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PROSTITUTION: WHERE RACISM & SEXISM INTERSECT[†]

Vednita Nelson^{*}

Black women find themselves in a unique and extremely difficult position in our society. They are forced to deal with the oppression that arises from being Black in a white-supremacist culture and the oppression that arises from being female in a male-supremacist culture. In order to examine the experience of being Black and female, this paper attempts to describe that very difficult, tight space where Black women attempt to survive—that space where racism and sexism intersect.

Late in the spring of 1992, America was glued to the television watching East Los Angeles go up in flames in response to a courtroom verdict that acquitted four white police officers of the savage beating of an African-American man.¹ When the verdict was handed down, white America learned what Black Americans have always known: who counts, and who does not. From one end of the country to the other, whites and Blacks marched together to protest the brutality of the L.A. police force and the racism of the criminal justice system that protected and exonerated the officers. Of course, I too was outraged.

Yet, while liberal America paraded banners and sported T-shirts reading "Justice for Rodney," while Black radicals and academics alike proclaimed that the Black male was an endangered species in

[†] This paper is essentially the speech that Ms. Nelson presented at the *Michigan Journal of Gender & Law* Symposium entitled *Prostitution: From Academia to Activism*, held on October 31, 1992, at the University of Michigan Law School. Most of its speechlike characteristics have been preserved so as to maintain its authenticity.

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1. *People v. Powell*, No. BA035498 (Super. Ct. Los Angeles County, Cal. 1992).

America—done in by the police,² done in by drugs,³ or done in by himself⁴—eleven Black women were quietly being murdered in Detroit.⁵ Eleven Black women were strangled. Eleven Black women were sexually mutilated. The bodies of eleven Black women were dumped in abandoned buildings under piles of trash in a period of nine months.

I had to ask myself: Where was the outrage? Why wasn't the community up in arms? Clearly there was a pattern here. All of the women were poor. All of the women were Black. All of the women were used in prostitution. There was no reason to believe that the killer

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2. Anecdotal evidence of police harassment is plentiful. See, e.g., Jesse Jackson, *Fire and Loathing*, THE GUARDIAN, May 5, 1992, at 19. See generally *Racist Violence*, THE 1992 WOMEN'S WATCHCARE NETWORK LOG (Women's Project, Little Rock, Ark.), Mar.-Apr. 1993, at 12 (on file with the *Michigan Journal of Gender & Law*) (giving detailed descriptions of incidents of brutality by white police officers against African-Americans. For example, the newsletter documents that in Little Rock, Arkansas, during 1992, there were five incidents where a police officer shot a person. Each of these incidents involved a white male officer who had shot a Black man.).
 3. In 1989, 48% of those incarcerated as a result of drug charges were Black. CAROLINE W. HARLOW, U.S. DEP'T OF JUSTICE, DRUGS AND JAIL INMATES, 1989 1 (1989).
 4. "In the 15 to 25 age group, the mortality rate for black men is now 3.25 times that for black women, with the principal cause being gunned down by a member of their own race." ANDREW HACKER, TWO NATIONS 75 (1992). Suicide is the third leading cause of death for young Black men. Sharon Shahid, *We're Saying If We Don't Try Something New, We Are Doomed*, USA TODAY, Aug. 15, 1991, at A11 (citing The Commission on African-American Males). A report by the U.S. Department of Justice's Sentencing Project indicates that one-fourth of the nation's Black men between ages 20 and 29 are in prison, on parole, or on probation. Michael Isikoff & Tracy Thompson, *Getting Too Tough on Drugs: Draconian Sentences Hurt Small Offenders More than Kingpins*, WASH. POST, Nov. 4, 1990, at C1, C2.
 5. Between December 1991 and August 1992, 11 African-American women used in prostitution were found dead in the Detroit Metropolitan Area. Typically the women were offered drugs in exchange for sex. They were then sexually assaulted, strangled, and left in abandoned buildings. The serial murderer, Benjamin Thomas Atkins, confessed in August 1992. See Valarie Basheda, et al., *Did Serial Killer Slay 3 Women in Motel, 3 Others?*, DET. NEWS, Feb. 18, 1992, at 1A; Jim Schaefer, *Body Found in Highland Park*, DET. FREE PRESS, Apr. 16, 1992, at 1B; Janet Wilson & Jim Schaefer, *Police Seek Trail of a Serial Killer*, DET. FREE PRESS, May 5, 1992, at 1A; Jim Schaefer, *Death Has Similarities to 8 Others*, DET. FREE PRESS, June 16, 1992, at 3A; Joe Swickard & Jeffrey S. Ghannam, *Man Confesses He's Serial Killer*, DET. NEWS & FREE PRESS, Aug. 22, 1992, at 1A; Scott Bowles & Ann Sweeney, *Drifter Charged in Highland Park Killings*, DET. NEWS & FREE PRESS, Aug. 23, 1992, at 1A.

would not strike again. So, I had to ask myself, where was the outrage? One Black male is beaten up by four white police officers and every Black community activist in the country, including the Reverend Jesse Jackson, is crying out against racist violence and the culture of poverty that precipitated the L.A. riots.⁶ Eleven poor, Black women are murdered and mutilated, their bodies are thrown away like so much trash, and the only thing we hear, besides the deafening silence, is a local Baptist minister mourning that these women "were already among the walking dead."⁷ Where do racism and sexism meet? If you ask me, they meet in a trash pile, in an abandoned building, in Detroit.

Racism makes Black women and girls especially vulnerable to sexual exploitation and keeps them trapped in the sex industry. It does this by limiting educational and career opportunities for African-Americans in this country.⁸ It does this through a welfare system that has divided the poor Black family. If a mother works, or her children's father contributes to their support, her check and food stamps are cut by that amount.⁹ Thus, poor Black women are left alone to fend for themselves and their children on inadequate Aid to Families with Children¹⁰ grants.

Racist stereotypes in the mainstream media and in pornography portray Black women as wild animals who are ready for any kind of sex, any time, with anybody.¹¹ Additionally, strip joints and massage

6. See Jackson, *supra* note 2; Paul Feldman, *Jackson Issues Call for Calm*, L.A. TIMES, May 2, 1992, at B4.

7. Wilson & Schaefer, *supra* note 5, at 11A (quoting Rev. Jim Holley of Little Rock Baptist Church).

8. Congressional investigators with the General Accounting Office, in an uncompleted study, examined the four billion dollar Federal job training program in 16 states and found that for the 1989 program year Blacks and women were more likely than white men to be channeled into lower-paying jobs. *Flaws are Found in Jobs Program*, N.Y. TIMES, Aug. 20, 1991, at A21. Forty percent of all Black men in large urban areas do not graduate from high school. An equal percentage of all Black men are functionally illiterate. Shahid, *supra* note 4, at A11. In a Detroit school district, where nearly all of the students are Black, approximately two-thirds of the boys and one-third of the girls entering high school do not graduate. Isabel Wilkerson, *Detroit's Boys-Only Schools Facing Bias Lawsuit*, N.Y. TIMES, Aug. 14, 1991, at A1, A17.

9. See Aid to Families with Children, 42 U.S.C. § 602(7)(A) (1989).

10. Aid to Families with Children, 42 U.S.C. § 602(7)(A) (1989).

11. See generally magazines such as BIG BLACK BAZOOMS, BIG BLACK BITCH, BIG TIT BLACK MILK, BLACK AND KINKY, BLACK WHORE, BLACK FANTASY, and BITCHIN' BLACK ASS which regularly depict African-American women in this manner.

parlors are typically zoned in Black neighborhoods,¹² which gives the message to white men that it is alright to solicit Black women and girls for sex—that we are *all* prostitutes. On almost any night, you can see them slowly cruising around our neighborhoods, rolling down their windows, calling out to women and girls. And we got the message growing up, just like our daughters are getting it today, that this is how it is, this is who we are, this is what we are for.¹³

Many people have said that prostitution is tolerated in the Black community.¹⁴ They are wrong. We do not tolerate prostitution; it has been imposed upon us. It has been imposed upon us since the days of slavery, when the master came out to the field and chose whichever Black woman he wanted to have sex with.¹⁵ Light-skinned slaves, known as “fancy girls,” were sold at high prices in the marketplace and later “rented out” or sold to brothels.¹⁶

Today, middle-class white men from the suburbs drive through the ghettos of America to pick out whichever Black women or girls they want to have sex with, as if our cities were their own private

12. See ARLENE CARMEN & HOWARD MOODY, *WORKING WOMEN: THE SUBTERRANEAN WORLD OF STREET PROSTITUTION 184–85* (1985).

13. In an interview with WHISPER, R.R. stated:

Young girls get their role models from somebody. In my family and in my neighborhood and around me was that kind of lifestyle, the fast lifestyle and that's where I got mine . . . pimps taught me, society taught me, my neighborhood taught me how, men in general taught me that the way to get over is to use my good looks and my body.

Interview with R.R., *Prostitution: A Matter of Violence Against Women* (WHISPER Video, 1988) (on file with author).

14. For example, in their study, Carmen and Moody intimate tolerance of prostitution by the Black community:

Prostitution was no alien thing to black women, who have been sexually exploited since slavery. In every Southern city in the 1920s and '30s the red-light district was on the other side of the tracks in the black ghetto, and young white boys “discovered their manhood” with the help of the “two dollar whore.” Prostitutes . . . were integrating blacks and whites long before there was a civil rights movement.

CARMEN & MOODY, *supra* note 12, at 184–85.

15. “The overseer and white men took advantage of the women like they wanted to. The women had better not make a fuss about such. If she did, it was the shipping for her.” Deborah G. White, *Ain't I a Woman? Female Slaves in the Antebellum South 188* (1979) (unpublished Ph.D. dissertation, Univ. of Chicago (Chicago Circle)) (quoting Betty Powers, an ex-slave).

16. White, *supra* note 15, at 202–03.

plantations. No, prostitution is not tolerated in the Black community any more than African-American slaves tolerated it on the plantation; it is imposed upon us.

Once a Black woman gets into prostitution, it becomes harder for her to get out than for a white woman. Racism in the courts results in Black women paying higher fines and doing more jail time than white women.¹⁷ Racist probation officers and child protection workers can create nearly impossible case plans for Black women, setting them up to fail and resulting in their being returned to jail or losing custody of their children.¹⁸

The lack of culturally sensitive services designed by members of the Black community, for women in the Black community, keeps women trapped in prostitution. Black women who are seeking to escape abusive and exploitative situations are forced to go to white agencies for help. This creates a double bind. First, there is a strong taboo in the Black community about talking to outsiders, particularly whites, about problems within the Black community. Second, even if women overcome

17. "In 1988, the average fine for an African-American woman for engaging [in prostitution] was \$212.50 and the average number of days served is 43, while the average fine for whites is . . . \$150.00. The average number of days served for white women is 20 days . . . For gross misdemeanor engaging in the same year, the average fine for African-American women was \$125.00 while most served time with an average stay of 96 days. For white women the corresponding figures are \$200.00 and 18 days." Laura Lambert, WHISPER, Summary of St. Paul Prostitution Related Arrests 24 (1990) (unpublished study, on file with author). Also, an unpublished study conducted by WHISPER on prostitution arrests in Minneapolis (Hennepin County, Minn.) during the period of January 1 through June 30, 1991, revealed that African-American women comprised 52% of those arrested and convicted of prostitution, while African-Americans (men and women) only represent 13% of the population. WHISPER, Prostitution: The Criminal Justice Response in Minneapolis (1991) (unpublished study, on file with author). Nationally, while Blacks constitute between 12% and 13% of the overall population, they accounted for a disproportionate 38.9% of the 1990 arrests for prostitution. HACKER, *supra* note 4, at 180-81.

18. For example, T.C., 25, with two children, had a case plan which required her to attend outpatient chemical dependency treatment four times a week, attend WHISPER groups one evening a week, attend parenting classes two times a week, and meet with a counselor once a week. T.T., 22, with two children under the age of four, was ordered by the court to attend a full-day program (childcare provided onsite), attend WHISPER groups one evening per week, and attend Alcoholics Anonymous meetings once per week. Both of these women had to use public transportation and find their own childcare for most of these meetings. In addition, they had to meet with their probation officers, child protection workers, and representatives of the Welfare Department, as well as make numerous trips to court. WHISPER Confidential Client Files (1991) (on file with author).

that obstacle, white-dominated agencies are ill-equipped to understand and deal with the problems of poor Black women.

The problem can be as simple as a language barrier. Black women who use ghetto slang as a form of expression are viewed as "stupid" because many social workers have difficulty understanding them.¹⁹ On the other hand, the problem can be as complex as "appropriate parenting skills." To spank or not to spank has become a bone of contention between white, child-protection workers—and often white, battered-women's advocates—who view spanking as child abuse, and African-American mothers who believe it is an appropriate and necessary form of discipline.²⁰

A deeper problem is the failure to understand Black emotional pain, the pain that African-Americans experience due to their inability to acknowledge, take pride in, and be at peace with their own individual African-American identities. The root cause of Black emotional pain is white racism. Other causes are the subtle and overt ways that Blacks have internalized the values of the white culture: straight hair is "good" hair; thick, tightly curled hair is "bad" hair. Light skin is "good"; dark brown or black skin is "bad." Programming developed by and for white women is not necessarily useful to Black women, even when provided by a Black professional who has adopted the agency's approach to problem solving. For example, traditional "talk" therapy or groups that require disclosure on the part of the client have proven unsuccessful with African-Americans.²¹ Additionally, class differences between the

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19. K. Alan Wesson, *The Black Man's Burden: The White Clinician*, BLACK SCHOLAR, July-Aug. 1975, at 13 (discussing how easily a white clinician can misdiagnose a Black client because of language barriers).
 20. Historical documentation shows that corporal punishment among Blacks dates back to the slavery period. "Parents had to go through a process of 'breaking' their children, that is, beating out or driving out all the rebellious, aggressive, insubordinate, and hostile behaviors that might get the children (or the parents, or both) into serious trouble with the slave master." JOANNE M. MARTIN & ELMER P. MARTIN, *THE HELPING TRADITION IN THE BLACK FAMILY AND COMMUNITY* 24 (1985). Contemporary Black women recognize that spanking and similar behaviors are "carried out in the context of caring for the daughters (and other family members) and trying to instill the need to be prepared and to be able to cope within a society where choices for Black women are frequently between the dregs of the keg or the chaff from the wheat." GLORIA I. JOSEPH & JILL LEWIS, *COMMON DIFFERENCES: CONFLICTS IN BLACK AND WHITE FEMINIST PERSPECTIVES* 102 (1981).
 21. Nancy Boyd-Franklin, *BLACK FAMILIES IN THERAPY: A MULTISYSTEMS APPROACH* 5 (1989). Resistance to therapy can result from a reluctance to discuss family problems with outsiders, particularly whites, and from distrust of white institutions. Boyd-Franklin, *supra* at 19. In discussing this resistance, Black family therapist

middle-class Black professional and the poor client can often foster distrust.

An African-American underclass has developed in the United States which has at its core a culture shaped by the legacy of slavery and which is defined by drug and alcohol abuse and addiction.²² The Black underclass includes second- and third-generation welfare recipients, has gangs as a social institution, and has an underground economy built on drug traffic and prostitution. Today, the Black underclass includes increasing numbers of the rural poor, as well as those who were raised in large urban environments.²³

The Black underclass, along with some members of the poor of other races, makes up the culture of poverty. Its members share a common system of values and behaviors. They lack access to legitimate economic resources and adequate medical treatment, forcing them to resort to emergency room health care.²⁴ They are alienated from most social institutions except those that perpetuate the cycle of poverty and despair: welfare, corrections, and the underground economy.²⁵ Most Black women used in prostitution were born into the Black underclass. They lost their childhoods to the streets. Many came of age in juvenile detention centers and matured in adult correctional facilities. They raised some of their children in—and lost some of their children to the culture of poverty, and if we do not do something quickly, they will

Nancy Boyd-Franklin stresses the importance of a personal relationship with Black clients and of earning, not expecting their trust. Boyd-Franklin, *supra* at 164–65. She advocates a multisystems approach to therapy that incorporates problem-solving techniques and concrete solutions to concrete problems, as well as adaptations of traditional family therapeutic techniques. Boyd-Franklin, *supra* at 158–75.

22. PETER BELL ET AL., THE INSTITUTE ON BLACK CHEMICAL ABUSE, DEVELOPING CHEMICAL DEPENDENCY SERVICES FOR BLACK PEOPLE: A MANUAL 4–6 (1990).
23. See generally HACKER, *supra* note 4 (a comprehensive analysis of the disparities between white and Black America).
24. Unemployment among African-Americans stands at 14%, which is twice as high as among whites. One-third of all Blacks have an income below the poverty line (\$6,932 per year for one person), whereas only one-tenth of all whites live below the poverty line. *Black Women and Marriage*, CAPITOL BULL. NO. 573 (Minnesota Women's Consortium, St. Paul, Minn.), Dec. 30, 1992, at 1 (on file with the *Michigan Journal of Gender & Law*).
25. African-Americans constitute 50% of prison inmates nationally but are only 12% of the overall population. *Black Women and Marriage*, *supra* note 24, at 1. In Minnesota, although a mere 2.2% of the state population is Black, 19% of those arrested for "serious crimes" are Black. Richard Chin, *State's Blacks Worse Off Than Blacks Elsewhere*, ST. PAUL PIONEER PRESS, May 10, 1992, at 1A, 10A.

raise, and lose, their grandchildren too.²⁶

So what is the solution? That depends on what we see as the problem. If we see the problem as helping Black women get out of prostitution, then we will continue to design "helping" programs for individual women. That is not a bad thing to do, except that the culture keeps creating more prostitutes, who need more programs to get more help. The feminist movement, as I understand it, is supposed to be a liberation movement. Instead, what we have today is a "M.A.S.H. unit," which, while it is somewhat helpful to some white women who have been victims of the ongoing war on women, is woefully inadequate to heal the deep wounds of misogyny that are infected with racism.

From my perspective, the problem is rooted in that very difficult, tight space where Black women attempt to survive, that space where racism and sexism intersect. The liberation of Black women then requires two courses of action. First, the predominantly male leaders in the Black community must commit to ending violence against women with the same vigor that they apply to ending racism. They must begin to realize that we, African-American women, are just as vital to their survival as they are to the survival of the African-American community.

Second, white women must make a concerted effort to end racism, beginning with an examination of their own racism, and from there to work within their own communities. Feminist organizations must be willing to take active stands against racial injustice in society. Few, if any, feminist organizations condemned the treatment of Rodney King and the subsequent exoneration of the officers who assaulted him. How can mainstream feminists claim to care about African-American women and racism, yet not take action when our sons, partners, and fathers are subjected to daily harassment and abuse by the police? How can mainstream feminists claim to care about Black women and racism when they fail to speak out against the white men who pay for the right to sexually abuse our daughters and sisters, or against the police who target

26. Sociologist Herman J. Blake figures that "at the 1950-60 rates of change, it would take 60 years in education, 93 years in occupation, 219 years in income of persons, and 805 years in family income" for Blacks to achieve parity with whites. MARTIN & MARTIN, *supra* note 20, at 88. Additionally, Martin and Martin note that gains made by Blacks in these areas during the 1950s and 1960s were made more quickly than is possible today. MARTIN & MARTIN, *supra* note 20, at 88.

these same women for arrest and imprisonment, while their abusers, the johns that prey on our community, go free? It is time for white feminists to stand beside us, to fight racist and sexist oppression, and to take the same risks we do. The mainstream feminist community must actively fight to end both systems. If not, the cry "sisterhood is powerful" will remain an empty slogan for Black women. ❀

