

THE HARM THAT HAS NO NAME

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Street Harassment, Embodiment, and African American Women

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In her article *Street Harassment and the Informal Ghettoization of Women*, law professor Cynthia Grant Bowman explores street harassment as a harm and the necessity of legally recognizing street harassment's oppressive effects.¹ This chapter explores the idea that "[w]e cannot hope to understand the meaning of a person's experiences, including her experiences of oppression, without first thinking of her as embodied, and second thinking about the particular meanings assigned to that embodiment"² in the context of street harassment and African American women. Street harassment silences women. Similarly, racism has silenced and continues to silence African American women. Writing about street harassment and African American women legitimizes and recognizes the existence and importance of both.

THE MECHANICS OF STREET HARASSMENT

There are three ways to define and understand street harassment. Specifically, particular acts constitute street harassment. Normatively, the following characteristics identify particular acts of street harassment: the locale; the gender of and the relationship between the harasser and the target; the unacceptability of "thank you" as a response; and the reference to body parts. Systematically,

street harassment can be understood as an element of a larger system of sexual terrorism.

Specific Acts of Street Harassment

Cheris Kramarae, professor of speech communication and sociology, and Elizabeth Kissling describe street harassment as "verbal and nonverbal markers . . . wolf-whistles, leers, winks, grabs, pinches, catcalls and street remarks."³ Specific remarks commonly include "Hey, pretty," "Hey, whore," "What ya doin' tonight?" "Look at them legs," "Wanna fuck?" "Are you working?" "Great legs," "Hey, cunt," "Smile," "Smile for me, baby," "Smile, bitch," "Come here, girl," and "I'll be back when you get a little older, baby." When these acts occur on a public street, street harassment takes place.⁴

Street Harassment's Role in Sexual Terrorism

Recognizing street harassment's role in sexual terrorism is crucial to understanding its potential to harm. Carole Sheffield defines sexual terrorism as men's systematic control and domination of women through actual and implied violence.⁵ She views sexual terrorism as both the objective condition of women's existence and the theoretical framework that creates and maintains social orders.⁶ Sexual terrorism and violence play crucial roles in the ongoing process of female subordination.⁷ Violence is not one particular act, nor is it static; rather, it is a continuum of behavior in which street harassment must be placed if we are to understand the depth and pervasiveness of sexual terrorism.⁸

Street harassment "frightens women and reinforces fears of rape and other acts of terrorism."⁹ Rape is generally viewed as a violent act of power occurring in a context limited to particular individuals or situations. However, rape may begin with an act of street harassment. Potential rapists can test the accessibility of a victim by making derogatory sexual comments to determine whether she can be intimidated.¹⁰ As a result, street harassment plays a definite role in the objective condition of women fearing bodily harm on a day-to-day basis.

Women also experience the connection between rape and street harassment on a subjective level. Regardless of whether there is the possibility of actual rape, when women endure street harassment, they fear the possibility of rape.¹¹ That one of every eight adult women has been raped makes rape a constant possibility on a subjective level.¹² The sexual content of street harassment "reminds women of their vulnerability to violent attack in American urban centers, and to sexual violence in general" and intensifies the fear of the possibility of rape.¹³ As a precursor to rape and an escalator of the fear of rape, street harassment entraps women in a sexually terroristic environment.

Within the framework of sexual terrorism, the specific acts and norma-

constitutes street harassment. Once it is realized that "street harassment is not a product of a sexually terroristic culture, but an active factor in creating such a culture," then the ability of an act of street harassment to cause harm becomes clearer.¹⁴

GENDERIZATION OF THE STREET: THE EFFECTS AND CONTEXT OF STREET HARASSMENT

Street harassment genderizes the street by distributing power in such a way that perpetuates male supremacy and female subordination.¹⁵ Consequently, street harassment transforms the street into yet another forum that perpetuates and reinforces the gender hierarchy.

In order for the social effects of street harassment to occur, a preexisting context must exist that enables street harassment. Psychological oppression serves as the context that allows street harassment to genderize the street.

Despite street harassment's clear socially and psychologically oppressive effects, street harassment remains invisible as a harm. Because men do not suffer street harassment to the extent women do, street harassment is characterized as something other than harassment. Acts that are legally cognizable harms gain recognition "as an injury of the systematic abuse of power in hierarchies [when it is an exercise of] power men recognize."¹⁶ Men view street harassment as innocuous, trivial, "boys will be boys" type of behavior and blame women for attaching negative meanings to their acts. Street harassment remains invisible because it is not a harm men suffer, and therefore it is not a harm men, or society as a whole, recognize.

While some women view street harassment as a trivial part of their everyday lives, they can still suffer extreme consequences. First, because street harassment has been trivialized, women do not talk about it and are thus silenced. This reinforces the invisibility of street harassment and its effects. Moreover, when a woman thinks about ending the silence, she may have a lot of doubt, given that street harassment—a pervasive part of everyday life—is so trivialized. Ignoring street harassment causes women to become complicit supporters of a system of sexual terrorism.¹⁷ Finally, the failure to perceive street harassment as a harm causes women to "transform the pain into something else, such as, for example, punishment, or flattery, or transcendence, or unconscious pleasure."¹⁸

Giving a harm a name is the first step in making the harm visible. Given that "an injury uniquely sustained by a disempowered group will *lack a name*, a history, and in general *a linguistic reality*," it is crucial for the targets of street harassment to name the harm.¹⁹ Naming is not a random or neutral process, but is biased. One need only look at workplace sexual harassment, date rape, domestic violence, and marital rape to understand the importance of naming

a harm. While these harms have been a part of society for a long time, once they had a name, their visibility, both as acts and as harms, increased and led to the possibility of redress.

It is important for women to name the harms they suffer, because "[b]y taking the power of naming for themselves [and gaining cultural autonomy], women can determine with what bias street harassment will be encoded."²⁰ Discussing and naming street harassment are crucial steps toward erasing a constant source of women's pain and making street harassment visible as a harm.

INCLUDING AFRICAN AMERICAN WOMEN IN THE DISCOURSE ON STREET HARASSMENT: GENDERIZATION AND RACIALIZATION OF THE STREET

African American Women and Street Harassment: Recurring Images of Slavery

By refusing to acknowledge difference, street harassment discourse has excluded African American women's experiences. Many have argued that street harassment just "is," and that race, class, and sexual orientation are irrelevant: "In fact, women will sometimes comment that they think that women of all races, classes, and ages are subject to attacks from men—of all races, classes, and ages."²¹ This statement relies on the idea that street harassment is primarily based on gender domination. Consequently, this statement implies that, because all women experience street harassment, it has no significance beyond its gender meaning: "[T]he women who do find street remarks disturbing, disgusting, or dangerous evidently hear them as more sexist than racist or classist."²² The race of the harassers has also been disregarded: "You can say what you like about class and race. Those differences are real. But in this everyday scenario, any man on earth, no matter what his color or class is, has the power to make any woman who is exposed to him hate herself and her body."²³ This nuanced treatment of race ignores the relevant inquiry: the issue is not the act's independence from these differences, but the fact that the act occurs in spite of the differences. Abstracting the categories of identity limits understanding of the dynamics of street harassment.

All women are subjected to street harassment and, consequently, street harassment is a form of gender subordination. However, when African American women are subjected to street harassment, street harassment is, at the very least, genderized and racialized. This is not to say that street harassment has one meaning for African American women and a different meaning

and ethnicities, including white women, street harassment is both genderized and racialized for every woman; but the racial aspect is set in the particular historical context to which the particular woman belongs.

During and as a result of slavery, African American women have experienced the preexisting context that enables street harassment to be a factor in our sexually terroristic environment. Consequently, the psychological oppression of street harassment has a different—not a double—impact on African American women given their embodiment as indivisible beings. Street harassment forces African American women to realize that the ideologies of slavery still exist.

Although slavery has been legally eradicated, the racist ideology perpetuated during the slave era still exists with a different fate. While the "formal barriers and symbolic manifestations of subordination"²⁴ have disappeared, "[t]he white norm . . . has not disappeared; it has only been submerged in popular consciousness."²⁵ White men struggle to maintain their hierarchical position in a social structure that is constantly being challenged, questioned, and chiseled away.

Street harassment is a forum that allows white men, in the absence of slavery, to maintain the boundaries of their relationship with black women and to perpetuate the image of African American women as "blackwomen." The legal and cultural invisibility of street harassment gives white men a way of oppressing African American women that replaces the historical slave/master structure.

The Cult of True Womanhood: The White Woman as Paradigm

Street harassment oppresses women because it denies women an authentic choice of self and mandates conformance to gender stereotypes. Such oppression also formed the basis of the slave era's dominant gender ideology. In her work *Reconstructing Womanhood*, English and African American studies professor Hazel Carby explores women slaves' relationship to the predominant ideology of the "cult of true [white] womanhood."²⁶ Based on notions of motherhood and womanhood, the cardinal tenets of piety, purity (sexual and nonsexual), submissiveness, and domesticity characterized the cult of true womanhood.²⁷

The ideology had two cultural effects: "[I]t was dominant, in the sense of being the most subscribed to convention governing female behavior, but it was also clearly recognizable as a dominating image, describing the parameters within which women were measured and declared to be, or not to be, women."²⁸ White men used the cult of true womanhood to establish the normative ideal for white women and to establish the boundaries outside of which slave women were placed.²⁹ Domesticity, a key component of the cult of true womanhood, was a

and womanhood for white women and slave women, the definitions were dependent on one another.³⁰

The cult of true womanhood also illustrates how stereotypes obscure women's reality by focusing on men's interpretations. During slavery, slave owners and buyers perceived some characteristics as negative in white women, yet as positive, economic assets in slave women. For example, "[s]trength and ability to bear fatigue, argued to be so distasteful a presence in a white woman, were positive features to be emphasized in the promotion and selling of a black female field hand at a slave auction."³¹

African American slave women internalized the underlying ideological beliefs; "[b]y completely accepting the female role as defined by patriarchy, enslaved blackwomen embraced and upheld an oppressive sexist social order and became (along with their white sisters) both accomplices in the crimes perpetuated against women and the victims of those crimes."³² Consequently, cultural domination has led African American women to believe that street harassment is an acceptable, natural part of everyday life, given the slave culture.

The Controlling Image of Jezebel: African American Woman as (White) Man's Temptress

During slavery, white men developed a racist ideology particular to slave women, which consisted of four "interrelated, socially constructed controlling images."³³ Created by white men to justify, maintain, and perpetuate the subordination of African American women, the most powerful of these controlling images is that of the female slave as a Jezebel. The Jezebel image—the slave woman as "whore, sexually aggressive wet nurse," and "sexual temptress"—served two functions. First, it justified white men's sexual abuse of slave women. Second, it justified the inapplicability of the cult of true womanhood to slave women—if a slave woman was seen as a sexual animal, then she was not a real woman. The hypersexual Jezebel image dehumanized black women and justified their exploitation in the fields. White men used the controlling image of Jezebel, in conjunction with other images, to create and maintain the existing slave/master social and economic structure.

Multiple Subordination: The Intersection of White Men's and African American Men's Objectification of African American Women While "[r]acism has always been a divisive force separating black men and white men, [it has been] sexism [that] has been a force that unites the two groups."³⁴ Like white men, African American men have been socialized to exercise their male status to oppress women: "As Americans, they [African American men] had not been taught to really believe that social equality was an inherent right all people possess, but they had been socialized to believe that it is the nature of males to desire and

member of the male gender is the ability to exercise dominance over women. During the slavery era, the African American man, "though obviously deprived of the social status that would enable him to protect and provide for himself and others, had a higher status than the black female slave based solely on his being male."³⁶ Again, the binary framework of racism and sexism ignores the fact that "[r]acism does not prevent black men from absorbing the same sexist socialization white men are inundated with."³⁷ As a result of the intersection of race and gender, while racism "cause[s] white men to make blackwomen targets,"³⁸ "sexism . . . causes all men to think they can verbally or physically assault women sexually with impunity."³⁹

When African American Men Seek a Position of Whiteness: The Experience of Intraracial Harassment Given the pervasiveness of the controlling images of African American womanhood created and perpetuated by white men, African American men also view African American women "as nothing more than mammies, matriarchs, or Jezebels." As bell hooks points out, "[a] sexist ideology has been accepted by black people, these negative myths and stereotypes have effectively transcended class and race boundaries and affected the way black women [are] perceived by members of their own race."⁴⁰

African American men exercise the power implicit in sexism from a "position of whiteness." A position of whiteness consists of the "historically derived constellation of privileges associated with white [male] racial domination."⁴¹ A person acting from a position of whiteness creates a racial hierarchy and produces and reinforces stereotypical images. This position of whiteness is not limited to white men, but can be seen as a position of authority attended by the privileges associated with authority.

Whereas white men assign and invoke the Jezebel image of African American women in order to maintain dominance, African American men use the same image in order to try to obtain that which white men have—the power to define the position of whiteness. As bell hooks has noted, "[t]heir [black men's] expressions of rage and anger are less a critique of the white male patriarchal social order and more a reaction against the fact that *they have not been allowed full participation in the power game*."⁴² Engaging in any form of oppression when you are a member of a marginalized group may make a person feel more powerful and less oppressed. Nevertheless, the established social order, though possibly capable of change, is still relative. Consequently, "men of color are not able to reap the material and social rewards for their participation in patriarchy. In fact they often suffer from blindly and passively acting out a myth of masculinity that is life-threatening. Sexist thinking blinds them to this reality. They become victims of the patriarchy."⁴³

Some have argued that street harassment does not harm African American women because "[i]n many African American communities, men and women

exist between African American men and women, the speech rights are asymmetrical because "although many African American women respond assertively to rapping, they typically do not initiate it."⁴⁵ Furthermore, the fact that some African American women may engage in rapping does not negate the fact that

[b]lack leaders, male and female, have been unwilling to acknowledge black male sexist oppression of black women because they do not want to acknowledge that racism is not the only oppressive force in our lives. *Nor do they wish to complicate efforts to resist racism by acknowledging that black men can be victimized by racism but at the same time act as sexist oppressors of black women.*⁴⁶

Finally, characterizing street harassment as an African American cultural phenomenon ignores the intersection of race and gender by "overlook[ing] the way in which this sexual discourse reflects a differential power relationship between men and women."⁴⁷ This characterization also allows society to avoid examining "the different means by which these [African American cultural] practices are maintained and legitimated," thereby perpetuating the subordination of African American women.⁴⁸

Multiple Consciousness and Street Harassment: Incorporating African American Women's Experience

Including African American women's experiences in the street harassment discourse enlightens women to their multiple consciousness and provides all women with a tool that enables them to cope with the social and psychologically oppressive effects of street harassment. By embracing the multiplicitous self, African American women, as the descendants of slaves, have learned how to handle the multiple forms of oppression, including gender and racial oppression. Recognizing a multiple consciousness helps women deconstruct and accept their experiences with street harassment. By embracing the multiple parts of self and moving away from a binary construction of "self," we also recognize the possibility for internal contradiction.

African American women have historically and consistently existed in a zone of dissonance. African American women, as society's "other," are disenfranchised and excluded from society in many ways. At the same time, African American women are "essential for [society's] survival because those individuals who stand at the margins of society clarify its boundaries. African American women, by not belonging, emphasize the significance of belonging."⁴⁹

The multiple consciousness is yet another site of identity, where both the subjective self and the objective self coexist. Recognizing this site of identity will allow women to shift their energies from deconstructing and understand-

A New Definition for the Effects of Street Harassment: Spirit-Murder

Including African American women's experiences in street harassment discourse provides a fuller understanding of how all women may experience street harassment. This inclusion also provides access to a broader term that may more fully reflect street harassment's invidious role in terrorizing all women. Law professor Patricia Williams states that "[a] fundamental part of ourselves and of our dignity is dependent upon the uncontrollable, powerful, external observers who constitute society."⁵⁰ Engaging in racist behavior, which is the overt expression of the internalized "system of formalized distortions of thought,"⁵¹ leads to the "disregard for others whose lives qualitatively depend on our regard."⁵² Williams terms this disregard "spirit-murder," a phenomenon that creates and perpetuates social structures that are defined by hate and fear, and give unexpressed feeling an outlet. While Williams's discussion of spirit-murder encompasses only race, Adrien Wing incorporates sexism into the concept of spirit-murder.⁵³ While spirit-murder is the cumulative effect, it is made up of micro aggressions, "[h]undreds, if not thousands of spirit injuries and assaults—some major, some minor—the cumulative effect of which is the slow death of the psyche, the soul and the persona."⁵⁴ In the context of street harassment, it is easy to understand spirit-murder as being subjected to many incidences of street harassment each day. To gain a fuller understanding of street harassment and its impact on African American women, it is necessary to place street harassment in the continuum of behavior that includes spirit-murder. Using these terms, one can understand the full extent to which all women are terrorized.

Redefining street harassment as spirit-murder benefits not only African American women, but all women. It allows for recognition of the "other" harms that women suffer, which may or may not be due to their gender. Furthermore, defining street harassment as "spirit-murder" both helps to give street harassment a name and identifies the harasser's wrong instead of focusing on the target. An objective definition of street harassment focuses on the harasser's actions as a form of intrusion instead of "looking to" or blaming the female target. When African American women's experiences are incorporated into the street harassment discourse, women are empowered with a terminology that fully portrays the depth of women's experiences with street harassment.

The first step in recognizing an act as a harm is the accurate construction of that act. Once street harassment is constructed and understood to be a harm that plays a role in the sexual terrorism that governs women's lives by genderizing the street in order to perpetuate female subordination, street harass-

cate a harm, we must give the harm a name. Employing the term "street harassment" to describe the type of behavior is one step toward breaking the silence and misconceptions that surround street harassment.

Including African American women's experiences within street harassment and recognizing the different ways African American women experience street harassment due to their experiences with slavery broaden street harassment discourse. This inclusion provides both access to a term, multiple consciousness, that defines the site in which the harm occurs, and a broader meaning of the effects of street harassment, spirit-murder. These terms give women a fuller understanding of the harm street harassment causes.

Naming the harm gives all women the tools with which street harassment can be dismantled and gives them the strength to speak out, up, and loud in response to street harassment.

NOTES

1. Cynthia G. Bowman, *Street Harassment and the Informal Ghettoization of Women*, 106 Harv. L. Rev. 517 (1993).
2. Elizabeth V. Spelman, *Inessential Woman: Problems of Exclusion in Feminist Thought* 129-30 (1988).
3. Elizabeth A. Kissling & Cheris Kramarae, *Stranger Compliments: The Interpretation of Street Remarks*, 14 Women's Stud. Comm. 75, 75-76 (1991) (reporting results from a computer notes file discussion on street harassment).
4. I focus on the street/sidewalk as the situs. I exclude places like buses, bus stations, taxis, stores, and other public accommodations to highlight the arbitrariness of street harassment. Although I choose to focus on the street, harassment can and does occur in other places.
5. Carole J. Sheffield, *Sexual Terrorism: The Social Control of Women*, in *Analyzing Gender* 171, 171 (Beth B. Hess & Myra Marx Ferree eds., 1987).
6. *Id.* at 172. The manifestations of sexual terrorism include wife-battering, sexual harassment in the workplace, incest, sexual slavery, prostitution, and rape. *Id.* at 171.
7. *Id.* at 172.
8. There is an "unstated relationship [between] compliments, verbal hostility and physical attack." Kissling & Kramarae, *supra* note 3, at 78; see also Cristina Del Sesto, *Our Mean Streets: D.C.'s Women Walk Through Verbal Combat Zones*, Wash. Post, Mar. 18, 1990, at B1 ("I'm afraid everyday that a verbal assault is going to turn into a physical one.").
9. Elizabeth A. Kissling, *Street Harassment: The Language of Sexual Terrorism*, 2 Discourse & Soc'y 451, 456 (1991).
10. See Bowman, *supra* note 1, at 536.
11. Kissling & Kramarae, *supra* note 3, at 84-85.
12. Bowman, *supra* note 1, at 536 n.86 (quoting *Study: Rapes Far Underestimated*, Chi. Trib., Apr. 24, 1991 § 1, at 3).
14. See Kissling, *supra* note 9, at 456.
15. See Catharine A. MacKinnon, *Difference and Dominance: On Discrimination, in Feminism Unmodified: Discourses on Life and Law* 32, 40 (1987).
16. Catharine A. MacKinnon, *Sexual Harassment: Its First Decade in Court, in Feminism Unmodified, supra* note 15, at 103, 107.
17. Kissling, *supra* note 9, at 456.
18. Robin West, *The Difference in Women's Hedonic Lives: A Phenomenological Critique of Feminist Legal Theory*, 3 Wis. Women's L.J. 81, 85 (1987). This is also something the street harasser does.
19. *Id.* (emphasis added).
20. See Kissling, *supra* note 9, at 457.
21. Kissling & Kramarae, *supra* note 3, at 90.
22. *Id.* It would be helpful to know the race, sexual orientation, and economic status of the women commentators.
23. Meredith Tax, *Woman and Her Mind: The Story of Everyday Life, in Radical Feminism* 23, 28 (Anne Koedt et al., eds., 1973). While this may be true, there is still a power differential among men based on race.
24. Kimberlé W. Crenshaw, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 Harv. L. Rev. 1331, 1378 (1988).
25. *Id.* at 1379.
26. Hazel V. Carby, *Reconstructing Womanhood: The Emergence of the Afro-American Woman Novelist* 23 (1987).
27. *Id.* at 20-39.
28. *Id.*
29. Hazel V. Carby, *Lecture in Class on Black Women Writers at Wesleyan University* (Sept. 9, 1987).
30. For example, although all women "had" to reproduce, white women were responsible for producing heirs and slave women were responsible for producing property for the heirs to inherit. Carby, *supra* note 29.
31. Carby, *supra* note 26, at 25.
32. bell hooks, *Ain't I a Woman? Black Women and Feminism* 49 (1981).
33. Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* 71 (1991). The other controlling images of African American womanhood are the "mammy," the "matriarch," and the "welfare mother." See *Id.* at 71-77.
34. bell hooks, *Feminist Theory: From Margin to Center* 99 (1984).
35. *Id.* at 98.
36. *Id.* at 88-89.
37. *Id.* at 101-102.
38. *Id.* at 68.
39. *Id.* at 68-69 (emphasis added).
40. hooks, *supra* note 32, at 70.