

Brief Reflections Toward a Multiplicative Theory and Praxis of Being

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we're anything brighter than even the sun
(we're everything greater/than books/might mean)
we're everyanything more than believe
(with a spin/leap/
alive we're alive)
we're wonderful one times one¹

I. SINCE FEELING IS FIRST²

In an earlier stage of being, I used to be a poet. But studying the law killed my muse. At this point, it doesn't really matter because another poet, e.e. cummings, has said it better anyway—one times one equals one. The purpose of this reflection is to put forth the proposition that the experiences of black³ women,⁴ whether in legal academia or elsewhere,

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¹ e.e. cummings, *1 x 1 [One Times One]*, poem LIV, in cummings, *Complete Poems 1913-1962* at 594 (Harcourt Brace, 1972).

² cummings, *is 5* [originally published 1926], Part Four, poem VII, in *Complete Poems* at 290 (cited in note 1): "since feeling is first/ who pays any attention to the syntax of things/ will never wholly kiss you;"

³ I describe myself as black, rather than Afro-American or African-American because, as an international lawyer, I have found that black is a more inclusive term that characterizes other people of color. For example, the Society of Black Lawyers of England and Wales includes lawyers from Africa, the Caribbean, India, Pakistan, Guyana, etc.

⁴ This is probably true of other non-black women of color as well, but I leave it to them to tell their own stories. See Mari Matsuda, *When the First Quail Calls: Multiple Consciousness as Jurisprudential Method*, 11 *Women's Rts L Rptr* 7 (1989), Carol Lee Sanchez, *Sex, Class and Race Intersections/ Visions of Women of Color*, in Beth Brant, *Gathering of Spirit: Writing and Art by North American Indian Women* 163 (Sinister Wisdom Books, 1984). One of my students, a very articulate, outgoing Asian-American woman told me of being mistaken for a receptionist for a secretarial applicant at an all-white male law firm where she was interviewing for an associate attorney position. This happened despite the fact that she wore an expensive suit and had a scheduled appointment. On another occasion, she mentioned being

might reflect the basic mathematical equation that one times one truly does equal one.⁵ This reflection will then briefly propose how we might utilize this theoretical knowledge to construct a concrete legal program benefiting black women.

Several prominent female legal academics of color such as Mari Matsuda,⁶ Kim Crenshaw,⁷ Judy Scales-Trent,⁸ and Angela Harris,⁹ speak of multiple levels of consciousness¹⁰ to characterize our existence—shifting back and forth between our consciousness as persons of color and “the white consciousness required for survival in elite educational institutions.”¹¹ People who understand this multiple consciousness “reject artificial bifurcation of thought and feeling.”¹² This consciousness is a process that I will call iterative synergy, where “propositions are constantly put forth, challenged, and subverted.”¹³ The constant shifting between levels of consciousness “produces sometimes madness, sometimes genius, sometimes both.”¹⁴ This multiple consciousness can include “a sense of self-contradiction,” or even “containing the oppressor within oneself.”¹⁵ It can produce a feeling of ambiguity and frustration as well. In my own case, these levels of consciousness combine to make me a young black, female, wife, mother, international lawyer, professor, and activist.

On a daily basis, I feel subjected to subtle or overt discrimination on one or more of these levels.¹⁶ An example is illustrative. Recently I passed through the San Francisco Airport on my return home to Iowa after a hectic six-day trip. I had attended a Critical Race Theory Conference in Madison, Wisconsin, and recruited pre-law students in Los Ange-

mistaken for a maid by white female associates at the home of another minority summer associate.

This reflection also does not deal with the experience of lesbians of color, as they may differ from heterosexual women of color. See Angela Gilmore, *It is Better to Speak*, in this issue, which may represent the first piece in a law review by an “out” black lesbian.

⁵ See text accompanying notes 69-71 for an explication of this concept.

⁶ Matsuda, 11 *Women's Rts L Rptr* 7 (cited in note 4).

⁷ Kimberle Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 *U Chi Legal F* 139 (Crenshaw uses the term “intersectionality”).

⁸ Judy Scales-Trent, *Black Women and the Constitution: Finding Our Place, Asserting Our Rights*, 24 *Harv CR-CL L Rev* 9, 13-16 (1989).

⁹ Angela Harris, *Race and Essentialism in Feminist Legal Theory*, 42 *Stan L Rev* 581, 584 (1990).

¹⁰ Matsuda, 11 *Women's Rts L Rptr* at 7-10 (cited in note 4).

¹¹ *Id.* at 8.

¹² *Id.*

¹³ Harris, 42 *Stan L Rev* at 584 (cited in note 9).

¹⁴ Matsuda, 11 *Women's Rts L Rptr* at 8 (cited in note 4).

¹⁵ Harris, 42 *Stan L Rev* at 608 (cited in note 9). See Patricia Williams in *On Being the Object of Property*, 14 *Signs* 5 (1988), on coming to terms with the fact that her white slavemaster ancestor, Austin Miller, who raped her 11-year-old great-great-grandmother, Sophie, was a lawyer. When Williams went to law school, her mother told her, “The Millers were lawyers, so you have it in your blood.” *Id.* at 6.

¹⁶ Occasionally, I have found that I receive privileges on one or more of these levels as well. Yet these instances are far more infrequent than the discriminatory examples.

les, San Bernadino, and Berkeley. I had also managed to see relatives and fellow Stanford alums. At the airport, I approached the TWA ticket counter dressed in a leather coat with a matching leather skirt. Slung over one shoulder was my cabin luggage which had a business card ID tag. In one hand I held my ticket. In the other hand, reflecting the multiplicity of my existence, I held five publications I planned to read on the plane: the American Journal of International Law; Essence;¹⁷ Parents; Muscle & Fitness; and the National Conference of Black Lawyers International Section Newsletter.

I handed my return ticket to the reservation agent, a white woman in her forties, and waited to be upgraded to first class as a frequent flier Gold Privilege customer. After holding my ticket for what seemed like ages to me, she said, "May I see some picture ID, please." Now in the hundreds of thousands of miles I have traveled by air, I have never had an agent ask me for an ID on the return portion of a domestic flight for a ticket that was already in my possession. Suddenly, all kinds of thoughts ran through my head. Do I look like a scam artist or some kind of thief standing here at the TWA first class counter of San Francisco Airport? I thought of Professor Patricia Williams being refused entry to a clothing store in New York.¹⁸ Her comments struck a chord within me: "[N]o matter what degree of professional or professor I became, people would greet and dismiss my black femaleness as unreliable, untrustworthy, hostile, angry, powerless, irrational and probably destitute."¹⁹ I thought of Professor Taunya Banks and her equally well-dressed colleagues on a Philadelphia condo elevator (at each floor, a different white woman would look in, yet would refuse to get on).²⁰ I laid my Iowa picture ID driver license, along with my faculty ID card, TWA Gold Privilege card and gold American Express card on the ticket counter. After looking at the gold and silver plastic in front of her for a while, the agent finally returned my ticket and boarding pass.

Resentful but resigned, I queried, "Why did you ask for my picture ID? I've never had that happen before." Her words said it all: "Well, you just didn't look like you could be Professor A. Wing."

On the plane, I replayed the scene in my head. I realized that this experience could be interpreted in several different ways, a fact that demonstrates the ambiguity and frustration of existing on multiple levels of consciousness. What if I hadn't been black? Well, I was still a woman.

¹⁷ Essence is the only black woman's monthly magazine. Contrast this with the large quantity of white women's magazines aimed at particular subgroups, such as Lears, Glamour, Vogue, Cosmopolitan, Ms., Working Woman, Redbook, etc.

¹⁸ Patricia Williams, *Spirit-Murdering the Messenger: The Discourse of Fingerpointing as the Law's Response to Racism*, 42 U Miami L Rev 127, 127-29 (1987).

¹⁹ Patricia Williams, *Alchemical Notes: Reconstructing Ideals from Deconstructed Rights*, 22 Harv CR-CL L Rev 401, 407 (1987) (footnote omitted).

²⁰ See Taunya Banks, *Two Life Stories*, published in this issue.

What if I hadn't been young? Well, I was still black.²¹ Somehow I thought that one of my young white male colleagues wouldn't have been challenged in the same way, even if he were in blue jeans. He wouldn't be questioned about his very identity in such a perfunctory but profound manner. Yet I face this treatment in some form nearly every day.

Even if a white male colleague were questioned at the ticket counter, it wouldn't necessarily prove that no discrimination was directed at me. People can be questioned for very different reasons. Though the outward manifestation of behavior may be identical, the inward motivation can vary enormously. Nine years ago, I was a first-year associate in a major New York international law firm, where all the partners were white males. One day a partner burst into my office yelling at me for something I'd done or hadn't done in a legal memo. As soon as he left my office, I thought that this partner was a racist, sexist pig. Then I heard him go into the next office and yell at another associate, this time a white male. "Well there goes my theory," I thought. "He yells at everyone."

It wasn't until much later that I realized that one could yell at one's "son" differently than one yells at an "employee." The "son" may become the heir one day—by earning one of the coveted partnerships. He is generally viewed as a clever fellow who just needs a little yelling at now and then to keep him on his toes.

The black female lawyer, on the other hand, may be regarded, consciously or subconsciously, as serving a "window dressing" purpose.²² She's incompetent—doesn't quite fit in—doesn't quite have it—until proven otherwise. This attitude persisted at the firm where I worked, even though the minority students were usually hired from one of the top five law schools, whereas whites were hired from the top twenty law schools.

One concrete manifestation of the difference in attitude toward and actual treatment of black females arises in the area of sports. I cannot

²¹ Several readers of drafts of this article raised other possible interpretations as well. The name Wing can be Chinese, so maybe the agent expected a Chinese person. There have been several occasions where people told me they thought Professor Wing would be a Chinese man. Even if I do not mention my last name, and just tell people I am a professor, they are still incredulous. As a result of the legacy of slavery and other factors, blacks may be challenged based upon their name, e.g., Dean Dan Bernstine and Professor William Gould are black, not Jewish. Malcolm X dealt with this phenomenon by dropping his slave master's name, "Little," and replacing it with "X." See *Autobiography of Malcolm X* 201 (Grove Press, 1965). This name confusion is also magnified by the fact that many women change their names upon marriage. Thus, I've had some people ask if I've married a Chinese man.

Another possible alternative for the agent's treatment, raised by a colleague, was that maybe she thought professors do not wear leather coats. This colleague also mentioned that he had been asked for ID when upgrading his ticket. Showing the frequent flyer card (and no picture) had been sufficient for me in the past.

²² See *LA Law*, NBC television broadcast, November 1990 episode in which white partner, Michael Kuzak, tells a black Harvard-trained associate, Jonathan Rollins, that he wants him to represent a white police officer accused of killing a black kid—in front of an angry black courtroom crowd—because of "window dressing." On another occasion Kuzak adds that he also wants Jonathan to act as the officer's attorney because he is a good lawyer.

count the number of times I overheard comments like, "Care to join me at the club tomorrow, Bill, for a game of squash?" The response would be "Sure, Bob!" Needless to say, the presence of a black female at the all-male, all-white club for a game of squash was beyond the imagination.²³ I attempted to counter this inequity by paying the exorbitant dues of the New York City Princeton Club, so I could at least fool myself into thinking I belonged, and invite others to "my club." Yet the white male club members always looked past me, as if I were invisible.²⁴ My white male peers would often come back from their squash games or networking lunches and tell me about the great new case they were assigned.

On the few occasions that I was invited to a club, it was often to sit in the florally decorated "ladies' room." One well-known institution, the Union League Club, had all black waiters wearing white gloves and uniforms with Civil War insignia. Trying my best to accommodate my multiple levels of consciousness, I felt torn as to whether I should acknowledge these waiters by looking them straight in the eye as fellow blacks, or just ignore the servants as the white attorneys did. I chose to acknowledge the humanity of the black waiters, just as I did the shoeshine men, secretaries and mailroom and copying staff at work. This attention resulted in the additional benefit of obtaining interesting tidbits of information, since the white lawyers usually ignored the staff's presence and felt free to say confidential things in front of them. However, this informal grapevine did not make up for the information and special assignments that my white peers received directly from partners.

Despite the perpetuation of the "good ole boy" mentality, law firms continue to delude themselves about their liberality by having a succession of black associates, one or two at a time, each staying only a few years.²⁵ This pattern has not changed in the past ten years, despite the growth in the number of black students in law school.²⁶

To some people, such incidents of micro-discrimination may appear trivial and not worthy of discussion, especially in a law journal. After all, I should be thankful that I haven't been raped, beaten, or lynched as were countless numbers of my people. Yet the cumulative impact of hundreds or even thousands of such incidents has been devastating to my spirit.

²³ I do remember that black males were asked to participate on the firm teams, especially in the basketball league.

²⁴ The phenomenon of invisibility is frequently discussed in literature written by blacks; the classic work is Ralph Ellison's *Invisible Man* (New American Library, 1952).

²⁵ It is well known that there are only twenty or so black partners in major New York firms, even though significant numbers of blacks have attended prestigious law schools for the last twenty years. Rita Henley Jensen, *Minorities Didn't Share in Firm Growth*, 12 Nat'l LJ 1 (Feb 19, 1990).

²⁶ 1990 Law School Admission Services, Inc., *Minority Participation in Legal Education and the Profession: A Compendium of Data*. Table VI-2 at 70 (Total number of law degrees (JD/LLB) awarded from ABA-approved law schools to black Americans showed increase of 9.2% from 1980-81 to 1987-88.)

II. SPIRIT INJURY

I have finally come to the realization that black women are lifelong victims of what Pat Williams has so aptly called "spirit-murder."²⁷ Williams only addresses the racial aspect, noting that racism is "a crime, an offense . . . deeply painful and assaultive . . ."²⁸ I would go further and add sexism to her characterization by saying that the combined impact of racism/sexism "is as devastating, as costly, and as psychically obliterating as robbery or assault; indeed they are often the same."²⁹ Racism/sexism

resembles other offenses against humanity whose structures are so deeply embedded in culture as to prove extremely resistant to being recognized as forms of oppression. It can be as difficult to prove as child abuse or rape, where the victim is forced to convince others that he or she was not at fault, or that the perpetrator was not just "playing around." As in rape cases, victims of racism must prove that they did not distort the circumstances, misunderstand the intent, or even enjoy it.³⁰

To me, spirit-murder consists of hundreds, 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. This spirit-murder affects all blacks and all black women, whether we are in the depths of poverty or in the heights of academe. The following examples are only a few of the numerous experiences that have occurred in my life.

The first conscious spirit injury I remember came at about the tender age of five, when I was part of a group of kindergarten girls (all the rest white) going to the amusement park in Indianapolis, Indiana. After patiently waiting in line with great anticipation, we were suddenly barred at the gates. The reason given was simple: "No Negroes allowed in the park." All the children started crying. One of the little girls pointed at me and said it was all my fault. At that moment in my young life, I had no idea what a Negro was, but I knew that it must be something truly awful to justify denying us access to the rides so tantalizingly close beyond the gates.³¹

My spirit injury continued when my entire family would dress up to go out to eat dinner and be kept waiting for a table at an all-white restaurant. My father mentioned that "Negro" word again.

The injury to my spirit was almost fatal when I was just nine and

²⁷ Williams, 42 U Miami L Rev at 129 (cited in note 18).

²⁸ Id.

²⁹ Id.

³⁰ Id at 129-30.

³¹ I do not remember anyone, including my parents, mentioning the word "Negro" to me prior to this incident. Even after learning its meaning I did not understand why my high yellow skin, which was actually lighter than that of many white people, should place me in the category of "Negro."

my beloved father—a brilliant, articulate medical doctor, the first black on the research staff of a major drug company, honor graduate of NYU medical school,³² Phi Beta Kappa graduate of UCLA and the Bronx High School of Science, survivor of the Harlem streets, one of ten children—committed suicide. My interpretation of the death of this “model Negro” was that he had finally gotten sick and tired of being treated as a second-class citizen. After he was terminated from his job, his spirit withered and died. He fell into a profound depression and finally took his physical life.³³

Time passed; outwardly I flourished—honor roll, athlete, class president—in my predominantly white, all-girls prep school. Yet, inside, the ongoing injury to my spirit was apparently so profound that I wrote the following poem as a ninth grader in 1970.³⁴

Nihilicity

Enveloping the mind
Intertwining fingers of thought
Reach past the dull abyss of nothingness
Trying to discover communication

Yearning for reality,
precious globules of thought
leap across the eerie chasm of nil
Trying to discover emotion

Hard bright mirrors of crystal
Reflecting only bubbles in the distance
Sharp jagged thorns of glass
Search for bubbles to burst

Iridescent bubbles
Crossing nil, crossing nothingness
Discover the crystal glass mirrors
Simply to burst on the pointed thorns

Nothingness, Nil, Nihilicity!

In retrospect, even I am astounded at the deep sadness that existed in my young life behind my “good Negro girl” facade.

The continual injury to my spirit is well-documented throughout my unpublished volume of poetry “*Womanchild: Emergence 1970-1978*.”³⁵

³² This was in the days when almost all black doctors were educated in one of the two black medical schools—Howard and Meharry.

³³ Other articulate black professionals who appeared to have “made it” have also committed suicide. The recent death of law professor Denise Carty-Bennia reminded me of my father’s own untimely passing. I also think of ntozake shange’s play *For colored girls who have considered suicide when the rainbow is enuf?* (Shameless Hussy Press, 1975).

³⁴ The poem was subsequently published in a long-lost edition of the now-forgotten school literary magazine *Calliope*, Beard School of Orange, New Jersey.

³⁵ An unpublished volume, in the author’s possession.

These first humble attempts at poetry, inspired often by e.e. cummings, speak of racism, anger, and love, all wrapped into one.

By the end of high school, the nihilist had changed:

i
 blk/17 year old/wom(b)an
 can feel the pain (The slavers lash, the lynching tree)
 love of my proud-humble (yes-suh)
 ancestors (Ghana, Mali, Songhay)

i
 am the sum total of their being-essence
 my heart wants to burst in pride
 SUNGOD—my black men of darker hues
 hold my sunshine in (they tried to separate us)
 they (the whites) would be dazzled by it
 wait until we are behind secret doors—
 safe from their gaze
 then I will disrobe myself in your brilliance
 black man—my man

i
 am your young gifted and very beautiful
 black woman.
 My hidden power has supported you
 (i above u u above me)
 stand beside me now
 we are one
 and they shall fear the beauty of us now.

The good Negro girl had become the militant Afro-American, wearing as much of an afro as my long wavy hair would permit. I often ended up in discussions with darker-skinned blacks with “real afros” who would claim that no “high yellow girl”³⁶ with “good hair” going to some fancy white private school wearing a uniform was really black.

Recently, at the age of 34, I have discovered that my spirit injury reaches back down to the roots of my family's existence in America. In October 1990, I attended the National Conference of Black Lawyers Convention in New Orleans. It was my first trip to the City of Jazz, and I viewed it with some excitement because some of my ancestors hail from there. New Orleans is also the home of the historic landmark known as the Beaugard Mansion, named for the famous Confederate general who fired on Ft. Sumter, Pierre Gustave Toutant Beaugard.³⁷ My relatives had said I must see this famous tourist attraction.

I took the one hour tour of the carefully preserved “city cottage”

³⁶ See Toni Morrison, *The Bluest Eye* (Washington Square Press, 1972) for discussion of the elite role of “high yellow folks” in black society, since they come the closest black people can come to white beauty standards.

³⁷ See T. Harry Williams, *P.G.T. Beaugard: Napoleon in Gray* (Louisiana State U Press, 1955).

conducted by a woman in antebellum dress. She showed us what she had characterized as the “lovely” pictures of the general’s “lovely” wife and his “lovely” daughters and the bedrooms where they all lived. As we walked out onto the back balcony, we gazed upon an open courtyard fenced in by some buildings that looked like a stable or storage space. As the only one of the small group asking questions, I said, “What are those small buildings?” The guide responded in her “lovely” southern drawl, “Why, those were the slave quarters of course. But we’ve renovated them and rented out the upstairs, so we won’t be seeing inside them.” I was riveted to the floor, by the offhand manner in which she casually dismissed the bondage and confinement of human beings in such a small space, not historically worthy of the careful restoration and preservation of the main house. “And how many slaves lived there?” I queried, dreading the answer. “Well, we’re not exactly sure, but the only census ever done indicates twenty-nine.” I was dumbfounded. Twenty-nine black people cramped together to serve the needs of four white people living in a 2000 square foot “city cottage.” “Of course, there were lots more living in the countryside plantation,” the tour guide added.

At the end of the tour I purchased Beauregard’s biography and paid \$1.00 extra for a sheet detailing his family tree. The tour guide said, “You certainly asked a lot of questions, young lady. Do you have a particular interest in our general?” I responded, “Not exactly. It’s the general who has an interest in me—a property interest. General Beauregard was my great-great-grandfather.”³⁸ The intake of breath was audible. “Those pictures of his children on the wall, those were only his white children. The general had black children as well, including my maternal great-grandmother Susan,” I said, repeating a fact that had been passed down in my family for generations.³⁹ Our gracious guide didn’t even blink: “Well we’d heard rumors that the general was like the other Southern gentlemen of his time. But we’re not allowed to discuss it. Now let me show you all our Southern cookbooks.” So much for that! Two of the other members of the tour, teachers from Illinois, later came up to me and gushed, “Your piece of information has just made our day, young lady. Wait till we get home and tell our friends!” Being the object of a tourist’s fascination—just like a piece of period furniture—was not pleasant. I almost thought they were going to ask to take my picture next to the general’s.

For the rest of the day an image continued to haunt me. It was of the long-dead general sneaking out of the main house, across the court-

³⁸ See Patricia Williams, 14 *Signs* 5 (1988) (cited in note 15), for description of coming to terms with a white slavemaster ancestor, who was a lawyer.

³⁹ In writing this reflection, I consulted with several of my aunts and uncles, and have recently discovered that the general sent my great-grandmother to a convent school, and she hung an oil portrait of him in the house where my grandmother grew up.

yard, to the slave quarters. Did he rape my great-great-grandmother Sally Hardin there?⁴⁰ Maybe it occurred on the plantation. Was it a single occurrence or did they have a longstanding relationship like Thomas Jefferson had with Sally Hemmings?⁴¹ Despite my extensive academic knowledge of slavery, actually seeing the *place* where my slave ancestors may have been raped, conceived, or born, the place where they may have loved, worked, or even died had a profound effect on me. I think it is fairly safe to say that few black Americans have actually stood in the house where their slave master ancestor may have lived with their slave ancestor. My spirit injury worsened as the realization of this fully hit me. Needless to say, a quick glance at the official Beaugard family tree dating back to France did *not* include the black branch. I haven't been able to read the biography yet. The pain of finding out other details about this relative is just too much right now.

Another incident of spirit injury occurred last semester at school. It affected not only me, but my entire class of "Race, Racism and American Law." Upon notification that Justice Scalia was to visit the law school, all the faculty were invited to request that he speak in their classes. I thought it would be an incredible educational experience for my class to discuss the 1989 employment discrimination decisions with a member of the Supreme Court's majority in *Wards Cove*,⁴² *Patterson*,⁴³ and others. I also thought that it would be an unforgettable educational experience for Justice Scalia to interact with a diverse class of fifty students—half of whom were people of color and half of whom were women, taught by a black female—and have him hear student reactions to the majority decisions. The Justice was faxed his proposed schedule, which included a visit to my class. A few days later, the Dean himself came to inform me that Justice Scalia would not visit my class since he only wanted to visit classes he had taught—Constitutional Law and Administrative Law. To add insult to injury, Justice Scalia subsequently told me the same thing in person. Imagine my astonishment, and that of the class as well, to learn that our course on race and racism was not part of constitutional law!⁴⁴ What was it then?

A member of the 1990 US Supreme Court, a man with potentially more than twenty years left to serve, a man who wielded tremendous power on the subject, would not come to my class. I felt he truly did not

⁴⁰ During slavery, the rape of a black woman by any man, white or black, was simply not a crime. Jennifer Wriggins, *Rape, Racism and the Law*, 6 Harv Women's L J 108, 118 (1983).

⁴¹ See Virginius Dabney's *The Jefferson Scandals: A Rebuttal* (1981) for a discussion of Jefferson's relationship with/rape of Sally Hemmings and other women.

⁴² *Wards Cove Packing Co., Inc. v Antonio*, 490 US 642 (1989).

⁴³ *Patterson v McClean Credit Union*, 491 US 164 (1989).

⁴⁴ Of course an alternative interpretation of his action could be that he merely preferred to visit classes with which he was thoroughly familiar. "Race, Racism" would cover selected aspects of constitutional law material from an unfamiliar perspective. However, it is the impact on me and the class I am addressing here.

consider race relations as within constitutional law! It was an unintended but nevertheless insightful illustration of the principle brought out early in Professor Bell's book that the founding fathers did not intend the Constitution to apply to people of color.⁴⁵ Here, 200 years later, Scalia was strictly construing that notion. Truly this meets Williams' definition of spirit murder as "disregard for others whose lives qualitatively depend on our regard."⁴⁶

Over the course of the next few days I went through all the stages of death as Justice Scalia's cavalier dismissal of my course, of my students, and of my people, sank into my spirit: shock, numbness, denial, anger, pain, depression, and inevitably, acceptance.⁴⁷

III. THE MULTIPLIER EFFECT

Constant overt and covert discrimination, both individual and institutional, augments the lifelong spirit injury of black women. I call this the multiplier effect. I have come to the realization that it is impossible in some hypothetical way, merely to remove a layer of myself in a *subtractive* fashion. I cannot view the world differently—standing as if I were a whole white male. Black lesbian feminist Audre Lorde has said, "I find I am constantly being encouraged to pluck out some one aspect of myself and present this as the meaningful whole, eclipsing or denying the other parts of self."⁴⁸ I am also not the "essential" (white) woman discussed by many white feminists.⁴⁹ I am not a white woman "leached of all color and irrelevant social circumstance—a process which leaves black women's selves fragmented beyond recognition."⁵⁰ My experience cannot be reduced to an addition problem: "racism + sexism = straight black woman's experience."⁵¹ I am not a "white woman plus."⁵² I am an *indivisible* black female with a *multiple* consciousness.

Long before the term Critical Race Theory was coined, long before I

⁴⁵ Derrick Bell, 2d ed, *Race, Racism and American Law* at 20-24 (Little, Brown, 1980) (discussion concerning slavery and the founding fathers).

⁴⁶ Williams, 32 U Miami L Rev at 151 (cited in note 18).

⁴⁷ I must say that the students did not let the incident slide by without any notice. The Black Law Student Association chapter handed Scalia a letter stating why they would not meet with him—one of the many reasons was his refusal to come to my class.

⁴⁸ Audre Lorde, *Age, Race, Class, and Sex: Women Redefining Difference*, in Lorde, *Sister Outsider* 114, 120 (Crossing Press, 1984).

⁴⁹ See critique of this gender essentialism in Harris, 42 Stan L Rev 581 (cited in note 9), and Elizabeth Spelman, *Inessential Woman: Problems of Exclusion in Feminist Thought* (Beacon Press, 1988).

⁵⁰ Harris, 42 Stan L Rev at 592 (cited in note 9). This problem in feminist literature can be summed up by Gloria T. Hull's book title *All the woman are white, all the blacks are men, but some of us are brave*. Gloria T. Hull, et al, eds (Feminist Press, 1982).

⁵¹ Harris, 42 Stan L Rev at 588 (cited in note 9) citing Deborah K. King, *Multiple Jeopardy, Multiple Consciousness: The Context of a Black Feminist Ideology*, 14 Signs 42, 51 (1988). See also Spelman, *Inessential Woman* 114-32 (cited in note 49) (chapter on "Gender & Race: The Ampersand Problem in Feminist Thought").

⁵² Harris, 42 Stan L Rev at 598 (cited in note 9).

thought the word feminist applied to me, I had developed an intuitive sense of my *indivisible* strength as a black woman. As a Princeton college freshman in 1974, I composed the following:

And they dare call *this* America
 (land of the racist's pride)
 Look what they have done to my people
 beaten lynched brainwashed abused
 ruthlessly exterminated
 subtly oh so subtly
 pushed twisted aside
 stomped on
 ground into the dirt
 time and time again
 Well now is the *time* for us
 For God is a **black wo man**
 God is a black woman!
 Are you shocked! Insulted! Nervously amused!
 Well beware!
 for this is only the beginning
 We have learned well the lessons you taught us:
 And *we* (ever growing in strength and beauty)
 all of us—oppressed, black, poor women
 all over the world are almost ready to
 topple your towers made by our sweat & blood
 I say we are almost ready—but not quite
 Who knows?—it might be tomorrow
 And *you*, will have nowhere to hide!

In this society, the law does not know how to characterize my experience as a black woman. As Kim Crenshaw's brilliant article has described,⁵³ Title VII⁵⁴ cases have inconsistently ruled that black women are not a special class in and of themselves,⁵⁵ yet they may not be able to represent all blacks⁵⁶ or all women.⁵⁷

For example, in *DeGraffenreid v General Motors*⁵⁸ a Maryland district court granted partial summary judgment in favor of the defendant in a suit brought by five black women challenging the seniority system. The court stated that they were entitled to bring a suit for "race discrimination, sex discrimination, or alternatively either, but not a combination of both."⁵⁹ The court found that there was no case stating that "black

⁵³ Crenshaw, 1989 U Chi Legal F 139 (cited in note 7). The discussion in the remainder of this section parallels Crenshaw's argument.

⁵⁴ Civil Rights Act of 1964, 42 USC § 2000e, et seq, as amended (1982).

⁵⁵ *DeGraffenreid v General Motors*, 413 F Supp 142 (ED Md 1976).

⁵⁶ *Payne v Travenol*, 416 F Supp 248 (ND Miss 1976).

⁵⁷ *Moore v Hughes Helicopter*, 708 F2d 475 (9th Cir 1983).

⁵⁸ 413 F Supp 142 (ED Md 1976).

⁵⁹ *Id.*

women are a special class”⁶⁰ to be protected in and of themselves. To that court, “the prospect of the creation of new classes of protected minorities, governed only by the mathematical principles of permutation and combination clearly raises the prospect of opening the hackneyed Pandora’s box.”⁶¹ Crenshaw points out that the reverse discrimination claims brought by white males do not seem to present similar problems to a court, yet white males are in no better position than the *DeGraffenreid* plaintiffs: “White males cannot prove race discrimination [where] white women are not discriminated against, and they cannot prove sex discrimination [where] Black males are not discriminated against.”⁶² Crenshaw posits that black women “are perceived as a compound class because they are two steps removed from a white male norm.”⁶³

If black females do not constitute a class in and of themselves, then surely they should be allowed to represent classes containing all females or all blacks. Yet in another case, the court would not let a black female represent white females. In *Moore v Hughes Helicopter*,⁶⁴ the Ninth Circuit affirmed the district court’s refusal to certify Moore, a black woman, as the class representative in the sex discrimination complaint on behalf of all women at Hughes. “Moore had never claimed before the EEOC that she was discriminated against as a female, but only as a Black female [T]his raised serious doubts as to Moore’s ability to adequately represent white female employees.”⁶⁵ If black females cannot represent themselves or all women, then surely they should be able to represent all blacks. Yet in *Payne v Travenol*,⁶⁶ black women could not represent all blacks. The Mississippi district court refused to let the black female plaintiffs represent black men in a suit alleging race discrimination at a pharmaceutical plant.

Each of these courts had trouble dealing with the intersectionality of race and gender, albeit for different reasons. The “apparent contradiction is but another manifestation of the conceptual limitations of the single issue analysis that intersectionality challenges.”⁶⁷ Thus, as a lawyer, I must advise my black female client that she must choose to present her case as *either* sex discrimination or race discrimination. Yet, I know and she knows that she is subjected to both racial and sexual discrimination constantly and simultaneously. Also, as a lawyer for a class action, I may be unable to use black women as the class representatives since the court may hold that they are not able to represent themselves or all

⁶⁰ *Id.*

⁶¹ *Id.* at 145.

⁶² Crenshaw, 1989 U Chi Legal F at 142 (cited in note 7).

⁶³ *Id.* at 143 n12 (cited in note 7).

⁶⁴ 708 F2d 475 (9th Cir 1983).

⁶⁵ *Id.* at 480.

⁶⁶ 416 F Supp 248 (ND Miss 1976).

⁶⁷ Crenshaw, 1989 U Chi Legal F at 149 (cited in note 7).

women or all blacks. This inability of the law to categorize black women adequately⁶⁸ results in a lack of legal redress for our social injuries, in itself a systemic form of spirit injury.

In a very good attempt to begin to grapple with this problem outside of the Title VII context, Judy Scales-Trent suggests that a strict scrutiny *plus* standard be applied to black women in equal protection cases.⁶⁹ She posits the following:

If the race stigma alone is sufficient to trigger strict scrutiny review, the race stigma plus an additional stigma (sex) should entitle the group to an even higher level of scrutiny and protection by the court These double burdens are at least additive. In some instances the dual burdens create a level of harm even greater than the sum of the parts.⁷⁰

We, as black women, can no longer afford to think of ourselves or let the law think of us as merely the sum of separate parts that can be added together or subtracted from, until a white male or female stands before you. The actuality of our layered experience is *multiplicative*. Multiply each of my parts together, one \times one \times one \times one \times one, and you have *one* indivisible being. If you divide one of these parts from one you still have *one*. There is a need to translate this into legal terms—perhaps by pushing Scales-Trent's concept a step further in the form of strict scrutiny *multiplied*.⁷¹

IV. NEGATIVITY/POSITIVITY DIALECTIC

Once the existence of this multiplicity affecting our being is acknowledged, another issue arises. What is the nature of this multiplicity? Is it negative or positive or both? I think it is becoming increasingly easy for at least certain sectors of society, including us ourselves, to see black women as victims subjected to multiple layers of *oppression*.⁷² We are familiar with the litany of evils afflicting our community as it is discussed on TV programs like Bill Moyers' *The Vanishing Black Family*.⁷³ A disproportionate number of black women are on welfare, in poverty, among the working poor, unemployed, underemployed, or underpaid. The majority of black families are now headed by women, predominantly single women. A disproportionate number of black men are dead, in jail,

⁶⁸ But see *Edmondson v Simon*, 86 FRD 375 (ND Ill 1980), in which the court refused to hold as a matter of law that a black woman could not represent the interests of blacks and women.

⁶⁹ Scales-Trent, 24 Harv CR-CL L Rev at 34-35 (cited in note 8).

⁷⁰ Id at 34 (footnote omitted).

⁷¹ In this brief reflection I am merely raising this issue. I hope that others will develop further the concept of strict scrutiny multiplied in their own work.

⁷² White feminists have also seen women as victims, full of pain: "violence, danger, boredom, ennui, non-productivity, poverty, fear, numbness, frigidity, isolation, low self-esteem, pathetic attempts to assimilate." Robin West, *The Difference in Women's Hedonic Lives: A Phenomenological Critique of Feminist Legal Theory*, 3 Wis Women's L J 81, 143 (1987).

⁷³ Bill Moyers, *The Vanishing Black Family* (PBS Television Broadcast, Jan 1986).

unemployed, etc.⁷⁴ It is estimated that less than 50% of all black men are actually in the work force.⁷⁵ The life expectancy of black men is actually declining.⁷⁶ I realize how few black men I know are over the age of sixty.⁷⁷ The scourges of DRUGS, CRIME, AIDS, HOMELESSNESS, and JOBLESSNESS are wreaking havoc on our already weakened communities.

I am also concerned about the large number of black professionals, both women and men, who are unconnected to each other and to the younger generation that is facing severe problems without adequate adult supervision or financial resources. I often informally survey my friends, black female lawyers and professors, all of them intelligent, articulate, attractive individuals, educated in the finest schools, making salaries that put them in the top 1-2% of all Americans, and I am frequently astounded that so few of us are currently married, have ever been married, or have had children.⁷⁸ Yet the number of black children having children and living in poverty continues to soar. Despite the well-publicized shortage of eligible black men, I am equally astounded by how many of my black male peers are also currently unmarried, never married and/or childless even ten years after graduating from law school. I have also heard the pain in the voices of my female colleagues who tell me their marital and reproductive options are limited since a large number of the "eligible" black men in the professional strata seem to have a predilection for white women. In addition, these men tend to seek out women (regardless of race) without placing value on their educational and professional achievements. Thus the only women who are "left out" are those who are both black and educated.⁷⁹

I mention these thoughts *not* to argue that all black women and men should make marriage and having children a priority, or that highly edu-

⁷⁴ Eloise Salholz, *Short Lives, Bloody Deaths*, Newsweek at 33 (Dec 17, 1990). It is beyond the scope of this reflection to get into the reasons for these phenomena, other than to say that theories that "blame the victim," i.e., they all have loose morals, etc., are worse than useless. See discussion in Crenshaw, 1989 U Chi Legal F at 163-65 (cited in note 7) on Daniel Moynihan's infamous 1965 report, *The Negro Family: The Case for National Action*, which used white cultural norms to evaluate the black family, talking of the existence of a black matriarchy with pathological black women who failed to live up to white female standards of motherhood and the discussion of Bill Moyers' television special, *The Vanishing Black Family*.

⁷⁵ US Department of Commerce, Bureau of the Census, "Employment Status of the Civilian Population 16 Years and Over by Sex, by Race, and by Hispanic Origin: 1960-1988" in *Statistical Abstract of the US 1990*. Table No 628, at 380. See also James D. Williams, ed, *The State of Black America 1979*, at 26-27 (Nat'l Urban League, 1979).

⁷⁶ Philip J. Hiltz, *Life Expectancy for Blacks in U.S. Shows Sharp Drop*, NY Times A1 (Nov 29, 1990)

⁷⁷ According to my informal survey, very few black children that I know, including my own, have any living grandfathers.

⁷⁸ See "Marital Status of Women in the Civilian Labor Force: 1960-1988", in *Statistical Abstract of the US: 1990* at 384 (110th ed, 1990).

⁷⁹ While statistics say that interracial marriages are only 2% of all marriages, see US Bureau of the Census, *2 1980 Census of the Population, Subject Reports: Marital Characteristics* 53-80 (PC80-2-4C, 1985), informal surveys of college campuses reveal that often a disproportionate number of the men of color are married or otherwise permanently attached to white women.

cated elites have some obligation to have children and that poor people shouldn't. I'm also not saying that black elites necessarily have obligations that white elites don't.⁸⁰ Yet we must painfully begin to analyze what it means for black society when DuBois' "talented tenth"⁸¹ of both sexes is achieving success in careers undreamed of by prior generations of blacks, yet without connection to the next generation.⁸² What does it mean when working the 80-hour-a-week job, or chasing the golden ring of partnership, tenure, or promotion, results in having little time for social life or *pro bono* service?⁸³ What does it mean when some of us become disconnected from our families and the greater black community as well?

Yes, there is much to be depressed about—the multiple layers of oppression, discrimination, and spirit injury affecting the black woman, the black man and the black family. A daily dose of the "Cosby Show" doesn't counteract the negative media bombardment. I know black doctor-lawyer couples, but I do not know one such family with five kids and a wife who, like Cosby character Claire Huxtable, is a partner at her law firm.⁸⁴ My six-year-old, very light skinned son accepts that he is black and understands that blackness is not just a skin color but a culture as well. Nevertheless, this child of a doctor-lawyer couple a la "Cosby Show," living in Iowa City, Iowa, attending private school where he speaks French and brings home computer stories and travels to Paris and Cairo for Christmas, said to me that he wished he weren't black, "because black people have it so hard." He doesn't even need his annual visits to his cousins in the Bronx, Brooklyn and Watts to remind him. Watching television helps.

Yet, I want to assert affirmatively to the legal academy and to ourselves as well, that we black women are more than "multiply-burdened"⁸⁵ entities subject to a multiplicity of oppression, discrimination, pain and depression. Our essence is also characterized by a multiplicity of *strength, love, joy*, (with a spin leap alive we're alive) and *transcendence* that flourishes despite adversity.

⁸⁰ As a matter of fact, I sometimes resent whites assuming that blacks will not only fulfill their job description but always handle any "black" problems that occur in the workplace as well. On the other hand, I find I often naturally gravitate toward involving myself in the "black" problems in the workplace. But I do not want to feel compelled to do so.

⁸¹ The notion of the "talented tenth" is discussed in W.E.B. DuBois, *Dusk of Dawn: An Essay Toward an Autobiography of a Race Concept* 70 (Shocker Books, 1968).

⁸² I offer suggestions about what to do in the next section.

⁸³ I realize that this may be true for some white women and men as well.

⁸⁴ Send me your examples.

⁸⁵ Crenshaw, 1989 U Chi Legal F at 140 (cited in note 7).

For black love is black strength
 (400 years worth)
 For black love is us.
 They can never dissect that (in their ivory towers)
 can you dig?⁸⁶

It is this black love which has sustained us throughout the centuries. If this were not so, we would have become extinct a long time ago.

Rather than let ourselves be defined by those who see the world in a unilinear fashion, our writings are beginning to celebrate our own multiplicative definition of self. Rather than seeing ourselves as distorted white males, we are beginning to see ourselves in our multiplicative, multilayered wholeness. We are beginning, "collectively and individually, to distinguish between mere speaking that is about self-aggrandizement, exploitation of the exotic 'other'; and that coming to voice which is a gesture of resistance, an affirmation of struggle."⁸⁷ Imagine a world where the richness of our experience and vision was the standard. Imagine God as a Black Woman.

V. TRANSLATING THEORY INTO PRAXIS

We must not only *talk* about our multiplicity, but *act* on it in ways which may not translate into entries on our resumes. On a micro level, black women law professors can transcend the negativity affecting our people. Some of us are already accustomed to connecting with and mentoring our students in ways that engage them and often transcend the experience of our white male colleagues. We must go beyond this level of activity. Whether married or not and whether we have children or not, we must mentor, inspire, nurture, and adopt, literally and figuratively, the black children and young people out there. We must regard *all* of them as our children and our responsibility. We can literally borrow other people's children for an afternoon or a week or a month.⁸⁸ We can also fund prizes at local schools or our own alma maters to inspire students.⁸⁹ We can do these things even though we may be in an

⁸⁶ For the uninitiated, "dig" means understand, comprehend, "capiche," fathom, etc. Adrien Wing, "To all young proud strong black men everywhere," dated March 1976, in *Womanchild Emergence 1970-1978* (unpublished).

⁸⁷ bell hooks, *Talking Back: thinking feminist, thinking black* 18 (South End Press, 1989).

⁸⁸ I had custody of one of my five nephews from Kansas for several months. His visit included two months living in Point Barrow, Alaska, with Eskimos, blacks, whites and Filipinos. Last summer I brought a 13-year-old cousin from the hot LA ghetto streets—her first time away from home—to Iowa for the summer where she was able to walk to the store for the first time and even have her own room. While I worked on a tenure article, I created a black history curriculum for her that included daily written reports on black heroes, both well-known and not-so-well-known. She also accompanied me to Baltimore and got exposure to the East Coast as well.

⁸⁹ I fund a prize, named for my father, at my prep school (Newark Academy in Livingston, New Jersey), given to that student who fosters better race relations. That \$10.00 book will hopefully inspire the recipient in the future, as prizes I have received have inspired me.

environment where there are not many black children.

We must create our own versions of family to support us in these endeavors. For example, to counter the isolation that comes from not having my extended family in Iowa, I have created a new multi-cultural family, which includes a black graduate student, my children, and a Chinese couple from Shanghai.⁹⁰ The cultural abundance in our household is best signified by the fact that my two-year-old son speaks and understands both the Mandarin and Shanghai dialects, as well as English. I can thus participate in challenging the notion that the "ideal" family consists of a mother, father, and two children. I also invite each of my classes over to my house at the end of the semester, entertaining everyone of all races and genders.⁹¹ Although we are all extremely busy, time and money must be made for these sorts of micro projects.

When we get tired and worn out, we can draw strength not only from our American sisters, but from our international connections as well. The struggles of our sisters in the developing world inspire me as I drive to work from my nice house, in my nice car, in my nice clothes, to my nice office.

VI. MULTIPLICATIVE LEGAL PRAXIS⁹²

On a macro level, we must use our legal skills to push towards forging social policy that allows black women to capitalize on their richness and strength by giving them the financial and educational tools to meet their true multiplicative potential. For instance, current poverty laws and programs (vastly underfunded as they are) "treat the nuclear family as the norm and other units as aberrant and unworthy of societal accommodation."⁹³ They are designed predominantly by white, male, elite, unilinear thinkers who've never personally experienced the problems that are the subject of the legislation they pass. If these men had to raise their

⁹⁰ The woman, Yan, is my children's nanny, and the man, Peng, is studying for his Ph.D. in Economics.

⁹¹ Not every effort at transcendence will be successful. In my case, a 16-year-old babysitter decided that her babysitting experience had sufficiently prepared her for motherhood—so she got pregnant. A 17-year-old sister of my live-in student was inspired to think about becoming a lawyer. An accidental shotgun blast by her boyfriend ended that short sweet life only a few months after her high school graduation. At Iowa I invited both the Black Law Student Association (BLSA) chapter and the Organization of Women Lawyers and Law Students (OWLLS) women's organizations to my home for a potluck in honor of a black female professor speaking at the OWLLS conference the next day. The few OWLLS members (white women) who showed up came on time and left early. The BLSA members came on "CP time" (colored peoples' time—i.e., late) and stayed later, resulting in a very short period of overlap between the two groups.

⁹² There were a few readers of this reflection who thought I should stop the article right here and not propose a concrete program applying my theory. I strongly feel, however, that black women can't afford to be merely theoretical. The problems facing our people are too great for us to have the luxury of merely theorizing. Thus I offer a small suggestion in this section for a constructive way to apply the theory.

⁹³ Crenshaw, 1989 U Chi Legal F at 165 n72 (cited in note 7).

children singlehandedly (without the support of housewives, spouses, or servants) plus work full time, many would crack within a week. A minimum-wage job does not allow one to fund child care, buy health care or affordable housing, yet it may prevent one from being eligible for welfare and medicaid. A person can't pay someone else even sub-minimum wage for child care when she herself is making minimum wage. Furthermore, the national scandal of our public schools may not have prepared a person to assume even a minimum-wage job.

A solution may be found by implementing a comprehensive multifaceted program that would link child care, health care, nutrition, education, job training, and positive emotional support together to enable women (and men) to leave poverty and contribute to society. Crime would go down, violence would go down, and people would be less susceptible to addictive products of despair: illegal drugs, alcohol, cigarettes, and physical abuse. The key elements of such a project are that it be: a) designed by the people affected, including women of color; b) responsive to their multiple needs as defined by them; and c) adequately funded.⁹⁴

A concrete example of a multiple-faceted positive approach exists in New Jersey. The Hispanic Women's Task Force⁹⁵ proposed, designed and pushed through the Hispanic Women's Demonstration Resource Centers Act.⁹⁶ Among the services provided in the model centers are:

job training, placement, English language skills, bicultural resources, assertiveness, survival and coping skills, educational evaluations, career info, financial, credit, tax, insurance and business assistance; information and referral services covering legal assistance for domestic violence, sexual assault, family support and sex discrimination; health care information concerning family planning, substance abuse, nutrition and mental health; and public assistance and child care information.⁹⁷

Although incredibly underfunded (\$400,000), "this legislation is the first in the nation specifically to address the needs of Hispanic women on a statewide basis."⁹⁸

We are told that there is no money for such programs. Yet in just a few months of 1990, the US government found the *will* and money to put nearly half a million troops in the desert to prepare for war. We went to our old allies, turned old enemies into allies, created a media blitz, and whipped the UN into line to forge a *global* consensus on what should be

⁹⁴ It is interesting how the media are more likely to focus on the pathology of poverty rather than on successful attempts to alleviate it.

⁹⁵ There is considerable irony in the fact that to my knowledge there is no equivalent program addressing the needs of black women.

⁹⁶ See Gloria Bonilla-Santiago, *Legislating Progress for Hispanic Women in New Jersey*, Social Work 270 (May 1989) for discussion of the process of enacting this legislation (Pub L No 87-378 (1988)).

⁹⁷ Id.

⁹⁸ Id.

done. While the US public focused on war in the Persian Gulf, it ignored and continues to ignore the domestic war being waged on the black community.⁹⁹ The domestic war that *must* be waged on racism/sexism will require no less of us as a nation.

It is my fervent hope that readers of this reflection will be motivated to care and to act because they are morally concerned about the plight of black women. But even if America is not intrinsically interested in saving black souls and bodies, according to Derrick Bell's self-interest paradigm¹⁰⁰ it should nonetheless be interested in becoming globally competitive with Japan and united Europe in the 1990s. It can't do that without the assistance of the 85% majority of the workforce who will be white women and people of color.¹⁰¹ Thus, waging this war to save the souls and bodies of black women and the poor will result in saving America.

In conclusion, I am asserting that the experience of black women must be seen as a multiplicative, multilayered, indivisible whole, symbolized by the equation one times one, *not* one plus one. This experience is characterized not only by oppression, discrimination, and spirit murder, but by strength and love and transcendence as well.

Through our writings and our actions, black female academicians must push so that our colleagues can also begin to see the world with multiple consciousnesses. We must urge them to attain not merely "a random ability to see all points of view, but a deliberate choice to see the world from the standpoint of the oppressed."¹⁰² We must get them to see spirit murder as

the conceptual, if not the punitive level of a capital moral offense. We need to see it as a cultural cancer; we need to open our eyes to the spiritual genocide it is wreaking on blacks, whites, and the abandoned and abused of all races and ages. We need to eradicate its numbing pathology before it wipes out what precious little humanity we have left.¹⁰³

All of us with multiple consciousness must help society address the needs of those multiply burdened first. Restructuring and remaking the world, where necessary, will affect those who are singularly disadvantaged as well.¹⁰⁴ By designing programs that operate on multiple levels of consciousness and address multiple levels of need, we will *all* be able to reach our true potential to the benefit of ourselves, our families, our profession, our country, and the world.

⁹⁹ Note the irony of a 30% black army in the Persian Gulf, while the President vetoes the 1990 Civil Rights Bill. Are we making the world safe for racism instead of for democracy?

¹⁰⁰ Derrick Bell, *Race, Racism & American Law* at 7, 10, 25, 41 (cited in note 45).

¹⁰¹ US Bureau of Labor Statistics, *Civilian Labor Force—Employment Status by Sex, Race and Age: 1988; Employment and Earnings Monthly*, in Statistical Abstract of the U.S. 1990. Table No. 638, at 386.

¹⁰² Matsuda, 11 *Women's Rts L Rptr* at 9 (cited in note 4).

¹⁰³ Williams, 42 *U Miami L Rev* at 155 (cited in note 18).

¹⁰⁴ Crenshaw, 1989 *U Chi Legal F* at 167 (cited in note 7).

For the blood of all people
runs within me
(Africa, Asia, Europe, Middle East & the Americas too)

I respect them

I embrace them

I transcend with them

For blood has only one color
(can you tell black white brown yellow blood apart?)

Red

for Love.

—The earth mother beckons

Save the world!! she says.

Love my children.

Well what do you know. My muse returns.

