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## Retelling Racialized Violence, Remaking White Innocence: The Politics of Interlocking Oppressions in Transgender Day of Remembrance

Sarah Lamble

**Abstract:** Transgender Day of Remembrance has become a significant political event among those resisting violence against gender-variant persons. Commemorated in more than 250 locations worldwide, this day honors individuals who were killed due to anti-transgender hatred or prejudice. However, by focusing on transphobia as the definitive cause of violence, this ritual potentially obscures the ways in which hierarchies of race, class, and sexuality constitute such acts. Taking the Transgender Day of Remembrance/Remembering Our Dead project as a case study for considering the politics of memorialization, as well as tracing the narrative history of the Fred F. C. Martinez murder case in Colorado, the author argues that deracialized accounts of violence produce seemingly innocent White witnesses who can consume these spectacles of domination without confronting their own complicity in such acts. The author suggests that remembrance practices require critical rethinking if we are to confront violence in more effective ways.

**Key words:** gender; identity; racism; transphobia; memorialization; narrative; activism; queer politics

In the last 9 years, Transgender Day of Remembrance (TDOR) has become a significant political event among those resisting violence against gender-variant persons. Commemorated in more than 250 locations predominantly throughout North America but also in Europe, Australia, New Zealand, South America, and Southeast Asia, this day honors individuals who were killed due to anti-transgender hatred or prejudice (Transgender Day of Remembrance [TDOR], 2005c, 2006b). Although various memorial activities are organized at a grassroots level, most of these events are linked through two sister websites: the Remembering Our Dead project (<http://www.rememberingourdead.org/about/core.html>), which records transgender deaths, and the official TDOR site (<http://www.gender.org/remember/day/>), which provides educational resources and publicizes transgender vigils occurring around the world (TDOR, 2005e, 2006d). Projects of the nonprofit organization Gender Education & Advocacy, both websites provide vital tools for local community mobilization and play an influential role in shaping transgender remembrance

practices worldwide (Gender Education & Advocacy, 2003a).<sup>1</sup> Indeed, these projects have played a crucial role in

<sup>1</sup> Although some websites include independent information about Transgender Day of Remembrance (TDOR), most provide a direct link to either the Remembering Our Dead project or the TDOR website. See, for example, Crisalide Azione Trans Nazionale (2002a); Gay, Lesbian and Straight Education Network (2007); Gay Straight Alliance Network (2006); Gay and Lesbian Alliance Against Defamation (2007); National Organization for Women (2004); Press for Change (2007); Support Transgenre Strasbourg (2005); Vancouver Transgender Day of Remembrance (2006). Because the TDOR website posts more than 25 educational resources, including sample flyers, press releases, banners, and instructions for organizing remembrance vigils in schools and communities at the local level, its influence is evident in memorialization efforts elsewhere. Recent postings on YouTube (Victoria, 2006), for example, titled "Transgender Day of Remembrance Tribute—Part 1" and "Transgender Day of Remembrance—Part 2," rely exclusively on the TDOR website for their content and use the language verbatim. Also see Crisalide Azione Trans Nazionale (2002b); Groupe Activiste Trans (2006); Houston Transgender Unity Committee (2006); Trans Alliance Society (2003).

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raising public awareness about the extreme violence regularly perpetrated against gender-variant persons. Despite their importance as resources for activism, the TDOR website and the Remembering Our Dead project are nonetheless limited in the scope of their analysis of the factors causing violence against gender-variant individuals and of the potential responses to such violence. By focusing on transphobia as the definitive cause of violence, the websites do not fully contextualize incidents of violence within their specific time and place, thus obscuring the ways in which hierarchies of race, class, and sexuality situate and constitute such acts. In the process, transgender bodies are universalized along a singular identity plane of victimhood and rendered visible primarily through the violence that is acted upon them.

Taking the TDOR/Remembering Our Dead project as a case study for considering the politics of memorialization, as well as tracing the narrative history of the Fred F. C. Martinez murder case in Colorado, I aim to demonstrate how deracialized accounts of violence produce seemingly innocent White witnesses who can consume these spectacles of domination without confronting their own complicity in such acts. Without addressing violence as a systemic effect of power, I argue that current manifestations of TDOR potentially limit the possibilities for resisting racialized gender violence in meaningful and effective ways.

This article is not written to denigrate the important work of activists who struggle against violence,<sup>2</sup> nor is it to suggest that we should abandon remembrance practices that honor those who have suffered from violence. Such practices serve multiple purposes and mark important forms of collective healing, community gathering, and public denunciations of violence. Rather, this article critically questions the politics of who and how we remember, interrogates the implications of speaking on behalf of the dead, and examines what is at stake in taking up particular kinds of remembrance practices. I argue that

<sup>2</sup> This article arose from my own involvement in Transgender Day of Remembrance and my participation as a nontrans person in ongoing struggles against trans-related oppression. I wrote this piece cautiously; I do not wish to replicate the history of nontrans persons who have critiqued, demonized, and pathologized trans struggles. At the same time, I take seriously the call for self-reflexivity within activism and my analysis emerges from concerns raised within my local trans and genderqueer communities about the overall effectiveness and broader implications of current manifestations of Transgender Day of Remembrance.

if we<sup>3</sup> are to engage in effective struggle against violence, we must resist remembrance practices that rely on reductionist identity politics; we must pay attention to the specific relations of power that give rise to acts of violence; and we must confront violence in its structural, systemic, and everyday forms.

Narratives of remembrance are not merely problems of representation. The stories we take up in remembrance are constituent practices: They tell us who we are and how we know the world. As Roger Simon (2005) noted, “Practices of remembrance are questions of and for history as a force of inhabitation, as the way we live with images and stories that intertwine with our sense of limits and possibilities, hopes and fears, identities and distinctions” (p. 3). In other words, narratives as practices of remembrance have material effects on the social ordering of relations of power and the ways in which we come to know ourselves in relation to the dead. These effects are neither politically neutral nor socially inconsequential: “In these practices of remembrance, there is a prospective orientation that seeks to legitimate and secure particular social relations, making normative claims on the conduct of human behaviour” (Simon, p. 4). Underlying this article is more than a debate about what version of a story is told, how particular persons are presented, or who is included and excluded—I wish to address a broader concern about what kinds of spaces for resistance narratives of remembrance help create and how those narratives determine the boundaries and possibilities for enacting change.

### Decontextualized Violence: Deracing Transgender Bodies

The Remembering Our Dead project was founded by trans activist Gwendolyn Ann Smith in response to the death of Rita Hester, an African American transwoman who was murdered in her Massachusetts apartment in November 1998. Concerned that deaths of transgender persons were poorly documented and quickly forgotten, Smith began gathering and publicizing information about transgender deaths so that trans communities would better know their own histories (Smith, 2000, 2001,

<sup>3</sup> I recognize that some readers may feel excluded from, or wish to remain outside, the various significations of the word *we* as I use it in this article. Although my use of *we* does presume readers’ general interest in working to end oppressive violence, I do not intend the term to denote inclusion or exclusion of any specific community. Rather, I invite readers to participate in the process of self-reflexive questioning of remembrance practices.

2003). In November 1999, Smith organized the first TDOR, a candlelight vigil in San Francisco. Now an annual event, TDOR has become “the largest multi-venue transgender event in the world” (Smith, 2003, ¶ 3; TDOR, 2006a).

As part of the ongoing Remembering Our Dead project, a small group of volunteers compile and record the name, date, location, and cause of death for trans-related murders worldwide. As of November 2007, the list included 378 individuals (TDOR, 2007).<sup>4</sup> The comprehensiveness of the list is no doubt limited by an unavoidable reliance on mainstream media sources, which consistently fail to provide thorough reporting on transgender deaths, as well as reports from law enforcement officers, which often reflect inadequate responses to violence against transgender persons (Moran & Sharpe, 2004). Indeed, as Smith (2000) noted, “The media’s reluctance to cover our deaths lies near the heart of this project” (¶ 3). Chronic underfunding and limited resources within transgender communities poses further challenges to the project, and the emotional burden of collecting this information can be high (Smith, 2001). Nevertheless, the project is a collaborative one, with international appeals for reports and strong links with a range of gender-related social justice organizations (Remembering Our Dead, 2006a, 2006b, 2006d). Likewise, many of the resources posted on the TDOR website are produced by other allied groups in the United States, such as the Gay, Lesbian and Straight Education Network, the Gay-Straight Alliance Network, and the Transgender Law Center (TDOR, 2005d, 2006c).

The TDOR website acknowledges that “not every person represented during the Day of Remembrance self-identified as transgendered—that is, as a transsexual, crossdresser, or otherwise gender-variant—[but] each was a victim of violence based on bias against transgendered people” (TDOR, 2004b, ¶ 2; 2005c, ¶ 2). Both the TDOR website and the Remembering Our Dead project are thereby explicit in privileging transphobia as the exclusive motivation for violence: “Over the last decade, more than one person per month has died due to transgender-based hate or prejudice, *regardless of any other factors in their lives* [italics added]” (Smith, 2000, ¶ 5; TDOR, 2005c, ¶ 3, 2006b, ¶ 3). Evident here is a deliberate effort to isolate transphobia from any other form of prejudice or

cause of violence. From this vantage point, other factors are deemed not only to complicate our understanding of violence, but also to pose a threat to the legitimacy of the project’s political goals. The authenticity of the cause is secured through the authority of a particular community: The murder list includes “only those deaths that are known to the transgender community or that have been reported in the media” (TDOR, 2004b, ¶ 1). But who makes up this community that determines who will be remembered? Who is the subject we are asked to remember?

The answers to these questions are not simple. First, there is no clear consensus on what constitutes transgender, let alone transgender community. Emerging in the early 1990s as an umbrella term to include a multiplicity of gender experiences and practices that transgress dominant norms of gender expression (including transgendered persons who use medical interventions to express their gender and those who do not, cross-dressers, pan-gendered people, intersex persons,<sup>5</sup> two-spirited individuals, etc.), the term *transgender* has been broadly used as an identity around which gender-variant individuals could gather and organize political strategies.<sup>6</sup> The term also emerged in resistance to pathologizing labels imposed by the medical establishment and in contestation of the trivialization of gender-variant behavior in popular culture. However, fierce debates persist on how the term should be used, whom it includes—and what proximity it has to queer, gay, lesbian, and bisexual organizing (Califia, 1997; Currah, 2006; Feinberg, 1996; Moran & Sharpe, 2004; Namaste, 2005; Phelan, 2001; Valerio, 2002). These debates go beyond simple semantics and strike at the root of political struggles revolving around citizenship rights and protection from harm. For individuals whose membership in a particular group can greatly affect their

5 Although intersex persons are often included within the scope of transgender struggles, a consensus is emerging among gender activists that intersex issues and transgender issues, though related, should not be conflated (Currah, Juang, & Minter, 2006; Intersex Society of North America, 2006).

6 Leslie Feinberg (1996) attributed the first use of *transgender* to Virginia Prince, who coined the term in the late 1980s as both a self-description and a way of describing people who “trans the gender barrier [but] not the sex barrier” (Feinberg, p. x). Prince was attempting to find a name for people who live in a gender that is not traditionally associated with their assigned gender at birth, yet differ from transsexuals by not seeking anatomical changes through surgery or hormones. The term *transgender* sometimes still is used to differentiate between those who seek medical interventions and those who do not, but now is understood more widely as an umbrella term.

4 Several lists of transgender murders are available online. However, the most comprehensive and widely cited list is maintained on the Remembering Our Dead (2006c) and Transgender Day of Remembrance (2007) websites.

claims to medical care, protection from violence, and legal recognition of identity, the stakes are high.<sup>7</sup>

These divisions over who is included in the community resurface within projects such as TDOR, where belonging through victimhood is the platform for political agency. For example, the 1993 high profile murder of Brandon Teena<sup>8</sup> sparked fierce sectarian battles among transgender, transsexual, and lesbian and gay activists, who each wanted to claim this murder as an attack against their own kind (Halberstam, 2005; Hale, 1998). A similar example can be found in the 1996 murder of three sex workers in Toronto who were shot within hours of each other by Marcello Palma. Two of the victims, Deanna/Thomas Wilkinson and Shawn Keagan, were identified as cross-dressers and are listed on the Remembering Our Dead website as victims of transphobic violence. Yet they are also included in Douglas Janoff's (2005) recent inventory of homophobic violence in Canada. From a third camp, Mirha-Soliel Ross and Viviane Namaste (2005) maintained that these deaths arose from antiprostitute and class-based discrimination, an argument based on the fact that the perpetrator described street people and prostitutes as scum and demonstrated no clear evidence of transphobia.<sup>9</sup> Similarly, Ross and

Namaste noted that Grace Baxter, a fully passable, post-operative transsexual sex worker who is also listed on the Transgender Remembrance website, was killed by a John who was unaware of her trans status. Ross thus denounced TDOR as "a big, bold and sickening political fraud" (quoted in Namaste, p. 92).

Within this political framework of claiming victims, activists—whose struggles are ultimately linked—can become ensnared in what Razack and Fellows (1998) described as competing marginalities. In this model, justice claims rest on proof that one group is not only most oppressed but also most innocent; that is, the group in question must convey itself as bearing no responsibility in the oppression of others (Razack & Fellows). Identities are thus marked as constituting so-called good and bad victims, and these categories tend to fall along particular class, gender, and racial lines. The supposedly perfect victim is the one who is believed to be most pure, innocent, and helpless—typically the White, middle-class girl child. It is not surprising, then, that Matthew Shepard and Brandon Teena, both marked as young, White, barely masculine (and, in Shepard's case, also middle-class), have become the poster children for protesting homophobic and transphobic violence.<sup>10</sup> In contrast, cases involving victims of color, prostitutes, and street people are rarely noticed, particularly by mainstream media, politicians, and service organizations (Ott & Aoki, 2002). When less ideal victims *are* taken up by the media or championed by political groups, undesirable facts or complex dimensions of identity are often omitted from the story so as to produce a good-victim narrative. By predicating political strategies on innocent victimhood, violence against individuals who deviate from the ideal becomes less visible and more tolerable. Consequently, "those who are the most severely affected victims of sexism and racism (e.g. prostitutes or teenaged black males in the juvenile justice system) qualify least as 'genuine' victims of crime" (Simon, 2000, p. 1132). Hence, the claims of the most privileged groups are advanced through the disavowal of other groups' claims.

Activists, no doubt, have strategic reasons why they continue to employ this tactic. As Razack and Fellows (1998) noted, "One reason we feel compelled to secure our

7 For example, when legal definitions of transgender identity require surgery or hormones as proof of transition, individuals who are unable or choose not to pursue such medical interventions may be denied gender-appropriate identification on key documents, such as passports, drivers licenses, birth certificates, and health cards. Individuals whose identification papers conflict with their self-expressed gender presentation may be denied vital social services and can be at higher risk for state-based harassment and violence. Similarly, if a state has human rights protections based on sexual orientation but not on gender identity, or vice versa, the decision to claim one particular identity over another can affect whether a person is eligible for legal remedy against discrimination.

8 I use the name Brandon Teena here because it is the most commonly recognized name. However, as Jacob Hale (1998) carefully documented, the identity of the individual who is popularly known as Brandon Teena was far more complicated than most accounts convey. It is not clear whether this individual used the name Brandon Teena or firmly identified within any single identity category.

9 I would argue that this case is more complicated than what was presented by any of the previously noted accounts; the evidence suggested that class, race, gender, and sexuality were all factors in the murder. Although one might assume that the issue of race is only in operation when the victim or perpetrator is non-White, such a view fails to understand the logic of racial oppression. As many critical race scholars (see, for example, Delgado & Stefancic, 1997; Dyer, 1997; Frankenberg, 1993; hooks, 1992; Leonardo, 2004) have demonstrated, Whiteness is not simply the absence of race, but the site of a racial identity that renders itself invisible through its status as the norm.

10 The racial identities of both individuals are nonetheless complex. Qwo-Li Driskill (2004) noted, for example, that Brandon Teena was of mixed White and Sioux Indian ancestry. Although the significance and meaning of this heritage warrant further discussion, Driskill rightly pointed out that the Native American dimension of Brandon Teena's identity is rarely acknowledged in queer and transgender accounts.

own place on the margin as the most oppressed is that not to do so is to risk erasure” (p. 339). This concern is a vital one for trans people, whose invisibility—induced by dominant power relations of sex and gender norms—makes it difficult for them to secure such basic rights and services as health care and housing. Historically treated as freaks of science, sources of entertainment, or fodder for academic theorizing, trans people struggle to define visibility on their own terms (Namaste, 2000). Even among groups who claim solidarity with transgender people, tokenism and exclusionary practices persist (Namaste, 2005; Phelan, 2001). Within this context, there is “much pressure to conform to the totalizing and essentializing dimensions of identity if claims of access to resources and demands for recognition of citizenship of transgender people are to have the gloss of legitimacy” (Moran & Sharpe, 2004, p. 412). Moreover, when the urgency of addressing violence is coupled with limited resources, time pressures, and media demands for sound-bite politics, the simpler, more rhetorical strategies can easily win out over complex and nuanced analysis.

Not surprising, then, is that the political narrative of TDOR has been reduced to a singular cause (transphobia) and a singular identity (victim of transphobic violence). The website achieves this narrative not only with its self-description but also through the remembrance archive itself. The list of victims in the archive includes no information on the age, race, class, ability, or particular circumstances of each individual who was murdered—nor is any such information provided about the people who committed each crime, even when the perpetrators are known. Although a handful of victim profiles include a photo of the person, most include only a generic silhouette image (TDOR, 2005f; 2006e).<sup>11</sup> Each case is abstracted from its history and context: Each murder is decontextualized and reabsorbed within a unified narrative and a universalized body of the dead trans subject. The narrative encoding of gender violence dovetails with a narrative decoding of racial violence, class violence, and sexual violence. Within this framing, each individual death can stand in and be substituted for another; difference is subsumed within sameness.

Because the archive provides so few details about each case, the cause of death becomes the most powerful marker of inclusion within the community of remembrance. The

gruesome details of violence, which are repeated at vigils and reiterated through the remembrance archive, have strong visceral impact; we do not remember the names of the victims so much as we remember the violence that was done to them. Just as Western feminism’s historical reliance on a universal female victim has tended to define gender as what is done to women, the gender identity of trans people is signified by what is done to their bodies (Razack, 2001). Deliberately unmarked by race, class, age, ability, sexuality, and history, these individuals—otherwise unknown—are rendered visible solely through the violence that is enacted upon them. The very existence of transgender people is verified by their death. Violence thus marks the body as belonging to the trans community. In this way, violence simultaneously obliterates and produces a particular trans subject—both materially (in the act of killing) and symbolically (in the subsequent narration).

Defined by the details of brutality, violence is reduced to the snapshot of a crime scene, a momentary fragment in time between perpetrator and victim. Without history or context, the systemic roots of violence are rendered invisible; violence is comprehensible only at the microlevel whereby individual transphobia becomes the only viable explanation. Besides being incomplete, this picture undermines the scope of antiviolence efforts. Several scholars have illustrated the problem of using phobias as a primary explanation for violence (Spade & Willse, 2000). As Gary Kinsman (1996) noted of homophobia, “It individualizes and privatizes gay and lesbian oppression and obscures the social relations that organize it” (p. 33). Hence, the trans murder victim emerges as the product of an individual hatred or fear rather than the result of the accumulative effect of social institutions (such as legal, economic, and political systems) that are founded on, and perpetuate, complex hierarchies of power and violence (such as White supremacy, patriarchy, and heteronormativity).

By accumulating a collective list of murder victims, the TDOR website does make efforts to demonstrate that acts of violence against transgender people are not isolated events. One of the educational handouts, titled “Anti-Trans Murder: Over One A Month” (TDOR, 2002), conveys the frequency with which such violence occurs. Yet the prevalence of murders is provided as further evidence of widespread transphobia, an idea that invariably returns to individual perpetrators as the root cause of violence. This analysis is confirmed by the handout’s conflation of justice with individual punishment and retribution: “Those who are caught seldom receive sentences commensurate with their crimes. In over 200 cases, only one such

<sup>11</sup> My drawing attention to the prevalence of silhouette images is not meant as a critique of the project organizers, who, as I noted previously, do not have the resources to find photographs of every victim listed on the site. Rather, my emphasis here is on the narrative effects of such images.

murderer is currently on death row, and just two others are serving life sentences” (TDOR, ¶ 4). The wording suggests that justice would be better fulfilled if more perpetrators were given life—or death—sentences. Indeed, the Remembering Our Dead project actively supports harsher penalties for transgender-related hate crimes (Gender Education & Advocacy, 2003b).

Such so-called solutions, however, fail to confront systemic causes of violence (such as the criminal justice system itself) and ignore state complicity in authorizing violence (Spade & Willse, 2000). As Wendy Brown (1995) aptly demonstrated, the call for such judicial responses “casts the law in particular and the state more generally as neutral arbiters of injury rather than as themselves invested with the power to injure” (p. 27). Moreover, because hate crime claims require the entrenchment of a fixed identity in order to prove a victim’s disadvantaged status, identities are reduced to stereotypical categories that appear natural and immutable rather than as the effects of power relations (Brown). In other words, as Jonathan Simon (2000) put it, “The satisfaction that comes from avenging oppression carries the price of reinforcing the very categories of the original victimization” (p. 11). Consequently, the TDOR website’s efforts to illustrate the ripeness of violence are undermined by its singular focus on transphobia.

The overarching political narrative of transphobia, however, is not absolute; it is destabilized by the highly racialized visual imagery conveyed through photos on the website. Educational handouts and other resources include photos of selected murder victims, a majority of which depict non-White faces. Of the names listed, many are non-Anglo, and several are accompanied by a parenthetical pronunciation key (e.g., “Julio Argueta [HOO-lee-o ar-GET-tah]” [TDOR, 2005a, p. 3]), which speaks to a White Anglo audience presumed to be unfamiliar with such names. Marked as racialized others, these names and faces both reinforce the website’s narrative norm of Whiteness and contest its totality. Against the political narrative that denies racialized violence, these photographic images suggest that race cannot be ignored.<sup>12</sup>

<sup>12</sup> A few online lists of transgender deaths explicitly note the racial identity of victims, highlighting the significance of race. For example, of the 51 individuals included on GenderPAC’s (2007) list of murder victims, 37 are identified as persons of color, the vast majority of which are African American and Latina transwomen. In its 2006 report on killings of transgender youth between the ages of 13 and 30, GenderPAC explicitly noted that 91% of the victims were people of color and the majority were economically poor.

Hence, two overlapping discourses are at work: the narrative voice of the activist cause, which refuses to formally acknowledge race, and the visual messages—captured by the names and the photos of racialized others—which explicitly call on race as a marker of victimhood. Yet these discourses do not operate with equal cognitive effect. The activist narrative (which, arguably, saturates the entire site) is overtly teleological, relying on a coherent story line of cause (transphobia) and effect (violence), with death marking the moment of truth at the end of the story. By contrast, the racialized images, which are scattered randomly throughout the site, operate at a more subconscious, yet nonetheless vivid level; they hover as a ghostly reminder of the dead, a lingering specter of race. Because these images are few in number, their visual force is particularly striking against the text-heavy website, further highlighting the significance of race even as race is formally written out of the official activist narrative. These seemingly conflicting messages work symbiotically to produce both a naturalized White subject and a brutalized body of color. The website’s photos depicting activists—seen at vigil ceremonies, marches, and speech-making events—predominantly comprise White faces, whereas the victim profiles depict predominantly people of color (TDOR, 2005b, 2005c, 2006b, 2007). When these images are juxtaposed, White activists are positioned as saviors of victims of color. In this way, the brutalized body of color is called upon to advance a political agenda that reinforces racial hierarchies at the same time as it disavows the significance of race (Razack, 2001).

Although the deracialized narratives of the TDOR/Remembering Our Dead project emerge from a particular political strategy, they are also the product of a broader social context that promotes individually focused and legally oriented responses to violence. In particular, because corporate media are the primary source of reporting on violence and law enforcement is the primary mechanism for redressing violence, these institutions play a significant role in setting the stage for activism. For example, although antidiscrimination and hate crime law in the United States and Canada have been strongly critiqued for their repeated failure to address multiple, intersectional, and structural forms of oppression (see

However, by claiming that “if federal law mandated the FBI to track gender-based hate crimes, they would outweigh every other category except race” (and providing a graphic that compared hate crime murders based on race, gender identity, sexual orientation, ethnicity, religion, and disability), the report nevertheless divided race from other dimensions of identity and risked succumbing to the politics of competing marginalities (GenderPAC, 2006, p. 2).

Crenshaw, 1989; Ehrenreich, 2002; Grabham, 2006; Spade & Willse, 2000), legal responses are still treated as a key remedy for violence. Because raising public consciousness is a key activist strategy, the naming power of hate crime legislation (i.e., identifying violence as perpetrated against specifically oppressed groups) remains politically appealing (Spade & Willse). In seeking such recognition, however, activists must adhere to the state's limited criteria and logic for identifying and prosecuting hate crimes. Similarly, because corporate media are often the first source of reporting about violence, such sensationalized accounts can set the tone for subsequent narratives. The Fred (F. C.) Martinez murder case, for example, shows how law enforcement agencies and mainstream media shape the terms by which activists respond to and recount incidents of violence. Tracing these narratives, one can begin to see the depth to which deracialized accounts of violence are socially embedded and collectively authorized.

### The Erasure of Race in the Fred (F. C.) Martinez Murder

On June 21, 2001, the brutalized and decomposing body of 16-year-old Fred (F. C.) Martinez was found in a shallow canyon on the outskirts of Cortez, Colorado. Martinez, a Navajo high school student who identified as openly gay and transgender, suffered blunt-force trauma to the head, as well as cuts to his abdomen and wrists. It was reported that on the night of June 16, 2001, Martinez had been chased by his attacker to a desolate, rocky area known as the Pits, run into a barbed wire fence, struck in the head with a rock, and left to die (Quittner, 2001). Shaun Murphy, a White 19-year-old from Farmington, New Mexico, subsequently pleaded guilty to second-degree murder, after witnesses reported him bragging that he had “bug smashed a *joto* [Spanish derogatory slang for a gay or effeminate male]” (Emmett, 2001i, ¶ 11).

At the onset of investigation, Montezuma County Sheriff Joey Chavez stated that detectives were “looking at the boy's sexuality, as well as the fact that he was Native American, as possible motives in the crime” (Emmett, 2001b, ¶ 13). But race quickly disappeared as a relevant factor. District attorney Joe Olt refused to prosecute the murder as a hate crime, treating the case as though the severity of the physical violence was all that mattered. As Olt explained to the local press: “We're looking at it as a murder that is heinous enough... To me, a murder is a hate crime” (GenderPAC, 2001a, ¶ 3).

The failure to treat the crime as legally hate motivated was widely attributed to the fact that Colorado's crime-bias legislation (Ethnic Intimidation Act of 1988) did not

include sexual orientation or gender identity as grounds for special prosecution (Colorado State General Assembly, 2005). The fact that the legislation included race, color, and ancestry was considered—by both news reporters and victim-advocacy groups—irrelevant (Emmett, 2001e; GenderPAC, 2001a). Some news reports even implied that Colorado had no hate crime legislation at all (Colorado Anti-Violence Program, 2001b; GenderPAC, 2002; Heidelberg, 2002).<sup>13</sup> The outrage over the Martinez murder was subsequently channeled into lobbying efforts to reform Colorado's bias-crime statutes to include sexual orientation—changes that were successfully adopted in 2005 (Colorado State General Assembly, 2005; Lambda Legal, 2001).<sup>14</sup> When the Martinez case received brief national attention, it was attributed to the antigay and anti-transgender dimensions of the crime, and not at all to factors of race (Colorado Anti-Violence Program, 2001a; Mimiaga, 2002). When the story hit national news feeders via the Associated Press, Martinez's Navajo identity was not even acknowledged (Gay and Lesbian Alliance Against Defamation [GLAAD], 2001). The farther the story traveled, the more race disappeared.

Although most regional press stories tacitly noted Martinez's Navajo identity, few articles considered it more than a supplementary detail. The controversy instead focused on whether the case constituted a hate crime and, if so, whether it was motivated by homophobia or transphobia; either way, race was deemed largely inconsequential. Although Martinez's mother, Pauline Mitchell, repeatedly described racism as a factor in her son's death and the subsequent legal proceedings, this perspective was mostly absent from the press coverage. Aside from public statements made by the Two Spirit Society of Colorado (which were mainly ignored in the mainstream press), even victim advocacy groups did not specifically discuss race.<sup>15</sup> In almost all accounts, sexuality and gender

13 Technically, the Ethnic Intimidation Act (1988) did not, at that time, include the term *hate crime*, but it effectively served the same purpose. Where crimes were shown to be motivated by particular forms of bias, stiffer criminal penalties could be applied (Ethnic Intimidation Act).

14 In every annual legislative session since 1994, lobbyists had introduced legislation that would enhance penalties for violence motivated by prejudice against the victim's sexual orientation, but the bills were defeated each time (TG Crossroads, 2002).

15 Gay and Lesbian Alliance Against Defamation (GLAAD), a media advocacy group that assessed press coverage of the case, did criticize news media that did not include Martinez's Navajo identity in their coverage. However, the organization nonetheless did not make race a central point of analysis.



consistently eclipsed race as an important factor in the crime. By the time the Martinez case reached the TDOR website, the issue of race was completely absent. The website currently memorializes the case as “Fred Martinez, Jr. (aka Fredericka, F.C.). Cortez, Colorado. 16-Jun-01. Bludgeoned to the head” (TDOR, 2007, p. 25, ¶ 9).<sup>16</sup>

A careful examination of the case, however, clearly demonstrates that racialized hierarchies of power were in operation before, during, and after the murder. Martinez’s mother, Pauline Mitchell, described numerous incidents that she attributed to racism, many of which began long before her son’s death. Noting that Martinez was often a target for harassment and violence at school, Mitchell felt that school officials not only failed to protect her son but also frequently blamed Martinez and subjected him to regular discipline (Quittner, 2001; TG Crossroads, 2002). As Mitchell described,

He was sent home often. I would have to leave work to go pick him up because they sent him home so much. The principle [sic] and vice-principle [sic] made so many complaints. Too many Native American kids are sent home from school. (GenderPAC, 2001b, ¶ 13)

Mitchell recalled several occasions in which Martinez was sent home from school for wearing what school officials called gender-inappropriate clothing—incidents she believed were also racialized:

One time, Fred went in wearing the same shoes this other girl was wearing. They were sandals. Nike. She didn’t get sent home, but Fred did. I complained to the school, but of course they aren’t going to listen to me because I’m Native American. (GenderPAC, 2001b, ¶ 14)

Racial discrimination continued in the aftermath of Martinez’s death. Although Mitchell reported that her son was missing on June 18, the police did not notify her when the (unidentified) body was first discovered on June 23,<sup>17</sup> nor did they inform her of the arrest and arraignment of Shaun Murphy. Mitchell learned of both,

after the fact, from a newspaper (GenderPAC, 2001b; Lambda Legal, 2001).<sup>18</sup> When she complained to the district attorney (DA) that it was her right to bear witness for her son at the court proceedings, he claimed that there had been insufficient time in which to contact her (Emmett, 2001g). Apparently, however, there had been ample time to notify Murphy’s family: His mother, grandmother, girlfriend, and daughter were all present at the arraignment (Lambda Legal). Requesting that she be kept informed of any details of her son’s death, Mitchell was subsequently assured by the DA that she would be notified when the autopsy was complete. However, the police released the autopsy results to the media without informing Mitchell; she learned about the gruesome details of her son’s murder in a newspaper (Emmett; GenderPAC; Human Rights Campaign, 2001). Mitchell also expressed concerns that the police had not investigated the crime scene adequately. When she examined the site herself, Mitchell found evidence that police had not removed, including some of her son’s hair, which was matted with blood (Human Rights Campaign). For Mitchell, the disrespectful treatment by police was symptomatic of racism (GenderPAC). Describing another indignity, she noted:

When they had Fred’s body bagged, I wanted to look at his body, to make sure. When they showed it to me, they had left a bunch of blood and rubber gloves with him. It hurt and it made me mad. They were willing to leave these gloves and blood like this with my baby. They treat me this way because I’m an Indian. (GenderPAC, 2001b, ¶ 23)

Later, when she was at the police station, she noted that “all the Native Americans have handcuffs on them, even leg-cuffs. But white kids and Shaun, they have nothing on them. They can move around freely. It’s just not right” (GenderPAC, 2001b, ¶ 23).

Mitchell subsequently filed a formal complaint with the governor’s office that her rights had been violated

<sup>16</sup> Although this description is consistent with that of the other deaths listed on the website (i.e., racial identity is generally excluded for all murders noted on the list), it remains an important factor in tracing how this narrative of violence become deraced as it circulated in various media networks.

<sup>17</sup> According to Mitchell, she reported her son missing on June 18, 2001, phoned in to follow up 2 days later, and then called again on June 23 when she read in the newspaper that a body had been found near her home. The sheriff’s office denied Mitchell’s claims, saying that she only filed a missing persons report on June 23, 2001 (Emmett, 2001g).

<sup>18</sup> According to the sheriff’s office, when the body was first found, its decomposed state made it difficult to determine how the individual had died, how long the body had been there, or “even the ethnicity of the man” (Emmett, 2001a, ¶ 4). Despite the state of the body, the sheriff’s office nonetheless concluded that the body did not match any missing persons reports from the area. According to Detective Kalvin Boogs: “Every one (missing-persons report) that we have received in the last year we’ve already ruled out” (Emmett, ¶ 6). Given the lack of clear identifying evidence, it seems odd that the police would rule out so quickly a missing persons report that had been made only a few days prior. The fact that no mention of a missing youth was made at the time suggests that Mitchell’s report of her missing son either was not on the minds of police or had been ignored.

under Colorado's constitutional law. Under the state's Victims Rights Act, the surviving family of a deceased victim has the right "to be informed of and present for all 'critical stages' of the criminal justice process" and "to be treated with fairness, respect and dignity" (Colorado Department of Safety, 1993, ¶ 2; Lambda Legal, 2001, ¶ 3). Shunning Mitchell's allegations that the violation of her rights had anything to do with her son's sexuality or ethnicity, the DA stated glibly: "If you're thinking that [it was intentional]—don't" (Emmett, 2001b, ¶ 13). Although Pauline Mitchell described these experiences as specifically related to her Navajo identity, the racial dimension of her grievances was absent from news reports. Even the advocacy organizations that supported Mitchell's formal complaint nonetheless treated race as a secondary factor; her son's sexuality and gender identity was consistently highlighted as the key issue in the case (Emmett, 2001g; GenderPAC, 2001b; Lambda Legal).<sup>19</sup>

Contrary to the media narratives, Mitchell refused to reduce her son's death to a single cause. When asked why her son was killed, she stated repeatedly that it was because he was different (Emmett, 2001f; GenderPAC 2001b; Quittner, 2001). According to Mitchell (2002):

F.C. [Martinez's nickname] had many difficult times in his short life. Much of this was related to the fact that he was Navajo living in a world that does not honor and respect different ways, and also that he was Nadleeh—Two-Spirit—and he could comfortably walk the path of both male and female, that he would love differently from most. F.C. also felt the pain of what comes when your family is poor, but very proud. It is not easy to grow up as Navajo, Nadleeh and poor. (¶ 4)

Mitchell's statement describes how race, gender, sexuality, and class hierarchies collectively constituted the circumstances of her son's death. At the same time, Mitchell (2002) refused to reduce these factors to simple identity labels. For Mitchell "labels mean nothing—and they meant nothing to F.C. He used these terms to make other people comfortable, not himself" (¶ 1). By rejecting these labels, Mitchell eschewed a logic that would reduce difference to an inherent quality about her son. As Razack (2001) argued, "When difference is thought to reside in

the person rather than in the social context, we are able to ignore our role in producing it" (p. 21). In no way did Mitchell deny the factors that marked her son as different, but she recognized that such differences are always relational; otherness can be understood only against its norm. In this way, Mitchell insisted on situating her son's death within its broader social context and thereby called on collective responsibility for such oppression.

The differences that marked Martinez as being other cannot be understood independently from each other. As Iris Marion Young (1997) pointed out, "The absurdity of trying to isolate gender identity from race or class identity becomes apparent if you ask of any individual woman whether she can distinguish the 'woman part' of herself from the 'white part' or the 'Jewish part'" (p. 13). Likewise, when a boy is accused of being a fag it is not only his sexuality that is in question, but also his masculinity: He is perceived as being not man enough. As Viviane Namaste (2000) argued, "Gender is a cue used to locate lesbians and gay men" (p. 141). But gender is not simply mistaken for sexuality or vice versa; the two are read through one another and constitute each other's logic. Even the most hypermasculine man will be accused of failing to be a real man if he is gay, just as an assuredly heterosexual male will be accused of not being straight enough if he is in any way effeminate.

In the same way that gender and sexuality are produced symbiotically by and through each other, so is race constituted by the logic of gender, sexuality, and class. Martinez was attacked not simply because he failed to embody proper masculinity and heterosexuality; Martinez did not conform to a certain kind of heterosexual masculinity—namely, White, middle-class, able-bodied heterosexual masculinity. Masculine heterosexuality is not a universal, abstract hegemonic ideal; it is contextually bound, ordered by time and place. Black masculinity, for example, is not governed by the same standards as White masculinity. Just as gender is a cue for sexuality, so is race a cue for sexuality, gender, and class. As Gail Mason (2002) argued, "Categories of gender, race and/or sexuality do not just intersect with each other in incidents of inter-personal violence. Rather, they are the 'vehicles of articulation' for each other" (p. 61). For these reasons, we cannot say that Martinez was killed primarily because he was gay and transgender but also because he was Navajo and poor; this additive approach fails to account for the ways in which the racial and class dimensions of identity are produced by and through the other. Race and class do not simply complicate violence—they enable it (Razack & Fellows, 1998). Indeed, race and class, like gender and sexuality, are also constituted *through* violence (Smith, 2005).

19 Unlike most reports, GenderPAC did make explicit reference to "reports of racism" (2001a, ¶ 1–2) as a "persistent theme" (2001b, ¶ 2) in the police treatment of Martinez's mother and noted intersecting identities as factors in the murder. Nonetheless, accounts of the case still report that "the dominant theme surrounding Fred's murder has been his gender and sexuality" (GenderPAC, 2001b, ¶ 2).

The interlocking nature of oppression can be understood in the particular context that situated the relationship between Martinez and Murphy. In an earlier encounter on the night of June 18, 2001, Murphy and a friend, Clint Sanchez, picked up Martinez after seeing him at a party and all went out for pizza. After they had dropped off Martinez, Sanchez asked Murphy whether he thought Martinez had assumed they were gay (Emmett, 2001d; Quittner, 2001). This question, unremarked on by the media, is significant because it speaks to the economy of desire that arose in that encounter. The question verbalizes a possibility that Murphy and Sanchez might have been thought to be gay. In this way, the question speaks to a forbidden desire not only between men but also between Whites and racialized others. In this moment, Murphy's heterosexuality, masculinity, and Whiteness were simultaneously threatened—with serious consequence. To be misread as gay is not a trivial mislabeling of identity, but a significant disruption of the dividing line between self and other. Indeed, false accusations of homosexuality not only are considered slanderous enough to spark civil litigation cases but also have been used successfully as a defense (known as the *gay-panic defense*) in several murder trials (Ott & Aoki, 2002). Because sexuality cannot be dislodged from racial and gender identity, this moment of desire threatens to undo the racial, gendered, and sexual ordering of Murphy's social identity. In a context in which White, heterosexual masculinity is dominant, the proximity of desire that arises in this encounter with the other strikes at the heart of the straight White male's sense of self. To maintain his sense of self, Murphy had to disavow this desire; he accomplished this disavowal through violence (Pinar, 2003).

Murphy's actions following his attack on Martinez confirm the role violence plays in securing a sense of self. In returning to his friend's apartment and proclaiming that he had "bug smashed a *joto*" (Emmett, 2001i, ¶ 11), Murphy declared neither shame nor remorse, but pride. His statement was a way of recording what he had done, to claim the violent act as his. To brutalize another and recount it with pride is an exercise in identity formation that reaffirmed Murphy's sense of self as dominant and superior. Violence radically re-marked the boundary between himself and the other; no longer could the other threaten to engulf him by desire. Murphy reaffirmed who he was: masculine, dominant, White, whole.

Murphy's reassertion of identity through violence was not simply a moment of individual psychological crisis—it was also rooted in broader social forces. Both the instability of identity itself, which drives the incessant need for its reassertion, and the impetus to secure a

privileged position through violence are consequences of hierarchical power relations. Murphy's own history, for example, was marked by previous acts of violence, repeated conflicts with the law, and difficulties in school (Emmett 2001c; TG Crossroads, 2002). First expelled from school in the sixth grade and subsequently ousted from two high schools, Murphy was labeled a troublemaker from a young age. According to the principal of one school, Murphy "was considered by state law as a habitually disruptive student. He was one of those kids you just don't know about" (Emmett, ¶ 11). In a context in which educational and legal systems respond to problem behavior through labeling, expulsion, and punishment, it is not surprising that Murphy projected these experiences onto others; institutionalized social exclusion arguably breeds further acts of marginalization. Indeed, Murphy's behavior extended a pattern of oppression whereby attempts by one group to overcome social exclusion are channeled through subjugation of another.<sup>20</sup>

Further evidence suggests that the encounter between Murphy and Martinez was a colonial one. That Murphy chased Martinez into an isolated area known as the Pits is not insignificant.<sup>21</sup> A place where teenagers go to party and smoke marijuana, this zone is marked outside the boundaries of the civilized city; it is a space of social, economic, and legal abandonment. As Razack (2001) noted, "The city belongs to the settlers and the sullying of civilized society

20 Murphy's last name, which marks him as bearing Irish heritage, signals a much longer history of struggle for racial belonging. As Noel Ignatieff (1996) argued, when Irish Catholic immigrants first came to the United States, their attempts to shed oppressed status in Ireland and attain White privilege in America meant racially distinguishing themselves from non-Whites. "Having fair skin made the Irish eligible to be white, but it didn't guarantee their admission. They had to earn it" (Postel, 1997, ¶ 21). Irish-Catholic immigrants collectively earned this White (working class) status, argued Ignatieff, by disavowing the struggles of Blacks in the United States, and by participating in the oppression of non-Whites.

21 The evidence is not entirely clear on this point, in part because Murphy recounted three different versions of what happened that night (Heidelberg, 2002). Murphy claimed that Martinez attacked him and so he struck Martinez with the rock in self-defense; in one version of this story, he said that Martinez chased him to the Pits, not the other way around. In another version, Murphy claimed that the two had met in the Pits, at which point a fight ensued. However, the evidence from the autopsy—namely the types of cuts on the body—suggested that Martinez had run into a barbed wire fence while being chased (Quittner, 2001). Moreover, there was no evidence to demonstrate that the fight was mutual—Murphy suffered no injuries. By contrast, the autopsy noted extreme blood loss and a fractured skull as among the causes of Martinez's death (Emmett, 2002).

through the pretence of the racial Other in white space gives rise to a careful management of boundaries within urban space” (p. 129). Indeed, the location of Martinez’s murder outside the city proper reflects this colonial ordering of space; such violence further constitutes the wildness as a place of savagery. Known as a tiny frontier town, Cortez is characterized not only by deep racial divisions but also by its boundary line against the half-million inhabitants of the neighboring Navajo territory (Quittner, 2001). As Murphy chased Martinez to the outskirts of town, he literally drove an Indian outside the bounds of civilization and closer to the reservation. Against a long history of White Americans forcing the Diné people from their land, when a White man chases a young Navajo to the edges of the frontier, brutally beats him, and leaves him to die, how can we not see this encounter as a colonial?<sup>22</sup>

Indeed, Mitchell understood her son’s death in this context: not as a singular attack by one individual against her son, but as part of a long history of colonial oppression. The sexualized, racialized, and gendered dimensions of the violence that Martinez experienced are certainly consistent with the legacy of colonization. As Andrea Smith (2005) powerfully demonstrated, sexualized violence is deeply embedded in, as well as constitutive of, colonial relationships. Colonization required careful management of gender and sexual relations, a task achieved largely

<sup>22</sup> Navajo history is characterized by government-inflicted displacement, abuse, and environmental racism. Most notably, in 1864, the Navajo were interned by Colonel Christopher Carson at Fort Defiance, Arizona, and then force-marched, in what is known as the Long Walk, 300 miles in mid-winter to Bosque Redondo, New Mexico (Churchill, 1998; Iverson, 2002). Confined there for 4 years, the Navajo endured substandard living conditions, abject poverty, and starvation. By conservative estimates, the Diné lost half of their population during this ordeal (Churchill). Although the Navajo people eventually were permitted to return to a reduced area of their territory, the U.S. government continued to exercise colonial control over the territory through economic exploitation. In the 1940s, discovery of uranium deposits in the Navajo territory led to a massive mining project in support of nuclear testing. Between 1946 and 1968, more than 13 million tons of uranium ore were mined on Navajo territory, resulting in radioactive contamination of the local water supply. In the 1980s, the Navajo Health Authority documented unusually high rates of birth defects among babies born in mine-adjacent areas; other studies found higher rates of miscarriages, infant deaths, birth defects, and learning disabilities (Churchill). Under the Navajo-Hopi Relocation Act of 1974, the United States sought to remove 13,000 Diné from the Big Mountain region in Arizona to turn the land over to the Peabody Coal Company. The history of the Navajo reservation was also scarred by forced sterilization and residential schools characterized by widespread sexual abuse (Churchill; Smith, 2005)

through institutionalized violence. Reflecting this legacy, the Two Spirit Society of Colorado released a formal statement acknowledging that Martinez’s murder was not an isolated incident, but part of the historic violence against Native Americans. Mitchell concurred: “I will tell you [that] here in Cortez, too many Indians die. They just let it go and nothing is done about it” (GenderPAC, 2001b, ¶ 31).

Mitchell’s statement suggests not only that the deaths of Indians are common (and, therefore, not isolated incidents) but also that such deaths are socially authorized and enabled by the community, the law, and the state. In this light, we cannot isolate Martinez’s death from the harassment and violence that he experienced on a daily basis—acts that were endorsed by school authorities (through their disciplining of Martinez) and permitted by members of the community (who did nothing about the harassment). Martinez’s death can be seen as an extension of that everyday violence. Alan Cook, an openly gay psychotherapist who assisted Martinez following a suicide attempt 6 months prior to the murder, noted: “I did not understand the gravity of [Martinez’s] sense of malaise about his safety. I am a middle-class white male, and I didn’t have insight into the part of the community that is young and Navajo and gay” (quoted in Quittner, 2001, ¶ 5).

Although some would argue that the 40-year jail term to which Shaun Murphy was eventually sentenced is evidence that Martinez’s death did not go unnoticed, the media coverage suggested that this response was mainly owing to the public outrage over what was perceived as an attack spurred by homophobia, not a case of racialized violence. More important, however, the sentence does not call into question the structures of power that enabled the murder in the first place. As the sole bearer of responsibility, Shaun Murphy became the scapegoat that allowed others to deny complicity. By assigning blame to an individual, the social hierarchies of power that give rise to such violence are left fully and forcefully intact. The sentencing process gives the state an opportunity to confirm the official story: that violence is an exceptional moment, not an everyday one. Doing justice in the form of Murphy’s sentence reinstalled the narrative that violence is the act of a lone killer, not the consequence of a system of racial, gender, class, and sexual hierarchies. When responsibility belongs to a single perpetrator, the rest of us are positioned as innocent bystanders.

### Producing Innocent Onlookers: Spectacle and Witness as Complicity

As long as violence is attributed to the single act of an individual, the role of the witness—the one who is left to remember—is rendered innocent. At most, our duty as

witnesses is to spread awareness. This orientation is reflected in the George Santayana quote that prefaces the Remembering Our Dead portal on the Gender Education & Advocacy website (<http://www.gender.org/>): “Those who cannot remember the past are doomed to repeat it” (n.d.). But as Simon and Rosenberg (2005) argued, memorialization practices that function as warnings or simple object lessons are insufficient to dislodge our own complicity in deep-seated patterns of violence:

On such terms, initiating and participating in remembrance defines one’s own responsibility as one of educating others (since one already knows about the events in question), a practice that too often and too easily slides into a postponement of what one needs to do oneself. (pp. 84–85)

Without critical reflexivity, the exercise of educating others serves to entrench a sense of self that is beyond reproach. Those who know and educate are positioned as morally superior to those who are ignorant; we congratulate ourselves for our political awareness without moving outside the comfort zone of moral authority and self-knowing. Such positions of moral superiority are usually classed and raced: The well-educated, supposedly enlightened White subject is juxtaposed against the ignorant redneck, the high school dropout, the presumably backwards ethnic other (Ott & Aoki, 2002).

Our innocence as witnesses is also secured through outpourings of public sympathy. Particularly when we are called to remember those whom we did not know personally, we are invited into a community of shared grief and called upon to experience a sense of collective sympathy. But, as Susan Sontag (2003) argued, “So far as we feel sympathy, we feel we are not accomplices to what caused the suffering. Our sympathy proclaims our innocence as well as our impotence” (p. 102). In this way, sympathy is seductive. By recognizing the pain of others, we tell ourselves, we engage in a shared sense of humanity. We identify with the other through the recognition of our own pain. But in doing so, we risk appropriating another’s pain for our own purposes—or, as Razack (2007) called it, stealing the pain of others.

When the deracialized narrative of Fred Martinez’s murder is held up to further the transgender cause, the pain of colonial violence is erased and usurped and the racialized nature of oppression is obscured, allowing witnesses to deny the ways in which hegemonic Whiteness is enacted and sustained through violence. In other words, in such accounts, the witnesses uphold the myth of White innocence. Perpetuating this narrative of power, the witnesses are also constituted by it; in this sense, the

witnesses become White. This process of White witnessing is, of course, never stable or absolute, particularly for racialized witnesses, who are already constituted as not White even as they are ushered into a White narrative. Indeed, the social and political effects of a racialized witness engaging in a White discourse (which ultimately marks the further pain of silencing, erasure, and assimilation), is different from the effects for a subject whose Whiteness is being reaffirmed and repriviledged through that discourse. Yet the overall effect is one that enables White complicity;<sup>23</sup> the narrative allows Whites to deny the ways in which we/they enable and benefit from the ongoing legacy of colonial and racialized violence. White witnesses do not have to consider the ways in which our/their daily practices contribute to, authorize, or uphold racialized power relations that enable violence. Such witnessing thereby uses the pain of others to reaffirm a sense of self.

This process of witnessing is evident in a remembrance ritual whereby the living speak for the dead. Among the resources provided by the TDOR website is a set of first-person narratives. For example:

My name is China Zainal (CHI-na zy-NALL), and I was a forty-six year old Indonesian-born sex worker living in Sydney, Australia. On November thirtieth of two thousand and three, two witnesses saw me staggering down one street before collapsing in another. They called an ambulance, which took me to St Vincent’s Hospital. I died at the hospital from nine stab wounds to the neck and upper torso. (TDOR, 2004a, p. 1)

I’m Mylène [mee-LEN], a 38 year old transsexual born in Ecuador, and living in France. On March 26th, my body was discovered in a room in a hotel near the center of Marseilles [mar-SAY]. My throat was cut — as were my genitals. (TDOR, 2005a, p. 2)

My name is unknown, but I was Chinese or East Malaysian, and living in Kuala Lumpur. On the 11th of November, my body was found head-first in a

23 By complicity, I do not mean to suggest direct involvement or intentional collaboration with acts of violence; rather, I refer to less visible and more mundane actions that nonetheless contribute to structural injustice or perpetuate social processes that enable violence. If violence is socially produced, then responsibility must be socially enacted. I am not saying that responsibility is equally shared, but suggesting that it cannot be reduced to individual accountability or simple questions of moral obligation. Rather, responsibility must be structurally oriented, socially connected, and collectively enacted (Veitch, 2007; Young, 2006).

garbage bin, wearing a dark T-shirt, white shorts and padded bra. Police revealed that there was a single slash wound on the neck and numerous bruises on my body. (TDOR, 2005a, p. 4)

Presumably, these biographies are designed to be read at vigils in order to make individual deaths more real to those bearing witness. But what does it mean to speak for the dead in this way? Is this how these individuals would want to be memorialized, by the gruesome details of their death? In taking the voice of the other as our own, we colonize the bodies of the dead. These narratives speak not to the honoring of life, but to the fetishization of death. Once again, the violent act itself—and not the social conditions that facilitate violence—takes center stage. The details of these killings pander to an imagination that is enticed by images of shock and suffering. Thus, death becomes spectacle and the horror of violence eclipses the humanity of those who have died.

The spectacle of violence undermines the antiviolence cause by sensationalizing brutality, objectifying the dead, and exploiting raw emotion. This is not to minimize the importance of mourning and grief, particularly for those who have lost a loved one—rituals of remembrance can be important practices of healing and support. However, the closeness of pain that arises from personal grief cannot be confused with the distanced emotions that are generated through the consumption of spectacles of violence. As Simon, Di Paolantonio, and Clamen (2005) noted, spectacle “is not a thing, it is not an event or even a particular representation of an event... Rather spectacle is a particular mode of attentiveness... It is a way of entering the significations of social” (p. 143). Through this mode of attentiveness, we experience the narrative of violence while still maintaining a position of exteriority:

The projections and identifications made within spectacle, and the consequent defences it elicits, both require and enact leaving ourselves intact, at a distance, protected from being called into question and altered through our engagement with the stories of others... Our attentiveness while not “inactive,” is compliant; it does not engage in the praxis of making and re-making our historical consciousness. (Simon et al., p. 144)

As Martinot and Sexton (2003) argued, “Spectacle is a form of camouflage. It does not conceal anything; it simply renders it unrecognizable. One looks at it and does not see it” (p. 174). One might look at Martinez as Navajo, but not see the way in which his murder is racialized. In this way, spectacle invites us to read particular narratives “on the terms of the moral certainties we hold dear,

allow[ing] us to disavow any requirement that the terms on which we are moved might throw ourselves into question, into destabilization” (Simon et al., 2005, p. 144). This process constructs the gaze as innocent, one that is fascinated, pleased; the onlooker is overcome by both grief and gratification—but, either way, the witness bears no responsibility.

In this context, evoking sympathy serves to advance the agenda of a privileged few at the expense of others. As Ross described TDOR,

It sure makes for a powerful street performance: candles, tears, hugs, and snuggles over cardboard pictures of butchered members of a marginalized minority produces emotionally charged images. But it functions, both theatrically and politically, to benefit a privileged subsection of the trans community. (quoted in Namaste, 2005, pp. 92–93)

Such practices have concrete material consequences. As Jacob Hale (1998) argued, “When a border zone denizen’s corpse is claimed by those with firmer categorical location, border zones become less habitable for those who are trying to live in the nearly unspeakable spaces created by overlapping margins of distinct categories” (p. 319). In other words, when the complexity of identity is denied or ignored for political gain, those whose lives do not conform to easily politicizable identities have even less space in which to express themselves, make political claims, and confront oppression.

Remembrance practices also inform the political priorities of social movements, generating further material consequences. Because remembrance narratives define problems of violence on certain terms, they directly influence the kinds of solutions proposed in response. For example, when the bulk of an advocacy group’s funds are used to lobby for hate crime legislation rather than to advocate for transgender prisoners, or for increased community policing rather than decriminalization of sex work, or for corporate employee benefits rather than universal health care, it is often low-income people of color who lose. For this reason, activists have an obligation to continuously examine how their political strategies affect those who are most disenfranchised. If the most privileged within the community benefit at the expense of the most marginalized, such strategies are not worth pursuing.

### Conclusion: Remembering Otherwise

The narrative erasure of racialized violence in the TDOR/Remembering Our Dead project is arguably not isolated, but symptomatic of broader racial hierarchies within transgender politics. The first National Survey of

Transgender Violence (Wilchins, Lombardi, Priesing, & Malour, 1997) in the United States, for example, failed to adequately discuss race. Although the racial identity of victims and perpetrators were included in the data collection, this information was obscured by the paper's overall analysis, which isolated transphobia from other factors (Moran & Sharpe, 2004; Wilchins et al., 1997). Likewise, the story line of *Boys Don't Cry*, the award-winning film about Brandon Teena, was deliberately deracialized; one of the murder victims—Philip DeVine, a disabled African American—was purposefully left out of the narrative.<sup>24</sup> The fact that DeVine was dating the sister of Brandon's lover, Lana—a White woman—as well as the fact that one of the murderers had affiliations with White supremacist military groups, was deemed irrelevant to the larger context of the triple murder (Halberstam, 2005). When questioned on her decision to excise DeVine from the screenplay, filmmaker Kimberly Peirce suggested that the racial dimension would have overcomplicated the plotline. In doing so, as Judith Halberstam pointed out, Peirce not only denied DeVine's racially charged death but also failed to recognize how race was a key factor in Brandon's death as well. Such denials of racialized violence dovetail with the deracing of mainstream transgender history. For example, the famous Stonewall Riots were led by Black and Latina drag queens, yet popular representations of this history are frequently deraced (Feinberg, 1996). Similarly, some of the most well-known and popular heroes of the transgender movement—Leslie Feinberg, Kate Bornstein, Pat Califia, Riki Ann Wilchins, and Brandon Teena—are read as White.

The pervasive denial of race within some trans activism calls into question current conceptions of transgender identity categories, particularly in struggles against violence. As Moran and Sharpe (2004) noted,

The use of the term 'transgender'...needs to be treated with some caution, having the potential to reduce our understanding of the nature of the violence and the experience of those who are the target of this violence to a uniform phenomenon. (p. 401)

If the political usage of trans identity requires that race, class, ability, and sexuality be subordinated or

displaced by gender, its deployment will inevitably fail as a political strategy because such a usage denies the interlocking character of hierarchical systems of oppression (Razack & Fellows, 1998). I am suggesting not that trans identity should be abandoned as a basis for political-organizing but that its usage must be recuperated from a deracializing logic. Given propensities among trans activists to contest binaries between masculinity and femininity, surely there is ample room to rethink experiences of violence beyond either-or categories.

Although this article traced a single murder case to show how its inclusion within TDOR was predicated on a deracialized narrative, I would argue that the same process of tracing race can be undertaken for each case. By reducing violence to a single cause, the TDOR/Remembering Our Dead project not only obscures the social, political, and historical context of violence but also forecloses on the possibilities for resistance. When justice is reduced to mounting simple awareness campaigns on the one hand, or calling for stiffer sentences on the other, we fail to address the structures of power that enable violence in its everyday and mundane forms. Underlying these responses is a liberal plea for tolerance—a plea that locates violence in the sphere of individual attitudes. These strategies not only create an environment of competing marginalities but also limit the possibilities for meaningful political solidarity. When violence is reduced to transphobia alone, only those who identify as transgender can have a real stake in trans politics; others who take up the cause can do so only from a position of charity or from a basis of sympathy rather than shared struggle and collective responsibility. Such a delineation limits the possibility for political affinities grounded in an understanding that oppressions are inextricably linked.

Despite these critiques, I am not suggesting that we should cease remembering those who are commemorated by the Remembering Our Dead project. As Simon (2005) noted, "The task of working for social transformation is not to forget the past, but to remember it otherwise" (p. 9). The question, then, is How do we remember otherwise? What would it mean to remember in such a way that confronts *structural violence* (i.e., processes of domination that are socially, politically, and economically instituted over time) and requires examination of our own complicity? Simon provided a useful starting point:

Remembering otherwise will proceed from those practices of remembrance whose over-riding consideration is the question of what it might mean to take the memories of other (memories formed in other times and spaces) into our lives and so live as though the lives of others mattered. (p. 9)

<sup>24</sup> DeVine was removed not only from the narrative itself but also from the film's original dedication, which read, "To Brandon Teena and Lisa Lambert." Because the dedication references actual facts more directly than the narrative itself, this decision to leave out DeVine selectively presents a true-life tale as though DeVine did not exist at all (Halberstam, 2005).

Such a response demands “an attentiveness to an otherness that resists being reduced to a version of our own stories” (Simon et al., 2005, p. 135).

Remembering otherwise may require a rethinking of the political uses of narrative itself. Although narrative can play a vital role in giving voice to those who are marginalized, perhaps its deployment in particular contexts comes at too high a cost. Perhaps activists and academics must further interrogate the political logic of narrative, which organizes time, place, and identity in particular ways, thereby opening up some political possibilities but foreclosing on others (White, 1980, 1984). In some circumstances, we might seek out narrative forms that are more open, flexible, and fluid, drawing on narrative expressions that resist totalizing messages or reductionist identity claims. In others, we might reject narrative altogether and choose alternative modes of communication from which to launch our political demands. Either way, we must be attentive not only to the content of our political claims but also to their form.

There are signs of hope. For example, organizers of a recent Transgender Remembrance Vigil at the 519 Community Centre in Toronto made explicit efforts to address violence against trans people within its broader context of oppressions. Flyers circulated to promote the event read:

The Trans Day or Remembrance ceremony at The 519 provides an opportunity for trans/two-spirit/gender-queer people and their allies to gather together to gain strength, to educate, and to perform an act of resistance. While most “Transgender Day of Remembrance” events internationally focus on “anti-transgender violence” we here at Trans Programmes at The 519 are choosing to acknowledge not only transphobia as a root cause of violence in our community, but also to specifically mark the various forms of oppression in our culture that increase violence and limit protections for many members of the trans community. These include racism, ageism, ableism, stigma against sex-workers, classism and homophobia.

Although the language could go further in acknowledging the interlocking nature of oppression, the flyer nonetheless demonstrates a move in the right direction. Similarly, the ceremony itself made efforts to celebrate the lives of transgender people rather than sensationalize their deaths. Our task, then, is to push these efforts further—not only with respect to TDOR but also in the many ways we recount and confront violence. None of us are innocent. We must envision practices of remembrance that situate our own positions within structures of power

that authorize violence in the first place. Our task is to move from sympathy to responsibility, from complicity to reflexivity, from witnessing to action. It is not enough to simply honor the memory of the dead—we must transform the practices of the living.

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