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# (Dis)Appearing Subjects: Managing Violence Through the Discourse of Bullying

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**(DIS)APPEARING SUBJECTS:  
MANAGING VIOLENCE THROUGH THE DISCOURSE OF  
BULLYING**

**by**

**RACHEL E LEVITT**

B.A., Communication Studies and Women's Studies,  
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DISSERTATION

Submitted in Partial Fulfillment of the  
Requirements for the Degree of

**Doctor of Philosophy**

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## **DEDICATION**

For all those who did not survive

And those still struggling to

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**ABSTRACT**

In the early 2000's, "bullying" became the new center of LGBTQ justice organizing. As part of this development a bullied subject emerged. This bullied person on whose behalf liberation was being sought took various forms from the bullied school shooter, to the cyberbullying victim, to the bullied suicidal queer. As the subtitle of my dissertation suggests, I focus on "managing violence through the discourse of bullying." This marks a two part process: how the discourse of bullying manages to do violence and how it manages populations biopolitically. This study tackles one of the core paradoxes that inform the formation of these bullied subjects—that is, the terms by which experiences of harassment, assault, and oppression are objected to are often routed through structures of racialized gendered and sexual violence. The grammars that govern the intelligibility of the bullied subject's victimization, I argue rest on normative logics of differential valuation where racialized gender and sexuality work to afford some bullied subjects recognition of their victimization through rendering queer of color existence disposable, girls worse bullies than those that sexually assault them, justice conditioned on state-sanctioned racial and heteronormative violence, and the very possibility of queer futurity requiring our collective complicity in queer disposability and elimination in the present. By offering three case studies—the bullied school shooter, the cyberbullying victim, and the bullied suicidal queer—this study reveals what the construction of the bullied subject relies on and what bullying as an analytic hinge obscures and alibis. It is a consideration of what happens when forms of violence are offered recognition as "bullying" and toward what end.

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## CHAPTER 1

### Introduction:

#### Managing Violence Through the Discourse of Bullying

Bullying has a long and diverse history in the national culture of the U.S. However, in September of 2010, bullying re-emerged as part of the public consciousness after nine youth from across the country killed themselves after being bullied because they were gay or were perceived to be so. Part of what is significant about the way bullying re-entered the national imaginary in that 2010 moment was the way it signaled a shift from previous narratives of bullying—no longer was it the white straight bullied and ostracized school shooter as it had been in the 1990's and early 2000's, nor the vulnerable young girl attacked by “mean girls” on social media as in the 2000's, rather, this version of bullying centered gay students, the psychic wounds homophobia inflicted on them, and thus their staggeringly high rate of suicide. In light of this attention, many U.S. school districts implemented aggressive anti-bullying trainings. People took to the internet to create videos asserting “It Get's Better”<sup>1</sup> to encourage gay youth to keep on living. A windfall of media reports followed, several court cases surrounding anti-gay hate crimes garnered particular attention, and lesbian, gay, bisexual, transgender, queer, and indigenous two-spirit (LGBTQ2) organizations that had known for decades about the connection between anti-gay bullying and queer youth suicide were able to push through anti-bullying legislation thanks to the increasing political will to

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<sup>1</sup>Starting in September 2010 with a video that Dan Savage made with his partner, the “It Gets Better Project” has grown an archive of over 50,000 videos designed to let LGBTQ youth know that even though they experience bullying, harassment, and rejection, keep holding on, it gets better. For more on the campaign see: <http://www.itgetsbetter.org/pages/about-it-gets-better-project/>.

make queer lives more livable.

In many ways the response to this tragic loss of lives has been remarkable in that LGBTQ2 youth have been told that collectively, we want them to survive. However, the focus on three attributes: the intervention in individual behavior, the campaign stating that it “gets better” once you leave high school, and the prosecution of the “bullies” leaves out an important part of the political power of these anti-bullying campaigns, namely the creation of a bullied person in the public imaginary. Instead of foregrounding bullying as an act one might experience or even engage in as a behavior, my dissertation, “(Dis)Appearing Subjects: Managing Violence through the Discourse of Bullying” tracks the emergence of the bullied subject as an identity. I draw on Foucault who argued that the consolidation of sexuality into an identity was a significant moment in the history of state power. As Foucault explains, where “the sodomite had been a temporary aberration; the homosexual was now a species.”<sup>2</sup> Here, Foucault marks the transition of homosexuality from a behavior to an identity. At the core of this transition is the process of subjection, whereby a subject is brought into being. Foucault defines subjection as the constitution of the subject that takes place via the complex interplay of discourses, regulations, interventions, and definitions of *who* one is.<sup>3</sup> For Foucault, subjection is both violent and productive. It is violent because of the boundary making implicit in this process, whereby the bodies and lives of individuals and whole populations serve as incorporable (or not) into the nation-making project and thus establish some subjects as desirable and others, disposable. Subjection is also productive not in the sense that it is “good,” but as in it produces a subject.

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<sup>2</sup> Michel Foucault, *The History of Sexuality*, vol. 1, *An Introduction*, trans. Robert Hurley (New York: Vintage Books, 1990), 43.

<sup>3</sup> *Ibid.*, 60.

Like the emergence of the homosexual, the emergence of the bullied subject is a process. This process relies on diverse discourses and knowledge regimes coming together to produce a subject. In the case of LGBTQ2 organizations, social science scholarship, and the law, seeking to ascribe an identity of “the bullied” to those who have experienced violent racialized gendered and sexualized policing, ends up constructing the very categories and identities through which the bullied subject’s social possibilities and life chances are then regulated.

This project explores the creation of the bullied person as a social type that dominates both how bullying is thought of and who gets to occupy that identity. Working from the intersection of American Studies, Feminist Studies, Critical Ethnic Studies, and Queer Studies, I interrogate the role of racism and heterosexism in the particular form this bullied subject takes in scholarly knowledge production, legal proceedings, documentary films, and public discourses surrounding bullying. I begin by foregrounding the following questions: What is at stake in some of the taken-for-granted formations of the bullied subject—the bullied school shooter, the cyberbullied subject, and the bullied suicidal queer youth? What knowledge regimes (social science, medicine, law, etc.) gave rise to these bullied subjects? What kinds of racial, sexual, gendered axes inform this subject?

What makes these questions so important is that bullying has become one of the centerpieces of progressive political mobilizing. As such, it is important to ask on whose behalf liberation is being sought. My examination of the bullied subject attempts to answer these questions by teasing out the social and political landscape of heteronormativity and the racial state that underwrites the complex production and mobilization of these varied subject formations, and importantly the dual forms of managing violence through the discourse of

bullying—that is, “managing violence” on the one hand meaning to *do* violence through the discourse of bullying, while on the other, meaning to regulate, control, and engage what Foucault saw as the calculated “management of life,” so here I am marking its clear surface level violence as well as its biopolitical operations.<sup>4</sup>

The organization of the bullied subject is itself a way of regulating people and whole populations through a diffuse and calculated management project. The logics of the various formulations of the bullied subject that I track maintain an investment in a wide and intersecting field of social normativities. The bullied subject is not merely the product of violence, but functions as an alibi to normative violence, that is, the bullied person is circulated in shifting and contested representations that help reify socially sanctioned ways of being that are forged and enforced violently through intersecting discourses of race, class, gender, sexuality, and nation. This is why studying the production of the bullied subject is so important. It speaks to the violence that leads these bullied subjects to variously retaliate violently, commit suicide, and be murdered as well as the terms by which the bullied subject is rendered intelligible. With this understanding of social violence, most of the popular solutions to such violence can be re-thought and re-crafted to make the lives of victimized populations more livable without exacerbating the violence inflicted on non-normative others.

The stakes here could not be higher. The conditions that lead some people to resort to murderous violence, deny and excuse sexual violence, and that lead lesbian, gay, bisexual, transgender, and queer folk to commit suicide and be murdered are heartbreaking. Of course, those who have managed to survive and their allies want to make all non-normative lives

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<sup>4</sup> Foucault, *History of Sexuality*, 140.



more livable, but if we see the ways bullying is represented as a commentary on what is worthy of social value, then the critiques of bullying that many have turned to that make school shooters straight, girls perpetrators of bullying rather than victims of sexual violence, and queer kids “normal” and able to be positive contributors to society as a corrective to the ways queer lives are demonized and cut short, then some of these anti-bullying discourses should be seen as an investment in normative violences. Here, the knowledge produced about who is being bullied and who is doing the bullying function as their own kind of regulatory apparatus for managing difference. The danger is that the activism that has challenged the uneven distribution of life chances gets re-forged by the promise of normative belonging. As a response to this danger, what follows, attends to the logics and norms that underwrite the production of the bullied subject and investigates the interlocking networks of power that are re-routing anti-bullying campaigns into those same systems and structures responsible for doing so much violence.

### **Queering the Racial State**

One of the ways this dissertation can be thought of is as a queer critique of the uses and limits of the bullied subject as a site for emancipatory political organizing. Informing this critique is queer studies theorizing’s of the normative, rightlessness, criminalization, and disposability.

An implicit part of foregrounding queer studies in this project means taking seriously Michael Warner’s often cited argument that queer studies focuses on the wide field of

normalization,<sup>5</sup> a framing of the field that has been broadly taken up to inform a “new queer studies” that is accountable to the way racism and empire participate in normative violence and govern the terms of queer intelligibility.<sup>6</sup> As a queer studies project, my dissertation brings together queer of color criticism and queer abolition scholarship among other queer literatures to work through the connections and points of tension in competing normativities as they produce and circulate the bullied subject. In order to be attentive to the converging of so many seemingly disparate normativities informing the formation of this subject, I draw on Roderick Ferguson’s work in which he calls for a materialist analysis of the racialization of sex and gender that he marks as queer of color critique.<sup>7</sup> For Ferguson, queer of color criticism requires foregrounding race, class, gender, sexuality, and nation at the center of one’s work. This model of analysis emphasizes the ways racialized gender and sex construct subjects through capitalist formations of normative citizenship.<sup>8</sup>

While queer studies helps me think through competing and complimentary normativities as they inform the terms of the bullied subject’s production, I also draw on queer and critical ethnic studies critiques of criminality and imprisonment in the form of prison abolition to understand the politics at stake in professed solutions to the bullied subject’s violation. Inspired by the work of critical trans politics,<sup>9</sup> which argues for seeing

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<sup>5</sup> Michael Warner, ed., *Fear of a Queer Planet: Queer Politics and Social Theory* (Minneapolis: University of Minnesota Press, 1993).

<sup>6</sup> David L. Eng, Judith Halberstam, & José Esteban Muñoz, “What’s Queer about Queer Studies Now?” special issue *Social Text* 84-85 (2005).

<sup>7</sup> Roderick A. Ferguson, *Aberrations in Black: Toward a Queer of Color Critique* (Minneapolis: University of Minnesota Press, 2004); Roderick A. Ferguson, “Of Our Normative Strivings: African American Studies and the Histories of Sexuality,” *Social Text* 23, nos. 3-4 (Fall-Winter 2005).

<sup>8</sup> Ferguson, *Aberrations in Black*.

<sup>9</sup> Dean Spade, *Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law* (Brooklyn: South End Press, 2011).

law as perpetrating violence against queer communities of color, rather than being the solution to it, this project is a queering, as in denaturalizing or rendering strange, those logics of disposability, supported and sustained by other normative configurations, that alibi imprisonment and disposability.

One of the first texts to call for the dissolution of prisons was Thomas Mathieson's "The Politics of Abolition," published in 1974. His vision, informed by the prison uprisings in Europe at that time, was not reformist, but forwarded a more radical critique that sought to abolish prisons as the primary mode of social organization. Followed by Willem de Haan as well as Fay Honey Knopp, abolitionist literature has highlighted the deep contradiction between a free society and one that abducts, and imprisons its citizens. Angela Davis contends that while there are many strands of prison abolition, at its core abolitionist politics highlight the violence of the prison system and corporatized prison culture which reaches far beyond the constraints of the geopolitical space of the prison. Instead, the prison and imprisonment are organizing modes of society in which surveillance, punishment, and rightlessness organize the social. At its core, prison abolition emerged from a need to make better connections between struggles for racial justice and a culture that treated populations of color as disposable.<sup>10</sup> For prisoner justice activists, mass incarceration, police brutality, and what Dean Spade calls the "criminal punishment system"<sup>11</sup> are constitutive of components of a racial formation based in state sanctioned rightlessness.<sup>12</sup> Abolitionist critique, while having the ultimate goal of ending incarceration, often focuses on U.S.

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<sup>10</sup> Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003).

<sup>11</sup> Spade, *Normal Life*.

<sup>12</sup> For more on racialized rightlessness see Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: New York University Press, 2012).

jurisprudence, the narratives that justify imprisonment, and the societal structures that create the conditions by which populations are put in a position in which they, often non-normative gendered and racial populations, are deprived of the very rights the civil rights movement won, by being labeled felons,<sup>13</sup> and their offenses, the result of what Stephen Dillon explains as “the criminalization of crimes of survival.”<sup>14</sup>

Anti-violence movements have had a contested relationship to imprisonment. Much of the feminist and gay anti-violence work surrounding intimate partner violence and hate crimes have approached the U.S. legal system as the site by which violations of bodily autonomy might be addressed and protection achieved. However, an abolitionist critique from growing feminist and queer scholarship would argue that safety and justice cannot be achieved through appealing to the state to imprison those who have hurt us. Indeed, as the cases of Trayvon Martin, Irvin Jefferson, Timothy Russell, Oscar Grant, Amadou Diallo, Cece McDonald, and so many others attest, the consistent lack of justice in the supposed criminal justice system makes clear that the state not only consistently fails to protect certain bodies and communities, but subjects those same populations to increased violence. Here, it is not just inaction that does violence, but active persecution of non-normative populations that defines the “justice” of the so called justice system. For anti-violence work to appeal to the legal system for redress in the form of hate crime legislation, sex offender registries, mandatory minimums, etc. means they are subsumed within the logics of imprisonment and incarceration. So, what might it mean to take an abolitionist approach to the bullied subject?

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<sup>13</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010).

<sup>14</sup> Stephen Dillon, “The Only Freedom I Can See: Imprisoned Queer Writing and the Politics of the Unimaginable,” in *Captive Genders: Trans Embodiment and the Prison Industrial Complex*, eds. Eric A. Stanley and Nat Smith (Oakland: AK Press, 2011), 177.

Zero-tolerance policies and demands for more effective hate crime prosecution have been the go-to solutions in much of the anti-bullying discourse. However, drawing on Lisa Marie Cacho, it would seem that much like the criminalization of populations of color that she highlights, our very understanding of bullying, and thus some of the most popular avenues for redress, are premised upon a racialized gendered and sexual devaluation of those populations that experience the highest levels of bullying in the first place. Stephen Dillon points scholars to Michel Foucault’s concept of “circular elimination,” in which, he explains, “the cycle of violence and incarceration experienced by so many people on the edges of heteronormativity, white supremacy, and neoliberal capitalism functions as ‘a machine for elimination... A kidney that consumes, destroys, breaks up and then rejects, and that consumes in order to eliminate what it has already eliminated.’”<sup>15</sup> Together, queer of color critique and queer abolitionist critique offer a hermeneutic through which social categories, subjection, power, movement, and disposability are understood as technologies of normative violence that chip away at livability. Understanding the bullied subject through a lens attentive to “the violence of the normative”<sup>16</sup> helps reconcile the aspiration for love, safety, and affirmation—the opposites of hate, violence, and bullying—with a rejection of the very normativities that render lives in Butlerian terms, so unlivable.<sup>17</sup>

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<sup>15</sup> Ibid.

<sup>16</sup> Amy Brandzel, *Against Citizenship: The Violence of the Normative* (Urbana: University of Illinois Press, 2016).

<sup>17</sup> Judith Butler, *Undoing Gender* (New York: Routledge, 2004).

## Comparative Intersectionality

*(Dis)Appearing Subjects: Managing Violence Through the Discourse of Bullying* is also a feminist project. Taking a cue from Judith Butler's argument that feminist theory is not about apprehending specific bodies, cataloguing, or framing a critique around women or gender as the proper object for the field,<sup>18</sup> I look to two core issues that feminist studies through woman of color feminism has taken-up: intersectionality and comparative racialization. A focus on intersectionality signals an important honoring of the work being done in feminist studies, namely the de-centering of an Anglo-American hetero-female subject as the referent of feminist inquiry. Scholars like Alarcón, Mohanty, and Brandzel have meaningfully challenged the ways feminist knowledge production naturalize a White-Western universal feminist project that is invested in racialized imperial citizenship aspirations.<sup>19</sup> Born out of Woman of Color feminism, intersectionality marks an attempt to get anti-racist and anti-sexist projects to work together to account for racialized sexism and sexualized racism.<sup>20</sup> Since its inception,<sup>21</sup> intersectionality has grown to mark a mutually

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<sup>18</sup> Judith Butler, "Against Proper Objects," *differences: A Journal of Feminist Cultural Studies* 6, nos. 2-3 (Summer-Fall, 1994): 1-26.

<sup>19</sup> Norma Alarcón, "The Theoretical Subjects of This Bridge Called My Back and Anglo-American Feminism," in *Criticism in the Borderlands: Studies in Chicano Literature, Culture, and Ideology*, ed. Héctor Calderón and José David Saldívar (Durham, N.C.: Duke University Press, 1991); Chandra Talpade Mohanty, "'Under Western Eyes' Revisited: Feminist Solidarity through Anti-Capitalist Struggles," *Signs: Journal of Women in Culture and Society*, 28: 499-535; Amy Brandzel, "Haunted by Citizenship: Whitenormative Citizen-Subjects and the Uses of History in Women's Studies," *Feminist Studies* 37, no. 3 (2011): 504-533.

<sup>20</sup> Kimberlé W. Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color," *Stanford Law Review* 43, no. 6 (1991): 1241-1300.

<sup>21</sup> I hesitate to offer an originary citation for the "founders" of intersectionality, but scholars like Kimberlé Crenshaw, Patricia Hill Collins, Michelle Wallace, and Nira Yuval-Davis should get credit for their theoretical contributions, however, there is a far longer

constituting process whereby race, class, gender, sexuality, nation, and empire among many other social forces are produced by power. As a concept, intersectionality has reached wide audiences across multiple disciplines, but at its core it is often deployed in one of two ways: either as a description of embodied identities or it is used to describe the ways ideological discourses interact to produce systems of privilege and power. I want to take up both versions of intersectionality in an attempt to connect discursive formations to the discrete embodiments that social types discipline and regulate. Drawing on feminist of color conceptualizations of intersectionality allows me to question how racialized sexualities work to create venerated subjects to be defended as well as subjects whose status as a bullied subject is rendered unintelligible and the violence done to them excused and outweighed by the drive to shore up the white hetero privilege of the bully.<sup>22</sup>

I take up intersectionality at this particular political moment partially because there is a growing literature base typified by Jasbir Puar's *Terrorist Assemblages* that rejects intersectionality as flat and simple. However, this kind of critique seems dangerous to me. Too swift a rejection of intersectionality can translate to focusing on mechanisms of control like affect without accounting for the ways race, class, gender, sexuality, and nation produce the structuring conditions of violence. While Puar's work is profoundly nuanced and takes great care to articulate affective and temporal imperial racialization in the production of the terrorist subject and homonationalist discourses, the way her work is taken up by scholars—for example at the “Homonationalism and Pink Washing” conference, the American Studies

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history of feminist scholars of color arguing that race, gender, and sexuality are all implicated in structures of privilege and power, for example, James Baldwin, Barbara Smith, Audre Lorde, the Combahee River Collective, Cherrie Moraga, Gloria Anzaldúa, Gloria Hull, Patricia Bell Scott, and Marilyn Frye to name just a few.

<sup>22</sup> This is one of the dynamics I see playing out in the Brandon McInerney trial.

Association conference, the National Women Studies Association conference, and in literature that uses Homonationalism as a frame for understanding queer inclusion in state violence—often drops her commitment to theorizing race, gender, state violence, and imperialism. One exception to this seeming trend is the work of Scott Morgensen.<sup>23</sup> That said, I work to engage in an intersectional critique that far from flattening or simplifying the role of social categories and discourses (which I agree is a problem in how some approach intersectionality), works to tease out the complexity of these relationships. Mine is an attempt to do intersectional critique *well* rather than abandon it as one of our tools for inquiry.

Building upon intersectional critique, comparative race scholarship informs the complexity with which I read the subjection of the bullied. According to Grace Kyungwon Hong and Roderick Ferguson, comparative race scholarship often just tracks similar racial histories across and between U.S. racial communities.<sup>24</sup> They argue that in light of this approach, they want to foster new explanatory modes that “compare racial formations” because “the changing configurations of power in the era after the decolonizing movements and new social movements of the mid-twentieth century demand that we understand how particular populations are rendered vulnerable to processes of death and devaluation over and against other populations, in ways that palimpsestically register older modalities of racialized death but also exceed them.”<sup>25</sup> Comparing racial formations involves tracking not just similar experiences among different racial communities, but mapping the interactive relationships

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<sup>23</sup> Scott Lauria Morgensen, *Spaces Between Us: Queer Settler Colonialism and Indigenous Decolonization* (Minneapolis: University of Minnesota Press, 2011); “Settler Homonationalism: Theorizing Settler Colonialism with Queer Modernities,” *GLQ* 16, no. 1-2 (2010): 105-131.

<sup>24</sup> Grace Kyungwon Hong and Roderick A. Ferguson, eds., *Strange Affinities: The Gender and Sexual Politics of Comparative Racialization* (Durham: Duke University Press, 2011).

<sup>25</sup> *Ibid*, 1-2.



across and between communities that formations allow. For example, Lisa Marie Cacho argues that criminalization is an ideological and material process that folds specific people and populations into the category criminal. In turn, criminalizing narratives then function to interpellate Black subjects into the category criminal, yet it is not just Black subjects that are impacted by these criminalizing narratives. These same discourses of Black criminality are also deployed to decriminalize whiteness. By showcasing the way white innocence and Black guilt are products of criminality as a racial formation, Cacho's work offers a model for what it means to do comparative race analysis.

In order to get at the complexity of how racialized discourses bleed across and between identities and communities, Hong and Ferguson argue for combining intersectional and comparative approaches. They identify queer of color critique, emerging out of Woman of Color feminism, as offering some of the strongest comparative methods, largely because it uses an intersectional approach that locates sexuality as productive of race and gender in addition to challenging identitarian and nationalist discourses as they are implicated in the differential valuation of subjects based on their comportment to the normative.<sup>26</sup> A comparative approach understands differential social value in the U.S. by revealing the ways such value is doled out relationally.<sup>27</sup> It illuminates how the deviant, non-normative subject becomes the counter point, "the legally repudiated 'others' of U.S. value."<sup>28</sup> An intersectional approach insists on tracking how identities and discourses are the product of multiple social categories and forms of power. And together, comparative racialization analytics that draw

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<sup>26</sup> Ibid.

<sup>27</sup> Lisa Marie Cacho, "Racialized Hauntings of the Devalued Dead," in *Strange Affinities: The Gender and Sexual Politics of Comparative Racialization*, eds. Grace Kyungwon Hong and Roderick A. Ferguson (Durham: Duke University Press, 2011); *Social Death*.

<sup>28</sup> Cacho, "Racialized Hauntings," 27.

on intersectional analysis allow for an accounting of violence that notes the profound role differential incorporation, exclusion, and value play in social violence. As Hong and Ferguson summarize, it is this intersectional approach that women of color feminism and queer of color critique started with, routed through a comparative lens, that best illuminates the capillaries through which power flows. In that spirit, I take up a comparative intersectional approach to understanding the bullied subject because at its best it maintains an intersectional, relational understanding of racialized, gendered, and sexualized violences and the routes through which they are achieved.

### **The Agent(less) Subject**

Because I focus on the *formation* of the bullied subject, it brings up a tension between feminist debates over agency and the recuperation of voices, and poststructuralist and postcolonial critiques of the subject. Woman of Color feminism and together poststructural and postcolonial scholarship have straddled both sides of this highly contested debate: on one side are critiques of the silencing and ventriloquizing of Women of Color that are met with calls to let them speak for themselves;<sup>29</sup> on the other side of the debate are critiques of the use and manipulation of bodies of color used in scholarship to testify to their own oppression that serve as cover for scholars that then can use oppressed subject's supposed speaking for themselves to avoid grappling with their own participation in systems and structures of

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<sup>29</sup> For an example of this argument see Barbara Christian, "Race for Theory," *Cultural Critique* 6 (Spring 1987): 51-63.

power.<sup>30</sup> These competing approaches raise some important issues regarding how representation and subjection function in academic knowledge production.

Inspired by Spivak's work in "Can the Subaltern Speak?" I take up her challenge to scholars to abandon their fetishistic obsession with letting the oppressed speak for themselves. By analyzing a conversation between Foucault and Deleuze, Spivak suggests the refusal to speak for the oppressed and instead letting the oppressed speak for themselves (which is what Foucault and Deleuze ultimately support) positions the scholar as showcasing the voice of the subaltern. When scholars engage this kind of featuring of subaltern voices it assumes the subaltern subject is transparently aware of and able to articulate both their desires and what is in their best interest.<sup>31</sup> By positioning the subaltern as exceptional by existing outside of ideology, scholars deflect their own complicity in economic and imperial exploitation. As Laura Briggs explains:

Intellectuals hide behind the dispossessed, obscure their own analytical and ideological work, and pretend that the production of knowledge itself is not a political and dominative process. One does not become a producer of authoritative knowledge by being dispossessed. To pretend otherwise, far from countering vanguardist politics by inviting in the voices of the oppressed, is to lie, to engage in vanguardist politics without taking responsibility for one's position as a middle-class intellectual authoring these

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<sup>30</sup> The most famous version of this argument can be found in: Gayatri Chakravorty Spivak, "Can the Subaltern Speak?" in Cary Nelson and Lawrence Grossberg, eds., *Marxism and the Interpretation of Cultures* (London: Macmillan, 1988), 271-313. For more on this line of argumentation see, Linda Alcoff, "The Problem of Speaking for Others," *Cultural Critique* 20 (Winter 1991-1992): 5-32; Laura Briggs, *Reproducing Empire: Race, Sex, Science, and U.S. Imperialism in Puerto Rico* (Berkeley: University of California Press, 2002); Rey Chow, "Where Have All the Natives Gone?" in *Contemporary Postcolonial Theory: A Reader*, ed. Padmini Mongia (New York: Arnold Publishing, 1996); Maria C. Lugones and Elizabeth Spelman, "Have We Got a Theory for You!: Feminist Theory, Cultural Imperialism, and the Demand for 'the Woman's Voice'" *Women's Studies International Forum* 6, no. 6 (1983): 573-581; Edward Said, "Representing the Colonized: Anthropology's Interlocutors" *Critical Inquiry* 15, no. 2 (1989): 205-225.

<sup>31</sup> Spivak, "Can the Subaltern Speak?" 35.

texts, to be accountable for one's participation in the imperialist structures and histories of academic disciplines.<sup>32</sup>

Here, Briggs powerfully highlights the political implications of knowledge production.

Aligning with this critique, Rosalind C. Morris argues that Spivak's ultimate offering is to force readers to unlearn the modes with which we read and understand the signifier, the subject, interest, desire, and ultimately the scholarly enterprise.<sup>33</sup> Indeed, scholars need to grapple with the capitalist, imperial, and alibi-ing logics that we employ when we attempt to give voice to silenced or lost subjects. As Briggs puts it, "if we can no longer hide behind the subaltern and perform the trick of making the oppressed speak, we can write about the ways our disciplines, our colleagues, and we ourselves have been enlisted into imperialist projects."<sup>34</sup> If academics reject this ventriloquist trick, then more possibilities arise for understanding how power and ideology create and circulate subjects through violent normativities.

One of the ways scholarship deals with this tension between the need to challenge oppression but not presuming an already existing subject that is used to testify to their experiences with social violence involves what has come to be referred to as the subjectless critique. The literature on subjectlessness traces its origin to Foucault and other poststructuralists who in turn have been taken-up by some within Asian American studies, queer studies, and queer Native studies to inform a critique of diverse and intersecting social norms. The defining feature of subjectlessness is a focus on the discourses that underwrite subjection. Foucault defines subjection as the constitution of the subject that takes place via

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<sup>32</sup> Briggs, *Reproducing Empire*, 203.

<sup>33</sup> Rosalind C. Morris ed., *Can the Subaltern Speak?: Reflections on the History of an Idea* (New York, Columbia University Press, 2010).

<sup>34</sup> Briggs, *Reproducing Empire*, 204.

the complex interplay of discourses, regulations, interventions, and definitions of *who* one is.<sup>35</sup> There is not an originary *who* that discourses act upon. Rather, subjects are produced through the epistemological registers that ground their arrangement. By focusing on discourses, a subjectless critique is ideally able to apprehend the operations of power without naturalizing identity categories like woman, gay, Native, nation, etc. that do their own kind of violence.

However, subjectlessness is a profoundly disputed approach to take. Both feminist of color and queer of color scholarship have taken issue with the way this Foucauldian inspired approach disaggregates embodied identities from the discourses that produce them. While there are many who extol the virtues of a subjectless approach,<sup>36</sup> criticism of subjectlessness is well warranted. Jodi Byrd, Michael Hames-García, Cathy Cohen, and many others note that a subjectless approach claims to account for things like racialized hetero-sexism, but in much of the scholarship it actually alibi's the re-centering of a normative white settler subject's discursive mobility.<sup>37</sup>

In this project I try on some of the alternatives to this recentering of the normative that some versions of subjectlessness allow for. For example, Katie King argues that rather than centering a proper lesbian subject and identity in international rights claims, groups can appeal to a "potential" subject, that is, one that highlights the violence done to those that are

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<sup>35</sup> Foucault, *History of Sexuality*, 60.

<sup>36</sup> For a discussion of the strengths of a subjectless approach, see: Eng, Halberstam, Muñoz, "What's Queer About Queer Studies?"; Kandice Chuh, *Imagine Otherwise: On Asian Americanist Critique* (Durham: Duke University Press, 2003).

<sup>37</sup> Michael Hames-García, "Queer Theory Revisited" in *Gay Latino Studies: A Reader*, ed. Michael Hames-García and Ernesto J. Martinez (Durham: Duke University Press, 2011); Cathy J. Cohen, "Punks, Bulldaggers, and Welfare Queens: The Radical Potential of Queer Politics?" *GLQ: A Journal of Lesbian and Gay Studies* 3, no. 4 (1997): 437-465.

positioned within a social category like “lesbian.”<sup>38</sup> Similarly, Roderick Ferguson envisions a version of subjectlessness that engages in a “gestural appeal” to the subject, where scholars can focus on a social type like the Black drag queen prostitute for how her experiences point to ideological discourses that justify her lessened life chances. Additionally, there are those like Eithne Luibhéid and Denise Riley who call on scholars to locate the subject at the moment of discursive inception. According to Riley, “only at times will the body impose itself or be arranged as that of a woman or a man. So, that if we set out to track the bodies of women in history, we would assume in advance that which we really need to catch, instead, on the wing of its formulation.”<sup>39</sup> Here, the openness of potentiality, the de-naturalizing of essentialism accomplished by a gestural appeal to the subject, and the imagery of a discursive formation taking flight combine to offer a version of feminist and queer critique that takes seriously the politics of representation and knowledge production by complicating the labors done by appeals to an agentic subject.

The timing here is telling: Women of Color feminists and queers of color were just starting to gain a foothold in academia, telling their own stories and visions of liberation when critiques surrounding the death of the author and subjectlessness began to gain popularity. That popularity has had a delegitimizing effect on work that speaks from an embodied space of oppression. Discourse analysis and a focus on subjection are complicated approaches that have a tendency to dismiss pointed insights, particularly from women of color that challenge normative logics.

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<sup>38</sup> Katie King, “‘There are no Lesbians Here’: Lesbians, Feminisms, and Global Gay Formations,” in *Queer Globalizations: Citizenship and the Afterlife of Colonialism*, eds. Arnaldo Cruz-Malavé and Martin F. Manalansan IV (New York: New York University Press, 2002): 33-45.

<sup>39</sup> Denise Riley, *‘Am I That Name?’: Feminism and the Category of ‘Women’ in History* (London: Macmillan Press, 1988), 103.

This is a profoundly messy conundrum in which questions of agency don't fall into either having agency or not, but instead suggest agency as a concept produces knowledge of the other that is deeply implicated within disciplinary formations and normative investments. In terms of tracking what is at stake in the construction and circulation of various valances of the bullied subject, feminist considerations of agency inform how I methodologically understand the production of the bullied subject by foregrounding a potential and gestural subject that points to the logics that create the conditions of possibility for the subversion of normative violence. This approach is not based on the idea that bullied subjects can't testify to their experiences with oppression. Rather, it is an attempt to challenge the labors done by utilizing such testimony without a critical consideration of how the drive to get at an authentic bullied subject's experience is its own object and target of power.

Taken together, all of these seemingly disparate fields that I have drawn on to inform my consideration of racialized governmentality, comparative intersectionality, and the agent(less) subject, collectively suggest that like the social types that came before, the bullied subject has been disciplined by inclusion, normalized to alibi structural violences, be a product of its proximity to other subjects, and circulated through seemingly benevolent evocations that risk further violence to and disciplining of the subjects whose lives we are genuinely aiming to make more livable.

### **Method and Methodology**

My methodological choices for this project are guided by a commitment to bringing a feminist queer abolitionist politic informed by a dedication to anti-racist organizing to bear

on figurations of the bullied subject. I connect critiques of governmentality and debates over agency and subjectlessness by both queering (as in denaturalizing) and querying (as in interrogating) the bullied as a subject and object of mutually constituted normativities through a comparative intersectional critique. This involves engaging in a particular type of discourse analysis, adopting a specific form of intersectionality, questioning what sites and subjects to foreground, and working to understand social violence without presuming in advance a subject but instead trying to trace its coming into being. Methodologically, my choices mean dealing with some messy questions having to do with power, social categories, and the agency of the subject.

First, I track the operations of power. Foucault and Derrida are instructive here as both offer ways to excavate ideology's role in meaning making and knowledge production. For Foucault, discourse analysis, which draws on his notions of the archaeology of knowledge, genealogy, and technologies of the self, offers an analytic strategy for getting at the ideological discourses that produce and contest the normative. As Foucault explains in *Discipline and Punish*:

The judges of normality are present everywhere. We are in the society of the teacher-judge, the doctor-judge, the educator-judge, the 'social worker'-judge; it is on them that the universal reign of the normative is based; and each individual, wherever he may find himself, subjects to it his body, his gestures, his behavior, his aptitudes, his achievements. The carceral networks, in its compact or disseminated forms, with its systems of insertion, distribution, surveillance, observation, has been the greatest support, in modern society, of the normalizing power.<sup>40</sup>

It is this connection between the judges of normality, who are not just knowledge evaluators, but producers, and that which knowledge is produced about that informs my examination of

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<sup>40</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1977), 304.



how the normative is imposed on and produced by the bullied subject. Here, because power acts biopolitically, at the level of the body and the social,<sup>41</sup> my analysis follows Foucault's lead which requires asking not *what* or *why*, but rather *how*, as in how is power operating in specific ideological productions.

Similarly, I trace how power operates through difference, where difference is the foundation of signification. Derrida's theorizing of *différance*, requires understanding difference, through present absences as "not only the fundamental work of language, but the entire 'possibility of conceptuality.'" <sup>42</sup> By approaching the meaning making process as reliant upon a dynamic in which a *this* is constituted by not being a *that*, means approaching the bullied subject as produced through a counter point, that which it is not. Taken together, a Foucauldian discourse analysis that draws on Derridean deconstruction's notion of present absences interrogates how the bullied subject and its constitution rely on devaluing other versions of this bullied subject as well as more broadly, other ways of being in the world that maintain an adversarial relationship to the normative. This Foucauldian and Derridean framework also allows me to focus on the present absence of gendered, racialized, sexualized subjects whose access to recognition and social value emerges from a foundation of violent citizenship logics.

Second, woman of color feminism and queer of color critique consider how scholarship might apprehend the raced, classed, gendered, sexualized, and nationalist violences that this dynamic in which structures of meaning are built upon opposition to that which is other, produce. Here, what I am calling a comparative intersectional approach tracks

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<sup>41</sup> Foucault, *History of Sexuality*.

<sup>42</sup> Danielle Bouchard, *A Community of Disagreement: Feminism in the University* (New York: Lang, 2012), 7.

how the bullied subject is formed based on its positioning through and against things like the racialized queer (chapter one); the mean girl and juvenile sex offender (chapter 2); and the future suicidal queer (chapter 3). I employ a comparative intersectional analytic because the bullied subject, like other wounded subjects, in being attended to and re-infused with social value, is the product of a devalued other, and thus, needs to be analyzed for the terms by which this social type rejects or as I argue, aligns with a normative referent. Building on an understanding of intersectionality that locates it as both the arrangement of identities as well as discourses, I explore how the bullied subject is the product of intersecting discourses that play out on the body and body politic in terms of differential social value of those subjects positioned with and against the bullied.

Third, when discussing my dissertation with my undergraduates, fellow graduate students, and other social justice workers, I am often asked the same question with different wording that boils down to, “what about the actual people being bullied?” While offered with differing levels of compassion and aggression, this repeated question raises some important issues regarding what it means to study the production of the bullied subject rather than speaking to those who have experienced the violence of bullying on their bodies. Queer Native studies, woman of color feminism, and queer studies help me to answer this demand for addressing the “real people.” This methodological tension pushes me to question what it means to do a version of the subjectless critique that offers a potential subject.

A subjectless approach that foregrounds potentiality allows me to do something other than a traditional recovery project. Instead, I get to negotiate between the radical opposition to an essential speaking subject from queer studies and the feminist call for representation and voice that underwrites so much of woman of color feminism. The conundrum of

complete denigration of the subject and its recovery understandably seem incommensurate. And yet it is this tense and messy debate that I think worth trudging through in order to engage in a queer comparative approach that is attentive to feminist calls for recovery as well as the all-out rejection by queer studies of the subject by performing a potential and gestural appeal to the subject.

At its core, this dissertation deals with the ways the bullied evokes the murders and suicides that are a tragic loss of lives. These tragedies do not exist in a vacuum. In their circulation they function relationally to control and regulate the lives of those left behind who are put in charge of maintaining their own safety, envisioning their way out of the bullying they experience or fear will start, who function as the counter point to the bullied subject's possibility. Rather than locating a bullied subject that can attest to their desire to live and point to their perpetrator, I take seriously critiques of the subject. By challenging the underlying normative logics of subject formation I hope to develop strategies that disengage, reshape, and transmute the violence of these normativities into radical spaces that help fashion a queer future governed by radical possibility.

## **Interventions**

My dissertation intervenes in how we treat and evoke the bullied subject along two horizons: the first is in terms of wider political conversations and second, in disciplinary formations. The first intervention I make happens at the level of wider political strategizing. It is my hope that my project helps us question the subjects and objects of queer liberation. My goal is to shift the conversation surrounding bullying from its present instantiation (in

which there are people being bullied that need to be saved through various means) to thinking through how these subjects are produced and on whose behalf *we* are being mobilized. In this way, my work speaks to and works with radical social justice projects that are confronting a public invested in rendering bullied subjects ones with normative aspirations of liberal citizenship and invested in empire, state racism, and legal recognition.

In addition to how the bullied subject is mobilized in the field of the social, I also challenge some long standing theoretical conversations and disciplinary debates. The disciplinary debates I address are: the feminist vs. queer studies approach to voice and the subject, the anti-violence appeal to legal reforms vs. abolitionist opposition to criminalization and imprisonment, and the attempt to render non-normative subjects palatable and incorporable vs. the radical possibility of maintaining alterity.

In the feminist vs. queer debate I carve out a queer feminist approach that rejects a sovereign authorial speaking subject, and the lack of accountability that the valorizing of voices enacts while, also resisting the recentering of a normative referent for radical political organizing that can happen when we reject the subject in its entirety. Here the intervention is not to combine both in some sort of amalgamation of feminist and queer approaches. Rather, I am interested in dealing with the problems of both approaches, not their originary proffered solutions. This means shifting the focus of the debate from a dichotomous choice between showcasing the voices of the oppressed or rejecting them entirely through a claim of subjectlessness, and instead, offering a queer feminist approach that considers not the truth or falsity of voice or agency, but what is at stake in the way voice and agency are evoked and mobilized in scholarship. In other words, I treat voice and agency as objects so the terms of

the debate can be shifted from an either/or discussion, to an approach that foregrounds the labors these concepts do.

Additionally, while I honor the need to make queer lives more livable, I want to challenge the impulse to appeal to legal reform as the primary mechanism by which that can be achieved. Here I proffer an abolitionist approach that opposes criminalization and imprisonment. While much of the scholarly work on bullying focuses on school yard violence, cyberbullying, and even how to defeat the gay panic defense, they do so from a perspective invested in creating policies that will allow for better prosecution. Rather than further naturalizing criminalization and incarceration, I bring an abolitionist critique to the study of the bullied. I am asking what “we,” those who are interested in queer livability, be careful. It is critical that we approach the issue of bullying carefully as in full of care but also with a kind of care that translates to generous skepticism.

The final disciplinary debate I intervene in deals with the difference between attempting to render non-normative subjects normative, and the radical possibility of maintaining alterity. Here I expand on work that challenges the narrative of queer as abject. Part of what scholars like Duggan, Fiol-Matta, Puar, Brandzel, Rifkin, and Morgensen have offered through their work is a way to be more accountable to the manner in which queerness is complicit in and configured by normativities.<sup>43</sup> In other words, I join queer studies’ critique of the myriad ways queer subjects are not only excluded, but included and taught to

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<sup>43</sup> Lisa Duggan. “The New Homonormativity: The Sexual Politics of Neoliberalism.” *Materializing Democracy: Toward a Revitalized Cultural Politics*, eds. Russ Castronovo and Dana Nelson (Durham: Duke University Press, 2002); Licia Fiol-Matta, *Queer Mother for the Nation: The State and Gabriela Mistral* (Minneapolis: University of Minnesota Press, 2002); Jasbir Puar, ed. *Queer Tourism: Geographies of Globalization*, special issue of *GLQ* 8, no. 1/2 (2022); Brandzel, *Against Citizenship*; Mark Rifkin, *When Did Indians Become Straight? Kinship, the History of Sexuality and Native Sovereignty* (New York: Oxford University Press, 2011); Morgensen, *Spaces Between Us*.

aspire to participate in liberal citizenship,<sup>44</sup> racialized capitalism,<sup>45</sup> heteronormative state formations,<sup>46</sup> settler colonialism,<sup>47</sup> and violence. My analysis contemplates how to negotiate the possibilities and impossibilities of alterity without destroying what I think is the best part of queer political aspirations—a refusal of the normative. While an opportunity to do emancipatory political organizing, the bullied subject’s formulation has also constrained and funneled political mobilizing into normative investments. Yet, there are so many better options.

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<sup>44</sup> For more on queer studies work that takes on liberal citizenship see: Amy Brandzel, “Haunted by Citizenship: Whitenormative Citizen-Subjects and the Uses of History in Women’s Studies,” *Feminist Studies* 37, no. 3 (2011): 503-533; Amy L. Brandzel, “Queering Citizenship? Same-Sex Marriage and the State,” *GLQ: A Journal of Lesbian and Gay Studies*, 11.2 (March 2005): 171-204; Lisa Duggan, *The Twilight of Equality?: Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2003).

<sup>45</sup> For more on queer studies work that takes on racialized capitalism see: Ferguson, *Aberrations in Black*; Chandan Reddy, *Freedom with Violence: Race, Sexuality, and the US State* (Durham: Duke University Press, 2011).

<sup>46</sup> For more on heteronormative state formations see: Amy Brandzel, “Haunted by Citizenship; Amy L. Brandzel, “Queering Citizenship? Same-Sex Marriage and the State,” *GLQ: A Journal of Lesbian and Gay Studies* 11, no. 2 (March 2005): 171-204; John D’Emilio, “Capitalism and Gay Identity” in *Powers of Desire: The Politics of Sexuality*, eds. Ann Snitow, Christine Stansell, and Sharon Thompson (New York: Monthly Review Press, 1983) 100-113; Foucault, *The History of Sexuality*; Renisa Mawani, *Colonial Proximities: Crossracial Encounters and Juridical Truths in British Columbia, 1871-1921* (Vancouver: UBC Press, 2010); Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham: Duke University Press, 2007); Rifkin, *When Did Indians Become Straight*; Ann Laura Stoler, *Race and the Education of Desire: Foucault’s History of Sexuality and the Colonial Order of Things* (Durham: Duke University Press, 1995).

<sup>47</sup> For more work that takes on settler colonialism see: Joanne Barker, *Native Acts: Law, Recognition, and Cultural Authenticity* (Durham: Duke University Press, 2011); Jennifer Nez Denetdale, “Securing Navajo National Boundaries: War, Patriotism, Tradition, and the Diné Marriage Act of 2005,” *Wicazo Sa Review* 24, no. 2 (2009): 131-148; Morgensen, *Spaces Between Us*; Rifkin, *When Did Indians Become Straight?*

## Bullying Studies/Studying Bullying

To take on the formation of the bullied subject requires offering a little more background on some of the diverse framings of bullying that have grounded the field of bullying studies. Reading bullying studies allegorically, that is, for the stories of the bullied subject they offer, reveals a particular rise of the bullied subject in the scholarly imaginary.

In terms of academic knowledge production, bullying studies is often talked about as evolving through four epochs, the first occurring from 1970 to 1988, defined exclusively by Dan Olweus's work.<sup>48</sup> Olweus is considered the founder of bullying studies.<sup>49</sup> His 1970 large-scale study of bullying in Scandinavia is often credited as the "first scientific study of bullying" in the world.<sup>50</sup> Indeed, the "Olweus Bullying Prevention Program" in its English translation "What We Can Do About Bullying," has grown out of the corpus of his life's work and has been government's and district's go-to school intervention program for decades. Considered *the most effective* anti-bullying program there is,<sup>51</sup> Olweus's platform was adopted by the U.S. Department of Justice shortly after the 1999 mass shooting at Columbine High School, and has also been used throughout Scandinavia, Canada, the United

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<sup>48</sup> Peter K. Smith, "School Bullying," *Sociologia* 71 (2013) 81-98.

<sup>49</sup> Peter Mortimore, "Forward," in *Bullying at School: What We Know and What We Can Do*, by Dan Olweus (Malden, MA: Blackwell Publishing, 1993), ix-x; Dan Olweus, *Bullying at School: What We Know and What We Can Do* (Malden, MA: Blackwell Publishing, 1993).

<sup>50</sup> "Olweus Bullying Prevention Program: Evidence of Effectiveness," Olweus Website Clemson University, accessed June 10, 2017, <http://www.clemson.edu/olweus/>.

<sup>51</sup> For more on the Olweus Bullying Prevention Program, see "Olweus Bullying Prevention Program: What is Bullying?" The Bullying Circle, accessed June 10, 2017, <http://olweus.org/public/bullying.page>.

Kingdom, Iceland, and the Ukraine, among others.<sup>52</sup> I do not want to down play Olweus's contributions. He has offered profound insight into how bullying is understood psychologically, as well as designed programs that have helped change school climates for the better.<sup>53</sup> However, this version of the intellectual history of bullying studies that affords him the status of "father" of the field does several things.

Because of how heavily it has dominated the scholarly conversation, Carsten Bagge Laustsen argues Olweus's work falls into what Thomas Kuhn would call "normal science." Olweus's work, as well as scholarship that builds on his assumptions, are working within a settled paradigm or explanatory framework.<sup>54</sup> This means one of the ways to understand bullying studies as a field is as having established social scientific norms and proper objects not the least of which is a normatively configured bully and bullied subject. The narrative about the "birth" of bullying studies tells a familiar story of young men bullied to the point of suicide, only this version happened in Scandinavia in the 1970's and is said to have inspired Dan Olweus as the "founder" of bullying studies to begin his long career studying the causes

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<sup>52</sup> Julia Rooke, "The Father of Anti-Bullying Programs: Born in Sweden," *Latitude News* <http://www.latitudenews.com/story/the-father-of-anti-bullying-programs-born-in-sweden/>

<sup>53</sup> For more analysis on the Olweus Bullying Prevention Program see for example, just to name a few: Dan Olweus and Susan P. Limber, "Bullying in School: Evaluation and Dissemination of the Olweus Bullying Prevention Program," *American Journal of Orthopsychiatry* 80, no. 1 (2010): 124-134; Jan Helge Kallestad and Dan Olweus, "Predicting Teachers' and Schools' Implementation of the Olweus Bullying Prevention Program: A Multilevel Study," *Prevention & Treatment* 6, no. 1 (2003): <http://dx.doi.org/10.1037/1522-3736.6.1.621a>; Dan Olweus, "A Useful Evaluation Design, and Effects of Olweus Bullying Prevention Program," *Psychology, Crime & Law* 11, no. 4 (2005): 389-402; Mona E. Solberg and Dan Olweus, "Prevalence Estimation of School Bullying with the Olweus Bully/Victim Questionnaire," *Aggressive Behavior* 29, no. 3 (2003): 239-268.

<sup>54</sup> Carsten Bagge Laustsen, "Dispositifs of Bullying," In *School Bullying: New Theories in Context*, ed. Robin May Schott and Dorte Marie Søndergaard (Cambridge: Cambridge University Press, 2014), 103.



of and solutions to bullying. From its inception, the suicidal bullied subject has played a central role in the way bullying has been understood.

Olweus's book *Mobbning—vad vi vet och vad vi kan göra*, originally published in Sweden in 1986, and the seed of the English book *Bullying at School* published in 1993, outlines the findings of a study and the ensuing anti-bullying program he developed as part of a nation-wide initiative to combat peer-to-peer bullying.<sup>55</sup> The “Olweus Bullying Prevention Program,” is designed as a whole school training plan that involves all students in anti-bullying education. It trains school staff to identify warning signs of bully and victim behaviors so individual interventions can be made, and so work can be done at the school, classroom, individual, and community level to reduce and prevent bullying.<sup>56</sup>

Building on Olweus's model, the trend in early scholarship on bullying was to theorize characteristics of the bully and the bullied person. Habitually, scholarship offered, and continues to offer, lists of what to watch for to determine if there was cause to be concerned about the possibility of bullying. As one exemplary instance, Barbara Coloroso in *The Bully, The Bullied, and The Bystander* offers a list of what common traits make up the composition of a bully—things like, liking to “dominate other people,” exploiting “other people to get what they want,” finding “it hard to see the situation from the other person's vantage point,” “are concerned only with their own wants and pleasures and not the needs, rights, and feelings of others,” will “hurt other kids when parents or other adults are not around,” employs “blame, criticism, and false allegations to project their own inadequacies

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<sup>55</sup> For more on Olweus's approach to combating bullying see Olweus, *Bullying at School*.

<sup>56</sup> “Bullying is a Serious Issue” *Violence Prevention Works! Safer Schools, Safer Communities*, accessed June 10, 2017, <http://www.violencepreventionworks.org/public/bullying.page>.

onto their target,” etc.<sup>57</sup> Similarly, the list of characteristics of the bullied person includes things like being the new kid, the youngest, “the kid who has [previously] been traumatized,” “the kid whose gender/sexual orientation [as well as race, religion, and class] is viewed by the bully as inferior, deserving of contempt.”<sup>58</sup> The list of warning signs for “the bullied” continues with things like, “shows an abrupt lack of interest in school or a refusal to go to school,” grades suddenly plummet, withdrawals from family and social activities, “is hungry after school,” “is taking parent’s money and making lame excuses for where it went,” comes home with injuries, starts having panic attacks, etc.<sup>59</sup> Here, particular configurations of the bully and the bullied subject begin to take form, and notably the bullied subject is birthed through identity categories in a way the bully is not. The bully is behaviorally based, even and especially later on when being discussed as participating in racist bullying, sexist harassment, and sexual violence.<sup>60</sup> Being a straight white male is not something to look out for in terms of a child possibly being a bully, but being a queer of color or any non-normative identity is a warning sign that one might be bullied. This differential treatment is significant as it points to a construction of the bully as an unmarked normative referent and the bullied subject an unmitigated other whose otherness is already determining of their abject status.

The second epoch in bullying studies Peter K. Smith describes as “establishing a research program.”<sup>61</sup> Temporally, this supposedly occurs from 1989 to the middle of the 1990’s as the research in Scandinavia expanded and researchers in other countries began to

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<sup>57</sup> Barbara Coloroso, *The Bully, The Bullied, and the Bystander: From Preschool to High School—How Parents and Teachers Can Help Break the Cycle of Violence* (New York: Harper, 2003) 20.

<sup>58</sup> Ibid, 50-53.

<sup>59</sup> Ibid, 50-53.

<sup>60</sup> Ibid, 28-31.

<sup>61</sup> Smith, “School Bullying,” 82.

explore bullying building largely on Olweus's model. During this time a major shift in how bullying is theorized comes from the introduction of the concept of relational aggression. While touted in the bullying research as a key contribution to the field, I want to mark it as a disturbing gendered twist in much of the research, generalizing about what "boys" do and experience, versus what "girls" do and experience that presumes comportment to heteronormative gender expression. For example, Harris and Petrie summarizing and building on Olweus and Rigby's work offer the following conclusions about gender differences: they explain, boys bully others more than girls, girls are more likely to *report* being victims of bullying, but boys are victimized more often. Boys are physically violent when they engage in bullying while girls are socially cruel<sup>62</sup> with their use of rumor and socially ostracizing their targets.<sup>63</sup> Additionally, according to Harris and Hathorn, girls do more emotional damage to their victims because of the psychic wounds such treatment inflicts.<sup>64</sup>

During this period, in Finland, Björkqvist, Lagerspetz, and Kaukiainen, and in the United States Crick and Grotpeter theorize indirect and relational aggression as uniquely female and by extension feminine. Their work "corrects" the idea that men are aggressive, and women are not. Instead, broadening how aggression is understood, their work claims to

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<sup>62</sup> Sandra Harris and Garth Patrie, "A Study of Bullying in the Middle School," *NASSP Bulletin* 86 (2002): 42-53.

<sup>63</sup> Michael J. Boulton and Kerry Underwood, "Bully/Victim Problems Among Middle School Children," *British Journal of Educational Psychology* 62, no. 1 (1992): 73-87; Neil F. Gottheil and Eric F. Dubow, "Tripartite Beliefs Models of Bully and Victim Behavior," *Journal of Emotional Abuse* 2, no. 2-3 (2001): [http://dx.doi.org/10.1300/J135v02n02\\_03](http://dx.doi.org/10.1300/J135v02n02_03).

<sup>64</sup> Sandra Harris and Conley Hathorn, "Texas Middle School Principals' Perceptions of Bullying on Campus," *NASSP Bulletin* 90, no. 1 (2006) 49-69.

decenter a male generic understanding of bullying.<sup>65</sup> Here, bullying studies tells a thorough story about gender differences. Not only does it assume the social is always already organized around there being male and female humans, but that organization presumes a normative gendered behavioral comportment in which supposed males are inherently normatively masculine and physically aggressive bullies, whereas girls are inherently normatively feminine, relationally aggressive, socially manipulative bullies, that as Harris and Hathorn remind us do much more damage than boys.

The timing of this is significant. It happens while the United States is marred by a decade of school shootings that culminates in 1999 with Columbine. At and prior to this moment, bullying studies theories of male aggression understood power and control to explain bullying as motivating *some* retaliatory aggression. However, several studies done of school shootings explain them as the unique response of males suffering a crisis of masculinity. For example, Michael S. Kimmel and Matthew Mahler explain in their study of the 28 school shootings that took place from 1982 to 2001 in the United States that all the shootings took place in red states, were retaliation for the homophobic bullying the shooters suffered, and all the shooters were white.<sup>66</sup> The school shooter literature is largely absent from how the field of bullying studies articulates its own development. Part of this is undoubtedly because of how American exceptionalist the shooter formation is and how European heavy the field is. Meanwhile, the United States Secret Service and Department of

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<sup>65</sup> Kaj Björkqvist, Kristi M. J. Lagerspetz, and Ari Kaukiainen, "Do Girls Manipulate and Boys Fight? Developmental Trends in Regard to Direct and Indirect Aggression," *Aggressive Behavior* 18, no. 2 (1992): 117-127; Nicki R. Crick and Jennifer K. Grotpeter, "Relational Aggression, Gender, and Social-Psychological Adjustment," *Child Development* 66, no. 3 (1995): 710-722.

<sup>66</sup> Michael S. Kimmel and Matthew Mahler, "Adolescent Masculinity, Homophobia, and Violence: Random School Shootings, 1982-2001," *American Behavioral Scientist* 46, no. 10 (2003): 1439-1458.

Education “Safe School Initiative” report specifically explained bullying as part of their findings. As they explained, “Many attackers felt bullied, persecuted, or injured by others prior to the attack.”<sup>67</sup> And many within bullying studies proper identify the specific kind of bullying that informs the retaliatory murderous violence that defines school shootings as the uniquely emasculating impact that homophobic bullying has.<sup>68</sup>

In the third epoch, Smith argues bullying studies established an international research program occurring from the mid 1990’s to 2004. The defining features of this period for Smith had to do with the research undertaken by various countries being shared at international conferences. Dorothy L Espelage and Susan M Swearer Napolitano in their introduction to the bullying special issue of *School Psychology Review* add a more nuanced assessment of the field’s contributions for the mid 1990’s to early 2000’s time period. They argue that most work had expanded their definitions of bullying to include relational and indirect aggression by that point (which made the commitment to essential gender difference even more pervasive), and assessments of bullying were growing but more innovative methods of assessment were called for from scholars. Understandings of bullying grew more complex. The dyad model of either bully or victim grew into an understanding that students could be a “bully, a victim, a bully-victim, and/or a bystander.” Researchers approached the

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<sup>67</sup> Bryan Vossekuil, Robert A. Fein, Marisa Reddy, Randy Borum, William Modzeleski, “The Final Report and Findings of the *Safe School Initiative*: Implications for the Prevention of School Attacks in the United States,” *United States Secret Service and United States Department of Education*, (July 2004), 21, <https://www2.ed.gov/admins/lead/safety/preventingattacksreport.pdf>.

<sup>68</sup> Jessie Klein, “Sexuality and School Shootings: What Role Does Teasing Play in School Massacres?” *Journal of Homosexuality* 51, no. 4 (2006): 39-62; Kimmel and Mahler, “Adolescent Masculinity”; Susan M. Swearer, Rhonda Turner, Jamie Givens, William S. Pollack, ““You’re So Gay!”: Do Different Forms of Bullying Matter for Adolescent Males?” *School Psychology Review* 37, no. 2 (2008): 160-173.

dynamic as a continuum rather than a binary.<sup>69</sup> Additionally, there were some challenges to the relational aggression research that found “girls” were no more relationally aggressive than “boys,” which suggests the veracity of the gender differences argument was not as thorough as it might seem, yet these challenges were not cited in the literature often, thus while there was “scientific evidence” to challenge the naturalized logic of girl’s as socially aggressive manipulators, it received far less attention.<sup>70</sup> I would argue this means the scholarship that aligned with normative understandings of gender expressions and girl’s meanness maintained their popularity not because they were right, but because they aligned with normative gender and sexual logics. While they mention the significant amount of research on sex differences in the bullying research, they also point out the dearth of research that does any significant analysis of race or ethnicity. With lots of research being done on specific methodologies, environmental factors (like the school, teachers, family, and community), and specific theories, Espelage and Napolitano end with a call for more research on gay, lesbian, bisexual, and transgender youth and their experiences with bullying.

The fourth and final epoch Smith identifies starts in 2004 and is still continuing. This epoch is defined through cyberbullying.<sup>71</sup> With the advent of smart phones and increasing social media platforms, cyberbullying became a new focus of bullying research and continues to be a major area of inquiry. In the work on cyberbullying, feminist scholars have pointed out there remains a dangerous investment in harmful tropes like “mean girl” and “good girl” that route girls through sexist understandings of how girls behave online where

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<sup>69</sup> Dorothy L Espelage and Susan M Swearer, “Research on School Bullying and Victimization: What Have We Learned and Where Do We Go from Here?” *School Psychology Review* 32, no. 3 (2003): 370.

<sup>70</sup> Ibid, 371-372.

<sup>71</sup> Smith, “School Bullying,” 82.

they are treated as the indirect or relationally aggressive mean girl or the helpless victim of cyberbullying. Hayley Crooks explains, these understandings of cyberbullying and girls as harmful.<sup>72</sup> As an alternative, she calls for attending to the intersectional dynamics at play in how girls use cyber space and foregrounding their voices rather than what other people say about them.

In terms of LGBTQ research, there has been a veritable explosion in work being done on anti-gay bullying in the psychological and social sciences. There have also been a few notable disciplinary exceptions where work primarily located in queer and feminist studies proper has taken on bullying. These include the special inaugural issue of QED: A Journal in GLBTQ Worldmaking titled, “The End of Bullying?” and the now canonical piece by Jasbir Puar on bullying titled “The Cost of Getting Better” that stage key interventions.<sup>73</sup> Puar’s work in particular challenges the circulation of the monicker of “gay youth suicide” and the way queer youth exist in a space of slow death and debility under neoliberalism. Puar challenges both the valorization of what she calls the “aggrieved agential subject” and works to decenter subject formations and recuperative projects, such as the famous “It Gets Better Campaign” that rely on an able-bodied subject. Instead, Puar calls on readers to forge new connections and questions. For example, She asks how do “queer girls commit suicide?” and “What of slow deaths of teenage girls through anorexia, bulimia, and numerous sexual assaults they endure as punishment for the transgressing of proper femininity and alas, even for conforming to it?” Here, Puar’s work theorizes the bullied subject through a broader

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<sup>72</sup> Hayley R. Crooks, “An Intersectional Feminist Review of the Literature on Gendered Cyberbullying” *Jeunesse: Young People, Texts, Cultures* 8, no. 2 (Winter 2016): 62-88.

<sup>73</sup> Jasbir Puar, “The Cost of Getting Better: Suicide, Sensation, Switchpoints,” *GLQ: A Journal of Lesbian and Gay Studies* 18 (2012): 149-158.

understanding of social control and regulatory normalization. Where previous work on bullying gestured to social norms informing the individual behaviors of bullies and educational cultures that tolerated hostile climates, Puar's intervention theorizes gay youth suicides as a formation linked to an affective politics of sympathy that operates on a biopolitical level.

The narrative bullying studies tells about itself leaves out a more thorough consideration of what feminist and queer scholars and activists have done on the issue of bullying. Possibly this is because feminist, queer of color, and ethnic studies scholarship is not considered "scientific" and in an age where "results based" programs and neoliberal "measurable outcomes" dominate educational policy discourses, "scientific proof" becomes a way to legitimate certain logics and truths while dismissing others, particularly those that challenge normative violence. However, rather than re-center "science" as the epicenter of anti-bullying knowledge production, I want to challenge this version of the birth of bullying studies based on something else: a willingness to see bullying as a form of intersectional violence.

The occlusion of significant queer feminist anti-racist work on racialized sexual harassment, discrimination, and state violence both in the workplace and educational institutions prior to Olweus is indicative of a larger trend in the way bullying is understood that carries on throughout the various figurations of the bullied subject that have emerged over the last half century. This separation between bullying, on the one hand, and racial, gender, and sexual violence on the other disaggregates normative violence from how we think of bullying, with devastating effects. In what follows in the body of this dissertation, I



read for the denials and anxieties surrounding the possibility of the bullied subject being produced through and exacting of intersectional violence.

In tracking the ways and forms the bullied subject is ushered into being, it has become clear that national attention to bullying in the United States has institutionalized particular logics that disaggregate racialized gender and sexual violence from the scholarly, popular, and legal understanding of bullying. As I work to make clear, the construction, circulation, and apprehension of the bullied subject should be understood as emerging from racialized, gendered, sexualized conditions of possibility that mutually constitute the various formations of the bullied subject that have developed and gained national attention. Often, it is the most popular understanding of bullying and who is bullied that most egregiously naturalize normativities that do violence. Thus, I argue the production of the bullied subject illuminates the ways social science, law, and popular news reporting requires the denial of racialized, gendered, and sexualized violence as a foil for the production of the bullied subject on whose behalf liberation can be sought and normative violence reproduced.

## **Chapter Descriptions**

In the chapters that follow I explore three of the most prominent formations of the bullied subject—the bullied school shooter, the cyberbullied subject, and the bullied suicidal queer. I focus on the terms by which these subjects are brought into relief and conversely when they are occluded from various forms of recognition, what impact that has. As the subtitle of this dissertation and the title of this introduction proclaim, I focus on “managing violence through the discourse of bullying.” This marks a two part process: how the

discourse of bullying manages *to do* violence and how it manages populations biopolitically. This introduction serves as my first chapter.

In chapter two, “Rethinking School Shooters: Queer Futures, Gay Panic, and the Right to Victimization,” I read three school shooter cases against each other to reveal the underlying logics and anxieties that allow those who engage in murderous violence to be rendered intelligible as bullied subjects. Drawing on the cases of Eric Hainstock, Eric Houston, and Brandon McInerney, I argue that the intelligibility of the school shooter’s victimization is premised on a racialized gender and sexual logic of “gay panic.” This version of gay panic differs from psychological versions (which assume a gay subject that is provoked to violence when titillating feelings are sparked by a same-sex advance); it also differs from the legal defense versions (which assume a straight subject, emasculated, offended, and provoked to violence by a gay advance); and, it differs from much of the bullying literature (which assumes a straight subject denied access to white-hetero privileges). What the cases of Eric Hainstock, Eric Houston, and Brandon McInerney reveal is the bullied school shooter formation relies on a white-hetero woundedness routed through an adversarial relationship to racialized queerness that ultimately relies on a white straight subject to render the wounds of homophobia culturally intelligible, while simultaneously employing but denying racialized heterosexuality’s role in these shootings. Together these cases point to racialized gender, sexuality, and (dis)ability as mutually constituting processes of differential valuation that afford subjects the right to recognition of their victimization by naturalizing same-sex desire and gender transgression as inherently violating, queer of color existence as disposable, and white male heterosexuality, the most venerated and at times only viable future.

In chapter three, “The Intelligibility of Violation: Cyberbullying, Mean Girls, and the Carceral State,” I track the formation and circulation of the cyberbullied subject through three well known “cyberbullying” cases. I examine how Audrie Pott, Phoebe Prince, and Amanda Todd’s experience with sexual violence, cyber harassment, and their suicides are mobilized and circulated in various registers of political mobilizing. I argue that their construction as cyberbullied subjects and the production of their stories reveal a two part relationship to sexual violence. On the one hand, each of their experience with sexual violence gets variously obscured by constructions of cyberbullying as the crime of “mean girls.” In blaming girls for the violence done to so many it works to not only obscure the specific sexual violations each of these young women endured, but it insulates and exacerbates sexual violence against women perpetrated by men as the narrative remains that the male rapists are the less egregious offenders. On the other hand, when sexual violence is evoked and foregrounded as a social harm to be addressed with corrective legal solutions, these cases reveal its objectification builds so-called “justice” for sexual violence on racialized state violence. The solution thus cannot be replacing “cyberbullying” with the term “rape” or “sexual violence” to apprehend what happened to these young people. While the effacement of sexual violence is indeed a problem with marked material consequences, to focus on sexual violence is neither an easy nor uncomplicated solution. Ultimately, the intelligibility of violation works through the dual denial and objectification of sexual violence routed through blaming girls on the one hand and the state claiming to save them on the other, both of which mobilize these freshly exemplary stories of gender and sexual violence to do more violence to other girls, queers, racialized populations, and juveniles.

In chapter four, “Queer, Suicide, Contagion,” I explore the management of the bullied suicidal queer. Here I switch gears, instead of comparing specific cases based in the experiences of particular people I engage a comparative case study of concepts. In this chapter I explore the logics that suture *queer*, *suicide*, and *contagion* together in different permutations. Using the heartbreaking reports that the election of Donald Trump spurred several transgender suicides in the days after the election and record calls to crisis support lines, I explore how queer suicides were routed through a logic of suicide contagion that demanded no one talk about queer suicides. While seemingly benevolent, I argue appealing to the logic of suicide contagion works to silence objections to the structural violence queers are subjected to. It also engages a differed temporality in which queer livability is always on the horizon and a future that is offered as possible as long as we don’t talk about queer suicides happening in the present or the conditions that drive the attrition of persons from our community. Suicide contagion ultimately is an extension of queer contagion, where queerness is seen as a problem to be eradicated. Here, where queerness is the problem, suicide becomes the solution. Our choices however are not merely unmournability and deferred livability to a future that never comes or self attrition enforced by a structural and state investment in queer disposability. Queer objections to disposability are also contagious and the contrived threat that organizing for change in the present risks more deaths in the future, it is a false choice. Instead, I argue we get to mourn, organize, and make queer lives more livable.

In my last chapter, a brief afterward titled “By Means of a Term,” I consider what bullying as an analytic hinge obscures and alibis while I also consider what happens when

forms of violence are refused recognition as bullying. Here I argue that there are a host of forgotten bullied subjects whose experience being rendered attritionable is significant.

## CHAPTER 2

### Rethinking School Shooters:

#### Queer Futures, Gay Panic, and the Right to Victimization

A boy has been killed, and a number of lives have been ruined, and somewhere along the line the killer, Brandon got the message that its so threatening and so awful and so horrific that Larry would want to be his valentine that killing Larry seemed to be the right thing to do. And when the message out there is so horrible that to be gay you can get killed for it, we need to change the message. Larry was not a second class citizen. I am not a second class citizen. It is okay if you are gay.”

—Ellen DeGeneres

“He’s going to jail for the rest of his life. And all I kept thinking was he’ll never be able to love a girl...”

—James Bing (Brandon  
McInerney’s Half Brother)

In 2008 while attending E.O. Green Junior High School in Oxnard California, 15-year-old, Latisha King was shot and killed by a fellow student. According to the documentary, *Valentine Road*, the morning that King was shot, she had met with a school administrator at E.O. Green Junior High School and asked to be called “Latisha,” instead of “Lawrence” or “Larry.” Upon telling her best friend that she wanted to be referred to as Latisha, 14-year-old, Brandon McInerney stood-up and shot Latisha twice in the head. She died two days later from her injuries.

There has been little discussion of King’s pronouns, so it is possible that she might have wanted to be referred to as *she* to mark a burgeoning identity as a young, trans woman. It is also possible she would have wanted to be referred to as *he* in order to more thoroughly

reject the presumption that gender identity and gender expression need to be aligned. And perhaps she would have wanted gender neutral pronouns like *they*, *ze*, *xey*, or *zir* to refuse the demand to participate in binary gender configurations. I use *she* not to naturalize the link between what some might see as a female-coded name, feminine gender performances, and female pronouns (though I realize my choice here does risk that), but to linguistically carve out the possibility of Latisha King’s young, trans woman existence, which is so thoroughly occluded and demonized at trial with the constant reference to her as “Larry,” *he*, and through the violent construction of her as a “dude in a dress.” I use *she/her/hers* to honor the material conditions of her murder—she was literally killed at and in response to a queer identificatory moment. Meaning, she was murdered for her attempts to be recognized as Latisha, possibly a trans woman, possibly a gender queer, possibly non-binary, but that is the point, these are all possibilities cut short by her murder—which was the goal, to end the possibility of her queer of color existence.

*Newsweek* reported that the murder of Latisha King was “the most prominent gay-bias crime since the murder of Matthew Shepard.”<sup>74</sup> Documentation of the trial, substantial media reports, and the documentary *Valentine Road* offer a version of the defense that employed a form of the gay panic defense that ultimately endeared McInerney to the jury. Trial testimony offered a picture of King dressing in “women’s clothing,” wearing spiked boots, mascara, and responding to McInerney’s racist and homophobic verbal attacks with flirtatious responses like, “you know you want me.”<sup>75</sup> King’s gender performance was

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<sup>74</sup> Ramin Setoodeh, “Young, Gay and Murdered in Junior High,” *Newsweek*, July 18, 2008, <http://www.newsweek.com/young-gay-and-murdered-junior-high-92787>.

<sup>75</sup> Catherine Saillant, “Oxnard School’s Handling of Gay Student’s

marked as a form of bullying and sexual harassment, so egregious and un-intervened upon that McInerney's defense team argued, he was left to take care of the abusive situation on his own.<sup>76</sup> In a 2014 article written by Robyn Bramson, one of McInerney's lawyers, she succinctly echoes the same narrative they used at trial regarding McInerney's actions. She explains, "What Scott and I know about Brandon, the horrific abuse and neglect he had long been experiencing at home at the hands of his family, the facts and circumstances and lack of action or intervention that occurred at the junior high school where the shooting took place, which surrounded and lead up to the offense, is that Brandon reached 'his breaking point.'"<sup>77</sup> Testimony of classmates and King and McInerney's teacher, who witnessed McInerney shooting King, all offered McInerney as the shooter. However, in a seven-to-five vote, the case ended in a mistrial. Jurors in post-trial interviews explained that they could not bring themselves to convict McInerney as an adult in part because they felt it did not qualify as a hate crime, and even if it was, they argued that it would have forced them to put a child away for the rest of his life.<sup>78</sup> The second trial's charges were changed to avoid another mistrial which involved not charging him as an adult or with a hate crime. The trial was never completed as he plead guilty to second-degree murder as well as voluntary manslaughter involving the use of a firearm.<sup>79</sup>

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Behavior Comes Under Scrutiny," *Los Angeles Times*, August 11, 2011, <http://articles.latimes.com/2011/aug/11/local/la-me-0811-gay-student-20110811>.

<sup>76</sup> "Mistrial Declared In Killing Of Lawrence King", YouTube video, 2:50, posted by "SuchIsLifeVideos", September 1, 2011, <https://youtu.be/Jj3c66B52Z4>.

<sup>77</sup> Robyn Bramson, "The Brandon McInerney Redemption."

<sup>78</sup> *Valentine Road*, directed by Marta Cunningham (2013; Los Angeles, CA; Manhattan, NY: Docurama, 2014), DVD.

<sup>79</sup> Zeke Barlow, Cheri Carlson, and Raul Hernandez, "Brandon McInerney Accepts Plea Deal in Murder Trial: Will Serve Nearly 25 Years," *Ventura County Star*, November 21, 2011, <http://www.vcstar.com/news/2011/nov/21/mcinerney-trial/>.



School shootings, like McInerney's and those committed by Eric Harris and Dylan Klebold at Columbine, Elliot Rodger near University of California, Santa Barbara, and Seung-hui Cho at Virginia Tech have been popularly understood as the result of bullying and the school shooter as a social type, as a white, wounded, socially ostracized, heterosexual male, bullied for being smaller and weaker than other boys, and retaliating for such treatment by targeting the jocks, popular students, and girls, whose bodies and affections they were not granted access to. This white, straight, male version of the school shooter not only naturalizes normative citizenship aspirations as motivation for school shootings through insulating it from critique, but in much of the public and scholarly discourse, it presumes more robust access to white hetero-male privileges as a solution.<sup>80</sup> Instead of a solution, I forward the racialized gender and sexual contours of normative citizenship as a problem that underwrites the production of the school shooter as a social type. Something in the texture of the school shooter is lost when the motivating victimization is presumed to be denial of white, hetero-male privilege to white, hetero-males. In the case of Seung-hui Cho, for example, it obscured the violence of whiteness, normative citizenship, Asian otherization, and how non-normative other's gendered and sexualized experiences are demonized and disciplined.<sup>81</sup> A comparable operation obscured the racialized sexual motivations of Elliot Rodger's spree shooting as he attributed his lack of sexual access to women to anti-Asian racism, which was his self described motivation for his attack.<sup>82</sup> Similarly, I explore what can be found when studying

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<sup>80</sup> Amy L. Brandzel and Jigna Desai, "Race, Violence, and Terror: The Cultural Defensibility of Heteromale Citizenship in the Virginia Tech Massacre and the Don Imus Affair," *Journal of Asian American Studies* 11.1 (February 2008): 61-85.

<sup>81</sup> Ibid.

<sup>82</sup> Elliot Rodger, "My Twisted World: The Story of Elliot Rodger," (2014), <https://www.documentcloud.org/documents/1173808-elliott-rodger-manifesto.html>.

the grammars by which the school shooter is differentially understood as a victimized subject.

In what follows, I place three cases in conversation to examine the intersectional terms by which bullying is understood and attached to some identities more easily and thoroughly than others. Reading the cases of Eric Hainstock, Eric Houston, and Brandon McInerney against each other offers a way to see normative racialized gender and sexuality as the motor of *acceptance* of bullying as an explanation for some school shootings, while being that which *denies* bullying and larger fields of social violence in others. Drawing on these three cases, I argue that the intelligibility of the school shooter's victimization is premised on a racialized gender and sexual logic of "gay panic." The version of gay panic deployed in the production of these shooters as bullied subjects differs from the psychological account which relies on a subject having gay leanings and lashing out violently when those feelings are invoked by a same-sex advance; it also differs from some of the earliest varieties of the legal defense that argued gay panic was the result of a same-sex advance against a straight man who was so insulted and emasculated that lashing out violently was reasonable; and, it differs from much of the bullying literature which assumes a straight subject denied access to robust white-hetero privilege. In the cases of Eric Hainstock, Eric Houston, and Brandon McInerney, the bullied school shooter formation that they variously produce and are interpellated into reveals the bullied subject's formation as contingent on a white-hetero woundedness routed through an adversarial relationship to racialized queerness that ultimately relies on a white straight subject to render the wounds of homophobia culturally intelligible. Reading these cases against each other reveals racialized

gender, sexuality, and (dis)ability as imbricated processes of differential valuation that afford subjects the right to recognition of their victimization.

While queer studies has a history of focusing on the role of normativities in exacting violence on individuals and whole populations,<sup>83</sup> this chapter begins to question how the public mourning of the bullied subject and the legal defense of the bullied school shooter is routed through and productive of violent normalizing citizenship apparatuses. I consider the cases of Eric Hainstock and Eric Houston, the two shootings that flank the two decade span that solidified the bullied school shooter as a social type. Methodologically, I am tracking the bullied school shooter, to borrow phrasing from Denise Riley, “on the wing of its formulation.”<sup>84</sup> Placing these cases in conversation with the 2010 murder of Latisha King reveals an undergirding logic of racialized gay panic, that at its core naturalizes same-sex desire and gender transgression as inherently violating, queer of color existence as disposable, and white male heterosexuality, the most venerated and at times only viable future.

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<sup>83</sup> Amy L. Brandzel, *Against Citizenship: The Violence of the Normative* (Urbana: University of Illinois Press, 2016); Amy L. Brandzel and Jigna Desai, “Race, Violence, and Terror”; David L. Eng with Judith Halberstam and José Esteban Muñoz, “Introduction: What’s Queer About Queer Studies Now?,” *Social Text* 84-85/23, nos. 3-4 (2005): 1-17; Roderick Ferguson, “Of Our Normative Strivings: African American Studies and the Histories of Sexuality,” *Social* 84-85/23, nos. 3-4 (2005): 85-100; Michael Warner, ed., *Fear of a Queer Planet*, (Minneapolis: University of Minnesota Press, 1993).

<sup>84</sup> Riley, ‘*Am I That Name?*’

## The School Shooter and Gay Panic

Before getting into the specific case studies, I want to contextualize some of the school shooter and gay panic narratives. Common narratives of bullying in relation to school shooters often deny the impact that normative racial, gendered, and sexual violences have. In the case of Seung-hui Cho at Virginia Tech as a case in point, Amy Brandzel and Jigna Desai argue that a thorough cultural defense of white normative citizenship refused to acknowledge Seung-hui Cho's actions as retaliation for racism and the violences of normative citizenship apparatuses.<sup>85</sup> Drawing on Cheryl Harris and other critical race scholars, Brandzel and Desai theorize whiteness as a form of "property" that bestows certain citizen-subjects the right to violence. As an Asian racialized other, Cho was denied the "'right' to violence" in terms of retaliating for racism, but was simultaneously force-fit into a white middle class hetero-masculine narrative that explained his actions as the result of a "wounded-masculinity," much like what is often deployed in relation to Eric Harris and Dylan Klebold.<sup>86</sup> It is an easy case to make—Cho, a lonely young man who had few friends, who many saw as a nerd, was disliked by other students, yet who aspired to have, but lacked access to, male privilege, particularly erotic and affective access to women's bodies and energy. However, as Brandzel and Desai argue, "as much as Cho could be made to fit within this typecasting, he refused such analysis. Through his series of videos, polemics, and photos, Cho highlighted the ways in which his isolation was directly related to normative white citizenship, the alienation of Asian Americans, and disenfranchised racialized 'queer' masculinities. ...[The] media, and white America in general, worked so hard to fit Cho within the wounded-masculinity type in

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<sup>85</sup> Brandzel and Desai, "Race, Violence, and Terror."

<sup>86</sup> Ibid.

order to avoid the other hermeneutical option: the racially oppressed retaliating for their isolation from the privileges of normative citizenship.”<sup>87</sup> The denial of the retaliatory impulse guiding shooters of color like Cho as well as Rodgers is in part a result of the presumption of whiteness, but the other and more important part is the refusal to attend to the violence of racism.

The cultural unintelligibility of racism and normative citizenship’s violences in school shooter stories stands in stark opposition to the taken-for-granted acknowledgement of heteronormativity’s impact in gay panic narratives, though admittedly, it is an impact that is accepted rather than combatted. Legally, the gay panic defense is a type of provocation defense. It is formed on the theory that a same-sex advance understandably and justifiably sparks uncontrollable violence by the target of the advance. The specific operation of gay panic however differs. Within psychiatry, Edward J. Kempf is credited with coining the phrase “homosexual panic” in 1920. Then, it was used to mark the acute dissociative feelings caused by “panic due to the pressure of uncontrollable perverse sexual cravings.”<sup>88</sup> Psychiatric scholarship, including Kempf’s was used to support the conclusion that a person who was exposed to same-sex erotic pressure would experience dissociation to the point of becoming violent because of their own latent homosexual pathology. However, as Cynthia Lee points out, a close reading of Kempf’s work reveals that his patients were never violent due to the anxiety they felt.<sup>89</sup> If anything, “Kempf’s male patients experienced heightened

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<sup>87</sup> *Ibid.*, 62.

<sup>88</sup> Edward Kempf, “The Psychology of the Acute Homosexual Panic: Acute Pernicious Dissociation Neuroses,” *Psychopathology* (1920): 477-515.

<sup>89</sup> Cynthia Lee, “Masculinity on Trial: Gay Panic in the Criminal Courtroom,” *Southwestern Law Review* 42, no. 4 (2013): 817-854.

anxiety when they were separated from a same-sex love-interest (not when another man made a sexual advance upon them).”<sup>90</sup>

The legal version of gay panic deployed as a trial strategy to beat a hate crime charge, get a reduced sentence, or produce an acquittal used the notion of homosexual panic creatively. In criminal trials panic defenses were routed through either a provocation or insanity argument. Some of the earliest cases from the 1960’s that used gay panic as a defense relied on psychological theories and forwarded latent homosexuality as the cause of lethal violence, others of those same early cases offered it as a kind of modified reasonable person standard in that any reasonable person (read heterosexual) would expect to respond to a same-sex advance by seriously wounding or killing the gay man hitting on him. By 1973, the APA demedicalized homosexuality and the defense more thoroughly shifted from a person with latent homosexuality threatened by a homosexual advance to the point of a psychological break, to a modified reasonable person standard in which any ordinary person (again, read heterosexual) would be provoked to deadly violence by a gay advance.<sup>91</sup>

Thus, gay panic as a logic comes first from psychology with the assumption of latent homosexuality and then legal cases that variously rely on latent homosexuality or the assumption that violence is an understandable and acceptable response when a straight person is hit on/exposed to a gay person. Taken together, these various instantiations of gay panic logic set the conditions by which the contours of the bullied school shooter as a subject formation are brought into relief. As I argue in the next section, anti-bullying and school shooter literature utilizes a version of gay panic when scholars argue that school shootings

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<sup>90</sup> Ibid., 818.

<sup>91</sup> David Alan Perkiss, “A New Strategy for Neutralizing the Gay Panic Defense at Trial: Lessons From the Lawrence King Case,” *UCLA Law Review* 60 (2013): 778-824.

are caused by the specific kind of bullying that accuses the shooter of being gay. Taking a cue from Brandzel and Desai's consideration of Seung-hui Cho's treatment by the media as well as work on gay panic in psychology, legal cases, and school shootings,<sup>92</sup> I consider the deeper implications for what explanations are deployed and which displaced when it comes to school shooters and how "bullying" is circulated in the productions of such subjects. I begin with the case of Eric Hainstock.

### **Queer Oclusions: The Impossibility of Retaliation**

Every day the same thing. They would call me names in the hall, in class, at lunch, before school and after.

—Eric Hainstock

I face less abuse in prison than I did at school or at home.

—Eric Hainstock

In September 2006, 15-year-old Eric Hainstock shot and killed his High School principal, John Klang. News reports and trial testimony paint a picture of Hainstock's life as marred by constant neglect and abuse by family, peers, and school officials. According to Hainstock's public defender, his own letters from prison, and newspaper reports, this abuse lead him to bring two firearms to school, and ultimately, to shoot and kill his principal when he attempted to forcibly disarm Hainstock. Hainstock was tried as an adult and convicted of first-degree murder. He was sentenced to life in prison which he is serving in a maximum security adult prison.<sup>93</sup>

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<sup>92</sup> Brandzel and Desai, "Race, Violence, and Terror."

<sup>93</sup> Bill Lueders, "Eric Hainstock: Free at Last," *Isthmus*, July 31, 2008, <http://isthmus.com/news/cover-story/eric-hainstock-free-at-last/>.

After the shooting, reporters clamored to make sense of the incident. Many foregrounded Hainstock's history of being abused at home and at school. Among the examples were Hainstock's father's conviction of child abuse as well as stories of other specific instances at the hands of his father that involved: verbal abuse like being called "retard" and "dumb ass";<sup>94</sup> his body bearing the wounds of human bite marks; and being punished for minor misbehaviors by being forced "to put hot peppers in his mouth, run laps around the driveway or stand for long periods" in contorted painful humiliating positions.<sup>95</sup>

Much of the defense strategy at trial and the coverage of this case have worked to construct Hainstock as a bullied subject. A few reports addressed "teasing by fellow students" and "taunting"; others explained that Hainstock was subjected to unwanted attention and was sexually harassed "mercilessly" in the school halls; while others marked the anti-gay slurs he was subjected to specifically as "homophobic bullying."<sup>96</sup> It was reported that Hainstock struggled with Attention Deficit Disorder (ADD) and due to financial constraints, did not have access to his medication, something echoed in his letters written from prison.<sup>97</sup> Marty Beyer, a child psychologist and defense witness testified that Hainstock was bullied largely because of his ADD, which had impacted his social interactions with others. But, while his ADD was part of the landscape, according to Beyer, Hainstock was most distressed by the anti-gay bullying he endured. One newspaper report summarized Beyer's testimony, writing that Hainstock "was most troubled by being called gay when he

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<sup>94</sup> Ed Treleven, "Lawyer: Hainstock Fired Accidentally; But Prosecution Disputes that View," *Wisconsin State Journal* (Madison, WI), July 28, 2007.

<sup>95</sup> Dee J. Hall and Doug Erickson, "Home Life was No Picnic for Hainstock; He Endured Some Stiff and Unusual Punishments, According to People Who Knew the Family," *Wisconsin State Journal* (Madison, WI), October 8, 2006.

<sup>96</sup> *Ibid.*

<sup>97</sup> Susan Lampert Smith, "Friends Haven't Deserted Eric," *Wisconsin State Journal* (Madison, WI), December 17, 2006.



was not.”<sup>98</sup>

At trial, Hainstock’s public defender, Rhoda Ricciardi additionally emphasized a teenage step-brother’s sexual abuse of Hainstock when he was six. Ricciardi argued Hainstock received no psychological support to cope with the trauma, and thus continued to suffer the enduring effects. Foregrounding Hainstock’s physical and sexual abuse history, Ricciardi argued further that the verbal harassment, which involved anti-gay epithets, caused a remarkable amount of pain.<sup>99</sup> The implication drawn was that this already thoroughly victimized young person, whose home life was violent and vicious, was additionally abused and mistreated at school by the psychic wounds such epithets brought up, made all the more traumatic by being paired with physical and sexual violence that accompanied the verbal harassment.

This particular version of the bullied subject is routed through a wounded and threatened normative masculinity. The sexual abuse by an older, male relative is rehashed to lay a foundation of trauma surrounding same-sex sexuality, and thus supercharges the homophobic bullying to call up not just society’s demonization of queerness, but the specific sexual violations of this young man’s bodily autonomy. This narrative explains violent retaliation for emasculation as the commonsense response of those who have been abused and denied normative male privilege as, importantly, normative males, haunted on the one hand by a history of sexual violation and on the other, by the threat of a queer future.

This is far from a new story. Social science research for example has helped fill-in the intricacies of this narrative. Take Jessie Klein’s work on gay harassment. Klein argues that

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<sup>98</sup> Patricia Simms, “Details About Hainstock’s Life Told at Hearing,” *Wisconsin State Journal* (Madison, WI), April 18, 2007.

<sup>99</sup> Treleven, “Lawyer.”

bullying alone is not what motivates school shootings. Rather, it is the specific kind of teasing that accuses the shooters of being gay that undergirds so many school shootings.<sup>100</sup> She explains, “When boys who believe on some level that they warrant privilege, are instead harassed, they may feel driven to avenge the ‘wrong,’ and re-assert a more dominant, powerful, and victorious masculinity.”<sup>101</sup> She frames the instigating wound as one that denies the bullied subject access to the privileges of “normalized masculinity,” explaining that:

When boys who are taught that they should be powerful—typically, boys who are white, wealthy, and able-bodied—feel instead that they are disrespected, they may experience something similar to people who frequently are the victims of prejudice and discrimination because of race, class, or disabilities. In such cases, the drive increases for the “wronged” male to assert a privileged masculinity—dominant, powerful, and victorious—that can put an end to this degradation.<sup>102</sup>

This comparative articulation of wounded masculinity conflates the pain of pervasive racial violence, poverty, and disability that non-normative subjects negotiate with the entitlements and “cultural defense” of whiteness (to use Brandzel and Desai’s terminology),<sup>103</sup> class privilege, and ableism that normative subjects channel. In doing so, it centers a version of the bullied subject that is similar to, but always separate from racial, class, and abilitied otherness. In other words, the version of the bullied subject proffered here centers a normative subject seeking the recognition and power of the normative. As a result, non-normative others are too easily subsumed into a normative subjection story in which they are without intersectional identities, and motivated by the same white, straight, wounded masculinity. Under this hermeneutic the violence of homophobic bullying only registers on a

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<sup>100</sup> Jessie Klein, “Sexuality and School Shootings: What Role Does Teasing Play in School Massacres?,” *Journal of Homosexuality* 51, no. 4 (2006): 39-62.

<sup>101</sup> *Ibid.*, 39.

<sup>102</sup> *Ibid.*, 41.

<sup>103</sup> Brandzel and Desai, “Race, Violence, and Terror.”

white straight body. This is significant because though Hainstock was hailed as a disaffected white heterosexual subject by media and court testimony, he battled against such interpellation.

While summaries of Beyer's testimony suggested that Hainstock was straight, in letters Hainstock sent from prison to newspapers—as part of what he explains as his attempt to correct the narrative of his shooting and get his story told—he clarifies that bringing guns to school and shooting principal Klang was retaliation for the profound homophobic bullying he experienced, that he felt no one did anything to protect him from, *because he was gay*.<sup>104</sup> According to one report written through a collaboration between an incarcerated Hainstock and author Bill Lueders, “On the day of the shooting, Hainstock told police his goal was to confront Klang and ‘make him listen’ to his concerns about bullying. Fellow students, he said, called him ‘fag’ and ‘faggot’ and rubbed up against him” and school officials tacitly sanctioned it by looking the other way.<sup>105</sup> Lueders reported Hainstock, “by his own account ‘acted like a girl,’ says he was constantly called fag, gay boy, girlie boy, punk and sissy. ‘Every day the same thing. They would call me names in the hall, in class, at lunch, before school and after. The teachers all knew this.’ But they wouldn't protect ‘the smelly gay kid.’”<sup>106</sup> In Hainstock's letters to Lueders he comes out as gay,<sup>107</sup> and tells of his father's demonization of gay people. For example, Hainstock said his father frequently

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<sup>104</sup> Eric Hainstock, Letters to Bill Lueders, 2008, <https://schoolshooters.info/sites/default/files/Eric%20Hainstock%20Letters.pdf>.

<sup>105</sup> Bill Lueders, “Eric Hainstock”; Bill Lueders, “The Life of Eric Hainstock: A Timeline,” *Isthmus*, July 31, 2008, <http://www.isthmus.com/daily/article.php?article=23364>.

<sup>106</sup> Lueders, “Eric Hainstock.”

<sup>107</sup> Hainstock's letters frame his sexuality as “gay,” but Lueders' identifies him as “bisexual” in the *Isthmus* article. I chose to use Hainstock's own framing of himself here and use the term “gay.” However, without getting into a debate over if Hainstock was gay or bisexual, what is clear is that Hainstock's non-normative sexuality was one of the major lightning rods for his mistreatment.

communicated that all gay people are bad, are going to hell, and that “God hates fags.”<sup>108</sup> Hainstock’s letters paint a picture of a school and home life that consistently demonized same-sex desire. This was paired with the profoundly painful acknowledgement of a friend he made in prison who had been the first and most thoroughly supportive person in his life, who told him that being gay is okay, and showed true caring, according to Hainstock, by taking another inmate aside who had been cruel to Hainstock and getting him to stop.<sup>109</sup>

In the case of Eric Hainstock, the narratives from newspaper reports and trial strategy address anti-gay bullying as a motivating factor of the shooting, but this is narrowly routed through the presumption of heterosexuality. The erasure of Hainstock’s queerness implies that a gay subject retaliating for homophobic bullying is a social impossibility.<sup>110</sup> In one report Don Stevens, founder of a specialized educational executive search firm, was quoted as explaining that the claim that Hainstock was bullied was “overblown,” that “this was not a child that everybody disliked.”<sup>111</sup> The dismissal and denial of bullying becomes more thorough when Hainstock is treated not as an emasculated, straight, bullied subject, but as a gay student demanding the anti-gay bullying stop. Having presented on this case multiple times, audience questions and comments invariably turn to denying that Hainstock was bullied because he was gay. From inquiries as to the evidence that the homophobic bullying took place, to questions about if Hainstock was merely claiming a gay identity as an appeal strategy, there is a differential impulse I see time and again where anti-gay bullying is presumed to be the experience of straight subjects where-in there are no demands for

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<sup>108</sup> Hainstock, Letters to Bill Lueders.

<sup>109</sup> Ibid.

<sup>110</sup> This stands in contrast to the self-harm and suicide of gay students that become rallying points for U.S. LGBT organizing and anti-bullying campaigns beginning in 2010.

<sup>111</sup> Hall and Erickson, “Home Life.”

evidence of bullying nor accusations that claiming a straight identity (and by extension wounded masculinity) is a mere trial strategy, but anti-gay bullying is denied as the experience of a gay subject. The presumption of the emasculation of a straight subject paired with the denial of a queer subject's experience of homophobic bullying evidences a differential production of victimization wherein heterosexuality renders anti-gay bullying's wounds intelligible but queerness renders wounds from the same acts deferred and denied. In other words, the straight subject is produced as the proper victim of homophobia while the gay subject either does not exist or is lying.

This white, hetero, wounded masculinity narrative points to an anxiety over the possibility that not only will gay kids violently retaliate for the heteronormative violence they have been subjected to, but that it is the adults who fail to protect them that will be targeted. I am not endorsing what Hainstock did, nor celebrating it as a kind of radical or righteous ethic.<sup>112</sup> Rather, what I want to draw collective attention to is what is at stake in the refusal to entertain the *possibility* that homophobic bullying could wound a gay student to the point of

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<sup>112</sup> While I am not supporting Hainstock's actions, others, like the Youth Liberation Front do. The Youth Liberation Front posted a call of support for Hainstock on the San Francisco Bay Area Independent Media Center (Indybay) that argued, among other things, that "Eric had the courage to fight back against a school system that psychologically molests us every day, deprives us of autonomy and freedom, runs our spirits through a conveyor belt of discipline and coercion to spit out obedient workers and slaves. Eric followed his heart's fiery anger and struck back with the desperation of caged animal, against the system that confined him and dominated his life. Unlike many other school shooters, Eric directed his gunfire up the hierarchy at a figure of authority, at someone who was directly responsible for the oppression of youth. He may not have destroyed the school system by assassinating a single principal, but his gunshots certainly have shaken the system. Let them reverberate in our hearts." As their words make clear, the Youth Liberation Front takes issue with the school system as a whole, its authority, and as a capitalist system that produces students as docile and exploitable workers without a specific objection to homophobic bullying, allowing yet again, Hainstock's actions and experiences to be de-linked from objections to anti-gay bullying against a gay subject. For more on their statement see: Youth Liberation Front, "Free Eric Hainstock," *Indybay*, last modified Oct. 9, 2006, <https://www.indybay.org/news/items/2006/10/09/18319274.php>.

resorting to violence. When it is presumed that homophobic bullying drives gay students to suicide, and straight young men, emasculated by such bullying, to reclaim their masculinity and sexual desirability through violence, why is a white gay school shooter such a social impossibility? Forcing Hainstock into a white, hetero narrative is a negative political strategy; it negates a more nuanced and telling version of the bullied subject and his victimization. A more complicated version of the Hainstock case specifically, and the bullied subject generally, offers not the white, heteronormative male violently retaliating for being denied the privileges of normative, white masculinity, but instead the white, gay, school shooter, objecting to his mistreatment and “bashing back.” Given the way this narrative trajectory obscures the violence of heteronormativity against a gay subject, there is something even more heartbreaking here than the impossibility of retaliation for heteronormative violence that grounds this subjection story, namely that this version of the bullied subject as school shooter—denied intelligibility as a victim of homophobic bullying, whose trauma from sexual abuse is only attended to in order to bolster fear of a queer future, and whose defense relied so thoroughly on a version of the gay panic defense that not only obscured and erased his sexuality but weaponized its potentiality—finds it easier to be gay in a maximum-security adult prison than at home or in high school as Hainstock’s quotes that open this section suggest.

### **Refusal of a Queer Future: A “Single Homosexual Encounter” and a Dress**

In contrast to the impossibility of a gay school shooter retaliating for homophobic bullying, the case of Eric Houston offers a version of the school shooter which relies on an

agreed-upon understanding of same-sex desire's and gender transgression's inherent traumatizing effects, reciprocally deferring sexual violence and racial motivations as undergirding explanatory possibilities, while naturalizing gay panic through a modified version of the latent homosexuality argument. In 1993, Eric Houston was convicted of killing his teacher, Robert Brens and three students, wounding 10 students and holding 80 others hostage for over eight hours. Houston's shooting happened just days after the infamous Rodney King verdict, a case that involved the beating of Rodney King, a black man by four white Los Angeles police officers, who were filmed using their batons to strike King over 50 times during a traffic stop. When they were acquitted of all charges, the verdict sparked the Los Angeles Uprising, a week-long protest against police brutality and racist government policies. In the case of Houston, media speculated as to whether his actions were racially motivated. School officials "denied that the shootings had a racial motivation or any connection to protests about the Rodney King verdict."<sup>113</sup>

The version of this school shooting represented in newspaper reports and at trial offers a "wounded shooter" story similar to the one deployed in the Hainstock case that paints Houston as a "disgruntled former student,"<sup>114</sup> "angry that he failed to graduate,"<sup>115</sup> and, as one letter to the editor from someone who admits to not knowing Houston at all, bullied, "called bad names, like fat, ugly or a homosexual."<sup>116</sup> This letter's presumptive causal attribution reveals a common understanding that body-shaming and homophobic

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<sup>113</sup> Robert B. Gunnison and Ken Hoover, "School Gunman Surrenders—4 Killed in 10-Hour Ordeal," *The San Francisco Chronicle*, May 2, 1992.

<sup>114</sup> Ashley Gebb, "Supreme Court Upholds Lindhurst Shooter's Death Sentence," *Appeal-Democrat* (Marysville, CA), August 3, 2012.

<sup>115</sup> C. Ford, "Siege Gunman Kills 4," *Sunday Herald* (Glasgow), May 3, 1992.

<sup>116</sup> Jose Angel Esquivel, "Letter: Re: Eric Houston," *Appeal-Democrat* (Marysville, CA), July 31, 2015.

bullying fosters retaliatory violence. However, the version of the bullied subject that discussions of Houston's case produce involve a slightly different configuration than the white wounded masculinity model that relies on anti-gay slurs. Instead, Houston's victimization is rendered intelligible through a narrative of white hetero anxiety and sexual confusion that threaten to block his access to normative citizenship, and thus he takes up arms to simultaneously prevent and avenge this possibility.

Newspaper reports quoted eyewitness testimony that during his siege, Houston repeatedly said that, "the school failed me. They left me with a crappy job."<sup>117</sup> Reports attributing the shooting to "retaliation for a failing grade" offer a normative narrative of white hetero entitlement in which the straight, white, male subject retaliates for lack of a diploma and the ensuing lessened job opportunities that constrain his prospects for financial independence and by extension, a proper white, hetero-conjugal, familial future. This version of Houston's shooting, similar to the case of Eric Hainstock, produces an account of the bullied school shooter that recenters a particular type of white, wounded masculinity. However, unlike Hainstock whose sexuality rendered an otherwise common understanding and acknowledgement of homophobic bullying entertained, but denied on a white gay body, Houston's proximity to queerness gets deployed to prove just how wounded his white masculinity was. Here, the sexually-confused school shooter is ushered into being through an ambiguous sexuality that leads to lashing out violently because the haunting specter of the possibility of queerness.

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<sup>117</sup> Paul Leavitt, "N.J. Fire Closes Nuclear Plant, Roads," *USA Today*, May 4, 1992.



While his shooting is described as being “revenge for a failing grade”<sup>118</sup> he received from his teacher Robert Brens, and because he was “angry that he failed to graduate;”<sup>119</sup> there are a few details that get consistently obscured. Psychology scholar Peter Langman suggests Houston’s actions might be more accurately understood as the result of a combination of stressors: “being raised in a chaotic and violent family, frequent relocations, being molested by his teacher, confusion about his sexual orientation, failing twelfth grade, breakups with girlfriends, unemployment, pressure to move out on his own, and his struggles with PTSD and depression.”<sup>120</sup> Within that combination of stressors, his supposed sexual confusion and molestation by his teacher are consistently being revisited and taken up during the original trial and his subsequent appeals.

First discussed at trial and echoed during appeals, Houston’s sexuality was framed as one of the stressors that instigated his fascination with guns and violence. Dr. C. Jess Groesbeck, a physician, forensic psychiatrist, and an associate professor at the University of California, Davis Medical School, testified that Houston was adversely impacted by questions of his sexuality. According to court documents in *People v. Houston*.<sup>121</sup>

Dr. Groesbeck noted defendant felt guilty about ‘quasi-homosexual seeking behavior’ he had with Rewerts, his best friend. As a young child, defendant had been photographed wearing a dress, which, in Dr. Groesbeck’s opinion, contributed to defendant’s sexual identity confusion and caused his fascination with firearms. Dr. Groesbeck related defendant’s claim that Brens, the teacher he shot and killed, had molested him at least twice in 1989.<sup>122</sup>

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<sup>118</sup> Gebb, “Supreme Court Upholds.”

<sup>119</sup> Ford, “Siege Gunman”; Leavitt, “N.J. Fire.”

<sup>120</sup> Peter Langman, *School Shooters: Understanding High School, College, and Adult Perpetrators* (Lanham, Maryland: Rowman and Littlefield, 2015), 59.

<sup>121</sup> *People v. Houston*. 54 P.3d 799 (Cal. 2012).

<sup>122</sup> *Ibid.*

This foregrounding ‘quasi-homosexual seeking behavior’ and documentation of gender play works to forge a bullied subject whose sexual victimization happens at three levels: at the level of his own same-sex sexual desires; a single moment of non-normative gender expression; and sexual violation by an authority figure, namely the teacher Houston killed. At trial, Houston’s former best friend, David Rewerts, testified that the two had shared an erotic experience, once.<sup>123</sup> And, Dr. Groesbeck’s testimony, which was cited during the appeal process, reinforced the logic that documentation of gender transgression in photographic form produced “confusion” for Houston.<sup>124</sup> Taken together, these moments get narrated and taken up as a “single homosexual encounter”<sup>125</sup> and a photo of Houston in “a dress,” while the sexual assault gets passing mention, if any. These two symbols of sexual and gender transgression combine to become a lightning rod for hetero anxiety that informs the narrative of the shooting as a violent masculinized reaction to non-normative gender and sexual experiences.

The conflation of gender with sexuality here is key, yet appears un-noteworthy. Trends within scholarship and safe-space sensitivity training often work to tease apart gender identity from sexuality. But, if sex, sexuality, and gender have such thorough slippages then attempts to tease them apart or treat them as independent risks obscuring the role and force of these imbricated processes. In Dr. Groesbeck’s testimony, gender in the form of “a boy” dressing as “a girl” cannot be separated from sex, nor can either gender or sex be separated from sexuality. To do so, renaturalizes essential notions of there being a there, there—a biological or otherwise essential foundation on which sexuality and gender comportment

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<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

<sup>125</sup> Langman, *School Shooters*, 58.

rely. Such analytic distinctions locate gender and sexual norms as the lynchpin of a normative cultural imaginary and thus render Houston's retaliation intelligible as a response to the lack of access to normative citizenship. It is through the solidification and codification of categorical differences, routed through hetero-alignments and corresponding disjunctures that lubricate normative explanations wherein documentation of rocking a dress as a toddler and having a titillating moment with another male becomes a matter of trauma and underwrites a white male woundedness that ushers in a fascination with guns and retribution.

In Dr. Groesbeck's discussion, the specter of Houston's sexual confusion (having erotic playtime with his best friend) and gender transgression (adorning a dress at age three) are mobilized in tandem with the sexual violence from his teacher that are aligned through the ultimate distress at the possibility of being queer. However, there is another interpretation that is far more illuminating, which is that the intelligibility of violation at the possibility of being queer is so much more widely accepted than the possibility of a survivor of sexual abuse retaliating for the abuse he suffered. Like the hegemonic logic of the gay school shooter whose victimization is dependent on the hermeneutic denial of same-sex desire, here, Houston's normative longings rely on a more thorough proximity to queerness, in that same sex desire is a looming possibility, but one that is entertained only to be rejected through distress narratives of the damage same-sex desire and gender trouble produce. These subjection stories rely on the taken-for-granted threat of gender and sexual non-normativity to a subject's psyche which marks transgression itself as the danger rather than the normative power structures that enforce a norm and identify particular behaviors as transgressions in the first place. This narrative forges, on the one hand, sexual abuse as equal to, if not less egregious than, gender and sexual non-normativity, while on the other hand it combines

sexual abuse and gender and sexual non-normativity as all collectively violating of a white normative male's psyche.

While officials denied any "racial motivations" to Houston's attack the hermeneutics that usher this particular subject into formation are very much racialized. The intelligibility of a white wounded school shooter, whose actions are discursively positioned within normative citizenship aspirations and threatened by the embodiment of same-sex desire and gender transgression, is very much racially motivated. The white heteronormative familial futurity that looms over this case, bolstered through the dangers of a queer future, foreshadowed by singular sexual and gender transgressions, and made all the more traumatic by a history of sexual violation is a racialized subjection story. The particular white woundedness that informs this narrative may have been all the more potent at the time it occurred because of the massive uprising of people of color against police brutality and the criminalization and the comparative devaluation of Black and Brown bodies that rendered white futures possible, making Houston's a story of white entitlement, threatened by a Black and Brown uprising aligned with the refusal of a queer future.

### **Eliminating Future Queers: The Danger of Dresses**

When comparing the cases of Eric Hainstock and Eric Houston, both emerge as bullied subjects through a gay panic logic, but it's a version of gay panic that doesn't work properly. It doesn't work for Hainstock because it relies on a straight subject. It doesn't work with Houston because he was too easily slipped into the space of the transgressing subject. He was the toddler in the dress, the sexually precocious teen experimenting with his bestie.

Both cases could be identified as using forms of gay panic—one, relying on presumed heterosexuality and the other, latent homosexuality, however, I think there is something far more significant happening with these gay panic logics than a binary understandings of either latent homosexuality or the presumption of heterosexuality. If we return to the murder of Latisha King and the prosecution of Brandon McInerney that opened my discussion, the case offers a different way to understand gay panic and the subjectification of the school shooter. Unlike Hainstock and Houston, McInerney as a white straight male is more easily interpellated into a position of victimization.

Throughout the multiple instantiations of McInerney’s prosecution, King is represented as provoking her own murder. During the trial, two of King’s previous teachers testified that King’s gender performance and flirtatious responses to teasing made McInerney and other boys at E.O. Green uncomfortable.<sup>126</sup> In a pretrial interview McInerney’s defense attorney, Scott Wippert told ABC’s Nightline that “On a daily basis, Larry King was sexually harassing Brandon McInerney. And no grown-up did anything about it...He was chasing boys around school with his heels, he was touching himself, he was doing things that were sexual in nature.”<sup>127</sup> The forensic-psychologist brought in by the defense, Donald Hoagland, testified that King’s clothing, comportment, and affect was “an extreme form of bullying. An extreme form of sexual harassment.”<sup>128</sup> Hoagland further elaborated this framing of King as the bully who invited her own murder when he explained to documentary filmmaker, Marta

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<sup>126</sup> Zeke Barlow, “Former Vice Principal”; Catherine Saillant, “Trial of Teen Charged with Killing Gay Classmate Grows Heated,” *Los Angeles Times*, July 30, 2011, <http://articles.latimes.com/2011/jul/30/local/la-me-gay-slaying-20110730>.

<sup>127</sup> “Nightline On Lawrence King Murder,” YouTube video, 6:33, posted by “SuchIsLifeVideos”, October 5, 2011, [http://www.youtube.com/watch?feature=player\\_embedded&v=oemCVS9K4a8#a=367](http://www.youtube.com/watch?feature=player_embedded&v=oemCVS9K4a8#a=367).

<sup>128</sup> Ibid.

Cunningham, that “Guys don’t hit on guys. Brandon was thinking he needed to get rid of Larry. He needed to save everyone from this scourge that had come upon this school.”<sup>129</sup> At trial Hoagland testified that McInerney had told him that, “After eating lunch, Brandon would play basketball with his friends, and Larry walked onto the basketball court and interrupted the game and asked Brandon to be his valentine.”<sup>130</sup> He went on further to explain that this was not the only incident, but one of many in which King “bullied” McInerney. Hoagland explained that the moment that McInerney decided to kill King was in response to King “bullying” McInerney. He explained that moment as follows:

My understanding is that Brandon saw Larry coming so he kind of walked to the far side of the passage area and Larry then swerved over to him and said something to the effect of ‘what’s up baby’ and there were other students around who heard it. There are multiple things: one was that this boy who was dressing as a woman, and secondarily, who was gay was coming up and saying these provocative things to him in front of many other people. I think Brandon told me that that was the straw that, that was the final straw that popped the balloon.<sup>131</sup>

One of King’s teacher’s in a post-trial interview similarly argued that she empathized with Brandon for shooting King. She explained that if she had been treated that way, implying being flirted with or exposed to a person assigned at birth the same gender she identified with wearing clothes she felt were reserved for the opposite gender, she might not have used a gun, but would have given the person a “swift kick in the butt.”<sup>132</sup> This same victim blaming logic was echoed by jurors who framed Brandon’s actions as understandable because he was

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<sup>129</sup> Karen Franklin, “Documentary Explores Town’s Polarization over Transgender Murder: Forensic Psychologist Key Element in Gay Panic Defense,” *Forensic Psychology, Criminology and Psychology-Law*, October 20, 2013, <http://forensicpsychologist.blogspot.com/2013/10/documentary-explores-towns-polarization.html>.

<sup>130</sup> Leo Stallworth, “Oxnard Murder Trial: Psychologist Testifies,” *ABC News* video, 2:55, August 12, 2011, <http://abclocal.go.com/kabc/video?id=8304244>.

<sup>131</sup> *Ibid.*

<sup>132</sup> *Valentine Road*.

merely fixing what one juror called “a terrible problem.” She explained, “he solved a problem.”<sup>133</sup>

At trial, McInerney was discussed as having budding, neo-nazi leanings. There were reports of him having engaged in the racist, gendered harassment of his schoolmates.<sup>134</sup> However, the hate crime charge was only for sexual orientation. Hate crime law functions “anti-intersectionally,” disallowing intersectional targeted identities as well as imbricated normative logics to be comprehensible under the law.<sup>135</sup> But the racialization of King and McInerney at trial was a key component of their mutual subjection.

There were two laws in place that were of particular significance for how the trial proceedings racially framed King and McInerney. The first was California Proposition 21 and the second, the Gwen Araujo Justice for Victims Act. Bramson, one of McInerney’s defense attorney’s, explained that at 14 years old McInerney was being unjustly charged as an adult, without a fitness hearing due in part to California’s Proposition 21. Proposition 21, which passed in March of 2000 with more than 60 percent of the votes cast, made juveniles beginning at age 14 eligible to be charged as adults. It allowed these cases to be routed through adult charges for crimes like murder and specific sexual offenses.<sup>136</sup> According to Maeve Fox, the prosecuting attorney in the McInerney trial, Proposition 21 was a law that was “intended to address this rather dramatic uptick in juvenile violence in the gang context because a lot of the ‘pee-wees’ as their older brethren called them, were put up to the task of committing these violent crimes because they *knew* they would only go into the juvenile

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<sup>133</sup> Ibid.

<sup>134</sup> Ibid.

<sup>135</sup> Brandzel, *Against Citizenship*.

<sup>136</sup> Jennifer Taylor, “California’s Proposition 21: A Case of Juvenile Injustice,” *Southern California Law Review* 75 (May 2002): 983-1020.

facility where they would receive a mild slap on the hand, and they would be out on the streets within a very short period of time.”<sup>137</sup> Foregrounding gang violence, Proposition 21 was a way of further criminalizing and incarcerating populations of color at younger and younger ages. McNerney’s defense attorney, Scott Wippert, explained that, “a lot of people thought that this was for gang kids. I don’t think anybody anticipated that it would be used in the way that it is being used now.”<sup>138</sup> Said more plainly, this was a law that was meant to target and incarcerate poor kids of color. That this weapon, meant to nullify the civil rights of poor youth of color, was being wielded against a young white boy was, by Wippert’s suggestion, a travesty and a gross miss-application of the law. Under this anti-gang initiative, adult charges are not only acceptable against young men of color accused of murder, but they have the added benefit of catching boys of color early who are considered, in Lisa Cacho’s terms, “always already criminal in body and being.”<sup>139</sup> Comparatively, Brandon’s white heterosexuality routes him through an always already presumed innocence and recuperability. It is this staunchly defended recuperability informing the defense and juror’s narrative that it would be wrong to put a child away for the rest of his life that participates in a differential valuation based on the gendered racialization of the subject.

The second law that impacted the case was the Gwen Araujo Justice for Victims Act which banned trans panic as a defense strategy. Trans panic is an extension of gay panic. If gay panic can be summarized as a trial strategy that contends that a defendant was provoked to violence by a same-sex advance, then what trans panic adds is that such violence can also be provoked by becoming aware that another person’s gender identity was not their sex

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<sup>137</sup> *Valentine Road*.

<sup>138</sup> *Ibid*.

<sup>139</sup> Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: NYU Press, 2012).



assigned at birth. Where trans panic differs from gay panic is that it entertains the possibility of a trans identity only to deny that identity and route the murdered person through a gay narrative. Here a trans woman, for example, would be entertained as possibly a woman, but denied that identity, marked instead as a man in a dress, and then treated as a gay man whose mere existence is seen as sexually harassing, thus causing the aggressed upon subject to resort to murderous violence. What I have found fascinating and disturbing about both gay panic and trans panic is that they are treated not as proof of a hate crime, as I think many of us might interpret these claims. Instead, homophobic and transphobic violence is framed as how any ordinary person would react, thus instead of proof of a hate crime it becomes its mitigation. The very thing that defines a hate crime—animus towards a protected identity—becomes that which prevents a hate crime conviction.

In 2002, Gwen Arajo, a 17-year-old trans woman was murdered. She was beaten to death by four men she knew. At trial, Arajo's genitalia and her sexual history with two of the men who killed her were used to argue that her murder was not a hate crime, but rather provoked by what the defense suggested was her violation of the men she slept with because she had not divulged specifics about her anatomy. None were convicted of a hate crime, mostly due to the defense's trans panic argument. This trial strategy has proven effective in other cases and has led to several mistrials that resulted in re-trials and plea bargains with lesser charges that often resulted in dropping sentence enhancing hate crime charges. However, its effectiveness reaches beyond the cases in which it is used to motivate prosecutors to make plea deals with defendants facing hate crime charges because of the risk that a jury will not convict due to the use of a gay or trans panic defense.<sup>140</sup>

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<sup>140</sup> Perkiss, "A New Strategy."

In 2006, as a response to what happened in the Arajo case, the “Gwen Araujo Justice for Victims Act”<sup>141</sup> was passed and signed into law by California’s Governor Schwarzenegger. This Act provides prosecutors with the ability to ask the judge to tell jurors that as they deliberate, issues like homophobic panic at having been hit on by someone they perceive to be of the same sex cannot influence their decision. Two years after the Gwen Araujo Justice for Victims Act was passed Latisha King was murdered and in spite of that, a version of the trans panic defense was deployed at trial.

In light of the Gwen Araujo Justice for Victims Act, how could a panic defense work? As interviews with jurors and reports of jurors wearing light blue “Save Brandon” solidarity bracelets suggest, these instructions not only went unheeded, but like the differential valuation that informs opposition to McInerney being tried as an adult, here, similarly, the investment in normativity maintains the disposability of the racialized gender and sexual other through and in opposition to the protective incorporability of the racially and sexually normative subject. Jurors after the trial explained King’s desire to be called Latisha as giving Brandon, “the green light” to kill her. One juror after the trial even wrote to the trial judge opposing the prosecution of McInerney in the first place because he was the real victim, offering King’s “long history of deviant behavior” as the suggested true crime.<sup>142</sup> In the note the juror declared, “You all know this was not a hate crime. You all know the victim had a long history of deviant behavior. Yes, I said deviant. Not his sexual orientation - deviant behavior... . After weeks of testimony, it is my firm belief that this young man [Brandon McInerney] reacted to being bullied and being the target of Larry King's sexual harassment.

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<sup>141</sup> A.B. 1160, Sess. of 2006 (CA. 2006), [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=200520060AB1160](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200520060AB1160).

<sup>142</sup> Franklin, “Documentary Explores.”

There was provocation.”<sup>143</sup> Additionally there were statements by yet another juror that McInerney was fixing a problem that no one else would deal with properly. All of these statements echo a trans panic logic. This willingness to entertain a white straight young man’s victimization as motivation for his actions in the McInerney case is that which is denied to a white gay subject retaliating for the anti-gay bullying he endured like in the Hainstock case. Unlike Hainstock who was refused intelligibility as fixing the problem of homophobic bullying he experienced as a queer youth, McInerney is hailed as a victim having been exposed to and solving the problem of racialized queerness.

Panic defenses were banned under the Gwen Araujo Justice for Victims Act and hate crime legislation was ostensibly supposed to aid in not only convictions, but convictions with enhanced sentences. Yet appealing to the demonization of racialized queerness continues to be an effective strategy. During the trial, the defense narrated King’s gender performance, flirtatious disidentificatory responses to McInerney’s racist homophobic insults, and experimentation with “women’s” names as sexual harassment. King’s behaviors were painted as sexually harassing in order to prove the threat to Brandon’s white straight masculinity that thus justified his response—killing King. The narrative the defense team told at trial positioned sexual harassment not just as any sexual conduct or expression, but as the specific prideful flirty queer of color camp of her gender expression and identity. Here, a body assigned male at birth, adorned with spiked boots and mascara is easily subsumed into the category of harassing because one lacks comportment to the normative. Take the defense’s perseveration on the dress that King was given by her teacher, Dawn Boldrin. The defense asked witness after witness about the dress, over and over, to the point that Gayle

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<sup>143</sup> Quoted in Cynthia Lee, “Masculinity on Trial.”

Salamon argues the dress became an object that enacted a gender performativity that routed King as a subject (via this object) phenomenologically through its evocation.<sup>144</sup> The performance of heteronormative standards of bodily and erotic arrangements would not receive such scrutiny. Though I do personally find the public display of hetero-citizenship alignment that is so frequently and flagrantly flaunted using circular metal bands on one's finger offensive and objectionable, alignment with heteronormativity does not garner the same kind of popular agreement on its harassing effects. Non-normativity however renders King's behavior intelligible as harassment.

King's non-normative otherness also rendered her behavior pathologized and marked as a social disability. King had an Individualized Educational Program (IEP), which is a written document that identifies a child's disability as well as special education plans meant to help meet that child's needs, including plans for services as well as specific goals for that child. King's IEP identified her gender performance and flirty campy gregarious personality as attention-seeking behavior, behavior that the IEP marked as a problem to be eradicated. Here, attention-seeking behavior is code for racialized, gendered, sexual otherness. The pathologizing of queers of color has a long and thorough history in everything from medical and sociological studies, to state regulation of racialized gender and sexuality.<sup>145</sup> That history informed King's gender expression and queer affect being marked as part of a learning and behavioral disability in need of correction. This was the stipulation made by the very people

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<sup>144</sup> Gayle Salamon, "If Something Wasn't Done Soon: The Murder of L. King," (Keynote lecture, Branding the "Other": Biopolitics, Memory, and Identity in Cultural Representations Conference, University of New Mexico, Albuquerque, New Mexico, April 2015).

<sup>145</sup> *Valentine Road*.

that were supposed to protect her from gender policing and anti-queer bullying.<sup>146</sup> One of her previous teachers even argued that the IEP's behavior goals were legally binding and that the behaviors of her then teacher, Dawn Boldrin, in giving Latisha a dress, was, in turn, a juridical violation. At issue here is less the accuracy of King's teacher's legal understanding, and more the way disability is deployed here as a disciplinary technology, wielded against the non-normative body by routing the queer of color through an IEP that crafted her racialized queerness as also an abilitied otherness. King's inclusion within special education services is wielded against her to mark her gender as that which needs intervention with the ultimate goal of eradication.

King's degeneracy is also comparatively constructed. The differential treatment of King as a burgeoning trans woman compared to her classmate, Marina, who is celebrated by jurors for being more reserved, is striking. Marina, a classmate and friend of King's is referred to in the documentary *Valentine Road* as *she*.<sup>147</sup> She is described as coming out as gay, and easily passes as a very handsome young man. Jurors after the trial claimed that Marina knew how to act, implying that she was the proper docile queer, where as King was too open about her queerness. Like King, Marina had to negotiate the midfield of homophobia in school. Watching Marina's interviews in the documentary, her connection to King and her pain at the way King was blamed for her own murder is clear, which makes her circulation as the properly comported queer all the more painful.

Taken together, the use of trans panic in this trial further naturalized gay as pathological, trans of color as threatening, panic as legitimate, and violence as the natural reaction to trans racialized sexual encroachment, underwritten by a demand for docility as a

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<sup>146</sup> Ibid.

<sup>147</sup> Ibid.

precondition for queer livability. The collapsing of “acting queer in public” into a form of bullying and sexual harassment here renders the normative white male subject un-safe, which gets coded as the crime—a crime produced through King’s “pathological” need for negative attention, which marks gender expression and play as a social disability, and reciprocally positions McInerney as the bullied subject and King, the perpetrator. The racially and sexually normative cisgendered citizenship grammars that govern this trial and its circulation position McInerney as the bullied subject, subjected to gender transgression, the burgeoning transgender identity of a fellow student, and a queer of color responding to racial, anti-gay, anti-trans, gender-normative slurs with flirtation. It also positions McInerney as having his rights totally and unjustly destroyed because he will not be able to experience “what a young man should,” that is according to his step brother falling in love with a girl, getting married, and going to college.<sup>148</sup> McInerney is denied the promises of white hetero futurity, while Latisha King is denied any future at all. Like the logics used to render Houston’s woundedness, McInerney’s loss of a hetero-future is that which is constructed as mournable in this trial while reciprocally underwriting King’s presumptive disposability. This operation is reminiscent of the narrative surrounding Houston but is an inversion of the same logic. The elimination of a queer of color’s future through murder makes a white straight male future possible for McInerney, while for Houston, the temporal boundedness of communities of color objecting to their disposability fuels his retaliation for the lack of access to the promises of a white hetero future. In one way, Houston’s subject could be read as a proto-version of McInerney’s ultimate insistence on the disposability of the racialized queer. With white

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<sup>148</sup> Ibid.

hetero futurity premised on the disposability of people and communities of color, Houston and McInerney's actions are made sense of through similar routes.

The McInerney trial and its circulation produces the bullied subject through being subsumed within the logics of a racialized hetero panic that routes the queer of color through a discourse that positions racialized queerness as inherently sexually harassing and white hetero-ness as that which makes a subject recuperable. Here, the white, straight, murderous subject is the victim, bullied by racialized queerness, and thus needing compassion rather than an adult murder charge (unlike youth of color presumed to always already be gang affiliated). This panicked shooter subject formation entertains on the one hand the possibility of King's humanity and victimization as marked by a hate crime charge, but it is paired with an ontological denial of the violence of racialized gendered and sexual normativities, undergirding normative citizenship by renaturalizing McInerney's woundedness at being subjected to a queer of color being queer and of color in public.

### **Intelligibility of Victimization**

In these considerations of the school shooter, "bullying" functions as a floating signifier bounded by racialized sexual logics that produce a particular "bullied subject," whose right to violence is forged through the paired and oppositional acceptance and denial of victimization which relies on intersecting normativities whose violence is denied and disciplinary privileges so vigorously defended. The social intelligibility of the school shooter's victimization tells us much about how race, gender, and sexuality are marshaled in the production of the school shooter subject. In the case of Virginia Tech, Brandzel and

Desai carefully tease out the ways whiteness as property bestows a right to violence denied the Asian-other.<sup>149</sup> Complimentarily, the three cases I have traced in this piece suggest there is a right to victimhood that undergirds the right to violence. Whiteness and the enmeshed heteronormativity implicit in normative citizenship's racialization establishes a differential valuation of subjects with a necropolitical specter of disposability that governs the queer of color. If whiteness functions as property and by extension affords or denies one the right to violence, then what these three cases reveal is the logic that sutures these processes together—here, it is a heteronormative whiteness that grounds whose woundedness is a socially intelligible experience, meaning cisgendered whiteness and heterosexuality affords one the “right” to be seen as a victim.

Theorizing the school shooter as retaliating for being called anti-gay epithets or psychologically produced in response to non-normative gender and sexual experimentation are imbued with the same logic, that the specter of homosexuality's possibility inflicts psychic wounds as it threatens the straight subject's hetero-masculinity, a normative masculinity which gets reasserted and protected from queer corruption through the enactment of violence. This is the same rationale that underwrites gay and trans panic defenses. Unlike the versions of the bullied subject that so often ground discussions of the Hainstock and Houston cases, the coverage of the McInerney trial elucidates not the harm of homophobia to a straight subject, but that racialized hetero-masculinity works to shore up non-normative others as perpetrators rather than victims, embracing a logic of disposability that marks queers of color as more egregiously violating the humanity of normative folks than their deaths violate our collective humanity.

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<sup>149</sup> Brandzel and Desai, “Race, Violence, and Terror.”



The public mourning and legal prosecution of the bullied school shooter is routed through and productive of violent normalizing citizenship apparatuses. As Ong states, citizenship is “a cultural process of ‘subjection,’ in the Foucauldian sense of self-making and being-made by power relations that produce consent through schemes of surveillance, discipline, control, and administration.”<sup>150</sup> Whose futures are to be mourned? Whose cut short? For McInerney, the motor of mournability regarding his incarceration is the foreclosure of a properly white hetero-future; for Houston, his actions are explained as retaliation for a lack of access to that same future; for Hainstock, his queerness is a seeming impossibility as his subjection and woundedness is premised on a presumptive hetero-present.

In considering the deeper implications for what explanations are deployed and which, displaced, when it comes to school shooters and how “bullying” is circulated in the productions of these subjects, what is clear is there is an interplay of entertainment and denial—that is, entertaining the possibility of murder as retaliation for the lack of access to normative citizenship, while it is paired with a kind of ontological denial of the possibility of queer of color futures.

Throughout the Hainstock, Houston, and McInerney cases, queerness is identified as a wounding force, emasculating straight subjects and sparking violent retaliation culturally justified thorough the political economy of gay and trans panic logics. By identifying gender and sexual transgression as the problem, rather than the normative as that which does violence, the only victims are those who are normative subjects, denied the privileges of the normative. It assumes queerness itself produces victimized subjects, while normativities do

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<sup>150</sup> Aihwa Ong et al., “Cultural Citizenship as Subject-Making,” *Current Anthropology* 37, no. 5 (1996): 747.

no harm. The conditions of possibility this framework establishes for non-normative subjects result in their interpellation into normative citizenship formations that either deny the possibility of their non-normative existence, or deny their victimization.

Gay panic while thorough in all three cases operates through the impossibility of queerness with Hainstock, the potential “real” queerness of Houston, and the insistence on not reading McInerney as a potential gay (and neo-nazi) and thus instead, so much more smoothly embodying an adversarial position to racialized queerness. The complexities and contradictions at play in these cases show that proximity to racialized gender and sexual non-normativity affords those who engage in murderous violence “bullied” status when one might more easily think of them as actual bullies. This operation however requires queerness be an external threat, one that exists outside of the shooter’s own presumed normativity.

Ultimately, these cases reveal the racialized sexual contours of differential valuation that render their mutual victimization intelligible based on an adversarial relationship to racialized queerness. However, if racialized queerness serves as the threatening foundation on which panic narratives are built, that, in turn produce these subjects as victims, then racialized queerness is where we can find our most profound potential for resistance.

Latisha’s flamboyantly queer campy affect in which she met racial slurs and anti-queer epithets with her superior shade throwing skills and brilliant come-backs, insisting, “you know you want me” spoke a profound truth. Indeed, we all want you, in so vary many ways.

## CHAPTER 3

### The Intelligibility of Violation:

#### Cyberbullying, Mean Girls, and the Carceral State

Crisis rhetoric belies the constitutive point—that slow death, or the structurally motivated attrition of persons notably because of their membership in certain populations, is neither a state of exception nor the opposite, mere banality, but a domain of revelation where an upsetting scene of living that has been muffled in ordinary consciousness is revealed to be interwoven with ordinary life after all, like ants revealed scurrying under a thoughtlessly lifted rock... It is as though the very out-of-scaleness of the sensationalist rhetoric around crisis ordinariness measures the structural intractability of a problem the world can live with, which just looks like crisis and catastrophe when attached to freshly exemplary bodies.

--Lauren Berlant (2007)<sup>151</sup>

In its coercive universalization, however, the image of the Child, not to be confused with the lived experiences of any historical children, serves to regulate political discourse—to prescribe what will *count* as political discourse—by compelling such discourse to accede in advance to the reality of a collective future whose figurative status we are never permitted to acknowledge or address.

--Lee Edelman (2004)<sup>152</sup>

In September 2012, three 16-year-old boys from Saratoga, California sexually assaulted their 15-year-old high school classmate, Audrie Pott, while she was unconscious.<sup>153</sup> Pott's perpetrators drew on her body with marker, documenting their transgressions and violations of her bodily integrity. They also took pictures of her naked, drawn-on body and

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<sup>151</sup> Berlant, "Slow Death," 761-2.

<sup>152</sup> Edelman, *No Future*, 11.

<sup>153</sup> Julia Prodis Sulek, Robert Salonga, and Mark Gomez, "Audrie Pott Case: Police Reports Reveal Boys Scribbled Hurtful Messages on Saratoga Teen's Body," *San Jose Mercury News* (San Jose, CA), April 15, 2013.

circulated those images among her classmates. For days, Pott was subjected to in-person and cyber re-traumatizing through the sharing of the pictures by classmates as well as claims from her rapists that her assault was something she consented to. Within eight days of her assault, Pott took her own life.<sup>154</sup> Media framed Audrie Pott's death as bringing "international attention to the tragic consequences of teenage drinking, abhorrent behavior and handy cellphone cameras."<sup>155</sup> The initial coverage rarely foregrounded the sexual violence as such; far more often this case was framed as a case of cyberbullying turned deadly. In fact, it wasn't until Nina Burleigh's report in *Rolling Stone* a year after Pott's death that the assault was covered with any depth.<sup>156</sup>

After Pott's death, her parents pushed Saratoga High School administrators to address the harassment and hostility Pott had endured by asking that the school make an example of her rapists and expel them for the assault, bullying, and harassment. However, school officials were hesitant to recognize it as a bullying case. Saratoga High School Principal, Paul Robinson, told the *San Jose Mercury News* that "bullying" had nothing to do with Audrie Pott's suicide, nor was it at all part of the larger dynamic of the case.<sup>157</sup> News reports contended that Robinson and the school's administration saw the sexual assault as separate from any on-campus behavior, thus not under the purview of school officials. However, as

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<sup>154</sup> Beth Stebner, "Audrie Pott Suicide: Details of Online Chats Emerge a Year After Teen Killed Herself Following Alleged Assault and Cyberbullying," *New York Daily News*, September 18, 2013, <http://www.nydailynews.com/news/national/new-details-revealed-audrie-pott-cyber-bullying-suicide-article-1.1459904>.

<sup>155</sup> Julia Prodis Sulek, "Audrie Pott Case: One of Three Teens Who Sexually Assaulted Her Settles Wrongful Death Lawsuit," *The Mercury News* (San Jose, CA), March 21, 2015, <http://www.mercurynews.com/2015/03/21/audrie-pott-case-one-of-three-teens-who-sexually-assaulted-her-settles-wrongful-death-lawsuit/>.

<sup>156</sup> Nina Burleigh, "Sexting, Shame, & Suicide: A Shocking Tale of Sexual Assault in the Digital Age," *Rolling Stone*, September 17, 2013, <http://www.rollingstone.com/culture/news/sexting-shame-and-suicide-20130917>.

<sup>157</sup> Sulek, Salonga and Gomez, "Audrie Pott Case."

one report points out, “the harassment happened on campus, with the sharing of photos and rumors,”<sup>158</sup> thus even if the assault was not perpetrated on campus, the hostile climate was.<sup>159</sup> The school’s treatment of her perpetrators, as well as the juvenile criminal proceedings that resulted in between 30 to 45-day juvenile detention sentences,<sup>160</sup> which for two of her perpetrators were allowed to be served on weekends, were perceived to evidence that Pott’s rape, harassment, and death were not taken seriously. This was the logic offered to explain the Pott family’s pursuit of a wrongful death suit against the both the boys who assaulted Pott and their parents.<sup>161</sup>

In the lawsuit, the Pott family made charges of defamation, invasion of privacy, false imprisonment, battery, sexual battery, intentional infliction of emotional distress, and conspiracy.<sup>162</sup> The suit resulted in a settlement, one of the conditions of which required some of Pott’s perpetrators to agree to assist in educating others about sexual assault, including being interviewed for the documentary film *Audrie and Daisy*. With their identities protected because they were still underage, one of Pott’s perpetrators offers the following lesson when asked by one of the filmmaker’s, “What have you learned about girls?” from everything that happened with Audrie Pott. He explained, “I mean, girls, they gossip, really. [chuckles]

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<sup>158</sup> Ibid.

<sup>159</sup> U.S. Department of Justice Title IX understandings suggest that when a student at a federally funded school sexually assaults another student, whether that assault happens on campus, as part of a campus program, or not, that school is required to respond to any claims of a hostile environment and assess if such a climate has emerged as a result of an assault, even if that assault took place elsewhere in any of its programs, and intervene to prevent a hostile environment creating the conditions under which discrimination occurs. For more on this precedent, see *Davis v. Monroe Cnty. Bd. of Educ.*, 526 U.S. 629, 648 (1999).

<sup>160</sup> Julia Prodis Sulek, “Audrie Pott’s Parents Forgive the Three Youths Who Sexually Assaulted Her,” *San Jose Mercury News*, April 6, 2015.

<sup>161</sup> Ibid.

<sup>162</sup> David E. Early, “Audrie Pott Case: Man Who Claims to be Biological Father to Saratoga Teen Suicide Victim Files Lawsuit,” *San Jose Mercury News* (San Jose, CA), April 24, 2014.

There's a lot of gossip between girls and, uh, you know, um, guys are more laid-back and don't really care. So, that's what I've learned, for sure."<sup>163</sup> So, put more tersely, what a sexual assault in which pictures were taken, circulated, and online and in-person harassment drove a young person to kill themselves can teach us is that girls are meaner than boys, that girls gossip, are crueller, and guys don't care as much.

In this chapter, I place the Pott case in conversation with two other well-known so-called "cyberbullying" cases, cases that might more accurately be thought of as cases of sexual violence, but that have been labeled and reported as cyberbullying. I read these cases against each other for the shared logics and points of departure they offer. Collectively, these comparative case studies tease apart the terms by which the constructions and logics surrounding the construction of the "mean girl," "cyberbullying," and "sexual violence" determines the intelligibility of violation for these "cyberbullied" subjects. For example, cyberbullying, sexual violence, and the construction of the mean girl come together in the Audrie Pott case in some strange ways. In the Pott case, cyberbullying initially works to obscure sexual violence, then shifts to where sexual violence works to negate recognition of the bullying she endured, and it is in the process of struggling to render her violation intelligible that her experience reveals an insidious appeal to blaming girls as the more egregious culprits of violence than the boys that participated in her assault and harassment.

Taken together, I argue that the production of the cyberbullied subject within these cases works to (1) obscure the sexual and gender violence that underwrite these cases and (2) blame girls, as a class, for the sexual violence done to so many by men and boys. While it might be appealing to correct this—as well as the discourses that ground popular and

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<sup>163</sup> *Audrie and Daisey*, directed by Bonni Cohen and Jon Shenk (Maryville, MO: Netflix Documentary, 2016), DVD.

scholarly understandings of cyberbullying by swapping the word cyberbullying for something more pointed like sexual violence—I contend that this has its issues as well. The objectification of sexual violence as a corrective does profound damage when relying on the carceral state and its attendant hetero and racial violences to render such violence intelligible.

In what follows, I track some of the coverage of what happened to Phoebe Prince, Amanda Todd, and Audrie Pott to grapple with the terms by which their deaths and violation are rendered intelligible. First, I place the Phoebe Prince and Audrie Pott cases in conversation, exploring the construction of cyberbullying and the formation of the “mean girl.” Then I turn to Amanda Todd’s story and the law passed that was named after Audrie Pott. I end with a consideration of both the need to render sexual violation intelligible *and* what is at stake in those renderings.

I turn now to the enmeshment of cyberbullying and the construction of the “mean girls.”

### **Cyberbullying and Mean Girls**

In January 2010, 15-year-old Phoebe Prince’s suicide made international news. Reports depicted Prince’s death as the result of the bullying she endured at the hands of a posse of “Mean Girls.”<sup>164</sup> Kevin Cullen, columnist for the *Globe* writes, “She was a freshman and she had a brief fling with a senior, a football player, and for this she became the target of the Mean Girls, who decided then and there that Phoebe didn’t know her place and that

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<sup>164</sup> Kevin Cullen, “The Untouchable Mean Girls,” *Boston.com*, January 24, 2010, [http://archive.boston.com/news/local/massachusetts/articles/2010/01/24/the\\_untouchable\\_mean\\_girls/](http://archive.boston.com/news/local/massachusetts/articles/2010/01/24/the_untouchable_mean_girls/); for additional examples of “Mean Girl” framings of this case see Paul Thompson, “The ‘Real’ Mean Girls; Phoebe Trial Profile of Accused,” *The Mirror*, September 27, 2010.

Phoebe would pay.”<sup>165</sup> On the day of Prince’s death she was walking home, “when one of the Mean Girls drove by in a car. An insult and an energy drink can came flying out the car window in Phoebe’s direction.”<sup>166</sup> Upon arriving at her house, she hanged herself.<sup>167</sup>

While report after report foregrounded the bullying that Prince experienced the day of her death, most also offered a history of abusive treatment going back months, that included “intense bullying online, on her mobile and face to face after she dated a popular member of the football team at South Hadley High School.”<sup>168</sup> In these reports, it is Prince’s dating “a senior football player,” as well as another boy,<sup>169</sup> that “turned 15-year-old Phoebe’s life into a nightmare.”<sup>170</sup> Notably, Prince’s formulation as a subject gets routed through being the victim of a group of “mean girls,” a victimization reliant on a violent feminized vitriol, fueled by regulatory heterosexuality.

There were several teens that, news reports explain, tormented Prince in the months before her death—three young women, including 18-year-old Ashley Longe who was Prince’s primary tormentor, 17-year-old Sharon Velasquez, 18-year-old Flannery Mullins, and a couple, 18-year-olds Sean Mulveyhill and Kayla Narey. According to a *Time Magazine*

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<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

<sup>167</sup> Ibid.

<sup>168</sup> Valerie Robinson, “US Teens Charged After Irish Girl’s Suicide,” *Irish News*, March 31, 2010.

<sup>169</sup> Ian Markham-Smith, “Phoebe Head Quits;...But Decision ‘Not Linked’ to Girl’s Suicide,” *The Sun* (England), February 28, 2011; Ian Markham-Smith, “I’m Glad I Nailed Phoebe ‘Bullies’; Prince Prosecutor Speaks Out,” *The Sun* (England), January 4, 2011.

<sup>170</sup> Markham-Smith, “Glad I Nailed Phoebe ‘Bullies.’”



article, “Prince and Mulveyhill had a brief relationship that came to the attention of Narey, Mulveyhill’s girlfriend, and the pair and their friends bullied Prince as a result.”<sup>171</sup>

However, left out of many reports are the two charges of statutory rape that were eventually dropped by prosecutors. One article by Lara Marlowe makes clear the imbricated relationship between the bullying and the sexual violations. Marlowe reported on the victim impact statement made to the court by Prince’s mother, Anne O’Brien, as part of the plea deal process. Most of Prince’s abusers took plea deals and received probation, community service, or a combination of the two.<sup>172</sup> Prince’s mother explained the actions of the young women who so brutally treated her daughter as the result of jealousy and the actions of Mulveyhill as “predatory.” She suggested Mulveyhill weaponized sexuality when he had sex with Prince, abandoned her, then got back together with Narey, and participated in the constant abuse and harassment.<sup>173</sup> According to that same report, Prince’s mother read her daughter’s final text in court that she sent to a friend before her suicide. It read, “I think Sean condoning this [bullying] is one of the final nails in my coffin. I can’t take much more it would be easier if he or any one of them handed me a noose” (bracketed insert added by columnist Lara Marlowe).<sup>174</sup>

With the exception of O’Brien’s statement, the construction of this collectivity of “mean girls,” works to put more, if not exclusive onus on the young women in this case, rather than the boys. As an exemplar of this common narrative trajectory, Paul Thompson

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<sup>171</sup> Kayla Webley, “Teens Who Admitted to Bullying Phoebe Prince Sentenced,” *Time*, May 5, 2011, <http://newsfeed.time.com/2011/05/05/teens-who-admitted-to-bullying-phoebe-prince-sentenced/>.

<sup>172</sup> Markham-Smith, “Glad I Nailed Phoebe ‘Bullies.’”

<sup>173</sup> Lara Marlowe, “Phoebe’s Mother Cries as Accused Says She Is Sorry” *The Irish Times*, May 5, 2011.

<sup>174</sup> *Ibid.*

offers the following framing of Prince's tormentors in his article, which is worth citing at length:

Until Phoebe's arrival at the school the trio, who had known each other since primary school, had an unblemished record with no hints of bullying. But once they set their sights on Phoebe, a fragile, shy teen, they took on new roles. Longe became known as the "Bruiser", Velazquez was nicknamed the "Enforcer" and Mullins the "Tormentor" as school friends said they ganged up to make Phoebe's life intolerable. A source at the school said: "These three were pretty much A students with parents very involved in their education. "They had plenty of friends, and were well liked and involved in many school activities." It is likely they would not have had anything to do with Phoebe, 15, until she began dating two boys who had close friendships with the girls. When Phoebe went out with Sean Mulveyhill, the star football player, and later Austin Renaud, she set herself up as a target, according to the police investigation. Until that time the three girls were high flyers at the school and destined to study further at college. Mullins, with her love of horses, had talked about studying to become a vet while Velazquez had ambitions of working in PR. The girls all lived in South Hadley, a quiet, semi rural town of about 17,500 people.<sup>175</sup>

This framing of Princes' tormentors as good girls who would not have tortured Prince, except she "set herself up" by "dating two boys" to whom the girls were close, frames two incidences of sexual violence as "dating," and offers those traumas as more violating of the girls who were friends with the boys than Prince, herself. The way the formation of the "mean girls" discourse operates within this case, functions to mark girls as perpetrators rather than victims of violence. It routes Prince through a subjection trajectory in which she becomes a bullied subject, so, in a way, a victim, attacked by other girls, slut shamed, and cyberbullied for having gained erotic and affective access to boys with social capital thought to be out of her league, but her status as a bullied subject belies her experience with the sexual predation her mother draws the court's attention to. So, here, the construction of a

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<sup>175</sup> Thompson, "The 'Real' Mean Girls."

bullied subject, bullied by “mean girls” becomes the mechanism through which sexualized violence is excused and naturalized as mere “dating.”

In the Audrie Pott case, the trope of the “mean girls” functions similarly. As I discussed in the opening of this chapter, one of Pott’s rapists said that what he learned about girls from everything that has happened is that girls gossip, implying they are meaner, while guys are more laid back. This statement is alarming not just because it was “guys” that sexually assaulted Pott, but because it positions girls as the more damaging and dangerous population. Again, the formation of the “mean girl” works to obscure sexual violence done by boys, while shifting focus to girls as the more violent, and in both cases, deadly, offenders.

This logic, strangely enough, makes sense if we understand the links made between cyberbullying and the trope of the mean girl. Bullying studies scholarship understands cyberbullying as the disproportionate terrain of young girls.<sup>176</sup> It recognizes girls as having a uniquely feminine version of aggression, which narratives of cyberbullying neatly take up. This explanation emerges in its most concentrated form in the 1990’s, when scholars focusing on correcting the dominant focus on males in aggression research, worked to theorize how aggression in females might be explained. In Jessica Ringrose’s review of the field, she argues Kaj Bjorkqvist’s work in particular forwarded that girls are just as aggressive as boys. Previously, scholars argued girls were inherently less aggressive. However, Bjorkqvist offered a way to understand that girls were just as aggressive as boys, their aggression just looked different. If boys could be understood to be more physically aggressive, engaging in fights through physical bodily contact, then girls’ aggression,

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<sup>176</sup> For more on the need to be critical of the way girls are constructed in cyberbullying narratives, see Crooks, “Intersectional Feminist Review Cyberbullying.”

according to Bjorkqvist, could be more properly understood as social manipulation and isolation.<sup>177</sup> In the mid 1990's, as part of a trend in diversifying aggression research to account for gender differences, the term "relational aggression," first developed by psychology scholars Nicki Crick and Jennifer Grotpeter, gained popularity among researchers. The term identified forms of aggression aimed at negatively impacting another child's friendships, social support system, and overall emotional wellbeing, and was used specifically to elucidate girls' behavior. In the years since its first use, relational aggression has continued to be studied as a particular characteristic of girls, ostensibly, the narrative goes, "because gendered social pressures limit girls from openly expressing competition or hostility."<sup>178</sup>

This narrative about the gendered nature of aggression has also permeated popular understandings of girl aggression and cyberbullying. For example, in a 1993 *New York Times* article, Lawrence Kutner drew on the work of educational psychologist Jan H. Hughs to echo the logic that, "Aggression in boys is different from aggression in girls." And, in a normative progression, explains that, "Girls are aggressive by excluding others and saying mean things.

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<sup>177</sup> Kaj Björkqvist and Pirkko Niemelä, "New Trends in the Study of Female Aggression," in *Of Mice and Women: Aspects of Female Aggression*, eds. Kaj Björkqvist and Pirkko Niemelä (London: Academic Press, 1992), 3–15; Kaj Björkqvist, Kirsti M. J. Lagerspetz, and Ari Kaukiainen, "Do Girls Manipulate and Boys Fight? Developmental Trends in Regard to Direct and Indirect Aggression," *Aggressive Behaviour* 18, no. 2 (1992): 117–27; Kaj Björkqvist, "Sex Differences in Physical, Verbal, and Indirect Aggression: A Review of Recent Research," *Sex Roles* 30, no. 3/4 (1994): 177–88.

<sup>178</sup> Jean O'Malley Halley, Amy Eshleman, and Ramya Mahadevan Vijaya, *Seeing White: An Introduction to White Privilege and Race* (Lanham, MD: Rowman & Littlefield, 2011), 197. Halley, Eshleman, and Vijaya add to the way relational aggression is theorized by applying it to explain the everyday taken for granted logics of racism that get expressed through micro-aggressions as well. For more on how girls bully using more relational methods see also Christina Athanasiades and Vassiliki Deliyanni-Kouimtzi, "The experience of bullying among secondary school students," *Psychology in the Schools* 47, no. 4 (2010): 328–339.

Boys are aggressive by hitting and getting into fights.”<sup>179</sup> Additionally, websites like *NoBullying.com* that claim to be “The World’s Authority on Bullying” argue that “girls are almost twice as likely as boys to be both victims and perpetrators of cyber bullying.”<sup>180</sup> The reasoning offered to explain the over-representation of girls as cyberbulliers is the supposed “innate differences between boys and girls.”<sup>181</sup> Drawing on cis-gendered, heteronormative stereotypes about boys being physically more aggressive and girls more emotionally manipulative, *NoBullying.com* makes reference to research that naturalizes girls as particularly cagey, creating fake accounts to intimidate their target, rallying packs or groups to bully, circulating rumors, and performing the spreading of rumors in front of their victims to have the most impact.<sup>182</sup> This might seem easy to dismiss as bad pop-psychology, but the same logics ground psychological and sociological bullying studies literature.

This female generic, where a “girl” is produced as different from and opposite to a “boy,” lays the foundation on which much bullying and aggression knowledge is produced—both scholarly and popular. The “mean girl,” as a subject formation, grows out of this presumption of feminine indirect relational aggression as the specific way “girls” express aggression. It comes, in part, as an extension of claims that women and girls are more tuned into emotions, and thus evil geniuses that use their skills to manipulate and traumatize other girls. Thus, in this version, the “mean girl” is a direct result of the feminine.

A second opposing, competing explanation from bullying studies literature suggests that feminine niceties and relations of care are an inherent buttress to bullying and meanness,

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<sup>179</sup> Lawrence Kutner, “Parent and Child,” *New York Times*, October 28, 1993.

<sup>180</sup> “Cyber Bullying Girls, Are They More Common?” *NOBullying.com*, December 22, 2015, <https://nobullying.com/is-cyber-bullying-more-common-with-girls/>.

<sup>181</sup> *Ibid.*

<sup>182</sup> *Ibid.*

and it is only under the present masculinized culture of meanness, what Jessie Klein calls the “bully society,” that teaches and rewards aggression and competition, that the epidemic of the “mean girl” has emerged. This echoes masculinity scholars who have argued that we are in a particularly violent formation of hegemonic masculinity, especially as promoted through media. For Klein, who offers the most pointed critique of this dynamic in the bullying literature, this rise in violent hegemonic masculinity has led to a masculinization of the social and it is the masculinization of individuals and society in general that is responsible for the sudden rise in bullying. According to Klein, this toxic masculinizing has caused a shift away from empathic and relationship oriented compartments and towards “domination and control.”<sup>183</sup> The logic is, “women” have been pressured into adapting to hyper competitive workplace norms that require the abandonment of compassion, empathy, and cooperation.<sup>184</sup> In this logic, “women” are understood as inherently feminine which for Klein translates to kind, empathic, and supportive, but they have been corrupted by a culture that increasingly values masculinity and competitiveness. Klein’s forwarding of the demonization of masculinity, particularly as it is taken-up by supposed “women,” is part of a deeper biological determinism in which “women” are held up as being (A) feminine, and by extension, (B) more emotional, intimate, kind, supportive, and monogamous.<sup>185</sup>

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<sup>183</sup> Jessie Klein, *The Bully Society: School Shootings and the Crisis of Bullying in America’s Schools* (New York and London: New York University Press, 2012), 105.

<sup>184</sup> Ibid.

<sup>185</sup> For more on this argument see Jessie Klein, “Girl Bashing” in *The Bully Society: School Shootings and the Crisis of Bullying in America’s Schools* (New York and London: New York University Press, 2012) 97-111.

While Klein is one scholar, her narrative is a widely shared discourse with her work being heavily cited by those studying bullying and girl violence.<sup>186</sup> And, while being specific to Klein, the citationality that supports her argument suggest a deeper cis-hetero normativity to the entire logic. While theorizing the masculinization of “women” and the profound pressures women are under to comport themselves to a toxic masculinity, Klein uses scholarship to support these conclusions that uses Black lesbian bois as an example of the dangerous masculinization of women and the increasing protean sexuality of butch lesbians of color that signal an aping of male teenage chauvinism.<sup>187</sup> The racialized transphobia here is thorough. The supporting evidence relies on valorizing the lesbian separatism of the 1980’s where separation from and rejection of men was the ultimate measure of progressive politics in contrast to demonizing female to male trans folk and critiquing bois and butch lesbians for their sexual and gender expressions as a rejection of their femininity and an adoption of a toxic masculinity. This means the normative investment in gender operates at multiple levels with the construction of the “mean girl.” Here, normative gender operates through the presumption that there are discernable populations that can be called “men” and “women;” that we can determine people’s belonging in those populations by merely looking at them, as if gender performance determined gender identity; that those assigned female at birth would be inherently feminine but have been corrupted by a masculinizing society; and that butch lesbians and trans men reject an otherwise inherent femininity they possess.

The intellectual moorings of and investment in the “mean girl” as a social type is anchored, in part, by a normative subjection grammar growing out of social science bullying

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<sup>186</sup> See for example google scholar’s tally of works that cite Klein’s *Bully Society*, accessed June 13, 2017, [https://scholar.google.com/scholar?cites=14595424852933995031&as\\_sdt=5,32&scioldt=0,32&hl=en](https://scholar.google.com/scholar?cites=14595424852933995031&as_sdt=5,32&scioldt=0,32&hl=en).

<sup>187</sup> Klein, *The Bully Society*, 106.

literature that gets taken-up by popular discourses surrounding cyberbullying. Here, cyberbullying is thought to be the avenue through which girls bully other girls. The justification for which operates through two competing logics. Both narratives rely on a deterministic cis-gendered, heteronormative presumption of girls as one of only two sexes and inherently feminine. Whether that femininity is responsible for producing brilliant social manipulators or it is corrupted and supplanted by a violent hegemonic masculinity, varies. However, what the discourse surrounding the Prince and Pott cases suggests is this construction works, not because it accurately describes the way cyber harassment and mistreatment by other girls happen in either case, but because it obscures the sexual violence that boys do in each case. The construction of the “mean girl” becomes a mechanism for the deferral and denial of sexual violence while relying on the demonizing of queerness. The construction of girls as disproportionate perpetrators of cyberbullying and as mean, socially manipulative architects renders both Prince and Pott’s experience with sexual violence less intelligible, but it also establishes girls as perpetrators—that is, as bullies rather than bullied subjects.

### **Cyberbullying, Sexual Violence, and Criminal Punishments**

Whereas the previous section tracked the construction of the “mean girl” and the ways it works to defer and deny sexual violence and render girls, as a class, the more acknowledged perpetrators of violence than the boys engaging in the sexual assaults, this section explores what the treatment of Amanda Todd and Audrie Pott does to attend to sexual violence in a way that might appear progressive, that renders the sexual violation of these



“cyberbullied” subjects intelligible, but that ultimately gets circulated within political discourse in a way that objectifies it, using sexual violation as a mechanism that uses it for means other than justice. In other words, while the previous section looked at the ways sexual violence was obscured, this section explores the power dynamics at play in its evocation.

I begin with the case of Amanda Todd. In September 2012, Todd published a YouTube video about her struggles with “bullying.”<sup>188</sup> Flipping through sheet after sheet of paper with her hand written story, Todd’s video offers viewers her experience as a 7<sup>th</sup> grader extorted to expose her body to someone she met online who became her tormentor. The man who engaged in this sexual harassment and extortion was later alleged to be a 36-year-old man from Holland with a long list of alleged victims and an even longer list of reported aliases according to a report by Facebook investigators.<sup>189</sup> He attempted to extort sexual favors from young girls across the globe, including Todd, by demanding they put on a sexual show for him using their webcams. If they did not comply, he threatened to send the revealing photos he had to their families, schools, and friends. With Todd, he made good on that threat. According to a report done by *The Fifth Estate*, he posted a topless picture he acquired of Todd on a website and then sent a link of the photo to all of Todd’s Facebook friends, including family members.<sup>190</sup>

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<sup>188</sup> “My Story: Struggling, Bullying, Suicide, Self Harm” YouTube video, 8:54, posted by “TheSomebodytoknow,” September 7, 2012, <https://www.youtube.com/watch?v=vOHXGNx-E7E&feature=plcp>.

<sup>189</sup> “Stalking Amanda Todd: The Man in the Shadows—The Fifth Estate,” YouTube video, 40:49, posted by “CBC News,” December 5, 2014, <https://www.youtube.com/watch?v=GRidpO7kUO0>.

<sup>190</sup> Ibid.

A year later he contacted Todd again, this time making a Facebook page with a fake name posing as a new student at her school and reaching out to her school friends using her naked torso as the profile picture, retraumatizing Todd, and alienating her from her peers yet again.<sup>191</sup> In Todd's homemade video, she recounts the "name calling," being "judged," not having "any friends," and having to sit "at lunch alone" because of the cyber harassment. Todd ultimately switched schools which helped things get better, but she explains that the ongoing sexual harassment, blackmail for more child pornography, and the violation of having her picture circulated as coercion and punishment for not complying to the will of a manipulative sexual predator lead her to develop anxiety, depression, and to use self-harming, drugs, and alcohol as coping strategies to deal with the pain of it all.<sup>192</sup>

Todd recounts her first suicide attempt in the video. She explains it happened after being beaten-up while a crowd watched and egged on the attacker. She explains the assault as the result of hooking up with a guy who had a girlfriend at the time. Todd offers a nuanced analysis of her behavior where, even though she took responsibility at the time for instigating the hook up, she recognized her behavior as maladaptive, and his shared responsibility, if not active culpability and manipulation in getting her to have sex with him. After the beating at school, Todd attempted suicide by drinking bleach. Paramedics were able to save her life, but upon returning home, messages on Facebook from her peers expressing that they wished she would have died prompted Todd to switch schools again. Six months after her suicide attempt, her former classmates continued to post pictures of bleach and Clorox and tag her online with comments like, "She should try a different bleach," "I hope she dies this time and

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<sup>191</sup> Ibid.

<sup>192</sup> "My Story."

isn't so stupid," and "I hope she sees this and kills herself."<sup>193</sup> A month after posting the YouTube video sharing her story, Todd died from suicide. Her story became one defined as cyberbullying.<sup>194</sup>

Todd's experience with this cyber-sexual harassment, stalking, and on-going violation fits many of the descriptions used to define cyberbullying as behaviors girls participate in. The particularly cagey activities of the bully in this case are evident: he made fake accounts, he rallied groups against his victim, and he leveraged the threat of ultimate social isolation. As one article suggests, "With Todd's harasser, the malice is unquestionable. Anyone who has ever been to high school knows what they are provoking by distributing photographs like that."<sup>195</sup> Even here though, it is as though the presumption is that, while Todd's primary harasser was malicious, he was able to access and employ the power of the "mean girls" at Todd's school to most effectively harm her. While understood as a case of cyberbullying, routed through the horrific treatment that her peers engaged in after her suicide attempt with heartbreaking posts, the sexual violence this 7<sup>th</sup> grader was subjected to online is treated differently. It does not get slipped into the trope of the "mean girl" to obscure the sexual violence she experienced.

Her experience is not denied in the same way as others whose cases are also labeled as cyberbullying. Perhaps Todd's experience with this violence was harder to deny because of the video she made. Perhaps her perpetrator's anonymity made it so he could be demonized in absentia in a way that real-life young men like in Prince and Pott's cases did

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<sup>193</sup> Ibid.

<sup>194</sup> Michelle Dean, "The Story of Amanda Todd," *The New Yorker*, October 18, 2012, <http://www.newyorker.com/culture/culture-desk/the-story-of-amanda-todd>; Shawn Logan, "'Lot of Work' to be Done Not Only Young People But in Anti-Bullying Crusade; Four Years on, Wounds Still Raw for Todd's Mom" *London Free Press* December 19, 2016.

<sup>195</sup> Ibid.

not allow for because their white male privilege and promise of a white hetero-futurity was too easily and powerfully mobilized on their behalf. Those played a part, I'm sure, however, there appears to be something else at play, as well.

The *Fifth Estate Reported* that when Todd's family reported the sextortion she was experiencing to law enforcement, their recommendation was that she refrain from social media as the solution. This was offered because they assumed that, since the law had not caught up with cyber crimes, their hands were tied. Since her suicide, Todd's case has become a rallying point for calls for more stringent cyberbullying laws.<sup>196</sup> Additionally, as of April 2017, the man accused in Todd's case has been found guilty in Dutch court for internet fraud and blackmail in dozens of cases around the world in which he blackmailed young women into performing sex acts in front of their webcams, which has translated to an 11-year prison sentence. He is in the process of being extradited from the Netherlands to be tried for his crimes against Todd where he faces charges related to the production and distribution of child pornography, extortion, harassment, blackmail, and stalking.<sup>197</sup> Legal prosecution in Todd's case has become synonymous with "justice." Similarly, "getting justice" for Todd has become a stand-in for incarceration.<sup>198</sup> But what is at stake in the way such sexual violation is rendered intelligible if the terms of its intelligibility are the state's carceral abilities?

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<sup>196</sup> See for example, Joseph Quigley, "Cyberbullying Creating Difficult Questions for Legal System: Victims' Advocates Calling for New Cyberbullying Laws, But Pinning Down Broad Term Difficult," *CBCNEWS*, February 29, 2016, <http://www.cbc.ca/news/technology/cyberbullying-law-1.3442677>.

<sup>197</sup> "Cyber-bully faces extradition to Canada in Amanda Todd Case," *BBC News*, April 4, 2017, <http://www.bbc.com/news/world-us-canada-39485930>.

<sup>198</sup> See for example, Amy Judd, "Amanda Todd's Mother Hopes for Justice in Her Daughter's Case Following Dutch Ruling," *Global News*, March 16, 2017, <http://globalnews.ca/news/3313897/amanda-todds-mother-hopes-for-justice-in-her-daughters-case-following-dutch-ruling/>; see also petitions in which the vision of "justice" demanded on Todd's behalf is "finding and prosecuting the person(s) responsible" for Todd's death.

The criminal punishment system occupies both a valorized and demonized space in these cyberbullying cases. To be sure, the legal system is both solution and problem. For Audrie Pott's case, the 30 to 45-day sentences handed down to her assailants was seen as such a light punishment that it was unlikely to deter future offenses. The failure to punish her perpetrators to the full extent of the law was easily a message to all those impacted by gender and sexual violence that such violations were only marginally objectionable and to her family, the superficiality of the punishment was a remarkable devaluing of what happened to their loved one. Of course, it makes sense that the consistent lack of punishment, prosecution, and social valuing of those victimized makes it difficult to figure out how to protest such presumptive disposability. But, what does it mean to call on a system that is not just accepting of racialized, gendered, sexualized violence, but one of the primary purveyors of such violence?

As a response to the lax punishment dolled out to Audrie Pott's rapist tormentors, California State Senator, Jim Beall, in tandem with Pott's parents, worked to introduce SB 838, dubbed "Audrie's Law." Audrie's Law was often referred to as a "cyberbullying" law that would make "cyberbullying a crime—a felony in some cases when photos or electronic messages are used to embarrass, harass or intimidate others."<sup>199</sup> The original law, upon first being introduced, contained wording that made the following acts into misdemeanor, disorderly conduct crimes: secretly recording people when they had the reasonable expectation of privacy, as well as, taking pictures or recording video of any person, without

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"Amanda Todd Justice! 15 year old Suicide," *Change.org*, <https://www.change.org/p/amanda-todd-justice-15-year-old-suicide>.

<sup>199</sup> Julia Prodis Sulek, "Audrie Pott: Saratoga Teen's Suicide Spurs 'Audrie's Law' on Cyberbullying," *The Mercury News* (San Jose, CA), March 6, 2014, <http://www.mercurynews.com/2014/03/06/audrie-pott-saratoga-teens-suicide-spurs-audries-law-on-cyberbullying/>.

their knowledge, and then distributing those images to hurt the person depicted and cause them distress, or similarly, distributing images previously agreed to be kept private in order to hurt the other party.<sup>200</sup> While it started out with a more overt section that covered cyberbullying, by the time it made it to the Assembly Appropriation's Committee, Audrie's Law contained no cyberbullying provisions. It exclusively targeted juvenile sexual predation. However, Senator Beall still explained the Law to his constituents by mobilizing Pott's story. The description of the Bill featured on his website reads as follows:

A tragic incident in Senate District 15 has prompted the introduction of SB 838. Audrie Pott, a young woman with a promising life ahead of her, was brutally sexually assaulted at a high school party while in a defenseless state. The deplorable nature of this crime was exacerbated when the three assailants took pictures of the assault in progress and posted the pictures online in an attempt to shame and bully Audrie. Unfortunately, days after the pictures emerged, Audrie took her own life. Since this time, the perpetrators have been found guilty, their identities concealed and punishment minimal due to their juvenile status.

Current law contains a list of crimes, if committed by a juvenile, that can be tried in adult court and proceedings open to the public. These crimes include forced rape, sodomy, and oral copulation. However, the list does not include sex offenses where the victim was in a defenseless state. The sexual assault was committed while Audrie was incapacitated, without force, thus preventing the court proceedings from being open to the public or tried in adult court.<sup>201</sup>

Senator Beall's explanation of the problem sets up Audrie's Law as the solution. Here cyberbullying ceases to be part of the conversation, while sexual violation dominates the discussion. The Bill was signed into law by California's Governor, Jerry Brown, in

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<sup>200</sup> For more on the cyberbullying sections that were cut out of SB 838's final version, see "SB-838 Juveniles: Sex Offenses—Current Version 09/30/14-Chaptered, Compared to Version 01/06/14-Introduced" California Legislative Information [http://leginfo.legislature.ca.gov/faces/billVersionsCompareClient.xhtml?bill\\_id=201320140SB838&cversion=20130SB83899INT](http://leginfo.legislature.ca.gov/faces/billVersionsCompareClient.xhtml?bill_id=201320140SB838&cversion=20130SB83899INT).

<sup>201</sup> "Justice for Audrie," *Jim Beall California State Senator*, <http://sd15.senate.ca.gov/audrie-s-law>.

September 2014. Now, under Audrie’s Law, juvenile offenders accused of sexual assault of someone who is unconscious or developmentally disabled, can be tried publically, so their identities are ostensibly no longer more protected than their victims. It requires sex offender rehabilitation program completion. It prohibits fines, community service, or rehabilitation programs as alternative options for juveniles to get charges of rape sodomy, or oral copulation dismissed.<sup>202</sup> Ultimately, the law is designed to forge juvenile sex offenders into properly incarcerated subjects.

This engages in social disposability in two ways. First, Audrie’s Law amends California’s Sections 676, 730, and 790 of the Welfare and Institutions Code, relating to juveniles, as well as, Proposition 21, which allows juvenile offenders to be charged as adults for certain felonies.<sup>203</sup> As I discuss in chapter one, the story behind Proposition 21 was that it was created to incarcerate juvenile gang members, read as young people of color, who committed felonies like murder and certain forced sexual offenses. As I explained earlier, this process of rendering incarceratable the young juvenile offender of color folds young men of color into felony criminal proceedings as children, ushering them into a formal criminal status that they were already socially afforded. The formality, however, allows for the official evacuation of their civil rights—like voting, anti-discrimination protections, illegal search and seizure, and literal freedom—though those are rarely afforded people and populations of color with any consistency even without criminal convictions. The amending of Proposition 21 to include sexual violations that were by legal definition not “forcible” uses the presumptive disposability of youth of color as the mechanism through which sexual violence

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<sup>202</sup> “Audrie’s Law Becomes California’s Law,” *Jim Beall California State Senator* September 30, 2014, <http://sd15.senate.ca.gov/node/940>.

<sup>203</sup> S.B. 838, Sess. of 2014 (CA. 2014), [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB838](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB838).

is rendered more intelligible by and to the state. In other words, the precondition of this solution is its racist building blocks. It premises “justice” for sexual violence on racial violence.

Second, the objectification of sexual violence bolsters a system that, far from being a solution to such violations, is one of the most significant perpetrators of sexual and gender violence. The anti-cyberbullying discourse that underwrote Audrie’s Law, which quickly slipped into focusing on juvenile sex offenders, effectively mobilized the specter of sexual violence to legitimate the state’s carceral apparatus. Meiners, Michaud, Pavan, and Simpson, in their examination of sex offender registries, link the expansion of the prison industrial complex to the circulation of the sex offender as a social type. They explain, “Prison expansion in the U.S. and Canada is increasingly marketed as a response to the ‘worst of the worst’—those who commit acts of violence (generally sexual) against the ‘most innocent,’ white children.”<sup>204</sup> They identify sex offender registries and mandatory community notification laws as some of the most powerful avenues driving moral panics and legal changes in the United States, which just happen to correspond with the development of supermax prisons.<sup>205</sup> They identify the adult stranger sex offender as a formation that drives moral panics which (1) increases the policing of queer communities, (2) leads to more criminal charges and longer sentences for queers and people of color, (3) fuels punitive punishments under political performances meant to appear tough on crime, and (4) that spurs the need to create more prisons. What Audrie’s Law adds to this understanding is that it isn’t just the adults that are routed through the sex offender gauntlet. By amending Proposition 21,

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<sup>204</sup> Erica R Meiners, Liam Michaud, Josh Pavan, and Bridget Simpson, “‘Worst of the Worst’? Queer Investments in Challenging Sex Offender Registries,” in *Against Equality: Prisons Will Not Protect You*, ed. Ryan Conrad (Maine: Against Equality, 2012), 84-85.

<sup>205</sup> *Ibid*, 85.



which already incorporated children into felony adult criminal proceedings for forcible sexual offenses, Audrie’s Law expands that incorporative move. It draws on logic that argues that the carceral state is the solution with enforcement mechanisms like mandatory sex offender treatment programs and adult felony charges for children, particularly and originally poor, always already criminalized children of color, as the measure of what “justice” looks like. However, sex offender treatment programs, prisons, and other state facilities are spaces where sexual violence occurs with impunity. As Meiners, Michaud, Pavan, and Simpson so pointedly conclude, “Not only does the state’s claim to offer protection fall terribly short, it actively produces an array of new possibilities for gender and sexual violence.”<sup>206</sup> Thus, with intensified contact with the state, police, and prison, it means a corresponding exposure to sexual violence.

The problem of social disposability of those whose bodily autonomy has been violated in person and online cannot be recouped through the criminal punishment system. The intelligibility of violation must exist outside of the criminal punishment system. When we are mobilizing against the profound and enduring practices of gender and sexual violence, the solutions can’t be premised on a foundation of racial and queer disposability. When evoked and ostensibly attended to through the state as benevolent protector, “sexual violence” and laws like SB 838 becomes a way to fold freshly exemplary tragic cases of violation into ways to magnify state violence.

I am not attacking those who object to the treatment of their loved ones, or even those who take issue with how uneven the supposed justice of the “justice system” is. Of course, the criminal proceedings become one of the primary mechanisms by which the social value

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<sup>206</sup> Ibid, 95.

of the violated person is measured. When there is case after case in which a young woman is subjected to sexual violations, harassed to the point that she feels her life is unlivable, and she dies by suicide, while her perpetrators are barely punished, there is absolutely something objectionable happening. It is not just the individual person whose value is assessed in these cases, but whole populations. Young girls' social value is being measured in relationship to how staunchly punished their perpetrators are. So, in terms of comparative valuation, we have a young girl who kills herself after experiencing the sexual violation of her bodily autonomy, over and over again in cyber form, rendered far and away more disposable than those that committed the violence against her. Their punishment varies. For Prince's accused rapists, one gets community service (but that's for bullying), and neither get charged with statutory rape. For Audrie Pott, her rapists get limited juvenile detention sentences of 30 to 45-days, and for two of her perpetrators they get to serve that on weekends. For Amanda Todd, her alleged perpetrator is facing an 11-year sentence for the hundreds of young girls he perpetrated sexual violence against. Here, the blackmail, the terrorizing these boys and men engaged in—affecting the lives of the young women they violated—doesn't get the kind of punishment that would send a message socially that young girl's sense of safety is more important than the freedom of their perpetrators. And yet, I argue that while that might be one diagnostic tool that there is a differential valuation, it need not determine the course of treatment.

### **Intelligibility of Violation**

The dual vacillation between cyberbullying and “mean girl” discourses eclipsing sexual violence *and* sexual violence being used to bolster state violence suggests that the

solution is not that one moniker be used over and above the other to render intelligible the violations so many young people have and continue to experience. Instead, what I am suggesting is a challenge to the deeper alibiing and obscuring work both discourses do.

What Audrie Pott, Pheobe Prince, and Amanda Todd's stories of sexual violation highlight are the desperate and painful conditions of disposability girls live under. The activism taken up on their behalf by their friends, families, and state representatives can absolutely be read as an attempt to fight against the erasure of the suffering they endured in their lives and that informed their deaths. But we have more choices than this.

Media saturation surrounding cyberbullying has been thorough. With the deaths of Phoebe Prince, Amanda Todd, and Audrie Pott inspiring the plethora of popular television shows and films that use stories inspired by their lives, news reports about various cases of cyberbullying, academic studies that seek to uncover the specific characteristics of and possible solutions to cyberbullying, and movements for legal remedies for the profound suffering young people experience because of cyber harassment, its presence in the cultural consciousness appears ubiquitous. However, in the push to honor the devastating impact online bullying can have, a narrative has emerged that crosses media and social science, marking girls as some of the most egregious culprits of this violence. This narrative often takes the form of proffering a "mean girl" epidemic. What this gendered version of cyberbullying offers as an explanatory matrix centers competing understandings of femininity. On the one hand, femininity is claimed to route aggression through indirect, social manipulation, making femininity the cause of girls' meanness. Therefore, in this narrative, femininity is the problem. On the other hand, an alternative narrative proffers the lack of comportment to white normative femininity, that is the alleged masculinizing of girls,

as the problem. As a result, it also presumes that more properly normative white femininity is the solution. However, these opposing perspectives miss two things. First, girls bullying other girls is not a lack of normative comportment to white femininity, but rather an embodiment of normative ideologies that enact the violence of white racialized heterosexuality that also underwrites both previous explanations. Second, these versions of the “mean girl” epidemic blame girls as the perpetrators of the violence other young women suffer. Such a construction obscures and alibis sexual violence. Phoebe Prince, Amanda Todd, and Audrie Pott, some of the most well known cases of cyberbullying that have caught international attention, are cases of sexual violence in which a picture of the assault was taken, posted, and circulated, in which the resulting constant retraumatizing lead the survivor to kill themselves.

Therefore, this “mean girl” trope should be understood as its own form of violence that, when noticed and objected to, further obscures sexual violence by blaming young women, as a class, for the violence done to so many in an attempt to insulate white heterosexuality from critique and, in the process, renaturalize racialized, gendered sexual violence. Here, the construction and circulation of the cyberbullied subject works to supplant sexual violence as the marker that explains this privation. In so doing, “cyberbullying” becomes an alibi and duller tool by which racialized gender and sexual violence is identified.

However, the solution is not mere substitution—that is, replacing “cyberbullying” with the term “rape” or “sexual violence”—as the reporting on the Pott family’s struggles suggest, that foregrounding sexual violence does not usher in more justice for those victimized. Instead, such deployments can perhaps unwittingly participate in wedding anti-sexual violence discourses to carceral state hetero and racial violence. While the effacement

of sexual violence is indeed a problem with marked material consequences, to focus on sexual violence is neither easy nor uncomplicated as a solution.

The productions of the “cyberbullied” subject in this chapter point to a form of crisis management in which the crisis itself is misidentified, obscuring the forms of social violence that render life unlivable, while lubricating regulatory mechanisms and furthering state violence. Calling cyberbullying a new crisis, when what we are talking about is racialized gender and sexual violence which has a long, enduring, heartbreaking, yet completely consistent history, works to render exceptional that which is not. In the case of cyberbullying, the management of outrage works through routing collective objection to the indignities suffered by so many through a discourse that blames girls, insulates sexual violence from critique, and then suddenly mobilizes sexual violence thereby rendering it intelligible under the terms of the carceral state and expanding police and prison violence through ushering children into adult sex offender charges. The intelligibility of violation works through the dual denial and objectification of sexual violence routed through blaming girls on the one hand and the state claiming to save them on the other.

## CHAPTER 4

### Queer, Suicide, Contagion

This is not to dismiss these queer suicides but to ask what kinds of ‘slow deaths’ have been ongoing that a suicide might represent an escape from. It is also to ‘slow’ the act of suicide down—to offer a concomitant yet different temporality of relating to living and dying.

—Jasbir K. Puar<sup>207</sup>

November 8, 2016, the night that Donald Trump was elected president of the United States, there were record calls to suicide prevention and crisis intervention lines. Within days of the election there were reports of spikes in transgender suicides that went viral on social media. In the days and weeks following those reports, media clamored to mark coverage of completed suicides at worst, as a hoax, and, at best, unverifiable. The public was implored not to share stories of these alleged suicides because it would make suicide contagious, as in, it would encourage queer youth to take their own lives. Social science and media studies have variously labeled the phenomena of one suicide leading to more in quick succession, “cluster suicide,” “copycat suicide,” and “suicide contagion.”<sup>208</sup> While there is a way one might see this as labeling a phenomena, that is, that they are merely being descriptive, there

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<sup>207</sup> Puar, “Cost of Getting Better,” 152.

<sup>208</sup> Thomas E. Joiner Jr., “The Clustering and Contagion of Suicide,” *Current Directions in Psychological Science* 8, no. 3 (1999); Patrick W. O’Carroll and Lloyd B. Potter, “Suicide Contagion and the Reporting of Suicide: Recommendations from a National Workshop,” *Morbidity and Mortality Weekly Report: Recommendations and Reports* 43, no. 6 (1994); David P. Philips, “The Influence of Suggestion on Suicide: Substantive and Theoretical Implications of the Werther Effect,” *American Sociological Review* 39, no. 3 (1974); Matt Wray, Cynthia Colen, and Bernice Pescosolido, “The Sociology of Suicide” *Annual Review of Sociology* 37 (2011); Ira M. Wasserman, “Imitation and Suicide: A Reexamination of the Werther Effect,” *American Sociological Review* 49, no. 3 (1984).

is a prescriptive reiterative quality to these utterances that do a different labor. In this chapter, I offer a reading of this alternative labor by engaging a queer deconstructive method of discourse analysis to decipher the logics, anxieties, and desires that underwrite popular, media, legal, and activist productions of suicide contagion and queer elimination. As a queer studies project, I focus on the logics that link *queerness*, *contagion*, and *suicide* and the anxieties that inform the shape those connections take as a symptom that cues us to normative strongholds. Contagion has a long history of being theorized within critical race studies, postcolonial feminisms, queer theory, and more recently, within disability studies. Contagion logics have operated through appeals to colonial morality, medical disease models, and other forms of racialized, sexualized, imperial, colonial, abilitied violences.<sup>209</sup> In what follows, I consider how *queer*, *contagion*, and *suicide* have been woven together to offer different configurations of the core problem to be addressed and its proffered solution. I offer an analysis of the bullied suicidal queer subject as one grounded in the sutures that bind *queerness*, *contagion*, and *suicide*.

First, I contextualize the evolution of the story of the post-election spike in calls to crisis support lines and completed trans suicides. That story might be thought of as a progressive one, offering the queer subject as one imperiled by systemic structural oppression and thus worthy of sympathy (possibly even solidarity), but suicide contagious, thus requiring media silence surrounding such oppression. Along the way, I track how similar moments surrounding queer youth and suicide due to bullying caught media and

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<sup>209</sup> See for example: Jeffrey A. Bennett, *Banning Queer Blood: Rhetorics of Citizenship, Contagion, and Resistance* (Tuscaloosa: University of Alabama Press, 2009); Judith Butler, *Excitable Speech: A Politics of the Performative* (New York: Routledge, 1997); E. Patrick Johnson, *Appropriating Blackness: Performance and the Politics of Authenticity* (Durham: Duke University Press, 2003); Puar, *Terrorist Assemblages*.

activist attention but were diversely foreclosed by claims of contagion. Second, I address some of the ways queer has been constructed as contagious, whereby elimination, attrition, and suicide have been forged as solutions. Third, I offer queer as a politic embracing of and defending non-normative existence that mobilizes the suicides of queer subjects and various forms of contagion to insist queer lives be made more livable. By tracking the suicidal queer subject through these diverse permutations, I hope to disrupt some of the ways discussions of anti-queer violence get foreclosed, as well as, at times, used to sanction, if not foster queer attrition, and instead help multiply and nuance our collective understanding of the material and structural violences that inform queer suicides as part of a far longer normative process of queer elimination.

### **Queer Oppression, Suicide Contagion, and the Call for Silence**

Two days after Donald Trump was elected President of the United States, *BuzzFeed News* posted a story by Azeen Ghorayshi that called readers' attention to an unprecedented spike in calls to suicide hotlines. Among the hotlines impacted were Trans Lifeline, the Trevor Project, and Crisis Text Line. Trans Lifeline, which usually received between 40-50 phone calls a day, with their previous highest total spiking at 250 after the passage of the North Carolina anti-trans bathroom bill, in the 24 hours following the election of Donald Trump, received 523 calls.<sup>210</sup> Trans Lifeline was only able to answer 184 of those calls,

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<sup>210</sup> Azeen Ghorayshi, "After Trump Win, Suicide Hotlines Flooded with Calls," *BuzzFeedNews*, November 10, 2016, [https://www.buzzfeed.com/azeenghorayshi/crisis-hotlines-post-election?utm\\_term=.mnb7reA46P#.dmeYNGoxar](https://www.buzzfeed.com/azeenghorayshi/crisis-hotlines-post-election?utm_term=.mnb7reA46P#.dmeYNGoxar). There are differing reports of exact numbers. Some sources cite 523, while others offer 600 as the total calls received election night. Additionally, since the election, Trans Lifeline has seen an additional spike in



meaning only 35 percent received crisis support services while 339 went unanswered. Of those answered calls, Trans Lifeline reported that the most distressed callers were teenagers.<sup>211</sup> The remarkable upturn in calls to other LGBTQ support networks, like The Trevor Project, which caters to queer youth under the age of 25, similarly increased with calls roughly doubling the night of the election.<sup>212</sup> Crisis Text Line also saw profound increases; their numbers doubled in the hours after the election, and the second day after the election, they quadrupled. While Crisis Text Line is dedicated to all members of the public, the theme that dominated incoming texts were “election” and “scared,” and the theme most associated with scared was “LGBT.”<sup>213</sup> As Greta Martela, the co-founder and executive director of Trans Lifeline explained, “People find it hard enough to be a trans person during an Obama administration, and now we’re facing one of the most repressive administrations in modern history.”<sup>214</sup> Between Mike Pence’s call for federally funded conversion therapy and Donald Trump’s use of the Orlando shooting in which the mass murder of gay and trans people of color only mattered in their ability to be rhetorically weaponized to further demonize Muslims,<sup>215</sup> the reality of a Trump-Pence presidency in which anti-queer and

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calls the day the Trump administration announced its reversal of the Obama administration’s transgender protection guidance, roughly doubling their daily average. For more on that spike see: Avalon Zoppo, “Transgender Hotline Reports Flood of Calls after Trump Walks Back Federal Protections,” *NBC NEWS*, February 26, 2017, <http://www.nbcnews.com/feature/nbc-out/transgender-hotline-reports-flood-calls-after-trump-walks-back-federal-n725796>.

<sup>211</sup> Ibid.

<sup>212</sup> Ibid.

<sup>213</sup> Ibid.

<sup>214</sup> Ibid.

<sup>215</sup> “The Orlando shooting” references a June 12, 2016 shooting that happened at The Pulse Nightclub, a gay nightclub in Orlando, Florida, in which 49 people were killed and 58 others were wounded—mostly queer people of color—by Omar Mateen, a 29 year old security guard who was in turn killed by the Orlando Police Department. Mateen’s self avowed loyalty to the Islamic State of Iraq and the Levant (ISIL) was discussed at length in media report as evidence that the shooting was a Muslim and extremist attack, and was

specifically anti-trans violence had already increased during the campaign, and where anti-discrimination protections had little hope of enforcement, the fear that queer folks, particularly trans youth of color, would be subjected to even more profound brutality, injustice, and lessened life chances than they already were was palpable in the lead up to election night. As the national spokesperson for GLAAD, Tiq Milan, has explained, “We’re scared that this administration will not only attempt to roll back the progress we’ve made in terms of policies and protections but they will allow the hateful rhetoric that routinely turns into violence to go unchecked. We’re concerned about social programs and outlets that so many trans people of color depend on (because we’re 8 times more likely to live in poverty due to rampant discrimination and transphobia) being gutted.”<sup>216</sup>

Given the fear that racialized queer vulnerabilities faced by trans people of color would be exacerbated under Trump, the ensuing stories about completed suicides, tragically, made sense. Wednesday, the day after the election, Zach Stafford of the *Guardian* and *Out* magazine tweeted, “at least 8 trans youth have committed suicide in the wake of Trump's win.”<sup>217</sup> With more than 13,000 retweets and being taken-up by other news outlets, the story of trans youth lost in the first hours following the election captured the hearts of many.

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taken-up by the then Trump campaign in support of a ban on Muslim immigration. For more on Donald Trump’s speech, see Ryan Teague Beckwith, “Donald Trump: Read Donald Trump’s Speech on the Orlando Shooting” *Time* June 13, 2016 <http://time.com/4367120/orlando-shooting-donald-trump-transcript/>. Also see Jonathan Martin, “Donald Trump Seizes on Orlando Shooting and Repeats Call for Temporary Ban on Muslim Migration” *The New York Times* June 12, 2016 [https://www.nytimes.com/2016/06/13/us/politics/trump-clinton-sanders-shooting-reaction.html?mcubz=0&\\_r=0](https://www.nytimes.com/2016/06/13/us/politics/trump-clinton-sanders-shooting-reaction.html?mcubz=0&_r=0).

<sup>216</sup> David Crary, “Why Are Transgender Americans So Worried About Donald Trump,” *LGBTQ Nation*, November 21, 2016, <http://www.lgbtqnation.com/2016/11/transgender-americans-worried-donald-trump/>.

<sup>217</sup> Elizabeth Nolan Brown, “Stop Sharing News That Trans Teen Suicides Spiked Post-Election—It's Not Just Wrong, but Dangerous to LGBT Youth,” *Reason.com*,

Part of this was really familiar. It felt similar to the reporting from September 2010, when media turned their attention to gay suicides linked to bullying. That September, the lives lost that originally caught the attention of media and activists were five, but eventually grew to nine, and sparked national attention on gay youth and bullying, particularly with the spotlight from Dan Savage and his “It Gets Better” campaign.<sup>218</sup> The deaths due to suicide that were often invoked in news reports, campaign speeches in support of anti-bullying laws, and popular media included: Billy Lucas in Indiana on September 9th, Cody J. Barker in Wisconsin on September 13<sup>th</sup>, Harrison Chase Brown in Colorado on September 15<sup>th</sup>, Seth Walsh in California on September 19<sup>th</sup>, Tyler Clementi in New Jersey on September 22<sup>nd</sup>, Asher Brown in Texas on September 23<sup>rd</sup>, Raymond Chase in Rhode Island as well as Felix Sacco in Massachusetts on September 29<sup>th</sup>, and Caleb Nolt in Indiana on September 30<sup>th</sup>. These nine young people were a mixture of those who identified as gay and those who were perceived to be so. Media reported that they variously experienced cruelty, social isolation, teasing, physical abuse, harassment, as well as outing and homophobic slurs by their peers which was labeled as anti-gay bullying in report after report.<sup>219</sup> They became collectively

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November 12, 2016, <http://reason.com/blog/2016/11/12/trans-teen-suicide-spike-post-election>.

<sup>218</sup> For more on the It Gets Better campaign, see <http://www.itgetsbetter.org/>.

<sup>219</sup> See for example, Bryan Alexander, “The Bullying of Seth Walsh: Requiem for a Small-Town Boy,” *TIME*, October 2, 2010, <http://content.time.com/time/nation/article/0,8599,2023083,00.html>; Peggy J Yingst, “The Painful Moments Are Survivable,” *Battleboro Reformer (Vermont)*, October 11, 2010; Jesse McKinley, “Suicides Put Light on Pressures of Gay Teenagers,” *New York Times*, October 3, 2010, <http://www.nytimes.com/2010/10/04/us/04suicide.html>; “September Suicides,” Mibba, December 15, 2010, <http://www.mibba.com/Articles/People/3937/September-Suicides/>.

referred to as “September’s Children” and together have been evoked as evidence of the dire impacts of anti-gay bullying.<sup>220</sup>

However, leading advocacy groups like the Gay, Lesbian and Straight Education Network (GLSEN), a U.S. based organization that advocates for safe and affirming educational climates for students, with a specific focus on sexual orientation, gender identity, and gender expression,<sup>221</sup> were hesitant to comment publically on the September 2010 suicides. After being asked about GLSEN’s silence by writer and activist, Michael Petrelis, GLSEN’s public relation’s officer, Daryl Presgraves, explained in a private email to Petrelis that:

We have not issued a statement. We are very concerned, obviously. But out of fear of suicide contagion, we have chosen to be cautious in our public response. I assure you we are working behind the scenes to address these specific incidences, but we are trying to tread carefully. We will have much to say in the coming weeks, including a new nationwide effort to make schools safer for LGBT youth. We want to make sure we do and say the right thing.<sup>222</sup>

This signaled a shift in GLSEN’s approach. A little over a year earlier, in April 2009, GLSEN offered an analysis of the suicide of 11-year-old Carl Joseph Walker-Hoover. GLSEN’s statement connected Walker-Hoover’s death to “daily taunts of being gay, despite his mother’s weekly pleas to the school to address the problem.”<sup>223</sup> And they linked it to at least three other students whose suicides were connected to anti-LGBT bullying that year. GLSEN offered Walker-Hoover’s story and his approaching birthday, which corresponded

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<sup>220</sup> Darryl Morris, “In Memory of September’s Children—Asher Brown, One Year Later,” *LGBTQ Nation*, September 23, 2011, <http://www.lgbtqnation.com/2011/09/in-memory-of-septembers-children-asher-brown-one-year-later/>.

<sup>221</sup> “Who We Are,” *GLSEN*, Accessed January 10, 2017, <https://www.glsen.org/learn/about-glsen>.

<sup>222</sup> Michael Petrelis, “The Petrelis Files,” September 29, 2010, 2010, <http://mpetrelis.blogspot.com/2010/09/glsen-on-silence-over-bullying-deaths.html>.

<sup>223</sup> The statement by GLSEN was originally posted at <http://www.glsen.org/cgi-bin/iowa/all/news/record/2400.html> but has since been removed from their website.

with their National Day of Silence, to call for more action to make schools safer places for youth. Presgraves explained that GLSEN had been very active on social media drawing attention to youth suicides linked to anti-gay bullying, that is, until Seth Walsh. After Walsh's death, GLSEN stepped back their public foregrounding of youth suicide, choosing instead to work on the ground in places like Minnesota, where four suicides by LGBT students had taken place in 2010 alone.<sup>224</sup>

GLSEN's reaction to the suicides of September 2010 offer suicide as contagious, and thus discussions of queer youth suicide something to be avoided. However, as the above personal correspondence reveals, this silence was coupled with on-the-ground organizing and legal work attempting to change the educational climate in places like Minnesota where LGBTQ suicide rates were particularly high.<sup>225</sup>

While media coverage of these suicides initially reported on them without any mention of suicide contagion or concerns that it would encourage more students to take their own lives, that shifted in October with the death of Zachary Harrington. Harrington died from suicide after attending a September 28, 2010 City council meeting in Norman Oklahoma.<sup>226</sup> He died in October, so his death falls outside of the often-cited September's Children suicides that were linked to bullying, however the story of his death follows a similar narrative arc. Harrington's father maintains his son's death was partially due to the bullying he experienced throughout his life, a trauma exacerbated by the comments he was

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<sup>224</sup> Petrelis, "The Petrelis Files"; Sarah Horner, "Anoka-Hennepin Schools: Gay Bullying Lawsuit Settlement," *Twin Cities Pioneer Press*, March 2, 2013, <http://www.twincities.com/2013/03/02/anoka-hennepin-schools-gay-bullying-has-eased-after-lawsuit-settlement/>

<sup>225</sup> Petrelis, "The Petrelis Files."

<sup>226</sup> Rusty Surette, "Gay Teen Takes Life after Norman City Council Meeting," *NewsOn6.com*, posted October 10, 2010, updated October 11, 2010, <http://www.newson6.com/story/13299866/report-gay-teen-committs-suicide-after>.

exposed to at that city council meeting. The meeting focused on a proposal to recognize October as LGBT History Month in the city of Norman. The comments at the city council meeting were filled with homophobic vitriol and both implicitly and explicitly marked queerness as contagious. That is, the attendees argued that the recognition of a LGBT History Month would teach children it was okay to be gay and recruit them into “that lifestyle.”<sup>227</sup> According to many of the people who spoke at the city council meeting, the non-demonizing acknowledgement of the existence of LGBT people was immoral, unacceptable, and dangerous.

Media coverage of Harrington’s death initially referenced the bullying he faced during his time in high school, as well as the toxicity he faced during that city council meeting as contributing factors in his death.<sup>228</sup> However, calls for attending to suicide contagion quickly followed and reports of his death routed it through, on the one hand, denials that *bullying causes suicide* and, on the other, the declaration that *talking about suicide causes suicide*. In the process, the demonization of same-sex desire was far less objected to than in the more widely-known September’s Children cases.

An exemplary case was an article by Allison Roy. Roy argued that headlines like “City Council Meeting Results in Gay Teen Suicide” are dangerous. Roy explained that, “Mental health experts say they worry media coverage of the recent cluster of bullying-

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<sup>227</sup> Oklahoma City of Norman, *City Council Meeting* (Municipal Building Council Chambers). September 28, 2010, [http://normanok.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=177](http://normanok.granicus.com/MediaPlayer.php?view_id=2&clip_id=177).

<sup>228</sup> Surette, “Gay Teen.”

related suicides like the headline may spark a media contagion of ‘copycat’ suicides.”<sup>229</sup> Citing various psychologists, Roy offered a few different perspectives that ranged from suggesting that bullying does not lead to suicides, to objecting to using the term “bullying” because it belittles the violence young people are forced to endure by identifying it merely as bullying, to the sensationalizing of the September suicides missing the “larger context.” It is a delicately written article, and one of the better ones, but it still assembles a story that contends merely talking about queer youth suicide informed by the trauma of bullying is itself a substantial public health risk. It sidesteps the material conditions and traumas that underwrite this loss of life by locating the problem as talking about these deaths. And, it ultimately calls for media to be “cautious in the way it presents bullying and suicides.”<sup>230</sup>

The difference between how GLSEN handled the September 2010 suicides and how media handled Harrington’s death in October 2010, illustrates a significant shift in how queer suicides were apprehended. GLSEN’s stance was a dual silence—they stopped commenting publically on the suicides, but also made no public mention of suicide contagion. Since I initially began this research, GLSEN has removed some of its statements and press releases surrounding anti-gay bullying and youth suicide, potentially in an additional attempt to curb the discussion of suicide and prevent suicide contagion. GLSEN’s actions offer a story of queer oppression leading to LGBTQ youth suicides, paired with the logic that identifies discussions of such suicides as spreading suicide amongst already-abused and vulnerable populations, thus, needing to be spoken of as sparsely as possible, while working to make

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<sup>229</sup> Allison Roy, “Experts: Coverage of Teen Suicides May Spark Contagion,” *The Northwest Indiana Times*, November 1, 2010, [http://www.nwitimes.com/news/local/illinois/experts-coverage-of-teen-suicides-may-spark-contagion/article\\_53fcad17-8f1e-518b-8249-8bfb2aca4fac.html](http://www.nwitimes.com/news/local/illinois/experts-coverage-of-teen-suicides-may-spark-contagion/article_53fcad17-8f1e-518b-8249-8bfb2aca4fac.html)

<sup>230</sup> Ibid.

educational conditions easier on queer youth. In less than a month, media offered a different narrative, one where queer oppression through bullying partially informed Harrington's suicide. But simultaneously, media accounts argued that discussions of his suicide would risk spreading suicide amongst already abused and vulnerable populations, and thus needed to be spoken of as sparsely as possible, if at all. By invoking the expertise of mental health professionals, the call for silence becomes its own kind of plea for queer livability—one conditioned on a decrease in public awareness.

The post-election 2016 moment echoed what happened in 2010, with an evolving list of trans suicides that within three days of the election had grown to 10 people, with websites offering names and biographical information of those we allegedly lost. But interestingly, just when Zach Stafford's original tweet about the eight trans suicides following the election began to catch fire, it was quickly deleted. It was replaced with a tweet that read, "as we continue to investigate the reported suicides, I've spoken w/ GLAAD and we feel it best to take down the original tweet. ...until families can come forward & we have better facts. Currently there is fear of suicide contagion due to the social media."<sup>231</sup> Echoing the logic of suicide as contagious that informed the reaction to the suicides of Fall 2010, Zach Ford from *Think Progress* furthered the narrative that talking about LGBT suicides was dangerous. Ford explained, "Suicide is, strangely enough, a phenomenon that can be 'contagious.' Hearing about suicide, especially when it's discussed in ways that suggest it's understandable — or even worse, inevitable — normalizes it and spreads what's known as 'suicide contagion,'

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<sup>231</sup> Zach Stafford, "Twitter Post," (November 10, 2016, 12:28 p.m.), <https://twitter.com/ZachStafford/status/796811858569216001>.



especially for those enduring similar hardships.”<sup>232</sup> Additionally, Nick Adams, director of GLAAD’s Transgender Media Program, asked for restraint in sharing stories of trans suicides after the election in an interview with *BuzzFeed News*. He explained, “it’s important that mainstream media outlets and people on social media do not spread incomplete or inaccurate information about suicides, as it can lead others to attempt self harm.”<sup>233</sup>

The particular anxiety surrounding “accuracy” and having “better facts” signals a few things. For one, it gestures to concerns about dismissability due to the veracity of claims. A generous read of this concern is that it reflects a desire to attend to the materiality of lives lost, although it does so through the ultimate call for silence. Additionally, the concern over sparking an epidemic of suicide among queer youth is being routed through the *reporting* of suicide. This is a Butlerian turn, where “suicide” becomes a performative utterance, ushering into existence that which it marks. For Butler, “Performativity must be understood not as a singular or deliberate ‘act,’ but, rather, as the reiterative and citational practice by which discourse produces the effects that it names.”<sup>234</sup> Here, it is the telling itself, the uttering of the word “suicide,” that sparks further deaths, whereas the narrative that attended this burgeoning epidemic when first reported was the danger Trump posed to trans existence. The evolution of the discourse surrounding trans and queer livability post Trump’s election goes from being informed largely by the threat the Trump administration poses to queer lives, to supplanted by the threat that reporting about suicide poses. The attempt to prevent reiteration and citation through calls to not report on these suicides employs a logic that it is the

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<sup>232</sup> Zack Ford, “The Real Threat of Suicide Contagion under a Trump Presidency,” *Think Progress*, November 18, 2016, <https://thinkprogress.org/suicide-contagion-election-e8f2bc2c09c6#.7mhiky76n>.

<sup>233</sup> Brown, “Stop Sharing News.”

<sup>234</sup> Butler, *Bodies that Matter*, 2.

utterance that is doing the effective labor—as in, producing the effect, meaning queer suicides.

On the heels of calling for restraint and the expressed concern about further deaths due to suicide, reports began to emerge that paired an ostensible ethics of care with delicate denials that were very much rejections of those materialities. Elizabeth Nolan Brown’s article for *Reason*, a libertarian magazine, makes plain such denial with her title, which reads, “Stop Sharing News that Trans Teen Suicides Spiked Post-Election—It’s Not Just Wrong, But Dangerous to LGBT Youth.” Her article was taken up by Jack Hadfield of *Breitbart*, a white-nationalist, far-right, American news network, to additionally argue that the trans suicides being reported on were unsubstantiated, that there were no “confirmed deaths,” and it used the statement made by Nick Adams of the GLAAD Transgender Media Program to call for not spreading the story of trans suicides spiking because of the election.<sup>235</sup> Within both articles, we have the logical equation: the problem, suicides; the cause, contagion; and the solution, the demand for silence that operates as a dismissal that defers and denies queer distress at the prospect of our worsening material conditions. It is also telling that this particular narrative espousing the falsity of reports of trans suicides and the need to never speak of them is most loudly taken up by ultra conservative political news sources, however, the content of the reporting and ultimate call for not spreading such news is remarkably similar to, if not identical to progressive news sources.

This problem-cause-solution trifecta—this narrative of suicide contagion that demands folks refrain from reporting on the possibility of queer lives lost due to suicide—is

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<sup>235</sup> Jack Hadfield, “‘Reason’ Editor: ‘Dangerous’ to Spread Unproven Internet Reports of Trans Suicides Spiking over Trump Win,” *Breitbart Tech*, November 15, 2016. <http://www.breitbart.com/tech/2016/11/15/reason-editor-dangerous-to-spread-unproven-internet-reports-of-trans-suicides-spiking-over-trump-win/>

representative of a common refrain from activist organizations and both progressive and conservative media reports. The danger is that, by locating the problem as suicide, rather than as the material conditions of social disposability (that is, the condition of being rendered sacrificable) that underwrite the profound lessened life chances afforded to queer populations, particularly for queer of color and Native queers, “suicide contagion” works to insulate the cause and structural support for those conditions from critique and collective objection. Rallying folks around suicide contagion to protect queers from the threat that talking about suicide ostensibly possesses runs the risk of missing the structuring conditions of queer attritionability (as in self-elimination) in response to the pervasive cultural enforcement of heteronormative teachings that queers shouldn’t exist.

Here, queer and suicide are woven together through the suicides of queer subjects. Within this dynamic, contagion becomes a mechanism that proffers suicide as infectious. In a short period of time, the deployments of queer suicide and suicide contagion shift. In summary, these shifts happen as follows:

- In April 2009 the coverage of Carl Joseph Walker-Hoover’s suicide highlights the damage of anti-gay bullying and his death becomes a rallying point for National LGBTQ advocacy groups like GLSEN.
- A little more than a year later, in September 2010, media reports rallied around queer youth suicides linked to anti-gay bullying. Due in part to Dan Savage’s “It Gets Better Campaign,” public consciousness of queer youth suicides and anti-bullying campaigns skyrocketed. Media reported extensively on this gay youth “suicide epidemic” and made rousing calls for change.

- Towards the end of September 2010, National LGBTQ advocacy groups like GLSEN step back their public featuring of queer youth that have died from suicide. Instead, behind the scenes they heed warnings of suicide contagion, and focus their efforts on making material changes in school districts with some of the highest numbers of attempted and completed suicides by queer youth due to anti-gay bullying.
- Media begins reporting on suicide contagion in specific relation to suicides due to anti-gay bullying at the beginning of October 2010 with Zachary Harrington's death. Reports of his suicide being a result of the homophobic vitriol he was subjected to at a city council meeting is met with suspicion about if bullying could truly cause one to commit suicide, as well as calls for media to not discuss his or the deaths of others because suicide is contagious.
- Flash forward to November, 2016 and the U.S. presidential election. Queer youth, particularly trans youth of color were distressed if not terrified by the prospect of a Trump-Pence presidency. After social media coverage of a spike in calls to suicide prevention and crisis intervention hotlines by queer populations and reports of 10 completed trans suicides, suicide contagion was evoked by progressive and conservative media sources as well as national LGBT justice leaders, not just for official media reports, but this time, individuals were called on to refrain from posting on social media to prevent the spread of suicide among scared young people.

This timeline reveals how the treatment of queer suicides goes through a process of finally being noticed on a national scale, reported on, objected to, and progressively silenced.

Initially, it was self silencing by a National organization that maintained its commitment to making schools safer, more livable places for queer youth; then became a call for media to

tread carefully; to a request for media silence; and ultimately to a plea for individuals on social media to stop sharing the story of the spike in trans suicides post election. What gets so painfully left out and obscured is how much more profoundly vulnerable queer populations were feeling in light of the then, newly elected administration.

This is the first relationship between queer, contagion, and suicide I wanted to highlight: where queer suicides become an avenue through which structural vulnerability, brutality, and lessened life chances are revealed in one moment, to be obscured and dismissed quickly through claims of suicide contagion the next. Contagion becomes that which squelches objections to the violence of bullying, moving queer suicide from that which the violence of the normative causes via the pervasiveness of bullying, and ushers it into that which is caused by merely reporting on or individually discussing suicides. The problem ceases to be bullying—it is not the violence that queer people and populations are subjected to, but rather the social ill to be avoided becomes the mere performative uttering of suicide as what ushers into being the future loss of queer lives.

Next I address a different formulation of *queer*, *contagion*, and *suicide* that as a formation naturalizes queer as contagious and elimination, attrition, and suicide, solutions.

### **Naturalizing Queer Contagion and Suicide its Solution**

Queers have often been associated with contagion. There is a history of understanding that to speak about queerness is to promote and create more queers. Hence, the long and arduous fights over representation, recognition, and documentation of queer existence that were and continue to be met with vigorous objections because to acknowledge queerness was

to spread it. In this section, I want to point us to some of the history of queer contagion. I use the term *queer contagion* to mark the way queerness as sexual and gender non-normativity has been routed through claims of being communicable and transmittable. The logic of homosexuality as infectious and a matter of recruitment and conversion was most clearly articulated in the United States by the famous 1970's anti-gay campaigner, Anita Bryant, who so vehemently campaigned for policies aimed at purging gay teachers from the classroom. Bryant explained, "As a mother, I know that homosexuals cannot biologically reproduce children; therefore, they must recruit our children."<sup>236</sup> This logic has fueled some egregious anti-gay policies and campaigns. However, it has also prompted some innovative rejoinders such as the Lesbian Avengers famous slogan, "We Recruit!"<sup>237</sup>

Discourses of queer contagion have also relied on and infused a sexualized racism and racialized sexuality that use the logic of contagion as part of a broader white settler nationalism. The dangers queers have and continue to pose get ushered into being through constructing queerness as a threat to whiteness (defined in part through proper hetero-cis-gender comportment) and synonymously, the settler state, and that is part of what informs calls for queer disposability. Here I am using "disposability" the way ethnic studies and comparative racialization scholars use it, in its comparative sense—as a way to mark who is constantly rendered as existing outside of the rights and protections mythologized as

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<sup>236</sup> As cited in Roger N. Lancaster, *Sex Panic and the Punitive State* (Berkeley: University of California Press, 2011), 42.

<sup>237</sup> Carrie Moyer, "Lesbian Avengers: We Recruit," *Greenwich Village History*, accessed March 19, 2017, <http://jonreeve.com/dev/gvh2/items/show/1230>.

universal; who is killed for whom; what populations are able to be eliminated through various means.<sup>238</sup>

There are several historical examples of this construction of the problem of queer as contagious, and elimination through attrition, the solution: from early settler colonial constructions of Native Nation's being not properly civilized enough to govern themselves because they were constructed as lacking hetero-conjugal familial formations;<sup>239</sup> to the Lavender Scare's racialized logics;<sup>240</sup> to the racist anti-immigrant application of anti-sodomy laws that disproportionately folded men of color and immigrant laborers into carceral proceedings.<sup>241</sup> The part of this trajectory I want to highlight in more depth though concerns the connection between: fears of queer contagion and attempts at elimination through both formal exclusion and informal promotion of the conditions of attrition. I draw here on the anti-gay teacher initiatives of the 1970's, hate crimes debates over queer inclusion, the Hayes Code, and a more recent sexual orientation gag rule education policy.

One of the more famous anti-gay initiatives from the 1970's was the "Save Our Children" coalition that brought together Anita Bryant, Jerry Falwell, and Pat Robertson, among others. The goal of their work was to overturn anti-discrimination policies and ordinances protecting gays and lesbians. Beginning in Florida, where they successfully repealed an anti-discrimination policy, this coalition of Christian Fundamentalists worked for

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<sup>238</sup> For more on disposability from a comparative racialization perspective, see Lisa Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: NYU Press, 2012).

<sup>239</sup> Rifkin, *When Did Indians Become Straight?*

<sup>240</sup> David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2006).

<sup>241</sup> Nayan Shah, "Policing Privacy, Migrants, and the Limits of Freedom" *Social Text* Fall-Winter 2005 23(3-4 84-85): 275-284.

repeals in different cities across the United States.<sup>242</sup> In California in 1978, they helped campaign for Proposition 6, a ballot measure that would require the firing of gay teachers as well as anyone who knew a teacher to be gay but did not report it. The ballot measure was defeated by a close margin of 58.4% opposed and 41.6% in favor. Prop 6's supporters rehearsed over and over a narrative that articulated fear of gay teachers recruiting young children into homosexuality because just knowing someone who is gay is the device by which queerness spreads.

The theme of queer contagion was so representative of the campaign that then state governor, Ronald Reagan, made public statements refuting the claim that homosexuality was communicable. He is quoted having said, "homosexuality is not a contagious disease like the measles. Prevailing scientific opinion is that an individual's sexuality is determined at a very early age and that a child's teachers do not really influence this."<sup>243</sup> Later when Reagan would become president, his administration's response to AIDS and queer suicide would entertain the logics of queer contagion and at the very least, a desire to be read as being invested in queer elimination if not a thorough commitment to queer disposability.

Debates over the mere acknowledgement that queers might be the targets of violence based on their queerness is another rich site of queer contagion and disposability rhetoric. For example, and there are so many, during the process of getting sexual orientation included as a category to be tracked in federal hate crime numbers in the 1990 Hate Crimes Statistic Act,

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<sup>242</sup> Stephen M. Engel, *The Unfinished Revolution: Social Movement Theory and the Gay and Lesbian Movement* (Cambridge: Cambridge University Press, 2001), 39; Stephen Engel, "Making a Minority: Understanding the Formation of the Gay and Lesbian Movement in the United States," in *Handbook of Lesbian and Gay Studies*, eds. Diane Richardson and Steven Seidman (London: SAGE, 2002) 385.

<sup>243</sup> Ronald Reagan, "Editorial: Two Ill-advised California Trends," *Los Angeles Herald-Examiner*, November 1, 1978.



conservative lawmakers wrote into law homosexuality aversions and gay caveats. Senators Jesse Helms and Orrin Hatch, in particular, worked to identify sexual orientation, in general, and homosexuality in particular as something that the federal government should not protect.<sup>244</sup> While Helms' proposed additions were never successful, Senator Hatch was able to get language incorporated into the law that clarified over and over that sexual orientation in no way was a category protected from discrimination or violence. In their reading of the bill, Amy Brandzel, points out that at the end of the Hate Crime Statistics Act is a "heterosexual manifesto." It reads:

Sec. 2 (a) Congress finds that—

The American family life is the foundation of American society;

Federal policy should encourage the well-being, financial security and health of the American family;

Schools should not de-emphasize the critical value of American family life.

Nothing in this Act shall be construed, nor shall any funds appropriated to carry out the purpose of the Act be used, to promote or encourage homosexuality.<sup>245</sup>

Here, literally the act of counting, of aggregating a numerical tally of hate crimes thought to be motivated by sexual orientation was precariously close to allowing queer people to count as people deserving of inclusion within hate crime protections and thus needed caveating.

Hate crimes data and protections are admittedly complicated. They serve to manage rage at state violence by individualizing perpetration, but also offer a blunt tool by which to identify and challenge state, police, prison, and vigilante violence. My goal here is neither to valorize or demonize hate crimes law or activism. Instead, I am pointing to the way queer inclusion within an incorporable protectable class is interpreted as so threatening to white-

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<sup>244</sup> Brandzel, *Against Citizenship*, 55.

<sup>245</sup> *Ibid.*

American-Nationalism that it required a legal stipulation recodifying the hetero-normativity of America. The anxiety over queerness was clear and the attempts to eliminate queerness from our collective cognitive apprehension as that which might be subjected to violence, in a way that might suggest it was objectionable, led to the legal assertion of the American family as requiring preservation, while homosexuality was needing negation and undermining. The debates and eventual legal language reveal the ongoing anxiety about queerness as contagion as well as the desire to foreclose discussions of structural violence against queer people and populations.

The anxiety surrounding queer contagion also permeated the regulations governing the production of films in the U.S. from 1930-1967.<sup>246</sup> In 1930, the Motion Picture Association of America formally adopted the Production Code, also referred to as the Hays code, which governed what narratives and portrayals reached American audiences.<sup>247</sup> Within 4 years of its adoption, it began being strictly enforced. Among other things, the code required honoring the “sanctity of the institution of marriage,” and stipulated there could be no positive representations of “low forms of sex” or, of course, “sex perversion.”<sup>248</sup> Thus, according to activist and film historian Vito Russo, ideally films would offer no depictions of

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<sup>246</sup> While the official code was implemented in 1930, the conditions that gave rise to the code started earlier first with the 1915 Supreme Court ruling in *Mutual Film Corp. v. Industrial Commission of Ohio* that established films were not covered by First Amendment protections, then there was the 1922 formation of the Motion Picture Producers and Distributors of America (MPPDA) which was a response to the increasing calls for censorship of motion pictures. Will Hayes was chosen as the leader of the association. By 1927 Hayes issued a list of things to be avoided and to be leery of in films which is a partial basis of what would eventually become the 1930 “Code to Maintain Social and Community Values” known also as “The Production Code” or “Hays Code.”

<sup>247</sup> Thomas Doherty, *Hollywood's Censor: Joseph I. Breen and the Production Code Administration* (New York: Columbia University Press, 2007).

<sup>248</sup> Geoffrey Shurlock, “The Motion Picture Production Code,” *The Annals of the American Academy of Political and Social Science* 254 (1947): 140-46.

queers at all, but if there was any portrayal, it could not provoke sympathy. The queer had to be pathetic, sad, unattractive, and suicidal.

Rob Cover, an interdisciplinary queer youth suicide scholar adds that when the code was overturned in the 1970's the repetition of the suicidal gay continued in film and television for decades.<sup>249</sup> The fear of queer contagion continued to be routed through the inevitability and necessity of depictions of queer suicides even after the code no longer formally required such. This is also a very dominant theme in 20<sup>th</sup> and early 21<sup>st</sup> century literature and television. One report on lesbian representation on television completed in 2016 explained that there have been at least 175 lesbian and bisexual women characters that have died on television shows dating back to 1976.<sup>250</sup> The lesson being, there could be no future for queers, by design.

Another version of queer contagion that works to sanction queer attrition can be found in one of Minnesota's public school policies. In the 1990's the Anoka-Hennepin School District, which covers schools from Minneapolis to St. Paul adopted a policy that was officially known as the "Sexual Orientation Curriculum Policy," but colloquially became known as the "No-Homo-Promo" policy.<sup>251</sup> The policy placed what some interpreted as a "gag order on staff" at the district's schools that served just under 40,000 students.<sup>252</sup> The policy not only prevented faculty, administrators, and staff from teaching about LGBT

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<sup>249</sup> Rob Cover, *Queer Youth Suicide, Culture and Identity: Unliveable Lives?* (Burlington, VT: Ashgate, 2011).

<sup>250</sup> "All 175 Dead Lesbian and Bisexual Characters On TV, and How They Died," last modified March 11, 2016, accessed January 10, 2017, <https://www.autostraddle.com/all-65-dead-lesbian-and-bisexual-characters-on-tv-and-how-they-died-312315/>.

<sup>251</sup> Scott Woledge, "Major Victory in Anoka-Hennepin School District Bullying Lawsuit," *Daily Kos*, March 11, 2012, <http://www.dailykos.com/story/2012/3/11/1072927/-Major-victory-in-Anoka-Hennepin-school-district-bullying-lawsuit>

<sup>252</sup> Woledge, "Major Victory."

people, history, and promoting tolerance,<sup>253</sup> but according to some interpretations and school cultures, it banned school employees from intervening at all in homophobic and transphobic bullying<sup>254</sup> by requiring that “Anoka-Hennepin staff, in the course of their professional duties...remain neutral on matters regarding sexual orientation.”<sup>255</sup> The requirement of “neutrality” fostered a climate of non-intervention in anti-gay bullying.

By 2011, this neutrality policy had created what Minnesota state public health officials were calling a “suicide contagion area.” In just two school years (from 2009-2011) nine teenage students had died from suicide and far more had attempted to kill themselves. When officials made attempts early on to stop the escalating number of young people taking their own lives, conservative officials reportedly prevented “an effective response to the crisis” and instead helped fuel “a climate of intolerance that allowed bullying to flourish.”<sup>256</sup> Michele Bachmann, the District’s Representative, treated public schools much like her homophobic predecessor Anita Bryant, as a staging ground for battling the “homosexual agenda.” When asked about the suicides of gay students linked to anti-gay bullying, Bachmann said on separate occasions that (1) bullying and suicides are problems, and (2) that gay suicides are “not a federal issue.”<sup>257</sup> These responses are significant on their own, but

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<sup>253</sup> “About Us: Welcome to the Anoka-Hennepin School District,” accessed May 20, 2017, <http://www.ahschools.us/domain/74>.

<sup>254</sup> Jane Doe, et al., and United States of America v Anoka-Hennepin School District No. 11, et al., and E.R. Quana Hollie and United States of America v Anoka-Hennepin School District No. 11, et al., 2012 MN. NO. 11-cv-01999-JNE-SER

<sup>255</sup> “Sexual Orientation Curriculum Policy.” Anoka-Hennepin School District No. 11 Coon Rapids, MN. [http://i2.cdn.turner.com/cnn/2011/images/07/18/604.11\\_sexual\\_orientation\\_curriculum\\_policy.pdf](http://i2.cdn.turner.com/cnn/2011/images/07/18/604.11_sexual_orientation_curriculum_policy.pdf).

<sup>256</sup> Stephanie Mencimer, “The Teen Suicide Epidemic in Michele Bachmann’s District,” *Mother Jones*, July 25, 2011, <http://www.motherjones.com/politics/2011/07/michele-bachmann-teen-suicide>.

<sup>257</sup> Jessica Lussenhop, “Michele Bachmann Responds to Anoka-Hennepin Suicides Without Addressing Gay-Bullying,” *City Pages*, October 4 2011,

are even more telling when paired together. Bachmann's first response marks bullying and suicide as significant, that is, as long as they are rhetorically unmoored from queerness. Bachman was asked directly about the suicides of gay students due to anti-gay bullying. Her refusal to acknowledge that it is gay students that are dying and that it is anti-gay bullying that is causing these deaths works to obscure both the *who* and the *why* of this supposed epidemic. And, thus it is her second stipulation that can be read to suggest that bullying and suicide are not problems to be solved, but rather solutions in themselves to the problem of the gay student's existence. The position that these deaths are not a federal issue is not just an attempt at preventing the U.S. Department of Justice and the Department of Education's Office of Civil Rights from getting involved and enforcing federal anti-discrimination law, rather, it is an endorsement of queer attrition through suicide contagion. It is a tacit sanctioning of gay and trans death by maintaining neutrality in the face of anti-gay bullying.

The anti-gay initiatives of the 1970's, some of the hate crimes debates, the Hays Code, and educational neutrality policies that are far from neutral offer diverse strategies and sites for dealing with anxiety about queerness. But what they all have in common is that they reveal a logic wherein queerness is a threat and attrition, the solution. Through various modes of attrition from explicit exclusion in the 1970's "Save Our Children" campaigns, to the continued demonization of homosexuality in hate crimes law, to the production code banning reference to queer existence and the enforcement of suicide as obligatory, to a futuristic echo of Anita Bryant's earlier attempts at purging the schools of queer teachers, only this time it is gagging the teachers and letting other students purge the school of the queer kids, in every case queerness becomes that which is to be eliminated. In this way, the threat of queer

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<http://www.citypages.com/news/michele-bachmann-responds-to-anoka-hennepin-suicides-without-addressing-gay-bullying-6554160>.

contagion from Anita Bryant's campaign is a specter that haunts the present halls of public schools. It is as if the queer contagion is no longer the adult queer subject recruiting children. It is as if the queers of yesteryear succeeded in their efforts. The era of the queer kids are upon us, and having successfully recruited youth into queerness, it is no longer youth that need universal protection, but rather queer youth that are the targets of elimination as a culling of the herd for proper hetero conjugal futures.

So far, I have talked about two ways queer, contagion, and suicide are connected. The first, from the recent election, and the second form, more policy driven. What these first two forms of *queer*, *contagion*, and *suicide's* articulation reveal are two seemingly competing discourses wherein one offers, in the moment of the election (as well as some of its earlier instantiations), queerness working to become that to which sympathy should be afforded, and depicting suicide, the problem; while the other, reveals sympathy toward queerness the problem, thus depicting suicide the solution.

While the constructions of contagion surrounding the election seem benign, if not benevolent, it is actually a repetition of queer disposability. The motor of aversion at play in both deployments of contagion in which the affective response to be managed is sympathy—towards queerness in the classroom, hate crime data gathering, and queer representations in film; and towards understanding the conditions that queer suicides protest in that post election moment—regulates and regularizes queer disposability. This happens through the representational enforcement of queer attrition, demonization, and quite literally, queer deaths as inevitable and desirable; and, it forces a choice between the immediacy of preventing the looming threat of more deaths with the desire to honor those that have already

happened, the undergirding reasons for them, and the hope that those conditions of normative violence will be disrupted, and queer lives made more livable.

It might seem odd, but I want to turn to Spivak for a moment. At the end of the original “Can the Subaltern Speak,” Spivak points readers to the story of Bhubaneswari Bhaduri and her suicide; the conditions of her death insisted on a reading that defied normative patriarchal colonial dismissability, “speaking” in a way that her subalternity otherwise precluded.<sup>258</sup> In Spivak’s revised version of that same essay, she laments how seemingly easy it was for present day family members to deny Bhaduri’s protest, and ultimately participate in “muting” her speaking. In Spivak’s closing words of that essay, she explains that in light of her granddaughter’s multicultural capitalist and nationalist achievements being celebrated by her family, Bhaduri “hanged herself in vain.”<sup>259</sup> Spivak calls for attending to the conditions her suicide protested. With Spivak’s request to hear and respond to such protests against patriarchal, colonial, nationalism’s violences, narratives of contagion—whether it be suicide contagion or queer contagion—can’t be permitted to foreclose the conversation. It requires attending to structural and systemic oppression like the racialized, gendered, colonial violences informing conditions of queer disposability.

For example, take the following conditions of disposability, just to name a few that risk being obscured and denied should we heed warnings of suicide contagion. There is:

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<sup>258</sup> Spivak, “Can the Subaltern Speak?”

<sup>259</sup> Gayatri Chakravorty Spivak, “Can the Subaltern Speak?,” in Rosalind C. Morris, ed., *Reflections on the History of an Idea: Can The Subaltern Speak?* (New York: Columbia University Press, 2010) 66.

1. Trans of color vulnerability to state violence with the ever growing escalation of trans women of color murdered;<sup>260</sup>
2. Lesbian, Gay, Bisexual and Transgender youth make up 40% of the houseless youth population, but only 7% of the general youth population;<sup>261</sup>
3. The disproportionate number of suicide attempts by trans and gender non-conforming folks which according to the *National Transgender Discrimination Survey* data as analyzed by The Williams Institute is over 40% with the highest incidence occurring in Native queer populations with 56% having attempted suicide, while making up only 4.6% of the general population;<sup>262</sup>
4. Incarceration rates are also disproportionate, 5% of the general populous have spent time incarcerated; that number increases to 10% for LGBT people, and 21% for trans women. For Juvenile Detention the numbers are equally outrageous. 8% of youth have been detained, while 20% of LGBTQ and Gender non-conforming have, and girls who identify as LGBTQ are even higher with research finding between 40-60%. Those rates are informed in part by state/police/prison treatment where “lewd conduct” arrests and walking while trans leads to solicitation charges and once incarcerated, as Regina Kunzel explains, folks get increased sentences and additional charges for queer activity, some are even outted to their families by

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<sup>260</sup> Jason Le Miere, “Transgender Murder Statistics Show Why ‘Protect Trans Women’ Day Is Necessary,” *Newsweek*, March 15, 2017, <http://www.newsweek.com/transgender-murders-protect-trans-women-568558>

<sup>261</sup> “Our Issue,” *TrueColorsFund*, accessed May 20, 2017, <https://truecolorsfund.org/our-issue/>.

<sup>262</sup> Ann P. Haas, Philip L. Rodgers, & Jody L. Herman, “Suicide Attempts Among Transgender and Gender Non-Conforming Adults: Findings of the National Transgender Discrimination Survey,” *The Williams Institute*, January 2014, <https://williamsinstitute.law.ucla.edu/wp-content/uploads/AFSP-Williams-Suicide-Report-Final.pdf>.



prison authorities which can eliminate their support network once paroled and lead to additional convictions later for crimes of survival;<sup>263</sup>

5. The rate of sexual violence trans folks are subjected to, which according to *Forge: The Transgender Sexual Violence Project* has been reported at a rate of 50-66%, with 73% of those folks experiencing multiple sexual assaults, the top 35% occurring more than 5 times;<sup>264</sup>
6. And some of the highest rates of poverty and houselessness.<sup>265</sup>

Labels like “cluster suicide,” “copycat suicide,” and “suicide contagion” work to obscure these conditions. They foreclose rather than open conversations about the material conditions of intersecting normativities that so profoundly lessen the life chances of queer people, particularly trans people of color and trans Native people. Suicide contagion as a concept is dangerous. It defers and denies the structural violence informing these suicides. What gets

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<sup>263</sup> Bianca D. M. Wilson, Sid P. Jordan, Ilan H Meyer, Andrew R. Flores, Lara Stemple, and Jody L. Herman, “Disproportionality and Disparities Among Sexual Minority Youth in Custody,” *Journal of Youth and Adolescence* (2017): 1-15. doi:10.1007/s10964-017-0632-5; Regina Kunzel, *Criminal Intimacy: Prison and the Uneven History of Modern American Sexuality* (Chicago: University of Chicago Press, 2008).

<sup>264</sup> Michael Munson and Loree Cook-Daniels, “Transgender Sexual Violence Survivors: A Self Help Guide to Healing and Understanding,” *Forge: Transgender Sexual Violence Project*, September 2015, <http://forge-forward.org/wp-content/docs/self-help-guide-to-healing-2015-FINAL.pdf>; Michael Munson and Loree Cook-Daniels, “A Guide for Partners and Loved Ones of Transgender Sexual Violence Survivors” *Forge: Transgender Sexual Violence Project*, March 2016, <http://forge-forward.org/wp-content/docs/partners-guide.pdf>.

<sup>265</sup> Movement Advancement Project, National Center for Transgender Equality, Transgender Law Center, and in partnership with GLAAD, “Understanding Issues Facing Transgender Americans,” July 2016, <http://www.lgbtmap.org/file/understanding-issues-facing-transgender-americans.pdf>; Movement Advancement Project, Center for American Progress, in partnership with Center for Community Change, The Center For Popular Democracy, National Association of Social Workers, National Center for Transgender Equality, Transgender Law Center, National Education Association, “Paying An Unfair Price: The Financial Penalty for Being Transgender in America,” February 2015, <http://www.lgbtmap.org/file/paying-an-unfair-price-transgender.pdf>.

lost when queer suicides, particularly the deaths of trans youths of color, go un-marked and un-reported is the objection to structural violence. So, while some theorists remain invested in “contagion” as an explanatory matrix, I am not just reticent but actively opposed to such frameworks—they are dangerous.

The power of anti-bullying discourses to foster outrage seem only able to be overcome through the pairing of contagion logics—both suicide contagion and queer contagion come together to chip away at the political power of this bullied subject on whose behalf liberation is being sought. The queer youths whose lives were lost due to suicide from 2010 caught media and national attention in the United States but the trans suicides of 2016 were quickly foreclosed from similar attention by seemingly benevolent calls to protect queer youth from the threat of suicide contagion, proffered by the very white nationalist media sources who are otherwise so willing to render queer peoples disposable. Ultimately, queer contagion and suicide contagion have garnered more power than anti-bullying discourses because the contours of this formation in which the bullied subject is a queer subject has meant that the queerness of the bullied subject has made its recuperability far less thorough, and one tied to an ongoing disposability.

In summary, the logics that weave together queerness, contagion, and suicide offer a triple horizon: there is the one where the mere mention of trans suicides becomes the prologue to an epidemic, so there can be no discussion or mention of these deaths nor their conditions of possibility; there is the one where queer is so undesirable and contagious it gets resolved through various kinds attrition and elimination; and finally, there is a version of queer—as in scary, anti-normative, provocative—that has the potential to spark and center liberation as contagious.

I've addressed the first two—suicide as contagious and queerness as contagious—so I want to end with the last in which objections to queer disposability are contagious.

### **Hope for a Better Future**

Since I started in the present, I want to end in the past with a longing for a future. While contagion operates through including investments in white hetero-nationalism, and regulating and managing queer existence, it also contains emancipatory tools that refuse silence and insist on action. If the logics, anxieties, and desires that produce queer suicides as problems continue to demand attention then there is profound hope for queer futures. I say this knowing that calls for futurity are dangerous. They can so easily postpone justice by deploying a tomorrow, a future horizon of justice to cajole enduring ongoing injustice. It's a dirty trick. Like when suicide contagion uses futurity to silence discussion of material conditions that drive queer youth to suicide by manipulating a future prediction of more death if national organizations, media, and even individuals on social media discuss queer suicides due to bullying. But there is still a hope for a livable future not based on silence, white nationalism, or comportment to normativity. Rather, in amongst the logics and desires that link together suicide, queerness, and contagion is a hope that intervenes in suicides due to anti-gay bullying using the adversarial, scary caustic glory of queer politics.

I offer two stories: The first is from 2005 when the Suicide Prevention Resource Center organized a conference funded by the Substance Abuse and Mental Health Services Administration. Appointees of then President Bush's Administration asked that the words, "gay," "lesbian," "bisexual," and "transgender" be removed from conference proceedings,

which was all the more outrageous given the conference title was “Suicide Prevention Among Gay/Lesbian/Bisexual/Transgender Individuals.” While there was no requirement to change the content of the conference per se, Bush’s appointees demanded that the particular focus on GLBT suicide not be formally acknowledged, or the Substance Abuse and Mental Health Services Administration would withdraw funding for the conference. The Administration would continue funding it if the title were changed to “Suicide Prevention in Vulnerable Populations” and if, and only if, all GLBT terminology were removed from the descriptions. Barney Frank’s quick and loud objections as well as a deluge of objections and protests insisting on leaving the title and language as it was got the Substance Abuse and Mental Health Services Administration to buckle. The conference was allowed to proceed with the original language intact due in large part to queer organizing and activism that insisted on marking queer suicides as queer and a problem.<sup>266</sup>

Second, is an action taken by the Massachusetts branch of the Aids Coalition To Unleash Power usually known through its acronym as ACT UP. ACT UP was born out of the 1980’s fight against government actions and inaction during the rise of the AIDS epidemic. This group is most famous for their direct actions, campy irreverent iconography, campaign slogans like “silence = death,” and equating the targeting of gay men during the holocaust with the government allowing droves of gay men to die of AIDS when they had medications that could have helped save lives.<sup>267</sup>

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<sup>266</sup> W.C. Harris, *Queer Externalities: Hazardous Encounters in American Culture*, (New York: SUNY Press, 2009) 92.

<sup>267</sup> ACT UP, “ACT UP Accomplishments and Partial Chronology,” Last updated on December 31, 2014, <http://actupny.com/actions/index.php/the-community>; New York Public Library, “ACT UP New York Records,” <http://archives.nypl.org/mss/10>.

In the wake of the gay suicides of 2010, ACT UP's queer youth caucus named "Save our Children," in a wonderfully queer, adversarial citationality, engaged in a lobbying and direct action day at the state legislature. Some testified on the floor of the legislature and lobbied individual lawmakers. Others, mostly queer youth, used the in-your face artistry many have come to expect of ACT-UP; they staged die-ins and walked the halls of the state legislature with their wrists exposed, adorned with fake blood. These activist theatrics were designed to force lawmakers to confront the deadly consequences of their actions and inactions. Weaponizing queer youth suicide, young people demanded that action be taken to make queer lives more livable, literally throwing their bodies on the steps of the capital, and at the feet of lawmakers to signify the ever climbing death toll and their refusal to be silent about it.<sup>268</sup>

Queer youth were demanding a queer future. Not the kind of futurity premised on an always deferred horizon of justice aimed at maintaining a violent colonial present, like what Povinelli warns us about.<sup>269</sup> Nor is it the kind of always already hetero-reproductive white nationalist neoliberal future in which the youth, but most powerfully the young girl figure needs protection from the corruption of the scary brown queers that Lauren Berlant so brilliantly refuses<sup>270</sup>—as it was queer youth of color that were performatively bearing their wounds, chanting "silence equals death" and wearing shirts that proclaimed, "fear this queer" both slogans drawn from earlier ACT UP actions from the 1980's, but bearing both its historicity and its new contextual meaning.

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<sup>269</sup> Elizabeth Povinelli, "Governance of the Prior," *Interventions* 13, no. 1 (2011): 13-30; *Economies of Abandonment: Social Belonging and Endurance in Late Liberalism*, Durham: Duke University Press, 2011.

<sup>270</sup> Lauren Berlant, *The Queen of America Goes to Washington City: Essays on Sex and Citizenship*, (Durham: Duke University Press, 1997).

They insisted on a future. Their rallying as a collectivity under the banner of “Save Our Children” offered a different relationship to queerness, contagion, and suicide. Instead of proffering queers as a threat to the existence of children, and thus needing to be eliminated, their action revealed the material conditions of the racial state and presumptive disposability of queer youth, thus positioning queer youth particularly queer youth of color as needing to be saved—and saved now, not tomorrow, not through not talking about queer suicide, but through an insistence on caustic, in-your face, brutal, honest, oppositional, adversarial, angry, bloody queerness.

By artistically bearing their wounds on their bodies during the action and demanding the racialized settler police/prison/state violences that lawmakers so often codify be interrupted in the present, queer youth were using contagion differently. It refused the benevolent paternalism of concerns over suicide contagion. It weaponized suicide to insist on changes that increase queer life chances. It demanded intersectional queer lives be made more livable. It demanded, not just sympathy, but outrage. It offered queer lives as mournable, not through loss narratives based in comportment to some normative life trajectory, but through calling for queer lives to be made livable, in which the terms of livability are the interruption of state violences. In other words, this emphatic queer futurity made livability, rather than disposability contagious.

*Queerness, contagion, and suicide* work as floating entities able to be disaggregated and recombined for various political purposes, functioning together as a vector through which anxieties, desires, and investments about heteronormativity, white nationalism, and normative citizenship play out. The centering of suicide contagion in both liberal and white nationalist discourses that seemingly offer a form of benevolent investment in preventing

more future queer suicides is only made possible through the deferral and denial of ongoing structural violence, brutality, and lessened life chances faced by queer populations, particularly trans populations of color. That occlusion works because it appears invested in saving queer lives, but it is always the eventual ultimate horizon of futurity in which queer lives are livable but premised on a present in which their deaths are unmournable. This is paired with a form of queer contagion which could too easily be considered a formation of the past in which queerness was a catchable disease and its cure, some form of elimination. That progress narrative is dangerous. As I have suggested, queer attrition is not merely located in the regulations of cinematic representation or the homophobic campaigns of the 1970's; rather, it continues to influence school districts policies around sexual orientation, like that in Minnesota, and shape how claims of suicide contagion foster silence in the face of heteronormative violence. When we confront these sources of material and structural violences that inform queer suicides it requires locating them as part of a long normative process of queer elimination, one that is not relegated to a past, but is instead ongoing. Suicide functions as that which is to be prevented while also functioning as that which is to be encouraged. Queer suicide becomes both problem and solution. The sutures that weave together *queerness*, *contagion*, and *suicide* in the formation of the bullied suicidal queer young person registers the paradoxical effects of futurity. When it comes to the choice of our ability to mourn and organize for change in the present or risk more deaths in the future, it is a false choice. It is not an either or. We get to do both—mourn, organize, and make our collective queer existence more livable.

## CHAPTER 5

### Afterword

#### By Means of a Term

Technology has changed our universe. But like anything that is powerful, it can have a bad side. We have seen these already. As adults, many of us are able to handle mean words, even lies. Children and teenagers can be fragile. They are hurt when they are made fun of or made to feel less in looks or intelligence. This makes their life hard and can force them to hide and retreat. Our culture has gotten too mean and too rough, especially to children and teenagers. It is never OK when a 12 year old girl or boy is mocked, bullied, or attacked. It is terrible when that happens on the playground. And it is absolutely unacceptable when it is done by someone with no name hiding on the internet. We have to find a better way to talk to each other, to disagree with each other, to respect each other. We must find better ways to honor and support the basic goodness of our children, especially in social media. It will be one of the main focuses of my work if I'm privileged enough to become your First Lady.

—Melania Trump<sup>271</sup>

The political economy of anti-bullying discourses was on display during the 2016 United States presidential campaign. In mid-October the Hillary Clinton campaign released an ad comparing Donald Trump to bullies from popular movies like Johnny from *The Karate Kid*, Biff from *Back to the Future*, Nurse Ratched from *One Flew Over the Cuckoo's Nest*, Scut Farkus from *A Christmas Story*, and even Regina George from *Mean Girls*. In the ad, dialogue from the movies are spliced with video of Donald Trump performing similar

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<sup>271</sup> Julia Zorthian, "Read Melania Trump's Campaign Speech Addressing Cyberbullying," *Time* November 3, 2016, <http://time.com/4557033/transcript-melania-trump-campaign-speech/>.



statements at rallies during his campaign. The second half of Clinton’s ad features a young girl as an audience member asking Clinton what she’ll do about “people who want to be mean and all this bullying.” After some prompting by the candidate, the young girl shares her experience of being bullied at school. In the ad, Clinton calls for more “love and kindness.” Gesturing to the young girl that asked the question, Clinton praises her braveness and explains, “That’s why it’s important to stand up to bullies wherever they are, and why we shouldn’t let anyone bully his way into the presidency.”<sup>272</sup>

Clinton’s official ad came on the heels of the National Education Association, the largest teachers union in the United States, running ads in nine swing states at the beginning of October 2016 that featured children telling viewers about their experiences with being harassed by other students parroting statements made by Trump.<sup>273</sup> In the ad, Trump’s infamous anti-Mexican immigrant rant about how, “They’re bringing drugs. They’re bringing crime. They’re rapists” plays while a young Latino student shares his experience of being harassed. Another student discusses being bullied for being Muslim while Trump’s promise of “a total and complete shutdown of Muslims” plays in the background. Another student with the same disability as the reporter that Trump mocked explains how much Trump’s actions hurt him. And a young girl remarks on Trump’s harsh statements about women. The ad dubs the climate of cruelty that Trump’s speech has promoted in schools across the United States as the “Trump Effect.” The ad contends, through the testimony of young people, that

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<sup>272</sup> Maxwell Tani, “Hillary Clinton Releases New Ad Comparing Donald Trump to Famous Pop Culture Bullies” *Business Insider* October 17, 2016, <http://www.businessinsider.com/hillary-clinton-donald-trump-bully-biff-regina-george-mean-girls-2016-10>.

<sup>273</sup> Lauren Camera, “Teachers Tout ‘Trump Effect’ in New Anti-Bullying, Pro-Clinton Ads,” *U.S. News & World Report* October 4, 2016, <https://www.usnews.com/news/articles/2016-10-04/teachers-tout-donald-trump-effect-in-new-anti-bullying-pro-clinton-ad-campaign>

Trump has made it okay to be racist. That it is, “Okay to do it. That there’s no consequences anymore.” The ad ends with the statement that “it’s terrible that Trump has made that okay,” and the text, “Our children are watching.”<sup>274</sup>

Just four days before the election, Melania Trump gave a speech about cyberbullying in which she called for everyone to “find a better way to talk to each other, to disagree with each other, to respect each other...to honor and support the basic goodness of our children, especially in social media.” This, she promised, would be one of her main issues should she become First Lady. A study done a year after the election found that President Trump has continued to fuel bullies with material. Albert Samaha, of *BuzzFeedNews* analyzed reports submitted to the “Documenting Hate Project,” a website designed to gather data about hate, harassment, and bullying. According to Samaha, children are continuing to quote President Trump to bully their school mates. As Samaha’s analysis of the many hate incidences reveal, Trump’s presidency has “left educators struggling to navigate a climate where misogyny, religious intolerance, name-calling, and racial exclusion have become part of mainstream political speech.”<sup>275</sup> In this narrative, it is the very mainstreamness of this discourse that allows children to defend the bullying of their classmates with the argument that if the president can say violently racist, xenophobic, ableist, and sexist things, so can they.

The major body chapters of this dissertation have focused on what inclusion within the category of the bullied does—particularly the kinds of violence it manages to do. As I’ve discussed, being hailed as a member of a bullied population can function as a vehicle for

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<sup>274</sup> “Powerful Clinton Ad: The Trump Effect,” YouTube video, 1:17, posted by “All Political Ads,” November 2, 2016, <https://www.youtube.com/watch?v=h-znnMQPMtE>.

<sup>275</sup> Albert Samaha, “Kids Are Quoting Trump to Bully Their Classmates And Teachers Don’t Know What to Do About it” *BuzzFeedNews*, June 6, 2017, [https://www.buzzfeed.com/albertsamaha/kids-are-quoting-trump-to-bully-their-classmates?utm\\_term=.jqBr1oYGMd#.taYORZYBoz](https://www.buzzfeed.com/albertsamaha/kids-are-quoting-trump-to-bully-their-classmates?utm_term=.jqBr1oYGMd#.taYORZYBoz).

producing and organizing subjects, for forging frameworks for state actors and actions, and participating in normative citizenship's legitimation. I have attempted to build on scholarship that explores not just how non-normative subjects are excluded, but how they are included and made complicit in normative citizenship projects. This focus on what inclusion obscures, what subjects it hails, and who it renders complicit are important lines of inquiry as they push our politics to be more accountable to our best aspirations for justice. But in this conclusion I turn to the question of exclusions and legibility.

What does exclusion from the category of bullying do? What forms of violence get excluded from recognition when denied legibility under the moniker of bullying? What subjects imperiled by violence that might be understood as bullying victims, get precluded from that understanding because of the position of their perpetrator and the ways the violence they are subjected to have been justified and naturalized? Bullying thus offers a critical and contested analytic link between the constitution of a victimized subject and a barbarous abjected other whose social value is their disposability. In light of the ability of anti-bullying discourses to be weaponized in a national presidential campaign to tell a story of formal anti-bullying politics while so thoroughly terrorizing so many, can legibility under the rubric of anti-bullying discourses be leveraged on behalf of those subjects whose social disposability is so thorough?

There is a lot at stake in calling various forms of intersectional violence "bullying." For example, C. J. Pascoe warns that a move to absorb aggressive behavior under the bullying umbrella disaggregates it from systems and structures of "inequality and sexualized

power.”<sup>276</sup> Pascoe explains it also risks relegating violence to the realm of youth, “framing it as something in which adults play no role,” hold no responsibility, and allows trite claims of it get’s better to absolve adults of the responsibility to make it better. What the 2016 presidential campaign deployments of bullying and anti-bullying rhetoric suggest is these are less of a concern. The bullying label can be effectively deployed to link individual behaviors and statements to broader social themes of inequality, as happened in the National Education Association ad. It can also be attached to adults, both fictional movie characters like Nurse Ratched and Donald Trump. I’m less concerned with the ways bullying as a moniker might fall short on these fronts and more troubled by the inability of the bullying label to overcome the social devaluation of populations, those forgotten, ignored bullied subjects—those subjects not afforded aggrieved status, whose victimization is rendered less legible as a case of bullying because of their presumptive and enforced disposability.

Here, I’m wondering what of the young Muslim student, racially profiled as a terrorist and removed from school and arrested by police for making a home made clock? What of the Native student, subjected to constant genocidal imagery as part of the everyday negotiation of their campus climate? What of the young black woman body slammed and arrested by a school resource officer during class for being “disruptive”? What of the child of immigrants living in a constant state of fear that today is the day their undocumented parents will not come home because they have been deported? What of the sexual assault survivor forced by the state to get permission from their rapist to get an abortion because of parental consent laws? While the Clinton campaign’s Trump Effect ad made concrete the impact

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<sup>276</sup> C. J. Pascoe. “Notes on a Sociology of Bullying: Young Men’s Homophobia as Gender Socialization,” QED: A Journal in GLBTQ Worldmaking 1, no. 1 (2013): 98. 87-104.

Trump's rhetoric was having on young people, what gets ignored are the formal policies and lessened life chances non-normative people and populations are subjected to under normative citizenship apparatuses and perhaps with increased recognition under the bullying label those structural violences will be even more insulated from critique.

Of course there is a desire for violence to be intervened in. But bullying as a framework is not a strong enough marker for understanding social violence and privation; bullying does not have the strength to overcome the thoroughly ingrained differential valuation of subjects. Citing Grace Hong, Lisa Marie Cacho cautions that "the allure of legibility is undeniably difficult to resist," but calls for the "dismembering of social value by refusing 'the lure of legibility.'"<sup>277</sup> Being afforded status as an aggrieved subject is still contingent. All the normative mechanisms of social valuation come to bear to maintain a necropolitical relationship of disposability. The number of negated persons and forms of intersectional violence denied legibility under a framework like "bullying" suggests the issue is not one of bullying. Rather, it is the enforced attrition of persons, often premised on and through the normative terms of inclusion and legibility.

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<sup>277</sup> Cacho, *Social Death*, 31.

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