men. *Id.*

22. DAVIS, *supra* note 18, at 194.

had burning the niggers."[23]

African American women during this time appealed to their white sisters to join them in this crusade.[24] Yet white women did not respond to these appeals en masse until almost forty years later with their 1930 formation of the Association of Southern Women for the Prevention of Lynching under the leadership of Jessie Daniel Ames.[25] Angela Davis' historical account of this period documents the strong declaration against lynching our white sisters issued and the opposition, hostility and threats they encountered on their lives.[26]

III. LESSONS THE FIRST WAVE FEMINIST MOVEMENT OFFER ON ESSENTIALISM

Invisibility or exclusion of African American women's life experiences from the feminist agenda is not novel. bell hooks writes on what is called the "first wave"[27] of the women's movement:

> The racial apartheid social structure that characterized 19th and early 20th century American life was mirrored in the women's rights movement. The first white women's advocate were never seeking social equality for all women; they were seeking social equality for white women. Because many 19th century white women's rights advocates were also active in the abolitionist movement, it is often assumed they were anti-racist. . . . In actuality most white abolitionist, male and female, though vehement in their anti-slavery protest, were totally opposed to granting social equality to black people.[28]

Legend has it that the birth of the organized women's

23. *Id.* at 182, 194, (citing WALTER WHITE, ROPE AND FAGGOT: BIOGRAPHY OF JUDGE LYNCH 66 (1929)). Walter White was a well known anti-lynching leader and Executive Secretary of the NAACP.

24. DAVIS, *supra* note 18, at 193.

25. *Id.* at 193-94.

26. *Id.* at 194-95.

27. Observers of the feminist movement distinguish the time periods in three stages or, as it is called, three waves. A discussion on each is included.

28. HOOKS, *supra* note 18, at 124.

movement was a result of treatment women encountered at the 1840 World Anti-Slavery Convention held in London. Women attending the conference were furious when a majority vote denied their participation and relegated them to a place behind a bar and curtain.[29] There in London, the idea for a women's rights convention began germinating in the minds of Elizabeth Cady Stanton and Lucretia Mott who had attended this meeting.[30] It was not until eight years later that plans for a formal meeting of women started to unfold with Stanton's letter to Mott.[31] Stanton's letter voiced the dilemma of an 1848 white middle-class woman whose life had become anticlimactic:[32]

> The general discontent I felt with woman's portion as wife, mother, housekeeper, physician and spiritual guide . . . and the wearied, anxious look of the majority of women, impressed me with the strong feeling that some active measures should be taken to remedy the wrongs of society in general and of women in particular.[33]

Approximately 300 women and men attended the first women's convention in Seneca Falls, New York. Even though African American women had made significant contributions to the fight for women's rights, not one attended this meeting.[34] Documents from the convention show no reference made to African American women.[35] Even the plight of white working class women was all but ignored on the agenda.[36]

The first National Convention on Women's Rights (NCWR) was held in 1850, two years after the Seneca Convention. Sojourner Truth attended the NCWR but it is unclear whether she was actually invited or came on her on initiative.[37] As the only African American woman in attendance, her presence is taken to symbolize African American women's solidarity with the move-

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29. *See* DAVIS, *supra* note 18, at 46-47; EVANS, *supra* note 21, at 93.
30. *See* DAVIS, *supra* note 18, at 46.
31. *Id.* at 49.
32. *Id.* at 46-47.
33. *Id.* at 49.
34. 5 ETHNICITY AND WOMEN 82 (Winston A. Van Horne & Thomas V. Tonnesen eds., 1986); DAVIS, *supra* note 18, at 57.
35. ETHNICITY AND WOMEN, *supra* note 34, at 82; DAVIS, *supra* note 18, at 57.
36. DAVIS, *supra* note 18, at 53.
37. *Id.* at 60.

ment.[38] The movement's major project, women's suffrage, subjected members to ridicule.[39] It was at the 1851 convention that Sojourner Truth gave her famous "Ain't I A Woman" speech which rescued the meeting from disruptive jeers of hostile men.[40] Angela Davis writes, "Of all the women attending the gathering, she alone was able to answer aggressively the male supremacist arguments of the boisterous provocateurs."[41] Although modern day feminists can be heard uttering the "Ain't I A Woman" phrase, it needs to be pointed out Truth almost did not give that famous speech. bell hooks records when Sojourner Truth stood before the convention, "white women who deemed it unfitting that a black woman should speak on a public platform in their presence screamed: 'Don't let her speak! Don't let her speak!' "[42] Her voice was described as "rolling thunder" as she responded to the leader of the provocateurs who argued it was ridiculous for women to desire the vote, since they could not even walk over a puddle or get into a carriage without help of a man.[43] Sojourner Truth's speech set a stark contrast between the life experience of the African American woman and the white middle-class suffragette:

> That man over there says that women need to be helped into carriages, and lifted over ditches, and to have the best place everywhere. Nobody ever helps me into carriages, or over mud-puddles, or gives me any best place! And ain't I a woman? Look at me! Look at my arm! I have ploughed and planted, and gathered into barns, and no man could head me! And ain't I a woman? I could work as much and eat as much as a man—when I could get it—and bear the lash as well! And ain't I a woman? I have borne thirteen children, and seen them most sold off to slavery, and when I cried out with my mother's grief, none but Jesus heard me! And ain't I a woman?[44]

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38. *Id.*

39. Initially, the Seneca Falls meeting endorsed a broad reform agenda with the vote or suffrage one of nine resolutions adopted. *See* DAVIS, *supra* note 18, at 53; *See also* DEBORAH L. RHODE, JUSTICE AND GENDER 16 (1989).

40. DAVIS, *supra* note 18, at 60; HOOKS, *supra* note 18, at 160. Sojourner Truth, Ain't I A Woman, *in* FEMINISM: THE ESSENTIAL HISTORICAL WRITINGS 93 (Schneir ed., 1972).

41. DAVIS, *supra* note 18, at 60.

42. HOOKS, *supra* note 21, at 159. *See also* DAVIS, *supra* note 16, at 63.

43. DAVIS, *supra* note 16, at 61.

44. Sojourner Truth, FEMINISM: THE ESSENTIAL HISTORICAL WRITINGS, *supra* note 26,

At the end of the Civil War, feminists of both races united and devised an agenda which advocated both women's suffrage and black suffrage (i.e., suffrage for the African American male).[45] They organized the American Equal Rights Association (ERA) in 1866 to implement their plans.[46] The ERA officers were Elizabeth Cady Stanton, African American feminist activist Frances Ellen Watkins, Susan B. Anthony, and Fredrick Douglas (who had been a significant presence at the Seneca Falls and other women's conventions).[47] The alliance was unable to survive because of post-Civil War racism which manifested in their ranks with the Fourteenth Amendment and the proposal to give African American men the vote under the Fifteenth Amendment.[48] During the war in 1863, Stanton and Anthony organized the Women's Loyal League where they expended great effort in circulating petitions demanding the emancipation of slaves through passage of the Thirteenth Amendment.[49] After the war, they expected the Republican Party to reward them with suffrage and felt betrayed when their supporters failed to endorse the vote for women and instead spoke of the "Negro's Hour" (meaning the vote for African American men).[50] Stanton's public speeches changed and "embodied a tone of vitriolic white supremacy; she scapegoated Black men and women, 'Sambo and Dinah', children of mere 'bootblacks and gardeners', who were not fit to share citizenship with 'the daughters of Jefferson and Washington.' "[51] Stanton's attacks on the African American male were particularly vicious, her "words were dangerously close to those which were inciting a lynching furor against Black men, in suggesting that the Black male vote would lead to violence against white women."[52] Her contemptuous, villainous remarks knew no bounds, attacking the enfranchisement of "Africans, Chinese, and all the ignorant foreigners the moment they

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at 94-95.

45. NANCIE CARAWAY, SEGREGATED SISTERHOOD 138-39 (1991).

46. *Id.*

47. *Id. See* e.g., DAVIS, *supra* note 18, at 50-51 (discussing Douglas role at Seneca Falls Convention).

48. CARAWAY, *supra* note 45, at 139; DAVIS, *supra* note 18, at 71-75.

49. CARAWAY, *supra* note 45, at 139.

50. *Id.* at 139-40; DAVIS, *supra* note 18, at 73-76.

51. CARAWAY, *supra* note 45, at 139-40 [citing PAULA GIDDINGS, WHEN AND WHERE I ENTER: THE IMPACT OF BLACK WOMEN ON RACE AND SEX IN AMERICA 67-68 (1884)]. *See also* DAVIS, *supra* note 18, at 75-76; ETHNICITY AND WOMEN, *supra* note 24, at 82-83.

52. CARAWAY, *supra* note 45, at 140.

touch our shores[,]"[53] and "assu[ring] that female suffrage would stand as a bulwark against rule by 'brutish . . . ignorant Negro men' and 'unlettered and unwashed' immigrants."[54]

For African American women whose primary struggle was one of life or death for a people, Sojourner Truth voiced their priorities, "[I]f you bait the suffrage-hook with a woman, you will certainly catch a black man."[55]

With the passage of the Nineteenth Amendment in 1920 giving women the right to vote, first wave feminist declared victory and assumed that women had virtually obtained complete equality.[56] Passage of that Amendment also marked the culmination of this era of the women's movement. African American women, however, could not pronounce their struggle against discrimination, lynching, segregation in employment and housing and Jim Crow laws at an end. White women had achieved the right to vote, but for African Americans, poll tax, literacy tests[57] and hate activity of the Ku Klux Klan were formidable obstacles that had to be fought to exercise the franchise.

IV. DEJA VU: RACISM AND THE FEMINIST MOVEMENT IN THE TWENTIETH CENTURY

Women, of course, discovered that the Nineteenth Amendment was not a panacea for the inequalities inflicted upon them by a patriarchal society.[58] The 1960's civil rights movement

53. DAVIS, *supra* note 18, at 76.

54. RHODE, *supra* note 39, at 17.

55. DAVIS, *supra* note 18, at 83. African American women found themselves between the proverbial "rock and hard place." To support women's suffrage meant they were in camp with white feminists who had publicly made racist declarations. On the other hand, to support suffrage for the African American man was to accept the patriarchal system. *See also* HOOKS, *supra* note 18, at 3.

56. ETHNICITY AND WOMEN, *supra* note 34, at 84; *See also* EVANS, *supra* note 21, at 172.

57. ETHNICITY AND WOMEN, *supra* note 34, at 84-85, 90. Because America's taste for the rancid policy of segregation could also be found in the mouths and hearts of our white sisters, African American women had to form "black clubs" to address concerns of women's equality. *Id.* As a consequence of this isolation, history (or herstory) has not fairly reported the efforts and contributions African American women made in the first wave of the women's movement. *Id.* at 84.

58. *See* RHODE, *supra* note 39, at 16, 18-19, 29. Suffragists' single-minded focus on the vote to the exclusion of other social and economic issues (e.g., divorce, birth control, poverty, employment discrimination, working conditions, racism, and domestic violence)

stimulated middle and upper middle-class white women, who had participated, to reactivate the women's movement and to employ their new political skills on women's issues.[59]

Betty Friedan's 1963 classic, *The Feminine Mystique*,[60] was instrumental in arousing women to action. Friedan wrote of middle-class women, who were economically secure, being trapped by the housewife syndrome; a never ending domestic routine that did not allow room for them to assert their individual identity.[61] Friedan advocated meaningful work outside the home as a solution to "the problem that had no name."[62] One writer related the importance of *The Feminine Mystique* to the women's movement:

> Precisely by resituating the housewife's dissatisfaction in the context of the drive toward women's rights that had begun in the nineteenth century, Betty Friedan, with good reason, presented it as a symptom of the "feminist realization." And by turning the Women's Rights movement into a search for identity, she gave meaning and purpose to the new wave of feminism that was just getting stated.[63]

Friedan's "the problem that has no name" sounds much like the problem Elizabeth Cady Stanton wrote of in 1848. Friedan identified a problem and offered a solution that pertained to middle-class white women. African American women, due to ne-

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put them out of touch with the problems and priorities of most women. *Id.* The price for this single-issue approach was great, it laid the foundation for the movement's own demise. *Id.* Not only did suffragists have little to offer the post-suffrage generation but the immediate impact of the ballot was far less than the suffragists had predicted. *Id.* Rhodes also notes other causes that may have contributed to the erosion of feminist support including the politically conservative and culturally hedonistic 1920s, McCarthyism with its accusations of Communism, the Depression and World War II displaced attention from women's issues, and the postwar baby boom reviving assumptions about women's domestic destiny. *Id.*

59. *See* ETHNICITY AND WOMEN, *supra* note 34 at 85. *See also* EVANS, *supra* note 21, at 275.

60. BETTY FRIEDAN, THE FEMININE MYSTIQUE (1963).

61. ETHNICITY AND WOMEN, *supra* note 34, at 86.

62. *See* EVANS, *supra* note 21, at 275-81 for discussion on the impact Friedan's identifying "the problem that has no name" had on the feminist movement.

63. GINETTE CASTRO, AMERICAN FEMINISM/A CONTEMPORARY HISTORY 16 (Elizabeth Loverde-Bagwell trans., 1984).

cessity, have always worked outside the home.[64] Additionally, African American women worked at jobs and received wages that white men, white women and African American males rejected.[65] Furthermore, issues crucial (e.g., ending segregation and the exercise of the franchise without physical violence and government obstructions) to the very survival of African American women (and a race of people struggling for social and economic parity) were not goals or agenda items of interest to the second wave feminist.[66] As in the nineteenth century, sisters again had to go their separate ways.

bell hooks writes of her attempts at offering a more inclusive goal for the feminist movement.[67] She describes being met with hostility and resentment from our white sisters who saw "feminism as 'their' movement and resisted any efforts by nonwhite women to critique, challenge, or change its direction."[68] The proverbial line in the sand between the two groups was widened when white women, as they had done in the first wave, began to make synonymous their social status with that of African Americans.[69] Such tactics revealed, at the least, an insensitivity towards the plight of African Americans or, at most, the racism that was within the ranks of the sisterhood.[70] Unlike the forty year hiatus period between the first and second wave, the third wave of the feminist movement was, in a sense, a continuous yet more sophisticated flow from the second wave. Women of the 1980's entered a new political era, were involved in voter registration drives, served on presidential campaign staffs, and ran in greater numbers for municipal, state and national office. Cooperative effort developed across racial lines during this period due to three influencing factors:[71] the creation and sustained electoral efforts of women's organizations;[72] the increased role of

64. *See generally* HOOKS, *supra* note 18, at 145-47.

65. *See id.* at 77.

66. RHODE, *supra* note 39, at 60, cites a sociological profile of those in women's rights organizations during mid-1970 which showed ninety percent were highly educated middle- or upper-middle-class whites.

67. HOOKS, *supra* note 18, at 190.

68. *Id.*

69. *See id.* at 136, 141; *see also* EVANS, *supra* note 21, at 297.

70. *See* HOOKS, *supra* note 18, at 136, 140-44.

71. ETHNICITY AND WOMEN, *supra* note 34, at 94.

72. Women's organizations founded in the 1970's and 1980's, although some were based upon race or culture, were active in funding support to women candidates and lobbying Congress. Women's organization whose membership was mainly white middle-

women in politics[73]; and the policies of President Reagan which adversely affected women across class and racial lines.[74]

Although there has been cooperative political effort between African American women and white women from their separate organizations, white women have continued their lack of recognition to the specific ways women's issues affect women of color.[75] Unfortunately for women of color, however, the facade of essentialism persists. Drawing upon Fuss' "nominal essence" discussion,[76] it can be posited one major reason is that feminist theory of essentialism is a convenience. It is simpler for our white sisters to implement their agenda when the meaning of "woman" is generalized and restricted to a homogenized class.[77] Elizabeth Spelman's report of an incident at the 1986 national conference on women's history in Amsterdam is insightful on the question.[78] A white feminist at the conference when asked, "[W]hy 'women's history' in Western countries still is 'white women's history[?]' " replied, "We have enough of a burden trying to get a feminists viewpoint across, why do we have to take on this extra burden?"[79] After more than one hundred and thirty years since the initial call to action by Stanton, African American women continue to address the persistence of our white sisters, through their linear discourse on women's issues, to exclude the life experiences of women of color.[80]

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class and upper-middle-class were active in attempts to resuscitate the Equal Rights Amendments.

73. Geraldine Ferraro became Walter Mondale's vice presidential running mate in the 1984 campaign after women insisted that Mondale review female elected officials for a possible running mate. African American women were offended by the review process which excluded them. Adding salt to the wound, African American women were initially excluded from policy-making positions on Ferraro's campaign staff. This experience with our white sisters led African American women to form the Black Women's Political Caucus, which became known as the National Political Congress of Black Women. *See* ETHNICITY AND WOMEN, *supra* note 34, at 101-04.

74. *See* EVANS, *supra* note 21, at 307-09.

75. Specific issues include rape, health care, AIDS, and child care.

76. FUSS, *supra* note 5 at 4-5.

77. *See also* Harris, *supra* note 4, at 605.

78. SPELMAN, *supra* note 1, at 8.

79. *Id.*

80. *See, e.g.*, Harris, *supra* note 4; Crenshaw, *supra* note 12; ANGELA Y. DAVIS, WOMEN, CULTURE & POLITICS 3-7 (1989).

V. DISCOVERING OUR CONNECTIONS MEANS DISCOVERING OUR SISTERHOOD

bell hooks' dissection of the historical relationship between African American women and white women is thought provoking and offers enlightenment on this subject.[81] Her analysis of the relationship between African American and white sisters as manipulated by white patriarchal society is at first emotionally wrenching, but becomes a cathartic agent that can help clear our hearts and minds for understanding of our connectedness. hooks' words are a surgical knife that relentlessly cut away the cancerous myths that a patriarchal society has invented to maintain itself in power.[82] hooks' examination of this relationship focuses on the historical relationship between women:

> Conflict between black and white women did not begin with the 20th century women's movement. It began during slavery. . . . Prior to slavery, patriarchal law decreed white women were lowly inferior beings, the subordinate group in society. The subjugation of black people allowed them to vacate their despised position and assume the role of a superior.
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> Consequently, it can be easily argued that even though white men institutionalized slavery, white women were its most immediate beneficiaries. Slavery in no way altered the hierarchial social status of the white male but it created a new status for the white female.[83]

hooks' thoughts make our minds expand and then throb painfully from the ideas she feeds us.[84]

Fundamentalist Christian teaching of colonial America portrayed women as an "evil sexual temptress" in whom sexual lust originated. Men took no responsibility for sexual sins for they

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81. HOOKS, *supra* note 18.

82. *Id.* at 29-38, 153-58.

83. *Id.* at 153.

84. The discussion that follows *infra* sec. V., can be found at, HOOKS, *supra* note 18, at 29-38, 153-58.

were merely victims to women's wanton power. Appointing themselves God's personal agent as overseer of women's virtue, white men instigated laws to govern the sexual behavior of white women. This suppression of sexuality by white colonizers resulted due to their deep fear of sexual feelings which were thought sinful and could subject them to eternal damnation. The growing prosperity of white Americans in the nineteenth century brought about a shift away from their stern religious teaching. With the shift from their fundamentalist Christian doctrine came a change in male perception of women. The white male transformed the nineteenth century white women from "sexual temptress" to a goddess. White man's idealization of white women as pure, virtuous and innocent washed her clean from the curse of sexuality. The message suggested that as long as white women possessed these sexual feelings, they would be seen as degraded immoral creatures. Once cleansed of these sexual feelings, they became beings worthy of love, consideration, and respect. But there was a price that was extracted, namely the suppression of her natural sexual impulses.[85]

This shift from white woman from sinful and sexual to the virtuous lady occurred simultaneously with the mass exploitation of enslaved black women. bell hooks instructs that racism was not the sole cause of the many cruel and sadistic acts of violence against enslave black women. "The deep hatred of woman that had been embedded in the white colonizer's psyche by patriarchal ideology[86] and anti-woman religious teachings[87] both

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85. *See* LADNER, *supra* note 13. This study was published a decade before hooks' book, and examined the relationship between the white female and white male and its impact on the African American female and African American male. Addressing the high pristine image forced on the white female, Ladner wrote:

> American white women were never allowed the opportunity to develop and become the socially mature beings many of them must have viewed as desirable. . . . During slavery, they were protected from Black men at all costs, placed on a pedestal and even protected from their spouses. sexual relations were ideally confined to the marital relationship, and according to one author, to the act of procreation itself. As part of the white man's creation of the myth of sacred white womanhood and as the perpetuator of racial supremacy, an illusionary world surrounding her chastity came into being. This chastity was manifested not only in the sexual sense, but it pervaded all areas of her life. *Id.* at 275 (citing OSCAR HANDLIN, RACE AND NATIONALITY IN AMERICAN LIFE 122 (1957).

86. Knowledge that this sort of thinking is indigenous and pervasive in patriarchal

motivated and sanctioned white male brutality against black women."[88] White colonizers were eager to impose upon the displaced African the identity of "sexual savage," while they adopted a self-righteous sexual morality. Black women were now substituted as the embodiment of female evil and sexual lust. The white male by flaunting his sexual involvement with black women, by rape or otherwise, provoked hostility and rage in the white woman against the black woman. The white female herself having been taught that women were inherently sexual temptresses, blamed the black woman for the encounter and saw their husbands as innocent victims. As such, white women inflicted brutal punishment on the black female slave, and even if the white female condemned the white males behavior, she was unable to dictate proper behavior for him. Frankly, the white males sexual involvement with the black woman in effect reminded the white woman of her subordinate position in relationship to him. Further, the white female would jeopardize her own position of privilege on the race-sex hierarchy if she tried to change the lot of black women.[89] Even after the apartheid structure slavery, white patriarchal society has maintained this hierarchy through the creation of a variety of myths and stereotypes to differenti-

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societies might make it less shocking but no less acceptable. Dissertations of some of our known historical male Western philosophers would place them too on, what Elizabeth Spelman calls, misogyny row. SPELMAN, *supra* note 1, at 6, offers an excerpt from FRIEDRICH NIETZSCHE (1844-1900), BEYOND GOOD AND EVIL, para. 232 (1973):

> Woman wants to become self-reliant—and for that reason she is beginning to enlighten men about "woman as such": *this* is one of the worst developments of the general *uglification* of Europe. . . Woman has much reason for shame; so much pedantry, superficiality, schoolmarmishness, petty presumptions, petty licentiousness and immodesty lies concealed in woman. *Id.*

See also CHARLENE SPRETNAK, STATES OF GRACE 245-61 (1991). Spretnak reveals the strands of patriarchal philosophy that flow through the writings of such Western historical figures as Aristotle to its current manifestation in deconstructive postmodernism.

87. However, bell hooks records that the shift to the new idealization of white women did not change the basic contempt white men felt towards them. Visitors from foreign countries noticed the veiled hostility of white men to white women. HOOKS, *supra* note 18, at 32, cites an observation of one such visitor:

> American men accorded their women more deference, lavished more money on them, regarded them with more respect than accorded the women of any country. But they did not particularly like them. *Id.*

88. *Id.*

89. The foregoing discussion *supra* sec.V. is from HOOKS, *supra* note 18, at 29-38, 153-58.

ate the status of black women from that of white women.[90] One final quote from bell hooks allows our connectedness to press in upon us:

> Throughout American history white men have deliberately promoted hostility and divisiveness between white and black women. The white patriarchal power structure pits the two groups against each other, preventing the growth of solidarity between women and ensuring that woman's status as a subordinate group under patriarchy remains intact. To this end, white men have supported changes in the white woman's social standing only if there exists another female group to assume that role. . . . [White men] neither relinquishes his dominant position nor alters the patriarchal structure of society. [White men are], however, able to convince many white women that fundamental changes in "woman's status" have occurred because [they have] successfully socialized her, via racism, to assume that no connection exists between her and the black women.[91]

Scholarship which alerts us to the unhealthy results that a bland diet of essentialism can have on feminist theory is positive. Such discourse opens dialogue among the multivalent cultures, races, and classes of women that leads to understanding and a much needed healing process. And the healing process is really one of inner growth that allows transcendence of the addiction to the destructive force of "dominant group self-interest" which maintains all of us in bondage. bell hooks counsels that a feminist movement which is both racist and classist is a mere sham and continues acceptance of the status quo.[92] Workshops sponsored by the diverse major women's organizations devoted genuinely to understanding women's issues and their impact on the life experiences of all women can assist in our growth and finding common ground. We must work to eliminate the Hydra of oppression, not just one of its heads we call sexism. With our healing comes the ability to form the bonds of solidarity for a

90. *Id.* at 154.
91. *Id.* at 155-56.
92. *Id.* at 157.

true sisterhood to labor for change of women's status as second class, and with some of us fourth-class citizens.

VI. DISCOVERING OUR CONNECTIONS WITH ALL "THE OTHERS"

Conversely, a continuous diet of difference in feminist discourse can also be unhealthy and result in perpetuating the philosophical notion of "the Other". Existentialist writings of Jean-Paul Sartre speak of the Other as any and every individual other than the "I".[93] Sartre wrote that every relationship is essentially conflictive because to be regarded by an Other, by a regarding "subject," reduces oneself to an object, unless one can either "absorb" the Other's freedom or reduce him or her to an object.[94] This constant battle rages over which will be reduced to object status.[95] The philosophical theory of the Other when applied to race, sex and class becomes more relevant to us: "The Other is any group or individual that has been marginalized by the dominant group(s) at the 'center' of society, the locus of greatest control."[96] The noted feminist writer, Simone De Beauvoir, who it has been said suffered the disadvantage of being in the shadow of Sartre, was an existentialist who analyzed man as the subject and woman as the Other or object.[97] Woman's role as the Other is different from other marginalized groups because no Other voluntarily agrees to be an object. The male finds in woman more complicity than an oppressor usually finds in other oppressed groups. How is it then that women have submitted to the control of men?[98] De Beauvoir's response is that all the main features of the woman's training and socialization have conspired to bar her from the roads of revolt and women, unlike other oppressed groups, do not see themselves as united in a similar plight.[99] The lack of commonality among

93. SPRETNAK, *supra* note 86, at 157.

94. *Id.* Spretnak's book offers quite a different approach in viewing the relationship of patriarchal society and deconstructive postmodernism. She describes the book as "present[ing] an ecofeminist perspective on the extreme relativism of deconstructive postmodernism."

95. DIANE BARSOUM RAYMOND, EXISENTIALISM AND THE PHILOSOPHICAL TRADITION 371-81, 392-417 (1991).

96. SPRETNAK, *supra* note 86, at 157.

97. RAYMOND, *supra* note 95, at 426.

98. *Id.* at 386, 430.

99. *Id.* at 386.

women in language or culture act as an obstacle to the eradication of women's oppression.[100] Women must struggle against being the Other in this patriarchal society, for to be the Other means to remain an outsider, excluded from the center of society and powerless.

Our patriarchal society's practice of myth creation to ensure its perpetuation, has lead to an ingrained but pernicious mind-set about the Others. A society that absorbs the Other philosophy at its worst has approved slavery, the Holocaust and apartheid, and in a more current degenerative form initiates Serbian "ethnic cleansing", or the rise of the neo-Nazis in Germany.

Feminist discourse informs that gender is a social production or social construct, yet this theory seems to shortsighted. Harmful differences about the Other based on gender, race, ethnicity, religiosity, culture or nationality is a construct of individual consciousness first. As such, the temporary occupants of Mother Earth must earnestly strive towards the elevation of our consciousness. We must cease and desist from maintaining the Other mind-set and struggle to develop the "my Other-self" philosophy, which recognizes there is an inherent connectedness we all share in the interior of our very beings. There is a Divine Force that maintains us all and blesses us with Its Life and Energy. That same Divine Force breaths for us all. If it were not so, we would control life and death. We are all linked together by that same Divine Force that we do not see, but feel, as It moves through us as our Breath of Life. We are like a box of crayola crayons; we are all made from the same stuff, it's just that we come in different colors.

The struggle to remove our society's glass ceilings will never be achieved by women or any other fragmented or splintered group, since the theory of divide and conquer has worked to silence each other. This is regrettable where all of us as "the Others" struggle for the same thing, an unobstructed opportunity to flourish or to achieve our highest good. Laws such as Title VII and the Civil Rights Act of 1991 do not eliminate discrimination, they only attempt to protect "the Other." Until

100. *Id.* at 386, 430.

consciousness changes, injustice based on difference will always be with us. Society is more than a social construct, it is a mirror of our consciousness.

We must work towards all "the Others," or those marginalized by society, joining forces to attack and struggle to change a consciousness that continues to construct a society that harms its "Other-self".