

Intersectionality in the Case of CeCe McDonald

By Austin Greitz

ABSTRACT. The concept of intersectionality has played an integral part in modern feminist theory since its coining by Kimberlé Crenshaw in 1991. Although the concept has been criticized in recent memory for its apparent lack of a universal methodology, cases such as the arrest and incarceration of CeCe McDonald prove that intersectionality is still a valid concept that remains critical to modern feminist theory. This article follows the altercation that led to the arrest of CeCe McDonald and further explores how the intersection of identities at which McDonald lives lead to her incarceration and the issues she faced within the prison system. This article concludes with a look into the future possibilities for the theory of intersectionality.

In the contemporary study of issues surrounding gender and sexuality, the theory of intersectionality has arisen as a dominant voice for social justice. Although the idea of intersectionality has existed within feminist and antiracist circles for a large part of the 20th century, the idea did not gain prominence until Kimberlé Crenshaw, a scholar in the field of critical race theory, published her landmark “Mapping the Margins” in 1991. Crenshaw’s definition of intersectionality was based around the observation that “contemporary feminist and antiracist discourses [had] failed to consider the intersections of racism and patriarchy” (p. 93). Intersectionality was then defined as a way of seeing how structures of oppression overlap with one another, and as a lens through which individuals could compare current antiracist or feminist movements against social justice movements as a whole. As feminist theory continues to evolve, the theory of intersectionality has

taken some criticism for having no solid methodological approach (Nash, 2008; McCall, 2005). However, intersectionality remains a tool that is necessary for understanding how certain acts of oppression happen and how societies can attempt to prevent similar acts of oppression in the future, as evidenced by the case of CeCe McDonald. CeCe McDonald's intersecting identities of being Black, poor, transgender, and a woman played a major role in her being assaulted, her incarceration, and her further interactions with the legal system.

As stated by Johnson (2013), in June of 2011, the Black trans woman CeCe McDonald was assaulted by Dean Schmitz and Molly Shannon Flaherty after McDonald and a group of friends left McDonald's apartment to walk to a nearby grocery store in Minneapolis, Minnesota. The assault took place outside of the Schooner Tavern around closing time while McDonald was en route to the local liquor store. Flaherty and Schmitz yelled slurs at McDonald's entourage and labeled McDonald specifically as a "nigger," "faggot," and a "chick with a dick" (p.140). After confronting the harassers, McDonald's face was cut open with broken glass by Flaherty. Attempting to flee the scene, but followed by Schmitz, McDonald took a pair of scissors out from her purse and stabbed Schmitz, who died at the scene. McDonald would soon be arrested on charges of manslaughter and sent to a men's prison for 41 months.

When analyzing the events that unfolded with regards to McDonald and Schmitz, one must look through the lens of intersectionality. Johnson (2013) claims that Schmitz not only referred to McDonald with racist slurs, but also with homophobic, cissexist, and transphobic ones to further denigrate McDonald's identities, and that this action "[demonstrated] how transfemininity is a threat to heteronormative masculinity and patriarchy" (p.140). In this way, it becomes evident that no single identity was at play when Schmitz and his conglomerate targeted McDonald and hers; instead, it was McDonald's intersection of identities that allowed Schmitz to feel validated in his

assault. McDonald's socioeconomic class also comes into play in this scenario; if McDonald did not come from a low socioeconomic standing, it is fair to suppose that she would not have had to walk the half-mile from her apartment to the liquor store, thus bypassing the Schmitz incident altogether. In addition, it is these same intersections that caused McDonald to react in the way that she did—in a nation where murders of trans women of color continue (Dalton, 2015), McDonald no doubt felt that the only way to defend herself against death was to violently defend herself.

Intersectionality is also the key to understanding the events that unraveled with regard to McDonald as she made her way through the legal system. It may initially appear that McDonald's being charged with a crime was merely a racialized issue—McDonald is Black, Schmitz was white—but this is not the whole story. As Johnson (2013) once again notes, Black cis men are “the population most targeted by the penal system” (p. 141), and this is how McDonald is presented to the jury—through structural transphobia, McDonald's case is heard as a man's case, and when coupled with her Black identity, this discrimination had a powerfully negative outcome. Additionally, the treatment of trans bodies played a role in the hearing of McDonald's case, as trans bodies are increasingly criminalized in modern society (Glickman, 2016; Stanley and Smith, 2011). During the hearing, McDonald's prior hospitalization for depression was also brought up, while Schmitz's violent history was never discussed (p. 139); this exemplifies how the stigmatization of mental illness differs when it is associated with a Black or a white body. It is clear that the guilty verdict given to McDonald was an effect of what Anderson and Collins (2009) refer to as the “matrix of domination” (p. 6). No one oppression was at play in McDonald's case, because many were at play simultaneously.

Within the prison system, McDonald was also victimized by the intersectionality of her identity and the

corresponding matrix of domination. Like her experience in court, McDonald was also placed into a men's prison after being convicted of manslaughter. This preoccupation with anatomical sex, and not gender identity, was not only emotionally demeaning, but also physically harmful. Bevenssee (2014) found that within male prisons, "behaviors demarcate trans bodies as sub-human and thus deserving of less than human conditions" (105). Not only did McDonald have to struggle with issues regarding her personal safety as a trans woman and her medical rights to hormone treatment (which Johnson (2013) notes was stopped for the first two months of incarceration), but McDonald also had to deal with navigating the prison complex itself, which is known to be an incredibly racialized and race-segregated institution (Kerness and Lewey, 2014).

In a world in which one in three Black men are incarcerated in their lifetime (Explains, 2015) and trans bodies are increasingly criminalized and incarcerated (Glickman, 2016; Stanley and Smith, 2011), it is important to recognize that although the intersections of McDonald's identities trapped her within a matrix of domination, the intersecting of identities can also be used in the future to more fully understand individuals and better react to them. The rage of the oppressed has been identified as a powerful agent for change in today's world (Jordan, 2014), and thus the matrix of domination that is at once so devastating can also perhaps serve as the motivator in the fight for freedom. In addition, an understanding of the intersections of identity at which an individual lives can also be utilized in order to understand the issues affecting such an individual better, and thus can be applied to social justice movements in order to more effectively create change.

It is apparent that intersectionality is a theory that is effective for understanding how oppression and the matrix of domination exist today. The case of CeCe McDonald has further elucidated this fact, and stands to show social constructionists that work can still be made on

combating oppression, especially within multi-marginalized communities. The only way that progress can be made is by understanding how intersectionality plays a part not only in the lives of individuals, but also in the functioning of hierarchical structures as a rule, and then by working to dismantle the ways in which these structures elevate specific intersectionalities over others.

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