

ESSAYS

Now Is the Time for Black Queer Feminist Ecology

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In 1982, the late Black lesbian womanist and civil rights activist Audre Lorde aptly explained that “[t]here is no such thing as a single-issue struggle, because we do not lead single-issue lives.”¹ Yet, the law and the legal academy continue to compartmentalize the diversity of life into single-issue subject areas. Criminal Law. Labor Law. Environmental Law. Women’s Rights. Critical Race Theory. Even the anthropocentric character of law encourages these silos—we humans are a part (not *apart*) of the ecosystems that sustain us, despite our insistence otherwise.²

As a scholar-activist³ working within academia and the legal profession, it is often difficult to integrate my interests across disciplines. Through my scholarship and teaching, I continue to seek ways that honor a holistic view of our lived experience, that also invite us to bring our whole selves into the learning experience. For those of us who are Black and LGBTQ and operate in these spaces, we are keenly aware of the unspoken rules to mask or downplay our multidimensional identities. Only those of us who put on the most convincing performance of white, cisgender heteronormativity are granted access, which is then predicated on sustaining this masking of our identities.

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1. (1982) Audre Lorde, “*Learning from the 60s*,” BLACKPAST (Aug. 12, 2012), <http://www.blackpast.org/african-american-history/1982-audre-lorde-learning-60s/>.

2. This belief, though hegemonic, is far from universal; indeed, indigenous scholars note how this “human v. nature” worldview is particular to settler colonialism and in stark contrast to systems of responsibilities that are common to many indigenous communities in North America in which people, nonhumans, and ecosystems are in relationship with one another. See Kyle Powys Whyte, *Indigenous Experience, Environmental Justice and Settler Colonialism*, in NATURE AND EXPERIENCE: PHENOMENOLOGY AND THE ENVIRONMENT 157-74 (Bryan B. Bannon ed., 2016). References to “our,” “we,” and similar terms in this piece refer to those of us who operate within institutions that uphold this settler colonial worldview (such as the legal profession) and therefore, to some extent, perpetuate it.

3. Sara Goldrick-Rab, *What Is “Scholar Activism”?*, MEDIUM (Sept. 21, 2015), <http://medium.com/synapse/what-is-scholar-activism-1b746ef38b0b>.

When I am in de facto white spaces, there is an underlying expectation not to “rock the boat” by discussing issues of race and racism. The current sociopolitical moment that many are calling a “racial reckoning”—one in which institutions complicit in anti-Blackness, including higher education and the legal profession,⁴ have issued statements about police violence, systemic racism, and/or diversity—is an anomalous (though hopefully long-lasting) exception to the rule. I was graciously invited to contribute to this volume as an intentional space for queer voices of color. It is an opportunity I truly appreciate. Yet, being a relatively new and untenured scholar, I am mindful of my tenuous position. It circumscribes my ability to freely engage in topics of anti-Blackness and racial equity, knowing that any “boat rocking” might come at a professional cost.

Unless spaces are explicitly welcoming of LGBTQ people, there is also a presumption that one should hide queerness in order to effectively mimic how a *proper* scholar or *proper* attorney should look, speak, and behave. I find this is also true for many Black spaces where there is an unspoken expectation to make invisible my queer identity in order to avoid “distracting” from important issues of diversity and Black inclusion—as though one can experience Blackness and queerness in divisible instances, as though each is not informed by the other, as though this is not the era of intersectionality.⁵ The issue of course, is that sexual and gender identities that are not straight and cisgender are presumed to be inherently improper for polite society.⁶

4. See, e.g., Becky Sindelar, *Society of Jesus Apologizes for the Sins of Jesuit Slaveholding at Georgetown University Liturgy*, JESUITS (Apr. 18, 2017), <http://www.jesuits.org/stories/society-of-jesus-apologizes-for-the-sins-of-jesuit-slaveholding-at-georgetown-university-liturgy/>; see also Judge Jonah Goldstein Quits Bar Association Because It Bars Negro from Membership, JEWISH TEL. AGENCY, <http://www.jta.org/1943/04/11/archive/judge-jonah-goldstein-quits-bar-association-because-it-bars-negro-from-membership> (last visited May 17, 2021).

5. Although the term has since taken on a life of its own, Critical Race Theorist and legal scholar Kimberlé Crenshaw originally coined “intersectionality” to explain the impact of intersecting marginalized identities, namely race and gender, as experienced by Black women. Today, the term is often invoked merely to describe the embodiment of multiple social identities, decoupled from any discussion of marginalization or discrimination. See Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1899 U. CHI. LEGAL F. (1989), 139-167.

6. Indeed, we saw this with the censoring of many well-known LGBTQ online content creators when social media algorithms automatically marked their content as “adult” or not family-friendly, regardless of the actual content. See, e.g., Sophie Lewis, *YouTube Apologizes After Parental-Control Feature Blocks LGBTQ Content*, CNN (Mar. 20, 2017, 5:51 PM), <http://www.cnn.com/2017/03/20/us/youtube-lgbtq-restricted-trnd/index.html>; Chris Fox, *TikTok Admits Restricting Some LGBT Hashtags*, BBC (Sept. 10, 2020), <http://www.bbc.com/news/technology-54102575>.

How do these things relate to ecology, and a Black queer feminist ecology no less? First, human life depends on healthy, functioning ecosystems. Needless to say, the struggles for Black, queer, feminist or any form of liberation will be meaningless if we no longer have a habitable planet. Thus, addressing ecological crises such as climate change is essential to all sociopolitical movements and their related areas of study.

Second, it is difficult to ignore the similarities between the treatment of gendered, sexualized, racialized, and “othered” bodies—women’s bodies, queer bodies, Black bodies, disabled bodies, etc.—with our treatment of nonhuman animals and the environment. Several schools of thought, including queer theory, environmental sociology, Black feminism, critical race theory, and critical legal studies have examined the ways in which systems of oppression mutually reinforce each other. As Greta Gaard explains in “Toward a Queer Ecofeminism,” the ideological framework of Western culture (including settler states like the United States) is based on “dualisms, value-hierarchical thinking, and a logic of domination”⁷ giving rise to such pairs as white/nonwhite, male/female, human/animal, heterosexual/queer, culture/nature, and so on.⁸ We organize and make sense of the world through this binary ontology: the pairings simultaneously derive meaning and value through their juxtaposition such that at first glance we immediately know where they lie along the axis of domination and subordination.

The table below demonstrates this framework in action. In looking at the partial set of dualisms, we see the “A term” is quite literally oppositional to the “B term” both spatially and ontologically (e.g., “white” as in “not Black,” “human” as in “not animal,” “civilized” as in “not primitive”), and vice versa. Because value-hierarchies are encoded in these dualisms, we also know that the “A term” is more *valuable* or *superior* to its corresponding “B term,” and that the “B term” is inherently *less valuable* or *subordinate* to the “A term.” This is true no matter the spatial arrangement: the hegemony of this ideological framework makes these dualisms seem “natural” or inevitable.

7. Greta Gaard, *Toward a Queer Ecofeminism*, 12 *HYPATIA* 114-37 (1997).

8. *Id.* at 116.

A Terms	B Terms
White	Black
Male	Female
Human	Animal
Civilized	Primitive
Heterosexual	Queer
Able	Disabled
Chaste	Erotic
Reason	Emotion

Table 1. Examples of Common Dualisms in Western Culture Side by Side

These dualisms collapse the complexity of life into binary silos.⁹ When otherwise unrelated terms fall along the same axis of domination/subordination, they are susceptible to becoming conceptually linked.¹⁰ In the case of devalued “B terms,” this linkage further reinforces their status as subordinate and justifies their real-life mistreatment. We often see “female” conceptually linked with “emotion,” Black people compared to animals, and “queer” as synonymous with “erotic.” Comparisons can be made across similarly situated groups and are not necessarily limited to a one-for-one engagement. Thus, we can examine the ways that Black people are queered (that is, viewed as “sexually deviant”), animalized, eroticized, and naturalized¹¹ in a culture that devalues LGBTQ people, animals, eroticism and sexuality, and nature.

Being a legal scholar, I am especially interested in how these modes of domination/subordination get codified into and reinforced by the law. Because we do not lead single-issue lives, my scholarship examines intersecting aspects of identity—in particular, race and ethnicity, gender and sexuality within the context of law and the environment. My focus on these areas is informed by my experience in the movements for

9. Gaard, *supra* note 7, at 115-17.

10. *Id.* at 116-17.

11. This “naturalizing” of Black people, typically achieved by evoking wildness or savagery, goes as far back as Europe’s period of renaissance. See Julie K. Ward, *The Roots of Modern Racism*, CRITIQUE (Sept. 13, 2016), <http://www.thecritique.com/articles/the-roots-of-modern-racism>.

reproductive justice¹² and LGBTQ rights as well as my desire to better understanding the shared drivers of social and environmental injustice.

In some of my earlier work, I explain how the boundaries of *acceptable* and *deviant* expressions of sexuality and gender are deeply intertwined with race and subordination, starting with the first white Europeans to arrive in the Americas.¹³ Anglo beliefs of strict binary gender roles and circumscribed sexuality (appropriate only within marriage and for procreation) stood in contrast to the varied gender and sexual traditions of many of the indigenous tribes¹⁴ and African peoples¹⁵ that colonizers encountered and enslaved. Operating from their dualized, hierarchical worldview, Europeans considered these differences to be signs of “savagery” and therefore less valuable and began to craft a distinct American cultural identity of “A terms”: white, heterosexual, civilized, and with a strict male-dominated gender binary in contrast to indigenous Americans and African slaves. This in turn allowed them to justify what they viewed as their natural right of conquest, cultural eradication, enslavement, sexual exploitation, and genocide.¹⁶ In other words, the colonization and domination of the land that we now call the United States was both justified by and reinforced the colonization and subordination of indigenous American and African peoples.

12. Kimala Price, *What Is Reproductive Justice?: How Women of Color Activists Are Redefining the Pro-Choice Paradigm*, 10 MERIDIANS 42 (2010).

13. See Zsea Bowmani, *Queer Refuge: The Impacts of Homoantagonism and Racism in U.S. Asylum Law*, 18 GEO. J. GENDER & L. 1 (2017).

14. *Id.* at 6–9. Many Indian tribes, such as the Diné (Navajo), Apache, and Lakota, traditionally recognized the diversity of human sexual and gender expression and had names and in some cases special spiritual roles for additional genders. See TWO-SPIRIT PEOPLE: NATIVE AMERICAN GENDER IDENTITY, SEXUALITY, AND SPIRITUALITY (Sue-Ellen Jacobs et al. eds., 1997); WALTER L. WILLIAMS, THE SPIRIT AND THE FLESH: SEXUAL DIVERSITY IN AMERICAN INDIAN CULTURE (1986); Sabine Lang, *Lesbians, Men-Women and Two-Spirits: Homosexuality and Gender in Native American Cultures*, in FEMALE DESIRES: SAME-SEX RELATIONS AND TRANSGENDER PRACTICES ACROSS CULTURES 91–116 (Evelyn Blackwood et al. eds., 1999); Beatrice Medicine, *Directions in Gender Research in American Indian Societies: Two Spirits and Other Categories*, 3 ONLINE READINGS PSYCH. & CULTURE (2002).

15. See generally BOY-WIVES AND FEMALE-HUSBANDS: STUDIES IN AFRICAN HOMOSEXUALITIES (Stephen O. Murray & Will Roscoe eds., 1998); Stephen O. Murray, *Gender-Defined Homosexual Roles in Sub-Saharan African Islamic Cultures*, in ISLAMIC HOMOSEXUALITIES: CULTURE, HISTORY, AND LITERATURE 222–32 (1997).

16. JOHN D'EMILIO & ESTELLE B. FREEDMAN, INTIMATE MATTERS: A HISTORY OF SEXUALITY IN AMERICA 8, 86 (3d ed. 2012). The authors also explain that “[e]ver since the seventeenth century, European migrants to America had merged racial and sexual ideology in order to differentiate themselves from Indians and blacks, to strengthen the mechanisms of social control over slaves, and to justify the appropriation of Indian and Mexican lands through the destruction of native peoples and their cultures.” *Id.* at 86.

American history is replete with numerous examples of interlinked systems of domination/subordination that continue to shape our society. Even in an area as relatively uncontroversial as environmental protection, we see that mainstream ideas of conservation and preservation—which began with indigenous land dispossession to create public parks—continue to “maintain the dominant subject-object relations of mastery and draw directly on the history of imperial management.”¹⁷ Perhaps the greatest indictment of these systems is the climate crisis we now find ourselves in, driven in no small part by the same ideology that guided European colonizers across the North American continent.

If a silver lining can be found in all of this, it is that the current ecological crisis presents an opportunity for us to critically evaluate the laws, policies, and underlying ideologies that govern our human-environment and human-human relationships. This is where Black queer feminist ecology comes in. It is a framework through which I bring together multiple thought traditions, including Black ecology, Black feminism, queer ecology, and ecofeminism, and is rooted in environmental and climate justice frameworks. Radical Black ecology, for example, can be understood as the collective of Black thinkers, movements, and communities that have rejected the belief that the economic, political, sexual, and gendered ideologies that drive today’s ecological crises are also the means of securing justice and liberation.¹⁸ Queer ecology draws from queer theory to disrupt heterosexist and essentialist assumptions about sexuality, nature, biology, and ecological interactions.¹⁹ Black queer feminism, a theory of radical inclusivity, centers the experiences and political lives of Black women and LGBTQ people who are often the most marginalized in society and within social movements.²⁰

Black queer feminist ecology, in turn, builds upon these critical theories. While it critiques structures of racism, sexism, heterosexism, classism, and other forms of oppression, it envisions a world that is not organized into dualisms or hierarchies. Black queer feminist ecology asks:

17. J.T. Roane & Justin Hosbey, *Mapping Black Ecologies*, 2 CURRENT RSCH. DIGIT. HIST. (2019), <http://crdh.rchnm.org/essays/v02-05-mapping-black-ecologies/>

18. Romy Opperman, *We Need Histories of Radical Black Ecology Now*, BLACK PERSPECTIVES (Aug. 3, 2020), <http://www.aaihs.org/we-need-histories-of-radical-black-ecology-now/>.

19. Catriona Sandilands, *Queer Ecology*, in KEYWORDS FOR ENVIRONMENTAL STUDIES 169-171 (Joni Adamson et al. eds., 2015).

20. See Mecca Jamilah Sullivan, *Black Queer Feminism*, OXFORD AFR. AM. STUD. (2019), <http://doi.org/10.1093/acref/9780195301731.013.78530>.

what if Blackness, queerness, femininity, and other “B terms” are not mere contrasts to whiteness, heterosexuality, cisgender identity, masculinity, and so on, but are instead fully articulated identities reconstructed from the violent histories of their subordination? As we reconstruct these identities, Black queer feminist ecology also asks whether we might reconstruct respectful and sustainable ways of relating to other humans, nonhumans, and the environment, such as through reciprocal relationships, which underscore the mutual caretaking obligations held between human beings and ecosystems.²¹

In “We Need Histories of Radical Black Ecology Now,” Romy Opperman notes the need for “revolutionary political imaginaries” that “direct[] us to the embers of alternative futures that already exist in the past, in the earth, and in the Black ecologies of the present.”²² I believe Black queer feminist ecology is one means of achieving this, since it combines the best of Black feminist thought to allow scholars, scholar-activists, lawyers, organizers, and the rest of us to bring our multi-issue selves into the work of justice and liberation.

21. See, e.g., Sibyl Diver et al., *Recognizing “Reciprocal Relations” to Restore Community Access to Land and Water*, 13 INT’L. J. COMMONS 400-29 (2019).

22. Opperman, *supra* note 18.