

NO LONGER A FOOTNOTE: UNDERSTANDING THE
PERSPECTIVES OF BLACK WOMEN SURVIVORS OF INTIMATE
PARTNER VIOLENCE ON THE CRIMINAL LAW SYSTEM
THROUGH *SISTERING* METHODOLOGY

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ABSTRACT

The voices and experiences of Black women survivors of Intimate Partner Violence (IPV) have historically been ignored or placed in a footnote. While it is without question that IPV cuts across race, class, religion, etcetera, it is often examined through an essentialist lens. The dominant discourse regarding IPV excises many women's experiences, including Black women's, centres white women's experiences, attributes gender inequality (sexism and patriarchy) as its primary source, and ignores the significance of intersecting oppressions. As white women are not plagued by the perpetuation of structural and institutional racism that is the bedrock of the criminal law system (CLS), it is no surprise that many demand(ed) justice for IPV by placing their confidence in the CLS. Though noteworthy criminal law reforms and responses were implemented, the reliance on the CLS failed to appreciate the potential consequences of such an alliance for Black women. Recognizing the potential consequences and the neglect of the voices of Black women survivors of IPV, the purpose of this project is three-fold. First, and perhaps most importantly, the project provides a platform to highlight and amplify the voices of ten Black women survivors of IPV through the lens of Intersectionality; it renders them and their experiences visible. By doing so, epistemic injustice is confronted, as Black women are producing knowledge of their own experiences – no longer ignored, footnoted, or categorized under the universalized rubric of “women”. Second, the project engenders insight into some of the factors that resonated with heterosexual Black women survivors of IPV, who were abused by Black men, when deciding whether to involve the CLS in their IPV situations and captures their notions of what constitutes justice. Third, embarking on this project enabled me to conduct research differently, through a decolonial lens. Relying on the theory of Black Feminist Thought and borrowing from the methodological approach known as Endarkened Feminist Epistemology (EFE), I created a methodology, *Sistering*, that informed how I engaged with Black women as co-participants for this project.

DEDICATION

I dedicate this project to my grandmother, Jeanetta Veronica Lindsay. None of this would be possible without you believing in me from birth! I Love you more than you know.

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First and foremost, I would like to acknowledge my lifeline, my grandmother; without her, none of this would be possible. Though she has dementia and is unable to celebrate this accomplishment with me, everything I know is a testament to her love and belief in me. I would like to acknowledge my supervisor, Professor Janet Mosher. She is the light at the end of the tunnel, and a support I never knew was possible or that I needed. This dissertation is as much her accomplishment as it is mine because I could not have completed this chapter of my life without her guidance. I would like to acknowledge my mother, my best friend and confidant, for being my rock and my soft space – encouraging and supporting me through this, at times, daunting process. Like my grandmother, she was my strength and my compassion throughout this endeavour. I would like to acknowledge my father who is a pivotal part of my support system. I have his work ethic and his drive. I want to acknowledge my friends for believing in me, holding me accountable, cheering me on to the finish line and beyond, and understanding that my social life took a backseat to this ambitious pursuit. My sistahs (and brothahs) understand that “we all elevate when another sistah thrives”. I would also like to acknowledge my dog and the love of my life, Ace. I have neglected him for the past four years, but he understands the grind – what I do is in part for him. I appreciate the women who trusted me with their stories. Thank you for having faith in me and in this project because without you and your trust, this project would not be possible. Also, the members of my supervisory committee, Professors Palma Paciocco and Sonia Lawrence, deserve an acknowledgment for taking the time to review the lengthy document and provide fruitful and thoughtful feedback throughout this process. Lastly, I want to acknowledge me. Law School was tough, but this was a mentally, emotionally, and physically taxing process. However, the reward I received through my conversations with the co-participants that gave legs and a heartbeat to this project made it all worth it.

Thank you!

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CHAPTER 1 – INTRODUCTION: CREATING A PLATFORM FOR BLACK WOMEN’S VOICES

No Longer a Footnote!

*This work ain't for the fainted heart
It's for the lioness at heart
Fearless, for she is not alone
Stepping out on her faith
Knowing she'll face ignorance, courageously
Being steadfast in her plight
An army behind her, beside her, above her, below her
She was bred for this fight
She is making herself known
She is woman
She is Black
Her voice has space
It has a place
She has opinions
No, she's not angry
She has stories unique to her socially constructed gender race
She is worthy
She is tired of proving her visibility while being whitewashed from society
She is speaking and doing so loudly
Carved out a platform
Cemented it
No longer a footnote
She has taken centre stage
She's a Black woman and she is here to stay!*

(Written and performed by Shushanna Harris)

1. Laying the Groundwork

For far too long the voices of Black women in Canada have been silenced. It's as if our voices and experiences are either non-existent or cloaked in negativity. We exist in realms of invisibility and hypervisibility, simultaneously. The invisibility that demarcates our being is “socially and

politically constructed”.¹ Black women are made invisible through historical and neoteric social, political, and cultural discourses. This erasure ensures our silence, rendering it impossible for us to effect change in the structures that continue to perpetuate hate for those considered different due to race, gender, class, etcetera.² Our hypervisibility paints a picture of deceit, salaciousness, criminality,³ and other negative connotations that render us suspicious and untrustworthy to the dominant and controlling class. As a result of society’s perceptions of Black women and Black womanhood in Canada, for example, we do not (or very sparingly) have a platform to state our claims or be heard on issues that are salient in many of our lives: one such issue being Intimate Partner Violence (IPV).

My primary purpose here is not to tell you that IPV is a global, national, political, and social pandemic,⁴ or discuss its perilous impact on those who experience it and their families. This you ought to have already known. Instead, I aim to build on the long legacy of Black feminist activists and scholars who have named and theorized violence against Black women and to join the growing, though sparse, body of Canadian literature that exposes the neglect Black women in Canada face within policies, laws, and social endeavours that have been implemented to highlight and combat the IPV problem. Frankly, Black women are left to fend for themselves. The IPV problem has continuously been explored through the essentialist lens of white women, on the pretence that survivors⁵ experience IPV similarly, regardless of our race, religion, class, sexuality, etcetera. The fact is, we don’t. Women, inclusively, are not monolithic, and for those who encounter IPV, the experiences differ among them. Therefore, the approach to IPV should not be one-dimensional. To affect change, we need to hear from women from all walks of life and contextualize their circumstances in order to understand their plight, and in turn engender appropriate responses to the problem. To understand IPV, it is not wise to ignore or footnote the experiences of Black women survivors. Addressing IPV in a meaningful way calls for recognition of how it manifests

¹ Idil Abdullahi, *Black Women Under State: Surveillance, Poverty and the Violence of Social Assistance* (Winnipeg: ARP Books, 2022) at 26.

² *Ibid* at 25-26.

³ *Ibid* at 26.

⁴ United Nations, “UN Sounds Alarm to End ‘Global Pandemic’ of Violence Against Women” (25 November 2014), online: *UN News* <news.un.org/en/story/2014/11/484692>.

⁵ I use the term “survivor” to underscore my belief that women who experience or have experienced IPV are not victims, but survivors of this social problem.

in and impacts the lives of Black women.⁶ This recognition is imperative to force a deviation from the one-size fits all approach that often ignores important dynamics, such as Intersectionality.

Socially and politically constructed systems of oppression work simultaneously to exacerbate the situations of Black women in general, and Black women survivors of IPV in particular:

[T]he nature of Black women's gendered oppression compounds the racial discrimination that they encounter daily. These systems of inequality seem inescapable, considering institutional oppression is embedded in ... society and materializes in meaningful ways...⁷

Explicating the “meaningful ways” these oppressions manifest in the lives of Black women requires room to hear from those most affected, not speculate about their experiences and implement actions that can be detrimental to their very existence as Black women. As Rinaldo Walcott points out,

Black people are in a unique position to see what others might not be able to. Whether anyone listens, is, of course, an entirely different question: the logic of white supremacy still governs and determines what counts as legitimate knowledge of the ruling order...⁸

While Black women survivors of IPV are best situated to produce knowledge about their experiences and engage in discussions about addressing the issue, their voices have been silenced. Instead, (white) mainstream feminists have aligned with the criminal law system (CLS)⁹ to combat the problem without appreciating the potential consequences of such an alliance for Black women.

⁶ Though the focus of this project is primarily on Black women and their experiences, it is important to note that there are many other marginalized women (including Indigenous women, women with disabilities, and so forth) who are survivors of IPV whose voices have been silenced and experiences ignored.

⁷ Sharde Davis, “Taking back the power: an analysis of Black women’s communicative resistance” (2018) 18:4 Rev Commun 301 at 301.

⁸ Rinaldo Walcott, *On Property: Policing, Prisons, and the Call for Abolition* (Windsor: Biblioasis, 2021) at 32.

⁹ I no longer believe it is appropriate to refer to the criminal system as the “criminal justice system”. As I embark on this academic journey, I am committed to expressing my beliefs and ideas in an unfettered way. I am of the view that the criminal system should not have a monopoly on “justice”. Justice is an abstract notion that carries different meanings for those seeking it. Further, I am uncomfortable referring to the criminal system as the “criminal legal system” as suggested by authors such as Mimi Kim. I hesitate to use “legal” to describe a system that is not in reality characterized by justice, fairness, equality, or equitable treatment. In my view, the Canadian “legal” system is inherently racist and discriminatory, as demonstrated by the disproportionate number of Indigenous and Black peoples who are subject to prosecution and incarceration in Canada. As such, I use “criminal law system” (CLS) as it is just that, a system of laws.

2. Questions and Vision

The CLS has become the generally preferred response to the IPV problem. But the preferred response for whom? I embarked on this project to explore a rendition of this question through the voices and experiences of heterosexual Black women survivors of IPV, who are or were in relationships with Black men who abused them. Specifically, the project focuses less on the women's experiences with IPV, and more on how they navigate their IPV situations. Mainly, what factors resonated with them when deciding whether to involve the CLS? Further, by exploring this question, I felt it was imperative to understand Black women's notions of justice and how the CLS fits into these ideas. For the purpose of this project and exploring these questions, at times, I use terms such as CLS and police interchangeably with the understanding that the CLS is a broader system, and the police are but one component of it. Interaction with the police is often the first mode of contact with the CLS. I use the terms interchangeably not to diminish the vastness of the CLS, but to demonstrate that the police are both a component of the system and often the first point of introduction to the CLS for most people. This project is primarily, though not exclusively, focused on the police who are first responders.

By their very nature, these questions necessitate that the project's design uplift and centre the voices of Black women survivors of IPV. While the literature on IPV in Canada appears vast, there are few studies and discussions with and/or about Black women and their experiences in general, let alone their IPV accounts. I have encountered some Canadian literature and empirical research where their voices are at the forefront. However, for the most part, IPV scholars, learners,¹⁰ or representatives of various organizations often speak about the experiences of Black women in a peripheral way or provide information that includes a racialized component that is often secondary or tertiary to the primary research topic.¹¹ As I have learned from the historical teachings of Black

¹⁰ I used the term learner instead of researcher because researcher tends to reduce the co-participants to subjects or objects of the research project. As a co-participant, I am situated in the position to learn from the other co-participants as it is their knowledge and experiences that provides substance to the project.

¹¹ See Jennifer Fraser & Holly Johnson, "Specialized Domestic Violence Courts: Do They Make Women Safer?, Community Report: Phase 1" (Ottawa: Department of Criminology, University of Ottawa, 2011); House of Commons Standing Committee on Justice and Human Rights (JUST), "The Shadow Pandemic: Stopping Coercive and Controlling Behaviour in Intimate Relationships", 43rd Parl, 2nd Sess (April 2021). Both illustrate the point proffered.

feminists, activists, and scholars, Black women's voices and bodies must be at the centre to eradicate both the gender-based and state violence they encounter.

Furthermore, as borne out in subsequent chapters, the experiences of Black women are often subsumed in the experiences of Black men where the issue of race are at the forefront; and are ignored, diluted, or footnoted in discourses about (white) women.¹² This general pattern is reflected in discourses about Black people and their interactions with the CLS. Often, the ontology of this relationship centres Black male bodies/experiences and the negative consequences that befall them as a matter of their race. According to Robyn Maynard,

[i]t is common in discussions surrounding anti-Black racism to focus on the Black male body as the state's primary target. Most literature and research focus on the means by which young Black heterosexual males have been demonized by popular culture and the criminal justice system...frequently allowing state violence against Black individuals who are not young Black men to go unseen and unchallenged.¹³

This project facilitates a space where those discarded from, or at times footnoted in, IPV discourses confront a phenomenon referred to as epistemic injustice (discussed in chapter 5) by demonstrating Black women survivors as knowledge producers whose voices are necessary to assist with the development and implementation of any approaches intended to meaningfully respond to IPV. The need for this space is an uncompromising one for multiple reasons. First, Black women experience IPV and are deserving of a platform for expression. Second, the insights they offer are necessary to inform social, political, legal, and community responses to IPV. Third, the current social and political climate has given me no choice but to undertake this task and critically engage with the existing scholarship, laws, and policies pertaining to IPV. We are in the midst of a historical moment where Black and other racialized people are screaming for change – this has “shifted the political landscape”.¹⁴ However, as our voices get louder, attempts are strategically made to pacify

¹² Beverly Jean Daniel, “Researching African Canadian Women: Indigenous Knowledges and Politics of Representation” (2005) 252 *Counterpoints* 53 at 54; bell hooks, “*Ain't I a Woman*”: *Black Women and Feminism* (Boston: South End Press, 1981) at 7; see also Amanda Robinson et al, “Differential Police Response to Black Battered Women” (2000) 12:2/3 *Women & Criminal Justice* 29 at 29; Jessica Bundy, “‘We’ll Deal with it Later’: African Nova Scotian Women’s Perceptions and Experiences of Police” (2019) 44:4 *Can J Sociol* 319 at 321, 323.

¹³ Robyn Maynard, *Policing Black Lives: State Violence in Canada From Slavery to the Present* (Winnipeg: Fernwood Publishing, 2017) at 13.

¹⁴ Mimi Kim, “Transformative Justice and Restorative Justice: Gender-based Violence and Alternative Visions of Justice in the United States” (2021) 27:2 *International Review of Victimology* 162 at 171.

us through social, political, and legal agendas that purport to ameliorate the racial inequalities embedded in our government systems. This is not a new tactic as it has been historically implemented to *attempt* to silence Black activists. As with our foremothers, such tactics will not silence us. The blatant truth is Black women are negatively portrayed and unjustly silenced by the dominant discourse and society. Black women survivors, and Black women generally, require a platform to be rightfully seen and justifiably heard. Facilitating such a space challenges current discourse with a counter-narrative to the dominant class's perception of us that demands recognition.

3. The Outline

To address the questions raised above and fulfill the overarching goal of placing Black women voices at the forefront of the project, I had the privilege of building alliances with ten Black women survivors of IPV who are or were in heterosexual relationships with abusive Black men, and who have either contacted the police for protection from their abusive partner, decided against contacting the police, or have done both at different moments.¹⁵ These women agreed to be co-participants¹⁶ and co-creators of this project. The project consists of two parts. Part I, *Behind the Scenes: "Stepping out on Faith" for Transformation*, provides the foundation necessary to adequately engage with the co-participants' stories and learn about their experiences, their decision-making processes regarding police intervention, and their conceptualizations of justice. This Part is comprised of six chapters.

Chapter 2 introduces the reader to IPV and its multiple facets. It further demonstrates the problem discussed at the outset of this chapter – that the academic research, institutional practices, state policies, and public discourses around IPV lack attention to the experiences of Black women. The

¹⁵ It is important to note that the intention of this particular focus is not to diminish the experiences of transgender Black women, non-heterosexual Black women, or Black women in interracial relationships. Instead, I intend to explore the dynamics between the gendered roles of Black women and men and their implications for Black women survivors deciding whether or not to contact the police for protection. Likewise, centring the experiences of Black women survivors does not preclude seeking to understand and draw from the lived experiences of Indigenous and other racialized women.

¹⁶ I use co-participant to convey to the reader that I am a participant in this project alongside the women who chose to share their stories – that we, collectively, are co-participants. In order to properly deploy *Sistering*, the learner must know that they are a participant as they too are immersed in the project.

discussion evolves to show how Black women experience IPV. This section begins by demonstrating how Black women's experiences are often invisibilized or ignored by institutional and state actors in the fight against IPV. It then proceeds to provide a brief historical analysis in order to situate my work. I briefly trace the lineage of our foremothers who sought to centre Black women's voices and to make visible the complex web of individual, community, and state violence that Black women experience. While this discussion begins in the late 19th century, post-slavery, it by no means diminishes the work of Black women during slavery; nor does it erase or dismiss the work of the women that are not mentioned. Within this discussion, I touch on the contributions of the following activists, abolitionists, trailblazers, and pioneers: Fannie Williams, Ida B Wells, Angela Davis, and former Black Panther, Elaine Brown. In what is by necessity a truncated snapshot, I trace the lineage through to the current work of Black feminist scholars, including Beth Richie, Mimi Kim, and Mariame Kaba, and activist, on-the-ground organizations, including INCITE!, WomenatthecentrE, and the Third Eye Collective.

Following this discussion, and building on the insights of the foremothers, I provide a historical snapshot of Black women IPV survivors in Canada. This is accompanied by a discussion that focuses on the importance of recognizing intersecting oppressions that render Black women more susceptible to abuse than their white counterparts. Further, this chapter lays out the CLS' treatment of, or lack of consideration towards, Black women whose IPV situations involve the police. Here, the heavy reliance on the CLS is discussed. Laws and policies such as Bill C-75, and some of its reforms to the *Criminal Code* as they pertain to IPV, and mandatory arrest and charging policies are outlined. Mandatory arrest and charging policies are discussed in more detail as they are typically engaged at the first instance of a domestic 911 call, and trigger implementation of the laws within the *Criminal Code*.

Chapter 3 provides a raw retelling of the stories of the ten co-participants. I created the narratives from the transcripts of our conversations. In doing so, I prioritized using their words to remain true to their stories and how they conveyed them. Any editions or additions were made to assist with the flow of the narrative. The editions and additions were approved by the co-participants who opted to review and provide input about the narrative that belonged to them. For those who chose not to review, the editions and additions remained for their intended purpose – assisting with the

flow of the narrative. Their stories are strategically placed in this chapter because they provide first-hand knowledge, contextualizing the information outlined in chapter 2. Further, I want the reader to have the co-participants' stories at the forefront of their minds as they embark on this journey with me. I hope that sharing these unfettered stories at the outset will evoke emotions that will set the stage for the reader to begin a process of rethinking and re-evaluating their own views of Black women, Black women's experiences, and the things we have to grapple with when deciding to make a 911 call. Additionally, given the desire to elevate their voices, I felt it would be counterintuitive to place their stories at a later point in the dissertation. Lastly, placing their stories here, I believe, disrupts traditional understandings of how an academic project or dissertation should be presented. Here, the substance is provided before theory or methodology, for example, to align with my vision of breaking through and thinking outside the colonial box (as discussed in the following paragraphs).

Following the introduction of the stories of the co-participants, I introduce the reader to the theoretical and methodological underpinnings foundational to this project. In my quest to gain knowledge from Black women about their experiences as IPV survivors with the CLS, I felt obligated to conduct research differently. Meaning, I felt compelled to engage in a method-making process grounded in "the questioning and overturning of normative systems of knowledge" production.¹⁷ Reflecting on the work of Sylvia Wynter, Katherine McKittrick comments that Wynter's writing reminds us that the "history of Blackness" is not steeped in colonial concepts of normativity. Rather, it is a history that "provides conditions to learn and live and love our world differently"¹⁸ than how we have been conditioned to see and dismiss our histories. Notwithstanding that there are clusters of academics that act against the traditional grain, as students we largely learn to embrace traditional androcentric research methods that determine value in research through claims to objectivity, neutrality, and the learner being removed from the research.¹⁹ And we are sometimes fearful to deviate from these expectations as these aspects determine whether research is validated and accepted in academia. Consequently, reliance on this

¹⁷ Katherine McKittrick, *Dear Science and Other Stories* (Durham: Duke University Press, 2021) at 44.

¹⁸ *Ibid* at 43-44.

¹⁹ Britta Wigginton & Michelle LaFrance, "Learning Critical Feminism Research: A Brief Introduction to Feminist Epistemologies and Methodologies" (2019) 0:0 *Feminism & Psychology* 1 at 7.

value-based ideology ignores research that is different, and thus deems it “bad”, since it does not align with conventional means of doing research.

Removing the rose-coloured glasses of research methodology takes courage and was not an easy journey. I struggled with what this “different” should look like because I was entrenched in a system that had successfully assimilated and conditioned me to unconsciously accept the dismissal and “Black-out” of the experiences of Black people in Canada,²⁰ and our ways of knowing in academic work. This greatly impacted my ability to think outside the colonial box, and in turn made it difficult for me to think differently; or more accurately, remember the things I was taught to forget about my heritage.²¹ As a Black woman born in Jamaica who emigrated to Canada at the age of eight, I struggled with bringing my authentic voice to research. Since my arrival to Canada, I have been granted limited access to society because of my initial accent (which sadly, I no longer have), the colour of my skin, and my gender identity as a female. I remember very vividly a conversation I had with my grandmother within a year or two of my arrival to Canada. During the early 1990’s amidst the Rodney King riots in America and the protests led by Dudley Laws in Canada, a white boy told me that his father said that people who looked like me were niggers. That was the first time I heard the word. When I asked my grandmother about it, in addition to explaining the violence associated with the word, she said, “you are a Black woman. You will have to work twice as hard to prove yourself in this country”. That conversation resonates with me to this day because it was, in part, that conversation that made me realize years later my place as a Black woman in Canada, the work I needed to do to be human and woman in this society, but most profoundly, the need to remain within the parameters society had carved out for me while working twice as hard to be accepted within those same parameters and beyond.

In fact, when I concluded my master’s thesis in 2009, for which I received distinction, that is exactly what I did. I worked within the academic parameters to ensure that my project was “good enough”. However, I did not do research in my most authentic way as I was intent on appeasing the academic overseers, who are often white. Like Idil Abdullahi, I attribute this loss of

²⁰ Abdullahi, *supra* note 1 at 31.

²¹ See Cynthia Dillard, “Learning to Remember the Things We’ve Learned to Forget: Endarkened Feminisms and the Sacred Nature of Research” in Norman K Denzin & Michael D Giardina, eds, *Qualitative Inquiry – Past, Present, and Future* (New York: Routledge, 2015).

authenticity, “to the colonial and colonizing university environment that actively engages in and forces the erasure of already marginalized people; and more specifically to the erasure of Black Canadians and our histories, experiences, knowledges, and livabilities”.²²

Therefore, this time around, I had to conduct this project in a manner that allowed me to express who I am, including my various identities as a Black woman. Particularly, I had to conduct it in a decolonial, resistive way that challenged the status quo. While placing Black women’s voices at the forefront, I was obliged to simultaneously introduce theories and research methodologies that appreciated Black/African ways of producing knowledge. This intent was anchored in Black Feminist Thought (Black Feminism). Though I employed Black Feminism as the theoretical foundation for my master’s project, I failed to tap into its full potential by mainly focusing on Intersectionality. For this project, not only do I demonstrate the fundamental impact of Intersectionality on the lives of Black women and those who are survivors of IPV, I also further explore Black Feminism’s approach to Black women’s self-identification and self-actualization. I do so in order to forge a new path and narrative about ourselves that counters those prescribed by white society.

Chapter 4 begins to forge this new path. Here, the reader is introduced to Black Feminist Thought and its assumptions and tenets that purposely centre the epistemologies of Black women and render us agents of our own knowledge and existence. The idea that knowledge is power and empowering for marginalized people is paramount. Further, the chapter explores what is meant by Black Feminist Consciousness. Black Feminist Consciousness work demands reflexivity and interrogation of self, leading to transformation of one’s consciousness and allowing one to gain self-awareness separate from mainstream ideologies of Black women. This work of self-definition not only facilitates individual change but is what makes social transformation possible.²³ Moreover, and as already indicated, Black Feminism is predicated on the notion of Intersectionality. Coined by Kimberlé Crenshaw, Intersectionality reminds us that Black women

²² Abdullahi, *supra* note 1 at 31.

²³ Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment*, 3rd ed (New York: Routledge, 2009) at 124-126.

are at the intersections of multiple structures of oppressions, including but not limited to race, gender, and class, that cannot be separated when analyzing our experiences.

In chapter 5, I turn to Cynthia Dillard's Endarkened Feminist Epistemology (EFE). EFE deepened my theoretical framing, illuminating for me approaches to methodology that offered pathways out of the colonial box and shaping the writing of my dissertation in two significant ways: the telling of women's stories; and affirming the inclination I had coming into the project to share my spoken word poetry. EFE, cocooned in the bosom of Black Feminism, provides a framework for learners, particularly Black learners, embarking on truth-seeking research within marginalized communities. The work is truth-seeking as Cynthia Dillard describes it as "stepping out on faith"²⁴ to challenge distorted discourses about marginalized communities. This work is not for the faint at heart; it is for the lioness at heart as it takes courage to step out of line. Embracing the components of Black Feminism, Dillard provides six assumptions that a learner should employ when conducting research with marginalized people.²⁵

As explained in chapter 5, EFE, with the assistance of the six assumptions, embraces African ancestral teachings of communal engagement, reciprocity, and spirituality. It reminds us that as Black learners, we have a connection and responsibility to our community, the co-participants, and our academic endeavours. Black ancestry is one of community – we are an interdependent people which informs our survival.²⁶ This responsibility challenges concepts of neutrality and objectivity as the learner is not separate from (nor should she be) but included in the project. Learners are engaged – they are co-participants. Further, learners must reflexively interrogate their purposes and intentions of embarking on their work. It demands learners engage in a self-defining exercise that challenges already taught understandings of Blackness and reclaims the truths that were once stolen from us.

²⁴ Cynthia Dillard, "The Substance of Things Hoped for, the Evidence of Things Not Seen: Examining an Endarkened Feminist Epistemology in Educational Research Leadership" (2000) 13:6 Intern J Qual Studies Educ 661 at 674.

²⁵ See Dillard, *ibid* at 672-678.

²⁶ Caitlyn Petrona Stewart, "The Mule of the World: The Strong Black Women and the Woes of Being 'Independent'" (2017) 3 Knots: An Undergrad J Disabil Stud 31 at 38.

EFE permitted me to tap into a part of Black and African culture²⁷ that very few academic projects do. EFE requires the learner to explore the role of spirituality or religion in the lives of the learner and the co-participants. As a learner, I indubitably had a spiritual connection to this work. In fact, I sometimes referred to it as sacred work because it is never easy to go against the grain. Further, I believe there is a higher purpose compelling me to do this work. I am personally not a direct survivor of IPV but knowing that my mother is, magnified my purpose in doing this work to effect change on a broader political level – I want Black women to have agency and to influence the structures that continue to oppress us. Spirituality is also explored in the connection felt between the co-participants and me when we met to engage in our conversations. But perhaps the most compelling exploration of spirituality in this project was the co-participants’ reliance on it as a coping mechanism when dealing with IPV. I have never met a Black woman who was not spiritual in one way or another. The women I have met throughout my life embraced a connection with God by going to church on Saturdays or Sundays; relied on the teachings of the Quran; believed in God’s presence but deviated from religious practices; or had a cosmic connection to people and nature, searching for inner peace. Their spirituality fostered their ability to continue on in the face of adversity. Their strength in their faith or their belief is of no surprise and could be described as a product of a people’s history saturated in hate and despair. Faith gave them something to believe in; something to cling to – gave them hope. EFE brought Black women’s spirituality to the forefront and enabled me, the learner, to not only explore spirituality’s power in Black women’s identity but examine it in my life in conjunction with this research endeavour. EFE brought me to a place of spiritual awareness in academic work which I had never explored before.

Lastly, EFE and Black Feminist Thought respect that Black people are storytelling people. It is said that “the story is the practice of [Black] life”.²⁸ That is, “the lessons, the telling, the contents, are ways of life (ways of being)”.²⁹ This stems from our African ancestry, permeated throughout our forcible and brutal captivity as slaves, and remains today. Our stories are told in a myriad of ways, including music, poetry, parables, and so forth. The history associated with storytelling is

²⁷ I use the term “African culture” to symbolize a contrast to Western understandings. I am obviously and acutely aware that “African culture” is not monolithic and stretches across and within the various countries that occupy the continent.

²⁸ McKittrick, *supra* note 17 at 9.

²⁹ *Ibid* at 8.

also outlined chapter 5. Storytelling is used in this analysis in two main ways: narratives of the women's stories displayed in chapter 3; and spoken word poetry, which opened this chapter and is strategically dispersed throughout my dissertation.

Chapter 6 builds on the decolonial foundations of Black Feminism and EFE as I introduce the methodology that I developed to position Black women and their ways of knowing and interacting with each other at the forefront. This methodology, which I call *Sistering*, is a methodological option where Black women can *be* Black women and produce knowledge free from the white gaze, to resist mainstream teachings about Black womanhood, and create a space that facilitates healing from the trauma that we have endured (and continue to endure) from broader society. *Sistering* methodology, as I describe it in chapter 6, is the product of multiple teachings and experiences that were melded together to create a space for engaging with marginalized groups, particularly Black women. My initial conception of *Sistering* derived from the teachings of Black sisterhood³⁰ and Black women solidarity, sistah circles, and my personal experiences with sistah circles and Black women allies and confidants, and, perhaps surprisingly, the conceptualization of sistering within the construction trade. My conceptualization evolved through my conversations with the co-participants in this project. Those conversations both confirmed the importance of the elements I had identified going into the conversations **and** revealed an important element missing from my initial conceptualization of the methodology: the learner, in a project such as this, should be a Black woman. However, it is important to note that while the learner is a Black woman, Black women are not the exclusive audience for the knowledge they collectively produce with other co-participants of the project.

Sistering methodology has two major components: conversation and storytelling. *Sistering* conversations are conducted in a sistah circle environment and must incorporate the following elements: (1) the learner must identify as a Black woman; (2) dialogical freedom and reciprocity; (3) learner as participant; (4) spiritual connectedness and exploration (a foundation for healing);

³⁰ Throughout, and for the purpose of, this analysis, I will speak of sisterhood as a singular entity. This is done only for ease of reference and flow. There are multiple forms of sisterhoods, they are formed for a multiplicity of reasons, and they are without question diverse in their composition.

(5) research as responsibility; (6) empowerment space; and (7) resistance as power. Intrinsically embedded in this methodology is self-awareness and reflexivity.

Sistering storytelling includes both a narrative analysis³¹ of the co-participants' stories and reciprocity. Respecting the former, the learner creates a narrative of each participants' story using largely the words of the participants as laid out in the transcripts. Following the completion of the narrative, the learner is obligated to engage in reciprocity by providing the narrative to those participants who opted to review their stories and provide feedback and/or suggestions for change. Here, the term co-participant is highlighted as the woman is more than a bystander in her own narrative, but a key player in how her story is shared with the readers. Throughout chapter 6, the voices of the co-participants are engaged to express their reactions to the elements of *Sistering* that resonated with them.

Chapter 7 closes Part I by describing the participants, how they were located, and how I came to terms with analysing the information received from the co-participants.

Part II, *Sistering Conversations: What Have We Learned*, comprises chapters 8 to 12. It reveals answers to the questions posed in the "Questions and Vision" section of the current chapter. I do not profess that the views expressed, and the stories told, by the ten co-participants are the same for all Black women IPV survivors. However, their truths shed light on factors that are shunned or obfuscated in the majority of Canadian discourse about IPV.

Chapter 8 explores, through the narratives shared by the co-participants, the impact of the stereotype of the strong Black woman. While there is a plethora of stereotypes that characterizes Black women in society, the chapter focuses on the strong Black women trope because, as confirmed by the co-participants, it renders Black women impossible "victims" and unworthy of police protection.

³¹ Donald E Polkinghorne, "Narrative Configuration in Qualitative Analysis" (1995) 8:1 Intern J Qual Studies Educ 5 at 11.

The co-participants' narratives revealed various manifestations of the trope in relation to the CLS, and it is revealed that not only does the strong Black woman stereotype render them undeserving of protection through the CLS, but its internalization meant that they needed to find their own mechanisms to cope with and survive the abuse.

Chapter 9 reaffirms the truth already known about the relationship between Black people and police, and by extension, the CLS: it is one of mistrust. Black people don't trust the police or the CLS. In addition to underscoring the root of this toxic relationship, I introduce three ways that the co-participants described the emergence of their mistrust for the police. First, it manifests through cultural and historical trauma that is transmitted intergenerationally; second, vicarious transmission occurs due to trauma inflicted on family and/or friends, or through the media; and third, their own personal encounters with the police. Further, this chapter examines Black women's mistrust of police as they fear the intrusion of other government agencies in their lives should police become involved. For some of the women in this project, the fear was squarely tied to the intervention of Ontario's Children Aid Societies.

Chapter 10 provides a rich discussion of a very important dynamic in the Black community³² that is rarely discussed in the Canadian context. Many Black women IPV survivors fear involving the police in their circumstances as they do not want to be deemed traitors to the abusive Black men in their lives, nor to the Black community. Many Black women fear committing what Charmaine Crawford and Karen Flynn refer to as "race treason".³³ Essentially, they do not want to subject Black men to the woes of a system that is inherently racist and violent towards Black bodies. All the co-participants identified this fear and how it manifests in their lives both during and after the abusive relationship. Within this discussion, situational necessity in the police emerged as the

³² Throughout this analysis, I use the term "Black Community" instead of "Black communities" with the understanding that Black communities are diverse in their composition and experience life differently within and outside their subgroups. However, each community, by virtue of their race, is susceptible to racism and discrimination from dominant society. Notwithstanding our differences individually and collectively, I use "Black Community" for ease and flow, but also to demonstrate our commonality as a marginalized group.

³³ See Karen Flynn & Charmaine Crawford, "Committing 'Race Treason': Battered Women and Mandatory Arrest in Toronto's Caribbean Community" in Kevin Bonnycastle & George Rigakos, eds, *Unsettling Truths: Battered Women, Policy, Politics and Contemporary Research in Canada* (Vancouver: Collective Press, 1998) 93; see also Rachel Zellars, "'As If We Were All Struggling Together': Black Intellectual Traditions and Legacies of Gendered Violence" (2019) 77 *Women's Stud Intl Forum* 1.

women whose circumstances involved the police were out of necessity. But the act of calling the police was not without social and familial consequences.

Chapter 11 outlines the notions of justice envisioned by the co-participants. Surprisingly to me, many incorporated both the Black community *and* the CLS as part of their notion of justice. However, those who included the CLS within their concept of “justice” identified the need for significant reforms. Others resisted the inclusion of the CLS, the police in particular, in their idea of justice. The views of these co-participants reflected a stance akin to the abolitionist movement in their desire to destabilize the carceral system, for many reasons including its fixation on Black and Indigenous bodies.³⁴ Additionally, some co-participants spoke of the perpetrator being held accountable for the abuse, not necessarily within the CLS, though the idea was not dismissed; while others highlighted acknowledgement of the abuse from their families and friends as paramount to their notion of justice. Further, some women believed punishment, specifically within the CLS, had a place in their rendition of justice.

Chapter 12 provides the closing remarks to the project. This chapter reflects on whether I accomplished what I intended to do. Particularly, whether I adequately responded to the questions posed for the project, conducted research differently, but most importantly, whether Black women’s voices were centred within the project. I very briefly recap what each chapter entailed, and revisit the methodology, with a focus on *Sistering*. The chapter then ends with what I hope this project will, more broadly, accomplish.

4. Closing Remarks

This project is sacred work, and it is not embarked on lightly. As I indicated, the Canadian literature on IPV and Black people generally tends to overlook Black women. Thanks to scholars such as

³⁴ Mariame Kaba, *We Do This ‘Til We Free Us: Abolitionist Organizing and Transforming Justice* (Haymarket Books: Chicago, 2021) at 3; also see Brittany Pearl Battle & Amber Powell, ““We Keep Us Safe!”: Abolition Feminism as a Challenge to Carceral Feminist Responses to Gendered Violence” (2024) 38:4 *Gender & Society* 523.

Patrina Duhaney,³⁵ Robyn Maynard,³⁶ and Rachel Zellars,³⁷ this gap is slowly being filled. However, more needs to be done. I want to do more, hence this project. The project places Black women's voices on display unapologetically; allowing our voices to be heard on a topic that we have been written out of by virtue of the colour of our skin and the negative connotations that are attributed to it. Additionally, this project is illuminating Black women voices in a way that is conducive to Black ways of life – we are storytellers, we are poets, we have sisterhood(s), we have sistah circles, we are a people who produce knowledge in a myriad of ways. Our experiences and opinions are power. Therefore, we should not, and will not, be silenced. Furthermore, *Sistering* is revolutionary in the sense that it challenges the status quo. I have already witnessed first-hand how it has changed the way I do research.

³⁵ See Patrina Duhaney, “Criminalized Black Women’s Experiences of Intimate Partner Violence in Canada” (2021) 28:11 Violence Against Women 2765; Patrina Duhaney, “Contextualizing the Experiences of Black Women Arrested for Intimate Partner Violence in Canada” (2022) 37:21-22 J Interpers Violence NP21189.

³⁶ See Maynard, *supra* note 13.

³⁷ See Zellars, “As If We Were”, *supra* note 33.

**PART I – BEHIND THE SCENES: “STEPPING OUT ON FAITH”
FOR TRANSFORMATION**

CHAPTER 2 – INTIMATE PARTNER VIOLENCE: WHERE BLACK WOMEN CONTINUE TO BE IN THE MARGINS!

1. Intimate Partner Violence: What Does This Mean?

Intimate partner violence (IPV) is perhaps the most persistent form of familial violence.³⁸ It is a significant societal problem that carries grave consequences for all those directly and indirectly involved – including the women who are abused,³⁹ children, perpetrators, and in many ways, extended families and society.⁴⁰ There are also declarations citing IPV as an epidemic.⁴¹ There are many definitions of IPV. While some are more expansive, others are narrowly focused on physical and/or sexual abuse. The latter tend to prevail in law and in law enforcement when addressing IPV. For example, William Louis Conwill refers to “domestic violence”⁴² as “aggression for the purpose of control” between two people in an intimate relationship that includes “assault, battery, sexual assault or battery, or any other criminal offence that results in personal injury or death of one family member or household members by another who is or was residing in the same household”.⁴³ The assumption that aggression is “for the purpose of control” is problematic as there are scholars, such as Michael P Johnson, who suggest that IPV can also include situational couple violence, which is not tied to control. Situational couple violence is described as violence that occurs due to the escalation of a particular situation that turns violent.⁴⁴ Further, Conwill’s definition significantly limits IPV to forms of physical and sexual violence, ignoring the psychological, emotional, and financial abuse that may exist independently of, or alongside, physical abuse.

³⁸ Shareefah Al’Uqdah, Casilda Maxwell & Nicholle Hill, “Intimate Partner Violence in the African Community: Risk, Theory, and Intervention” (2016) 31 J Fam Viol 877 at 877.

³⁹ Though my analysis is based on the experience of (cis) women, I am in no way diminishing its reach to men or those who identify as part of the LGBTQIA2S+ community.

⁴⁰ Beth E Richie, *Arrested Justice: Black Women, Violence, and America’s Prison Nation* (New York: New York University Press, 2012) at 25.

⁴¹ See C Nadine Wathen, Jennifer C D MacGregor & Jaimeson Canie, “A Scoping Review of Intimate Partner Violence Research in Canada” (2025) 26:1 Trauma, Violence, & Abuse 73; Donna E Stewart, Harriet MacMillan & Melissa Kimber, “Recognizing and Responding to Intimate Partner Violence: An Update” (2021) 66:1 Can J Psychiatry 71.

⁴² I, and other authors, tend to distinguish IPV and domestic violence. Therefore, I will be using IPV throughout this project.

⁴³ William Louis Conwill, “Domestic Violence Among the Black Poor: Intersectionality and Social Justice” (2010) 32 Int J Adv Counselling 31 at 32.

⁴⁴ Michael P Johnson & Janel M Leone, “The Differential Effects of Intimate Terrorism and Situational Couple Violence: Findings From the National Violence Against Women Survey” (2005) 26:3 J Fam Issues 322 at 324.

Moreover, by restricting IPV concerns to family and household members, the definition fails to capture those individuals dating or in relationships who are not residing together. These restraints circumscribe the reach of IPV and devalue the experiences of many who are nonetheless survivors of IPV, more broadly defined.

The definition offered by Shareefah Al’Uqdah, Casilda Maxwell, and Nicholle Hill is in line with my understanding of IPV as it is an all-encompassing definition that captures the multiple facets of IPV. They define IPV as, “a pattern of threats or behaviours encompassing physical, emotional, psychological, or sexual abuse or psychological coercion or degradation that occurs between domestic or intimate partners”.⁴⁵ This definition enables the recognition and incorporation of patterns of abuse, such as coercive control, that have come to provide immeasurable insights into the nature of some IPV relationships.

Briefly, coercive control is described by Evan Stark as hostage-like entrapment in an intimate partner situation.⁴⁶ An IPV environment consisting of coercive control may incorporate, though not necessarily, conduct already recognized by the CLS, such as criminal harassment, assault, and sexual assault, but also manifests through other means, including financial deprivation and isolation.⁴⁷ The effectiveness of these measures rests on the abuser’s ability to impose constraints on the survivor’s movements and monitor their daily activities by, for example, rationing their food, withholding finances, and regulating their sexual practices. Consequently, coercive control is premised on coercing a survivor into submission by controlling their personal, social, and economic autonomy.⁴⁸ In addition to Stark’s conceptualization of coercive control, Dr. Katreena Scott, cited in the final report of the Mass Casualty Commissioners, defines it as:

[A] pattern of behaviours to assert control over a person through repeated acts that disempower the other partner in a number of possible ways including through fear for the safety of self or others, removal of rights and liberties or fear of this removal, by isolating them from sources of support, exploiting their resources and capacities for personal gain,

⁴⁵ Al’Uqdah, Maxwell & Hill, *supra* note 38 at 877.

⁴⁶ Evan Stark, “Re-presenting Battered Women: Coercive Control and the Defense of Liberty” prepared for Conference Violence Against Women: Complex Realities and New Issues in a Changing World, (Quebec: Les Presses de l’Université du Québec, 2012) at 7.

⁴⁷ *Ibid* at 4.

⁴⁸ *Ibid*.

removing the victim's rights and liberties, depriving them of the means needed for independence, resistance, and escape, and regulating their everyday behaviour.⁴⁹

Coercive control demonstrates that abuse is not limited to situations involving physical violence.⁵⁰ There are a number of behaviours that must be considered when analyzing IPV. All aspects of intimate partner violence need to be accounted for in order to understand the magnitude of the harm it inflicts on those impacted by it. Notwithstanding the multifaceted nature of abuse, laws and policies, including mandatory arrest and charging policies, are mostly predicated on physical violence, including sexual assault, and or other actions such as harassment and uttering threats⁵¹ that expose the survivor to the potential of physical violence.

2. The Disregard of Black Women as IPV Survivors and the Survivor-Resistance Teachings of Our Foremothers

I embarked on this project with every intention to engage with Canadian literature directly documenting the experiences of Black women IPV survivors in Canada. I was disappointed because, although such literature exists (and indeed, some cited in this analysis), there is little of it.⁵² Further, the majority of the literature on IPV that exists in Canada ignores the experiences of Black women, or places us and our experiences in the undifferentiated category of “women”, in the periphery, and/or in a footnote – hence the title of this project. Additionally, through my quest to uncover the experiences of Black women and IPV, I learned that the dominant social discourse, as reflected in academic literature, the media, laws, and policies, continues to expose IPV by placing the experiences of white women at the forefront and attributing gender inequality (sexism and patriarchy) as its primary, if not sole, source.⁵³ This is problematic for obvious reasons.

⁴⁹ Honourable J Michael MacDonald, Leanne J Fitch & Dr. Kim Stanton, *Turning the Tides: Final Report of the Mass Casualty Commissioner, Vol. 3* (March 2023), online: <<https://masscasualtycommission.ca/files/documents/Turning-the-Tide-Together-Volume-3-Violence.pdf>> [https://perma.cc/G7GN-22HK] at 11.

⁵⁰ Domestic Abuse Intervention Program, “Understanding the Power and Control Wheel”, online: Home of the Duluth Model, online: <<https://www.theduluthmodel.org/wheels/understanding-power-control-wheel/>>.

⁵¹ Statistics Canada, *Trends in Police-reported Family Violence and Intimate Partner Violence in Canada* (Ottawa: Statistics Canada, 2023), online: <<https://www150.statcan.gc.ca/n1/daily-quotidien/241024/dq241024b-eng.htm>>.

⁵² MacDonald, Fitch & Stanton, *supra* note 49 at 293.

⁵³ Natalie Sokoloff & Ida Dupont, “Domestic Violence at the Intersections of Race, Class, and Gender: Challenges and Contributions to Understanding Violence Against Marginalized Women in Diverse Communities” (2005) 11:1 *Violence Against Women* 38 at 42-43; bell hooks, *Feminist Theory: From Margin to Center*, 3rd ed (New York: Rutledge, 2015) at 117-18.

Mainly, IPV does not occur in a vacuum, and it is not limited to white women. By focusing on sexism and patriarchy alone, white women's experiences are the ones highlighted – the ones used to draw attention to IPV. IPV cuts across race, class, creed, socioeconomic status, sexuality, etcetera. Its roots can be traced to multiple systems of oppression including racism, sexism, heterosexism, and ableism, and it impacts each person differently.

This lack of attention to Black women's experiences does not mean that Black women have not been speaking out about and analyzing their experiences of IPV. Rather, there is a long history of Black women activists and intellectuals who have challenged and confronted the regime of white supremacy that obfuscates and ignores the violence experienced by Black women. Their teachings and legacy provide a crucial foundation for my project. In the brief historical snapshot below, I trace some of the many intellectual contributions of the foremothers that have laid the foundations for my project.

For centuries, from the depths of slavery to emancipation, through to the civil rights movement and beyond, Black feminists have engaged in practices of “survival-resistance.” These practices have been enacted through leadership, teaching, training, education, protesting, building organizations, and uplifting the next generation to accept the baton.⁵⁴ For example, Fannie Barrier Williams, a public intellectual and activist of the late 19th and early 20th centuries, and a founding member of the National Association of Coloured Women (NACW), encouraged Black women to learn about ourselves and affect change as a result of the knowledge we acquired. She believed that although Black women were rendered invisible in social and intellectual spaces, Black women possessed unique positions as knowledge producers. Moreover, she articulated one of the first uses of Intersectionality to show Black women's unique position as being both Black and woman, and our role in combating social injustice.⁵⁵ The recognition of Black women as credible knowledge producers and the acknowledgement of our intersectional identities are insights crucial to my project.

⁵⁴ Bernice McNair Barnett, “Angela Davis and Women, Race, & Class: A Pioneer in Integrative RGC Studies” (2003) 10:3 Race, Gender, & Class 9 at 9.

⁵⁵ Brittney C Cooper, *Beyond Respectability: The Intellectual Thought of Race Women* (Chicago: University of Illinois Press, 2017) at 38.

As a result of her exploration of Black women and our experiences, Williams also developed the term “organized anxiety of women”, providing an understanding of the depth and impact of the work Black women have to do to secure social justice.⁵⁶ “Organized anxiety” described a dichotomy of outrage and anxiety simultaneously. The outrage emerged because of public attacks on Black women’s character and the stereotypes regarding them and their bodies that accompanied the attacks. These attacks left Black women vulnerable to “discrimination...rape and violence”.⁵⁷ The anxiety component was due to Black women becoming acutely aware of their conditions (social, economic, etcetera) in society and the gulf between this reality and their desire to bring about social change.⁵⁸ The concept of organized anxiety enabled Black women to talk about their experiences of discrimination and to utilize their bodies, particularly how they dressed and presented themselves in public, as a means to resist racism, sexism, and patriarchy.⁵⁹ As I describe in chapter 8, pernicious stereotypes of Black women continue to render us more vulnerable to violence, abuse, and discrimination; and this is a reality all too present in the stories of the co-participants in this project.

Williams, among others, theorized that in order for Black women to gain respect from broader society – from both white people and Black men – a “new woman” was required. For Williams, “... this [new] woman is needed as an educator of public opinion. She is a happy refutation of the idle insinuations and common skepticism as to the womanly worth and promise of the whole race of woman”.⁶⁰ The new woman, which Black women public intellectual leaders were encouraged to portray, was not only an educator but a woman who upheld a public persona where her physical, social, and mental appearance was one of respect and dignity – one that uplifted Blackness and more specifically, Black women. This politics of respectability was a conduit through which Black women could cultivate a public persona to build their self-esteem and embody the truth that they are more than slaves, more than descendants of slaves or former slaves: “... to feel that [they] are a unit in the womanhood of a great nation and a great civilization, is the beginning of self-respect and the respect of your race”.⁶¹ The language utilized by Williams, as will be demonstrated in

⁵⁶ *Ibid* at 34.

⁵⁷ *Ibid* at 39.

⁵⁸ *Ibid*.

⁵⁹ *Ibid* at 40.

⁶⁰ *Ibid* at 18.

⁶¹ *Ibid* at 34.

chapter 4, resonates with Patricia Hill Collins' conceptualization of Black Feminist Consciousness, particularly the requirement for self-valuation and respect which encourages Black women to know our self worth, respect ourselves, and demand the same from others.

Darlene Hine developed the notion of the culture of dissemblance in the late 1980s when researching the NACW and the women associated with the organization – particularly their engagement with respectability politics. It stands for the proposition that Black women engage in a “cult of secrecy” where their private lives remain private, but publicly they present an appearance of openness. Accordingly, the culture of dissemblance assists Black women with obtaining “social and political respectability”⁶² by engaging in both a racial and gendered performance of respectable Black womanhood. As I discuss in more detail in chapter 8, the culture of dissemblance has provided an important conceptual lens for the work of contemporary authors, including Beth Richie and Rachel Zellars, and I draw on their work in my analysis of the co-participants' stories.

Arguably, the performances embedded in both respectability politics and the culture of dissemblance engage the body as a point of resistance. To contextualize the use of Black bodies as tools of resistance is to understand the subjugation of the Black female body, particularly during slavery. The bodies of Black women slaves were sexualized and characterized as unrapable as they were both incapable of consenting to and of resisting sexual violence. Relying on the unreported case of *Missouri v Celia* (and the few other cases she could locate) – a slave woman who killed her owner after enduring four years of rape – Saidiya Hartman concludes that “the enslaved could neither give nor refuse consent, nor offer reasonable resistance, yet they were criminally responsible and liable”.⁶³ This is the duality between property and personhood that plagued the life of slaves. For example, slave law both ensured that Black women could not be raped given their status as property, but should they resist or, “God forbid” commit murder against their rapists, they became persons under the law. Here, the Black woman defender is the transgressor and labelled criminal.⁶⁴ The slave in this respect was a rational person within the context of criminal

⁶² *Ibid* at 40.

⁶³ Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford Press, 1997) at 82.

⁶⁴ *Ibid* at 80.

law;⁶⁵ yet she was incapable of agency and autonomy respecting the intrusion of her body as “she [was] presumed to be always willing”.⁶⁶ Furthermore, this duality placed Black slave bodies (males and females) as sites of “crime” – one casting them as criminals; the other as property incapable of experiencing hurt. The former enabled the rhetoric portraying Black bodies as threatening which in turn justified white violence against Black bodies.⁶⁷

Appreciating the conditions of Black men and women during slavery, it is not surprising that Black women, like Williams, who were experiencing the ramifications of the treatment of the hypersexualization of Black women bodies, were explicit in tying their politics to “bodily awareness about Black women’s corporeal vulnerability”.⁶⁸ Also, though I am not naïve to think that the culture of dissemblance was employed by Black women to resist other Black people from learning of their private matters, it is not surprising that they strategically used it to safeguard their private lives and insulate Black men from the pains of white society. Hartman contends that redressing the pained body entails “operating in and against the demands of the system, negotiating the disciplinary harnessing of the body, and counterinvesting in the body as a site of possibility”.⁶⁹ Women who relied on respectability politics and the culture of dissemblance were, and still are, doing so as revealed in the conversations with the co-participants of this project.

Other intellectual currents critical to my work can be traced back to Ida B Wells, one of the greatest racial agitators of the late 19th and early 20th centuries. A term developed by Mary Church Terrell, a “racial agitator” or “meddler” reflects an individual who asks controversial questions to unearth, for example, why a particular set of people are denied constitutional rights and others embody those rights by virtue of the colour of their skin.⁷⁰ As an agitator, Wells exposed the rationale for lynching Black men in the late 19th and early 20th centuries.⁷¹ She learned that the rationale was based on conjured accusations; and more profoundly, the sex between the parties were either

⁶⁵ *Ibid* at 82.

⁶⁶ *Ibid* at 81.

⁶⁷ *Ibid* at 82-83.

⁶⁸ Cooper, *supra* note 55 at 41.

⁶⁹ Hartman, *supra* note 63 at 51.

⁷⁰ Cooper, *supra* note 55 at 62.

⁷¹ See Ida B Wells-Barnett, *Collected Works of Ida B Wells-Barnett* (New Orleans: BiblioBazaar, 2007).

consensual or the allegations were blatant lies.⁷² She publicly called for justice where Black men accused of raping white women can be properly tried and their guilt or innocence “be fully established”.⁷³

Further, Wells was instrumental in bringing awareness to the rape and mutilation Black women endured at the hands of white men that went virtually unpunished: “when the victim is a colored woman it is different”.⁷⁴ She spoke out against not only lynching but the injustice that befell Black women as they were not seen as “real” women. The complex interplay between sexism, racism, patriarchy, and state violence against Black women was illuminated: especially, recognizing that white men who raped Black women and girls were either not prosecuted at all or not prosecuted to the full extent of the law.⁷⁵

Wells’ tenacity and commitment to truth and truth-seeking and her critique of the carceral system are imperative to this project. Even in the face of adversity – receiving death threats – and living in a time where the door to slavery had barely closed, she became a voice for the voiceless (dead and alive) and brought humanity to Black men who were victims of the atrocity of lynching. Likewise, her exposition of the hostile, disproportionate, and deadly implications of the carceral system for both Black women and men provided a segue for Black feminist abolitionists icons such as Angela Davis, Elaine Brown, Joy James, and arguably recent revolutionaries.

Angela Y Davis is an activist, abolitionist, freedom fighter, professor, and one of the pioneers of the “race, gender, and class-based movement”.⁷⁶ Building on the legacy of Wells and Williams, Davis, along with Kimberlé Crenshaw and Patricia Hill Collins, set the stage for my understanding of Intersectionality, its implications for Black women, and its use in this project. Respecting the intersections of race, gender, and class, Bernice McNair Barnett explains that,

⁷² See *ibid*; see also Joy James, *Resisting State Violence: Radicalism, Gender, and Race in U.S. Culture* (Minnesota: University of Minnesota Press, 1996) at 133.

⁷³ Wells-Barnett, *supra* note 71 at 23.

⁷⁴ *Ibid* at 24.

⁷⁵ *Ibid* at 24-25.

⁷⁶ McNair Barnett, *supra* note 54.

[l]ong before RGC [race, gender class] became fashionable or even legitimate in academia, Davis was one of the groups of RGC “foot soldiers” that battled long and hard on the ground and in the trenches to pave the road through which other RGC activist freedom fighters have been able to tread.⁷⁷

In addition to her work on Intersectionality, Angela Davis became one of the most prominent prison abolitionists to date. In August of 1970, Davis was charged with murder, kidnapping, and criminal conspiracy. She was later acquitted of all charges. Nevertheless, she referred to her ten months in prison as, “a time of learning. Deep learning. That period defined the trajectory of the rest of my life”.⁷⁸ Davis became (and still is) a consequential leader in the prison abolition movement. From jail, she wrote and edited her first book, *If They Come in the Morning: Voices of Resistance*, which is an anthology of prisoners’ experiences within the system. Upon release from prison to today, Davis has continued her fight for prison abolition, as well as concentrating on activism from an Intersectional framework. As Andrea Ritchie states, “throughout the 1970s, ‘80s, and 90s, Davis herself led the way in articulating a gendered analysis of police violence and criminalization of women of color which profoundly inspired and shaped my, and many others, evolving understanding”.⁷⁹

Elaine Brown is of the same vintage as Angela Davis. She is a prison abolitionist, activist, writer, singer, and the only (former) female leader of the Black Panther Party (BPP), a Black power militant organization formed in response to state brutality towards Black people. During her time as a BPP member, she managed to climb the ranks, becoming the leader of the BPP from 1974, when Huey Newton, co-founder of BPP, was exiled to Cuba, to 1977. Her voice as a Panther woman was one of a powerful revolutionary – calling for dismantling and defeat of the racist and capitalist regimes that permitted police and other structural and institutional systems of oppression to exercise violence against not only Black bodies, but the bodies of other racialized and poor white people. When introducing herself as the new leader of the BPP, she once stated to the Panther audience,

⁷⁷ McNair Barnett, *supra* note 54.

⁷⁸ Simon Hattenstone, “Angela Davis on the Power of Protest: ‘We Can’t Do Anything Without Optimism’”, *The Guardian* (5 March 2022) online: <<https://www.theguardian.com/us-news/2022/mar/05/angela-davis-on-the-power-of-protest-we-cant-do-anything-without-optimism>>.

⁷⁹ Andrea Ritchie, *Invisible No More: Police Violence Against Black Women and Women of Color* (Boston: Beacon Press, 2017) at 208.

Eventually, a time will come-not in our lifetimes, Comrades-but a time will come when the people will understand their power and the pigs' [police] machinery will be unable to accommodate their demands. That is when the people, black people and poor white people and oppressed people all over America, will rise up like a mighty tide and wash clean this beachfront of capitalism and racism, and make the revolution!⁸⁰

As leader of the BPP, she changed the trajectory of the organization, both internally and externally. Externally, she created a public image of respectability, garnering respect from the community by focusing on politics and community service work.⁸¹ However, she never lost sight of her revolutionary agenda. In fact, following her departure from BPP, she continued to be very critical of the police and what she referred to as “the fascist state of America ...”⁸² For example, criticizing the American prison-industrial-complex, she contends that the massively disproportionate rate of incarceration of Black men is “looming as part of a new scheme of convict labor, free labor in America ...” – in short, a new form of slavery.⁸³ Further, she argues that the targeting of Black bodies to fulfill this rendition of slavery is the continuing result of,

new social and political policies rife with racism, particularly in relation to crime and punishment. These latter day theories about [B]lack boys are rooted in the culture of American slavery, wherein the [B]lack male was identified as inherently savage, an immoral or amoral being possessing a bestial nature, and thus by nature inferior to whites and fit only to serve as a slave.⁸⁴

Returning to her influence on the BPP, internally she strove to empower other Panther women by assigning many women to leadership positions for which she received significant pushback: “I had introduced a number of women in the BPP’s administration. There were too many women in command ... numerous men were grumbling.” The grumbling only increased to which she called in reinforcement “to shut all the mouths”.⁸⁵

⁸⁰ Elaine Brown, *A Taste of Power: A Black Woman’s Story* (New York: First Anchor Book Edition, 1994) at 5.

⁸¹ *Ibid* at 362-3.

⁸² *Ibid* at 11.

⁸³ Elaine Brown, *The Condemnation of Little B: New Age Racism in America* (Boston: Beacon Press, 2002) at 349.

⁸⁴ *Ibid* at 102-3.

⁸⁵ Brown, *A Taste of Power*, *supra* note 80 at 362-3.

Her success as a Panther woman did not shield her from the sexism that permeated the BPP. Panther women faced rampant and insidious sexism due to the male chauvinism that was part and parcel of the BPP.⁸⁶ Brown wrote in her memoir, *Taste of Power*,

A woman in the Black Power Movement was considered at best, irrelevant. A woman asserting herself was a pariah. A woman attempting the role of leadership was, to my proud [B]lack Brothers, making an alliance with the ‘counter-revolutionary, man-hating, lesbian, feminist white bitches.’ It was a violation of some Black Power principle that was left undefined. If a [B]lack woman assumed a role of leadership, she was said to be eroding [B]lack manhood, to be hindering the progress of the [B]lack race. She was an enemy of [B]lack people.⁸⁷

A consequence of male chauvinism was that Black women’s bodies implicitly became the property of the BPP. Brown notes that when she joined the BPP, she learned that “[o]ur gender was another weapon, another tool of the revolution. We also had the task of producing children, progeny of the revolution who would carry the flame when we fell, knowing that generations after us would prevail”.⁸⁸ In addition to the task of making babies, Black women were the subject of sexual exploitation. Their bodies had the potential to be used as a weapon to have “sexual encounter[s] with the enemy” in order to carry out the mission of the BPP⁸⁹ or for pleasure at the behest of Panther men.⁹⁰ Thus, in addition to combatting racism, classism, sexism, and patriarchy outside the walls of the organization, Panther women were also fighting the battle against sexism and patriarchy within.

It was the BPP’s treatment of women that eventually led to Brown’s resignation in 1977. Her resignation was another example of her activism or revolutionary ideology regarding Black women’s rights. She resigned after a conversation with Newton and learning that he authorized the beating of Panther, Regina Davis, the administrator at the Liberation School, by Panther men. In her personal hand-written resignation letter to Newton, she wrote, “It [the BPP] seemed too

⁸⁶ *Ibid* at 357.

⁸⁷ *Ibid*.

⁸⁸ *Ibid* at 137.

⁸⁹ *Ibid* at 136; see also Robyn Spencer, *The Revolution Has Come: Black Power, Gender, and the Black Panther Party in Oakland* (Durham: Duke University Press, 2016) at 95.

⁹⁰ Brown, *A Taste of Power*, *supra* note 80 at 189: demonstrated in conversation between Bobby Seale, co-founder of the BPP, and an adolescent Panther girl.

much of a man's world for me".⁹¹ This signalled her intolerance of the treatment of women in the BPP, and her refusal to continue being an accomplice. This notion of "being an accomplice" is directly related to the culture of dissemblance as discussed above. It can be inferred that Brown remained complicit in the abuse she and other Panther women faced, in part, to protect Black men, the Black community, and specific to Brown, the BPP (refusing to provide white society another reason to condemn the Party). Many Black women, including the co-participants of this project, grapple with the implications of being an accomplice (this will be flushed out in chapters 8 and 10 of this project).

Williams, Wells, Davis, and Brown, and many others not mentioned, opened the doors for Black feminists to continue the fight against white authoritarianism, police and state violence, negative intra-community treatment of women, and IPV. These women forged the path for not only my project, but the work of many contemporary Black feminist activists. The latter include, for example, Alicia Garza, Opal Tometi, and Patrisse Cullors, who started the Black Lives Matter Movement in 2012 following the murder of Treyvon Martin – a movement which is still in existence to date – as well as Johnetta Elzie and Brittany Packnett who started We The Protesters, a grassroots organization intent on advocating against police brutality and state violence within the United States.⁹² The influence of our foremothers can be seen in the actions and voices of Andrea Ritchie and Mariam Kaba. Both women's activism is demonstrated in their desire to make Black women's treatment by law enforcement visible, eradicate gender-based violence, including IPV, abolish the prison industrial complex, and create grassroots community organizations that address the needs of racialized women who experience gender-based and state violence.⁹³ In addressing the detriments of IPV and denial of police protection, as I discuss in relation to mandatory arrest and charging policies in 5a of this chapter, Ritchie contends that the denial of protection for Black and other racialized women is, itself, a form of police violence. This denial increases Black women's vulnerability and signals to perpetrators and others that violence against Black women is acceptable behaviour. Racial profiling is not only enacted against those assumed to commit

⁹¹ Maeve Plassche, "*A Scepter of Terror or a Sword of Freedom*": Elaine Brown's Time in the Black Panther Party (History and Classics Honours Thesis, Providence College, 2023) [unpublished] at 78: the handwritten letter to Huey Newton is reproduced in this thesis at 78.

⁹² Cameron Jernigan, "A Taste of Power: The Rhetorical Potency of Elaine Brown" (2017) 1 UNC JOURney 74 at 78.

⁹³ See Kaba, *supra* note 34; Ritchie, *supra* note 79.

crimes, but against those considered survivors or victims of crime.⁹⁴ As an abolitionist feminist, Ritchie writes, “We can no longer be complicit in the notion that we can achieve safety through policing, particularly in this climate ... we should be asking, “What do women need to be safe?” How can the billions spent on policing go instead to resources such as safe and afford be housing, health care, education, living-wage employment, childcare, and mental health treatment?”⁹⁵

In addition to paving the way for contemporary Black feminist activists, grassroots community organizations emerged through the teachings of our foremothers. Many of these organizations focus on intersecting oppressions and the institutions that perpetuate gender-based violence, while making visible the experiences of Black and other racialized women. One such organization is INCITE! Women of Color Against Violence (INCITE!). INCITE! is an organization developed from a passion to end gender-based and state violence. In the early 2000s, INCITE! held a conference, the “Colour of Violence: Violence Against Women of Color”, at the University of California – Santa Cruz. The conference grew exponentially, leading to the development of the organization which now has multiple chapters across the United States.⁹⁶ In line with the organizations development, Beth Richie, a co-founder of INCITE!, implores us to interrogate “gender, sexuality, race, and class” and how they intersect with “harsh penal policy and aggressive law enforcement”.⁹⁷ Further, while analyzing gender violence and “prison and police violence”, women who are affiliated with or are part of the organization began illuminating the invisibility of racialized women who were recipients of violence from law enforcement.⁹⁸ Highlighting this invisibility is in many ways a precursor to the #SayHerName movement briefly discussed in chapter 4 of this project.

In addition to INCITE!, Canadian organizations, such as WomenatthecentrE, based in Toronto, and the Third Eye Collective, based in Montreal, surfaced. Both organizations are intent on combating violence against women, particularly Black women. They recognize that Black women voices are not heard in the struggle against gender violence, including, sexual assaults, IPV, and

⁹⁴ Ritchie, *ibid* at 189.

⁹⁵ *Ibid* at 241.

⁹⁶ INCITE!, online: INCITE <<https://incite-national.org/history/>>.

⁹⁷ Ritchie, *supra* note 79 at 208.

⁹⁸ *Ibid*.

state violence. Accordingly, the founders of Third Eye Collective “believe that strategies designed to combat sexual and domestic violence must be linked to strategies that combat police violence, hate violence, as well as anti-Black, racist, colonial, and anti-immigrant violence that persists against our communities”.⁹⁹

This rich history demands that Black women, and like-minded scholars, educators, and activists, continue to make visible anti-Black racism, sexism, and other forms of oppression that situate many Black women in a perpetual position of vulnerability to gender-based and state violence. As such, this project is working from the blueprint provided by the aforementioned foremothers, and those not mentioned, as it strives to make visible Black women and their experiences with IPV, the interplay between the CLS and its treatment of Black men and women, and its implications within the Black community – a community that has experienced visceral violence from a system that claims to protect all people. The following section, within the context of this project, begins this endeavour by turning to the historical accounts of three Black women in Canada who experienced IPV.

3. IPV and Black Women in Canada: A Brief Historical

IPV has a long history in Canada’s Black community, yet this history is severely overlooked. Barrington Walker’s book, *Race on Trial: Black Defendants in Ontario’s Criminal Courts, 1858-1958*, reminds us of some of this history and is one of the few well-documented historical resources providing insight into the lives of Black women who experienced IPV in Canada. From Walker’s book, I centre the stories of three Black women in Canada, Eliza Ross, Martha Veney, and Hannah Richardson,¹⁰⁰ and their experiences with IPV, sexism, racism, and the law. Eliza Ross was the victim of a break and enter on September 16, 1882. Her estranged husband, George Ross, was arrested for larceny when a police officer found him burning the items allegedly stolen from Mrs. Ross. At the Police Court Hearing, Mrs. Ross identified the abuse she endured as the wife of Mr. Ross. She advised that he ‘whip[p]ed’ her, and on the day in question, she met him in the market

⁹⁹ Third Eye Collective, online: Third Eye Collective <<https://thirdeyecollective.wordpress.com/about/>>.

¹⁰⁰ It should be noted that Walker speaks of other Black women in his publication. However, these three stood out to me because of their IPV situations.

where he was verbally abusive to her.¹⁰¹ While this was a criminal matter and not a civil one, Mrs. Ross highlighted her independence and autonomy at a time when the *Married Women's Property Act* of 1872 (*MWPA*) was in force. In theory, the *MWPA* was supposed to enable *all* married women to maintain control of their personal property and wages. Nevertheless, Mr. Ross' charge was dismissed. It is unclear the exact reasons for dismissal. It is clear, however, that while Mrs. Ross had hoped to secure victory, partially relying on the *MWPA*, which would have confirmed her ownership of her property and precipitated a finding of guilty against Mr. Ross, the entrenched connection between marriage, property, and masculinity in Anglo-Canadian society prevailed. Mr. Ross' lawyer relied on European common law notions of the marriage contract by questioning a wife's ability to testify against her husband and postulating that "because a husband and wife were 'one in law', there could be no charge made against a husband for stealing from his wife".¹⁰²

Ross lived to tell her story; Veney and Richardson did not have that chance. On September 13, 1892, Martha Veney, a resident of Amherstburg, Ontario, was found lying on the kitchen floor in a pool of blood with her throat slit; while Mr. Veney, covered in blood, was observed pacing the floor with the murder weapon in hand – a penknife.¹⁰³ Mr. Veney was located in the home and subsequently arrested and tried for murder. After a trial, Mr. Veney was found guilty and sentenced to death. However, his sentence was later commuted based on three petitions signed by some of Amherstburg's finest, including a banker, brokers, mayors, and bailiffs. These individuals described him as respected by all, an individual of "harmless character",¹⁰⁴ who succumbed to moments of mental deprivation causing him to commit the murder. These petitions, coupled with Mr. Veney's medical decline in the penitentiary, enabled his sentence to be commuted to life in the Kingston Penitentiary where he died in the prison's medical facility.

Two years later, Hannah Richardson, a resident of Kent County, Ontario, decided to leave her husband. She was loading some of her belongings onto a wagon when her husband confronted her

¹⁰¹ Barrington Walker, *Race on Trial: Black Defendants in Ontario's Criminal Courts, 1858-1958* (Toronto: University of Toronto Press, 2010) at 91-93.

¹⁰² *Ibid* at 93.

¹⁰³ *Ibid* at 104-114; see also Barrington Walker, "Killing the Black Female Body: Black Womanhood, Black Patriarchy, and Spousal Murder in Two Ontario Criminal Trials" in Marlene Epp, Franca Iacovetta & Frances Swyripa, eds, *Sisters or Strangers? Immigrant, Ethnic, and Racialized Women in Canadian History* (Toronto: University of Toronto Press, 2004) at 90-107.

¹⁰⁴ Walker, *Race on Trial*, *supra* note 101 at 114.

in the street. She continued to pack her belongings, and as a punishment for her defiance, he punched and knocked her to the ground, professing his intentions to kill her. As she tried to run to a safe haven, he grabbed her by the dress, punched her in the face and once she was on the ground, he placed one foot on her neck. Following this violent public display, Mrs. Richardson courageously crawled to safety where she succumbed to her injuries.¹⁰⁵ Mr. Richardson was subsequently arrested and charged with murder. He was found guilty of manslaughter and sentenced to spend the remainder of his life in Kingston Penitentiary.

The stories of these women were introduced for a number of reasons, including to underscore the lack of research and attention paid to Black women's histories with IPV in Canada, the complexities of Blackness, and the application of the law as it attempts to navigate Blackness, particularly how Black women are viewed in law. Walker demonstrates that the stories of Ross, Veney, and Richardson are blatant examples of residual patriarchy (a concept that will be discussed in chapter 8). In short, it is a reduced form of patriarchal power bestowed upon Black men by white society because they are lowercase "m" men when they are considered men by white society. In other words, Black men benefit in a secondary or 'residual' way from patriarchal structures, by virtue of being male; but, by virtue of the anti-Black racism that also positions them below white people, their patriarchal privilege is over Black women, specifically.¹⁰⁶ For example, Mr. Ross was able to circumvent a criminal conviction by accessing a law meant for and to be used by white men.¹⁰⁷ His reliance on Eurocentric common law notions of marriage, which very rarely applied to Black men, trumped Ms. Ross' claim under the *MWPA* because she was a Black woman, and as such was not privy to the protections under the *MWPA* even though it was ostensibly for *all* women.

Further, with the undertone of Black men as inherently dangerous, simple-minded, and mentally incapacitated, both Mr. Veney and Mr. Richardson were spared the death penalty because they were "m"en, but most importantly, because their prey were Black women. Although Mr. Richardson's claim to insanity was rejected by the jury, they were unwilling to sentence him to

¹⁰⁵ *Ibid* at 104-114; see also, Walker, "Killing the Black Female Body", *supra* note 103 at 90-107.

¹⁰⁶ Walker, *Race on Trial*" *supra* note 101 at 90.

¹⁰⁷ *Ibid* at 91.

death for killing a Black woman and opted to convict him of manslaughter instead. While Mr. Veney was sentenced to death, his sentence was soon commuted as prominent white men petitioned on his behalf perpetuating stereotypes of Black women as promiscuous and mounting stereotypes about Black men, describing Mr. Veney's mental capacity as weak, compelling him to commit the act of murder.¹⁰⁸ White men rose to his aid because Mr. Veney, albeit a Black man, was a prominent man in his community who gained the "respect" of all members of society. Nonetheless, this "respect" did not deter them from reporting in their petition his inability to exercise self-control and diminishing his intellectual capacity.¹⁰⁹

Although these stories are not the first and certainly not the last, stories like these are often obfuscated or obscured in IPV literature, policies, and laws as the focus continues to be on the experience of white women as the universal truth of all women; often reflecting what Adrienne Rich characterized as white solipsism. White solipsism is "the tendency 'to think, imagine, and speak as if whiteness described the world.'"¹¹⁰ It subscribes to a "tunnel vision which does not see non-white experiences or existence as precious or significant".¹¹¹ This tunnel vision suffocates the progress in combatting IPV because the stories, such as the ones outlined above, that provide valuable insights regarding the dynamics of IPV in Black families and enrich our understandings of IPV in general, are suppressed or misunderstood. These stories are particularly significant in that they reveal the tensions between racism, sexism, classism, and other oppressions, and their interconnectedness with each other and the law. But also, because they demonstrate how Black women are deemed less than woman under the law. The stories that seem to matter are those of white women, which is not surprising. Author and Black feminist activist, bell hooks, reminded us that, as a matter of "racial imperialism," white people have historically used the term "women" even when the primary topic of conversation is white women, enabling the process of writing Black women out of the category of women and thereby perpetuating racist ideologies of who can be deemed a woman.¹¹²

¹⁰⁸ *Ibid* at 113-115.

¹⁰⁹ *Ibid* at 114.

¹¹⁰ Adrienne Rich, *On Lies, Secrets and Silence: Selected Prose 1966-1978* (New York: W W Norton and Company Inc., 1979) at 299.

¹¹¹ *Ibid* at 306.

¹¹² hooks, *Ain't I a Woman*, *supra* note 12 at 8.

Fundamentally, the IPV issue for Black women is far more complex than simply focusing on gender inequality. Primarily focusing on gender inequality is troublesome for numerous reasons. First, it fails to attend to how other structures of oppression, including racism, enable IPV and limit the space of action for Black women; second, it obfuscates how certain types of violence and abuse are normalized in society and in particular communities;¹¹³ and third, meshing both the first and second problems, it fails to recognize how intersecting identities play a role in IPV situations in the Black community and how Black women respond to it. On May 9, 1867, in her revered address to the first annual meeting of the American Equal Rights Association, Sojourner Truth, while focusing on voting rights for Black women, properly articulated the overlapping effects of patriarchy and racism that still hold true to date. She stated:

there is a great stir about colored men getting their rights, but not a word about the colored women; and if colored men get their rights, and not colored women, you see the *colored men will be masters over the women*, and it will be just as bad as it was before...[Black women] go out washing, which is about as high as a colored woman gets, and their men go about idle, strutting up and down; and when the women come home, they ask for their money and take it all, and then scold you because there is no food [emphasis added].¹¹⁴

Not only did she illuminate the connection between racism and patriarchy, but she also expressed a fear of violence and control over Black women's bodies by Black men. Truth brought the audience into the (potential) circumstances of many Black families through an intersectional lens, yet it seems to have fallen on deaf ears then and now.

American scholars such as Kimberlé Crenshaw, bell hooks, Andrea Ritchie, Beth E Richie, and Mimi Kim, to name a few, have challenged essentialist notions of IPV, demonstrating that not only do Black women experience IPV, but because of our uniquely marginalized position, Black women are subjected to a greater vulnerability to sexual violence and IPV.¹¹⁵ More fundamentally, our experiences of IPV are shaped by the multiplicity of our identities, including, but not limited to,

¹¹³ Ardath Whynacht, *Insurgent Love: Abolition and Domestic Homicide* (Halifax: Fernwood Publishing, 2021) at 14.

¹¹⁴ Sojourner Truth, "Address to the First Annual Meeting of the American Equal Rights Association", (9 May 1867) online: Society for the Study of American Women Writers, online: <<https://www.lehigh.edu/~dek7/SSAWW/writTruthAddress.htm>>.

¹¹⁵ Maynard, *supra* note 13 at 154.

race, gender, class, and immigration status.¹¹⁶ These identities are not mutually exclusive but intertwine, defining Black women's existence and position in society and how we experience and respond to IPV. Therefore, epitomizing the experiences of white women survivors of IPV as though they represent the experience of all women devalues and disregards the experiences of Black women, and ignores the intersecting complexities that tend to define their experiences as IPV survivors.

4. IPV and Black Women: How We Experience it!

As already discussed, there is far less research on the increased risk of violence for some women that,

results from and reinforces systemic discrimination. These risks can intersect and multiply where more than one factor contributes to marginalization. For example, for African Nova Scotian and Indigenous women, disability, economic marginalization, criminalization, and rural location can further increase the risk of violence.¹¹⁷

Patrina Duhaney, one of the few Canadian scholars who has addressed the gap in research, rightfully identifies the Canadian government's lack of data collection relating to IPV in the Black community and argues that "[t]he absence of data renders Black women invisible and makes it difficult to assess their unique experiences of IPV and its consequences in their lives".¹¹⁸

Only more recently has Statistics Canada begun to report on the differential rates of IPV experienced by visible minority women, including Black women. Using the *Employment Equity Act*, Statistics Canada defined visible minorities as including "South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese."¹¹⁹ Statistics Canada data show that among visible minority women in the survey, Black women experience

¹¹⁶ Kimberlé Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color" (1991) 43:6 Stanford L Rev 1241 at 1242.

¹¹⁷ MacDonald, Fitch & Stanton, *supra* note 49 at 280.

¹¹⁸ Duhaney, "Criminalized Black Women's Experiences", *supra* note 35 at 2766; See, Crenshaw, "Mapping the Margins", *supra* note 116: Crenshaw's earlier work on violence against women demonstrates how data or lack thereof regarding violence against women has the potential to further marginalize and make invisible Black women and our experiences.

¹¹⁹ Statistics Canada, *Intimate partner violence: Experiences of visible minority women in Canada, 2018* (Ottawa: 19 May 2021), online: <<https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00008-eng.htm>>.

higher rates of IPV, with 42 percent of Black women having experienced IPV since the age of 15 in comparison to 29 percent for the total visible minority women who participated.¹²⁰ Further, the Avalon Report submitted to the Nova Scotia Mass Casualty Commission, speaking to the IPV experiences of both Black and Indigenous women, noted that 2018 Statistics Canada data showed that approximately 57 percent of women with an income under \$20,000 had experienced IPV over the course of their lifetime.¹²¹ In addition to Statistics Canada, an article published in 2023 on the website of Luke's Place: Domestic Violence and Treatment Centre indicated that not only are Black women 2.5 times more likely to experience domestic violence than non-Black women, but they are also more likely to be killed by their abuser.¹²²

There is a plethora of research in the United States speaking to the IPV experiences of Black women. For example, research in the United States demonstrates that African American women are overrepresented among those who have experienced physical forms of IPV.¹²³ Black women in America are at a higher risk of IPV than women of other racial identities.¹²⁴ An overarching reason for this is a result of structural inequalities that significantly affect their positioning in society.¹²⁵ While 28 percent of all women will experience some form of IPV in their lifetime, four in ten Black women are at risk of becoming a survivor of IPV.¹²⁶ Black women have an elevated risk of receiving serious injuries, developing mental health issues, and dying as a result of IPV

¹²⁰ *Ibid*; Avalon, Wellness Within & Women's Legal Education and Action Fund (LEAF), "*We Matter and Our Voices Must be Heard*" (September 15, 2022), online: https://masscasualtycommission.ca/files/documents/AvalonReport_MassCasualtyCommission_Sept152022.pdf [https://perma.cc/24DL-J7LC] [The Avalon Report] at 5.

¹²¹ *Ibid* at 7.

¹²² Lukes Place, *Intimate partner violence and racialized women* (2023) online: <<https://lukesplace.ca/intimate-partner-violence-and-racialized-women/#:~:text=Compared%20to%20non%20Black%20women,be%20murdered%20by%20an%20abuser>>.

¹²³ Richie, "Arrested Justice" *supra* note 40 at 26; see also, Lorin Kelly, Chelsea Spencer & Sandra Smith, "'I'm Black, I'm Strong, and I Need Help': Toxic Black Femininity and Intimate Partner Violence" (2020) 12:1 J Family Theory & Rev 54 at 54; see also, Krim Lacey et al, "Severe Physical Violence and Black Women's Health and Well-Being" (2015) 105:4 Am J Public Health 719 at 719; Al'Uqdah, Maxwell & Hill, *supra* note 38; also see Brianne Posey, "Black Femicides Matter: Conceptualizing the Killings of Black Girls and Women as Structural and Cultural Violence" (2023) 28:3 Homicide Stud 313 at 319.

¹²⁴ Richie, "Arrested Justice" *supra* note 40 at 26; see also, Kelly, Spencer & Smith, *supra* note 123 at 54 Lacey et al, *ibid* at 719, and Al'Uqdah, Maxwell & Hill, *supra* note 38 at 878.

¹²⁵ Noelle St. Vil et al, "A Qualitative Study of Survival Strategies Used by Low-Income Black Women Who Experience Intimate Partner Violence" (2017) 62:1 Soc Work 63 at 63.

¹²⁶ Lacey et al, *supra* note 123 at 719.

than white women.¹²⁷ In 2012, Beth E Richie highlighted the significance of the latter issue, noting that death by an intimate partner was the second highest cause of death for Black women between the ages of 15 and 25. Further, Black women are two times more likely to be killed by a spouse than their white counterparts, and four times more likely than white women to be killed by a boyfriend or a girlfriend.¹²⁸ The picture has worsened over time. In their 2025 article, Tameka Gillum et al conclude that Black women in America continue to be at a higher risk of being killed by a partner.¹²⁹ According to 2020 homicide data, 56 percent of all Black women killed were killed by an intimate partner.¹³⁰ They are 2.22 times more likely to be killed by an intimate partner than their Latina counterparts; and 2.7 times more likely than white women.¹³¹ Scholars also indicate that pregnancy increases a Black woman's risk of being killed by an intimate partner.¹³² Research undertaken by Noelle St. Vil et al reveals that the risk of abuse and death due to IPV is heightened for Black women residing in low-income neighbourhoods.¹³³ This also resonates in Canada as corroborated by the Avalon report mentioned above.

In addition to physical abuse, Black women situated in IPV circumstances can also encounter sexual assault (often intersecting with physical violence). This includes being “forced into prostitution through the controlling behavior associated with forced use of, or denial of, contraception, and the ways that women are demeaned when they feel obligated or are coerced by their intimate partners to use their sexuality in ways they consider distasteful”.¹³⁴ Black women also experience “emotional manipulation” and hostile environments.¹³⁵ Here, the behaviour may not necessarily be physical in nature, though it is capable of including physical and/or sexual assaults. The partner exercising control enlists “psychological, emotional, and/or verbal tactics” that instill “fear, anxiety, or at the very least confusion for the receiving partner”.¹³⁶ The

¹²⁷ Kelly, Spencer & Smith, *supra* note 123 at 54; also see St. Vil et al, *supra* note 125 at 63 and Posey, *supra* note 123 at 319.

¹²⁸ Richie, “Arrested Justice” *supra* note 40 at 30; also see, St. Vil et al, *supra* note 125 at 63.

¹²⁹ Tameka Gillum et al, “The Murder of Black Women in the United States: A Public Health Crisis” (2025) 15:5 *AJPH* 663 at 663; See also, Posey, *supra* note 123 at 319-320.

¹³⁰ Tameka Gillum et al, *ibid* at 663.

¹³¹ *Ibid*.

¹³² *Ibid*; See also, Posey, *supra* note 123 at 320.

¹³³ St. Vil et al, *supra* note 125 at 63.

¹³⁴ Richie, “Arrested Justice” *supra* note 40 at 30; see also Kelly, Spencer & Smith, *supra* note 123 at 54.

¹³⁵ Richie, “Arrested Justice” *supra* note 40 at 32-37.

¹³⁶ *Ibid* at 32.

environment created is constant and not episodic; and the behaviours creating the environment are enforced to “disorient, terrify, or otherwise disadvantage” the dominated partner.¹³⁷ A significant part of this manipulation is gaslighting – where the abuse is minimized, denied, or blame is shifted by the perpetrator.¹³⁸ This environment appears similar to coercive control, and while a comparison of the two is not within the purview of this analysis, it is worth noting that coercive control tends to speak for the situation of *all* women, devaluing the importance of Intersectionality and the impact that flows from intersecting oppressions when analyzing IPV. Tolmie et al identify the failure in much of the literature on coercive control to attend to Intersectionality. They argue that coercive control theory is too often understood in a narrow, individualistic sense without attention to structures of oppression. The concept of “entrapment” broadens the scope of coercive control to an inclusive analysis of IPV which centres systemic and social entrapment embedded in various structures of oppression.¹³⁹ Entrapment recognizes the restrictions imposed on survivors’ “autonomy and agency by their *partner’s abusive and controlling behaviors* and by *broader systemic patterns of harm*, which frequently continue even after a victim-survivor leaves their abusive partner” [emphasis added].¹⁴⁰ They posit that entrapment enables an understanding of how intersecting oppressions in the lives of survivors impact how they navigate their abuse and the “safety responses available to them”.¹⁴¹ It focuses not only on the abusive behaviours of the perpetrator but how these behaviours impact the “broader social context that is occupied by” both the survivor and the perpetrator.¹⁴²

In addition to the manipulation that they encounter as a result of the abuse, Black women are at risk of physical impediments such as “broken bones, chronic disorders, diseases, and gynecological problems”.¹⁴³ Research also reveals that Black women, like white women who experience IPV, are prone to psychological consequences, including post-traumatic stress disorders, anxiety, stress, and substance abuse.¹⁴⁴

¹³⁷ *Ibid* at 33.

¹³⁸ *Ibid* at 34.

¹³⁹ Julia Tolmie et al, “Understanding Intimate Partner Violence: Why Coercive Control Requires a Social and Systemic Entrapment Framework” (2024) 30:1 Violence Against Women 54 at 54-55.

¹⁴⁰ *Ibid* at 55.

¹⁴¹ *Ibid*.

¹⁴² *Ibid*.

¹⁴³ St. Vil et al, *supra* note 125 at 64; also see Lacey et al, *supra* note 123.

¹⁴⁴ See Lacey et al, *ibid*; Al’Uqdah, Maxwell & Hill, *supra* note 38.

Even with this understanding, and while it is universally accepted that IPV cuts across nations, culture, race, religion, class, and history, IPV continues to largely be analyzed and responded to through white women's experiences. It is their concerns that are the driving force of the IPV discourse, laws, and policies that are detrimental to Black women.

5. IPV: CLS is the Appropriate Response for Justice? For Whom?

The deleterious effects of the essentialist or universalist approach with a focus on patriarchy and sexism did not deter many (white) feminists from placing (and continue to place) their confidence in the CLS to quell this social and global pandemic¹⁴⁵ and to provide the “justice” they deem necessary. Contextually, as white women are not plagued by the perpetuation of structural and institutional racism – the bedrock of the criminal law system – it is no surprise that they turned to it, disregarding the obvious and engaging in a partnership “with the same agencies that waged assaults on the poor, racialized and underserved communities”.¹⁴⁶ This alliance led to significant criminal law reforms that were implemented as a result, but not without collateral consequences. For example, in 1983 sections of the *Criminal Code* regarding sexual assault were amended to include sexual violence against one's spouse, and by 1986 all Canadian provinces had implemented mandatory arrest and charging policies, which will be discussed below, and prosecutorial policies. These policies were implemented to dispel historical beliefs rendering IPV a private matter and recognize that it is a serious problem in society making it a matter of public concern.¹⁴⁷

Further, specialized domestic violence courts became fixtures in certain jurisdictions in the 1990s, civil remedies, such as restraining orders in most provinces, were enhanced,¹⁴⁸ and in 2018 Bill C-

¹⁴⁵ United Nations, *supra* note 4.

¹⁴⁶ Whynacht, *supra* note 113 at 14.

¹⁴⁷ Trevor Brown, *Charging and Prosecution Policies in Cases of Spousal Assault: A Synthesis of Research, Academic, and Judicial Responses*, Final Report (Ottawa: Department of Justice, November 2002), online: <https://anrows.intersearch.com.au/anrowsjspui/bitstream/1/19812/1/rr01_5.pdf> at iii.

¹⁴⁸ Melanie Randall, “Restorative Justice and Gendered Violence? From Vaguely Hostile Skeptic to Cautious Convert: Why Feminists Should Critically Engage with Restorative Approaches to Law” (2013) 36:2 Dal L J 461 at 463; Ontario does not have civil protection orders.

75 came into law.¹⁴⁹ Bill C-75 introduced the term “intimate partner” in the *Criminal Code* and defined it to include a “current or former spouse, common-law partner, and dating partner”.¹⁵⁰ Specific to bail, legislative changes created a reverse onus¹⁵¹ situation for those charged with IPV offences involving actual, threat of, or attempt of violence, and with a prior conviction for similar behaviour.¹⁵² The law of sentencing also saw changes under the Bill. The definition of intimate partner broadens the circumstances in which judges are granted legislative authority to consider the nature of the relationship as an aggravating factor.¹⁵³ The judge must also consider the vulnerability of the female survivor in the IPV scenario, paying close attention to Indigenous women.¹⁵⁴ Additionally, where the offender has past convictions for IPV and is convicted of a similar IPV offence, the judge has the authority to increase the maximum sentence provided for the offence.¹⁵⁵

Most recently, calls to extend the role of the CLS have taken the form of criminalizing coercive control. As coercive control behavioural patterns are being recognized, proponents have called for legal reforms punishing its perpetrators and have succeeded. For example, the United Kingdom has codified coercive control under section 76 of the *Serious Crimes Act, 2015*,¹⁵⁶ Ireland took similar steps in 2018 by introducing section 39 of the *Domestic Violence Act*,¹⁵⁷ and while Scotland refrained from using the term coercive control under its new regime, it created new offences combining acts presently captured under the criminal law with the understandings associated with coercive control.¹⁵⁸ Some Canadian advocates are hoping that Canada will follow suit. Bill C-

¹⁴⁹ Bill C-75, *An Act to Amend the Criminal Code*, 1st Sess, 42nd Parl, 2019.

¹⁵⁰ *Criminal Code*, RSC 1985, c C-45, s 2.

¹⁵¹ Pursuant to s 515(6) of the *Criminal Code*, detention is presumed where one or more of the enumerated provisions under the section are met. However, the accused person has the right to rebut that presumption by demonstrating (showing cause) why he or she should be released.

¹⁵² *Criminal Code*, *supra* note 150, s 515(6)(b.1); also see s 515(6)(b.2) – involving the use, threat, of the attempted use of a weapon against an intimate partner.

¹⁵³ *Criminal Code*, *ibid* s 718.2(ii).

¹⁵⁴ *Criminal Code*, *ibid* s 718.201.

¹⁵⁵ *Criminal Code*, *ibid* s 718(3)(8).

¹⁵⁶ Evan Stark & Marianne Hester, “Coercive Control: Update and Review” (2019) 25:1 Violence Against Women 81 at 85; see also Sylvia Walby & Jude Towers, “Untangling the Concept of Coercive Control: Theorizing Violent Crime” (2018) 18:1 Criminol Crim Justice 7 at 11.

¹⁵⁷ Safe Ireland, “The Criminal Offence of Coercive Control”, online: Safe Ireland <<https://www.safeireland.ie/get-help/safety-information/the-criminal-offence-of-coercive-control/>>.

¹⁵⁸ Stark & Hester, *supra* note 156 at 85; see also Walby & Towers, *supra* note 156 at 11.

247¹⁵⁹ was introduced to Parliament on October 5, 2020. It proposed to amend the *Criminal Code* through the creation of a new law pertaining to coercive controlling behaviour in intimate partner relationships. However, the Bill only made it to a first reading in Parliament. The Bill was re-introduced as Bill C-202¹⁶⁰ in 2021 and was the subject of first reading on November 25, 2021. Again, the second attempt did not flourish. In 2023, the Bill was amended and re-introduced as Bill C-332.¹⁶¹ The Bill passed all three readings in the House of Commons, had its first reading in the Senate on June 13, 2024, and second reading on December 5, 2024. However, the Bill was terminated due to the proroguing of Parliament on January 6, 2025.

Given that mandatory arrest and charging policies trigger the engagement with the broader CLS, it is important to examine such policies in more detail. This is not to minimize the significance of the other reforms and developments, but to engender awareness of these policies as they are at the frontline of the CLS as it pertains to IPV. Further, and as will be revealed, they foster and perpetuate stereotypes by upholding images and understandings of who the ideal survivor of IPV is – a belief that prevails to date and has injurious consequences for Black women.

a. Mandatory Arrest/Charging Policies: Black Women Are Not Real Survivors, Are They?

Mandatory arrest and charging policies vary, but in general they mandate police officers to make an arrest or lay a charge in IPV situations where they have reasonable (or in some policies, reasonable and probable) grounds to believe that an offence had taken place. Their purpose is to limit police officers' charging discretion in IPV circumstances. This is the case regardless of the survivor's input. Support for these policies was significantly enhanced by a 1984 study by Lawrence Sherman and Richard Berk known as the Minneapolis Domestic Violence Experiment. The authors tracked recidivism among IPV perpetrators using three variables: arrest, temporary separation, and police counseling. They found that recidivism occurred in only ten percent of the cases where men were arrested, 24 percent where men were subjected to temporary separation,

¹⁵⁹ Bill C-247, *An Act to amend the Criminal Code (controlling or coercive conduct)*, 2nd Sess, 43rd Parl, 2020 (first reading 5 October 2020).

¹⁶⁰ Bill C-202, *An Act to amend the Criminal Code (controlling or coercive conduct)*, 1st Sess, 44th Parl, 2021 (first reading 25 November 2021).

¹⁶¹ Bill C-332, *An Act to amend the Criminal Code (coercive control of intimate partner)*, 2nd Sess, 44th Parl, 2023 (as passed by the House of Commons 12 June 2024).

and 19 percent where police counseling was exercised. These findings prompted the authors to recommend the imposition of mandatory arrest and charging policies where reasonable grounds existed for an offence having been committed in intimate partner relationships.¹⁶² A 1986 London, Ontario study further assisted in legitimizing mandatory arrest and charging policies in Canada. Peter Jaffe et al conducted a study on the effects of these policies since their inception and found that not only did the policies increase charges by 2,500 percent in IPV situations, but there was also a reduction in recidivism rates and survivors were less resistant to report their abusers and less likely to withdraw the complaints should the matter go to trial.¹⁶³

Given that these studies portrayed mandatory arrest and charging policies in a positive light, a number of studies were conducted in various cities, including Charlotte, Colorado Springs, Omaha, and Milwaukee, hoping to replicate the original findings of Sherman and Berk. However, none of the replication studies produced the same or similar results with some finding an elevated risk in particular circumstances and demographics.¹⁶⁴

Notwithstanding the results of the replication studies, mandatory arrest and charging policies are engraved in the CLS in Canada as a means to combat IPV.¹⁶⁵ They have since proven to have damaging consequences for Black, Indigenous, and other racialized women. Because of pervasive stereotypes about Black women, including the strong Black woman, which will be explored in chapter 8, Black women are not seen as deserving of protection. Historically, a “good victim” is a “passive, middle-class white woman cowering in the corner”¹⁶⁶ who does not fight back.¹⁶⁷ Black women do not fit this depiction as they are deemed too strong, too sexual, “too powerful or too

¹⁶² Lawrence Sherman & Richard Berk, “Minneapolis Domestic Violence Experiment” (April 1984) online: National Police Institute <<https://www.policinginstitute.org/publication/the-minneapolis-domestic-violence-experiment/>>.

¹⁶³ See Peter Jaffe et al, “The Impact of Police Charges in Incidents of Wife Abuse” (1986) 1:1 J Family Violence 37.

¹⁶⁴ See J David Hirschell & Ira Hutchinson, “Female Spouse Abuse and the Police Response: The Charlotte, North Carolina Experiment” (1992) 83 J Crim L & Criminology 73; Dianne Martin & Janet Mosher, “Unkept Promises: Experiences of Immigrant Women with the Neo-Criminalization of Wife Abuse” (1995) 8 Can J Women & L 3 at 36-37; and Lawrence Sherman et al, “The Variable Effects of Arrest on Criminal Careers: The Milwaukee Domestic Violence Experiment” (1992) 83:1 J Crim L & Criminology 137 at 168.

¹⁶⁵ Brown, *supra* note 147.

¹⁶⁶ Courtney Cross, “Coercive Control and the Limits of Criminal Law” (2022) 56 UC Davis L Rev 195 at 240.

¹⁶⁷ See Linda Ammons, “Mules, Madonnas, Babies, Bathwater, Racial Imagery and Stereotypes: The African American Woman and the Battered Woman Syndrome” (1995) 5 Wis L Rev 1003.

uncontrollable to be dominated by anyone. Therefore, they cannot be victims”.¹⁶⁸ The Black women who participated in the Avalon Report prepared for Nova Scotia’s Mass Casualty Commission confirmed the image the police have of them. Some reported, “I do not fit the stereotypical image of a victim”; “There is a stigma that all Black people are bad, so why would anyone believe I am a victim?”; and “The colour of my skin is seen as a weapon; I am not viewed as a victim”.¹⁶⁹

The recent tragic story of Daniella Mallia demonstrates how mandatory arrest and charging policies have failed Black women survivors of IPV. Daniella Mallia was a 23-year-old Torontonion Black woman who was murdered on August 18, 2022, by her ex-boyfriend, Dylan Dowman, a Black man. She contacted the police to report the harassing and threatening communications she was receiving from him. She provided police with the evidence but also advised that she did not want him charged for fear of retaliation and, profoundly, because she did not want to see “another Black man go to jail”.¹⁷⁰ Officers Alfonso and Lee spoke to Daniella Mallia for 39 minutes, and with Dowman for only 3 minutes. They decided against arresting Dowman even though there were reasonable grounds to believe that he was threatening her and that she was fearful of him. Instead, the police cautioned her, dismissed her report as “he said, she said”, and three days later she was found dead in an underground parking garage in Toronto. The cause of her death was multiple gunshot wounds.¹⁷¹ Dowman was subsequently arrested, and on February 20, 2025, following a jury trial, he was found guilty of first-degree murder. Eight days later, on February 28, 2025, he was sentenced to life in prison with no chance of parole for 25 years.¹⁷² Here, the officers used their discretion to *caution* her (demonstrating their mistrust in her) and failed to perform their legal duty to arrest Dowman. And although the officers who

¹⁶⁸ Cross, *supra* note 166 at 240-241.

¹⁶⁹ The Avalon Report, *supra* note 120 at 20.

¹⁷⁰ Adam Carter, “Toronto cop who neglected slain woman’s domestic violence complaint will keep his job”, *CBC News* (03 August 2023), online: <<https://www.cbc.ca/news/canada/toronto/daniella-mallia-sang-youb-lee-toronto-police-1.6926828>>.

¹⁷¹ Adam Carter, “Toronto Cop Who Allegedly Ignored Domestic Violence Report Charged After Woman’s Death”, *CBC News* (29 March 2023), online: <<https://www.cbc.ca/news/canada/toronto/toronto-police-misconduct-charge-1.6794594>>.

¹⁷² Catherine McDonald, “Ontario Man Who Planned Murder of Ex-girlfriend Given Life Sentence”, *Global News* (28 February 2025), online: <<https://globalnews.ca/news/11054498/dylon-dowman-sentence/>>.

responded to the call were eventually disciplined for their actions,¹⁷³ she died without the police seeing her as worthy of protection. While an arrest or charge is certainly no guarantee of protection, Daniella Mallia was denied even the possibility of protection. By not arresting Dowman, officers failed to see her as a fully human being worthy of protection.

Ode to HER (Tribute to Daniella Mallia)

*They thought her life was a joke
Or a folk tale
Or just another story told around the water cooler in passing as the day unfolds
Bypassing her truth
Narrating her hurt
Brushing it under the rug as mere phone calls and text messages
Nothing to sound the alarm – no need to worry!*

*Dismissing her claim as “he said, she said”
Not penetrating what she said
Her fear for her life
Until she ended up dead
Dead
Shot multiple times in a parking garage
Is this a mirage?
Some form of illusion?
A young Black woman dead searching for solutions?*

*Life just beginning
Yet, cut short by racist underpinnings
She turned to the police for a chance to be free
Reporting her ex-boyfriend’s threats and harassment
She pleas
Only to have the police cease the investigation
Deeming it not worthy of further examination*

*Police spoke to him for 3 minutes
That was enough
This inquiry was limited as she wasn’t enough
Enough to be believed*

¹⁷³ In July 2023 Constable Lee was not relieved of his job, but demoted, for at least 12 months, by one rank by the Toronto police disciplinary tribunal as a result of neglecting his duty to act as a police officer: “Toronto cop who neglected slain woman’s domestic violence complaint will keep his job”, *supra* note 170. In June 2025, Constable Anson Alfonso, the other officer who responded to Ms. Mallia’s call, received a reduction in rank from first class officer to second class officer for 18 months for his failure to “properly investigate and report a call for help in a domestic violence case”: Julia Alevato, “Toronto Cop Demoted for Ignoring Domestic Violence Call Before Woman’s Death”, *CBC News* (24 June 2025) online: <<https://www.cbc.ca/news/canada/toronto/toronto-police-reduction-rank-domestic-violence-1.7569380>>.

*Enough to experience pain
Enough to lay charges
Until she was slain*

*Police are there to protect you
Which you? Might I ask
Someone with pigment much lighter than mine
A Blonde, a brunette, those with hair unlike mine*

*Truth is, we live in a two-tiered system of police protection
One stands behind white bodies, though not without its flaws
Another for the racialized “other” – Black and indigenous people – ignoring their cause
This young Black woman paid the ultimate price of what Black protection cost*

*Being a Black woman is hard
Wearing an armour for our own protection
As we are the constant recipients of rejection
We stand alone
Always on guard
Even when battered, bruised, and threatened by those who profess love
Securing help is a tenuous call*

*Intimate partner violence leaves Black women at the intersection of lonely and survival
Discussion in our circle is already shunned
And no one comes until it's all said and done
We are often blamed for the abuse
Worst, criminalized for resisting the abuse*

*39 minutes the officer spoke to her
From her lips to his deaf ears
Her fear was neglected
But not without a caution signalling what he accepted
He had the proof, yet concluded she...was wasting his time
So, he lied, she died, and I stand here wondering why
I did not know her, but I know she was brave
She threw herself at the mercy of the system hoping to be saved
Not realizing the next step was her grave
The system showed its true colours, failing her for what she lacked
She was Black, take it in – that’s a lot to unpack*

(Written and performed by Shushanna Harris)

In memory of Daniella Mallia – “I did not know her, but I know she was brave!”)

A further consequence of mandatory arrest and charging policies is the real possibility of the woman being arrested either solely or dually because she fought back or engaged in self-defence; police believing she is the aggressor.¹⁷⁴ While, white women also face the consequence of dual (or sole) arrest, this risk is particularly significant for Black women survivors of IPV as police often lack the ability to grasp “the complexities of violence in women’s lives who often have histories of prior victimization and use force in response to their partner’s violence”.¹⁷⁵ The stereotypes that are historically held by governmental institutions, including the police, casting Black women as aggressive and violent,¹⁷⁶ underscore the necessity of this discussion. In one of the few discussions analyzing Black women and their IPV experiences in Canada, Duhaney learned that of the 25 Black women who experienced IPV in either a common law or marital relationship, 15 of them were subjected to charges – 13 were solely charged and 2 were dually charged with the aggressor.¹⁷⁷

Similarly, a New York City study reported that 66 percent of participants who were arrested as a result of dual arrest, including when their abuser contacted the police, were Black and Hispanic women.¹⁷⁸ The study also determined that 43 percent of these women were poverty stricken, and 19 percent were in receipt of social assistance.¹⁷⁹ These results confirm that the question of who is worthy of police assistance is interconnected with not only racism and sexism, but a woman’s socio-economic positioning. While the issue of dual arrest is not exclusive to Black women and other racialized women, it is a double-edged sword for many who make the very difficult decision to call the police. The fear of the CLS and its harsh treatments, including dual arrests or being solely arrested and prosecuted for contacting the police, is not merely illusory. Furthermore, there

¹⁷⁴ The Avalon Report, *supra* note 120 at 13.

¹⁷⁵ Duhaney, “Contextualizing the Experiences”, *supra* note 35 at NP21193.

¹⁷⁶ *Ibid.*

¹⁷⁷ Duhaney, “Criminalized Black Women’s Experiences”, *supra* note 35 at 2770-2771; also see, Duhaney, “Contextualizing the Experiences”, *supra* note 35 at NP21192. The further victimization and criminalization by the CLS in Canada is also remarkable in its treatment of Indigenous women in general and those who are survivors of IPV in particular: see Cheryl Fraehlich & Jane Ursel, “Arresting Women: Pro-Arrest Policies, Debates and Developments” (2014) 29 J Fam Viol 507 at 515; see also Anita Grace, ““They Just Don’t Care”: Women Charged With Domestic Violence in Ottawa” (2019) 42:3 Man LJ 153.

¹⁷⁸ Ritchie, *supra* note 79 at 197.

¹⁷⁹ *Ibid.*

is the real possibility that during these arrests police will engage in excessive force against the woman who is already victimized by the perpetrator, thereby furthering her abuse.¹⁸⁰

Given the detriments of mandatory arrest and charging policies and the potential for further discrimination against Black women, it is no surprise that Black women are reluctant to report the abuse to the police. The Nova Scotia Mass Casualty Commission, in its discussion of the barriers to reporting, drew from the Avalon report's finding that systemic racism acts as a significant barrier in four ways:

First, "the police often fail to substantiate and/or investigate sexual assault claims and intimate partner violence when Indigenous, African Nova Scotian, Black, and people of colour report to the police." Second, "marginalized women tend to underreport sexual assault to police for fear of discrimination." Third, they also underreport for "fear that police will use lethal force against their partner or the perpetrator of the violence." Fourth, "The historic and current actions of the police, where violence and racism has been used against marginalized people, creates a situation where marginalized women potentially risk their own safety by initiating contact with the police when they are a victim of violence."¹⁸¹

Further, it is also not surprising that for marginalized women, including Black women, there is no safe space to report IPV.¹⁸² Too many consequences arise, including those outlined above and the potential to trigger involvement of different government organizations (such as child protection agencies – which will be discussed in chapter 9), which outweigh the benefits, if any, of police involvement in their IPV situations. As it stands, Black women are often in no better position should they contact the police; in fact, their situation is often made worse.

6. Where Do We Go from Here?

Over-reliance on the CLS as a remedy is inherently dangerous. Black (and other racialized) women, in many ways, "bear the brunt of the downsides of the mandatory policies: they are more likely to experience negative outcomes from skepticism to violence during police interactions".¹⁸³ Furthermore, to remain steadfast in the pursuit to create new criminal laws, such as coercive

¹⁸⁰ The Avalon Report, *supra* note 120 at 13.

¹⁸¹ MacDonald, Fitch & Stanton, *supra* note 49 at 357 citing The Avalon Report, *supra* note 120 at 20-21.

¹⁸² The Avalon Report, *ibid* at 13.

¹⁸³ Cross, *supra* note 166 at 234.

control laws, will undoubtedly increase the likelihood of Black women incurring more charges and experiencing further violence.¹⁸⁴ So, while it is important to recognize law reform “victories”, it is equally important to contextualize them through a critical lens. This dependency on the carceral system facilitates both the under-enforcement and over-enforcement of the laws in the Black community, while simultaneously disregarding historical and ongoing state violence against Black bodies.¹⁸⁵

Undoubtedly, it is difficult to measure the level of law enforcement, if any, required in the Black community. What we do know is that, regardless of the level provided, the perniciousness of structural racism and stereotypes about women who can experience IPV further victimize and erase the experiences of many women, including Black women, from police attention. Disregarding this fact and implementing these laws assumes that the most appropriate means to combat the IPV problem is through the CLS, while ignoring the truth of an inherently racist system. As Waldron et al rightfully noted: “IPV is an endemic in any Black community that continues to deal with intergenerational trauma stemming from historical, structural, and institutional inequalities”.¹⁸⁶ As such, to appropriately explicate IPV in the Black community, the history of racism and discrimination against Black people must be centered. Intersectionality must be paramount in that discussion as it will assist with understanding the barriers Black women face in general and as survivors of IPV – many of which are preserved through stereotypes created to perpetuate the de-womanization and dehumanization of Black women.

7. Closing Remarks

We all know that IPV is a problem. Its reach is wide, yet its explication in Canada is for the most part, one-sided. I do not dispute that some Canadian scholars are bringing awareness to the issue. However, more Black women voices are required to appropriately provide knowledge about IPV, understand its complexities, and combat it. I fear that if we continue to ignore those needed voices, the problem will persist. Therefore, in order to change a situation, we must engage and listen to *all*

¹⁸⁴ *Ibid.*

¹⁸⁵ Whynacht, *supra* note 113 at 14; see also MacDonald, Fitch & Stanton, *supra* note 49 at 358.

¹⁸⁶ Ingrid Waldron, Eileigh Storey-MacDougall & Lori E Weeks, “Hear My Cry: Breaking the Code of Silence around Intimate Partner Violence among Black Women in and beyond Midlife” (2021) 42:1 Atlantis 18 at 23.

those impacted by it; only then will we get closer to viable solutions. This project aims to both add to Canadian scholarship by following in the footsteps of those scholars in Canada who are putting Black women's voices at the centre of the IPV conversation and to provide Black women living in Canada a platform through culturally appropriate theoretical and methodological lenses.

CHAPTER 3 – BLACK WOMEN HAVE VOICES TOO! HEAR THEM SPEAK!

Badge of Honour

*She's proven herself time and time again
She is a goddess
She, seamlessly glides across ocean waves while trudging through quicksand
You would never know her pain*

*She wears her smile like a badge of honour
Honoring his insecurities
Cocooning his instabilities
Living in his capabilities
Where red fluid stains her hardwood, incessantly
Where he is beyond repair
Though she tries to mend his broken parts*

*She occupies a space of constant fear
Yet fear remains her protector of him
She desperately yearns for safety
But society reminds her that her reality is not worthy of resources
Black men are the poster children for police brutality*

*There's a sense of responsibility that renders her heart heavy
She would never forgive herself
So, she wears her smile like a badge of honour
While her subconscious cries*

(Written and performed by Shushanna Harris)

1. Charlene's Story

It took me a while to realize that there was abuse happening. I was with him for almost eight years. We met in 1990 and started dating in 1992. The first two years were great. But, from the day I announced the confirmation of my pregnancy, this man just went left, or my vision became clearer; one of the two. During the relationship we weren't living together; I had a roommate. Both of us had mates who were in the house all the time, but for some reason neither one of us trusted our whole life with the mate that we chose.

As I look back, there was definitely financial abuse. He used to say things like, “don’t go to school” or “You can quit school, I can take care of you forever”. When I went on to do another certificate at college, he refused to support me; he’s not babysitting the children; he’s not helping to finance it; he doesn’t want nothing to do with it. I really felt he thought that school was going to help me; and that was a problem for him. There were times, once the kids came, he’d withhold financial resources thinking that I couldn’t do what I needed to do for the children. But then I’d still do it anyway.

There was a lot of emotional abuse. If words fell out of his mouth, he was lying. If you asked him what time it was, he was going to tell you five and it was really ten. I don’t know why he always started with a lie, but he always started with a lie. There was no authentic truth. And worse yet, he wanted you to prove that he was lying – that can be emotionally taxing. Never mind the cheating, he had a gray area job so, at any time, “di bwoy dem”¹⁸⁷ could get him and he could go away.

In the early part, the physical was more like grabbing, pulling, pushing. So, he would grab me, pull me to him, and then push me off hard. The grab would leave bruises on my arms, on my face, and on my neck. And I would just say, “I bruise so easy. If you touch me hard, I bruise so easy. We knew this from I was a child.” Of course, you could see his whole finger imprinted on my hand, but I bruised easily. It was my problem. I’m the one that’s the issue.

The physical abuse escalated. One day, he comes to the house – this was an incident where he brought out his gun. That was the second time I’d seen his gun. He held a Smith and Wesson gun to the side of my head and asked me for my hand in marriage. This was after he’d already convinced my whole family. He took my mother and my aunt out. He hit up each one of my brothers telling them, “I’m going to ask your sister to marry me”. He didn’t even bring a ring. He did leave two rings on the side of my head with the gun though.

As the gun is to my head, I’m on the floor and the ancestors picked me up because you would think that would make you very timid. I looked at him and I felt like the energy of a thousand ancestors was in that room with me. I was looking in from above in that room. I wasn’t there; I

¹⁸⁷ Jamaican vernacular for the police.

wasn't present. Like Footprints in the Sand¹⁸⁸ when God carries you, in that moment, I was carried by my ancestors. I opened my mouth to answer him. I knew those words weren't coming from me. It was all of us in unison. At first, I said something feisty back. But my second sentence was the most powerful, "Shoot mi nuh pussy."¹⁸⁹ Me and God are alright".

That night he gaslit me. He told everybody that it didn't happen. I was like to my roommate, "He can't come back. No more dinners. There has to be somebody else in the house if he comes back". She didn't believe me. Her boyfriend didn't believe me. I couldn't get him to leave. Nobody believed me. I remember he laid there in my bed until he fell asleep. And the minute he settled into sleep, I took my knife out and I cut him, and I told him, "Get the fuck up and get out. I will kill you dead".

Even after that, I would come home from work, and he would be at my kitchen table. I remember calling my mom and I said, "Mom, I know you said you planned on me buying your house, but how quickly can we have that happen because I need to be out of here in the next six months. It is not safe for me here". We¹⁹⁰ ended up moving into her basement; and within a year, I bought that house from my mom. It was over for me in my mind, heart, and soul at the gun incident, but it took another two years to craft a safe exit plan.

The first time we were left alone since the gun incident was a horrible situation. I was scared. I had been trying to get him out of my house since 7:30pm. The children go to bed at 7:30. Dinner had been served. They were bathed and they were in their beds. I could not get this man out of my house. My poor kids woke up because of the commotion. There was a tug of war using my son as the rope. This is like 11:30 at night. I let him go because I was like one, "I don't know why you are physically pulling my child like this" and "I don't know where you think you're going with my child". As we're going through the tug of war, that's when I called the police.

¹⁸⁸ A poem describing God's ability to carry individuals when they need Him the most. The poem can be found online at: <<https://www.geneseo.edu/~heap/footprints.html>>.

¹⁸⁹ Here, Charlene is using Jamaican rhetoric, taunting him to shoot (kill) her while simultaneously emphasizing his weakness through the use of a female body part. She completes her thought by suggesting that whatever he does (i.e. shooting or even killing her), God will be by her side – she has made peace with whatever happens.

¹⁹⁰ Charlene and her two children.

But, we're not a family who calls the police. We all get bubble guts with the police. When a police officer drives by, all of us, we just get really light in the stomach. I grew up in the 80s, so there were quite a few Black men that were killed by officers. There were quite a few that were assaulted by officers that were never on the books. Nobody was charged. When I was 16, my mother was beaten by a police officer and ended up with a record. A 250-pound police officer punched her right in her face and knocked out her bottom tooth. As he was beating her up, he was pulling her by her neck. The officer said she was resisting arrest. He smacked her in her face and said, "You better behave". There was some reaction when he went through her purse and found out she was a nurse, and not just some rogue girl.

We went to court, and he said that she attacked him, bit his finger, and hurt him bad. So, he was found not guilty of assaulting my mother who took six years to replace her tooth and had to learn how to smile differently. My mother was charged with assaulting a police officer. She had to do probation. She had to do community service hours, and now, whenever she goes across to the States with her church sisters on those campaigns, I have to stay on alert just in case the US doesn't accept her pardon that she eventually got.

But I had to call the police. I, who grew up in the hood, had to now call the police to my own house. I was in the middle of it. He already squeezed me up. I got bruising on my face and on my arms, and the tug of war over the child. I had to call the police because of my son, and I was going to get violent. I don't have the option of being violent. I worked in a career that needed my police check. I have two children that I have to raise. I don't have the option of getting violent, and I know if I start fighting, one of us was going to come up dead.

The cops come, but he is gone. In that moment, I really needed the cops. I really needed something to make him go. I know I called them to my house, but I actually didn't want them to enter my house: "Ma'am this could be more comfortable if we go inside". "Comfortable for who? Not for me". In our past, we've known that oftentimes the victim ends up with charges. I have no trust for the police. None. They also came with two white men. Question, "If you know it was a domestic violence situation, why weren't one of you female". Back then where I lived was mighty white, so asking for diversity on the police force was a no go. But at least they could have given me a female.

I also felt like they did all the things that they needed as the police, not thinking about any of the things that I possibly could have needed in that moment: they needed me to go in and do the video and they asked a lot of questions that could attach to the other things in his life.

They told me they were going to charge him, and I had no choice in that; and that I also had to find time to come down to the police station. When I went in, they did a video interview with me. My emotions were high, and it all poured out about the gun, about the past. He has a criminal record, so he's known to them. But now, I feel, "okay, they're going to call CAS". So, I went the next day and filed for the custody stuff. I went to the school and registered for the separated parents' thing that they had; and after school, I went to our spiritual advisor and booked sessions so that the children could have someone to talk to who wasn't me. I knew I had to get my ducks in a row because on paper I don't necessarily present well. I keep myself clean, but here I am mated to somebody who has a record, and my brother is well known. If CAS gets any part of the report that talks about a gun, they're coming to my house. I don't want them in my house. So, how am I going to get them to not come to my house, is to prove that I am a competent parent. Black women feel like they have to prove to these organizations that they are good mothers, especially when you're a victim in these situations, and to a victimizer who has a dirty record. Because then we are seen as not smart enough or we're part of the problem. We are treated differently with CAS. I knew that I never wanted to go into a court system for my children, but I had to because that's the first question CAS was going to ask, "If I've done my due diligence".

The police caught him. When they caught him, he had stuff that he shouldn't have on him. So, they arrested him for a bunch of stuff. Fast forward two years and now it's time to go to court. They call me and say court is on such and such a day. This is two years later. And I'm like, "Dude I work on that day". They said, "No, no you have to come". I said, "No, no I don't have to come. That's why the police said they wanted it on video. Do you think that I'm going to show up at court so I can help you lock up a Black man by putting all of my vulnerabilities up at the front and then nobody to help me unpack that later? Absolutely not".

What's interesting, when the white woman calls, she gets resources as well as the police officers make sure that they give her the resources for women's group or other domestic abuse resources.

They make sure that the victim services person circles back and checks on her. The Black woman is scared to get the help, is scared they may be harmed by the help, and we don't get the same resources. When I left the station, I didn't get any resources. Not a pamphlet. Not a flyer. So no, I didn't want to be revictimized.

After the police called, the Crown herself called me to try to guilt me, "It's the victims that don't follow through ..." I said, "Listen I'm no longer a victim and I haven't been a victim for two years. But you want me to climb back into victimhood". I also said to them, "I know it sounds one sided, but I really needed you for my safety".

Family court was hard. I just wanted the rights to make decisions for my children. I didn't care about the financial part because he got all dirty money anyway. They would say to me, "Oh you're not looking at it right". So now, I'm the bad guy. People are refusing to talk to me. The mediator won't talk to me because I don't want to go guns blazing for this man who just had a domestic with me. I was trying to get what I needed with minimal disturbance within my family because guess what, he is still going to be my children's dad. I was looked at like I didn't have enough intelligence to know that I was a victim because I still wanted to find some win/win solution where he could be a father, and I could be a mother. There was no support that could possibly make that successful either.

So, of course this guy didn't show up for court, ever. They kept rescheduling it. On the second time, I said to the judge, "You keep making me come back and I actually have to take these days off work. I don't think you should do this. What I asked for is reasonable. It's a standard agreement". The third time I went back, the judge was like, "So, he's still not here". I said, "Your Honour, my brothers told him. My mother told him. His aunts told him. He got served. He's not coming". The judge said to me, "Well I don't see any financial support order here". I said, "Your Honour, I don't even need all the chaos of that. I just need to know that I can sign off on things at school, that I can get a passport for my child. I want all the legal rights to make decisions. He can see them every other weekend, if he so chooses". And I got a 20-minute lecture: "There're two parents", "Two parents are financially responsible, legally", and "You're doing your children a disservice". And I'm thinking, "You don't even know the circumstance". Then he was like, "Okay,

\$750 a month so ordered”. I don’t think the judge understood how much chaos and confusion that financial order would do for me moving forward through our lives. Not once did he pay it. He stopped filing his taxes so that I wouldn’t even get that little bit from the taxes. He had my brothers looking at me like I’m a bad person because he owes me \$118,000. This looms over me because FRO¹⁹¹ wanted to take away his passport and his driver’s license. When FRO called me about filling out papers so they can take his driver’s license away, I’m like, “I don’t know why you guys keep bothering me. I didn’t want this in the first place”.

During this relationship, I had no supports, no one to turn to. My roommate, who was my best friend and my support system, was told that I was lying about it, and she believed it. Even after I moved, they¹⁹² were still in very good contact with each other. My mother was not empathetic. She’s just like, “Get over it. Move on”. I was the problem in our family. My family very much chose him. The only blessing about them choosing him was that he thought about my children more because he was not an active dad. Though, it was to my detriment. It didn’t make me feel loved in my own family. I came here from England with just my mom and my three other siblings – nobody else. No aunts, uncles, or cousins; and now, I have to go sit in the corner while they bring up my abuser.

When I talk to women now, we talk about whether there can be anything done before it comes to the point where you actually have to call the police for your well-being? Police are your last resort. When you’re feeling unsafe, your mind can’t logically think of anywhere that’s safe, that ball rises in your throat, and there’s another lock that’s under your heart chakra, those are signs and signals that your body is telling you, you need support – that’s when you call.

The truth is there’s nothing out there that is, “Hi, me and my husband are struggling. Yes, he does these things that are really bad, but can you help us get back together?” There’s nobody that helps us with living the life after calling the police. And I would hope that that would be part of justice. Not just the court proceeding. Not just, “Does he have a charge against him”. Because if you think about it, sometimes there are individual incidents of wrongdoing; and women are being forced to

¹⁹¹ Family Responsibility Office.

¹⁹² The roommate and the abuser.

make the charges to send him to jail. But, now with his criminal record he can't earn and can't pay the child support. We need to pay for the house. I think that once the police are called, we need a social program that runs in partnership with the justice program. One that is non-biased because right now it's very biased. I think about those men who gets charged with something and now they're doing a two-year bid. They spend a third of that time in jail and do they come out rehabilitated? No. Addressed any of their problems? No. Now they have a deep-seated hatred for the woman that they may have had children with. It's not a helpful system for intimate partner violence; not a helpful system for anybody. But I think our people suffer more from it because when a white man comes out on a two-year bid, he may still be able to be a consultant somewhere, accepted everywhere he goes. But the Black man wears that criminal record like a stain. There's no support to get them better. To bring them to balance.

I feel that I would have had justice if I could see him doing better. Justice would be if he had learned his lesson. Justice for me would be for him to do better, be a better human being. The system doesn't help with that – you come out the same or you learn more crimes.

2. London's Story

My name is London. I am 39 years old. I am a Black, Indigenous, and white woman. My mother is Black, and my dad is Indigenous and white. I was born and raised in Nova Scotia and moved to Ontario 13 years ago. The only abusive relationships I was in were with my kids' fathers. Aren't they the people that are supposed to protect you?

Let me tell you about my daughter's father, Steve.¹⁹³

One night I went out with my sister. We are Irish twins – 11 months apart. We were in the lineup going to the club. She knew his cousin and they were just talking. That's when I met Steve, the first man who abused me. You know what? The signs were there; but I was just too stupid and dumb to see them. We exchanged numbers. A few nights later, I'm talking to him on the phone, and he was already calling me his girlfriend. Then, he said, "I'm a pimp". I was like, "I don't talk

¹⁹³ This is a pseudonym used for anonymity and continued confidentiality.

to pimps”. But he was so honest. He said, “Well, I just thought I could be honest with you by telling you I’m a pimp”. I was young, gullible, and naïve. I was like, “okay, no worries”.

I remember when I met him, I worked three jobs; and he would drive me to work. One day he said to me, “I need some of your paychecks”. said, “Oh, no, no, that’s not going to happen. I worked so hard for them”. And that’s when he said, and I’ll never forget, “If you come away,¹⁹⁴ you can make \$500 a night”. I was like, “Are you serious”? I was sold. I was 20 years old when I met him. It was before Christmas; and I’m pretty sure by New Year’s, I was already away.

When I “came away”, at first it was good. He didn’t beat me for probably a few months. Though, there was always verbal, mental, emotional, and financial abuse. He would call me things like dirty, stupid, dumb, bitch, and whore. Like, I was any bitch you could think of. Also, I didn’t have control over my money. Even when he was locked up and I was still with him, he controlled the money. He didn’t even have to be there to control me. But the physical abuse started because one day we ordered take-out. I remember I got a salad and something else that had sauce, maybe caramel apples. I thought I had everything, and then I realized I forgot something. He looked upset and said, “what’s wrong with you?!” And then, he just punched me in the face. That was a shocker. It woke me up. I remember he beat me up so bad that day and then told me to call another girl who literally came and put makeup on me from head to toe. I went to work that night. I was pregnant at the time.

Along with the abuse, I was isolated. In this world, you’re only allowed to deal with people who deal with them. You’re cut off from your family. You have to hang with these friends. So, I remember my nan, the woman who raised me, kept begging me to come see her. We were in another province at the time. He said, “Nope, we gotta go. You’re gonna see her when you come back!” I remember I got a call telling me, on my daughter’s birthday, she died. I didn’t get to see my nan before she passed. When I found out that she died, I remember that day he said, “if you want to go back, you need to go back to work”. I remember that night I went to work, and I made \$1,200. He was in control of everything – money, my life, my friends, my family, and what I wore.

¹⁹⁴ A female sex worker working for a pimp.

After the take-out incident, he was dragging me and his aunt told me to call the police. I remember him saying to me, “Call the police if you want. But guess what? You won’t make it. You won’t make it for them to get here”. So, I never called until one day when he was choking me. I thought I was going to die. That’s the only reason I called. I couldn’t breathe, so I grabbed the phone as he was choking me because I couldn’t think of anything else. I just thought my life was over. The phone didn’t even ring. Literally, I hit 911 and he hung the phone up. When they called back, his mom answered, but nothing came of it. She didn’t know anyone had called. That’s the only time I ever called.

To deal with my situation, I would just cry. I would literally just cry. I smoked a lot of weed, and I prayed. I honestly have bad anxiety, so I would try to breathe or go for walks or something. I never told my friends or family because I wasn’t leaving him. So, I didn’t want them not to like him because I know I’m still with him. But his family, they made sure I got out of this situation. They made me leave him. When he was locked up, I moved in with his family because of the baby. He kept calling and I would work and make minimum \$500 every night to pay the phone bill. Every week I’d put \$1,500 on the phone bill – \$6,000 every month. His family got tired of what was happening, the money I was spending, and told me I wasn’t going to work any more to pay a phone bill. They cut it off, and told me if I talked to him, I gotta go. So that’s when I realized, if his family was telling me this, I gotta wake up and smell the coffee. That’s how we end it.

Mark¹⁹⁵ was no better than Steve. About eight or nine years ago, and I’ll never forget, my sister¹⁹⁶ was like, “Let’s go out”. So, I go and I’m looking bad – I didn’t even feel like I was looking nice. This guy starts talking to me; and I gave him my number. He calls me and we’re cool. Then he said to me, “I have a working girl.”¹⁹⁷ Then I asked, “Just your working girl? You don’t have a woman?” He said, “No, not my woman, just my working girl”. I said, “okay, I can respect that”. I felt comfortable, so I told him, “To be honest, I dance”. I felt relieved. I was talking to someone who wasn’t going to judge me; and I could be myself. And when I met him, he was nice. He later

¹⁹⁵ This is a pseudonym used for anonymity and continued confidentiality.

¹⁹⁶ London advised that this individual was a close friend of hers, but they referred to each other as sisters.

¹⁹⁷ A female sex worker.

told me he had a square job and having a working girl was what he did on the side. He wasn't judging me, so I wasn't going to judge him. I danced and I'm a single mom.

He started telling me how he was good in business and that I should write down my monthly expenses and stuff so I can see where my money's going. He was encouraging me to save money, so obviously it all sounded good. I felt like this person really had my best interest at heart. During this time, I was paying for a rental car, and he offered to help me save money by driving me to and from work. After that started happening, he said, "Why don't I start holding your money? We'll build together". I was like, "Okay, no problem". Things were good.

I don't even know when the transition happened – how he even started pimping me. Like it just went so fast. All of a sudden, he invites me to meet his working girl. We are all out for dinner, the girl and I go to the washroom, and she says to me, "I got something to tell you. Do you know Mark has a fiancé". I go back out, and I tell him that I don't date married men. He told me he called it off. That's how he got me to trust him because he told me he called it off. That's exactly how everything happened. And from there, that's when the physical abuse started coming. One of the first times he hit me was when we were out of town for his cousin's wedding. He asked if I wanted to come, and I accepted. Don't you know, when I showed up to the airport, he gets out the car with his working girl?

While at the hotel he asked where we were sleeping? And I said, "I'm sleeping on the bed obviously". I'm the girlfriend. The next morning, he woke me up and tells me to come in the washroom. While in the washroom, he just whacks me in the face and tells me to apologize to his working girl. I'm like, "I want to leave". He said, "You're not getting your passport. You're not leaving". From then he began to control my life. He beat me up the whole time we were together. He almost killed me at his mom's house, and they are trying to cover it up. I was bruised from head to toe; and I never called the cops on him. But he actually called the cops on me to get me out of his house one day. That's how I actually left him.

I'm not sure if it was 2 or 3 years ago, but it was Covid time. I remember he kept saying, you're not making money because I danced. So, one night I literally lined up all my customers to make

money. My kids were at his house – my oldest was babysitting. When I got back to his house, he's in bed. I get in the shower. After the shower, I get in bed, he turns over on the other side. I push up to him; he moves over more. Then I put my arm on him, he pushes me off. After that, I put my bonnet and my eyes on, ready to sleep. A back and forth happens between us, and he's like, "get out". I said, "Okay, I'll just go in the basement. I had a drink. I'm not going anywhere". He said, "get out of my house". He rips the covers off and tells me to get out. I told him to leave me alone. He's like, "Oh, you don't hear me talking to you". I suck my teeth and all I hear is "911, what's your emergency"? "My ex is here and she's refusing to leave". Before I could get downstairs, there were five cop cars outside. He tells the police that I refused to leave; and denies being the father to my children – two of them are his.

As I'm leaving with my kids, he says, "where are you going. That's my vehicle". I had a SUV which he bought me with my money; and then when I had our first child, he got me a mom van and put the car in his name without telling me. So, when I'm trying to leave in the mom van, he's like, "you can go get the ownership. That's mine". Now, I'm crying because I'm getting emotional. I told the officers that the car is mine; I made every payment for three years. I'm crying because now I'm really screwed in my mind; but my kids and I left, and I never went back.

That relationship was bad. He would make me dance for his friends at parties and I was his sex slave. You know, he raped me and told me to go pee it out. That's how I became pregnant with my last child. He was controlling. He's still trying to control me – we are going through a custody battle for children he didn't want. He even threatened to call CAS on me.

Also, right now, I have an actual fraud case open against him. He tried to open a bank account in my name. I got the documents which showed the person who tried to open it. He did it online while we were still together. He kept my passport. He used it, but he couldn't go further. All this is coming out in the custody battle.

My family knew he was abusing me. Funny thing, he would beat me up, then call my family, apologize, and beg them to bring me back. They knew, but they also knew I wasn't leaving so they didn't want to cause a problem for me. They're thinking they're making it a lesser problem for me

by not saying or doing anything. I broke down and told his whole family about the beatings, but no one did anything. Even his mom knew that he used to beat me and still hides everything. It's actually disgusting. His mom knows and everybody knows.

Since I left, I am still coping and it's not good. I'm going crazy because it ain't coming to an end. This guy wants to fight me tooth and nail now since he has his girlfriend. Before that, he didn't take my kids when we were done. Before, I would ask his mom; his parents would take my kids. And now he's fighting me. I can't cope.

In both relationships, I didn't call the police, except the one time I dialed 911 because I thought Steve was going to kill me. He was choking me. In his case, I felt a responsibility towards the Black man who was abusive to me. I already knew the police didn't like him. I've seen them get aggressive with him when we're literally walking in broad daylight. He really does get targeted, so I didn't want to bring any more problems his way. In the case of Mark (and also Steve), calling the police never came to mind. Truth is, I've never been around anyone who called the cops. You don't call the cops. It's not even that it's an option to call them. You don't think about it. It's like when I was a kid, did I think I was going to Disneyland? No. What am I thinking it for? It's not normal thinking for people like me. That's what was taught to us. You know it's wrong to call the police. Calling the cops and making the cops come to my house, I'm getting an ass whooping. It's something we just don't do.

Also, I feel that with the police we're like the bottom of women. There are white women; then there are rich women. I know there are different levels of white women, different classes; but I feel like we are literally at the bottom. They don't take us seriously and they're already judging us before they get to us.

To be honest, police need special training for Black women. That's exactly what justice would be. If we had some type of assistance that is special to Black women. And I'm not saying it has to be a Black woman either because anybody can do it; but they have to be culturally competent. That would probably be a step in the right direction for justice for Black women in abusive relationships.

Also, even with the training, Black people probably won't trust the police; and there's nothing for Black women connecting them with supports just based on being African Canadian. Through an organization, I was able to get help, but I wouldn't necessarily say it was for Black women. It's just victims in general. I feel if Black women knew of a group for them, they would probably be more open because they're around themselves and it's different than a white woman being there and talking to them about their situation. I'm not taking anything away from white women helping, but it's just different. I definitely think more Black women, even if they didn't call the police, would at least feel like they have somebody else in the community if programs or groups for them existed.

Though I feel the way I do about the police, I would never make the mistake of not calling them again; and I would tell another woman in my situation to call them. A couple of weeks ago, a man was beating on his kid's mom in front of the son. The police were called, and I stayed back. I gave a report. She said she had nobody; and I told her, "Girl, you got me. Don't think you're in this alone".

3. Jazmine's Story

I arrived in Canada from Nigeria for a better life and to be with my husband. You know, I am an orphan, and I married into a wealthy family, so I thought things were going to be fine; but I was wrong.

For two years, I experienced physical abuse from my now ex-husband. He beat me up often and I would have bruises all over my body. The abuse had an impact on my emotions. I was very scared of involving anyone in my situation, especially the police, for many reasons. First, I was scared of being judged or experiencing bias from his family. Second, I was afraid of what the community would say – afraid of being judged, stigmatized, and labeled. I felt this way about the community because the abuse I experienced from the hands of my husband was visible. I have neighbours, and no one stepped in to help me – none of them. Knowing that, I was afraid that the community would not help me; and being an orphan and all alone, I was afraid of what people would say. Third, I was afraid to call the police because I know the bias and racism that's in the system. I was

afraid of how they would react to me or the way they would respond to me. I was scared that they wouldn't take my case seriously and my voice wouldn't be heard. I was afraid that as a Black woman I would face harsh penalties and getting myself into a tougher situation. I was also scared for him as a Black man. I was afraid of what the police would do to him. He was my husband and in as much as I was experiencing the abuse, he was someone I loved so much. The police don't give enough time or listen well to Black people, so I was afraid of him getting hurt.

At some point the pain was unbearable and I thought of turning to my church for assistance. But it is against my faith to divorce your husband, so I didn't know how my pastor would react. Knowing this, I did not approach the pastor or anyone else, until a good Samaritan stepped in and helped me escape my situation. I went to church one day with visible bruises. The good Samaritan walked up to me and asked what was going on. In that moment, I broke down and told her my situation. That's how I got the help I needed. She called the police.

I had mixed feelings about her calling the police. On the one hand, I felt like I had someone who had my back. I felt like I had someone I can run to. I felt a bit relieved, to be honest. On the other hand, I was bothered that she called them – I am a Black woman, he is a Black man, and I was afraid of what would happen to both of us. Though, at some point I didn't care anymore because the pain, the emotional trauma I was going through was getting the better of me. I wasn't scared of him getting hurt by the police anymore and I didn't want to cover up for him anymore. So, after I got over the mixed emotions, I asked her to come with me to speak with the police.

Talking to the police was a bit simpler than I thought because the good Samaritan was a white woman – that helped the process. The police give preference to white women than Black women, so through her I was given listening ears. I talked to them about my problems and because of her, something was done – today I am free. If she wasn't there, I don't think I would've been treated as kindly. One of the main reasons I asked her to go with me was because she is a white woman. Also, I had already told her my story and there was nothing there to hide anymore. Without her being present, I don't think I would've had the listening ears I needed.

When I spoke to the police, I didn't feel any bias. I think I was given the attention I needed. After I told the police my story, I know he got arrested and questioned, but nothing really came of it. I don't know what his family did, but the whole case was thrown out. He just had to pay a fine and that was all. I didn't care to find out more about it because I was relieved of being free from bondage. So, I didn't care. Though I didn't go to court on the criminal matter, the good Samaritan assisted me with hiring a lawyer who prepared divorce papers. At first, he wasn't agreeing to divorce me. At one point he said he would never divorce me. He denied ever touching me even though I had the proof – the scars are still visible. He eventually signed the divorce papers which made me free of him.

Justice was not served in my situation. My idea of justice involves the community and all aspects of the criminal justice system. I think Black women survivors should have access to culturally competent, sensitive support systems, including counseling, legal assistance, shelter, and resources for physical and emotional discovery. I think Black women survivors should have people to advocate for them for changes to combat racial disparities in the criminal justice system. And for people like me, orphans, there needs to be programs addressing economic inequalities and supporting economic empowerment initiatives to help survivors gain independence and escape abusive relationships. The police need culturally sensitive training and be better equipped to address abuse experienced by Black women survivors.

Although my idea of justice was not done (they did not give my ex-husband the punishment he deserved) the very fact that I was freed from bondage was and is satisfying. If I was ever in a situation like this again, I don't know if I would turn to the police. Although, I may provide them as an option to someone in a similar situation, but to also look for community resources that can assist them.

4. Claire's Story

We met in 2008. I had three other kids at the time. Two were teenagers, and the third was six years old. We are both Jamaicans. He came here in the 70s landed; and in 2011 I helped him become a citizen. I paid for his stuff. I got him the permanent residency card, and now he's a citizen.

I'd have to say there was some red flags. I noticed some behaviours, but I was lonely, and I raised the three children by myself – a single mom. He could cook; and he had a couple of good ways, so I kind of ignored the flags. It's like when you know something, but you just say, they'll get better, or you think you could save people. Also, he was older, 45 years old, and the others were younger. I was just making excuses.

From the beginning there was financial abuse because he would be in my business. Like, I'm talking within months. But when I got pregnant with my son in 2010, the behaviour spiraled. Every week it was a story. He'd asked for \$10, then I'd give it to him. He'd want another \$20, and so on. He was somebody that just kept taking and taking no matter what you gave him. I've always worked or went to school, and he would say stuff like, "How much is your pay" and "How much is your rent?" He's somebody that wants to know my finances. I thought, I'm honest, so I told him the rent is this much, and I get paid this much. That was a mistake because now he started to check on the money. It wasn't good. My daughter at the time was 19, and she was making \$30 an hour. Who told me to tell him? He knew she had the money so, when she would get paid, he would ask me to ask my daughter for money or my auntie or this person or that person; and I would. I would also borrow payday loans. I'd borrow money and he'd say he's going to pay it back, leave me with the debt, and tell me, "You live in Ontario housing, it's not like you're going to buy a house".

We weren't living together, but he was like a cockroach, hard to get rid of. He always had a sad story. He would send pictures of his empty fridge and say he doesn't have anything to eat. Come to find out that he was gambling my money. When he won, he would give me money back, but if I didn't say my money was done, he would take it back.

Now, because I have his child, he would ask me for the child tax credit. I'd say, "I have to buy stuff for my kids". And he's like, "If I didn't get you pregnant, you would not have this kid to get the money". So basically, I owed him the money. We'd always have war for the money. He was a blood sucker. He asked me to finance a car, be his co-signer, which I did. But he stopped paying, and I was left with the debt. He ran away with my bank card and took all the money out of the

bank. I said to him I had rent to pay. He was like, “Who cares if you get thrown out. You have two big daughters you could go live with”.

When I stood up for myself, that’s when he would be calling me every single dirty name in the book and making noise outside for the neighbours to hear our business. He continued like this for many years. I felt like I had to give him money and do the things he asked because he would call my work and tell off the people at the work. And I don’t like embarrassment, so I gave him the money so he wouldn’t bother me at work. Everywhere I worked, he would call, and say things like, “Put the bitch on the phone”. So, I would give him the money just so he would leave me alone.

One time when he asked me for money back in 2010, I borrowed \$700 from my daughter, he wanted \$1400. He threw the phone which hit me in my face and hit my lip because I didn’t get enough. To his credit, that was the only time he was physical with me. The abuse was mostly financial, verbal, emotional, and eventually, sexual.

Like, he would curse me, call me names, treat me like a dog, and then want to sleep with me. I would say, “No, thank you.” And he’s like, “Well, we need to.” So, I would just lay down and say in my head, “Is it over?” I couldn’t wait for him to be done.

Also, with him, I didn’t have any friends come over. He would put his ears to the phone, and he would listen to my conversations. I couldn’t be on the phone. I couldn’t do anything. He didn’t tell me not to use the phone, but he was always listening. I felt isolated because I couldn’t talk to anyone. He was always in my business. I started telling him, “Don’t come to my house.” He ignored it saying, “You live in Ontario housing, and you can’t tell me not to come there. The government gave you the place for my kids. I’ll come when I want.” So, imagine you tell somebody they’re not welcome and they still come in your house.

In 2013, I was pregnant with our daughter, and he just would not stop harassing me for money. So, that’s when I first called the police. I just wanted them to talk to him. They weren’t going to arrest him. But while the police were speaking to me, he was leaving threatening messages. I played the messages out loud. The police heard the stuff he was saying, checked out his name, and

said he has a history of abusing people. They locked him up and my kids and I ended up going to a shelter. From there, we relocated to where I'm living now.

They charged him with criminal harassment, assault, uttering death threats to cause bodily harm, extortion, and publishing a nude picture. He couldn't find someone to bail him, so he plead guilty at the bail stage. They gave him 18 months probation; and I'm not sure what else. I don't remember getting a call from victim services or anyone. But I think an officer called just to tell me what the conditions were: he was on 18 months probation or something, and he couldn't contact me, or I should call the police.

The two male officers that attended were very nice. They were good to me. When I said I just wanted them to talk to him. They said, "I don't think talk is going to help". They said he's done this before, I was not the first, and he had a peace bond with somebody else.

After his release, he learned the area I moved to. A few months later, I heard my door knock and it's him. I was frightened. He didn't know my door, but he knocked on every single door, and somebody told him that a pregnant lady lived downstairs, and he came here. He was crying and saying he changed, that he was going to counseling, and all sorts of sad stories. So, I gave him a chance – we have two kids together. But I can't say he got better. I just tolerated him because of the kids. I raised the other three by myself, so stayed with him for the kids.

In 2018, I went to the police again because I was fed up with him taking my money. I went to the station, told the police about my situation, and the officer got in my face and said, "Well, you charged him before in 2013...how is he going to see his kids? What do you want us to do?" I said to him, "I didn't know this was none of your business. Don't worry about it, I'll handle it myself". I left and I cried on my way home. I wrote the sergeant saying, "I don't have any faith in the police. Are you waiting for me to die? For me to kill him? Which one? I will never come back to you guys". The sergeant apologized. After he spoke to me, the detective wrote or called me and said I could come in, he was sorry, and if I wanted to do anything about it. I said, "No, I don't". The police really made me feel like I lost trust in them. He was very rude to me. After they made me feel that way, I never went back to the police until 2022. I just felt like they didn't take it seriously;

maybe they don't take domestic violence seriously; or maybe, because I took him back, they didn't take me seriously. I had all these different feelings.

From 2018 up until 2022, he just continued. One day he's good with me. Then he's cussing me off in front of people, carrying on, using vulgar words, and calling me all sorts of disgusting names in front of the kids and in front of anyone coming to the work or coming to the school – he just continued. I just felt like I couldn't bother.

In 2022, I went out with him, though I didn't want to – it was his friend's birthday. My kids were gone for the weekend, but our son wanted to come home. I asked him to drive me to get him, he told me to go myself. He ended up driving me, but from that day the problem started. An incident happened between our son and him. My son must have said, "Don't come back here"; and he ended up slapping my son in the face and calling him names. That's when I said I had to get rid of him. It took that to get my strength because I didn't feel strong before, and I didn't feel that I could do it.

I called the police. Children's Aid were involved. They said it could've been discipline, so they didn't charge him. The police said to me, "You need to send it in writing, and tell him the days and times he could come and see the kids if he chooses". I did that. He wasn't coming those days. He was coming every day. We didn't let him inside. Then he said to me, "If you go to dinner with me, I'll leave you alone". I went to dinner with him, but he still did not leave me alone.

In August 2022, he wanted to have sex, and I said, "No, I'm not sleeping with you". So, he sexually assaulted me. That's when I called the police the third time, and he was charged for that. One day he drove off with me. He was doing like 140mph so, they also charged him with forcible confinement, and a slew of other charges. I thought that after that he would have behaved himself. He came out of jail after bail and in November they re-arrested him because he kept sending me emails again. So, he was facing another couple of charges. In January 2023, he got arrested for further breaches and went to jail for two months. He's facing 28 charges now.

After this and being in family court, I was given full custody of my children in July 2023. In February 2024, I told them my grounds: he could have supervised visits at the parenting center, and he could call Monday and Thursdays to speak to the kids at 5 p.m. Do you know, this man calls every day? He leaves voice messages asking to speak to me. The reason why he had the three arrests in 2022 and then in 2023 is because he just kept sending emails and breaching. He just does not follow any court orders at all. And now that we're in court, it's very discouraging because this is the third Crown that we've had, and she's saying, "I'll try to win. If not, I'll get a peace bond". I said, "Try? The case is a strong case. I don't want any peace bond because that means he's not taking responsibility for what he did. That's what the peace bond is. I don't want that".

Calling the police, I was worried about Children's Aid, but I was like, if they were involved, it's because of him. He doesn't live here and he's the one aggravating me. So, they'll be more contacting him. I take care of the kids, so I wasn't really worried about that. I just didn't want them showing up at my house and to be in my life – having to explain stuff to people. I didn't want to go through that again.

Children's Aid wasn't my only concern when calling the police. Growing up we were forbidden from dialing 911. We don't call police, no matter what. I grew up learning that the police aren't our friend. I was taught that you were an informer if you talk to the police. Don't make people even see you say, "Hi", because people will think you're carrying news. But I had no choice.

I'm not a prayer warrior, but I know how to pray. So, during this time, I read, I prayed, I wrote, and I listened to the music to get by. In 2022, I also had support. This last time, I felt everyone supported me. I had my coworkers. I could go to church. I had people in the neighbourhood and family. So, I had the support this time. The other times that I went through it, I just felt alone. I told people, but I think they were fed up. The other time, I think they just probably said, "Every couple of months she complained and still stayed with him". So, I think although they love me and they supported me, they couldn't do it for me, I had to want to do it. And now that I've done it, I'm seeing the support.

I don't feel I have received justice with the situation. Justice means that when you do something you just pay for. I don't want to sound mean and cold, but you just have to take ownership for what you've done. It also involves doing stuff in the community. Having a relationship with the community, teaching us so we don't all repeat this type of behaviour. Justice should be there to teach us, not only punish us. There needs to be more support in the Black community for this to happen. If there is support, you have to pay; and we don't all have money. Police are also part of this justice idea. Police needs some training, maybe a certain department specializing in domestic violence in the Black community. Train those people to come out to Black communities – not the hoggish mean police, but the ones with empathy. They come out to the community and deal with us properly. I'm looking for some sort of engagement with the Black communities.

When I called the police back in 2022, he was wanted. He kept showing up and doing stuff. I called 911 about ten times one night and no one came until 9am the next morning. He was banging my door, screaming, and throwing stuff. When they came, they apologized and told me they didn't have an officer in the area. I said, "I'd be dead by now". I was very disappointed. I feel like if I had money and I lived in a fancy area, they would have come that night; and the fact that I'm Black made it worse. I called them ten times before they took me seriously. I'm saying this because they need to be better engaged with Black communities.

I am still in the court process with him; and my life is still impacted. He's out on bail.¹⁹⁸ I don't go anywhere. Friends invite me out and I don't go because I don't know if I'll run into him. He's very defiant. He's very unruly. I could be on the way home and he could be hiding somewhere. So, I make sure I don't go out at nights. I don't go to parties. I don't go anywhere that requires me to be out when it's dark. It's like living in a little jail. I would not want anyone to go through what I went through and what I am still going through, so call the police if you are sure you are ready to leave him.

¹⁹⁸ When Claire was provided her story to review, she provided an update on the criminal case with the person who abused her: "I don't believe justice was served as he admitted guilt to some charges, but 21 were dropped. On the first day of court, I learned that I would have to testify in person instead of being on CCTV. His lawyer was ill, so we had to return for a second day. On the second day, the prosecution said he would plead guilty to 9 charges, excluding sexual assault and threats to my brother. Three weeks later, I had to contact the police as he violated his release conditions. Additionally, I am back in family court to amend the motion."

5. Sharon's Story

I met him when I was 18 years old. Approximately 32 years ago. I'm 50 years old now. He was six years older than me, but I fell in love. Looking back, I was young and foolish. At the time, he did not have his "papers" – he is Jamaican – and because I was in love with him, I married him to help him become a landed immigrant in Canada. My mother told me not to, but I went behind her back and did it anyway. When she found out, she kicked me out of the house which is how I ended up living with him in an apartment in the west end of Toronto. We were in love; or at least I was.

I don't even know why he started hitting me, but it happened, and I allowed it. It kept happening more and more and more frequently. For maybe the first four years of our relationship things were great, but then it started going downhill. The first time he abused me was the first time I found out he cheated on me. I found out, I confronted him, and guess who got abused. Following the abuse, he asked, "Why did I make him do that". Then he said, "I won't do it again". I remember at the time I cried but I believed him. However, things went on and it happened the second time and the third time and so on. It happened every time I confronted him about cheating. You know, he cheated on me on our wedding day. The girl called me, and I listened to them in the bedroom on our wedding day. I called him after I heard, and he came home and beat me. On my wedding night he hit me while I was taking a shower, and he knocked me out.

Not only did I experience physical abuse from him where I often suffered injuries (black and blue eyes, etc.), he was also sexually abusive. There were times when I didn't want to have sex, and he pretty much forced himself on me. He would say things like, "Oh you're my woman. You can't tell me no". And even when I'm crying, he's still taking it. Honestly, the abuse happened for years where I even started believing it was my fault. Blaming myself for the abuse and saying things like, "maybe I shouldn't have said anything", "if I didn't say anything he wouldn't have done it", or "why didn't I just keep my mouth shut", I also started believing the things he would say: "no other man would want you". He would also discourage me from calling the police through manipulation: "If you call the police on me, they will take me away", "they would lock me up" or "you don't love me". His tactics of manipulation had me convinced that I couldn't call the police

on my man. And at the time, I believe I was thinking like a lot of other Black women in the same situation: “yuh caan call di police pan yuh man, even if him ah beat yuh”.¹⁹⁹

While I was living in the abuse, I felt I had no support from my family or the community. In fact, family members would gossip about my situation, but no one would come and say something to me about it. While, at the time I didn’t tell my mother, or anyone about the abuse, I called her a few times and begged her to take me back and she would say, “No, you’re married now. Make your husband take care of you”. I couldn’t say, “well, he’s not”! I didn’t tell anyone because I was ashamed, embarrassed, and no one seemed like they cared. People in my family knew about it, though, and none of the elders came and pulled me aside to say, “Sharon, this is happening to you, and this is how you should deal with it”. I was a young woman without any support. Also, I am Jamaican and at the time, domestic violence felt like the norm and not something we spoke about – we know it’s there; we know it’s happening, but we just didn’t talk about it. I had a best friend at the time, but, again, I didn’t tell her until much later because I was so ashamed. So, basically, I just sat down in it, got used to it until I couldn’t anymore. I remained in this relationship for 11 years. I did call the police on him once because of the abuse, but after that encounter, I never called them again.

Before calling the police, I didn’t really have an impression of them. I was young, so they didn’t really matter to me. But after I called them and how I felt during the encounter and after they left our apartment, I started believing that the police didn’t have Black people’s backs. They don’t have our best interests at heart, the support is not there for us, and I think, with them, we’re set up to fail. I called the police in the early 90s and from that experience and everything that has happened since then in Canada and the States, I see that the support for Black people from the police is not there. They pretend, but genuinely it’s not there – not how they would support another race.

When I called the police, I just wanted the abuse to stop. The day I called, he was abusing me. I told him I’m going to call the police if he didn’t stop; and he didn’t. I got away from him, picked

¹⁹⁹ She spoke Jamaican language when she was making this point. It translates to, “You cannot call the police on your man even if he is beating you.”

up the phone, and I called the police. I told them, I needed someone to come. Once he realized I did call the police, he started convincing me to lie to them, “You better not tell them”, “You better not say “this””, and “what am I going to do, they’re going to ship me back home”. Then I started questioning my choices, “What the hell did I just do?” It also dawned on me that if I told the police that anything happened, after they left, he was going to abuse me again for opening my mouth. I began to have sympathy for him knowing that he was Jamaican, he did not have his landed status at the time, and I did not want him to be sent back to Jamaica.

Two policemen came that day – one was white and the other Black. When they came, I was crying. They didn’t have any empathy for me. They asked if everything was okay. I told them yes, which was a lie. They asked if he hit me. I said no he did not, even though he did. And they were like “okay”. They looked around and just left. They left him there with me. Didn’t tell him he had to leave or anything. I think the Black officer knew something happened, but he just didn’t do anything.

Though I lied to the police about what happened, I was very disappointed because I don’t think they took it seriously. First, they questioned me when he was right beside me. I couldn’t have said what I wanted to say because if the police left me in there with him, he would have abused me again. I think I would have told the police what he had done if they had separated us. Second, in the area that we were living at the time, it was normal for police to attend. I think sometimes when they got a call for that address there was no real urgency for them arriving. A lot of women were being abused in the building, and I don’t think any of those men were arrested. The building was mostly Black people, younger women living with their spouses. Truth is, when the police came, they would ask the women, “Hey, did this person abuse you?” And we said, “No”. So, my situation was another one of those incidents that they shrugged off, even though I was crying, and the abuser was standing right beside me.

I did not get justice that day. They should’ve arrested him or taken me away from the situation. If they had taken me away there’s not much he could’ve done. I would’ve been in a comfortable area where he was not present, and I would be able to explain what happened. Then they would have

the information to take action based on what I told them. Instead, they questioned us together where he dominated the conversation, and nothing came of it; and I never called them again.

Generally, I believe that justice is a combination of both the community and the police. First and foremost, justice is about finding help within the community and people actually helping you without being fake about it. This means, helping the person experiencing the abuse and not putting her down. This discourages abused women from speaking about abuse. It's being able to find togetherness within the Black community; and resources that consider that we're going to be more comfortable opening up to someone in our own community than another race. I don't think there's enough culturally oriented resources for Black women. While I think there are more Black women forming sister groups now on Facebook and Instagram, there needs to be more shelters specifically for Black women. Once these resources are in place the police will have a means to help Black women who do call them.

I do think resources and police services are better now than they were in the 90s. Back then, I wouldn't have advised a woman experiencing abuse to call the police. It would've been the last advice I would've given her. Today, even with my reservations about the police, I would advise a Black woman experiencing abuse to call them; I'll help her call them. The police would help her. If my situation was today, I would have called – they would've help, whether they were going to take me, put me in a shelter, arrest him, or put a restraining order against him, they would've help.

I stayed in this relationship for another 6 years after contacting the police. I did a lot of crying and praying – knowing that God would get me out of this relationship, and he did. The relationship produced a son. He was the reason I decided to flee to a shelter. He was abusing me in front of my son and my son would cry, “daddy, stop”. I decided that I couldn't make my son see this growing up; and that's when I left everything, took my son, and went to a shelter. The day I left he was taking a shower. For some reason, I was going through his phone, and I saw a number that he was always calling. I called it. The girl on the other end told me she was his girlfriend. I did not confront him because I knew what would happen. I just left with my son.

6. Susan's Story

I met him in 1995 when I was 19 years old. I am 47 now. Our relationship was a year and a half when we had our first child. We became a steady family really fast. When our baby girl was one years old, we moved in together. The funny thing is, I knew I didn't want to live with this man; and before I found out I was pregnant, I was leaving him. But I got pregnant, and I remained in this relationship for 16 or 17 years which produced 7 children.

Abuse is insidious. It starts very small. It starts with the fact that he loves you more than anybody else in this world. It continues on with him being your best friend and there's nobody else in the world who understands you quite like him. Eventually he is a part of you. You are bonded in a way that nobody else can understand. And then it starts to look insidious; it starts to get ugly. You're confused, questioning whether what is happening is ugly or is there something wrong with you. While you are in that state, he reminds you that there is something wrong with you every single day. He does it slowly. It's creeping – tiptoeing very, very, very slowly into the room.

But even though this was happening, I didn't know I was being abused or in an abusive situation because he didn't hit me. He would call me a whore, dumb bitch, and all these different things. I am a writer, and I wrote a play on domestic violence. One of the lines I wrote is that you call me dumb bitch so many times I had to check my birth certificate to see if it was my given name. But I never saw what he was doing as abuse until someone told me I was being abused. One day I went to a women's shelter looking to get Toronto housing because we heard that you could get actual houses at that time from Toronto housing. So, we thought, let's do this. I went on this website, found the housing place, and met with a housing worker. When I went into her office and had a conversation with her, she said, "Do you know that you're in an abusive situation. That you're being abused?" And I said, "No, I'm not in an abusive situation. He doesn't hit me".

That was the first time I started to look, learn, and understand what I was in. I was in an abusive situation. The abuse started from the beginning. It was isolation, financial, sexual, mental, and verbal. For example, he used to rape me. Once he started, and when I found out that he was raping me, he just kept doing it. I don't know the first time that he raped me because I wasn't conscious,

but I remember the first time I woke up from his sexual abuse – he was sodomising me. It wasn't normal. I remember, I woke up, went downstairs, went into my refrigerator, opened a bottle of wine, and I drank half of it. I went back upstairs to my bedroom, where he was, he was crying and saying he was a monster and he's so sorry. I spent the evening of my rape comforting the monster who did it. That is abuse.

Financially, he would never, ever, ever get a job. I was the one working. I was the one going to school. I was the one doing everything. I had to maintain our family. He never paid bills or any of those other things. I was always taking care of it. He had access to my bank card and there were times when I would go to my bank to pay the rent, and it's completely cleaned out. Every dime was gone.

The physical abuse came when he tried to kill me in 2012. We were not together for some time but living in the same household. That's another story. He tried to rape me for the first time in a very long time. I fought back because usually I didn't; so, he strangled me. I remember the things that he said to me. I remember the moment because I am never going to forget it. He was strangling me and saying, "Oh, now, you dumb bitch, you can't breathe now, can you? See what's happening to you. Foam is coming out of your mouth. You can't breathe, can you?" And then he would take his hands off and say, "See, now you can breathe because I'm letting you". And he just kept doing it over and over and over, taunting me. But it was getting worse because he was holding longer. At that time, he told me he was going to kill me and no one's going to save me. My children saved me. My daughter pulled her naked father off me, and my son woke up and tried to get me away from him. Eventually, my daughter tried to take her father into our bedroom, and my son took me to my daughter's bedroom.

Though, that wasn't the day I called the police. The day I called the police was in 2014. The day I saw that he was going to hit my child in order to get to me – that was the line. When my oldest daughter was 17 years old, approximately 2 years after he tried to kill me, she went to the laundry room in the townhouse complex to talk to her friend. He came home ranting asking where she was. I called her and I said, "Your dad's home. He's in a rant", and she needed to come home. He went to the laundry room and brought her home. When he came home, he went in on me, "Your

daughter's going to be a whore just like you". He was yelling and screaming at her and me. She was yelling back, and I was trying to keep it calm. I was trying to stop it from all happening. At the time, my second daughter, who was maybe 4 or 5, was on my daughter's leg crying because she woke up in the middle of the night to this commotion. In that moment when she was in the way and he was yelling and screaming at me, his hands clenched, and I saw his whole arm tense up. That was the line: "You want to abuse me? You do that. But you're not going to hit my child to get to me". I pushed her behind me. I brought them into the bedroom and called 911.

Growing up, the police was never an option for me. Just the mention of them brings anxiety. That anxiety you feel, I think we all feel that as Black people when we think about police. I don't think any of us think they are our friends, and they serve and protect us as it says on the side of their vehicle. I remember I used to always see police cars that say, "to serve and protect"; and I would say at the end of that sentence, "Who?" because it wasn't me. Also, my now ex-husband, who's the perpetrator of my violence, was known to the police which provided more anxiety when it came to police. I think one of the spoken unspoken rules as Black people is we don't call the police. So, when one thinks about anything that happens, it's not the police that they call because we don't trust the police. This goes for when you are being abused.

My biological mother, my aunt, my grandmother, all of them were in abusive situations and none of them left because of the abuse or called the police. My grandmother told me about her abuse only to tell me that it doesn't matter. I should move forward. We come from a culture where abuse is brushed under the rug. We come from a culture that says, "shit happens, handle it, and move on. Or don't handle it, stay in that situation, but move forward is what you're always going to do. You're going to handle it". So, as Black women, we don't leave, we don't call the police, we endure. We handle these things. That's what we do.

But the person who called the police that day was my children's mother, and she was Mama Bear. In that moment, she was just protecting her young. That's what I was doing. I do acknowledge that once things started to occur and the police came, I did recognize that this is a Black man and what this means. He's Black. I'm Black. He is the father of my children. He is going into the justice system where there's no place for a Black man. They're not going to be nice to him. They do

wicked things to Black people whether they're guilty or not. These are the things I thought about because as much as he's a horrifying human being, there was a part of me that loved him.

When I called the police, he also called 911. He said that the mother of his children was drunk, she was on drugs, and he needed them to come for me. The police came to the door, I opened it, they came in and they said, "Okay, ma'am, we got this call from you, what's going on?" I told them that he was going to hit me and about the abuse that was going on. They said, "Would you like to come down to the station to make a statement". And I said, "No. I can't go to the station to make a statement. My children, I can't leave him here alone with my children". And they said, "Ma'am, you don't need to worry about that. He's coming with us. Would you like to come down to the station and make a statement?" That's when I realized that there was someone there for me.

He was charged with assault for the incident where he tried to kill me and breaking my phone on the day I called the police. I had an amazing police officer who was assigned to the case. But the officer who took my statement was part of the reason we don't call the police. Though he was a Black man (whom I knew), he was adamant about putting Black men in jail no matter how. He would set Black people up and do horrifying things. I knew who he was.

The prosecutor was also amazing; but was she amazing because she helped a domestic violence survivor? Or because it's easy to put a Black man in jail? It's not something you cannot think about when you're in that predicament because the criminal justice system is not for us. Everyone I ever met in this entire situation started every conversation the same way: "You want to put him in jail. Please understand that probably what's going to happen is that he's going to get off. So, what are you doing for you?" Everyone prepared me for the fact that I am doing something that will probably result in nothing, which is what happened.

At trial, I testified and so did my daughter. She testified that she didn't see her father's hand on my throat. She just pulled him off me. His lawyer painted me as the Jezebel who was messing around in her relationship and who now was angry because he left her and has a new woman. The judge said I wasn't credible because I wouldn't admit that I was angry the day that the incident happened with my daughter; and because I wouldn't admit that I was angry, led her to believe that

some of my story wasn't true in the way that I was expressing it. She also expressed that I mixed up my lawyer and my counselor which led her to believe that I wasn't credible. I couldn't believe that, but these are some of the summations she gave about why I wasn't a credible witness.

He got off on the assault. The only thing he got found guilty of was the breaking of my phone because he smashed my phone that day. And that was clear. You can see it. So that's the only thing he got found guilty of. His sentence was probation for like three years or something; and he had to submit his DNA to the sexual offenses database. The judge commented, "I don't know what happened between Mr. and Mrs. Johnson, but I do know that something happened, and whatever happened warrants him being on that database. I just can't say what it was". I might have been able to handle it easier if the judge was a man, but it wasn't. It was a woman.

Justice was not served. Our justice system does not serve women in this situation, and it certainly doesn't serve Black men. But the only time a Black man cannot be a monster is when he abuses a Black woman. He gets to go home. When I was in that trial my intention was to have him go to jail. So, my idea of justice was for him to be in jail. I wanted to be acknowledged. Going to jail would have meant that somebody said, "You're not lying". Women who are in abusive situations are denied. It doesn't matter if people saw bruises, the question next is, what did you do; and not, what did he do? Someone believing that this man did this to me; and that I wasn't lying – that's what justice looks like to me. Being believed is better than him being in jail. This includes being believed by my community. Justice to me means my community says that man is a monster, and I get it.

Being in this situation, I told no one at all about the abuse I was enduring because of shame, but also because my community, which includes my family and my sister friends and my brother friends, would do what West Indian people do: sweep it under the rug, pretend it didn't happen, and pray to God that whatever is happening within her doesn't make her do something drastic. To be honest, I think everyone knew something was wrong and they just said, "If she can endure it, we will sit back and let her". When my community actually found out, which was after I called the police, my mother and father were livid and they believed me, but no one discussed it. My mom's

family had him at their house; and I know this because I saw him there. Also, his family stopped speaking to me completely as if I was a pariah.

Even with this impact, while I feel the laws of Blackness still apply – we don't call the police – I would advise a woman in a similar situation that police are the only way to get out of a situation where somebody is going to kill you, going to be violent. You cannot do it on your own. However, I would encourage a Black woman differently than I would encourage a white woman to call the police. This is only because I feel that white women, white people, are easier to call that number; and Black people, we need a little bit more encouragement. The conversations are different.

7. Jordan's Story

My name is Jordan. I am 41 years old, and I want to share my story because I think any movement that goes towards having people represented well in statistics is important for change makers and resource providers to take into consideration. I want to help with understanding different populations and help provide culturally appropriate care and resources, whether it's health or safety, for women in domestic violence situations.

I am African. I was born in Angola and grew up in Europe until I was almost 18 years old. I arrived in Canada as a protected person, and I've been here 24 years.

I met him when I was 24 years old. He was born and raised here but his background is Grenada. Our relationship was on and off for just under a year until we decided to live together, which didn't last too long. There was intimidation and physical abuse.

Intimidation included him banging on the counter. I could almost sense the temper coming on. You're sharing space with someone, so you start sensing – you can almost see and feel the mood change. You can feel very edgy in your home – walking on eggshells, not knowing what's going to trigger that person. There's a sense of security stripped from you, especially when you're under the same shelter. You can feel trapped especially when you don't have family in the country or family you're close to.

He was physical with me twice. The first time he hit me, I let it slide. I was hopeful because he apologized, and I did believe him when he apologized. But I was smart enough to believe once and that's it. The second time he hit me, I was pregnant; and that's when I just decided, "Okay, yeah, it just cannot happen again". Things are just going to keep escalating because he obviously can't control himself very well; and I'm going to have to call the cops. It's just not smart to stay in a situation like that. I just knew that I didn't want to put him in that position again because he has poor management of his anger and where the cops would be involved.

I was aware that he didn't have good familial relationships, so I did have some pity for him. I knew that if I called the police it was going to set him up. He hadn't been in trouble for a while, so I knew it was going to affect him, and I didn't put myself first. I kind of thought about him more than myself. But I knew that he couldn't hurt me once I moved on. I was thinking, "If they arrested him, he's just going to go back to where he was before" which is what a lot of people who grew up in those situations do.

Though his background and his family history played a bigger factor than his race, I know the statistics. Even though I was in my early 20s and not in Canada for too long, I had the gist of it. I was just thinking he's going to be another statistic if I put him in jail. Already, he didn't have a steady job or anything like that. I just knew it was going to send him back on a path that he'd come from already – he came from the street life and gang associations.

I've always been religious, but at that time, early 20s, I wasn't really actively religious. I coped with this by telling myself, "You got to be strong". I've been through things growing up. So, I've always had to just grow up. I've been hurt in the home growing up, so it's not like the abuse was a big shock. It's not like nobody's ever put their hands on me. I come from it. That's where the strength came from. It wasn't a surprise; and it didn't kill me before, so I will survive this. But at the same time, a partner is your chosen family. So, it wasn't hard to leave him. He was very remorseful, but my sense of security just trumped everything.

I don't remember really keeping friendships at the time. I was pretty isolated, and being in an abusive relationship wasn't something I would have shared because it's embarrassing. Also, being pregnant played into my decision whether to tell people because if I told anyone that's what they were going to know him for – the future father of my child as an abuser. I was trying to protect him in some ways; but also protecting myself because people do fall out of friendships, and they can throw things in your face.

I did turn to the general community to find shelter when I decided to leave. I wasn't working much so I ended up going to a DV shelter. I needed a place to stay. That was the main reason I reached out to shelter. It's either stick around longer somewhere where I didn't feel safe, or just get out and rebuild without having to worry about paying bills, how to eat, or things like that. The DV shelter helped me accomplish that. I definitely knew that if I wanted more resources than the shelter, I could have accessed them. I knew where they were, but I didn't really bother. I was just happy to have shelter at the moment.

I believe there are resources in the community for Black women in DV situations. People might not be aware of them; and I don't know if I would separate them in class and race demographics. I feel like the resources are all encompassing. You're going to see a lot of people who look like you; and sometimes the counselors will look like you. I saw that at the DV shelter. The people providing the services are diverse people. So, I think it's very easy to end up with a counselor that looks like you or has the same background as you. I think it's more about people being informed about where to go or how to get services. Some people really like the culturally appropriate stuff, but I don't look at it that way. I think in this case, help is help.

I think justice involves both the police and the community. There're definitely systemic biases, but I feel like it doesn't affect me as a woman as much as it affects males. I'm speaking of things like carding, unnecessary stops when you're driving, and being confused by the wrong person because you look a certain way. I think those biases are definitely more towards males than females. But I do see police as a necessary evil; and not even evil, just a necessary thing. We need them to bring people to justice and remove perpetrators who cause harm to people or property. They are necessary enforcers for law and order. We can complain; but in a tough situation they're

going to be the first one to come to anyone's mind. I have a good impression of police and criminal system being fair to me every time I've interacted with them. They're necessary in society. They definitely get demonized. I find it unfairly because every profession has bad apples. I feel like you call them, they're not going to come faster or slower because of your neighbourhood or your race. That may be more south of the border. I don't know if that happens in Canada. If you call and you're in trouble as a woman, I think they would just place you in the queue like anyone else.

The community would come into play by reporting incidents to the police. I never liked the whole "no snitching culture", and people not doing their part even though they know who the perpetrators are. I never liked that at all because any time you don't report something you are potentially creating harm for the next person who becomes a victim of such perpetrators. The Black community should definitely subscribe to more things like what they call neighbourhood watch and things like that. We can't be thinking, "Oh, it could be our son or this or that". People, when they're adults, they are aware of the consequences of their behaviour. So why are we scapegoating other people just because they look like us? Or they might get mistreated once they're inside? People get chances. I find this justice system can be actually quite lenient; and despite the biases we know about the system, everybody knows that people just keep coming out after they have been arrested. It's a big revolving door. So, when people are crying foul, sometimes I just think about persons who's been out 5 or 6 times and they're still doing the same thing – why are we coddling grown people?

I think outside pressures play more of a factor regarding whether or not the police or the justice system is involved in DV situations in Black communities, than the justice system itself. Though the Black community is not a monolith culturally, I think background and even religion can play a part in our decisions. Also, family members could even have a bigger influence. I know some people might get told, "You don't want to ruin this man's life", or their mothers and grandmothers may have been through it too but have not called the police. So, the biases in the system are less relevant than cultural influences, which makes it difficult for us to involve the police.

Though I have positive views about the criminal justice system and police, I am not sure I would recommend them to someone in my situation at first. It depends on how severe the abuse was. My

priority would be telling them to get out more than contacting the police, unless they were very badly injured. Especially if there were children involved and they witnessed it, I would definitely tell them to make plans and arrangements because it always escalates. At least, that was my experience. So, based on my experience, I would say make arrangements.

I think this way because if you get a shove or a slap or something like that and you're not willing to go through it again, do you really want to go through the whole justice system, making statements, all these things, or maybe having the person become even more violent because now you've affected their livelihood? They might even lash out more dangerously in the future now that you have involved them in the system. So, unless the person is really hurt or put in the hospital, I would tell them to make alternative arrangements ASAP without even telling the perpetrator. I would also let them know there are a lot of help out there. The help is there regardless of the colour of the skin of the woman or the perpetrator because safety is safety regardless who's harming you and not treating you the way you should be treated.

8. Tanisha's Story

I was 24 or 25 when I met him. He was 21 or 22. I'm just over 30 now. We had mutual friends – that's how we met. We were intimate only a few months. We went our separate ways, and we met again in 2017. After we met again, he stayed with me for about a week, spread out over a course of three weeks, because he got evicted from his place. He gave me some of his things to hold in a garbage bag; and I was helping him find a place. When we found the place, he came to stay with me until he was able to move in. I helped him pay the first and last rent, and I was supposed to get that back, but I never got that money back.

When we met, he told me this great tragic story about his childhood. I didn't want to be another person that threw him in the garbage because he told me where he came from and all the things he did. I think about people's potential more than what they're actually showing me; or I think about where they came from and how hard it must be to be them and excuse bad behaviour.

The red flags were there from the beginning. I remember him repeatedly calling me maybe 3 or 4 times in a row, and he would call from an unknown number or try to use one of his friend's numbers when I didn't answer. I started to think, "Oh, it's because he's younger than me. It's because I'm older and he's probably just in a little bit more of a crush than me".

The first time we hung out together for more than a day, I remember getting into an argument with him, and he would do stalkerish things. Like I would say, "hey, I don't want to talk to you". Then he would try to message me from different numbers. One time, he pretended to be someone else on the internet. I knew it was him. It was like on a dating site. He also found my sister and tried to match with her. He got very close with the family – became a part of the family.

This man was a liar, manipulator, and a con artist. He was a user and an abuser. There was physical abuse, verbal abuse, and financial abuse. He definitely made up stories to get money out of me and then just didn't pay me back. He always had some excuse.

In the past, we had gotten into these "play fights", but now I see that they were not play fights. They were just the beginning of abuse. In 2017 when he came back into my life, we were at a family party. He became mad about the way I was conducting myself (dancing) at the party. He stopped talking to me for the rest of the night. We were both drinking. We stayed there until 6am, so I got to sleep off everything. Then we went to breakfast. At breakfast, he was being rude to me. He just was very angry and mad. Eventually, I asked him if it was because of the party, and he said that I was acting like a slut at the party. I was confused because I didn't even understand why he was upset. We've had so many discussions about potentially being together, but there was an understanding that we both weren't there in our lives.

I said to him, "Let's just go home, you'll get your stuff, and you'll go. You're leaving tomorrow anyways". We got into my car, and he wanted me to drive him home. I think it was that he wanted to go to his apartment, and I was like, "cool, I'll take you there". And then he was saying for me to give him the keys and that he was going to drive. I said, "No, I will drive you there, I will bring your stuff over to you, and then you don't ever have to see me again". He was like, "No, no, no, give me the keys". And then he tried to grab the keys from me. I wouldn't give him the keys. Then

I said, "I'll just drive you to where you need to go, and then you can just go to your place". I'm talking very calmly as he is calling me names like slut. He said, "No, bring me back to your house. I need to get my stuff". I said, "You will not come to my house at this time of morning and disrupt everyone. You will not do that". And then he was getting angrier and angrier the more calmer I became.

When I feel threatened, I get very calm. Immediately I thought, "He's acting strange". I could see in his eyes that it wasn't like other times. He started to get irate and wouldn't stop yelling at me. He was yelling so loud. I have never heard him yell like that. He started punching everywhere in the car. I just remember blood was going in places. He was punching everywhere, like the front dash. He was punching it, and his knuckles were bleeding. He started punching the ceiling of the car and the glass beside him. I was being calm.

He started asking for the keys again. I guess when he started punching things, he thought I would be scared enough to give him the keys. But I told him I wasn't giving him the keys; then, he just lunged at me. He started putting his hands around my neck to make me let go of the keys because I still had them in my hand. He put his hands around my neck and that's when I put the keys down my shirt. I tried to break free of his grip around my neck and I remember looking at him and thinking in my head like, "are you kidding? What did I do for you to be beating me up right now to get my keys?"

I don't know what is it that I said, but he let go of my neck. When he did that, he just sat down. It was like he realized what he was doing. He then said, "Just drive me home" or something like that. I got the keys and started to drive. He was still yelling, but I was just not responding because I was just thinking in my head, "Should I call the police? Like, what should I do?" He started doing something that made me have to pull over, and I was like, "No, you got to get out of here now".

I said to him, "I'm going to call the police if you don't get out". He's like, "Oh, you would do that to me? You're just like everyone else. You're just another Black bitch who like putting Black men in the system".

"You tried to kill me".

He was like, “What? No, I didn’t. I was just trying to get the keys”.

“You strangled me, and I had to fight you off. You tried to kill me. That’s what you tried to do for my keys to my car”.

He tried to guilt me, then he yelled, “Fuck You” to the sky, left the car and slammed the passenger door so hard. As I was driving, he told me to let him back in. He started trying to punch the glass and I could see his blood. Then he ripped off my car door handle which is still damaged to this day. I saw the door handle in his hand. He threw it at the car, and then I just drove away.

There were bruises on my neck and one of my eyes was swollen from it. Either he punched me, hit, or slapped me open handed, I don’t really remember that part. From there, he walked to my house, we gave him his main things, and told him to leave. For maybe about a month after the incident, he kept trying to still talk to my mom, telling her I was lying. I had blocked him on everything.

I thought about calling the police. In fact, I even told him I won’t call the police if he just left me alone. But at that point, how everything was in the car, I didn’t really think that I could get that done unless I left the car; and I didn’t want to leave. I could have probably run back into the restaurant, because I had my keys, and told them what was happening, but then the police would have had to come, and that’s what I didn’t want. I didn’t want the police. I was thinking, “I’m getting out of this. He’s going to stop. He’s going to realize he’s about to go to jail. He doesn’t want that. He doesn’t want to go back”. I even think I mentioned something to him like, “Oh, you don’t want to do this because you’re gonna mess up your parole”.

I didn’t want the police involve for several reasons – several visions went past my mind. For example, there are instances where the police were instigators, abusers; and then other instances where I saw them protect and serve like they say they’re supposed to. I also recognized that there is a very thin line between the two because sometimes in order to protect and serve, they might have to hurt a citizen; and sometimes them hurting that citizen helps me or someone that I love to get out of the trouble. So, I put them on a scale. I do think that sometimes they use excessive force, and they also abuse their power. They do wrong things to people, and they don’t get reprimanded

for it or held accountable. That really bothers me. I just see that happen so much in the Black community, which I'm a part of, and I just cannot find it in my heart to be all the way with them. I just always have to have my guard up. I don't trust them at all.

Another reason, there's a certain way that you speak to be able to get certain information from the police. I do recognize when I'm polite to the police that they will sometimes help me. I guess if they think I'm white or something. This is especially over the phone. In person I just have to really try my best to seem helpless and like I feel unsafe. I feel like I've used these keywords to a point where I'm able to get them to see me as human and help me.

This means being articulate and very calm in my speech and in my tone – being very deliberate. I believe when the police hear me speak, they're like, "Okay, we can't just trick her. We can't just say whatever we want to her. She's going to ask us questions". I'm like a Karen, just Black. I know that they see me that way. At the same time, they could receive me as being very annoying – that feeling when people think they are too smart or too calm – arrogant.

I just find that the police have shorter patience for Black people. I feel they give more time to the average citizen that is white. So, whatever they're acting like I'm going to do that, but just a little less not to be thought of as annoying, dismissed, or that I deserve this in some kind of way. That was another thought that ran across my mind that they're just going to say that it's my fault anyway.

I also didn't call because I did not think the police could help me with anything. Another vision that passed through my mind was when I was a little girl my parents had a physical fight. I remember the police came because they were trying to call the police on each other over a bunch of foolishness. The police told my dad he had to go; and I think five days later he was back, and my parents have stayed together ever since. I don't think the police can help with anything like that. I think that anybody could still come back and if you put them in jail, that's going to be the end of you. I just felt like the police makes the abuse stay. So, I thought, "I will get rid of this by being different and I'll not tell anyone, and he will leave me alone. He will leave me alone because

I didn't tell the police. He will be grateful, and he'll leave me alone. He won't hurt me because I didn't hurt him".

I did not want them to hurt him – to hurt another Black man. Even though I know he hurt me. I just also think that he has a lot of traumas. Not to say, I deserve to receive that trauma, but I think the police will make it worse. He was being so aggressive, and I just felt like if they caught him in that state, he was going to die that day; and then that would be on me. I don't think I would ever be able to let go of that feeling that I got somebody killed. I would hear a lot of stories about young Black men and those who would tell me about how the police treated them when they went to jail. And even a lot of my friends, a lot of my guy friends, have had interactions with the law and been brutalized by the police. Also, I was told that, "You don't call the police. If you do that, you're a snitch or you're a rat". And that's a punishment worse than death for people to think that you can't be trusted. My parents would say that, but they would do it, eventually.

Even though the incident was five years ago. I don't think I really healed from that trauma. I remember crying, not while it was happening, but afterwards. Can you believe, I still went to work a 12 or 14 hour shift that day? I was so tired, and I was also hurting, physically. After that happened, I just started to really try to balance out my karma. I would say first, I was still doing more of the same for a while. I would still continue to talk to people that were abusive. I didn't give myself that much time to heal. I just started acting like everything was fine.

A good friend of mine passed away in 2019. His death sent me on a journey. It took me a while to catch my footing again, and I started to really employ all the things I was telling people to do when I was teaching yoga and meditation. I started doing it for myself. I got back to the things I love. I love meditation and yoga. I burn a lot of incense and just different woods and things like that. I believe in igniting all of my senses and kind of bringing myself to a certain awareness. I started writing about it and turning it into songs and pieces that I would actually perform. That helped me a lot.

My mother was a support for me. I would say that I do know places that I can go for help. I do think there are programs out there for Black women. I know two or a few, but that is because of

my work. I don't think the average Black woman would know. I still think there could be more services for us, though. But even then, I just didn't/don't feel that comfortable talking to people. I knew that I could go to counselors; I knew all the numbers, places I could go, and groups I could join. But it's only recently I started to talk about it with other people. I just buried it. In my mind, I was thinking other people needed help with those kinds of things. I'm fine. I just thought he was gone so, I just put it out of my mind. Also, I don't know why but I felt guilty for being so calm even though he was so mad. I felt guilty for that, and I guess I was sorry that I made him so mad. I just felt like it was my fault. Like I didn't do enough research. So, I have to deal with the outcome of this.

For me, that's kinda' what justice looks like. I think I would rather just leave it alone; and he somehow leaves me alone for the rest of my life. That would be justice to me. I don't even want to do anything with the police, because still, I feel like that's his whole life. That's going to be my whole life. I don't like them. I don't think that I'm a priority. I'm at the bottom of the list for them when it comes to justice. I know that's a very bleak outlook. At the same time, I just can't see guys like him not re-offending. I think that it could happen again. It could happen worse and people that don't have anything to lose, they will do worse things. I feel like he is a person that doesn't have much to lose.

Justice is in the community. It's enabling people to tell their stories – allowing me to tell my story. I hope to use it as a cautionary tale. It's empowering me but it's not just about empowerment; it's about teaching people how to be and how not to be. That is justice. I feel like I've saved some people. That is what I want to continue to do.

Though, I am doing this work, I still live in fear. Over the last 12 months, two significant things happened to my car. In November of last year, somebody smashed out the headlights randomly in a Parking lot across from the half-way house he used to be. I was thinking it was my abuser because that was the day he sent that message apologizing on Instagram; "Sorry for how I treated you the last time I saw you. I'm sorry for my temper". I went to the police and at first, they basically had no help for me because they said that there are no surveillance cameras there and they're not even going to try to look for anybody. That's just the end of that. As if that's like a solace.

But because that person messaged me, I said I had a suspect; and then suddenly they did a little bit more investigation, which was good because it put my mind at ease. They said that they could at least tell me that at the time of the crime, my abuser was not in the halfway house across from the parking lot. When I spoke to the police, I told them about the incident five years ago, and they asked if I wanted to press charges. If I do, they would put a warrant out for his arrest, and if they find him, they would tell him that he's being arrested for something he did five years ago. I said, "I'm not doing that". There was no proof that I have to be able to support this, so he's definitely not going to jail. He'll get off with some sort of warning and now he'd be back in my life for good.

About three weeks ago, somebody went into my car and stole all my stuff which included my laptop, all my electronics, my purse, which had all of my ID and my credit cards; and they used the credit cards. My abuser came into play because he continues to try to reach out to me since he messaged me on Instagram. I called the police every day; and finally, a police officer found one of the stores they used my card. The officer found that it was a white guy. That gave me some peace of mind. But the officer told me it doesn't mean it wasn't him because they could be working as a team. I don't know if it's because they want to just arrest a Black man why he told me that. I can't even believe in them because I just don't know what their motive is.

He showed up at my work March or February of this year. After that, I was doing a live on Instagram and he came into the live, even though I thought I blocked him, and started saying things.

I feel scared. I know that he's crazy and I don't know how crazy he is. That part scares me because I don't think I took him seriously enough before, which is why I didn't call the police.

9. Stacey's Story

My name is Stacey. I am 33 years old and I am sharing my experience with domestic violence and my encounter with the police and the criminal justice system. I think it is important to document

our experiences as Black women and hopefully generate representative statistics to assist with building infrastructure that is necessary to combat these issues.

My first experience with domestic violence occurred when I was 19 years old. I was living with my boyfriend at his mother's home. I knew he was facing criminal charges; and while I wasn't aware of the details of the incident leading to the charges, I knew they did not involve assault. So, the first time he became physical with me, I didn't see it coming. I was shocked – couldn't believe it was happening. In fact, I froze. I didn't have an opportunity to run; and I definitely couldn't fight back. I just remembered the sensation of being petrified with fear to the point of immobility. I had this feeling on numerous occasions because these occurrences happened over a period of time. There were times I would get the courage to leave, but I kept going back.

During this relationship, I felt I had no one to turn to for help. I spoke to his mother about the abuse I was enduring. I think to the best of her abilities, she advocated for me, but he is her son, after all. Also, I wasn't on good terms with my mother; and although my brother and I are close, I felt I couldn't turn to him about the abuse I was facing. Eventually, I contacted a childhood friend from church whose mother assisted with my exit. I call her my church auntie. Oddly enough, I didn't believe I would obtain assistance from my church community because what they claim in writing doesn't coincide with what actually happens in practice. They are predominantly focused on policing women's bodies and not enough emphasis on keeping men accountable for their behaviour. Needless to say, I was a bit reluctant to contact a person from church, but she was a friend – an auntie.

During the relationship, I became pregnant with our child – a child I unfortunately miscarried. About a month into my pregnancy, he became physical with me and the dog. It was then, that I decided to call my church auntie. She immediately advised me to call the police. Truth be told, I am generally apprehensive about police. When I think about them and the criminal justice system, words like gang, nepotism, slave catcher, and oppression come to mind. But, even with my apprehension, I called the police because: 1. I learned that when you tell white people there's an animal in danger, they come running; 2. having a white lady around would garner some sensitivity points with whomever attended the scene; and 3. I wanted to knock some sense into him and let

him know that I was willing to do whatever it took to protect myself and my child, including calling the police to mitigate the violence. The thought of him being a Black man fleetingly crossed my mind, but I needed to send a message.

I don't recall my interaction with the police during this incident, but I do recall, the court system and how I felt during the ordeal. This matter went to trial, and I felt the system paid little attention to my experience. The court and the other players of the criminal justice system were really focused and disgusted about what happened to the dog. While I took the stand, told the truth about what happened, I learned that dogs received more justice than Black women. At the time, the thought crossed my mind that if I was a dog maybe someone would have some empathy for me – maybe then, I would have received justice.

After the trial, he was convicted of assaulting the dog and found not guilty for assaulting me. He was sentenced to a fine and probation. The court did throw me a bone by making it a condition of the probation that he does not associate with me; but the sentence was for his actions against the dog.

The second relationship that involved abuse lasted a very short period of time, approximately four months. I experienced every type of abuse under the sun with this individual, including financial, emotional, psychological, and physical. I cannot believe how bad the abuse became.

The first and only time he became physical with me was just before my 30th birthday. We were living together, and I was pregnant at the time. I called the police that day not because I wanted him to be arrested, but for an escort to retrieve my belongings from his property. When the police arrived and saw my appearance, they told me I had to file a domestic report. I provided a statement to the police, however, when I listened to it a couple of years later, preparing for the court proceedings, the statement was incoherent. I would describe it as word jambalaya. I realized I was trying to make the incident appear less than what it was, though the scars were visible. I was conflicted and tried to dance around the narrative. When I called the police, I wasn't thinking about him being a Black man because I just wanted an escort, but when he got arrested, I began to think

about the plight of a Black man – though if anyone needed to be monitored by law enforcement, it was him. He was subsequently charged with assault with a weapon.

My initial encounter with the police was positive, however, I was really disappointed with the work of the detective assigned to the case. First, he failed to keep me in the loop or assisting me with obtaining resources. In fact, he provided me with incorrect information regarding the trial dates for the case for which I had to correct him by conducting my own research. Second, I felt he did not believe I was willing to testify, partly because of the quality of my statement. Last, he did not take me seriously for a number of reasons, including, his reluctance to act when I advised him that the abuser was contacting me, my race, and the stereotypes associated to Black women, my gender, and that the address where the incident occurred was known to the police. Frankly, I believe that if I was a white lady calling the police from that address, their intentions would be to rescue; whereas in my case, it didn't feel that way and the detective confirmed that through his actions as I felt he was not invested the moment he took the case. The matter was scheduled for trial, but on that date, he plead guilty to the lesser and included charge of assault.

In both cases, justice was not served. My idea of justice involves equity, restitution, retribution, and is complemented by community resources and support for Black women experiencing domestic violence. The lack of resources for women like me in abusive situations and the need to create a safe space between myself and the abuser were reasons I invoked the police. The police would not be my first choice if I had resources and a safe space. A friend who is experiencing domestic violence, another Black woman, contacted me for assistance, and while I reluctantly presented the police to her as an option, I advised her to attend my home – I would be her safe space.

10. Carol's Story

About three or four years into our marriage, my husband decided to start drinking. He was getting drunk all the time. That's when it started. At first, it would be name calling, you know, verbal attacks. He would say crazy things like, "you came off a damn boat from the Caribbean. You know you ain't shit!" Or "you came off a banana boat from the Jamaican dump". Every time he was

drunk, he would constantly put me down. The verbal abuse went on for about three years, and when I started standing up for myself, it became physical. One of my first experiences with physical abuse was when he threw a cooked steak in my face. I had to go to the doctor; and I learned that it cut the inside of my eye. I ended up wearing an eye patch during the summertime for about two weeks. The abuse went on for about ten years. I believe from 1998 to 2008 when I left. However, in the early 2000s, before 2008, I called the police on him one time.

Truthfully, I was tired. I remember going to work lying to them about my injuries and bruises. Saying things like, “I was in the kitchen, and I opened the cupboard, and I got cut”. Also, my kids were affected. I remember seeing my 12-year-old son taking a bat and saying to him, “If you touch her one more time...” So that's when I thought, “okay, this can't go on no more. I gotta go”. He was also draining me financially. I was the only one working at the time. He would do odd jobs – he was an artist – but I was doing everything. I made the decision to put him on my bank account, but I'd come home, and he'd be drinking beer. I would check my account, and it would just be alcohol, alcohol, and more alcohol. That's where our money went. I would come home, and he would be drunk.

I endured all of this for many years. I often heard my blind grandmother's voice saying, “Be strong. Don't let them take you down”. I would hold on to my faith, “The Lord doesn't give you more than you can handle. So, you can handle this”. Even with my faith and the teachings of my grandmother, there were times when I would go into the bathroom, close the door and cry. Turn on the pipes and just cry my eyes out; and then come out and tell my kids to be strong and that we're going to be okay. The last straw was when he made me bleed. We were in the kitchen arguing, he threw a pot at me, and I got a cut over my eye, which was bleeding heavily. It wasn't until I saw blood that I told myself I needed to call the police.

Girl, I didn't want to call the police. I was nervous – here I am going to put another a Black man in jail, if I called them. I wanted no part in that because there's this whole notion about Black men and the police. They are going to arrest him, and he will have a record. We're told from a very young age to be strong and keep the Black man out of jail. Too many of them are already in there. Also, I'm a Black woman; we don't like the system, and the system is going to turn against him. I

was more worried about him and the system instead of me. But after the pot incident and seeing blood, I took the phone in my hand and ran outside. I had the phone in hand and hesitated for the longest time. I started feeling sorry for him, feeling sorry for me, feeling that the kids are not going to have a father. All these things kept burning down on me. Truth is, he was an American and was not a Canadian citizen. We have three children: my eldest son, who he practically raised since he was four years old; and we had two children together. This was also a concern for me – Children's Aid getting involved. One day I learned that my youngest son went to school and said something to the teachers about the abuse that was happening. The school called me in a meeting about it, and I lied on my child. I said, "Oh, he makes up stories sometimes". The school wanted to get CAS involved. CAS did come to the house once and again, I lied. All of this was weighing on me; but finally, I said, "I'm just going to call". I just hit that number and called.

He left before the police arrived. I'm not gonna to lie, they were very nice to me; but I didn't think they had that concern or care about my situation. I didn't feel that love for me or that sadness for me. I thought they would send a female, instead they sent three white male cops. They were big and strong, and looked aggressive. I felt nervous – all three were big and intimidating. They sat me down, but they were standing over me the entire time. They spoke to me nicely, but they were just taking a story. They were just asking questions: "what does he look like? What did he do? Was there a knife? A gun? What did he use?" I was bleeding and at no time did they look at me, like, "this girl is distraught", acknowledged the cut over my face, or told me to go wash my eye. They were just going through the process, then they left.

After the police left, I heard nothing from them or anyone else in the system. They provided me with no victim services, and no one followed up or called. I knew he got arrested, but they let him out and didn't tell me. I think he was in jail for about ten days. He came right to the house. He started crying and saying he's going to kill himself and all this foolishness. He began telling me, "I love you so much and I love my kids" and "They're trying to break up my family". And guess what I did, I took him back. He had no consequences for what he did. He had no conditions to stay away from me. I believe all he had to do was go to an anger management program. He didn't even get a record. This information was on the paper he came to the house with.

I'm not gonna to lie, I hated the police, I hated them. I couldn't believe this crap that happened. They couldn't even call me. They couldn't even come back to check to see if I was okay. They couldn't even call me and say, "Carol, he's out now. So, are you okay?" They did nothing. He could've done something to me. I was nervous and scared when I saw him – I was so frightened. I didn't get any justice with the system. My idea of justice is to follow up with me, see if I'm okay, tell me of his arrest, explain the process to me, let me know when he's released, etc. I didn't get any of this. I was so mad at the police and the system for a long time that I wouldn't even look at them. Every time I saw the police, I thought, "They're worthless".

In general, I do believe there are changes to the system from the time of my incident; and the community is becoming more aware of abuse. I do think the police are better at protecting women – that's what they are here for. However, work needs to be done, and problems still exist. I think sometimes we don't get the sympathy like a white woman. The compassion is not there for us Black women. We just become a story. Also, there are lots of places to go and lots of people to talk to; but resources for Black women in abusive situations are hard to come by. I can't find or think of a place readily at my fingertips – I wouldn't know where to send a person.

I went through a lot in this relationship. With the help of a Black lady, who was connected to a program to assist women like me and provide funding for housing, I packed my stuff every day in bags and hid them outside. When I was ready to go, I could just grab them and run. In 2008, I packed up my kids, sent them to stay with family, and then I ran. When I moved, I felt like a fugitive. I had to lay down inside my home every night on the floor because somebody told him where I moved to. He would come to the complex and look through windows and ask people if they knew who I was and where I lived. I had to creep around my house for months. I was so scared. So, even though I have my concerns about the police, I don't want another woman going through what I did, so I would tell a woman being abused to leave and call the police. I still believe in them.

CHAPTER 4 – THEORETICAL FRAMEWORKS: BLACK WOMEN, WHERE IS *YOUR* PLATFORM?

Misunderstood

*“I am just a soul whose intentions are good
Oh Lord, please don’t let me be MISUNDERSTOOD”*

*Why do you think my story is yours to tell?
From your lips to society’s ears, it’s distorted, disingenuous, deceiving – IT’S A LIE!
You see, at the heart of your story you are heroic
Saving the savages from themselves
You brought us salvation
And for that we should be grateful*

*Your rendition of my story speaks of a Canada that prides itself on multiculturalism, its immigration policies, and its anti-racist and anti-discrimination laws
Yet, this is a Canada that reluctantly acknowledges the cultural annihilation, physical destruction, and robbery of Indigenous peoples and their lands
Disregards its direct involvement in the debasing and decimation of Black people that continues to wreak havoc on us to this day
Naming the race issue, a south of the border problem
Comparing Canada’s perfect image to that of the racist U.S. of A.*

*No, I do not need you to speak about me OR for me
As Sam Cooke once sung, “A change is gon’ come” and today, I AM that change
Canada’s history is entrenched in the depths of colonialism, and yes, a direct beneficiary of the institution of slavery*

*TARNISHED with the truth of 200 years of slavery on its soil
The spoils of this country have left Black and Indigenous peoples at the depths of despair
Desperately trying to escape
Only to find themselves on a sinking ship without a lifeboat and the inability to swim to shore
So no, you do not get to tell my story*

*“I am just a soul whose intentions are good
Oh Lord, please don’t let me be MISUNDERSTOOD”*

*Through your words I AM misunderstood, misrepresented, MISSING
Last I checked, I had my own voice, my own narrative
You have tried to silence my existence with disguises, including and excluding the parts of my story in ways that benefit you
The parts that advance your interest
But, no more*

This is not “who wants to be a millionaire” where I opt to call the oppressor to tell the story of the oppressed

Or WWE where I tag you in to fill in the gaps

Nah, I am taking the narrative back – I AM steering the ship

I will no longer be misunderstood by your ignorant rhetoric about me!

“I am just a soul whose intentions are good

Oh Lord, please don’t let me be MISUNDERSTOOD”

(Written and performed by: Shushanna Harris)

Inspired by Nina Simone’s “Don’t Let Me Be Misunderstood”)

1. Black Feminism and Intersectionality

Black [F]eminism is not white feminism with a Black face. Black women have particular and legitimate issues which affect our lives as Black women, and addressing those issues does not make us any less Black [or woman].²⁰⁰

For centuries, Black women’s stories have been told by (white) individuals, including men, who purported to know our plight. These stories were often distorted as they were seeded in racist, sexist, and stereotypical notions of Black womanhood. Black women needed a platform to tell the truth about their stories and produce a new form of knowledge. Black Feminism or Black Feminist Thought (used interchangeably) provided, and continues to provide, that outlet. Black Feminism is a critical social theory focusing on the production of knowledge through the lived experiences of its creators – that is, the lenses of Black women.²⁰¹ Because of our incomparable position and knowledge, we occupy a particular standpoint “of and about” ourselves,²⁰² thereby enabling an “interpretation of Black women’s experiences by those who participate in them”.²⁰³ It creates a space where regardless of a Black woman’s spatial, social, and political location, she lays claims, “in two or more realities ... simultaneously”.²⁰⁴ She has the ability to speak about these realities,

²⁰⁰ Audre Lorde, *Sister Outsider: Essays and Speeches* (New York: The Crossing Press, 1984) at 60.

²⁰¹ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 269.

²⁰² Tracey Reynolds, “Re-thinking a Black Feminist Standpoint” (2002) 25:4 *Ethn Racial Stud* 591 at 596; see also Patricia Hill Collins, “Learning from the Outsider Within: The Sociological Significance of Black Feminist Thought” (1986) 33:6 *Soc Probl* S14 at S16.

²⁰³ Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 1st ed (New York: Routledge, 1990) at 15.

²⁰⁴ April Few, “Integrating Black Consciousness and the Critical Race Feminism into Family Studies Research” (2007) 28:4 *J Fam Issues* 452 at 454.

not as separate, but concurrent identities, which are often ignored in “ordinary” discourse about women wherein “women” is synonymous with white women. The firsthand knowledge garnered by Black women provides significant insights into various intersections of oppressions and is imperative to unpacking and “reconceptualiz[ing] ... social relations of domination and resistance”.²⁰⁵ Black Feminism facilitates and solidifies an alternative means of knowledge production predicated on the lived experiences of Black women not as objects, but as knowers – the truth of our stories cannot be told without us. Wilson Okello opines that Black Feminism is an onto-epistemological theory²⁰⁶ embodying Black women’s knowing and being. It not only presumes, but banks on the belief, that “the livable and survival logics of Black people were, and are, a form of theory”.²⁰⁷ Effectively, it derives from the everyday lives of Black women – a group that has been historically marginalized and ignored.

Black Feminism holds a number of assumptions that underlie its foundation. First, knowledge and its development are inclusive of the historical and contemporary “conditions shaping the lives of its producers” – Black women. Second, Black women have unique standpoints that are shaped by class, religion, age, sexual orientation, and so forth, while simultaneously embodying commonalities amongst the group. Third, Black Feminism “describes and explains different expressions” of commonalities amongst Black women.²⁰⁸ Deeply embedded in these assumptions is the need for Black women’s empowerment and agency through knowledge production. Black Feminism provides oppositional standpoints challenging the hegemonic and disingenuous notions of Black women’s existence.²⁰⁹ More poignantly, the “theory ... demands a deliberate reckoning with the affective, physiological, social, historical, and political oppressions engendered by *living* in a minoritized body”.²¹⁰ An oppressive system gains its momentum and strength from acquiescence by the oppressed of the false narratives disseminated by the oppressor. However,

²⁰⁵ Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 2nd ed (New York: Routledge, 2000) at 273.

²⁰⁶ “Onto” refers to ontology, which is the theory of being and epistemology is the theory of knowing. As such, according to Wilson Okello, Black Feminism is a theory about Black women’s knowledge and who they are.

²⁰⁷ Wilson Kwamogi Okello, ““Look a Negro!”: Self-authorship, Self-definition, and the Wake of Anti-Blackness” (2024) 37:4 Int J Qual Stud Educ 990 at 995.

²⁰⁸ Hill-Collins, “Learning from the Outsider Within”, *supra* note 202 at S16.

²⁰⁹ Wilson Kwamogi Okello, “From Self-Authorship to Self-Definition: Remapping Theoretical Assumptions Through Black Feminism” (2018) 59:5 J College Student Development 528 at 532.

²¹⁰ *Ibid* at 533.

Black Feminism provides an authentic²¹¹ narrative depicting Black women and Black life.²¹² Black Feminism displaces “traditional” epistemic locations by centring “Black women’s epistemolog(ies)”, analytical processes and processing, criticisms, and worldviews.²¹³ It gives Black women agency. Eloquently stated by Patricia Hill Collins,

Black feminist thought demonstrates Black women’s emerging power as agents of knowledge. By portraying [Black] women as self-defined, self-reliant individuals confronting race, gender, and class oppressions, Afrocentric feminist thought speaks to the importance that knowledge plays in empowering oppressed people. One distinguishing feature of Black feminist thought is its insistence that both the changed consciousness of individuals and the social transformation of political and economic institutions constitute essential ingredients for social change. New knowledge is important for both dimensions of change.²¹⁴

a. Black Feminist Thought: Origins, Tenets, and Consciousness

In the 1960s and 70s, Black Feminism gained resurgence in the United States by Black women activists in response to their struggles with sexism, their lack of recognition as “women”, and the racism they faced as Black people.²¹⁵ The term “resurgence” is used here because while the idiom – Black Feminism (or Black Feminist Thought) – is a fairly modern concept, its history stems from the experiences of Black women during slavery, and beyond, who began the groundwork for Black Feminism as it is recognized today. These women include, but are not limited to, those discussed in chapter 2, section 2; slave survivor and activist, Sojourner Truth, who asked, “Ain’t I a Woman?” in her infamous speech that was heard at the Women’s Convention in 1851; Harriet Tubman, slave survivor, activist, abolitionist, and the constructor and conductor of the underground railway; Mary Ann Shadd Cary, who was born free in the then slave state of Delaware, emigrated to Canada, and became a household name as an abolitionist, activist, educator, and whose accomplishments were

²¹¹ I used the word authentic because it is a narrative from the voices of Black women and not that of white society.

²¹² Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 99.

²¹³ Venus Evans-Winters, *Black Feminism in Qualitative Inquiry: A Mosaic for Writing Our Daughter’s Body* (New York: Routledge, 2019) at 14.

²¹⁴ Hill Collins, *Black Feminist Thought*, 1st ed, *supra* note 203 at 227.

²¹⁵ Sharon Smith, “Black Feminism and Intersectionality” (2013) 91 *International Socialist Rev* 1 at 11; see also Few, *supra* note 204 at 455.

remarkable for a Black woman during the slavery era²¹⁶; Viola Desmond, a Canadian civil rights activist who refused to vacate a whites-only section of the Rossland theatre in New Glasgow, Nova Scotia in 1946; and Rosa Parks, an American civil rights activist who refused to move to the back of the bus in Montgomery, Alabama in 1955. Fundamentally, this historical journey demonstrates that the voices and actions of these women are testaments that a “self-defined, group-derived Black women’s standpoint exist”²¹⁷ – one that is instrumental in the lives of Black women²¹⁸ and how we navigate oppressive regimes and daily life. Therefore, Black Feminism is not a new ideology, but “a continuation of intellectual and activist traditions”²¹⁹ that transcends mainstream understandings of womanhood.

The 1960s and 70s resurgence of Black Feminism was an “outgrowth of countless generations of personal sacrifice, militancy, and work by our mothers and sisters”.²²⁰ It brought with it not only Black women speaking out about our oppressions – following the footsteps of our ancestors – but also the growth of a number of Black women organizations, including one of its most prominent groups, the Combahee River Collective (the Collective). The Collective, an organization of Black lesbian women, was founded in 1974,²²¹ enlisting a namesake to commemorate the only woman in American history to plan and lead a military operation – Harriet Tubman. Tubman freed 750 slaves as a result of the Combahee Ferry raid of 1863.²²² The name embodied a pivotal moment, not only in American and Black history, but in Black women’s history worldwide, and gave the Collective a standard to uphold as it became instrumental in developing and describing the underpinnings of Black Feminism as it is understood and practised today.²²³ The Collective

²¹⁶ See Rinaldo Walcott, ““Who Is She and What Is She to You?”: Mary Ann Shadd Cary and the (Im)possibility of Black/Canadian Studies” (2000) 24:2 *Atlantis* 137. Among her many accomplishments, Mary Ann Shadd Cary became the first Black woman in North America to publish and edit a Newspaper, *The Provincial Freeman*.

²¹⁷ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 98.

²¹⁸ *Ibid.*

²¹⁹ Beverly Guy-Sheftall, ed, *Words of Fire: An Anthology of African-American Feminist Thought* (New York: New York Press, 1995) at 1 cited in Oluwaseun Animashaun & Jacobé Bell, “An Encounter with the Divine: The Extraordinary Literacies of Black Girls and Women in Endarkened Third Spaces” (2023) 36:7 *Int J Qual Stud Educ* 1228 at 1231.

²²⁰ Combahee River Collective, Combahee River Collective Statement, online: <https://americanstudies.yale.edu/sites/default/files/files/Keyword%20Coalition_Readings.pdf>.

²²¹ Smith, *supra* note 215 at 11; see also, Karina L Cespedes, Corey Evans & Shayla Monteiro, “The Combahee River Collective Forty Years Later: Social Healing within a Black Feminist Classroom” (2017) 19:3 *Souls* 377 at 378.

²²² Cespedes, Evans & Monteiro, *ibid*; also see, Barbara Maranzani, “Harriet Tubman: 8 Daring Facts About the Abolitionists” (January 4, 2023) online: History Channel <<https://www.history.com/news/harriet-tubman-facts-daring-raid>>.

²²³ Smith, *supra* note 215 at 11.

“mark[ed] the ideological separation that ... distinguished Black Feminism from (white) feminism”.²²⁴ Effectively, the Collective provided both a political and intellectual platform for Black women voices and experiences while simultaneously criticizing mainstream feminists’ fixation with patriarchy and sexism as the only concerns facing *all* women. They situated Truth’s warning (which was introduced in chapter 2) in her address to the American Equal Rights Association in 1867 in modern day history, and they curated spaces to ensure the inclusion of Black women’s experiences with multiple intersecting oppressions that cannot be compartmentalized, ranked, footnoted, or peripheralized in the shadows of white women and patriarchy.

In its introductory statement, the Collective shared that Black Feminism is about combating *all* forms of oppressions that demarcate the lives of Black women.²²⁵ This primary agenda is iterated in the first paragraph of its statement:

The most general statement of our politics at the present time would be that we are actively committed to struggling against racial, sexual, heterosexual, and class oppression, and see as our particular task the development of integrated analysis and practice based upon the fact that the *major systems of oppression are interlocking*. The synthesis of these oppressions creates the conditions of our lives. As Black women we see Black feminism as the logical political movement to combat the manifold and simultaneous oppressions that all women of color face.²²⁶

Though the Collective no longer exists as an organization, this statement became one of the first widely distributed, written documents to identify issues of identity politics as they pertained to the experiences of Black women. The statement names the interlocking textures of Black women and our lives that are eschewed by mainstream (white) feminist ideologies. As such, Black Feminist Thought has an overarching goal of enabling a space where “subjugated knowledge” is converted into “specialized knowledge” by not only supporting “epistemologies and theories by and about Black women”²²⁷ and establishing our truths, but also highlighting the intersecting, multidimensional existence of Black women and our lived experiences.

²²⁴ Cespedes, Evans & Monteiro, *supra* note 221 at 378.

²²⁵ Combahee River Collective Statement, *supra* note 220.

²²⁶ *Ibid.*

²²⁷ Subrina J Robinson, Elena Esquibel & Marc D Rich, “‘I’m Still Here’: Black Female Undergraduates’ Self-Definition Narratives” (2013) 3:5 *World J Education* 57 at 58.

Traditional epistemological assumptions concerning how we arrive at “truth” simply are not sufficient to the task of furthering Black feminist thought...the process by which we arrive at truth merits comparable scrutiny. Black women intellectuals create Black feminist thought by using their own concrete experiences as situated knowers in order to express a Black women's standpoint.²²⁸

While Black Feminism originated in the United States, it has influenced Black Feminism as it is iterated in the Canadian context. As acknowledged by scholars such as Karen Flynn,

[i]t makes sense that due to the similarities many Black women share (socio-cultural histories of slavery, colonialism, exploitation, displacement, and migration), Black [F]eminist scholars would draw on theories of African-American feminist scholars (even if it's never reciprocated) to advance their own intellectual project. Moreover, theories are far from static; they travel, are borrowed and then modified in particular geographic locations...²²⁹

She goes on to state that we should not shy away from interrogating American Black Feminism when applying it in the Canadian context.²³⁰ I agree with Flynn's caution, however, I rely heavily on the American contextualization of the theory for two reasons. First, it is well-developed. Canadian Black Feminism is in its infancy.²³¹ Second, I believe that the experiences of Black women in Canada and America overlap respecting the intersecting oppressions we face and our treatment by the dominant class notwithstanding the differences within our geographical locations. Attempting to grapple with the fragmentations of Black feminisms, African Feminisms, and Black studies in Canada, Grace Adeniyi-Ogunyankin cautioned against restricting our perspective to our geographies. She advocates for a reach that does not draw a distinction between Black people and our experiences due to geography but an overlapping connection creating “diverse global [B]lack subjectivities”²³²... “with and through, [and] not despite differences”.²³³ As such, where a

²²⁸ Hill Collins, *Black Feminist Thought*, 1st ed, *supra* note 203 at 71.

²²⁹ Karen Flynn, “Black Canadian Feminist Theorizing: Possibilities and Prospects” (2014) 20:1-2 CLR James J 179 at 183.

²³⁰ *Ibid* at 184.

²³¹ *Ibid*.

²³² Grace Adeniyi-Ogunyankin, “Grappling with the Fragmentations: Black Feminisms, African Feminisms and the Possibilities of Black Geographies in Canada” (2022) 44 TOPIA at 180.

²³³ Katherine McKittrick & Clyde Woods, eds, *Black Geographies and the Politics of Place*, (Toronto: South End Press, 2007) at 8, cited in Grace Adeniyi-Ogunyankin, *ibid* at 180.

geographical distinction within this project is required, it will be made. Otherwise, Black Feminist Thought as it is defined by Patricia Hill Collins informs this analysis.

b. Tenets: The Basics of Black Feminist Thought

In addition to its overarching promise – to make Black women its priority – there are a number of important tenets that are instrumental in practising Black Feminism. While Black Feminist Thought provides a platform for Black women and their experiences, Black Feminism has the potential to engender different meanings for different Black women.²³⁴ Notwithstanding this potential to generate subjective meanings, it is characterized by a set of shared tenets. These include, but are not limited to:

1. An understanding that Black women, as a result of being woman and Black, experience multiple oppressions simultaneously that play significant roles in determining their position in society. These include, but are not limited to, racism, sexism, and classism;²³⁵
2. All oppressions affecting the lives of Black women are equally important as Black Feminism does not prioritize one form of oppression over another;²³⁶
3. The multiplicity of oppressions that Black women encounter invariably invokes a set of unique challenges that are distinct from those experienced by white women and Black men;²³⁷
4. Needs, including, but not limited to, political, social, and intellectual, particular to the lives of Black women are categorically different than those of Black men and white women. Therefore, strategies employed to combat oppressions must be inclusive of all oppressions they experience without prioritizing one over the other; and

²³⁴ Jewel Amoah, “Building Sandcastles in the Snow: Meanings and Misconceptions of the Development of Black Feminist Theory in Canada” in Notisha Massaquoi & Njoki Nathani Wane, eds, *Theorizing Empowerment: Canadian Perspectives on Black Feminist Thought* (Toronto: Inanna Publication and Education Inc., 2007) at 103; see also Hill-Collins, “Learning from the Outsider Within”, *supra* note 202 at S16.

²³⁵ Amoah, *ibid* at 104; see also Few, *supra* note 204 at 455, Animashaun & Bell, *supra* note 219 at 1231.

²³⁶ Hillary Potter, “An Argument for Black Feminist Criminology: Understanding African American Women’s Experiences With Intimate Partner Abuse Using an Integrated Approach” (2006) 1:2 *Fem Criminol* 106 at 107; see also Few, *ibid* at 455; Animashaun & Bell, *ibid*.

²³⁷ Amoah, *supra* note 234 at 104; see also, Animashaun & Bell, *supra* note 219 at 1231.

5. Black women's plight includes advocating simultaneously for both Black liberation and gender equality through their lived experiences.²³⁸

These tenets centre Black women, embracing and validating our life experiences and our positions as knowledge producers, while facilitating a platform enabling us to “cultivate an embodied sense of self”.²³⁹ Cultivating an embodied sense of self is imperative to the practice, understandings, and teachings of Black Feminist Thought as it is congruent with developing a Black Feminist Consciousness that is the catalyst to Black women empowerment, agency, and social, political, and epistemic justice. Equally important, this sense of self enables us to accept and depict accurate images of ourselves and our lives, despite widely circulated and negative social rhetoric that is quite often internalized, and reformulate and redirect the narrative “on major omissions and distortions” about our lives.²⁴⁰

c. Black Feminist Consciousness: Re-defining Your Black Woman Self

[H]ow Black women think, what Black women say, and what Black women do about an issue, is embedded in [our] consciousness.²⁴¹

Black Feminist Consciousness stems from the everyday experiences of Black women. As Venus Evans-Winters remarks, as Black women, Black Feminism is present in our lives whether or not we choose to acknowledge it. It is the stories from family members regarding our battles and successes against racial discrimination, first-hand experiences of navigating “segregated spaces”, hyper-surveillance through multiple government apparatuses, harming and murdering of Black lives by the hands of those who claim to serve and protect, and the invitation to spaces to speak about the racial problem as the token Black person.²⁴² This sentiment is captured by Hill Collins when she notes that much of Black Feminism's origins are found in oral traditions and created by

²³⁸ Amoah, *ibid.*

²³⁹ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 536.

²⁴⁰ Hill-Collins, “Learning from the Outsider Within”, *supra* note 202 at S28.

²⁴¹ Elnora V Saunders, *A Narrative Analysis of Four African American Women's Work Experiences Across Four Diverse Fields and the Meaning Constructed at the Intersection of Race and Gender* (PhD Dissertation, University of Maryland, 2007) [unpublished] at 17.

²⁴² Evans-Winters, *supra* note 213 at 16.

“ordinary Black women in their roles as mothers, teachers, musicians, and preachers”.²⁴³ Hill Collins expands on Black Feminist Consciousness stating,

Black feminist thought stimulate[s] a new consciousness that utilizes Black women’s everyday, taken-for-granted knowledge. Rather than raising consciousness, Black feminist thought affirms, rearticulates, and provides a vehicle for expressing in public a consciousness that quite often already exists. Most importantly, this rearticulated consciousness aims to empower African-American women and stimulate resistance.²⁴⁴

Indeed, Black Feminism is built on the foundations of Black women’s experiences and ancestral histories. It is built from a continuation of our struggles, intellectually, socially, politically, and historically, and as “othered” women. In other words, it is inherent in Blackness and being a Black woman. With that said, tapping into it requires practice as we have been taught to suppress it. The dominant discourse teaches that Black people, and specifically Black women, lack agency and visibility. To paraphrase the piercing words of the late bell hooks, when Black people are discussed, Black men are at the helm (albeit through negative representations), and when women are the topic, the focus is white women.²⁴⁵ Black women are seldom in the equation; and it is for us to “talk back”²⁴⁶ to this invisibility, the negative stereotypes, and take up space. To talk back to the follies perpetuated against Black women, we need to unlearn what society has taught us about ourselves and relearn who we are. Therefore, finding and honing in on Black Feminist Consciousness is an endeavour to know oneself as a Black woman, which has the domino effect of confronting the negative rhetoric we have internalized about ourselves as a result of dominant teachings.

Black Feminist Consciousness consists of four components. These components are intrinsically tied to the assumptions and tenets of Black Feminism as they empower Black women to find our own voice and produce our own narrative, which is the cornerstone of Black Feminist Thought. The four components are: self-definition; self-valuation and respect; self-reliance and

²⁴³ Hill-Collins, “Learning from the Outsider Within”, *supra* note 202 at S16; also see, Okello, “Look a Negro!”, *supra* note 207 at 995.

²⁴⁴ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 32.

²⁴⁵ Hooks *Ain’t I a Woman*, *supra* note 12 at 7.

²⁴⁶ bell hooks, *Talking Back: Thinking Feminist, Thinking Black* (Boston, Mass.: South End Press, 1989)

independence; and self, change, and personal empowerment.²⁴⁷ While each component is important to Patricia Hill Collins' conception of Black Feminist Consciousness, and in fact overlap in their impact, this analysis will only discuss self-definition; self-valuation and respect; and self, change, and personal empowerment as they are central to my methodological approach. Self-definition and self-valuation and respect are "the foundation for Black women's agency and empowerment and serve as a catalyst for Black women's full humanity and subjectivity".²⁴⁸ As Hill Collins made clear in "Learning from the Outsider Within: The Sociological Significance of Black Feminist Thought", those who have the ability to be "fully human" are those who become activists, big or small.²⁴⁹ As I demonstrate in more detail below, attaining self-definition and self-valuation engenders the ability to become empowered as a full human with a political voice and the ability to facilitate change.

i. Self-Definition: A Necessary Process

Black Feminist Thought is, in essence, a quest for social redefining through transformation of self or, more accurately put, relearning self in a world that has shunned Blackness. Black Feminist Consciousness is predicated on a desire for freedom developed by Black women in the process of defining ourselves against prevailing notions of Black womanhood and thereby validating our existence as human beings, not objects.²⁵⁰ As Michelle Walker states in her dissertation,

Black women's empowerment is derived from Black women's consciousness in defining our reality...In order for Black women to dismantle these destructive structures we need to redefine our self-worth in terms which challenge a 'power over' mentality replacing it with a 'power within' ourselves...encourage Black women to say "No" to the violence and to develop a self-love which politicizes and validates our own strengths, worth and value.²⁵¹

²⁴⁷ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 125-126.

²⁴⁸ Robinson, Esquibel, & Rich, *supra* note 227 at 58.

²⁴⁹ Hill-Collins, "Learning from the Outsider Within", *supra* note 202 at S24.

²⁵⁰ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 122-131.

²⁵¹ Michelle Walker, *Sins of the White Father Wounds of My Black Mothers: Tracing the Historical Roots of Oppressive Violence Experienced by Black Women in Intimate Heterosexual Relationships* (PhD Dissertation, Carleton University, May 1999) [unpublished] at 25.

Crucial to this Consciousness is the ability to “reconstruct and deconstruct” prevailing myths of Black womanhood to rebirth understandings of our lived realities.²⁵² We have lived in a world where Black women’s identities as individuals and a collective group have been defined by the dominant class – definitions which have dehumanized, de-womanized, and devalued our existence. This precarious space is the reason for Black Feminist Consciousness: “It is axiomatic that if we do not define ourselves for ourselves, we will be [and will continue to be] defined by others—for their use and to our detriment”.²⁵³ The importance of self-definition cannot be overstated as it challenges the normal constitutions of knowledge production and centres the meaning-making principles that are imperative to racialized persons, particularly Black women.²⁵⁴ Inherently, it enables a trajectory from “silence to language to individual and action”.²⁵⁵ It forces change.

Self-definition is a crucial survival tactic for Black women as it enables us to journey from internalized oppressive understandings of self that are vivid, inaccurate, and debilitating tropes to a “free mind”²⁵⁶ that challenges and counters white supremacy’s rhetoric about Black women. Intuitively, while relearning self and creating our identities, Black women are attuned to how the dominant society views us, which presents a challenge to our self-definitions because we “must configure [our] private realities to include awareness of what our public image mean to others. It is not paranoia. It is preparedness”.²⁵⁷ This action is necessary because knowing what others think of us enables us to create identities that reject dominant ideologies about ourselves while simultaneously empowering the self and Black women generally. Here, Black women engage in what Wilson Okello refers to as “reclaiming [our] sensibilities”;²⁵⁸ instilling a sense of power that reclaims Black women’s agency and autonomy²⁵⁹ against the standards of dominant ideologies and sociopolitical agendas.²⁶⁰

²⁵² Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 534.

²⁵³ Lorde, *supra* note 200 at 45.

²⁵⁴ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 538.

²⁵⁵ Hill Collin, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 132.

²⁵⁶ *Ibid* at 123.

²⁵⁷ Karla Holloway, *The Code of Conduct: Race, Ethics, and the Color of Our Character* (New Brunswick: Rutgers University Press, 1995) at 36 quoted in Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 100.

²⁵⁸ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 539.

²⁵⁹ When I refer to agency, I am referring to the ability to have a voice, to be heard, and to take up space whereas, autonomy is the ability to govern oneself, the freedom to make one’s own choices, and control your being.

²⁶⁰ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 538.

While the quest for self-definition is individual and a soul-searching process, it is also connected to family and the Black community.²⁶¹ In other words, this pursuit is one that calls for intersubjectivity and communal growth and accountability.²⁶² As an individualistic pursuit, self-definition within the meaning of Black Feminist Thought is imperative because Black women's experiences are heterogenetic and, as already stated, change at the level of consciousness is necessary for social change. Diversity is invaluable to the development of the theory; thus, the unique stories of each Black woman is the cornerstone to knowledge production through this theoretical lens.²⁶³ Due to Black women's constant encounters with oppressions, we have unique rhetoric pertaining to how inequalities persist and stabilize across cultural boundaries and institutions.²⁶⁴ This rhetoric is developed, curated, and applied through each woman's process of self-definition. Simultaneously political mobilization is created. It is these unique perspectives and lived experiences that lend for a powerful political voice.

Self-definition ensures that there is a responsibility to not only the individual self, but to the larger community enabling Black women to develop identities that are intertwined with said community, creating what Patricia Hill Collins characterizes as "fully human, less objectified selves".²⁶⁵ Here, the notion of self reveals a lack of separation between self and the community. There is an understanding that focusing on the personal self alone obscures the fact that there is a larger self – Black people.²⁶⁶ This definition of self, inclusive of the community, encourages deeper, more meaningful definition for Black women and a powerful political agenda.²⁶⁷ As Hill Collins states,

... Black women's self-definition reframes the entire dialogue from one of protesting the technical accuracy of an image...to one stressing the power dynamics underlying the very process of definition itself ... Black women question not only what has been said about [Black] women but the credibility and the intentions of those possessing the power to define. When Black women define ourselves, we clearly reject the assumption that those in positions of granting them the authority to interpret our reality are entitled to do so.²⁶⁸

²⁶¹ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 124; also see, Okello, "From Self-Authorship to Self-Definition", *supra* note 209 at 539."

²⁶² Okello, "From Self-Authorship to Self-Definition", *supra* note 209 at 536.

²⁶³ See Reynolds, *supra* note 202.

²⁶⁴ Evans-Winters, *supra* note 213 at 15.

²⁶⁵ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 124.

²⁶⁶ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 113.

²⁶⁷ *Ibid.*

²⁶⁸ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 125.

The importance of Black women's interrelationship with the Black community was emphasized by Caitlyn Stewart in her criticism of independence and individualism as promoted by Western ideologies. She opines that white supremacist ideologies of individual autonomy jeopardize indigenous African pedagogy. Consequently, individual independence, as it is promoted in modern society, is a myth fostering an "illusion of freedom"; and as Black women, we know we are not free. Accordingly, individual independence is tailor-made for people whose lives are not inundated with systems of oppressions that must be conquered to facilitate intergenerational and community growth. Regrettably, this is not the case for Black people and our communities – we do not have the luxury of having individual independence tailor-made for us.²⁶⁹ Stewart promotes the concept of interdependence that is integral in our ancestral teachings which enables us to avert the hegemonic Western notions of independence and individualism. She describes our interdependence as "a radical act of resistance for Black people because out of the many gifts our ancestors have given us aside from survival is each other".²⁷⁰ The reliance on interdependency engenders an understanding of Black womanhood that rejects the compromising definition of strength and resilience, and "insulate[s] it from the colonial mappings of the disabling notion of the [Strong Black Woman] stereotype and the racist innuendos that trail along with it. In addition, interdependency could be used as a powerful tool for healing".²⁷¹

ii. Self-valuation and Respect: Respect Yourself and Demand it of Others!

Self-valuation and respect form the second branch of Black Feminist Consciousness. This branch addresses how Black women engage in the process of self-definition and infuses its content.²⁷² Self-valuation strives to "replace" negative controlling images of Black womanhood with healthy and liberatory projections of ourselves.²⁷³ Further, it reclaims characteristics of Black women that have been denigrated by their portrayal within dominant discourse. Many stereotypes imposed upon Black women stem from our own behaviours and attitudes that are deemed threatening to

²⁶⁹ Stewart, *supra* note 26 at 37.

²⁷⁰ *Ibid* at 38.

²⁷¹ *Ibid*.

²⁷² Hill-Collins, "Learning from the Outsider Within", *supra* note 202 at S17.

²⁷³ *Ibid* at S17.

white supremacy and patriarchy.²⁷⁴ Black women who are outspoken or possess and express our own opinions, for instance, are denoted as sapphires or angry Black women because we are perceived as “threats” or seem to challenge patriarchal notions of what womanhood is and how women should act.²⁷⁵ women should be timid, meek, and obedient. Frankly, it is a manipulative “effort to put all women in their place”.²⁷⁶ Black women must, against all odds, recognize our worth, respect ourselves, and demand the same of others. Black women are encouraged to “strengthen [our] self-esteem by learning to love and appreciate [our]selves”.²⁷⁷ This call includes learning and loving parts of ourselves that society has used to degrade us.

It is one thing to counsel [Black] women to resist the Sapphire stereotype by altering their behavior to become meek, docile, and stereotypically “feminine”. It is quite another to advise Black women to embrace their assertiveness, to value sassiness, and to continue to use these qualities to survive in and transcend the harsh environments that circumscribe many Black women’s lives.²⁷⁸

To embrace, redefine, and love those attributes rendered taboo, and combat stereotypes regardless of their origin, is to assert a self-valuation process that challenges conventional understandings of said attributes²⁷⁹ and the other stereotypes that stand to define Black women. While loving oneself is often difficult in the face of what appears to be endless adversities, it is only in this space of self-love and respect that true self-identity and liberation occurs, and where the dominant ideologies lose traction as the prevailing narrative of Black womanhood. This enables Black women to emerge triumphantly and take our rightful place as agents and knowledge producers. Aretha Franklin sang this liberation chant in her rendition of Otis Redding’s *Respect*,

R-E-S-P-E-C-T, find out what it means to me!



²⁷⁴ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 126.

²⁷⁵ Hill-Collins, “Learning from the Outsider Within”, *supra* note 202 at S17.

²⁷⁶ *Ibid* at S17.

²⁷⁷ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 126.

²⁷⁸ Hill-Collins, “Learning from the Outsider Within”, *supra* note 202 at S18.

²⁷⁹ *Ibid*.

Black women are the constant recipients of devaluation and belittlement by prevailing systems of domination. We deserve respect; and it begins with us respecting ourselves. It is for us to believe it and demand it!

*...I'm tired
No, I'm not here for your pity,
Nor do I want you to walk a mile in my shoes
The road is too gritty
No, these roads weren't meant for just anyone
The navigation coordinates are built in my DNA
What I want is RESPECT
Recognizing my plight
Understanding that my fight is not one of choice, but of loyalty
One of the unspoken truths of our birthright
Black women, we know we are Queens,
but when our own's perception of us is replete with rejection
in our state of fatigue our consolation is loneliness and defeat
depression
yet, we have to mask our vulnerabilities while a volcano silences us internally
No, I'm not trying to garner your sympathy
Just – your – RESPECT.*

(Excerpt from poem titled, *Tired!*: written by Shushanna Harris)

iii. Self, Change, and Personal Empowerment

Within the journey of self-definition, and self-valuation and respect, comes a political stance for social change, resulting from a changed consciousness. A changed consciousness and perception of self enable Black women to break away from skewed, debilitating images of Black womanhood and develop a stance that encourages Black women individually and collectively in the name of our own self-identities: we are no longer imprisoned by controlling images and stereotypes that have been embedded in our subconscious. A shift in consciousness may well precipitate a person's willingness to change the conditions of their existence²⁸⁰ and simultaneously create empowerment for Black women as a collective – a political voice.²⁸¹ Black women, through self-definition, have used this voice in numerous ways, including creative means that have the capacity to portray and project Black women as knowledge producers. For example, Black women's blues tradition,

²⁸⁰ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 117.

²⁸¹ *Ibid.*

poems – such as Audre Lorde’s *A Litany of Survival* which encourages action in lieu of silence – and novels – including Toni Morrison’s *The Bluest Eyes*, and Zora Neal Hurston’s *Their Eyes are Watching God* – have been successful in protesting against and challenging patriarchy and white notions of femininity and Blackness. These examples of Black women’s protests, awareness, and empowerment are beautifully summarized in the afterword written by Henry Louis Gates Jr. in *Their Eyes are Watching God*. He states, “*Their Eyes* is a bold feminist novel, the first to be explicitly so in the Afro-American tradition ... the project [is concerned with] finding a voice, with Language as an instrument of injury and salvation, of selfhood and empowerment”.²⁸²

Individual and personal empowerment for a Black woman through a changed consciousness is a means of mental emancipation and freedom. Mental emancipation enables a freedom that “[a]ny individual Black woman who is forced to remain “motionless on the outside,” can remain true to their self-defined personhood on the “inside”. Meaning, even where Black women are confined to spaces that limit their actions, self-knowledge and self-definition enable us to remain self-empowered. Some women accomplish this by “writ[ing] themselves free, talk[ing] themselves free” or tapping into spirituality to set themselves free.²⁸³ Regardless of how self-definition is accomplished and sustained, it is a necessity for social change.

2. Critiques of Black Feminism: Can’t Please Everyone!

With its emphasis on Black women’s experience, Black Feminism is often charged with endorsing essentialism by crafting a universal voice representing all Black women or creating the essential Black woman. Similarly, it is charged with favouring one Black woman’s experience over that of others. For example, though Tracey Reynolds recognizes that Black women’s experiences are the bedrock of the theory, she criticizes this by stating, “[i]n [B]lack [F]eminist standpoint the privileging of experience and the central role it assumes in knowledge production promotes images of authentic and essentialized [B]lack women that is rooted in the particular idea that one experience is more valuable than another”.²⁸⁴ She goes on to state,

²⁸² Zora Neal Hurston, *Their Eyes Were Watching God* (New York: HarperCollins, 1965) at 197.

²⁸³ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 130.

²⁸⁴ Reynolds, *supra* note 202 at 600.

[y]et, social class privilege operates so that the privileged [B]lack women are the ones called upon to speak on behalf of other [B]lack women who may belong to another class. These women's voices are celebrated and reified as the 'authentic' voice of [B]lack womanhood. Black feminist standpoint is therefore reductionist by its very nature. Those [B]lack women who do not fit the essentialized model are effectively excluded from analysis. In its attempt to structure a [B]lack women's knowledge based on a collective [B]lack women's experience diverse experiences of [B]lack women are reduced and conflated to present a particular worldview. Specific groups of [B]lack women's experiences come to the fore and come to speak for all [B]lack women and those [B]lack women whose experiences do not fit with this group are silenced.²⁸⁵

Flynn levies a similar concern as she questions whose standpoint is included and excluded from the theory as it has the potential to overlook or ignore certain perspectives.²⁸⁶ Aligned with these critiques is the reliance on what Cedric Johnson calls "a racialized notion of standpoint epistemology".²⁸⁷ Johnson describes this as a reliance on "the putative universal experience of racism giv[ing] rise to a shared worldview and common political interests among [B]lacks".²⁸⁸ Consequently, racialized standpoint's rationality elides different and contrary "material interests and ideological positions" that "animate Black political life in real time and space".²⁸⁹ It assumes a common interest among Black people based on race and formulates advocacy positions based on that assumption, ignoring the potential consequences.²⁹⁰ One such consequence is, as Reynolds maintains in the quote above, featuring the standpoint of class-privileged Black women. Moreover, as Johnson argues, it assumes that there is a single, unitary source of oppression – Blackness. Within this vortex, there is a false sense of unity that has the ability to eschew the historical progressions that have positively impacted some Black lives while others remain at the social, economical, and political margins.

²⁸⁵ *Ibid* at 600-601; also see Cooper, *supra* note 55: Cooper's historical tracing of Black women intellectuals from the late 19th century to the mid 20th century demonstrates Reynolds' point. Accordingly, it was Black women elites, such as Mary Terrell Church, Fannie Williams, and Ida B Wells whose voices came to represent Black women, and who gained access to Black womanhood and Black respectability.

²⁸⁶ Flynn, *supra* note 229 at 184.

²⁸⁷ Cedric Johnson, "The Half-Life of the Black Urban Regime: Adolph Reed, Jr. on Race, Capitalism, and Urban Governance" (2016) 41:3 *Labor Studies Journal* 248 at 250.

²⁸⁸ *Ibid* at 250.

²⁸⁹ Cedric Johnson, *The Panthers Can't Save Us Now: Debating Left Politics and Black Lives Matter* (London: Verso, 2022) at 18.

²⁹⁰ *Ibid* at 42.

Black unity is always underwritten by the fiction that other groups have advanced through the ethnic paradigm, a view that is patently ahistorical and neglects the role of interracial alliances in creating a more democratic, just society.²⁹¹

A singular reliance on a racialized notion of standpoint, or what Adolph Reed Jr. refers to as race reductionism, is incapable of explaining the polarity that exists between Black people living in “a more democratic, just society” – particularly, the haves and the have nots. According to Reed Jr., race-reductionism is when we reduce our common interest to a “singular racial concern” which supersedes our other interests and becomes the driving force for our social justice endeavours.²⁹² Reed Jr. contends that race should no longer be the driving force to combat social injustices as it is ill-equipped to produce egalitarian outcomes. He argues that attributing distributional disparities to “race” is false reasoning and conflates “outcome” (disparities) with “explanation” (race), when the latter may not be the cause or the only cause of the former.²⁹³ In other words, race-reductionism obscures other oppressive factors, especially class structures. Reed Jr. surmises that in order to obtain any form of egalitarian gains, attention must be placed on the class structures that create economic constraints that not only impact the lives of many Black people, but other racial ethnicities, including white people, as well. He remarks:

As the society moves farther away from the regime of subordination and exclusion on explicitly racial terms to which race-reductionist explanations were an immediately plausible response, race has become less potent as the dominant metaphor, or blanket shorthand, through which class hierarchy is lived. And as [B]lack and white elites increasingly go through the same schools, live in the same neighborhoods, operate as peers in integrated workplaces, share and interact in the same social spaces and consumption practices and preferences, they increasingly share another common sense not only about frameworks of public policy but also about the proper order of things in general.

Those quotidian realities put pressure on the reductionist premise that racial subordination remains the dominant ideological or material framework generating and sustaining systemically reproduced inequalities and class power.²⁹⁴

²⁹¹ *Ibid* at 44.

²⁹² Adolph Reed, Jr. “Socialism and the Argument Against Race Reductionism” (2020) 29:2 New Labor Forum 36 at 40.

²⁹³ Adolph Reed Jr., “Antiracism: A Neoliberal Alternative to a Left” (2018) 42:2 Dialect Anthropol 105 at 107.

²⁹⁴ *Ibid* at 111.

This one-dimensional approach to address inequality animates race as the perpetual cause of the injustices that Black people face at the expense of our ability to see its interplay (or lack thereof) with other structures of oppression that produce and stabilize inequality.

As demonstrated, race-reductionism is counter-productive to any social justice movement that has the true intention of obtaining justice. In essence there is a real danger in relying solely on race (or any one form of oppression for that matter) as there is the consequence of fragmenting the composition of individuals who are often complex and thus rendering it difficult to properly mobilize for redress.²⁹⁵

As such, an anti-reductionist approach is required; I would argue necessary. Black Feminism is a theory that does just that as its focus is not primarily on race or class, but on the multiple structures of oppression that position Black women in society. It is heavily reliant on Intersectionality (which will be fully developed in a later section) as a means of understanding the “totality in order to comprehend the parts”.²⁹⁶ It is this devotion to Intersectionality that led to the first critique of “identity politics” by the Combahee River Collective. The term “Intersectionality” enabled critical curiosities to develop where we begin to explore and understand the multiplicity of oppressions and “the solidarities required for effective resistance”.²⁹⁷ A critical analytical awareness surfaced, conceptualizing that “[t]he violence of heteropatriarchy, the ravages of class domination, and what W E B Du Bois calls the “problem of the color-line” are unique but not special – in that they are, in important ways, commonly destructive”.²⁹⁸ Meaning, “[i]f the terms of gender, sexuality, race and class are defined appropriately – that is, in accordance with the actual workings of systems and structures of power in the world and with the actual lived experiences of oppressed and exploited peoples” – they are equal in their depth and reach and “are different ways of talking about many of the same things – the destruction of people and planet”.²⁹⁹

²⁹⁵ Jackie Dugard & Angela Maria Sanchez, “Bringing Gender and Class into the Frame: An Intersectional Analysis of the Decoloniality-as-Race Critique of the Use of Law for Social Change” (2021) 32:1 Stellenbosch L Rev 24 at 29.

²⁹⁶ Andrew T Lamas, “Angela Davis 1944 –” in Alex Collinicos, Stathis Kouvelakis & Lucia Pradella, eds, *Routledge Handbook of Marxism and Post-Marxism* (New York: Routledge, 2020) 410 at 411.

²⁹⁷ *Ibid* at 412.

²⁹⁸ *Ibid*.

²⁹⁹ *Ibid*.

Race as a social construct³⁰⁰ has unfortunately imposed an identity upon us that condones atrocities against our bodies and minds and that is indifferent to the pain and suffering that are its consequences³⁰¹ – it is not easily escapable. Until it loses its momentum, it cannot be erased or reduced in any analysis of oppressions and the fight for social justice – it must have an equal seat at the table of oppression. Black Feminism does not prioritize race within its politics, that is contrary to its very nature. It does provide Black women – women who have been historically denied access to political and social spaces – a site for redress; a site to address, resist, and confront pain and suffering in a way that recognizes our collective fight without sacrificing our individuality and our multiple Intersectional identities. As articulated by Jackie Dugard and Angela Maria Sanchez, “[a]t its core, [I]ntersectionality is an analytical and emancipatory tool that strives to consider and accept as valuable multiple experiences of oppression that were once rendered invisible by essentialist and monolithic accounts”.³⁰²

Beyond its rich analytical framework, an Intersectional analysis elucidates privileges in other forms of seemingly liberatory endeavours that tend to (in)advertently footnote or ignore the experiences of Black women:

Intersectional analyses reveal how otherwise liberatory knowledge formations (feminism, anti-racism) can nevertheless reproduce forms of domination by constructing liberation from one dimension of oppression in ways that served the interests of privilege on another dimension of oppression.³⁰³

Relatedly, Black Feminism is not a theory intent on creating an essential Black woman or standpoint or privileging particular experience(s) over others. Its intention is to provide a platform from which Black women from all walks of life, who have been excised from positive societal narratives and treatments, regardless of our positioning, can produce knowledge through our lived experiences as individuals and through our collective struggles. Succinctly put, I believe it is *a platform*, and not *a voice* for all Black women. It has the power to create a political voice for Black

³⁰⁰ See Barbara Fields, “Slaver, Race, and Ideology in the United States of America” (1990) 181:1 New Left Rev 95; also see Cedric Johnson, *The Panthers*, *supra* note 289.

³⁰¹ Fields, *ibid*.

³⁰² Dugard & Sanchez, *supra* note 295 at 30.

³⁰³ Tuğçe Kurtis & G Adams, “Decolonial Intersectionality: Implications for Theory, Research and Pedagogy” in Kim Case, ed, *Intersectionality Pedagogy: Complicating Identity and Social Justice* (New York: Routledge, 2017) 46 at 54.

women based on our individual experiences. It strives to demonstrate that Black women, like women in general, are not one-dimensional, but occupy different points of oppressions simultaneously – at least two of the many spaces, being Black and women. It conceives “Black women as self-defined individuals whose conscious understanding of [our] own standpoint serves as a tool of resistance against the dehumanizing definitions of Black womanhood,”³⁰⁴ thereby enabling our individuality to be at the forefront of our political endeavours. While politically we are able to monopolize on our collective struggles as Black women, we are able to share our individual experiences with other forms of oppressions in and outside of the collective struggles. Hill Collins eloquently describes the relationship between individuality and collectivity, stating,

[o]n the one hand, all [Black] women face similar challenges that result from living in a society that historically and routinely derogates women of African descent. Despite the fact that ... [B]lack women face common challenges, this neither means that individual [Black] women have had all the same experiences nor, that we agree on the significance of our varying experiences. Thus, on the other hand, despite the common challenges confronting ... Black women as a group, diverse responses to these core themes characterize ... Black women’s group knowledge or standpoint.³⁰⁵

Furthermore, Black Feminism’s *platform* enable Black women to air their grievances and experiences in ways that were never provided to us by virtue of our spatial and racial placement in society. Like any other social science theory predicated on the lived experiences of the knowers, some stories will not be heard, while others are revealed. While it is never possible to fully reflect the experiences of all Black women, what is crucially important is that Black feminist theory requires of us that we consistently and self-consciously attend to the question of whose stories are missing and that we avoid reductionist analyses that fail to attend to the complex, intersectional realities of Black women’s lives. Significantly too, Black Feminist Theory challenges the epistemic oppression that Black women have long experienced.³⁰⁶ Black women are recognized and valued as credible producers of knowledge and as agents of social change. Black Feminism aims to create space where Black women are able to speak their truth, but also to *know* that they can do so when they have historically been denied that ability. Effectively, Black Feminism is a

³⁰⁴ Davis, *supra* note 7 at 302.

³⁰⁵ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 25.

³⁰⁶ See Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23.

flexible tool where all Black women can critique and challenge existing ideologies on our own terms while simultaneously “continuing to inform social and political activism”³⁰⁷ collectively.

3. Intersectionality: Theory of Interconnecting Oppressions

Intersectionality is a way of understanding and analyzing the complexity in the world, in people, and in human experiences. The events and conditions of social and political life and the self can seldom be understood as shaped by one factor. They are generally shaped by many factors in diverse and mutually influencing ways. When it comes to social inequality, people's lives and the organization of power in a given society are better understood as being shaped not by a single axis of social division, be it race or gender or class, but by many axes that work together and influence each other. Intersectionality as an analytic tool gives people better access to the complexity of the world and of themselves.³⁰⁸

Critiques of Black Feminism have not diminished its stronghold as a theory *for* Black women *by* Black women and *through* Black women's experiences. In fact, through a Black Feminist lens, Intersectionality was born, embraced, and employed.³⁰⁹ Intersectionality presents a gateway to the lived experiences of Black women. As previously alluded to and noted in the Collective's opening statement, Black women are subjected to a multiplicity of oppressions that are not only interconnected, but inseparable.³¹⁰ In its simplest understanding, Intersectionality reminds us that Black women cannot choose between being Black or a woman, nor are we “white women *plus* colour or Black men *plus* gender [emphasis added].”³¹¹ We are both, and more: “Black women experience womanhood in the context of [B]lackness; they do not experience their gender and ethnic identities as separate ‘parts’ of who they are”.³¹²

The concept of Intersectionality is not a new development. Prior to Kimberlé Crenshaw's groundbreaking work, Black women during and after slavery had often expressed their experiences with multiple oppressions including, but not exclusive to, race, gender, class, and sexuality. These accounts have been prescribed numerous terms, such as “interlocking oppressions” as noted by the

³⁰⁷ Walker, *supra* note 251 at 21.

³⁰⁸ Patricia Hill Collins & Sirma Bilge, *Intersectionality* (New Jersey: Wiley, 2016) at 11.

³⁰⁹ Carla Rice et al, “Doing Justice to Intersectionality in Research” (2019) 19:6 *Cult Stud Crit Methodol* 409 at 411.

³¹⁰ Few, *supra* note 204 at 454.

³¹¹ *Ibid* at 456.

³¹² Marsha Houston, “Multiple Perspectives: African American Women Conceive Their Talk” (2000) 23:1 *Women & Language* 11 at 11.

Combahee River statement in the 1970s, “double jeopardy”³¹³ – a term used by Deborah King in the late 1980s – “triple jeopardy”,³¹⁴ and now, Intersectionality. Intersectionality was developed around the same time King discussed double jeopardy. However, in recent years it has gained tremendous popularity. Intersectionality is the product of a legal injustice witnessed, researched, and explained by Crenshaw. Crenshaw, while analyzing cases regarding employment discrimination lawsuits by Black women, recognized that Black women were experiencing roadblocks in their attempts to enlist the law because legal categories separating sexism and racism did not address their particular circumstances. Indeed, there was no legal category combining both forms of discrimination. Crenshaw saw this as a significant problem given that the oppressions Black women face are not separate but intersecting. To force them to make a claim under one branch or the other reinforced racism, sexism, and the continued invisibility of Black women.³¹⁵ Recognizing this devastating reality for Black women, Crenshaw coined the term Intersectionality to reflect the constellation of oppressions that intertwine and define Black women’s identities and positions in society. In 1991 Crenshaw furthered the use of Intersectionality in the context of violence against women, analyzing the experiences of Black women survivors of IPV and rape. Crenshaw demonstrated that violence against women cannot be analyzed through the lens of sexism or racism as violence against Black women is “frequently the product of intersecting patterns of sexism and racism.”³¹⁶

During a 2009 interview, Crenshaw characterized Intersectionality as “just a *metaphor*”:

I was simply looking at the way all these systems of oppression overlap. But more importantly, how in the process of structural convergence rhetorical politics and identity politics – based on the idea that systems of subordination do not overlap – would abandon issues and causes and people who actually were affected by overlapping systems of subordination.”³¹⁷

³¹³ See Deborah King, “Multiple Jeopardy, Multiple Consciousness: The Context of a Black Feminist Ideology” (1988) 14:1 Signs 42.

³¹⁴ Smith, *supra* note 215 at 3; see also, King, *ibid* at 45.

³¹⁵ See Kimberlé Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics” (1989) 1 U Chi Legal F 23.

³¹⁶ Crenshaw, “Mapping the Margins”, *supra* note 116 at 1243.

³¹⁷ Kathleen Guidroz & Michele Berger, “A Conversation with Founding Scholars of Intersectionality: Kimberlé Crenshaw, Nira Yuval-Davis, and Michelle Fine” Kathleen Guidroz & Michelle Berger, eds, *The Intersection Approach: Transforming the Academy Through Race, Class, and Gender* (Chapel Hill: University of North Carolina Press, 2009); also see, Patricia Hill Collins, *Intersectionality as a Critical Social Theory* (Durham: Duke University Press, 2019) at 25.

Metaphors have the ability to shape people's perceptions and interaction with the social world. They are often connected to social transformation. They facilitate a process of rethinking/reimagining current realities that provokes, questions, transforms, and promotes critical thinking "about the relation between social and symbolic domains in this process of transformation".³¹⁸ Intersectionality embodies these elements thereby fostering thoughts and actions for social transformation – provoking sensibilities regarding current means of analyzing relations between forms of domination and those persons considered as "other". It can be described as the "resistant knowledge project of oppressed people".³¹⁹ These are projects with a goal of addressing/resisting insidious subjugation by the dominant group. As a resistant knowledge project, Intersectionality provides the groundwork for critical theorizing,³²⁰ and affecting impactful transformations. It embodies the notion of resisting the "master's tools"³²¹ to tackle social injustices.

Intersectionality inaugurates a distinct way of navigating multiple forms of oppressions without characterizing them as separate or mutually exclusive and reveals how they are reproduced or perpetuated in society.³²² Within an intersectional analysis, sameness and difference of identities are examined through their inescapable connection to one another³²³ as identities intermingle to shape a Black woman's social existence.

Although it emerged from a legal dilemma more than 30 years ago, Intersectionality as a theory has become a prism into the lived experiences of Black women in all aspects of our daily lives, tapping into a resource that traditional (white) feminist and antiracist discourses have overlooked or simply ignored. Historically, both (white) feminist and anti-racist agendas have tended to exclude the experiences of Black women and, where they deemed necessary, *added* Black women

³¹⁸ Stuart Hall, "For Allon White: Metaphors of Transformation" in David Morley and Kuan-Hsing, ed, *Stuart Hall: Critical Dialogue in Cultural Studies* (New York: Rutledge, 1996) at 287; also see, Hill Collins, "Intersectionality", *supra* note 317 at 27.

³¹⁹ Hill Collins, *ibid* at 88.

³²⁰ *Ibid.*

³²¹ Lorde, *supra* note 200 at 110.

³²² Hill Collins, *Intersectionality*, *supra* note 317 at 27.

³²³ *Ibid.*

to their existing deficient frameworks.³²⁴ The debilitating effects of racism, sexism, classism, heterosexualism, and lack of equitable opportunities encountered by many Black women cannot be addressed by this simple addition because these concerns overlap and *have personally, socially, and politically defined* our existence – that is, our subjective identities and those prescribed by society. Therefore,

because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take Intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated...the entire framework that has been used as a basis for translating “women's experience” or “the Black experience” into concrete policy demands must be rethought and recast.³²⁵

a. Components of Intersectionality: A Connecting Web

The rethinking and recasting described above necessarily involve an analysis utilizing Crenshaw's three categories of Intersectionality: structural, political, and representational. Structural Intersectionality³²⁶ criticizes the one size fits all policies and agendas that tend to perpetuate the subordination of Black women. It does this by highlighting the various structures of oppressions that facilitate the subordination of Black women. For example, Black women are significantly oppressed by institutions such as law, education, and child protection, yet their location is overlooked in policies that are to serve all who require the assistance offered by the particular service.³²⁷ Structural Intersectionality is concerned with how institutional policies and practices reinforce subordination of marginalized people by examining how structures such as racism, sexism, and classism influence their efficacy. There is no requirement of an intention to produce inequality. Rather, inequality “often occurs when institutions make inappropriate assumptions about the individuals who work in or come into contact with those institutions”.³²⁸ It is these assumptions that “center the perspectives, interests, and needs of those in power” and work to sustain the status quo.³²⁹ A stark example of this centering are the mandatory arrest/charging

³²⁴ Crenshaw, “Demarginalizing” *supra* note 315 at 24.

³²⁵ *Ibid.*

³²⁶ See Crenshaw, “Mapping the Margins”, *supra* note 116.

³²⁷ *Ibid.*

³²⁸ Alesha Dufree, “The Use of Structural Intersectionality as A Method to Analyze How the Domestic Violence Civil Protective Order Process Replicates Inequality” (2021) 27:5 Violence Against Women 639 at 649.

³²⁹ *Ibid* at 650.

policies discussed in Chapter 2. Not only are women who fight back in self-defence at risk of being charged, but the policies have failed many women who do not fit the description of a woman worthy of police assistance (e.g. racialized, those who fight back, etc.).

Political Intersectionality³³⁰ addresses the fact that Black women are undoubtedly members of at least two oppressed groups – we are Black and women. This is a uniquely situated location for Black women as neither Black men nor white women have to contend with this issue in their political agendas, unless they meaningfully choose to. As Black women, we do not get the choice as being Black and woman are inseparable issues for our agenda (along with any other oppression that encapsulates our identities). The confines of these two, sometimes competing, agendas position Black women between a rock and hard place. Should we choose the political plight of our Black brothers, our plight as women is *at risk* of being invalidated or ignored; and should we choose to fight for our womanhood, our plight as *Black* women is neglected. The dearth of intimate partner violence statistics concerning Black women can serve as an example of this concern. In 1991, Crenshaw spoke of this problem when she attempted to obtain race-based statistics representing IPV arrests from various police precincts in Los Angeles. She was denied such statistics based on the assertion that such data might enable the dismissal of IPV as a serious social problem (if it came to be associated with the Black community) or, alternatively, would reflect negatively on the Black community by shoring up the stereotype of violent Black men.³³¹ Here, the concern centred on the image of the Black community, rather than the harms Black women were experiencing. The denial of statistics served to erase Black women from the category of IPV survivors. A similar form of erasure occurs when, as in Canada, statistics regarding IPV and Black women are largely non-existent. As noted in Chapter 2, the vast majority of available statistics (and literature) highlight the pervasiveness of IPV in general while ignoring its presence in the Black community.

Representational Intersectionality is Crenshaw's third branch of Intersectionality and refers to the ways in which popular culture tends to negatively represent Black women. That is, how the images of Black women are (re)produced by incorporating and institutionalizing stereotypical narratives

³³⁰ Crenshaw, "Mapping the Margins", *supra* note 116 at 1251-1258.

³³¹ *Ibid* at 1252-1253.

around race and gender. These images, in turn, influence how Black women are portrayed and understood in the larger society, political agendas, and the laws that continue to downplay our experiences.³³²

Although these components of Intersectionality are explained as separate entities for the purpose of clarity and understanding, “they...work together to describe the situations of many [B]lack women”.³³³ Like our socially constructed oppressions, they are interconnected.

*b. Features of Intersectional Theory in Practice*³³⁴

The reach of Intersectionality theory has expanded significantly since Crenshaw’s conception of it the late 1980s. It has been broadly used to illuminate the interplay of multiple structures of oppression. Yet notwithstanding this expansion, six core features have been identified that appear consistently in the academic literature that employs it as an analytical tool: social inequality, power, relationality, social context, complexity, and social justice.³³⁵

First, *social inequality* is the cornerstone of Intersectionality – without it, Intersectionality as expressed by Crenshaw and like-minded scholars would not be conceivable. As noted above, it concerns inequalities built on various oppressions that Black women have experienced personally or witnessed. It revolves around the understanding that inequalities do not exist on a single axis. Employing Intersectional theory forces us to think outside the colonial box and recognize that oppression does not only occur because one is Black or woman or gay, but through an intermingling of racism, sexism, and homophobia, for example. In other words, structures of oppression are not mutually exclusive, but inter-relational.

³³² Nicole Carter, “Critical Race Feminism: An Educational Perspective” (2012) 4:1 PowerPlay: J Educational Justice 1 at 8.

³³³ Shushanna Harris, “*Mom doesn’t really trust the system*”: *Female Children of Abused Black Caribbean Women and Mandatory Arrest* (MA Thesis, Carleton, University, 2009) [unpublished] at 143.

³³⁴ This section is summarized from Hill Collins & Bilge, *supra* note 308 at 27-30 and Hill Collins, *Intersectionality*, *supra* note 317 at 44-49.

³³⁵ See Hill Collins, *ibid*.

Intersectionality provides a rich analysis of the impact of oppressions through *power*. In other words, it understands that one's positionality is influenced by numerous pressures that are intertwined and has a direct link to the relationship between power and disadvantage.

Relationality is required to force the learner to move away from the binary either/or thinking which has been ingrained in our education system. Intersectionality as a theory provides the framework that permits an analysis of the interconnections of different forms of oppressions instead of analyzing them as separate entities, thus transforming understandings of relationships.

This analysis of the interconnection between oppressions draws our attention to the *social context* of inequalities and power relations. It also enables the learner to *contextualize* the issues that plague many through the structures at play to secure the status quo.

Further, Intersectionality is *complex* as it requires that an analysis occurs examining multiple forms of oppressions in a matrix of domination.³³⁶ Finally, while *social justice* is not a requirement for Intersectionality, it is inevitably present given its attention to inequalities and power relations. Notwithstanding this inevitability, those who employ it as a theoretical framework are intentional in their approach to effect social transformation and social justice. It ensures that marginalized people are no longer reduced or neglected in discussions about oppressions and power but are centered as they are the ones often impacted by outcomes of those discussions.

4. Closing Remarks

³³⁶ A term coined by Patricia Hill Collins, "the matrix of domination" refers to how intersecting oppressions are created. Particularly, intersecting socially constructed identities such as race, class, and gender create "axes of oppression that characterize Black women's experiences within a more generalized matrix of domination." She identifies four domains of the matrix of domination that reappear in different forms of oppression. These include structural, disciplinary, hegemonic, and interpersonal. Structural refers to how interlocking social institutions rely on avenues of oppressions, i.e. race, gender, class, to create and reinforce the domination of marginalized people, particularly Black women. The disciplinary domain of the matrix focuses on power relations and how marginalized bodies are governed and controlled through government policies and laws, for example. The hegemonic domain is connected to discourses and practices that help reinforce the agenda of the dominant group; and the interpersonal domain is based on our everyday interactions with each other. See Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 21 and 295-309.

Black Feminism and Intersectionality have enabled many scholars to explore IPV in a manner that speaks to the complexities of Black women's identities and the oppressions we face. They have also provided me with the tools necessary to do the same with this project. Both work hand-in-hand to provide a comprehensive theoretical approach that stands to centre Black women as knowledge producers. They underscore this project and embolden me to embark on a methodological journey that honours the experiences of Black women differently and unapologetically. Essentially, a decolonial journey.

CHAPTER 5 – METHODOLOGY: THINKING OUTSIDE THE COLONIAL BOX – AN ENGAGEMENT WITH ENDARKENED FEMINIST EPISTOMOLOGY

Cerebral Shackles/Redemption song

*Emancipate yourself from mental slavery,
none but ourselves can free our minds...*

NONE but ourselves can free our minds...

Now, how can I become free from the cerebral shackles that have captured my thoughts, stifled my progress and corrected my “deviance” with an invisible whip

How do I free my mind when the dehumanization and defacing of Black people were the most successful mission in his-story, in her-story, in our-story

We are the originating victims, subjects of Stockholm syndrome

Our captors engaged in cultural terrorism annihilating our psychological self, destroying our perceptions of identity,

Identifying themselves as our saviours, the cure to our shameful existence

*We as Black people are in a psychological warfare within ourselves and amongst our people
So before we can take heed to Bob Marley’s cry for emancipation, recognition of compliance and complacency is necessary to ignite the process of condemnation*

Emancipation is not only predicated on removing the cerebral shackles that engulf our minds, but a people’s willingness to rethink thinking uncomfortably, unapologetically

Detonate a cultural bomb within and amongst ourselves that has the chilling effect of rendering white thoughts and white ways of being the uncomfortable thoughts of normalcy

Emancipate yourself from mental slavery,

none but ourselves can free our minds, none but ourselves can free our minds

(Written and performed by: Shushanna Harris,
inspired by the lyrics of Redemption Song by Bob Marley)

1.Unlearning the Learned – Decolonizing Methodology

The process of developing a worldview that differs from the dominant worldview requires active intellectual work on the part of the knower, because schools, society, and the

structure and production of knowledge are designed to create individuals who internalize the dominant worldview and knowledge production and acquisition process.³³⁷

Black students do not enter learning institutions as blank slates. We enter with cultural legacies and generational histories that have shaped our social and political positioning. Yet, we are treated as if our understandings of the world, culturally, intellectually, and morally, are inferior to Western ideologies and markings of the world.³³⁸ Our home life – the place where racial, ethnical, cultural, social, and spiritual development begins, is nurtured, and grown – is not often welcomed in Canadian and American academia, and more broadly, in society.³³⁹ As a result of our perceived/believed inferiority, it is presumed that for Black and other racialized students entering academia the curriculum will provide us with the required knowledge, that our desire for truth seeking and knowledge will be satisfied by the curriculum, and our insights and intellectual and cultural curiosities are akin to our white counterparts.³⁴⁰ Though the opposite may be true, this belief persists and is transferred to research and research methodologies. As students we are taught particular ways of *doing* research that tend to eschew other cultural approaches and methodologies that are considered incongruent with whiteness and patriarchy. Consequently, knowledge production indigenous to Black lives is alienated, murdering or causing harm to our spirits³⁴¹ and ignoring the continued destruction of a people's heritage and legacy. Cynthia Dillard posits that when teaching marginalized students, alternative approaches must emerge³⁴² – ones that think outside the colonial box and see the world through marginalized/racialized lenses.

We are trained to compartmentalize information within the confines of existing knowledge categories which has the consequence of stifling projects that are consistent with social justice. These existing categories are organized and perpetuated through research methods and methodology.³⁴³ The authoritarian system of categorization,

³³⁷ Gloria Ladson-Billings, "Racialized Discourses and Ethnic Epistemologies" in Norman K Denzin & Yvonna S Lincoln, (2000) *Handbook of Qualitative Research*, 2nd ed (California: Sage Publications, Inc., 2000) at 258.

³³⁸ Evans-Winters, *supra* note 213 at 47 and 48.

³³⁹ Animashaun & Bell, *supra* note 219 at 1229.

³⁴⁰ Evans-Winters, *supra* note 213 at 49.

³⁴¹ Cynthia Dillard, "Towards an Education that (Re)members: Centering Identity, Race, and Spirituality in Education" (2016) 31:4 Tikkun 50 at 51.

³⁴² *Ibid.*

³⁴³ McKittrick, *supra* note 17 at 38.

is an economized emulation of positivist classificatory thinking (thinking that is produced in the shadows of biological determinism and colonialism)...The learning system and its attendant methodology produce an ungenerous taxonomy that segregates kinds and types of knowledge as well as the spaces where ideas are generated.³⁴⁴

Colonial knowledge production represented, and continues to represent, the knowledge of white men.³⁴⁵ As such, Black people's approach to research in academia is often influenced and swallowed by dominant ideologies; most of which were created by white men. As part of this learning system, we are obliged to create research within institutions that have effectively assimilated us to conform to the confines of colonialism.³⁴⁶

Recognizing the constraints on many learners, including myself, creates an impetus to critically analyze "the matrix of colonality in relation to knowledge, context, learning, and answerability,"³⁴⁷ and instills an obligation to *do* research differently. More specifically, being confined in this manner compels me to engage a methodological approach that encourages thinking outside the colonial box. To do so, I am obliged to revamp my way of thinking by "rethinking thinking, unthinking, and learning to unlearn"³⁴⁸ what has been successfully marketed as "real" research. In order to accomplish this, I am called to engage in research through a decolonizing lens which involves,

... a process [where] the worldviews of those who have suffered a long history of oppression and marginalization are given space to communicate from their frames of reference. It is a process that involves "researching back" to question how the disciplines—psychology, education, history, anthropology, sociology, or science—through an ideology of Othering have described and theorized about the colonized Other, and refused to let the colonized Other name and know from their frame of reference.³⁴⁹

A Decolonized methodology makes clear that "epistemological concerns in cultural research in social sciences ... [and] ... concerns regarding the functions of culturally hegemonic domination

³⁴⁴ *Ibid* at 38.

³⁴⁵ Sabelo Ndlovu-Gatsheni, "Provisional Notes on Decolonizing Research Methodology and Undoing Its Dirty History" (2019) 35:4 *J Developing Societies* 481 at 483; also see Evans-Winters, *supra* note 213 at 15.

³⁴⁶ Cee Carter & Korina M Jocson, "Untaming/Untameable Tongues: Methodological Openings and Critical Strategies for Tracing Raciality" (2022) 45:3 *Int J Res Method Educ* 232 at 236.

³⁴⁷ *Ibid* at 234.

³⁴⁸ Ndlovu-Gatsheni, *supra* note 345 at 490.

³⁴⁹ Bagele Chilisa, *Indigenous Research Methodologies* (Los Angeles: Sage Publications, 2012) at 14.

in knowledge production and dissemination ...” are not mutually exclusive.³⁵⁰ To rely on colonial research methodology while embarking on a cultural research endeavour is to ignore the existence of “functions of culturally hegemonic domination in knowledge production and dissemination”³⁵¹ and, in turn, its implications. Therefore, a decolonial methodological lens is vital. Such a lens is required to centre the experiences of Black women as it demands a commitment to thoughtful explorations of how Black women comprehend our histories and oppressions that impact our existence.

What does this lens look like? A decolonial methodological lens broadly encompasses three significant interwoven categories: epistemic, social, and political.³⁵² Epistemic decolonization requires unlearning of the dominant worldview. Social decolonization is “equitable recognition” requiring those occupying privileged spaces to vigorously interrogate their privilege with an aim of dismantling it and its influence. Political decolonization encourages the destruction of the institutions and structures that perpetuate oppressions that leave marginalized people socially, politically, and legally malnourished and endangered.³⁵³ A decolonial methodology goes against the grid of what is considered “normal” and implores learners to reject the tools in the master’s tool box and create or embrace methodologies that have been shunned because of difference. As the late Audre Lorde reminded us, “The master’s tools will never dismantle the master’s house. They may allow us to temporarily beat him at his own game, but they will never enable us to bring about genuine change”.³⁵⁴

Embarking on this form of personal and academic transformation is no small feat. I have to recognize my (un)conscious contribution in perpetuating thoughts and understandings that tend to erase or silence knowledge production within, for, about, and amongst racialized and marginalized groups, especially those thoughts and understandings “we have been taught not to see”.³⁵⁵ Such recognition is vital to engage in decolonization for “as long as we choose to play within the

³⁵⁰ John Stanfield, “Epistemological Considerations”, in John Stanfield & Dennis Rutledge, eds, *Race and Ethnicity in Research Methods* (Newbury Park, CA: Sage Publications, 1993) at 26.

³⁵¹ *Ibid* at 26.

³⁵² Gerald Roche, “Linguistic Injustice, Decolonization, and Language Endangerment” (2019) 1726 *EasyChair Preprint* at 4.

³⁵³ *Ibid*.

³⁵⁴ Lorde, *supra* note 200 at 112.

³⁵⁵ Carter & Jocson, *supra* note 346 at 236.

confines of Western institutions and with an adopted language (i.e. academic English), Black women will always compromise, negotiate, and balance the needs of institutions and our struggles for social, economic, political, and education liberation”.³⁵⁶ The importance of this recognition is indispensable. Imperialism and colonialism brought with them not only the destruction of Black and Indigenous bodies but the shackling of surviving minds. Black and Indigenous peoples were subjects of a “cultural bomb” which attempted to annihilate our identities, beliefs, and ways of being, enabling colonizers to occupy our mental space and remain there still.³⁵⁷

Relatedly, I must be cognizant of the potency of colonial research methods and their real potential to influence and manipulate the research process. As Cee Carter and Korina Jocson warn,

[i]n examining the racial character of knowledge systems, we are cautious of how attempts at bringing about racial justice can pronounce whiteness, operate on its behalf, and reify it. The elusiveness of whiteness beckons us to interrogate the ease with which we might be tempted to take on, describe, deploy, and defend such projects.³⁵⁸

This is not a veiled concern. Scholars have posited that although a “research” project may constitute an ideological endeavour influenced by the “traditions, perspectives, viewpoints, cultural understandings, and discourse style of the research”³⁵⁹ of the learner, the end result exemplifies the research recipe that has been ingrained in our psyche. Angela Packwood and Pat Sikes state,

[research recipe] is not only an implicit metaphor, it is also an implicit myth. The metaphor is that the process of research is to follow a recipe, and the myth is that this is the truth. These are illusions that researchers perpetuate, we perpetuate them by the way we present our final research texts ...³⁶⁰

As scholars committed to employing a decolonizing stance, we must start with decolonizing our own minds which will, in turn, decolonize how we *do* research. As I already mentioned, this is no

³⁵⁶ Evans-Winters, *supra* note 213 at 13.

³⁵⁷ Ngugi wa Thiong’o, *Decolonising the Mind: The Politics of Language in Africa Literature* (Oxford, UK: James Currey, 1986) at 3.

³⁵⁸ Carter & Jocson, *supra* note 346 at 237.

³⁵⁹ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 663.

³⁶⁰ Angela Packwood & Pat Sikes, “Adopting a Postmodern Approach to Research” (1996) 9:3 Int J Qual Studies Educ 335 at 336.

easy task given our history of assimilation. Nevertheless, Evans-Winters provides hope in this process when she comments, “qualitative inquiry approaches [through the lens of Black Feminist Thought] that takes place in collaboration with the self and the most vulnerable in society bring us one step closer to intellectual emancipation”.³⁶¹

a. Epistemic Injustice: Challenging the Erasure of Black Knowledge and Dissemination

Developing a decolonizing methodology goes beyond examining and challenging existing means of knowledge production. It is antiracist and social justice oriented. It strives to deconstruct the epistemic oppressions³⁶² that have successfully dismissed Black people as knowledge producers. Kristie Dotson defines epistemic oppression as,

... a persistent and unwarranted infringement on the ability to utilize persuasively shared epistemic resources that hinder one’s contributions to knowledge production.³⁶³

Here, an “unlevel knowing field” exists where dominant groups aggressively retain control of their knowledge home-field advantage – monopolizing who can produce knowledge and what constitutes “valid” knowledge.³⁶⁴ As Alison Bailey puts it, “the unlevel knowing field is a hungry place where all knowledge that fails to nurture and sustain dominant ways of knowing risks being dragged onto the dominators’ epistemic home turf to be mined, coopted, consumed, or destroyed”.³⁶⁵ For marginalized and racialized groups this setting is a minefield where their very existence is at risk should they step out of line. Put differently, epistemic oppression is another violent attack on Black people’s truths and existence.

Dotson identifies three categories of epistemic oppression. In the first, the knower’s credibility to produce and disseminate knowledge is hindered by their marginalized position and the “hearer’s” prejudices towards the social group to which the knower belongs. This category of epistemic

³⁶¹ Evans-Winters, *supra* note 213 at 60.

³⁶² See Ndlovu-Gatsheni, *supra* note 345 at 482.

³⁶³ Kristie Dotson, “Conceptualizing Epistemic Oppression” (2014) 28:2 Soc Epistemol 115 at 116.

³⁶⁴ Alison Bailey, “On Gaslighting and Epistemic Injustice: Editor’s Introduction” (2020) 35 Hypatia 667 at 667.

³⁶⁵ *Ibid.*

injustice creates standards of credibility that invariably benefit privileged group(s).³⁶⁶ As indicated by Nancy Tuana, “[w]hat feminist epistemologists and science studies theorists have carefully demonstrated is that our theories of knowledge and knowledge practices are far from democratic, maintaining criteria of credibility that favor members of privileged groups”.³⁶⁷ The critical consequence located in this insight is that although marginalized people are best positioned to dismantle unwarranted credibility deficits, due to the climate of epistemic injustice, should they attempt to defend their credibility, their “words will often sound, at worst, like lies and, at best, unreliable statements”.³⁶⁸

Dotson explains that a second category of epistemic oppression arises from “insufficient epistemic shared resources”. She posits that the epistemic agency of marginalized persons is infringed as their experiences are “obscured and unintelligible”.³⁶⁹ She elaborates on how this oppression unfolds:

the exclusion [as it relates to epistemic oppression] follows from being unable to communicate their experience to others within their larger epistemic community who do not share epistemic resources sufficient for tracking those experiences, especially where such experience is immediately relevant for knowledge production. Being unable to communicate large portions of one’s experiences due to the deficient nature of dominant, shared epistemic resources, for example profoundly impacts one’s ability to contribute to knowledge production insofar as utilizing insufficient epistemic resources disable one’s ability to fully render one’s experience intelligible to all relevant interlocutors.³⁷⁰

These two categories are similar to those described in the works of Miranda Fricker on the phenomenon she labels “epistemic injustice”. According to Miranda Fricker, epistemic injustice occurs in two ways: testimonial injustice and hermeneutical injustices.³⁷¹ Testimonial injustice occurs where a knower’s credibility to produce and disseminate knowledge is hindered by their marginalized position and the “hearer’s” prejudices towards the social group to which the knower

³⁶⁶ Dotson, *supra* note 363 at 124.

³⁶⁷ Nancy Tuana, “The Speculum of Ignorance: The Women’s Health Movement and Epistemologies of Ignorance” (2006) 21:3 *Hypatia* 1 at 13 cited in Dotson, *ibid* at 124.

³⁶⁸ Dotson, *supra* note 363 at 125.

³⁶⁹ *Ibid* at 127.

³⁷⁰ *Ibid*.

³⁷¹ See Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (Oxford: Oxford University Press, 2007).

belongs. Hermeneutical injustice is the unequal distribution of knowledge. Specifically, knowledge or cognitive resources are withheld from particular social groups preventing them from adequately assessing and understanding their oppression in society and from producing and disseminating knowledge.

Both these forms of epistemic injustice leave Black people, specifically Black women, in a state of persistent inferiority, rendering our claims as knowledge producers ignored, dismissed, or challenged at every turn. As Dotson explains by way of an example closely tied to my project,

[w]hite/Anglo” women can “get along fine” without acknowledging women of colour or their insights. While women of colour can and do implore white/Anglo women to take their knowledge and experiences into account, “convincing people [those with relative power and privilege] that they are missing something integral when, in fact, they cannot detect such deficiencies [their epistemic resources work just fine for them] is no easy task.”³⁷²

To address these manifestations of epistemic oppression, those with epistemic power and privilege must recognize the credibility of Black women as knowers, acknowledge the deficiency of their epistemological schemas, and be willing to alter them so that epistemological resources are truly shared.

The challenge of doing so is evidenced by Fricker’s very work on epistemic injustice. Fricker’s work has been critiqued as essentialist in that it universalizes women’s experiences as if epistemic injustice impacts the lives of all women equally.³⁷³ Analyzing Fricker’s work on sexual harassment in the workplace, Nora Bernstein concludes, “[n]ot only does [Fricker] fail to think intersectionally about gender-based oppressions but she fails to think structurally – even in the limited, single-axis way – about oppression more generally”.³⁷⁴ Bernstein goes on to note,

she ignores the legacies of understanding produced by Black women in the United States and by Brown and Indigenous women on both sides of the settler border. Long before white women activists such as Lin Farley led the meeting of the feminist consciousness-raising group to which Fricker attributes the origin of the concept of sexual harassment, Black

³⁷² Dotson, *supra* note 363 at 128.

³⁷³ Nora Bernstein, “White Feminist Gaslighting” (2020) 35 *Hypatia* 733 at 736.

³⁷⁴ *Ibid.*

women were speaking out about the coercive sexual practices of the men they worked for.³⁷⁵

She further rebukes Fricker's monopolization of the concept of epistemic injustice as she projects its existence "as a concept that was philosophically untheorized and unexplored before her own engagement with it".³⁷⁶ In doing so, Fricker eschews Black women's knowledge production and obscures our abilities to be knowers.³⁷⁷ As such, Fricker herself is engaging in epistemic injustice. Epistemic injustice is a matter that has been a significant thorn in the side of Black women scholars and activists who have consistently advocated for the need to centre Black women's voices and their experiences.³⁷⁸ However, the struggle for epistemic agency was not recognized, nor did it receive momentum and acknowledgement until Fricker, a white feminist scholar, named the problem described by Black women scholars as epistemic injustice.³⁷⁹

As Dotson points out, the challenges are even more significant when the third category of epistemic oppression – the inadequacy of the existing epistemic system that bestows, perpetuates, preserves, and continues to legitimize epistemic injustice – is brought into focus. To attempt to overcome this prevailing and perniciously resilient system, those in power are tasked with recognizing and acknowledging its existence. This requires stepping outside the system's "box" in order to actually see what is in it. This act compels those with epistemic power to challenge their cultural traditions which have been ingrained in their very existence through generations. It demands that they interrogate how the resilience of the system has served to perpetuate its existence and simultaneously excise other ways of knowing. In this process those with epistemic power must be open to radical overhauls of the system that continues to deprive people outside the epistemic power fold of being knowledge producers.³⁸⁰

All of which is to say that there is a deep-seeded epistemological problem when Black (and other racialized) women's struggles against IPV are completely overridden by the experiences of white

³⁷⁵ *Ibid* at 739.

³⁷⁶ *Ibid.*

³⁷⁷ *Ibid.*

³⁷⁸ hooks "Ain't I a Woman", *supra* note 12 at 7; see Crenshaw, "Mapping the Margins", *supra* note 116; and see Rachel McKinnon, "Epistemic Injustice" (2016) 11:8 *Philos Compass* 437 at 438-439.

³⁷⁹ See Fricker, *supra* note 371; Paul Giladi, "Epistemic Injustice: A Role for Recognition?" (2018) 44:2 *Philos Soc Crit* 41 at 142; also see, Bernstein, *supra* note 373.

³⁸⁰ Dotson, *supra* note 363 at 132.

women who then identify the struggle as if it only affects them and subsequently name it. This further solidifies the need to embark on a method-making exercise that honours Black lives, Black thoughts, and Black being; recognizing that *We* have knowledge, *We* know who *We* are, and “[*We*] know more than the abjectness that is projected upon us”.³⁸¹

A methodology that respects the lives of Black people accepts that “*We* have knowledge, *We* know who *We* are”, while rejecting the constant practice of Black lives being relegated to mainstream truths about our oppressions. It also champions Black people’s intellectual and creative ways of being, including our sense of expression, rebellion, and other means of responding to our lived experiences as Black persons. As McKittrick boldly states,

[a]nd one thing that [B]lack creative text and [B]lack creative praxes do is illuminate narratives of [B]lack life and humanity and, at the same time, create conditions through which rationality, rebellion, conversation, interdisciplinarity, and disobedience are fostered ... the text is not simply a representation; the text is bound up in acts of psychic and physiological rebellion and disobedience that continually unveil the limits of casting black knowledge as only emerging from the violated body.³⁸²

Explicit in McKittrick’s statement is the call for a revolutionary quest to reclaim our epistemology as a people and carve out a space for us as knowledge producers in academia. Important to McKittrick’s call is the need for Black people to connect to our inner consciousness, and for Black women to specifically connect to Black Feminist Consciousness. This is a process that requires us to engage in self-definition and self-awareness in order to understand who we are as Black women (and Black people) and put truth to who we are; truths that run contrary to society’s preconceived notions of us. Deviating from the “norm” often leaves us exposed and alienated. However, colonial orientations have defined our existence in Eurocentric civilization for centuries, rendering it more pressing that we respond to epistemic injustices; if not for us, for future generations.

To answer the call to *do* research differently through a decolonized lens, this project relied on a qualitative research approach, storytelling, and most notably Endarkened Feminist Epistemology (herein “EFE”). All three methods not only informed the overall methodological approach of this

³⁸¹ McKittrick, *supra* note 17 at 46.

³⁸² *Ibid* at 51.

project, but they are the basis for a methodology I created and refer to as *Sistering*, which will be fully developed in chapter 6.

2. Qualitative Methodology: An Invitation to Decolonial Methodology

Qualitative methods have the potential to facilitate a divergence from white normative means of knowledge production and to depart from colonial approaches of *doing* research.³⁸³ Qualitative inquiries enable opportunities for deconstruction of a particular phenomenon, such as IPV,³⁸⁴ moving beyond its surface by gaining in-depth information from people's or groups' lived experiences. The importance of qualitative research is the understanding that "meaning is socially constructed by individuals in interaction with their world".³⁸⁵ It is the understanding of this interaction that drives qualitative learners.

Make no mistake, qualitative research is methodology developed from colonial understandings and has been used to exploit the vulnerable and dismiss or ignore alternative ways of learning and knowledge production that do not fit within mainstream teachings. The fact is, "many of us were introduced to the idea of "scientific research" by [w]hite men, and later the concept of qualitative research by [w]hite women, while reading assigned texts of [w]hite researchers' interpretations of the social world and experiences".³⁸⁶ As a result, "our understanding of qualitative inquiry begins and too often ends from a [w]hite-centric lens".³⁸⁷ This has the potential to result in, what I believe to be, a mistrust of qualitative research amongst Black women given our representation (or lack thereof) in qualitative research analysis. For example, Black women are often excluded from these inquiries, misrepresented, and existing stereotypes about us and our experiences often prevail. Fallacies such as Black women's salaciousness, intellectual inferiority, and "outspokenness" are employed to degrade Black women through qualitative methods.³⁸⁸ These misrepresentations are

³⁸³ Carter & Jocson, *supra* note 346 at 234.

³⁸⁴ Michael William & Tami Moser, "The Art of Coding and Thematic Exploration of Qualitative Research" (2019) 15:1 Int Manag Rev 45 at 45.

³⁸⁵ Sharan Merriam, ed, *Qualitative Research in Practice: Examples for Discussion and Analysis* (California: Jossey-Bass, 2002) at 3.

³⁸⁶ Evans-Winters, *supra* note 213 at 16; see also Quenette Walton et al, "'This Person is Safe': An Exemplar of Conducting Individual Interviews in Qualitative Research with Black Women" (2022) 21 Int J Qual Methods 1 at 4.

³⁸⁷ Evans-Winters, *ibid* at 16; see also Walton et al, *ibid* at 4.

³⁸⁸ Walton et al, *ibid* at 4.

further evidenced in qualitative research that focuses on deviance and negative aspects of Black women's life and existence.³⁸⁹ A further downside of many colonial qualitative research projects is the failure to incorporate an intersectional lens of analysis by utilizing Eurocentric theories and understandings that often neglect the realities of the experiences of many Black women.³⁹⁰ Though these problems are associated with qualitative research studies, many Black scholars, including me, believe in the ability of qualitative methods to engender knowledge production that is Afro-centered where particular tools are implemented to decolonize its Eurocentric lens.³⁹¹ Such tools include incorporating perspectives like Black Feminist Thought and Intersectionality, as well as the use of EFE to ground the learner's research endeavour.

3. Endarkened Feminist Epistemology: A New Way of “Doing” Research – Recognizing Different Ways of Knowing!

As a form of qualitative research, EFE emerged as a methodological response to dominant approaches to knowledge production, legitimacy, and dissemination.³⁹² EFE has been described as a project of both construction and intervention, while simultaneously personal in nature.³⁹³ Developed by Cynthia Dillard, EFE provides an alternative methodology that is devoted to confronting social and epistemic injustices. It is grounded in Black cultural understandings and traditions of epistemology. Congruently, Dillard employs a sociocultural outlook, arguing that identities, including race and gender, are social constructions, and promotes a culturalist understanding of “Blackness, African-American, and womanhood”.³⁹⁴ EFE's foundation is steeped in African traditions of spirituality and knowledge and was developed with the experience of Black learners and educators at the forefront. Significant to EFE's origin is a heavy reliance on Black Feminist Thought, which includes the use of Intersectionality and the notion of self-

³⁸⁹ See critique in April Few, Dionne Stephens & Marlo Rouse-Arnett, “Sister-to-Sister Talk: Transcending Boundaries and Challenges in Qualitative Research with Black Women” (2003) 52:3 Fam Relat 205.

³⁹⁰ Walton et al, *supra* note 386 at 4.

³⁹¹ See Evans-Winters, *supra* note 213; see also Walton et al, *supra* note 386.

³⁹² Ashley N Gaskew et al, “Black Sisterhood Created, Maintained, and Protected at an Anti-Black Institution” in Tamara Bertrand Jones et al, eds, *Black Sisterhoods: Paradigms and Praxis* (Brantford: Demeter Press, 2022) 199 at 200.

³⁹³ Handel Wright, “An Endarkened Feminist Epistemology? Identity, Difference and the Politics of Representation in Educational Research” (2003) 16:2 Int J Qual Stud Educ 197 at 202.

³⁹⁴ *Ibid.*

definition. It also draws from other theories, including Sandra Harding's feminist psychology,³⁹⁵ which, simply put, emphasizes the need to employ standpoints that do not claim the universality of "woman". Instead, we should embrace standpoints that produce knowledge from the perspectives of women from all walks of life – knowledge that challenges existing power dynamics and Eurocentric notions of knowledge production and who can produce knowledge: "Women come only in different classes, races, and cultures: there is no "woman" and no "woman's experience" ...".³⁹⁶ Dillard also relies on Parker Palmer's attention to spirituality in education. Spirituality has a significant role to play in academia and academic projects. Spirituality in academia is transformatory work epistemically.³⁹⁷ It is work with a purpose beyond the surface of the work itself. It is "liberatory work ... [it] is emancipation ... [it] is education that connects, education that is about building relationships between and across teachers and students, males and females, Others and Ourselves".³⁹⁸

a. EFE: What's in a Name?

Dillard engaged the term "endarkenment" as a strategy to disrupt the dominant understanding of "enlightenment" which is often related to new concepts and ideologies within feminist research methods and is a canon within the parameters of white feminism(s).³⁹⁹ Accordingly, 'endarkened' is employed,

to articulate how reality is known when based in the historical roots of Black [F]eminist [T]hought, embodying a distinguishable difference in cultural standpoint, located in the intersection/overlap of the culturally constructed socializations of race, gender, and other identities and the historical and contemporary contexts of oppressions and resistance for African-American women.⁴⁰⁰

³⁹⁵ See Dillard, "The Substance of Things Hoped for", *supra* note 24.

³⁹⁶ Sandra Harding, *Feminism and Methodology: Social Science Issues* (Bloomington: Indiana University Press, 1987) at 7.

³⁹⁷ Dillard, "The Substance of Things Hoped for", *supra* note 24 at 663.

³⁹⁸ Cynthia B Dillard, Daa'Iyah Abdur-Rashid & Cynthia A Tyson, "My Soul is a Witness: Affirming Pedagogies of the Spirit" (2000) 13:5 Int J Qual Studies Educ 447 at 447.

³⁹⁹ Dillard, "The Substance of Things Hoped for", *supra* note 24 at 662; see also, Cynthia Dillard, "When the Music Changes, So Should the Dance: Cultural and Spiritual Considerations in Paradigm 'Proliferation'" (2006) 19:1 Int J Qual Stud Educ 59 at 70.

⁴⁰⁰ Dillard, "The Substance of Things Hoped for", *ibid* at 662.

In her work, “When the Music Changes, So Should the Dance: Cultural and Spiritual Considerations in Paradigm ‘Proliferation’”, Dillard asserts that she deliberately relied on language that “accurately organizes, resists and transforms oppressive descriptions of sociocultural phenomena and relationships”.⁴⁰¹ The importance of this act cannot be overstated. hooks once advised that we can language ourselves into existence.⁴⁰² Language has been a formidable force in the historical and continued physical, mental, and spiritual subjugation of Black and other racialized/marginalized peoples because “language is [inherently] epistemic”.⁴⁰³ It is how human realities are understood. Therefore, in order to achieve transformation, language must *do* something to both challenge and transform beliefs and ideologies regarding knowledge, knowledge production, and knowledge dissemination.⁴⁰⁴ The use of the term ‘endarkened’ does just that. EFE is a method that centres culture, race, identity, and spirituality as healing mechanisms⁴⁰⁵ in opposition to the forced assimilation and attempts of cultural and spiritual annihilation Black people have encountered since colonialism and imperialism rendered many Black bodies homeless. It is a means of talking back to mainstream research methods and incorporates intersectional analysis of race, gender, spirituality, and so forth, centering the lived and cultural experiences of Black women.⁴⁰⁶

b. EFE: What’s It All About?

As thoughtful as the origins of its name is EFE’s paradigm, drawing a worldview from African and woman-focused perspectives.⁴⁰⁷ Relying on Dana Marimba Richard’s definition of paradigm – how people make sense of their environment, life, and the universe⁴⁰⁸ – Dillard contends that research paradigms reflect how learners and writers make sense of their environment, their life, and the universe. EFE assists learners with understanding their environment, life, and universe

⁴⁰¹ Dillard, “When the Music Changes”, *supra* note 399 at 70.

⁴⁰² Animashaun & Bell, *supra* note 219 at 1243; also see hooks, “*Talking Back*”, *supra* note 246.

⁴⁰³ Dillard, “When the Music Changes”, *supra* note 399 at 70.

⁴⁰⁴ *Ibid.*

⁴⁰⁵ Dillard, “Towards an Education”, *supra* note 341 at 51.

⁴⁰⁶ Christa Porter, Wilson Okello & Terah Stewart, ““Letting Go”: Exploring the Nuance of (Black Feminist) Epistemologies” (2024) 37:7 Int J Qual Stud Educ 1868 at 1876-7.

⁴⁰⁷ *Ibid* at 1877.

⁴⁰⁸ Dona Richards, “Let the Circle Be Unbroken: The Implications of African Spirituality” (1981) 117:1 *Présence Africaine* 247 cited in Dillard, “When the Music Changes”, *supra* note 399 at 61.

through an African worldview which is indicative of “a unified spiritual whole”.⁴⁰⁹ Within this spiritual wholeness, “... one’s selfhood is understood and constituted as body, mind, *and* spirit and affirmed in relationship both to one’s group and to one’s creator”.⁴¹⁰ This conception provides an alternative to traditional mainstream research paradigms that are reflective of disconnections between the learner, their surroundings, and those who occupy said surroundings.⁴¹¹

An African-centred worldview demands that the learner conceptualize their research from a holistic viewpoint, embracing her spiritual wholeness. Doing so will facilitate how she understands life, environment, and the universe. This will enable her to form deep connections with the research, those who choose to participate, and the community. This approach is a collective approach that transcends an individualistic, objective, and neutral approach to research. This connection is required in the process of self-definition because to achieve self-actualization we have to learn who we are by looking to our African heritage, which is steeped in communal bonds and interdependence. Existing paradigms are notorious for prescribing acceptable and reasonable approaches to research. The current Westernized, androcentric paradigms (what Dillard refers to as the Big Four paradigms: positivism, post-positivism, critical theory *et al.*, and constructivism)⁴¹² tend to legitimize what is appropriate in research at the expense of all other research methods or methodologies that lack compliance with their teachings or understandings.⁴¹³ This results in epistemic injustices via the rendering of alternative means of producing knowledge as inconsequential (or irrelevant) in academia. EFE provides Black learners, educators, and scholars an ability to incorporate who they are and not who they are told they are in their research projects. It encourages them to remember their historical and ancestral roots as a means to guide their approach to research. Enabling the learner to incorporate themselves in the research also engenders what Dillard refers to as “research as responsibility”.⁴¹⁴

i. Research as Responsibility: Reciprocity and Reflexivity, Ingredients for Healthy Research

⁴⁰⁹ Dillard, “When the Music Changes”, *ibid.*

⁴¹⁰ *Ibid.*

⁴¹¹ *Ibid* at 61-2.

⁴¹² *Ibid* at 60.

⁴¹³ *Ibid* at 62.

⁴¹⁴ See Dillard, “The Substance of Things Hoped for”, *supra* note 24; Gaskew et al, *supra* note 392 at 200.

Research as responsibility is a diversion from the metaphor of “research as a recipe” – where the learner is detached from the research and has a commitment to objectivity.⁴¹⁵ It is a research approach grounded in reciprocity and stands to instill a paradigmatic “relationship between ourselves as the [learner] and the [participants or communities of interests], between our knowing and the production of knowledge”.⁴¹⁶ There is a sense of accountability not only to the research, but also to the people and communities that are the contributors of the project.⁴¹⁷ The uniqueness lies in the interconnectedness that the learner, the participants, and the community shares. The learner becomes a co-participant as they are actively engaged (as will be further developed in chapter 6) with the other co-participants who choose to take part in the project. Research is not treated as a recipe where people and communities are relegated to ingredients to fulfil the requirements of the final product.⁴¹⁸ Within the research as responsibility metaphor there is a responsibility for reciprocity and self-reflexivity.

Regardless of the identity position claimed...from an endarkened feminist epistemological standpoint, the [learner] would necessarily and carefully examine their own motives, methods, interactions, and final research ‘reports’—and seek understanding and meaning making from various members of the social and/or cultural community under study.⁴¹⁹

Axiomatically, EFE is steeped in introspection, imploring the learner to lay challenges to taught “truths” and reclaim or regain understandings/truths and connections to the parts of “[our]-selves that have been stolen”.⁴²⁰ This approach demands that the learner brings their whole self to the research: who we are is imperative to the research endeavour. A necessary aspect of introspection encourages the learner “to get back” to their cultural and historical roots. As such, Black women scholars must remember⁴²¹ our historical and cultural understandings including “activities,

⁴¹⁵ Porter, Okello & Stewart, *supra* note 406 at 1878.

⁴¹⁶ Dillard, “When the Music Changes”, *supra* note 399 at 70.

⁴¹⁷ Porter, Okello & Stewart, *supra* note 406 at 1878; also see Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 663. I should note, there are other research methods, such as ethnography and Participatory Action Research, that require this form of accountability.

⁴¹⁸ Porter, Okello & Stewart, *ibid*.

⁴¹⁹ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 673.

⁴²⁰ Gaskew et al, *supra* note 392 at 200.

⁴²¹ To remember is to “recall and think *again*”: Dillard, “Learning to Remember”, *supra* note 21 at 291; Porter, Okello & Stewart, *supra* note 406 at 1878: Dillard posits that memory is akin to an “awakening”, a reconnection to the spirit that was always within, though dormant, until the moment of awakening: Dillard, “Learning to Remember”, *supra* note 21 at 291.

communal experiences, and spiritual traditions” we have been programmed to forget.⁴²² We must interrogate our current understanding of research through a process of cultural and historical restoration in order to take back what was once stolen from us. Essentially, learning to remember and the process of remembering is a decolonizing endeavour.⁴²³ For Black people worldwide,

[b]eing scattered in diaspora is an act of dispossession from our past, from our original homeland, from our languages and from each other. We must re-member, “to see again the fragments that make up the whole, not as isolated individual and even redundant fragments, but as part of a creative and sustaining whole”.⁴²⁴

Therefore, remembering – doing the work to learn our history that was taken from us (a history that is innate to our existence, but subdued or silenced because of colonialism) – is emancipatory work that enables the learner to move towards being her whole self within the research and her engagement with the communities who choose to engage with the research. Fundamentally, with this process of remembering, Stephanie Renee Toliver articulates that our full selves are illuminated, the process of healing begins, and our communities are elevated. Further, as scholars, we provide counter-understandings and explanations of Black women’s identities, perceptions, and positioning in society that are no longer informed by Eurocentric traditional (often inaccurate) ideologies⁴²⁵ of Blackness and Black women particularly.

c. EFE and Black Feminism: A Mosaic Pair

As EFE is cocooned in the bosom of Black Feminism, it carries a “...persistent validation of the corporeal, creative, and cognitive knowledge producing power of minoritized bodies, thereby materializing the possibility of social transgression”.⁴²⁶ To further elucidate this point, Evans-Winters categorizes Black Feminism as a mosaic. She posits that a mosaic is a picture or pattern

⁴²² SR Toliver, *Recovering Black Storytelling in Qualitative Research: Endarkened Storywork* (New York: Routledge, 2022) at xvi.

⁴²³ Dillard, “Learning to Remember”, *supra* note 21 at 292.

⁴²⁴ Abena Busia, “What is Your Nation? Reconnecting Africa and Her Diaspora Through Paule Marshall’s Praisesong for the Widow” (1989) in Cheryl Wall, ed, *Changing Our Own Words: Essays on Criticism, Theory, and Writing by Black Women* (New Brunswick, NJ: Rutgers University Press, 1989) at 197, cited in Dillard, “Learning to Remember”, *supra* note 21 at 292.

⁴²⁵ Toliver, *supra* note 422 at xvi.

⁴²⁶ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 535.

of an assortment of colours, images, textures, objects, etc., exclaiming a particular culture and spiritual purpose, so too is the use of Black Feminism in research.⁴²⁷ Specifically, “Black [F]eminist scholars bring a wealth of knowledge, skills, talents, and experiences into the research process. These bits of experiences mold together to construct our multiple identities. And, from these multiple identities, yield a creative, distinctly mosaic worldview”.⁴²⁸ Embracing Black Feminism from a mosaic backdrop provides a distinct approach and challenges knowledge production in an intentional, explicit, and expressive way of highlighting cultural diversity. It does this by enabling the learner to excavate knowledge in ways that are conventional to an African ancestral worldview and present research utilizing different modes of communication/dissemination that may be considered as “socially transgressive”.

In Dillard’s ground-breaking article, “The Substance of Things Hoped For, the Evidence of Things Not Seen: Examining an Endarkened Feminist Epistemology in Educational Research Leadership” she uses narrative representations she refers to as “life notes” to convey her message, thus challenging “normalized” epistemologies. Life notes are comprised of narratives of a personal nature documented by individuals to convey their lived experiences. These narratives may come in the form of storytelling, letters, poems, journal entries, music, art, and so forth.⁴²⁹ They are human expressions based on one’s positionality embedded in a piece(s) of “art”. As she explains, “life notes may be seen as embodying the meaning and reflections that consciously attend to a whole life as it is embedded in the sociocultural contexts and communities of affinity”.⁴³⁰ While life notes are not strictly related to the experiences of women, they embrace a common trait of being unscripted, unfiltered “woman talk”.⁴³¹ These creative tendencies to convey knowledge are not often reflected in mainstream research, but are indicative of Black Feminist research endeavours, and continuously used in the Black community to provide context and understanding to their lives and positionality in society.⁴³² More profoundly, these creative forms are used to convey emotions that are often lost in mainstream research. Examples of this are sprinkled across

⁴²⁷ Evans-Winters, *supra* note 213 at 15.

⁴²⁸ *Ibid.*

⁴²⁹ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 664.

⁴³⁰ *Ibid.*

⁴³¹ *Ibid.*

⁴³² *Ibid.*

this project in the form of poetry. Life notes are an “epistemological privilege of the oppressed”.⁴³³ They not only provide an outlet for Black women in general and Black women scholars, but they also stand to legitimize different ways of producing knowledge, though they are by and large ignored in academia:

[Black] women’s voices embodied in life notes can be seen as specialized bodies of knowledge which, while legitimate and powerful, have been excluded from reified bodies of knowledge and epistemological roots undergirding most social science research literature and practice.⁴³⁴

Notwithstanding their lack of reverence in academia, Black women used these expressions to create self-definition and validation in a society that they are often excluded from. EFE enables scholars to invoke these modes of expression in their own research, unapologetically; and do so as a form of self-definition, validation, and respect as required in Black Feminist Consciousness.

d. EFE’s Reachability

While EFE was developed in America, its teachings have a transnational reach as it is engulfed in the experiences that Black women (and Black people) share worldwide: the subjugation of Black female bodies is an epidemic that cuts across boundaries.⁴³⁵ Further, we share “histories and ancestral knowledges” that are unique to Black people globally.⁴³⁶

e. EFE: What Does it Assume?

EFE embodies six requirements which Dillard refers to as assumptions. The assumptions are intrinsically connected to Black Feminist Thought, specifically the insistence on self-definition, Intersectionality, and the unapologetic approach to centre Black women and our experiences as knowledge producers. The assumptions include: (1) self-definition forms one’s participation and responsibility to one’s community; (2) research is both an intellectual and a spiritual pursuit, a

⁴³³ *Ibid.*

⁴³⁴ *Ibid.*

⁴³⁵ Animashaun & Bell, *supra* note 219 at 1231.

⁴³⁶ *Ibid.*

pursuit of purpose; (3) only within the context of community does the individual appear and through dialogue, continue to become; (4) concrete experiences within everyday life form the criterion of meaning, the matrix of meaning-making; (5) knowing and research extend both historically in time and outward to the world: to approach them otherwise is to diminish their cultural and empirical meaningfulness; and (6) power relations manifest as racism, sexism, homophobia, etc., structure gender, race, and other identity relations within research.⁴³⁷ I will address each assumption below, some more in depth, than others.

i. Self-definition Forms One's Participation and Responsibility to One's Community

Self-definition rejects the dominant ideology engrained in development literatures that celebrate privileged expressions of cognitive, intrapersonal, and interpersonal development.⁴³⁸

...[it] demands a vigilant attention to how the minoritized body is situated historically, socially, politically and affectively, and physiologically. This recognition inspires a *second sight* [citation omitted] that will give those whom we work alongside the opportunity to see epistemic violence—or behaviors that bring harm to one's understanding of knowledge or knowledge-making processes—projected by various institutions.⁴³⁹

Self-definition is borrowed from Black Feminism as described above. In EFE, Black scholars engaging in the process of self-definition challenges mainstream Eurocentric methodologies and how learners connect with their projects. It promotes an atmosphere that strives to dismantle epistemic injustices; and creates a “sociopolitical paradigm” that speaks to the experiences of oppressed bodies.⁴⁴⁰ Further, it creates an understanding that as learners our research endeavours are informed by our personal and culturally-defined beliefs and standpoints that instill in us a responsibility to the “members and well-being of the community from which” those beliefs are defined.⁴⁴¹ Additionally, it defines or influences our level of participation in said community. Recognizing self definition's intrinsic connection to one's particular community, Dillard posits that,

⁴³⁷ See Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 672-678.

⁴³⁸ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 539.

⁴³⁹ *Ibid* at 542.

⁴⁴⁰ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 538.

⁴⁴¹ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 672.

the struggle for a self-defined feminist consciousness for [Black] women in our roles as scholars [requires] embracing both a *culturally centered worldview* (in this case African centered) and a feminist sensibility, both necessary in embracing and enacting an endarkened feminist epistemological stance. [emphasis added]⁴⁴²

This stance enables learners to redefine themselves in a broader cultural context than the one that has devalued their humanity.⁴⁴³ It further enables the learner to employ this self-awareness in their connection with the marginalized communities they represent and strive to empower themselves and the communities within the context of their scholarly endeavours. Succinctly put, EFE permits Black women scholars to engage in a “process of self-determination”⁴⁴⁴ that has been stifled in Westernized academia and has had the unfortunate effect of shunning epistemologies that are considered “different”. This instills a political responsibility in Black women scholars to embark on research within and for our community because the knowledge produced and disseminated is predicated on our connection to the community, our commitment to serve that community respectfully, and the desire to ensure that the community, particularly Black women, are represented accurately in the research project.⁴⁴⁵ This approach enables projects that do not romanticize Intersectionality, but centre it as imperative to the research process.

Educational systems continue to devalue theories that centre the experiences of Black women. As Olga Davis points out, while Black women are given a *place* in academia, “their work and their very existence” are not necessarily deemed *important* in academia.⁴⁴⁶ EFE and Black Feminism gives Black women scholars a voice in academia and have the power to illuminate oppressed voices and demonstrate that knowledge is not monolithic. Fundamentally, it opens doors to other methods of understanding – such as poetry, storytelling, and so forth – that are denied entry in academia as they are perceived to lack objectivity, neutrality, or both. As Okello eloquently articulates,

⁴⁴² *Ibid* at 673.

⁴⁴³ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 534-5.

⁴⁴⁴ Walker, *supra* note 251 at 24.

⁴⁴⁵ Patricia Hill Collins, “The Social Construction of Black Feminist Thought” (1989) 14:4 Signs 745 at 752-753.

⁴⁴⁶ Olga Davis, “In the Kitchen: Transforming the Academy Through Safe Spaces of Resistance” (1999) 63:3 Western J Commun 364 at 370.

[i]f we as educators and [learners] are to account for the depth and range and authentic yearnings of the bodies we study, our methodological analysis must give language to the multiple ways of speaking, valuing, and behaving, breaking us free from parochial methods that limit these translations.⁴⁴⁷

It is without a doubt that within this assumption the learners' responsibility to the community is magnified. While all learners should employ a sense of responsibility to the participants that choose to take part in the research by engaging in self-reflexivity, an EFE learner is required to resist the notion of objectivity embedded in traditional Eurocentric research tactics. As such, there is a connection between the learner, the participants, and the community that is divorced from neutrality and objectivity to one of engagement and active participation – dialogue and reciprocity. Progressively, this connection enables us as Black women scholars to “celebrate our own abilities” to be many things, including activists, teachers, and learners, while engaging with our “communities in ways that reflect our historical contribution to the advancement of Black persons”⁴⁴⁸ and hone in on our abilities as knowledge producers.

ii. Research is Both Intellectual and a Spiritual Pursuit, a Pursuit of Purpose

An endarkened feminist epistemology draws on a spiritual tradition, where the concern is not solely with the production of knowledge (an intellectual pursuit) but also with uncovering and constructing truth as the fabric of everyday life (a spiritual pursuit).⁴⁴⁹

This assumption of EFE obliges us as learners to engage in a truth-seeking practice that not only challenges hegemonic truths, but challenges how those truths are disseminated and validated in society. To further this agenda, Dillard cites Hill Collins, who states,

much more threatening [to conventional knowledge] is the challenge that alternative epistemologies offer to the basic process used by the powerful to legitimate their knowledge claims. If the ideology used to validate knowledge comes into question, then all prior knowledge claims validated under the dominant model become suspect. ... The existence of an [endarkened] feminist ideology calls into question the content of what currently passes as truth and simultaneously challenges the process of arriving at that truth.⁴⁵⁰

⁴⁴⁷ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 535.

⁴⁴⁸ Walker, *supra* note 251 at 37.

⁴⁴⁹ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 674.

⁴⁵⁰ Hill Collins, “*Black Feminist Thought*”, 1st ed, *supra* note 203 at 219 cited in *ibid*.

The quest to provide alternative truths is a spiritual pursuit as it is through “stepping out on faith” that we are able to accomplish this endeavour and speak truths that counter mainstream rhetoric about us that are often thought and/or taught to not exist.⁴⁵¹ In essence, we are relying on or guided by something or someone much bigger than ourselves – hence the term “stepping out on faith” – to accomplish this mission for a greater cause; perhaps, to restore humanity.⁴⁵² We are relying on our belief systems, whatever or whomever they may resemble, to take this leap of faith and bring our truths to the forefront in a society that has violently stripped us of them. Furthermore, by demanding spirituality in research, EFE “... acknowledge[s] spiritual practices that have survived colonial and neo-colonial gendered, classist, and racist oppressions [and boldly assert that] our survival [is] collective acts of resistance that need to be acknowledged and legitimated in our writing [and research endeavours] as women, activists, and academics”.⁴⁵³ Truth-seeking in research is not universal or embedded in objectivity; but actually consistent with the lived experiences of Black women, and requires us to remember our roots, our communities, ourselves, even in the face of colonial teachings discouraging this process and mandating that we “leave our histories at the academic door of no return”.⁴⁵⁴

In her quest to understand spirituality’s role in research, Dillard learned that academic work that speaks to Black women’s spirituality tends to demonstrate multiple overarching themes about the learner and the research which makes her conclude that research is a spiritual pursuit. First, the learner projects a vivid sense of self which permeates throughout the research and is deeply connected to its purpose and the decisions made within it. Additionally, vulnerabilities are revealed in their research, including those associated with “stepping out on faith,” as it is not always easy to go against the grain. Third, “reciprocity and care” are embedded in the relations created as a result of the project. Connected to reciprocity and care are three further insights. One, each participant, including the learner, has a “unique expression of a common spirit inherent in all of

⁴⁵¹ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 674.

⁴⁵² Kyra T Shahid, *Finding Eden: How Black Women Use Spirituality to Navigate Academia* (PhD, Miami University, 2014) [unpublished] at 54.

⁴⁵³ Njoki Nathani Wane, “Practicing African Spirituality: Insights from Zulu-Latifa, an African Woman Healer” in Massaquoi & Wane, *supra* note 234 at 48.

⁴⁵⁴ Toliver, *supra* note 422 at xvii.

life.”⁴⁵⁵ Two, this common spirit is expressed differently for each person, which is welcomed in an EFE environment. This understanding of spirituality reveals that research is not value-free (as colonial teachings purport) but deeply connected to individual expressions and experiences. Three, empathy in research is critical for acknowledging and respecting the value of similarities and/or differences in perspectives. Welcoming different and diverse perspectives is “to seek honor in the truth that is created and negotiated in and between ourselves, in relationship with one another”.⁴⁵⁶

iii. Only Within the Context of Community Does the Individual Appear and, Through Dialogue, Continue to Become

The third assumption speaks directly to dialogue, maintaining that it is necessary for conducting research and evaluating knowledge. Effectively, dialogue enables the learner to divert from inquiries that encourage “subject-to-object” methods, to ones that embrace a subject-to-subject, or better stated, a person-to-person, overtone. EFE cautions learners against viewing participants as objects to be studied. Instead, dialogue instills a new means of “understanding our realities and communal responsibilities as women [learners], teachers, and scholars of [colour]”.⁴⁵⁷ Hill Collins reminds us that new claims by Black women are often developed through consultation and dialogue with individuals or groups within their communities, thereby illuminating a connectedness that is essential to knowledge production. The significance of connectedness is rooted in African oral traditions – steeped in community, empowerment, and harmonizing principles enabling people to become more “human, less objectified”.⁴⁵⁸ Person-to-person dialogue emphasizes the connectedness of participants and in so doing, humanizes all participants and resists domination.⁴⁵⁹ EFE, with the emphasis on dialogue, provides a space to talk back to oppressive ways of thinking about doing research. Furthermore, dialogue can be presented in a myriad of ways, many of which are considered unconventional to research methodology. Dillard demonstrated the importance of dialogue and connection to the research and the participants in

⁴⁵⁵ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 674.

⁴⁵⁶ *Ibid* at 675.

⁴⁵⁷ Dillard, “When the Music Changes”, *supra* note 399 at 72.

⁴⁵⁸ Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 279.

⁴⁵⁹ Dillard, “When the Music Changes”, *supra* note 399 at 72; see also Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 675.

“The Substance of Things Hoped For”.⁴⁶⁰ Here, she presented life notes of three individuals, including herself, in the form of a poem, a letter, and Memorandum. When discussing the intention of these pieces, she writes,

... the intention was partially to raise up the evidence of things not seen in the lives of African-American women in the academy, while concomitantly inserting our voices into the research community in dialogic ways that insist that we exist, with language giving form to an endarkened feminist epistemology. These narratives might be seen as a dialogic offering for members of the educational research community whose work may be informed by what are equally valid ways of inquiry and knowledge production, embodied in the wisdom and knowledge of Black women’s lives.⁴⁶¹

iv. Concrete Experiences Within Everyday Life Form the Criterion of Meaning, the “Matrix of Meaning-Making”

This assumption posits that everyday individual life experiences inform how we interpret certain “actions, experiences and community life”. Black women learners’ research endeavours are often selected based on our own concrete experiences, those of other Black women, and those of the community, with an explicit intention to gain wisdom from these everyday experiences. Black women learners rely on these experiences to gain the tools required to assist us with understanding how to apply acquired knowledge with proper insight and judgement – mainly, the tools necessary to navigate an oppressive society. Wisdom informs how we as Black women (people) survive; making sense of the knowledge we possess is how we survive⁴⁶²: “knowledge without wisdom is adequate for the powerful”, however, wisdom (based on experience) is necessary to the survival of racialized beings”.⁴⁶³ Articulating the connection between wisdom and knowledge in this way demonstrates the importance of research that engages the learner with the project, the community, and co-participants – it is a means of survival for the parties involved.

⁴⁶⁰ *Ibid.*

⁴⁶¹ *Ibid* at 675.

⁴⁶² *Ibid* at 676.

⁴⁶³ Hill Collins, *Black Feminist Thought*, 1st ed, *supra* note 203 at 208 cited in Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 676; Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 276.

v. Knowing and Research Extend Both Historically in Time and Outward to the World: To Approach Them Otherwise is to Diminish Their Cultural and Empirical Meaningfulness

This assumption illuminates and challenges patriarchal ideologies of “proper” research (and understandings of womanhood). It further highlights that members of marginalized communities have distinct understandings of our experiences which provide a critical viewpoint on society:

... contrary to popular belief, Black scholars are not white scholars who happen to be Black: We have fundamentally different ways of seeing and thinking about the world, what many [w]hite scholar colleagues may feel is a ‘violation’ of prescribed ways of being, thinking and representation, a violation at both the paradigmatic and epistemological levels.⁴⁶⁴

As such, the assumption has two main factors learners must remember when engaging EFE. First, learners must recognize and act contrary to the historical “absent presence of women of color” from mainstream or conventional ideologies of research and research methodologies. Second, learners must address the fallacies regarding Black women’s ability to produce knowledge. These tasks are accomplished through a Black Feminist lens:

Black [F]eminist [T]hought, while not a part of the original canon of theories, rules, and perspectives that surround what gets perpetuated today as educational research broadly defined, attempt to both highlight what is missing from these definitions as well as to extend these definitions through the inclusion of African women’s knowledge.⁴⁶⁵

Black Feminist scholars have an obligation, through EFE, to ensure that our cultural contribution to knowledge production is made visible in academia, for research should be informed by the “cultural understanding and theorizing” of those experiencing the phenomenon at the helm of the inquiry.⁴⁶⁶ This enables a redefinition of doing research that embodies acceptance of different epistemologies and views research as a cultural endeavour.⁴⁶⁷

⁴⁶⁴ Dillard, “When the Music Changes”, *supra* note 399 at 63.

⁴⁶⁵ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 676.

⁴⁶⁶ Cynthia Dillard, *On Spiritual Strivings: Transforming an African American Woman’s Academic Life* (New York: University of New York Press, 2006) at 25; *ibid* at 677.

⁴⁶⁷ Dillard, “The Substance of Things Hoped for”, *ibid*.

vi. Power Relations, Manifest as Racism, Sexism, Homophobia, etc., Structure Gender, Race, and Other Identity Relations Within Research

The sixth assumption promotes centring the experiences of Black women. Their stories endarken current epistemology, expose the power relations that tend to discard their realities as knowledge producers and knowers, and provide a counter-narrative about Black women and their community.⁴⁶⁸ This is accomplished through the lens of Intersectionality and the power relation that exists as a feature of the socially constructed identities placed upon “othered” individuals.

f. EFE: the Challenger being Challenged

While EFE seems compelling, it is not infallible and without its critics. In his article, “An Endarkened Feminist Epistemology? Identity, Difference and the Politics of Representation in Educational Research,” Handel Wright writes,

this essay is not an attempt to characterize Dillard's conception of an endarkened feminist epistemology as somehow passe and/or “wrongly articulated” and to replace and supplant it with a postmodernist and supposedly more “correctly articulated,” cutting edge, and theoretically sophisticated version of it.⁴⁶⁹

Yet, he proceeds to levy several concerns about EFE’s efficacy which I believe are in direct contradiction to his stated position. Perhaps his most poignant criticism is Dillard’s dismissal of postmodernism. He levies his criticism by characterizing EFE as a humanistic-modernist approach to research, and claiming that its reliance on cohesiveness, wholeness, and spirituality limits a fulsome inquiry into identity difference. Specifically, he suggests that the methodology lacks fluidity and inclusivity within differences.⁴⁷⁰ Using a postmodernist ideology, he argues that “[t]he cohesive subject in Dillard's endarkened feminist epistemology could be reconceptualized in terms of its multiple, fractured self contradictory constitutive identity/identification aspects”.⁴⁷¹ For example, women do not hold a cohesive identity, they are fragmented and occupy many spaces

⁴⁶⁸ *Ibid* at 678; also see Porter, Okello & Stewart, *supra* note 406 at 1878.

⁴⁶⁹ Wright, *supra* note 393 at 201.

⁴⁷⁰ *Ibid* at 207-8.

⁴⁷¹ *Ibid* at 207.

that are complex – wholeness does not capture these complexities.⁴⁷² Similarly, he calls for the reconceptualization of Blackness from a blend of “Africanness” and spirituality to a place where “Africanness” can be seen as an identification, rather than an identity, and Blackness a reflection of varying “combinations of race, culture, gender, sexuality, and so on”.⁴⁷³ Likewise, should EFE adopt a postmodernist approach, spirituality may not be a point of inquiry in some research, but may be for others, for example.⁴⁷⁴ In sum, “if an endarkened feminist epistemology is conceptualized as a “floating signifier”... the category is rendered more inclusive and pliant: it may be appropriated by many different subjects and it will itself shift its contours depending on the subject who is utilizing it or else will proliferate into various versions of itself”.⁴⁷⁵

A number of responses come to mind as I attempt to address and deconstruct these concerns. First, I found his attempt to pigeonhole EFE as a humanistic-modernist approach to research without Dillard ever making such claims problematic. EFE is rooted in Black Feminism, Black ways of existing, African spirituality, and Black ways of producing knowledge. To attempt to place it in a category easily accessible to him and other likeminded individuals diminishes the purpose and efficacy of Dillard’s knowledge and approach. I would even argue that this attempt is a form of epistemic injustice. Second, while I was reading this article, Audre Lorde’s warning about utilizing the master’s tools to dismantle the master’s house resonated; specifically, the ineffectiveness of the master’s tools to get the job done. Wright recognizes that EFE acts as a tool to analyze and see things in *new and innovative* ways, enabling us to *create new* means of honing in on knowledge and experiences and to *promote innovative* dialogue and practices.⁴⁷⁶ Critiquing an innovative approach because it refuses to employ the master’s tools is counterintuitive. According to Scheurich and Young, research epistemologies, including postmodernism, have been developed from the culture and history of the oppressor. These epistemologies uphold the ideologies and ways of being of the dominant class to the exclusion of Black and other racialized individuals and groups and have detrimental consequences for them in general and in academia.⁴⁷⁷ As such, EFE

⁴⁷² *Ibid.*

⁴⁷³ *Ibid.*

⁴⁷⁴ *Ibid* at 207.

⁴⁷⁵ *Ibid* at 208.

⁴⁷⁶ *Ibid* at 199.

⁴⁷⁷ James Joseph Scheurich & Michelle D Young, “Coloring Epistemologies: Are Our Research Epistemologies Racially Biased?” (1997) 26:4 Educational Researcher 4 at 8.

presents itself as a methodology that centres the experiences of Black women who have experienced social, political, and epistemic violence since the advent of colonialism. Their origins and understandings of self have been dismantled and passed on generationally. EFE enables Black women learners, educators, and co-participants to remember what they have been taught to forget by utilizing decolonial and deconstructing lenses that strive for emancipation from colonial regimes and biases. Dillard eloquently articulates the need for this endeavour:

As more and more of us—African ascendant scholars—are immersing ourselves in cultural and spiritual spaces that are congruent with what we know (in body, mind and spirit), we are also constructing more informed and authentic paradigms for ourselves, paradigms that allow us to emerge from and necessarily transgress the boundaries and norms of conventional social science. However, in our transgression...we make no claim to universal truth or appeal to others for membership or ‘protection.’⁴⁷⁸

She further states,

... I find myself much less interested in subverting the dominant paradigm than I am in embracing a dominant paradigm *of my own*. A paradigm that holds and embraces a version of truth that resonates with my very spirit and provides some congruence and support for the work that I do, as an African-American woman scholar...I seek to embrace and create a paradigm that embodies and articulates a coherent sense of life around me, as an African-American woman, one that can ‘tell them [in this case, the research community] what is important, legitimate and reasonable.’⁴⁷⁹

Second, it appears that Intersectionality is eschewed in the critique, though Wright recognizes that EFE addresses the impact of multiple oppressions. EFE as a derivative of Black Feminism embraces Intersectionality. While it promotes wholeness, it does not ignore the fact that Black women are multifaceted, possessing several identities (and even being fragmented can still make a person whole). Its African-centred approach takes into account that the subjugation of Black bodies is an epidemic that cuts across boundaries⁴⁸⁰ and has had an effect on our lives since the advent of the Atlantic Slave Trade where many Black men and women were violently removed from the Continent of Africa, displaced, and dispersed across the diaspora as slaves to white men and their families. Therefore, EFE accounts for this atrocity and its continuous impact on Black

⁴⁷⁸ Dillard, “When the Music Changes”, *supra* note 399 at 63.

⁴⁷⁹ *Ibid* at 64.

⁴⁸⁰ Animashaun & Bell, *supra* note 219 at 1231.

people transnationally, including the fragmentations and complexities that accompanied it. The African-centred approach does not preclude a Black person who does not identify as “African” from utilizing it or vice versa. It provides a method of engaging with Black scholars, academics, and those Black women who choose to participate in the research. Similarly, spirituality does not preclude use of the method; however, its reliance derives from our ancestral histories and the spiritual reliance that is embedded in the lives of many Black women (people) which will be discussed in chapter 6.

While I take up in chapter 6 how these many insights from EFE helped to shape my methodological approach and my escape from the colonial box, below I address how it shaped my dissertation in two further ways: the telling of women’s stories and the sharing of my spoken word poetry.

4. Storytelling: Decolonial Expressions

As indicated above, storytelling is a form of life note. Black people have relied on creative and innovative means of developing, producing, and disseminating knowledge that embody our individual and shared social, political, and cultural experiences. It is commonplace for Black women to share personal experiences, or use symbols, metaphors, or parables to portray our experiences or challenge existing narratives about our circumstances as individuals or as a collective.⁴⁸¹ Black people are a storytelling people.⁴⁸² Indeed, storytelling is,

a component so integral to life that many African nations had their own storytellers, or griots, who acted as teachers, genealogists, historians, advisers, exhorters, witnesses, and praise-singers. The griot was not only central to the West African life, responsible for cultivating their verbal artistry, but also in charge of completing various tasks that fostered intergenerational connections and encouraged the remembrance of people’s histories, communities, and homelands.⁴⁸³

The griots engaged in what Toliver described as “sacred work” to preserve Black lives and histories,⁴⁸⁴ ensuring that a record was curated and transmitted inter-generationally. Not even the

⁴⁸¹ Evans-Winters, *supra* note 213 at 22.

⁴⁸² See McKittrick, *supra* note 17.

⁴⁸³ Toliver, *supra* note 422 at xiv.

⁴⁸⁴ *Ibid.*

Atlantic Slave Trade had the capabilities to dismantle this tradition. Slaves across the diaspora employed storytelling as a means of resistance, “to comfort, teach, and record history”⁴⁸⁵ in this horrific environment. The storytelling tradition continues to be embedded in the lives of Black people, still. Black people tell stories to explain their existence, to combat their disparities, to heal, and so forth. Therefore, “storytelling is not a luxury for Black people, it is vital to our very existence”.⁴⁸⁶ It provides counter-narratives by challenging dominant ideologies of race and Blackness⁴⁸⁷ with an explicit intention to displace particular beliefs about marginalized people.⁴⁸⁸ The stories that are associated with storytelling “do not offer lucid tales or answers; rather, they signal ways of living in a world that denies [B]lack humanity (or more aptly, the stories signal ways of [B]lack livingness)”.⁴⁸⁹ Black women’s narratives in this context become a form of literacy that is crucial to Black feminists’ use of qualitative inquiries. In other words, these literacies are necessary humanizing endeavours.⁴⁹⁰

The beauty of Black stories is that they are conveyed in a myriad of ways, including music, visual art, writing, and other forms of creative text. Creative text enables the producer to reveal and embolden various emotions that traditional methods of *doing* “research” are incapable of providing. Black creative texts are painful, sad, physical, neurological, loving, revolutionary, rebellious.⁴⁹¹ To the dominant group, they are considered unconventional, yet, to me and many other Black people, they are conventional ways of learning and knowing. They are unconventional because they disobey the sacred rules of Eurocentric “research” as they do not conform to the research recipe and therefore, are said to lack legitimacy as sources of knowledge.⁴⁹² This criticism of their illegitimacy lies in the idea that knowledge is universal, and knowledge is not socially constructed.⁴⁹³ However, knowledge is neither objective nor universal. It is informed by an individual or group’s position in society resulting from social, political, and legal structures.⁴⁹⁴

⁴⁸⁵ *Ibid* at xv.

⁴⁸⁶ *Ibid* at xv.

⁴⁸⁷ Bundy, *supra* note 12 at 327.

⁴⁸⁸ Richard Delgado, *Critical Race Theory: An Introduction*, 3rd ed, (New York: New York University Press, 2017) at 49-50.

⁴⁸⁹ McKittrick, *supra* note 17 at 7; see also Evans-Winters, *supra* note 213 at 23.

⁴⁹⁰ Evans-Winters, *ibid*.

⁴⁹¹ See McKittrick, *supra* note 17.

⁴⁹² Delgado, *supra* note 488 at 45.

⁴⁹³ *Ibid*.

⁴⁹⁴ *Ibid*.

Storytelling through different creative techniques is conventional as it is sewn in the very fabric of Black epistemology. Historically, these texts have been used to critique the violence of “colonialism, racism, [and] structural inequalities”⁴⁹⁵ that has constructed and defined the very nature of our existence in society. For example, one only need to listen to Billie Holiday’s *Strange Fruit* to be educated on the violence Black people endured during the Jim Crow era in the United States; or read, or listen to, Maya Angelou’s *Phenomenal Woman* to learn about the beauty and strengths of a Black woman; or experience Bob Marley’s *Redemption Song* describing the mental prison that has placed a permanent hold on many Black people’s psyche.

The counter-narratives produced through various storytelling techniques are significant to understanding Blackness and understanding Black life. Projecting Black lives through storytelling,

... require[s] reading practices that reckon with [B]lack life as scientifically creative; this is a way of being where [B]lack is not just signifying [B]lackness but is living and resisting – psychically, physiologically, narratively – the brutal fictions of race (we do not just signify). Reading [B]lack this way demands a different analytical frame, a scientifically creative frame, that unfolds into a different future; this is a future that honors [B]lack creative praxis – the practice of making [B]lack life through, in, and as creative text.⁴⁹⁶

Here, the reader, and particularly the dominant group, is being challenged to remove their rose-coloured glasses and actively learn and engage with rich accounts and experiences that would otherwise be inaccessible to them as these accounts represent particular navigations of the daily realities of intersecting oppressions⁴⁹⁷ faced by Black people.

With this backdrop, this project introduced storytelling in two ways. First, and probably the most significant, the information provided by each co-participant was made into a story highlighting each of their individual situations. These stories were presented in chapter 3. Further, the use of storytelling in this form is an intricate part of *Sistering* methodology that will be discussed in chapter 6. The second is through poetry, particularly spoken word poetry, which is discussed below.

⁴⁹⁵ McKittrick, *supra* note 17 at 51.

⁴⁹⁶ *Ibid* at 51.

⁴⁹⁷ Delgado, *supra* note 488 at 11 and 45.

a. Spoken Word: Words Do Matter!

Spoken word poetry is an integral part of this project for multi-dimensional reasons. First, the project is one of liberation and the need to do research differently by thinking outside the colonial box. Spoken word poetry facilitates this purpose by encouraging me to show love, pain, hatred, frustration, liberation, and freedom as forms of knowledge production, and in turn reveal my approach to engaging with this project. Further, spoken word poetry enables the reader to understand who I am as a learner and as an individual as it is a “pivotal reminder that who we are informs how we come to research, guiding readers in my sense-making ...”⁴⁹⁸ Additionally, the use of poetry enables a conversation with the text and the information provided by the co-participants that renders a different perspective for understanding a particular issue. Fourth, through engaging in dialogue with the text the reader is granted an opportunity to become comfortably uncomfortable in the contours of the words spoken in the recordings and revealed on the pages; and hopefully engendered to make meaningful change. Last, it invites readers to participate in the project not only as readers, but as learners. Essentially, with the introduction of spoken word, I am asking the reader to learn to unlearn their ways of knowing, even if temporarily, and actually experience the project. I am asking the reader to engage in freedom of the mind.

Today, I am free!

*Today is the day I am deciding to be free
Free...unencumbered by the burdens you have projected upon me
This is not my stance, my culture, or my understandings
You have stripped me of the privilege of being me
YES, it is a privilege to be me!
You see, you constructed privilege to represent your whiteness by re-searching Black people
pathologizing our culture, bodies, and minds
Displaying to the world a “truth” that has persisted generationally
It is (imprinted) sewn in the biology of the modern world
Has seeped into the core of my anatomy
And like the Trojan horse, deceived my subconscious igniting a fire torching, destroying, erasing
any existence of the motherland*

*But the jig is up
you have tipped your hand*

⁴⁹⁸ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 537.

*It is believed that the greatest weapon possessed by the oppressor is the mind of the oppressed
Well, today is the day I decide to be free
You see, our privilege is not created equally
For hundreds of years whiteness has been your saving grace
For me, hundreds of years of observing, learning, infiltrating and cultivating, “buying” my time
has been my fate
So, today is the day I will be free*

(Written and performed by: Shushanna Harris Inspired by FREEDOM!)

i. What is Spoken Word? Why Use it?

Characterized as an oral literacy and performance art, spoken word unapologetically confronts oppressions with an appetite for political and social change.⁴⁹⁹ As an art form, spoken word’s signature lies in its ability to disturb whiteness as the norm. Effectively, “[a]s performed literacy” it not only “eschews prescriptivism and linguistic hegemony, imposing no rules regarding standard grammar, forms, or poetic devices”,⁵⁰⁰ it defies conventional ideas of poetry.⁵⁰¹ Accordingly, spoken word adopts a rhythmic vibe that molds the delivery and reception of the poem. As d’Abodon eloquently states, “the spoken word poet’s “emotional rhythm” springs from his/her body, and the voice is its audible extension, the vital force which resuscitates words trapped on the printed pages”.⁵⁰² The connection between the voice and the words simultaneously symbolizes freedom – giving life to the words on the page and giving life to the life and lived experiences of the writer/performer.

The notion of bringing life into existence through oral presentation is not a new concept. In fact, the origin of spoken word is intrinsically connected to African oral traditions. While slavery was successful in removing many Black people from our motherland, it failed to destroy (not for lack of trying) many of our traditions and customs which included storytelling and storytellers.⁵⁰³ African means of storytelling were not written but found in Black orature that persists to this day.

⁴⁹⁹ Raphael d’Abdon, “Teaching Spoken Word Poetry as a Tool for Decolonizing and Africanizing the South African Curricula and Implementing “Literocracy”” (2016) 21:2 *Scrutiny* 2 44 at 46-47.

⁵⁰⁰ Meagan Call-Cummings et al, ““Hopefully This Motivates a Bout of Realization”: Spoken Word Poetry as Critical Literacy” (2020) 64:2 *J Adolescent & Adult Literacy* 191 at 192-3.

⁵⁰¹ See *ibid*; and see d’Abdon, *supra* note 499.

⁵⁰² d’Abdon, *ibid* at 46.

⁵⁰³ Angela Feggett, *The Resurgence of Spoken Word: Renaissances of Black Poetry Thought and Revolution* (MA Thesis, the University of Texas at Arlington, 2001) at 8.

Ngugi wa Thiong'o opines that "orature ... is not seen as a branch of literature but as a total aesthetic system, with performance and integration of art forms as two of its defining qualities...it is a unifying force".⁵⁰⁴

Spoken word as an oral aesthetic travelled through the savage depths of slavery as enslaved Africans relied on it, along with other traditions, to communicate within and outside their communities. This oral tradition was so influential that enslaved Africans curated tools, such as the "talking drum", to mimic their speech and assist with communication. The talking drum was used to alert communities to danger and the possibilities of revolt.⁵⁰⁵ Most importantly, this oral tradition had limitless boundaries, not only in what could be communicated through it, but also its reachability. It traveled across time, space, continent, and culture to facilitate communications between slaves.⁵⁰⁶

From this heritage, spoken word evolved, finding a home during the Harlem Renaissance of the early twentieth century (1919-1940).⁵⁰⁷ The Harlem Renaissance is characterized as a period that "generated a literary and cultural explosion that would establish the [B]lack writer as a seminal social force".⁵⁰⁸ Black intellectuals of the period sought to challenge the stereotypes that emerged from slavery that prevailed in condemning Black people in society.⁵⁰⁹ They aimed to define "the new Negro"⁵¹⁰ through a lens of inclusion, while embracing the need for liberation and revolution.⁵¹¹ The work of Langston Hughes, for example, particularly *I too*,⁵¹² is a prominent example of spoken word of this era. It incorporated a desire for acceptance by white people, while striving for Black liberation.

⁵⁰⁴ Charles Cantalupo, "Ngugi wa Thiong'o, "Penpoints, Gunpoints, and Dreams: An interview by Charles Cantalupo" (1999) 23 *LeftCurve* 30 cited in Feggett, *ibid* at 9.

⁵⁰⁵ Feggett, *supra* note 503 at 10.

⁵⁰⁶ *Ibid.*

⁵⁰⁷ Call-Cummings et al, *supra* note 500 at 192.

⁵⁰⁸ Winston Napier, *African American Literary Theory: A Reader* (New York: New York University Press, 2000) at 2.

⁵⁰⁹ Javon Johnson, *Killing Poetry: Blackness and the Making of Slam and Spoken Word Communities* (New Jersey: Rutgers University Press, 2017) at 15.

⁵¹⁰ *Ibid.*

⁵¹¹ Feggett, *supra* note 503 at 23.

⁵¹² Langston Hughes, "I Too" (1926), online: Poetry Foundation <<https://www.poetryfoundation.org/poems/47558/i-to>>.

The Black Arts Movement of the 1960's and 70's is renowned "as the most socially and politically distinguishable and influential literature of the twentieth-century".⁵¹³ W.E.B. Du Bois once stated, "I do not care a damn for any art that is not propaganda".⁵¹⁴ Members of the Black Arts Movement embraced these sentiments, creating an appetite for Black nationalism – militant in their strides.⁵¹⁵ The literary rhetoric during this period of Black history was synonymous with emancipation from whiteness and a necessary separation from white worldviews.⁵¹⁶ In essence, the Black Art Movement was the sister of the Black Power (Black Panther) Movement. As Larry Neal, writer and poet, opined in 1968,

... the Black Arts Movement proposes a radical reordering of the western cultural aesthetic. It proposes a separate symbolism, mythology, critique, and iconology. The Black Arts and the Black Power concept both relate broadly to the Afro-American's desire for self-determination and nationhood. Both concepts are nationalistic.⁵¹⁷

This nationalistic approach changed the trajectory of spoken word and the Black art scene, and materialized in what some refer to as the third renaissance – beginning in 1979 to today.⁵¹⁸ Spoken word poetry of this generation borrows heavily from its predecessors, particularly those from the Black Arts Movement, by responding to persisting and emerging oppressions that continue to shackle Black people's existence in society.⁵¹⁹ Poets are not interested in making an already existing problem better; instead, we are interested in making *new*.⁵²⁰ This generation of spoken word artists are fixated on looking beyond their current existing spaces as "the radicalism of slam and spoken word communities is located in our ability not to speak back to power but to imagine beyond traditional power structures even when we are caught up in them".⁵²¹

⁵¹³ Feggett, *supra* note 503 at 30.

⁵¹⁴ William Edward Burghardt (W.E.B.) Du Bois, "The Criteria of Negro Art" (1926) 32:6 Crisis 290, online: <<https://aestheticsforbirds.com/wp-content/uploads/2020/12/dubois-criteriaofnegroartfull.pdf> at 9>.

⁵¹⁵ Johnson, *supra* note 509 at 16.

⁵¹⁶ Larry Neal, "The Black Arts Movement: Drama Review, Summer 1968" (1968) 3 National Humanities Center at 1, online: <<https://nationalhumanitiescenter.org/pds/maai3/community/text8/blackartsmovement.pdf>>.

⁵¹⁷ *Ibid*.

⁵¹⁸ Feggett, *supra* note 503 at 20.

⁵¹⁹ Johnson, *supra* 509 at 15-16.

⁵²⁰ *Ibid* at 19.

⁵²¹ *Ibid* at 21.

As previously mentioned, African orature traveled across continents, spaces, and time, therefore, it is not surprising that spoken word has emerged within Canadian Black literature and art scenes. Dwyane Morgan and Queeverne Kirk, aka “Cue”, are among acclaimed spoken word artists in Canada. “Cue”, whom I have witnessed in her element, is a Canadian spoken word poet who incorporates Caribbean, jazz, and Hip-Hop music to capture audiences by projecting her personal as a political expression.⁵²² In addition to being home to artists like “Cue”, Canada is home to a number of spoken word competitions, including poetry slam competitions, and organizations, such as “SpoCan”, or Spoken Word Canada, to foster growth in this artistic format in Canada.

Spoken word is a decolonizing method of knowledge production that seeks to defy the norms of Eurocentric epistemology. It is a transformative technique of resistance that is transcending, captivating, and an authoritative means of the storytelling tradition, thus compelling me to pay homage to its ancestry and add to its profound legacy. Seven of the 12 chapters of this project commenced with spoken word poetry, written text and audio recording, created and recited by me. Likewise, throughout the project, where appropriate, spoken word poetry is strategically placed. The act of strategically embedding spoken word in this project is a means of *cutting up* the text, disrupting Eurocentric conventional means of articulating information.⁵²³ The purpose of presenting information in this manner is two-fold. First, it transforms how knowledge is produced and disseminated. Like Wilson Okello,⁵²⁴ I believe that poetry provides an opportunity to explicate the intricate spheres of my experience and those of the co-participants in a society that requires a different lens than what is normally expected. Second, spoken word poetry is connected to my core. It is a reflection of the world I reside in and the one I am often on the outskirts looking into. Further, hearing the stories of the co-participants evoked emotions that can only be explicitly expressed in poetry. Conceptually, writing in a mainstream academic fashion is not innate to me; it is a learned behaviour that has taken decades to develop and still I struggle with its motions – a structure that is grammatically rigid and prose oriented. It is not who I am; and it is not a true reflection of my means of producing knowledge. Therefore, it was imperative that I include spoken

⁵²² See Queeverne “Cue” Kirk, *Alpha of Omega* (Toronto: Blurb, 2014).

⁵²³ Okello, “From Self-Authorship to Self-Definition”, *supra* note 209 at 536.

⁵²⁴ *Ibid* at 536-7.

word because my theoretical and methodological frameworks demand that I bring myself to the research.

5. Closing Remarks

EFE, storytelling, and spoken word poetry are tactically implemented to provide a space for the dominant class to interrogate their privilege and hopefully work to dismantle it. They are inherently political as they demand the centring of Black women voices and our ways of knowing.⁵²⁵ Essentially, they privilege the epistemology of the oppressed which oftentimes include “unconventional” ways of knowing. Further, they pave the way for other methods to be introduced and/or developed that challenge the status quo. One such method is *Sistering*, a decolonial methodological approach I established to do research differently when engaging and working with Black women and their experiences, especially those who choose to become co-participants in projects such as this.

⁵²⁵ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 663.

CHAPTER 6 – *SISTERING*: AN ALL-ENCOMPASSING METHODOLOGY

1. Overview: Where Am I Heading?

Thus far, you have been privy to the theories grounding this project. Here, I intend to expose you to the process that led me to, what I believe, is an all-encompassing methodology I refer to as *Sistering*. This section is intent on standing beside and, where appropriate, building on the shoulders of my ancestors and other Black women scholars, alive or those who have passed on, who have paved the way for Black scholars like me. The roots of this section, and of the *Sistering* methodology, are planted in the soils of Black Feminist Thought and Endarkened Feminist Epistemology (EFE), securing a space where Black women can produce knowledge unapologetically, both individually and collectively; engender resistance to mainstream teachings about Black women; and where healing thrives. *Sistering* methodology is a means of knowledge production and distribution through conversations with co-participants that challenges Eurocentric ways of *doing* research. In addition to its theoretical underpinnings (outlined in chapters 4 and 5), the genesis of *Sistering* lies in the notion of Black sisterhood,⁵²⁶ the comfort of sistah circles, my personal experiences with Black women and girls throughout my life and the creation of my own personal sistah circles, and the concept of sistering as understood in the construction trade. My conceptualization evolved through my conversations with the co-participants in this project. Those conversations both confirmed the importance of the elements I had identified going into the conversations **and** revealed an element missing from my initial conceptualization of the methodology: the learner should be a Black woman. To illustrate the impact of this methodology and its resonance with some of the co-participants, I have included several quotes from our conversations later in this chapter.

⁵²⁶ Throughout, and for the purpose of this analysis, I will speak of *sisterhood* as a singular entity. This is done only for ease of reference and flow. There are multiple forms of sisterhoods, they are formed for a multiplicity of reasons, and they are without question diverse in their composition.

2. Genesis of Sistering: Outlining its Beginnings and Influences

a. Sisterhood

i. Calling All Sisters, Do You Mean Me?!

Sisterhood signifies solidarity among women. There are multiple understandings of the term. For example, Katrina Bell McDonald describes sisterhood as a concept that is often based on “social similarities and shared experiences, frequent contact, and perceived mutual benefit of association”.⁵²⁷ Bonnie Thornton Dill defines it as “a nurturant, supportive feeling of attachment and loyalty to other women”.⁵²⁸ Although sisterhood’s meaning can manifest itself in multifaceted ways, it is often used in feminist movements to promote “political solidarity” between and amongst women. It is meant to demonstrate a comradeship among women embodying support, respect, safety, and a sense of care for each other. Indeed, this stance has been historically employed as a praxis used to illuminate a united front between and amongst *all* women.⁵²⁹ The term has called many women to fight for emancipation on behalf of themselves and their sisters. It provides a powerful image of women standing in arms to battle patriarchy and transforming a world that has denied them agency.⁵³⁰

However, sisterhood representing *all* women is an illusion. Mainstream feminists of the 19th and 20th centuries blatantly disregarded Black and other racialized women as women, dismissing them from the “all” women rhetoric that embodies sisterhood. Or they lumped Black and other racialized women in the category of all women, while simultaneously flattening, ignoring, or footnoting their experiences and highlighting the experiences of white women as the norm. In both instances, reliance on sisterhood represents a bond based on an assumed “common oppression” – sexism and patriarchy.⁵³¹ However, women inflicted by this ostensibly shared oppression were (are) white

⁵²⁷ Katrina Bell McDonald, *Embracing Sisterhood: Class, Identity, and Contemporary Black Women* (Maryland: Rowman & Littlefield, 2006) at 2 quoted in Denise Davis-Maye et al, “Black Women Defining, Enacting, and Shifting Sisterhood: An Introduction” in Bertrand Jones et al, *supra* note 392 at 8.

⁵²⁸ Bonnie Thornton Dill, “Race, Class, and Gender: Prospects for an All-Inclusive Sisterhood” (1983) 9:1 *Fem Stud* 131 at 132 quoted in Jade Da Costa, “Becoming Sisters, Becoming Free: Black Feminism, Sisterhood, and Social Justice” in Bertrand Jones et al, *ibid* at 19.

⁵²⁹ Da Costa, *ibid*.

⁵³⁰ Charmaine Williams & Shirley Chau, “Notes on Feminism, Racism and Sisterhood” in Massaquoi & Wane, *supra* note 234 at 285.

⁵³¹ bell hooks, “*Feminist Theory*”, *supra* note 53 at 43-45.

middle-class women⁵³² who strive for equality of the sexes (white men and white women). An emphasis on common oppression translated into women as victims of sexism and patriarchy becoming the foundation for the bond between women and their reliance on their sisterhood. This came at the exclusion of other forms of oppressions, including race and class, and at the expense of non-white women.⁵³³ Black women were not represented in these movements – not because we were/are not “victims,” but because our voices had no place in (white) feminism and thus no place in feminists’ conceptualization of sisterhood.⁵³⁴

hooks provided a stark example of the blatant exclusion of Black and other racialized women from the Women’s Liberation Movement of the 19th century, when she stated,

[t]he most glaring example of their support of the exclusion of [B]lack women was revealed when they drew analogies between “woman” and “[B]lacks” when what they were really comparing was the social status of white women with that of Black people...white feminists could feel perfectly comfortable writing books or articles about the “woman question” in which they drew analogies between “Blacks” and “women”.⁵³⁵

She goes on to say,

[w]hat this indicates is that there exists in the language of the very movement that is supposedly concerned with eliminating sexist oppression, a racist-sexist attitude towards [Black] women.⁵³⁶

Likewise, many 20th century white feminists’ “inclusion” of “othered” women was an act of window dressing or false inclusivity which continued to leave many women, particularly racialized women, at the margins and ignored. Essentially, promoting a colour-blindness approach, and calling it sisterhood: a (pretentious) belief that all women’s experiences, interests, understandings, and most importantly, inequalities, social injustices, and intersections of oppressions are homogenous. Many white feminists endeavoured to create an “universalized sisterhood,” but in reality it was a solidarity inclusive of white middle-class women, obscuring the privileges that they

⁵³² *Ibid* at 43

⁵³³ *Ibid* at 51.

⁵³⁴ *Ibid* at 45.

⁵³⁵ hooks “Ain’t I a Woman”, *supra* note 12 at 8.

⁵³⁶ *Ibid* at 8.

occupied as a matter of their race, class, and so forth.⁵³⁷ It was a sisterhood that inherently ignored the plight of Black women, perhaps because white women assumed we did not require liberation. In her book, “Feminist Theory: From Margin to Center”, bell hooks recalls that at the outset of the then neoteric feminist movement, in the late 70s and 80s, she (and other Black women) heard white women in conscious-raising groups and women’s studies classes undermine Black women’s participation in the movement suggesting that the problem did not lie within the structure of the movement but an understanding that Black women were already liberated.⁵³⁸ It is without question that this sentiment is racist as it is couched in the notion of the strong Black woman trope which will be discussed chapter 8. This trope has assisted in writing Black women out of the narrative of being worthy of protection or in need of liberation from oppression.

Both iterations of sisterhood led to the obvious acknowledgement that Black women’s sisterhood with white feminists is what Charmaine Williams and Shirley Chau deem “a set-up for betrayal and disillusionment.”⁵³⁹ As such, Black women’s sisterhood was (and is) a necessity.

Sistah

*Sistah,
You my kin
My friend
My acquaintance
My ally
A stranger
Even my enemy
Queen, you Black, Sistah!*

*I break bread with chu
Wash it down wid tea
I mean,
Giiirrrl, spill the tea!
Chile, whatchu say?
You see, Black women
We have a vernacular linked to the chains of our ancestors
An architecture of rituals cobbled together out of bravery
Some, an amalgamation of the master’s tongue with African glory*

⁵³⁷ Chandra Talpade Mohanty, *Feminism Without Borders: Decolonizing Theory, Practicing Solidarity* (North Carolina: Duke University Press, 2003) at 116.

⁵³⁸ hooks, “Feminist Theory”, *supra* note 53 at 47.

⁵³⁹ Williams & Chau, *supra* note 530 at 292,

*An oratory of survival
Verses of their freedom songs – the ones that helped them seal victories*

*Ears may hear, but only divinity could listen
Words strong like Bamboo
Yet, “broken” with intention
To ward off uninvited attention*

*These words were stitched together carefully
The makings of a quilt
An urgency to record their journeys
A reminder of their yesterdays
Preservation of their todays
A stronghold for their tomorrows
Now, our todays*

*Our homeplace
Our safe space
Our, survival stories 
A sense of comradery
An act of resistance
One only Sistahs can insist on
So, giirll, you my Sistah
You, Black Queen!*

(Written and performed by Shushanna Harris)

ii. Black Feminism/Black Sisterhood: An Epistemic Love Affair

Given the inequities and outright racism in white feminists’ conceptions of sisterhood, a sisterhood through the lens of Black women was necessary. Black women are deserving of a sisterhood that acknowledges and understands the intersecting oppressions that permeate our existence as Black women. We needed an ideology that was not centred primarily on sexism and universalizing the experiences of *all* women. We needed a paradigm that centred numerous oppressions as working simultaneously to position us in society; and one that furnished a platform to resist these systems of oppressions. We needed an ideology that centered us:

It is too easy to place all the blame on this failed sisterhood on white feminists. We must acknowledge that while we may desire that these women work with us, it is a mistake to

expect them to effect social change that we must do ourselves. Our needs and desires for change are different.⁵⁴⁰

Black Feminist Thought is but one ideology geared to the experiences of Black women. It enabled a sisterhood to emerge and take shape as a political stance, a stance responsive to our needs and desires. Jade Da Costa writes that white feminists' sisterhood engenders a response to patriarchy for white women, reinforces and maintains systems of subjugation that render whiteness superior, and dismisses the importance of differences. Whereas Black sisterhood, through the lens of Black Feminism, works in concert against intersecting oppressions with an intention to uplift all humanity, commencing with Black women, and reveres difference as a necessity to mobilize against domination.⁵⁴¹ Primarily, Black sisterhood enables a "recognition and reconciliation" of the differences white sisterhood dismissed;⁵⁴² and frankly, continues to. Its currency is not reflective of universalizing Black women. That would be counterproductive for "[t]o presume that Blackness grants me access or connects me to a universal shared "sisterhood" of "Black womanhood" would be to minimize the struggle and complexity of non-essentialized Blackness and being".⁵⁴³ Indeed, this speaks to the strength in difference. Black women are not monolithic and any sisterhood we form should reflect this truth.

Unlike mainstream (white) feminists' notion of victimization, Black sisterhood enables us "to shift conversations on the lives of Black women away from mere conversations on victimization and powerlessness to piecing together the representations of our lives as a mosaic of intellectual creativity and a praxis of resistance".⁵⁴⁴ Black sisterhood, then, is a divergence from mainstream feminists normalcies; disrupting the fake truths – those that tend to cast difference as taboo or pathological.

b. What Does Black Sisterhood Look Like: Different Iterations of a Powerful Message

⁵⁴⁰ Williams & Chau, *supra* note 530 at 289.

⁵⁴¹ See Da Costa, *supra* note 528 at 19.

⁵⁴² *Ibid* at 31.

⁵⁴³ Abdullahi, *supra* note 1 at 32.

⁵⁴⁴ Evans-Winters, *supra* note 213 at 19.

i. Bonding

There have been numerous understandings of how sisterhood manifests itself among and between Black women. For example, Lisa Covington, Jelisa Clark, and Veronica Newton connect sisterhood to familial bonds that create a responsibility within us to communicate and protect all our well-being as part of that sisterhood. They posit that sisterhood has three characteristics: sharing, intentionality, and recognition of a communal plight and empowerment.⁵⁴⁵ Beginning with sharing, sisterhood is a space enabling Black women to bond and share their experiences and circumstances in a non-judgmental environment. Despite their individual circumstances, through the process of sharing, Black women are able to embrace each others' stories collectively and celebrate accomplishments that are often left unspoken or unrecognized by the masses. Second, intentionality engenders a commitment to one another, creating a relationship intent on comradery, accountability, and support. As stated by Jelisa Clark, "[b]y calling someone your sister, you are saying this is a relationship you cannot simply walk away from".⁵⁴⁶ Third, Black women are constant subjects of isolation placed on the outskirts/margins of society. As such, we are rendered invisible in most spaces dominated by whiteness. Black sisterhood enables us to create a community where we are accepted and empowered.⁵⁴⁷

ii. Theory and Practice: Sisterhood the Political Ideology

Black sisterhood can also be described as both a theory and a practice based on Black Feminist Thought.⁵⁴⁸ Sisterhood as an ideology is steeped in what hooks describes as a system of continuous growth and change, a "process of becoming".⁵⁴⁹ This process requires action, a resistance to the myths and stereotypes that encumber "her human experience; that deny her capacity to experience the unity of all life; that deny her the capacity to bridge the gaps created by racism, classism, and sexism; that deny her ability to change".⁵⁵⁰ Similarly, Lorde describes sisterhood as a means to

⁵⁴⁵ Lisa Covington, Jelisa Clark, & Veronica Newton, "In A Racist Kind of World, I'm Glad I've Got My Girls: Creating Black Feminist Digital Sisterhoods through Digital Platforms" in Bertrand Jones et al, *supra* note 392 at 218-9.

⁵⁴⁶ *Ibid* at 220.

⁵⁴⁷ *Ibid*.

⁵⁴⁸ Da Costa, *supra* note 528 at 23.

⁵⁴⁹ hooks, "Ain't I a Woman", *supra* note 12 at 157, cited in Da Costa, *ibid*.

⁵⁵⁰ *Ibid* at 157.

embrace our differences as women and unlearn the hate that we have been taught.⁵⁵¹ Both understandings of sisterhood, proffered by hooks and Lorde, call for introspection while understanding that sisterhood is a process: “[w]e sharpen self-definition by exposing the self in work and struggle ...”⁵⁵² This act in and of itself is one of resistance.

Indeed, sisterhood as a theory reflects resistance. It is a process by which Black women collectively confront the systems of oppressions and reject dominant society’s ideologies that render our existence without value, exploits us, and unfortunately has the ability to pit us against each other as a result of indoctrination.⁵⁵³

As a praxis, Black sisterhood works to mobilize in the name of resistance. It requires action that is unique, strategic, and revolutionary. But before this can materialize, Black women are called to interrogate their internal selves – we must do the work to form and curate this sisterhood. Da Costa explains interrogation using what Audre Lorde characterizes as “the erotic”. The erotic is the ability of oppressed beings, particularly women, to penetrate unchartered feelings and ideologies that we have been taught to distrust, dismiss, or ignore in favour of heterosexual, Euro-androcentric ideologies.⁵⁵⁴ This process is Black Feminist Consciousness – tapping into unchartered affections to provoke and challenge the bounds of conventional means of existing. It also permits us to situate ourselves “within/against” the colonial backdrop.⁵⁵⁵ The erotic is a vehicle to repair Black women’s self-worth, and, more radically, repair the wreckage that is humanity. Central to sisterhood as a praxis is coming to terms with knowing that when the erotic parts of us are embraced, sharing becomes a necessity for human connection, particularly for women. It entails “getting to a place where we can connect based on our similarities and our differences and thus come together in political solidarity”.⁵⁵⁶ Embracing the erotic is essential for self-definition and self-valuation as promulgated by Black Feminist Thought.

⁵⁵¹ Lorde, *supra* note 200 at 122

⁵⁵² *Ibid* at 123

⁵⁵³ Da Costa, *supra* note 528 at 25.

⁵⁵⁴ *Ibid* at 20-21.

⁵⁵⁵ *Ibid* at 21.

⁵⁵⁶ *Ibid* at 21-22

Therefore, before we can forge a politic of sisterhood with each other (and even non-Black women), we must face the wounds within. In essence, this process is a reclaiming of the Black female self:

Black women must unlearn years of negative socialization that have taught them to not only hate but also contort and mutate who they are so that they can mimic an unattainable myth of western selfhood—that we exist as singularized gendered, racialized, classed, and otherwise subjugated and subjectified selves.⁵⁵⁷

In this singularized realm, Black women's multiplicity of oppressions is ignored, thereby posing a significant challenge to the development and preservation of Black sisterhood. Unfortunately, there are instances where our quest for solidarity with one another is crippled not only as a result of our taught self-hate, but by the anger that emerges knowing that when engaging with other Black women, we must face the violent oppressions that intersect our lives – we are mirrors of our oppressions. With this threat, there is an urgency for Black women to regain access to our erotic self and indulge in self-definition through interrogation of the self to avoid giving lip service to the utility of Black sisterhood and to fully realize its power.⁵⁵⁸ The moment Black women carve out the time to do this healing, we begin to love ourselves and make space to connect with other Black women to facilitate Black solidarity. This paves the way for radical social acts and transformation. This is an especially important precursor to the creation, connection, and sustainability of Black sisterhood because tensions within these relationship(s) are a product of historical and continued oppressive domination “centred in ambivalence to social, racial, gender, and ethnic loyalty”.⁵⁵⁹ The ability to access the erotic and attain self-actualization is both a qualification for resistance and a sense of empowerment for Black women. It builds confidence in our ability to work together to resist the oppressions that displace and render us insignificant in society – deeming us “other” or “outsider”. Therefore, it is necessary to do the upfront work – the self-defining work – to embark on the quest for social transformation. As Hill Collins reminds us,

⁵⁵⁷ Da Costa, *supra* note 528 at 29.

⁵⁵⁸ According to Audre Lorde: “We give lip service to the idea of mutual support and connection between Black women because we have not yet crossed the barriers to these possibilities, nor fully explored the angers and fears that keep us from realizing the power of a real Black sisterhood”: Lorde, *supra* note 200 at 153.

⁵⁵⁹ Davis-Maye et al, *supra* note 527 at 8.

once Black women's coalition is solid, "we can deal with other kinds of people, a mutuality of issues, and with difference, because we have formed a 'solid base of strength'".⁵⁶⁰

Though Black sisterhood is by no means a perfect model of solidarity, it is one that creates, curates, and builds unity amongst Black women, regardless of our personal and intracultural differences; and secures a means of interacting with one another that is built on a mutual understanding of respect, comfort, and accountability. It promulgates spaces where free speech flows, where different iterations of Black womanhood that contradict society's controlling images are presented, and where a sense of identity that is personal, collective, and potentially revolutionary is instilled. As Covington, Clark, and Newton remind us, the presentation of the strong Black woman – a Black woman who is "superhuman," can carry the heavy load and shields her vulnerabilities – is challenged within the boundaries of Black sisterhood as we embrace the fact that the locus of our strength is in our numbers as a collective.⁵⁶¹ We do not need to suffer in silence because we have each other.

iii. Black Sisterhood: A Safe Space!

Black sisterhood can also be characterized as, or implemented in, "safe" spaces designed to ensure that the persons within them can truly be their whole selves, should they choose. It is axiomatic that these spaces are "create[ed] and sustain[ed] ... environment[s] in which a person's whole self can be fully and wholly acknowledged and supported".⁵⁶² Therefore, sisterhood is sacred to Black women and our abilities to navigate through society as we are often engaging in culture of dissemblance (as discussed chapter 8), braving through the storms of white supremacy and patriarchy. As such, sisterhood spaces are created by Black women "to respond to, rebel against, and resist the assaults from the larger society, and just be".⁵⁶³ They provide validation to, and acceptance of, Black women and our lived experiences. They instill a confidence that is otherwise stripped from Black women by the outside world, giving us the authority to speak when ourselves

⁵⁶⁰ Patricia Hill Collins, *On Intellectual Activism* (Philadelphia: Temple University Press, 2013) at 37; also, Da Costa, *supra* note 528 at 30.

⁵⁶¹ Covington, Clark & Newton, *supra* note 545 at 224.

⁵⁶² Gaskew et al, *supra* note 392 at 205.

⁵⁶³ Davis-Maye et al, *supra* note 527 at 7.

are “under attack”.⁵⁶⁴ Significantly, Black sisterhood and the spaces it creates challenge stereotypes of Black women that perpetuate us as incapable of holding meaningful friendships/relationships that are void of competition, “jealousy, pettiness and deceit”.⁵⁶⁵ They reveal relationships and friendships curated by support, “wholesome and vibrant” interactions with each other.⁵⁶⁶ Certainly, engaging in a battle against white supremacy is taxing, emotionally, mentally, and physically, and, at times, debilitating, especially when fighting alone. Sisterhood spaces assist Black women to escape isolation by connecting them with other Black women, permitting them to let down their guard, cry, vent, strategize, garner support, regroup,⁵⁶⁷ and realize they are not alone.

Safe spaces are not without criticisms. For example, they have been criticized for their reliance on exclusion. As Hill Collins points out, the rhetoric that presumes colour-blindness and equal treatment places groups created for their own self-interests in jeopardy of being classified as “separatist, essentialist and anti-democratic”.⁵⁶⁸ Raven Maragh-Lloyd and Sharde Davis speak of this colour-blindness as a “postracial” environment where the intersecting oppressions faced by Black women are erased. Here, postracial “refers to institutionalized racism that has become erased from view by eschewing race itself”.⁵⁶⁹ Specifically, Black women and our experiences are subdued or buried in the broader categories of gender or race ignoring our unique experiences and identities as Black women.⁵⁷⁰ In this so-called postracial world, Black women who dare to engage in naming all aspects of their identity to build a strong resistance and disrupt dominant forces⁵⁷¹ risk being labeled separatist or essentialist. This rhetoric further reinforces the assumption that, notwithstanding that Black women have been written out of other facets of society, there is something inherently wrong with us creating spaces to congregate, empower, and just be.

⁵⁶⁴ Gaskew et al, *supra* note 392 at 206.

⁵⁶⁵ *Ibid.*

⁵⁶⁶ Krystal Lee & Daphne Wells, “Black Girls Don’t: Correcting the Record of What Black Girls Can and Cannot Do” in Bertrand Jones et al, *supra* note 392 at 118.

⁵⁶⁷ Davis, *supra* note 7 at 310.

⁵⁶⁸ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 110.

⁵⁶⁹ Raven Maragh-Lloyd & Sharde Davis, “Unapologetic Responses to Unapologetic Exclusions: Advancing Communication within Sistah Spaces as a Vehicle of Resistance for Black Women in the Postracial Era” in Bertrand Jones et al, *supra* note 392 at 56.

⁵⁷⁰ Maragh-Lloyd & Davis, *ibid* at 56.

⁵⁷¹ *Ibid* at 57.

Further, classifications like separatist and essentialist are hypocritical and are renditions of racial, political, and social domination that historically oppressed people have endured as they attempt to carve out spaces of empowerment and acceptance in environments that consistently deny their existence and self-worth. These accusations are mounted for at least two reasons. First, white society's inability to continue its surveillance of Black women as these spaces are created in environments made difficult for the white gaze to access. Second, sisterhood spaces are resistant spaces, designed in some respects, to challenge the status quo. Both reasons are intrinsically connected. Of course, these spaces enable Black women to escape the white gaze, patriarchy, and other forms of oppressive manifestations of the dominant class and facilitate the ability to create a collective political voice which possesses a real potential to disrupt the status quo.⁵⁷²

These critiques are not exclusive to the dominant class. Similar to the critiques levied against Black Feminism by Black scholars and feminists – demonstrated in chapter 4 – critiques of Black sisterhood spaces as exclusionary exist within Black Feminism and among other Black scholars.⁵⁷³ Though I vehemently defend Black sisterhood and thus its spaces, I am not naïve to the reality of the exclusion of some Black women from various Black sisterhood spaces. This is not a new revelation, and Brittney C Cooper's book, *Beyond Respectability: The Intellectual Thought of Race Women*, exemplifies this truth. Cooper traces the lineage of Black women activists from the 1890s to 1970s, showing how respectability discourses that were infused with class and heteronormative assumptions excluded some Black women from particular Black sisterhood spaces. In analyzing Black women as public intellectuals beginning in the 1890s, she reflects on some of the prominent women of the National Association for Colored Women (NACW). Established in 1896 (and still in existence to date), the NACW was an organization for "race women" by "race women". A "race woman" is a Black woman who is "concerned with the moral and social character of the race, as the ideology of true womanhood dictated" and "the 'intellectual character' of the race".⁵⁷⁴ Embedded in the "moral and social character" of the race is the idea of the politics of respectability

⁵⁷² Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 111.

⁵⁷³ Reynolds, *supra* note 202; see also Victoria E Thomas, *Embodying Sisterhood: Community Politics of Black Cisgender and Transgender Womanhood* (PhD Dissertation, The University of Washington, 2020) [Unpublished].

⁵⁷⁴ Cooper, *supra* note 55 at 13.

as discussed briefly in chapter 2, which, in part, called for Black women to portray “nobility, refinement, and culture”⁵⁷⁵ to change public perceptions.

Needless to say, not all Black women were able to gain access to this type of persona. Race women of this era were elite Black women who had access to educational resources.⁵⁷⁶ Although they were outspoken and advocated for the good of all Black people, especially Black women, regardless of class status, their attitudes were rife with patronizing ideologies towards lower-class Black people, including Black women.⁵⁷⁷ While the work done by prominent women leaders and activists such as Fannie Williams and Mary Church Terrell was immeasurable, it is troubling that the politics of respectability excluded many women who did not fit the mould. The Black poor were denigrated by race women leaders, such as Terrell. For example, Cooper comments that, “[Terrell’s] condescension reeked of the worst kind of racial respectability politics that unwittingly upheld the logics of white supremacy, even as she and her counterparts tried to ameliorate the terrible social conditions faced by the Black poor”.⁵⁷⁸ Additionally, “[m]any middle-class Black women expressed acute anxiety about how the practices of poor Black women would make them look”.⁵⁷⁹

The elitist persona of race women also managed to disadvantage women who were of non-heteronormative sexual persuasions, one of whom was Pauli Murray. Murray, who emerged as an activist in the late 1930s, early 40s, was a gay woman who did not, or refused to, embody Black womanhood as prescribed by respectability politics. Due to her nonconformative stance she was subjected to what she named “Jane Crow”. In addition to naming some of the first understandings of intersectionality to include nonheteronormative sexual iterations, Jane Crow identified “a powerful system of gender disciplining within Black intellectual communities ... propped by deep investments in the heteronorms of respectability politics [which] demanded proper sexual and gender performances from Black women if they desired to be race leaders, and attempted to silence, humiliate, and isolate them when they chose not to comply”.⁵⁸⁰

⁵⁷⁵ *Ibid* at 15.

⁵⁷⁶ *Ibid* at 153.

⁵⁷⁷ *Ibid* at 19.

⁵⁷⁸ *Ibid* at 63.

⁵⁷⁹ *Ibid* at 19.

⁵⁸⁰ *Ibid* at 88.

While exclusion of this sort occurred, there were also divides within the NACW. This could be seen, partly, in how race women employed respectability politics in their advocacy methods.

Cooper contends that on the one hand many women, including Williams and Terrell, were conservative in their use of respectability politics, while other women, in some ways, defied the strict imposition of respectability politics by “deploying forms of embodied discourse that offered up the Black female body for social consideration on their terms”.⁵⁸¹ Further, contrasting advocacy approaches can be seen in the methods of its leaders, such as Mary Church Terrell and Ida B Wells. While both women believed in persistent agitation to ensure social change, Terrell's advocacy approach called for dignified agitation. Dignified agitation entailed advocating for social justice and change by bringing attention to racial injustices, while simultaneously acting in a respectable and dignified manner. As the late activist, lawyer, and racial agitator Pauli Murray once stated, Terrell was not only a leader who led picket lines, and a “militant civil rights activist and longtime feminist who had fought for woman suffrage”, but also a woman born of nobility who embodied “the essence of *Victorian respectability*”.⁵⁸² Ida B Wells, on the other hand, took a radical intellectual approach to her fight for social justice. She advocated for self-defence and the right to bear arms for protection from white supremacists and the lynching that was occurring during the late 19th and early 20th centuries towards Black men and boys.⁵⁸³ Notwithstanding their divides, both women, Terrell and Wells, believed that those who caused injustices upon Black people “should be exposed, shamed, and compelled to change, often by the power of the pen”.⁵⁸⁴

These examples demonstrate that exclusion from Black sisterhood spaces existed historically. It is also the case that exclusionary Black sisterhood spaces continue to exist today as many of them cater to women who share similar interests (for example, natural hair growth, academic endeavours – the “Great 8”, who will be discussed below – etcetera) that go beyond being Black, though being a Black woman is a point of entry. At the same time, there are Black sisterhood spaces that are not deliberately exclusionary as they are open to all Black women regardless of our positioning. That

⁵⁸¹ *Ibid* at 22.

⁵⁸² Pauli Murray, *Song in a Weary Throat: Memoir of an American Pilgrimage* (New York: Liveright Publishing, 2018) at 231.

⁵⁸³ Cooper, *supra* note 55 at 65-67.

⁵⁸⁴ *Ibid* at 66.

does not, of course, negate the possibility that some will find such spaces unwelcoming nor the inevitability that not all experiences and points of view will be reflected in such spaces. It is also important to note that forms of exclusion are not necessarily a negative aspect of these spaces. Being in alignment may enable a comfort and connection that has the potential to maximize not only the particular intent of the space, whatever that may be, but the empowerment, support, and reciprocity required for these spaces to thrive. More broadly, excluding white women from Black sisterhood spaces shields Black women from the white gaze, enables empowerment, facilitates spaces of resistance, and provides counter-narratives to corrupt dominant notions of Black womanhood.

These spaces of safety within Black sisterhood can materialize in different facets of relationships, including friendships, family, fictive kinships, or even between strangers.⁵⁸⁵ They are also preserved in numerous spaces, including “the kitchen”,⁵⁸⁶ homeplace,⁵⁸⁷ and for the purpose of this analysis, sistah circles.

c. Sistah Circle: An All-Encompassing Space for Black Women Selves!

The phenomenon known as sistah⁵⁸⁸ circles are spaces where Black sisterhood is able to thrive. They are support groups for Black women often created from “existing friendships, fictive kinships, and the sense of community found among Black women”.⁵⁸⁹ They are erected in the Black community, organizations such as churches, women’s groups, workplaces or universities,

⁵⁸⁵ See Joseanne Cudjoe, “Digital Sister Circles: Collectivity and Comradery in Natural Hair Online Communities” in Bertrand Jones et al, *supra* note 392 at 245; see also Martinique Jones, Sharde Davis & Gabriella Gaskin-Cole, “An Integrative Review of Sistah Circles in Empirical Research” (2023) 47:2 Psychol Women Q 159; Erin Berry-McCrea & Briana Barner, “She’s My Sister, but We’ve Never Met Offline: Exploring the Relationship of Digital Black Sisterhood with PhD Students in Online Message Boards and Independently Owned Websites” in Bertrand Jones et al, *supra* note 392 at 231.

⁵⁸⁶ See Davis, *supra* note 446; see also, Andrea Davis, “Healing in the Kitchen: Women’s Performance as Rituals of Change”, in Djanet Sears, ed, *Testifyin’: Contemporary African Canadian Drama*, Vol. I (Toronto: Playwrights Canada Press, 2000) at 279 (Originally published by Canada Press in 1994 as a single-play edition, *Sistahs*).

⁵⁸⁷ bell hooks, *Yearning: Race, Gender, and Cultural Politics* (Boston: South End Press, 1990) at 42.

⁵⁸⁸ The word “sistah” is also spelled “sista”. I choose the former as it has a cultural connection to my Jamaican language. It should also be noted that though some of the articles I draw from rely on the ordinary spelling “sister” when speaking of sister circles, they nonetheless have the same features described in this project to characterize “sistah circles.”

⁵⁸⁹ Angela Neal-Barnett et al, “Sister Circles as a Culturally Relevant Intervention for Anxious Black Women” (2011) 18:3 Clin Psychol 266 at 267; also see Jones, Davis & Gaskin-Cole, *supra* note 585 at 159.

and so forth.⁵⁹⁰ They are also found in the digital realm formed by strangers or with existing friends.⁵⁹¹ Regardless of the location, sistah circles are often based on commonalities between Black women participants spanning along various interests, including, but not limited to, student life,⁵⁹² teachers,⁵⁹³ hair care regimes for Black women's hair,⁵⁹⁴ health care support,⁵⁹⁵ exchanging recipes, books, and wellness.⁵⁹⁶ Most importantly, all participants are Black women.⁵⁹⁷ In 2016, eight Black women, known as the "Great 8," made history, obtaining their Doctorates from the Indiana University School of Education. The achievement of the women was monumental. The Great 8 represented the largest number of students of colour to graduate from a PhD program at the University in the same year. They did so by deliberately forming a sistah circle to support each other and ensure their success as the odds were stacked against them as Black women.⁵⁹⁸ As one member of the Great 8 stated, "[t]he sister circle gave us a space to talk about what was going on beyond class. We were able to affirm each other, encourage and bounce ideas off each other in a safe space".⁵⁹⁹

Sistah circles have been a significant feature of procuring and sustaining sisterhood in the lives of many Black women for more than 150 years.⁶⁰⁰ Some scholars tie their genesis to the proliferation of Black churches, the Black Women's Club Movement of the 1800s, and Black sororities; all in response to Black women's exclusion from white women organizations and groups for Black men.⁶⁰¹ Others have suggested that today's neoteric renditions of sistah circles find their origins in the cultural practices of pre- and early colonial West African women.⁶⁰² Regardless of their

⁵⁹⁰ Neal-Barnett et al, *ibid* at 267; see also Berry-McCrea & Barner, *supra* note 585 at 232-3.

⁵⁹¹ See Berry-McCrea & Barner, *ibid*; also see Covington, Clark & Newton, *supra* note 545.

⁵⁹² See Berry-McCrea & Barner, *ibid*.

⁵⁹³ See Latoya Sherrica Johnson, *Using Sista Circles to Examine the Professional Experience of Contemporary Black Women Teachers in Schools: A Collective Story About School Culture, and Support* (PhD Dissertation, The University of Georgia, 2015) [unpublished].

⁵⁹⁴ See Cudjoe, *supra* note 585.

⁵⁹⁵ See Neal-Barnett et al, *supra* note 589.

⁵⁹⁶ Jones, Davis & Gaskin-Cole, *supra* note 585 at 159.

⁵⁹⁷ Neal-Barnett et al, *supra* note 589 at 267; see also Berry-McCrea & Barner, *supra* note 585 at 232-3.

⁵⁹⁸ See Berry-McCrea & Barner, *ibid* at 231.

⁵⁹⁹ Maureen Gilmer, "This 'Sister Circle' of 8 Indiana Women is Making History", *Indystar* (10 May 2016), online: ><https://www.indystar.com/story/life/2016/05/05/great-eight-earn-phd-degrees-iu-school-education/83879468/>>.

⁶⁰⁰ Jones, Davis & Gaskin-Cole, *supra* note 585 at 159.

⁶⁰¹ Johnson, *supra* note 593 at 44; see also Cudjoe, *supra* note 585 252.

⁶⁰² See Obioma Nnaemeka, ed, *Sisterhood, Feminisms, and Power: From Africa to the Diaspora* (African World Press, 1996).

origins, they enable Black women across the diaspora to form groups to discuss the issues that are affecting them, provide healing,⁶⁰³ and assist in negotiating patriarchy and other structures of oppression that have been imposed.⁶⁰⁴

The word “sistah” has a long legacy representing “a people’s history [of] struggles, victories, and power ... a sense of familial tie where there is no blood; women trusting, celebrating, loving and being bound to other women”.⁶⁰⁵ Further, the term sistah circle is a mosaic of “historical, geographical, [cultural], and sexual factors” reminiscent of “the labour and love of negotiating difference within similarity”.⁶⁰⁶ It is an acceptance of the bond of sisterhood that transcends outsider constructions of our being and enables us to create spaces where we are welcomed as our whole self should we choose to enter as such.

The term sistah circle has no fixed definition. However, it can be described as groups of Black women gathering with a particular goal in mind as demonstrated by the Great 8. What is known is that sistah circles consist of two or more Black women and provide, among other things, support, knowledge, guidance, validation, and encouragement.⁶⁰⁷ Martinque Jones, Sharde Davis, and Gabriella Gaskin-Cole capture these tenets by suggesting that sistah circles have four identifying components. Specifically, they are comprised of women who identify as Black: (1) with similar goals; (2) bond as a result of their identity as Black women; (3) reciprocity (i.e. validation and support); and (4) commitment to create bonds over a period of time.⁶⁰⁸ These spaces have become imperative to Black women across the African diaspora.⁶⁰⁹ The significance of spaces like sistah circles cannot be ignored: “Having an enduring sisterhood, holding membership in an empowering sister circle, and knowing that there is a “keeping it real” sistafriend to call for anything, is a special kind of privilege”.⁶¹⁰

⁶⁰³ Johnson, *supra* note 593 at 44; see also Cudjoe, *supra* note 585 at 252.

⁶⁰⁴ See also Cudjoe, *ibid* at 253

⁶⁰⁵ Maria Lugones & Pat Rosezelle, “Sisterhood and Friendship as Feminist Models” in Cheris Kramerae & Dale Spender, eds, *Knowledge Explosion: Generations of Feminist Scholarship* (New York: Teachers College Press, 1992) 406 at 410, cited in Jones, Davis & Gaskin-Cole, *supra* note 585 at 159.

⁶⁰⁶ Sandra Richards, “In the Kitchen, Cooking up Diaspora Possibilities: Bailey and Lewis’s Sistahs” (2010) 35:2 IFTR 152 at 160.

⁶⁰⁷ Gaskew et al, *supra* note 392; see also Johnson, *supra* note 593, Animashaun & Bell, *supra* note 219 at 1232.

⁶⁰⁸ Jones, Davis & Gaskin-Cole, *supra* note 585 at 160.

⁶⁰⁹ Davis-Maye et al, *supra* note 527 at 13.

⁶¹⁰ *Ibid*.

In conducting an integrative literature review of research on sistah circles, Jones, Davis, and Gaskin-Cole identified three areas where sistah circles were analyzed. They learned that 71.1 percent of the literature on sistah circles were health oriented. Specifically, these studies focused on Black women seeking support and guidance respecting their health concerns, including psychological and physical ailments. They further observed that 8.9 percent of the literature were socially oriented. Meaning, the research often included Black women bound by friends or other established social connections intent on support and reciprocity. Groups of this nature are often portrayed in sitcoms, such as *Insecure* or *Living Single*; movies like *Waiting to Exhale* or *Girls Trip*; or books like, *Sisterhood Heals* or *Sister Friends Forever*. The third category of research about sistah circles spoke about professional groups. This comprised 11.1 percent of the literature reviewed. These groups consisted of Black women with similar professional goals who gathered to offer support, accountability, and encouragement enabling the participants to maneuver an atmosphere that was isolating.⁶¹¹ All three types of sistah circles, while having their own aims and purposes, carry both political and social undertones. Politically, these groups not only empower, but also offer a space of freedom not provided outside of the confines of these spaces. Socially, they enable Black women the space to share their experiences, woes, and joy without feeling judged⁶¹² – using their liberatory voice to engage in talking back.⁶¹³ As one scholar puts it, these “[c]ounterspaces ... allow us, as Black women, to share our concerns and experiences free of judgement and surveillance of white male power structures that sexually objectify us, fail to recognize our accomplishments, and neglect our requests for help”.⁶¹⁴

In these spaces, notions of neutrality and objectivity are excised from knowledge production. Sistah circles are a place of refuge where understanding and sharing stories and self begins through conversations – enabling reciprocity and exchange of ideas:

Fortunately, Black women can retreat to their sistah circle to celebrate their womanhood unapologetically; behave in culturally specific ways; nurture relationships with other women who share similar life experiences; receive validation of their race-related

⁶¹¹ Jones, Davis & Gaskin-Cole, *supra* note 585 at 160.

⁶¹² *Ibid* at 160-61.

⁶¹³ See hooks, “Talking Back”, *supra* note 246.

⁶¹⁴ Covington, Clark & Newton, *supra* note 545 at 224-5.

experiences; and fortify the metaphorical boundaries that protect their safe space from external dangers.⁶¹⁵

d. Personal Experience: Black Women Allies

Many of the Black women in my life were/are examples of the necessity for a Black Women's Movement in the name of sisterhood. As already discussed, the sense of acceptance and affirmation through Black women's connectedness with each other assists with validating our existence as humans capable of experiencing joy, pain, love, affection, and sadness – emotions Black women were thought incapable of experiencing. These characteristics were evident in the Black women relationships I observed and was privy to as a child. More profoundly, although many of these women were not related by blood, they interacted with each other like family – sistahs. They referred to each other as, the colloquial, “Sistah;” and continue to. They supported, empowered, fought each other's battles, and engaged in intense arguments and disagreements between each other, only to reconcile. Though not all the Black women in my life operated this way; the ones that had the most impact on my understandings of Black sisterhood did. They taught me that Black sisterhood was a connection that transcended their existence – an omnipresence of the sort found in their faith, and their respective understandings of spirituality. A family friend once advised me that these bonds were forged through faith in something more powerful than themselves – they had a purpose for and to each other.

Their connections inspired me to foster relationships of a similar nature with other Black women. In high school, I gravitated towards peers who looked like me and understood what it meant to be a Black girl in predominantly white spaces. Though my high school was diverse, my greatest connections were with other Black female students. Connecting deeply with other Black women followed me to adulthood. I have six close girlfriends who form my sistah circles. While I do not have blood sisters, they have become my sistahs, my sound boards, my allies, and my frustrations. They hold me accountable, but most of all, they are the support I need to feel whole when I feel broken. They are my healing forces. Being with these women fosters the same energy and feelings indicated by a participant in Laura Dorsey's dissertation. The participant stated, “communicating

⁶¹⁵ Maragh-Lloyd & Davis, *supra* note 569 at 59.

with African-American women in small groups provides a unique support; one that is unwavering sources of strength for [us]”.⁶¹⁶ As Marnell Niles-Goins noted from her research on Black women friends, and what I realized with my friends, is that the discussions we engage in within these spaces are all encompassing – we talk about family, men, sex, race, finances, and much more.⁶¹⁷

It was the bond curated with my girlfriends that led me to the need to do this project differently and develop a methodology that encapsulates comradery, support, and a space for Black women to talk and to *just be*. I understand that the bonds between my girlfriends and I were nurtured over the years; however, I was optimistic that I could create attentive bonds even in environments where the participants and I were strangers. I am aware that many Black women who initiate sistah circles or join such endeavours are strangers. I am currently part of two sistah circle *WhatsApp* groups where many of us have never met offline. Numerous studies have demonstrated the proliferation of these groups involving strangers.⁶¹⁸ For example, Joseanne Cudjoe, in her research on digital sistah circles for Black women with natural hair, learned that in “some of the most popular locations in which they digitally congregate”, the participants “were strangers fused into collectives forged by the shared experiences of daring to embrace their kinks, coils, and curls”.⁶¹⁹ She further noted, these stranger communities thrived “because they shared identity among the members often catalyzes engagement practices that have the potential for collective progress”.⁶²⁰

Further, I am also aware that Black women within sistah circles, though strangers, can let down their guard knowing that they have another sistah in their corner.⁶²¹ With this knowledge, I landed on sistah circles as a means of conversing with the co-participants of this project. However, it was not until I came across the concept of sistering in the construction trade that I was able to put a name to the method I envisioned to *do* research differently.

⁶¹⁶ Laura Kathleen Dorsey, *Sister Circles: An Exploration of Small Group Communication Among African American Women* (PhD dissertation, Howard University, 2001) at 71 cited in Johnson, *supra* note 593 at 46.

⁶¹⁷ See Marnell Niles-Goins, “Playing with Dialectics: Black Female Friendship Groups as a Homeplace” (2011) 62:5 *Commun Stud* 531 at 531; also see Cudjoe, *supra* note 585 at 254.

⁶¹⁸ See Angela Neal-Barnett et al, “In the Company of My Sisters: Sister Circles as an Anxiety Intervention for Professional African American Women” (2011) 129:1-3 *J Affect Disord* 213 at 213.

⁶¹⁹ Cudjoe, *supra* note 585 at 253; see also Adrienne Jackson & Leah P Hunter, “I Am My Sister: Exploring Black Womyn’s Membership in Sister Circles Created Via Social Media” in Bertrand Jones et al, *supra* note 392 at 266-7.

⁶²⁰ Cudjoe, *supra* note 585 at 254.

⁶²¹ See Cudjoe, *supra* note 585; also see Jackson & Hunter, *supra* note 619.

e. Sistering: A Construction Phenomenon, But a Space for Sistahs

As I attempted to capture my experience with the participants in the current project and conceptualize a participatory methodology to engage Black women in sisterhood within a sistah circle, I came across the interesting concept of *sistering* used in the construction trade. This concept resonated with me as I saw its potential to assist with articulating an alternative means of generating knowledge that is conducive to Black womanhood. Sistering, from a construction perspective, is “the *process of reinforcing or adding extra material to strengthen a damaged material*, typically floor joists” [emphasis added].⁶²² Effectively, the additional materials act as support to floor joists, repairing and preventing them from further destruction. In my mind, this support mechanism conceptualizes, and is an accurate metaphor for, sisterhood and sistah circles. As already demonstrated, these spaces are there to reinforce, empower, and strengthen Black women in a world filled with despair; and who better to do so, than another Black sistah.

This welcoming use of the word sistering, along with the teachings of Black feminism and EFE, and my relationships with my girlfriends, led me to *Sistering* methodology. As a methodology, I conceptualize *Sistering* as the process of reinforcing, empowering, and strengthening Black women from the damage that has been and continues to be inflicted upon us by white supremacy and patriarchy, among other forms of oppression. It is about repairing ourselves through the act of congregating and allowing us a platform to do so. Central to *Sistering* methodology is the active process of creating a sistah circle, the act of gathering, and the consciousness to engage in these spaces, even with strangers, to a level of kinship. Meaning, there is a responsibility that the participants, primarily the learner, have within these spaces that is contiguous to a *sisterly* relationship, no matter how brief the interaction. It could be employed in any setting. Additionally, like its theoretical underpinnings, it is social justice oriented and strives for transformation of Black women’s existence from objects to knowers. Lastly, in its emphasis on creating a platform for Black women’s stories to be heard, *Sistering* encompasses a storytelling component that is necessary when analyzing the information provided by the expert participants.

⁶²² “Sistering 101: What Is It And How It Works”, *Habitation Investigation*, online: <<https://homeinspectionsinohio.com/what-is-sistering/#:~:text=Sistering%20meaning%20refers%20to%20the,more%20stiffness%20than%20dimensional%20lumber>>.

3. Sistering a Sistah: A Decolonial Methodology

a. Features of Sistering Methodology

i. Sistering Conversations: Let's Chat!

Sistering methodology consists of two components: conversation and storytelling. The conversation component of *Sistering* was developed and curated with sistah circles as the main platform of engagement with the women who chose to participate in this project, including me. According to Latoya Johnson, who employed a “Sista” circle methodology to her analysis exploring the internal and external mentorship and support six Black women elementary school teachers received in and outside of their professional capacity, “sista” circle methodology consists of *discussions or conversations* with Black women concerning a particular topic. The priority is to learn about the phenomenon from the perspective of Black women.⁶²³ Therefore, it is a research methodology that is focused squarely on Black women and their experiences. She further states they differ from focus groups in that, not only are the participants learning from each other, but they focus on support and empowerment of the participants as opposed to the acquisition of information: “as a qualitative research method, [“sista” circles are] designed to be conducted in a supportive – “sister to sister context””.⁶²⁴

Johnson asserts there are three features differentiating “sista” circles from focus groups: communication dynamics, centrality of empowerment, and researcher (learner) as participant. Communicative dynamics refer to Black women’s speech, expression, and interactions with each other. We have a particular vernacular and convey certain sentiments through expressions and gestures that could only be understood by other Black women.⁶²⁵ The centrality of empowerment encourages Black women to tap into their “personal or collective power to strengthen one another”.⁶²⁶ In a sistah circle setting, the learner is required to be a participant; she must be part of the dialogue.⁶²⁷ The characteristics of Johnson’s “sista” circle properly informed *Sistering*

⁶²³ Johnson, *supra* note 593 at 45.

⁶²⁴ See Johnson, *supra* note 593.

⁶²⁵ *Ibid* at 47.

⁶²⁶ *Ibid* at 48.

⁶²⁷ *Ibid* at 47.

Conversations. However, given my desire to build an all-encompassing approach to research that engages the participation of Black women, the principles reflected in Black Feminism and EFE must be more explicit when engaging in *Sistering* Conversations. As such, in addition to Johnson's factors, *Sistering* conversations mandate dialogical freedom and reciprocity, which is closely tied to Johnson's Communication dynamic. Further, as explicit in EFE, spiritual connectedness and exploration are imperative for *Sistering* conversations to thrive. By embarking on *Sistering* conversations, the learner is always reminded of her obligation to the research; specifically, "research as responsibility" as outlined by EFE. Lastly, as its theoretical genesis implores, *Sistering* conversation spaces are spaces of resistance, and resistance is power for marginalized groups. As I embarked on *Sistering* conversations with the co-participants, not only did I sense their acceptance of the approach, I felt compelled to add one further feature to *Sistering* conversation: the learner must identify as a Black woman. *Sistering* insists on incorporating all the features outlined to strengthen its approach and epistemic positioning. *Sistering* methodology, as an option to do research differently, is entrenched in epistemic emancipation – freedom from restrictions on knowledge that prevent Black women from being cast as knowers. Accordingly, to properly operate within *Sistering* methodology, the following must be present in the sistah circle or any other platform that employs *Sistering*:

1. The learner must identify as a Black woman;
2. Dialogical freedom and reciprocity;
3. Learner as participant;
4. Spiritual connectedness and exploration (a foundation for healing);
5. Research as responsibility;
6. Empowerment space; and
7. Resistance as power

As a by-product of EFE, *Sistering* methodology is grounded in the assumption of "research as responsibility" as discussed in chapter 5. As noted earlier, research as responsibility challenges the claims of objectivity, neutrality, and the detached ideologies that underpin androcentric research. In *Sistering* methodology, the learner is responsible and accountable to the communities from which they intend to learn; it calls the learner to connect with their ancestral roots in order to truly

connect with the community; and extends an olive branch, positioning readers to become acquainted with different forms of “knowing and doing research”. As such, I will not be discussing this feature below as it was explicated in chapter 5, subsection 3b. Likewise, empowering spaces and resistance as power were discussed at length in above paragraphs. With that said, this section will elaborate on the following factors: learner identifies as a Black woman; dialogical freedom and reciprocity which is intrinsically tied to learner as participant, and thus, will be discussed together; and spiritual connectedness and exploration. It is important to note that dialogue and spirituality were covered when discussing EFE. However, they are both further developed below as they pertain to *Sistering*.

1. A Learner who Identifies as a Black Woman: What a Difference She Makes!

When I first saw the email the flyer about the interview, based on the statistics, sorry not the statistics, based on what I understood, I assumed it was a white person doing this study just to get like the full rounded of the data that’s out there. But when I found out that it was Black woman that you know, is looking to collect data for the community from the community. I felt that it was important to participate because we don’t talk about these problems. And if it was a white interviewer, you know, I don’t know if I’d be so vulnerable or allow myself to be vulnerable for fear of judgment. And I feel like you know as a Black woman, even if you didn’t go through it yourself. You know, somebody in your immediate family that has gone through it and had to suffer in silence ...⁶²⁸

As demonstrated by Stacey’s quote, the fact that I am a Black learner was an important feature because many Black women often feel most comfortable, affirmed, and accepted by other Black women.⁶²⁹ There is an unspoken connection that regardless of our differences, is present and revered because we are Black women. As known and recognized by Black Feminist Thought, Black women are not homogenous; however, Black women have commonalities, albeit experienced and expressed in different ways.⁶³⁰ As will be demonstrated in chapter 8, many Black women are not only plagued by debilitating stereotypes, but they often live two lives, personal and public, as a result of the culture of dissemblance. Also, due to the histories and perpetual social and political murdering of Black bodies, literally and figuratively, it should come as no surprise that it would be challenging for Black women to share their experiences with non-Black people

⁶²⁸ Stacey, “Transcript of Stacey” (15 November 2023) at 34.

⁶²⁹ See Walton et al, *supra* note 386.

⁶³⁰ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 101.

without fear of retaliation, including being judged as mentioned by Stacey and other co-participants. As Patricia Hill Collins explains,

[o]ne can write for a nameless, faceless audience, but the act of using one's voice requires a listener and thus establishes a connection. For African American women the listener most able to pierce the invisibility created by Black women's objectification is another Black woman. This process of trusting one another can seem dangerous because only Black women know what it means to be Black women.⁶³¹

She further connects this intrinsic trust amongst Black women and the importance of safe spaces stating,

[h]istorically, safe spaces were "safe" because they represented places where Black women could freely examine issues that concerned us. By definition, such spaces become less "safe" if shared with those who were not Black.⁶³²

While the first quote speaks of "African-American" women, I posit that both quotes represent the collective experience of many Black women regardless of our geographical location, and especially if we reside in perniciously oppressive spaces. Truth is, the process of unveiling oneself, becoming vulnerable to another person, is a heavy feeling, generally. However, this exposure is exacerbated when a Black woman is asked to do so with non-Black persons when we are historically the brunt of society's hate.

I commenced this section with a quote from Stacey who was not the only person who expressed those sentiments. In fact, only one of the co-participants, Jordan, advised, "the way you look would be irrelevant because ultimately the goal is what I'm here for". Initially Carol was having difficulties with accessing the video feature on Zoom and was unable to see me for a few minutes. About two minutes before she was able to rectify the issue, she asked, "Are you Black?" Further on in our conversation, I inquired as to the reason she asked that question, and she replied,

I thought you will understand me better, okay? And understand us better. It's important to me that I'm speaking to someone that looks like me. And because I feel that compassion will be there for somebody that speaks like me and you will take it wherever it needs to go.

⁶³¹ *Ibid* at 104.

⁶³² *Ibid* at 110.

Claire opined on this point suggesting that if I was a non-Black woman, she “would hold back because I feel I don’t, you know, some judgement. They’re not, they don’t go through stuff. And I feel sometimes with other cultures they think, well, she’s stupid and you’re not educated”. Charlene also alluded to the fear of being judged and perhaps a fear of not being heard when she said, “if you were white, I would have came up with notes, bullet points of what to say. I would have points I would have to hit; like the police, the court. These are some bullets that I want to hit. This would not have been organic”.

From these comments, it is clear that Black women learners bring a connection that is lost where the learner is of a different racial background from the participants.⁶³³ Accordingly, as constituents occupying intersecting identities that are “mutually reinforcing” (ie gender and race), Black women learners bring awareness to the complexities of such identities that again is lost on non-Black learners. This lack of connectedness has the potential to further marginalize co-participants. As I have already indicated, Black women are not monolithic as not only do we occupy various regions of the world with different cultures, but we also constitute different identities and experiences. However, by virtue of being Black women, it is without a doubt that we share intersecting oppressions under the perpetual rule of white supremacy. I am not suggesting that in all circumstances Black women participants are going to share their experiences unencumbered to a Black learner. In fact, in this analysis, Jordan advised, “I’m not familiar with you so it was not as easy to open up. If I was speaking to someone I know or like I had a rapport with ... but it could be uncomfortable to sometimes dig into past experiences”. Nor am I suggesting that non-Black women learners are barred from conducting research with the Black community. What I am suggesting is that the process may be more palpable and propitious where the learner is a Black woman. As Jasmine Harris suggests, Black women speaking to Black women as [learner] and participant provides opportunities for this initial connection;⁶³⁴ and this connection is present before the parties even begin the conversation.

⁶³³ See Patricia Hill Collins, *Fighting Words: Black Women and the Search for Justice* (Minneapolis: University of Minnesota Press, 1998); see also Jasmine Harris, “Black Women Talking: Using Language to Develop Bonds Between Black Women During Interview Data Collection” (2019) 33 Mich Sociological Rev 25.

⁶³⁴ See Harris, *ibid* at 25.

Priscilla Gibson, an African American learner, and Laura Abrams, a white learner, conducted research on this very point. They each conducted a number of research projects with African American women. Following their research, they learned how their racial backgrounds influenced three stages of the research process: engaging, recruitment, and interviewing. During the engaging phase, the process of convincing gatekeepers in the salient communities to become involved in the research was challenging for both women; however, Gibson's race was a welcoming change to the gatekeepers as they "finally" had a learner of the same race. Abrams, on the other hand, encountered challenges that were beyond the typical research barriers. She found that she was distrusted and that she had to provide evidence of her prior cross-cultural work, "her persuasive personality as an open and honest researcher" and references from reputable African American persons who could confirm her integrity.⁶³⁵

Similar results were expressed regarding recruitment. The participants were accepting of Gibson. She relied on her race, family, and social ties to gain participants' involvement, whereas Abrams had difficulties obtaining participants without the assistance of other resources in the communities. As such, the learners concluded that their racial backgrounds were central in the minds of the participants during the recruitment process, "and being different made it much harder to win the support of the informants".⁶³⁶ This is similar to the statement made by Stacey after she found out I was a Black woman; and London when she stated, "I was talking to [an individual] from a [women's organization] and when she just said, for Black, she's Black [the learner], she's from York...I said right away, I just said yes". I had an "in" by virtue of being a Black woman.

Lastly, Gibson and Abrams made two significant observations about the interview process. First, they gained an understanding that the race of the learner impacted how the participants responded as they would tailor their speech to fit the cultural context of the learner. With Gibson, the participants assumed a shared understanding.⁶³⁷ But with Abrams, there was no such assumption, but perhaps the participants, due to Abrams' "outsider" status were "contemplating whether to

⁶³⁵ Priscilla Gibson & Laura Abrams, "Racial Difference in Engaging, Recruiting, and Interviewing African American Women in Qualitative Research" (2003) 2:4 Qual Soc Work 457 at 470.

⁶³⁶ *Ibid* at 470.

⁶³⁷ See Harris, *supra* note 633.

make their obvious differences an issue”.⁶³⁸ The second observation was related to their subjective experiences. For example, Gibson showed a confidence in her interactions with the participants, while Abrams lacked confidence in her interpretations of cultural vernacular, body language, and expressions; believed that some of the participants were not comfortable to be fully open with her about issues that may lead to judgment by an outsider; and she was uncertain of the origins of her anxiety and whether it was attributed to her race or other factors, such as age or the qualitative research process.⁶³⁹ The learners concluded, “[o]verall, the insider/outsider divide influenced our own comfort levels in getting their stories and feeling confident in our qualitative research skills”.⁶⁴⁰ Their reflections on the differences their racial identities made to the research demonstrate the importance of a racial connection when conducting research with Black women.

This revelation is not exclusive to Gibson and Abrams. In fact, scholars have proffered similar conclusions about the benefits of learners being an insider generally in qualitative research. For example, Sonya Dwyer and Jennifer Buckle posit that insiders – learners who share identity, language, and so forth with participants – are afforded an amount of legitimacy and acceptance not offered to outsiders. This enables learners to gain information that they otherwise would not have as members of a non-Black group.⁶⁴¹ Specific to Black women, Quenette Walton et al assert that participants are or feel safe when the learner is a member of the group, demonstrating a semblance of trust that is not necessarily present with non-Black learners.⁶⁴² This is a reflection of their comfort level and desire to share their stories with the learner “because it is as if they feel, you are one of us and it is us versus them (those on the outside who don’t understand)”.⁶⁴³ The importance of feeling comfortable was exemplified in this study as many of the participants divulged more information as a result. For example, Claire noted, “I feel comfortable. I could have told you the years – we would have been on the phone for hours if I took the time”.

Carol, like Claire felt this level of comfort stating,

⁶³⁸ Gibson & Abrams, *supra* note 635 at 470.

⁶³⁹ *Ibid* at 471.

⁶⁴⁰ *Ibid*.

⁶⁴¹ Sonya Corbin Dwyer & Jennifer Buckle, “The Space Between: On Being an Insider-Outsider in Qualitative Research” (2009) 8:1 Int J Qual Methods 54 at 58.

⁶⁴² Walton et al, *supra* note 386 at 3.

⁶⁴³ Dwyer & Buckle, *supra* note 641 at 58.

... I trust you, and I feel already feel, you know, just something, you know, a little comradery with me and you. So, I'm just going to tell you, like, everything. What you want me to, you know, say. And I'm fine. I've never really talked about it. So, this is better right now. I'm good. I'm okay.

She further went on to express,

I feel blessed, I feel blessed, and I feel that you care. If you noticed, I babbled on more, you know what I mean? Most people won't if they're not comfortable in a situation. I was talking about other things that had nothing to do with – dipping into other things – I felt free.

London also relayed the freedom she felt. Though she was initially nervous to share her story, she made it clear that during the conversation, “if I didn’t know something, I could ask you, if you didn’t understand you asked me to clarify ... I told a few stories, and like obviously, I could tell stories to you for days and days ... I felt comfortable with you”.

Due to her comfort, Susan saw the conversation as part of a sisterhood that Black women have:

You've definitely made it feel comfortable, even though we don't know each other outside of this moment. But you've definitely made it feel comfortable. I think this also is sisterhood that we as Black women have. When we have a conversation, something happens, whether it doesn't or it does. Yeah, yeah, but something happens. And so you definitely have created that in this situation. And you've inspired me in a very interesting way.

Even with its benefits, research involving learners of the same race as the participants have been criticized. One such criticism is that as a result of their racial connection and subsequent understandings, Black learners may have tended to identify with participants’ experiences and fill in words during conversations to feel more connected to the stories of the participants.⁶⁴⁴ This criticism may appear to be legitimate, but only if viewed from the school of traditional research methodologies; methodologies that are intrinsically racist and seem to have an aversion to different

⁶⁴⁴ See Lauren Mizock, Debra Harkins & Renee Morant, “Researcher Interjecting in Qualitative Race Research” (2011) 12:2 (Article 13) *Forum: Qualitative Social Research/Qualitative Sozialforschung* cited in Walton et al, *supra* note 386 at 1-2.

forms of methodologies that do not fit within their recipe. Specifically, it represents methodologies that subjugate other forms of legitimate knowledge-seeking practices that are conventional to, for example, African teachings, and scoffs at learning from different perspectives. It is also hypocritical because white people have engaged in interviewing or in research with white people for centuries, yet these arguments are less likely to be levied against their research techniques and practices. This example of epistemic injustice demonstrates the need to centre methodologies focusing on Black and African ways of producing knowledge and foster other means of conducting research that do not rely on the status quo – a methodology like *Sistering*.

Further, the intense reflexivity required by Black Feminism and EFE, which is embedded in *Sistering*, addresses the so-called concerns regarding identifying with the co-participants in the way described above. A learner practising *Sistering* methodology must engage in self-interrogation and reflection to ensure that the participants are not further marginalized. As discussed in chapters 4 and 5,⁶⁴⁵ Black Feminism and EFE demand that the learner engages in a self-defining process – connecting with the erotic, their roots, and ancestral teachings. That self-definition is intrinsically connected to the introspection expected of learners within Black Feminist Thought, our responsibility to the participants, and the integrity of the research. Dillard carefully connects the process of self-definition to introspection and responsibility to the community stating,

[d]efining oneself in relation to one's cultural and social community also defines one's participation within that community, both one's connection and affiliation as well as one's responsibility. Thus, if one claims that one is *of* the group (that is, chooses to conduct research and makes assessments of claims to knowledge of the group, however distant or intimate those claims), there must be a simultaneous assessment of a person's character, values, motives, and ethics in relation to that group.⁶⁴⁶

A Black woman learner is central to *Sistering* methodology, and it is the entry point to the consciousness of the participants as starkly demonstrated in reflections of Gibson and Abrams and expressed by the co-participants.

⁶⁴⁵ Chapter 4, 4ci; Chapter 5, 3ei.

⁶⁴⁶ Dillard, "The Substance of Things Hoped for", *supra* note 24 at 673.

2. Dialogue, Learner Included: Engaging in Dialogue and Reciprocity is Revolutionary

The co-participants and I created a sistah circle; one where communication was free flowing, enabling us the freedom, if we chose, to bring our full authentic selves to the circle. While we are strangers in this dynamic, by virtue of our connection as Black women in a society that eschews our existence, we share commonalities that parallel our differences. These commonalities enabled us to engage in the process of “talking back”⁶⁴⁷ against hegemonic iterations of our identities and how we cope with particular circumstances. Embracing a fluid means of communication is vital to these spaces where Black women thrive as it identifies how we as Black women talk back to our social invisibility and dominance.⁶⁴⁸ Scholars have demonstrated the importance of using voices as a liberating tool for oppressed groups. bell hooks expressed that tapping into one’s voice is a process of liberation. Liberatory voices have the power to challenge, disrupt, and demand attention in ways that may alter a listener’s way of hearing and being.⁶⁴⁹ E Patrick Johnson described discourse, which includes both written and vocal iterations, as a powerful tool to resist the white, heterosexual system that we are entrenched in.⁶⁵⁰ Johnson further articulates that the “vernacular traditions” that survived the slave trade, including “folktales, spirituals, and the blues,” are foundations for our empowerment, politically and socially.⁶⁵¹ Sharde Davis reminds us that Black women’s vocal power is one that has the capabilities of transforming mundane everyday existence into survival sites and resistance.⁶⁵² Audre Lorde, in her powerful poem, *Litany of Survival*, warns about remaining silent:

And when we are silent
We are afraid
Our words will not be heard
Nor welcomed
But when we remain silent
We are still afraid.

So it is better to speak

⁶⁴⁷ See hooks, “Talking Back”, *supra* note 246.

⁶⁴⁸ Maragh-Lloyd & Davis, *supra* note 569 at 58.

⁶⁴⁹ See hooks, “Talking Back”, *supra* note 246.

⁶⁵⁰ E Patrick Johnson, ““Quare” Studies, or (Almost) Everything I Know About Queer Studies I Learned from My Grandmother” (2001) 21:1 Text & Performative Q 1 at 12; also see, Davis, *supra* note 7 at 303-4.

⁶⁵¹ Johnson, *ibid* at 12.

⁶⁵² Davis, *supra* note 7 at 301.

Remembering
We were never meant to survive.⁶⁵³

Convincingly, this excerpt from Lorde's poem infers that silence is complacency and acceptance of the current social atmosphere, and, in turn, acceptance of social injustices against Black women. Shirley Chisholm, the first Black woman elected to congress in America, and the first Black woman to run for president of the United States, once advised American Congresswoman Barbara Lee, "if they don't give you a seat at the table, bring a folding chair". Black women's communicative practices are our folding chairs.

The Power in Language

*Be who you be
Speak as you speak
Embrace your vernacular
Recover your linguistic history
Bask in the victories of your language past
Knowing its legacy - A tradition of survival, bravery engulfed in tragedy
For in this space resistance comes
Piercing through the heart of domination
Suffocating the oppressor's tongue*

*You see, freedom is defined in the oppressor's tongue
So how can we be free when their tool is how we define our free-dom?*

*Speak with conviction
Stand in your truth
'Cause silence ... is no virtue
Just a noose around your neck
Daring you to speak
Protecting their weakness by interjecting with fear*

*Making fear white supremacy's greatest ammunition against the revolution
And its greatest weakness revealing what it knows to be true:
WE can language ourselves a new world - we are the revolution*

*But without your words freedom is but a word without meaning
As Audre Lorde said, "Your silence won't save you."*

So, be who you be

⁶⁵³ Audre Lorde, "A Litany of Survival" in Kevin Young, ed, *African American Poetry: 250 Years of Struggle and Songs* (New York: Library of America, 2020) 487 at 488.

*Speak as you speak
Embrace your vernacular
Recover your linguistic history
Knowing that liberation starts with recovering you as part of that history!*

(Written and performed by Shushanna Harris)

A significant benefit of the communicating aspect of *Sistering* methodology is that Black women are encouraged to bring their linguistic speech to the circle. Historically, Black people have shaped language in a way that is unique to our heterogeneity depending on our cultural orientation and our commonalities transnationally. There is a tendency to rearrange words and letters and provide our own meaning to accommodate our communication and thus our interconnectedness.⁶⁵⁴ Oluwaseun Animashaun and Jacobé Bell characterize this process as both “honouring the Black tradition of bending and breaking English to fashion it in our own image [and] the Divine tradition of languaging oneself a different path”.⁶⁵⁵ Using words or terms, depending on your culture, like “girl”, “I’m tired”, “sis”, “chile”,⁶⁵⁶ “tell me ‘bout it”, “talk di tings”, “girl, let me tell you”, “a mi fi tell yuh”, “spill the tea”, or “Black Joy” delineate something that is often lost to an outsider. Vernacular and languages used by Black women in these spaces often embrace “idiosyncratic sociocultural and historical properties as well as linguistic codes and practices ...”,⁶⁵⁷ providing Black women the platform to communicate without the limitations or dependency on the English language as we have been assimilated to practice it.

Language use and vernaculars often embraced by Black women and Black people are denoted as inferior and the subject of constant racist, classist, and sexist stereotypes due to the insipid “social and political fears and prejudices” about Black people.⁶⁵⁸ These stereotypes are then preserved and “validated” through the media, further preventing Black women from being able to speak without being scrutinized and dehumanized through overt and micro-aggressive behaviours. As eloquently observed by Charisse Jones and Kumea Shorter-Gooden:

⁶⁵⁴ Animashaun & Bell, *supra* note 219 at 1242.

⁶⁵⁵ *Ibid.*

⁶⁵⁶ Pronounced child without the “d”.

⁶⁵⁷ Maragh-Lloyd & Davis, *supra* note 569 at 58.

⁶⁵⁸ John Rickford, “The Ebonics Controversy in my Backyard: A Sociolinguist’s Experiences and Reflections” (1999) 13:2 J Sociolinguistics 267 at 272.

If she is opinionated, she is difficult. If she speaks with passion, she is volatile. If she explodes with laughter, she is unrefined. If she pitches her neck as she makes a point, she is streetwise and coarse. So much of what Black women say, and how they say it, pushes other people to buy into the myth that Black women are inferior, harsh, and less feminine than other women.⁶⁵⁹

There is a necessity for Black women to enter spaces where they are capable of being exposed emotionally, spiritually, mentally, etcetera without the trauma associated with being shamed for such exposures. *Sistering* methodology provides such a space encouraging Black women to *come as you are and be who you be* – including bringing our languages and methods of communication, unencumbered by constant surveillance. Here, there is also acceptance of the intracultural differences among Black women because we are encouraged to bring our differences – as already indicated, there is strength in our differences collectively. Charlene reiterated this point when she commented, “I didn’t feel like I shouldn’t say this or I shouldn’t say that or I should say this more politically correct. I felt like I was free to say it however it comes out of my mouth, my stuttering, my bad grammar all included”. She further stated, “I’ve participated in stuff like this and they have like ten questions they have to get through which doesn’t give you the freedom of just sharing you...it [our conversation] was an open conversation”. The freedom described is witnessed in her story (and the stories of other co-participants) outlined in chapter 3 where Jamaican language and expressions were used to convey certain points (i.e. “di bwoy dem” – Jamaican vernacular for police).

Carol, on at least two occasions in the conversation said, “Girl, tell me about it!” This phrase was not utilized to solicit information from me. It was used when I expressed shock or made an observation regarding the treatment she received from the police or the abuser; and she responded in that manner as confirmation of what happened to her.

Given this backdrop, it is evident that dialogue is the linchpin of this methodology. It enables the fluid means of communication where Black women are able to be Black women without engaging

⁶⁵⁹ Charisse Jones & Kumea Shorter-Gooden, *Shifting: The Double Lives of Black Women in America* (New York: Harper Collins, 2004) at 102 cited in Harris, *supra* note 633 at 29.

in “code switching”.⁶⁶⁰ Dialogue implies a conversation between the participant(s) and the learner, and not a monologue involving a subject and an object.⁶⁶¹ While there is a distinction between the learner and the other co-participants in the sense that the learner initiates the process and has a heightened responsibility to the co-participants and the research, they are participants nonetheless – they are more than mere bystanders or examiners. That is, the learner is not a passive participant. For conversations to be meaningful, participants and learners must be engaged, not detached. That is, the learner must be willing to share some of who she is; must be vulnerable where it’s appropriate, which is measured through discretion. The learner cannot simply take from the participants and expect them to “spill the tea” when the learner is unwilling or prohibited to reciprocate in some respects. Do not get me wrong, I am not suggesting that the learner reveals all of who they are as to take away from the knowledge of the expert participants, but, “[t]he [learner] shares personal information to help elucidate what the participant is sharing...self-revelation and disclosure by the [learner] help to establish a more intimate connection with participants during conversations”.⁶⁶² I accomplished this by advising the co-participants that although I am not a personal survivor of IPV, I have some experience dealing with IPV as my mother is a survivor. I proceeded to share some stories about my mother being a survivor and her continued mistrust for the police. I also shared my reluctance to engage with the police outside of my job as a result of vicarious trauma, and the teachings of my grandmother. The co-participants appreciated my vulnerability, and I believe it made them see me as a contributor and not a taker – they too had a piece of me to take with them as a result of my willingness to share and be part of producing knowledge.

Additionally, the learner is contributing to the production of knowledge through reciprocity. According to Rosanne Memoli and Alessandra Sannella, reciprocity is deep-seated in mutuality and culture. They claim,

⁶⁶⁰ Code switching: a term tied to W.E.B. Du Bois’s concept of double consciousness refers to the practice of “using two or more styles during a conversation or interaction;” Carol Myers Scotton & William Ury, “Bilingual Strategies: The Social Functions of Code-Switching” (1977) 13:5 *Int J Sociol Lang* 5 at 7. See Breana M Spencer et al, “To Code-Switch or Not to Code-Switch: The Psychosocial Ramifications of Being Resilient Black Women Engineering and Computing Doctoral Students” (2022) 55:2 *Sociological Focus* 130 at 131: specific to Black women, code switching is “when Black women “consciously or unconsciously modify the way [we] behave in mostly [w]hite environments to dissociate [ourselves] from negative stereotypes held against Black women”...”

⁶⁶¹ hooks, “Talking Back”, *supra* note 246 at 131.

⁶⁶² Walton et al, *supra* note 386 at 7.

[w]hen reciprocity ... is understood as being a mutuality, a correspondence of characters or values, it refers to the cultural trait of constructing relationships with others. This encompasses the modes and norms which influence behaviours of giving, receiving, and of exchange. The term reciprocity is a cultural universal, one common to all cultures and included in the concept of culture.⁶⁶³

Further, reciprocity facilitates healing. As bell hooks reminded us, healing does not begin without reciprocity; and healing for Black women necessitates resistance.⁶⁶⁴

Sistering methodology, embracing a conversational environment where reciprocity thrives, enables a process of giving back to the participants and not just taking. Dillard reveres reciprocity as “the intention and capacity to see human beings as equal, shedding all discrimination and prejudice and removing the boundaries between ourselves and others”.⁶⁶⁵ This forms part of our survival guide, preserves our heritage, and provides a space to celebrate both our womanity and humanity. In describing the nature of the conversations within their two-person sistah circle, Animashaun and Bell cultivated a space of reciprocity where they humanized each other by demonstrating understanding and ensuring that no harm came to the other sistah – they attended to each other with respect “in the ways that the Divine creator attends to us”.⁶⁶⁶ Frankly, it’s through the power of dialogue that we centre ourselves and that of our sistahs.

The dialogical process lends a sense of comfort to the participants, learner included, as it minimizes asymmetric dynamics in the relationship. It is without a doubt that there is an inherent power dynamic within the process. However, *Sistering* minimizes this dynamic by embracing the *sisterly* relationship alluded to previously. Specifically, the conversation is akin to a biological sister or a sistah, a friend, calling on her sister (or sistah) to talk about an issue she is facing. As a sister or sistah, the listener would not simply just listen but engage in the conversation in a meaningful way. The sister/sistah would console the grieved sister/sistah through active listening and gestures of

⁶⁶³ Rosanne Memoli & Alessandra Sannella, “Inclusion: The Principle of Responsibility and Relational Reciprocity” (2017) 9:2 Italian J Sociology of Education 154 at 159.

⁶⁶⁴ bell hooks, *Sisters of the Yam: Black Women and Self Recovery* (South End Press, 1994, 2005; New York, Routledge, 2015) at 6.

⁶⁶⁵ Dillard, “*On Spiritual Strivings*”, *supra* note 466 at 85.

⁶⁶⁶ Animashaun & Bell, *supra* note 219 at 1243.

acknowledgment, demonstrate relatability where appropriate, encourage transformation, and find solutions, if required. This is the process of *Sistering* – reinforcing, empowering, and strengthening your sistah. Basically, “taking on a therapeutic role to participants shift from a public-facing position to more intimate stance that may lead to visceral narratives,”⁶⁶⁷ and finding solutions (resistance aspect). Here, the power relations are diminished. While one sistah initiated the conversation, both play equal roles in its substance, and “have equal standing in how the [conversation] is positioned, interpreted, and reported ...”⁶⁶⁸ I do understand the difference in this example and the project as it is not the sister/sistah grieving that initiated the conversations; however, I believe the sentiments remain the same and is evidenced in the responses provided by the co-participants. For example, Claire described our conversation as a bond between family members, stating,

I feel like you’re one of my family. Like a family friend. Somebody that I could call on the phone and, “hey” after today. I feel like I could just message you, and you know that I can ask anything. I just met you, but I feel some sort of a connection ... like I got an ally.

This is what *Sistering* is about – providing a comforting space where co-participants, including the learner, feel a connection with each other that stems beyond the conversations and the project. The co-participants may not become friends as a result of the conversations, but the connection we curate within that moment is spiritual, hence its reach extends beyond the contours of the conversation.

Within *Sistering* methodology, the learner has an understanding of the areas she hopes to touch on during the conversation. However, there is no structure regarding the flow of conversation, when and how the topics are introduced, and the conversations have the ability to veer into other areas not initially thought of that may inform parts of the project. Likewise, not every area anticipated may be discussed. This is dependent on the trajectory and flow of the conversation. The conversations are free flowing and engaging. I agree wholeheartedly with Thomas Cottle when he writes,

⁶⁶⁷ Walton et al, *supra* note 386 at 3.

⁶⁶⁸ *Ibid.*

there is no telling how any morning, afternoon, or evening might go...it is a conversation in which I am engaged...in one form or another, I participate...the interviewer cannot help but become immersed in the lives of those people who he or she is interviewing...[for] no one who is listening to [marginalized] people recounting [their] situations can possibly remain aloof, indifferent, and still communicate his or her interest to the story tellers.⁶⁶⁹

Communication is a significant and accessible form of resistance that Black women have in our arsenal. As such, recognizing and employing communication strategies to mobilize against injustice circumvents societal definitions of Black womanhood and enables a path to dismantle power relations. In the words of Hill Collins,

in the comfort of daily conversations, through serious (talk) and humor, [females of African descent] as sisters and friends affirm one another's humanity, specialness, and right to exist.⁶⁷⁰

Sistering is predicated on constructing knowledge through meaningful dialogue and reciprocity. Dillard categorizes this as, "engag[ing] in the reciprocal dialogues and struggles necessary to actually hear ... respon[d] – the blood, sweat, and tears, as well as the joy, sensuality, and the hopefulness, the spirit-filled nature of [her] being".⁶⁷¹ Meaningful dialogue permits us to language ourselves⁶⁷² into the realness of our human – an escape from dominant discourse that often displaces our identities and segregates us as "other". In this space, we are Black, woman, straight, gay, rich, poor, mothers, single, etcetera simultaneously and unapologetically. Further, a dialogical voice enables emotions, including anger (even with each other in the moment), sadness, disapproval, defeat, happiness, and hope, to have a place in knowledge production. Accordingly, *Sistering* rejects the polarity between "rationality and emotionality"⁶⁷³ and embraces value, meaning, and contribution of emotions to knowledge.

As already noted, reflexivity and introspection are imperative to *Sistering*. During these conversations, learners have a responsibility to the project to interrogate their own positionality, attend to it, and ensure it does not seep into the *Sistering* process as to overshadow the teachings

⁶⁶⁹ Thomas Cottle, "Private Lives and Public Accounts" (1978) 1:1 Biography 23 at 27-8.

⁶⁷⁰ Hill Collins, *Black Feminist Thought*, 2nd ed, *supra* note 205 at 102.

⁶⁷¹ Dillard, "The Substance of Things Hoped for", *supra* note 24 at 675.

⁶⁷² Animashaun & Bell, *supra* note 219 at 1243.

⁶⁷³ Evans-Winters, *supra* note 213 at 23.

of the expert participants during the conversations. While reciprocity is imperative, and the learner may even divulge information about their circumstances, the learner's perspective should not become the umbrella under which the conversation thrives. Meaning, their beliefs, positions, and understandings should not frame the conversation, but add value to the production of knowledge while remaining a learner and the participant, who chose to participate, remains the expert – it is the expert's stories, not the learner's. This is not always an easy task given the interconnected nature of the methodology; hence why some scholars advocate against learners interjecting themselves in the process. For example, scholars have asserted that this connection increases the learner's subjectivity and could negatively impact information gathering and analysis. The learner may conflate her role with that of the participant who signed up to co-create and co-participate with her. This may create an imbalance in communication with the participants, and thus, affect information gathering and their approach to the research.⁶⁷⁴ While I have some reservations about this warning and believe safeguards as discussed above can be implemented, I do adhere to the understanding that the learner should be cognizant to not conflate her role with that of the expert participants.⁶⁷⁵ Nevertheless, the sentiments of Vivien Palmer still ring true, “[t]he conversations of human beings are an important part of the data of social research, as well as an important part of social research technique”.⁶⁷⁶ A conversation is not one-sided, but interconnecting.

3. Spirituality: How We Connect!

Sistering methodology embraces spirituality in three distinct ways. First, the notion of research as a spiritual pursuit. As outlined in chapter 5, the learner as a truth-seeker challenges not only conventional knowledge, but the means by which it is created, validated, and disseminated. The learner embarks on this endeavour by relying on something greater than themselves. Essentially, we are “stepping out on faith” to speak about truths often denied by society – a commitment to a greater cause. Second, *Sistering* recognizes the importance of spirituality (religion) in the lives of many Black women and how they employ it in their everyday lives. *Sistering* encourages

⁶⁷⁴ See Marilyn Asselin, “Insider Research: Issues to Consider When Doing Qualitative Research in Your Own Setting” (2003) 19:2 J Nurses Staff Dev 99.

⁶⁷⁵ Walton et al, *supra* note 386 at 4.

⁶⁷⁶ Vivien Palmer, *Field Studies in Sociology: A Student's Manual* (Chicago: University of Chicago Press, 1928) at 169.

participants to share their spiritual development, growth, and coping mechanisms in the face of adversity and as Black women, generally. Third, the space (in person, over the phone, or virtual) shared by the learner and the participants embodies what Dillard refers to as an African cosmological space: “*I am because you are*”.⁶⁷⁷ As the first aspect of spirituality was discussed in chapter 5, I will focus on the second and third ways of how spirituality intertwines with *Sistering*.

3a. Black Women as Spiritual Beings: Embraced by Sistering

Sistering’s commitment to engaging with spirituality for both the learner and the co-participant is an acknowledgement that Black women have historically contended with the oppressions they encounter by relying on their notions, or ancestral understandings, of spirituality.⁶⁷⁸ Particularly, Black women have called upon their spirituality to tread the waters of deprivation and the tyranny inflicted by slavery, colonialism, racism, sexism, classism, etcetera for generations.⁶⁷⁹ They have always taken their concerns to an omnipresent being(s) that is “invisible and unprovable”.⁶⁸⁰ Therefore, it is not surprising that both EFE and *Sistering* require the learner to tap into their spirituality when embarking on a research project. Further, given that spirituality is instrumental in understanding how many Black women navigate the oppressions they face, it is not surprising that spirituality is a necessary requirement of *Sistering* methodology when learning about and understanding expert participants. Ignoring that aspect of their existence would obscure how spirituality manifests in their daily acts of resistance.

3b. What is Spirituality?

Spirituality is a fluid term with no universal definition. Accordingly, attempting to define it is difficult. It conveys different meanings for different individuals and, depending on one’s

⁶⁷⁷ Cynthia Dillard, “To Experience Joy: Musings on Endarkened Feminisms, Friendship, and Scholarship” (2019) 32:2 Intern J Qual Studies in Education 112 at 115; see also Cynthia Dillard & Charlotte Bell, “Endarkened Feminism and Sacred Praxis: Troubling (Auto)Ethnography Through Critical Engagements with African Indigenous Knowledges” (2011) 379 Counterpoint 337 at 346.

⁶⁷⁸ Dillard, “The Substance of Things Hoped for”, *supra* note 24 at 674.

⁶⁷⁹ Nadesha Gayle, “Black Women’s Experiences of Spirituality as a Form of Resistance and Activism” (2011) 29:1/2 Can Woman Stud 107 at 108; see also, Njoki Nathani Wane & Erica Neegan, “African Women’s Indigenous Spirituality: Bringing it Home” in Massaquoi & Wane, *supra* note 234; see also Rosina Agyepong, “Spirituality and the Empowerment of Black Women in the Academy” (2011) 29:1/2 Can Woman Stud 176.

⁶⁸⁰ Dillard, “When the Music Changes”, *supra* note 399 at 67.

perspective, spirituality and religion are sometimes used interchangeably.⁶⁸¹ Notwithstanding its lack of universal definition, many scholars have developed their own meaning of spirituality. For example, Njoki Nathani Wane posits that for Black women, “spirituality is about connecting to a life force, a higher power or purpose, a great mystery or an ultimate meaning-making-it provides us with a sense of wholeness, healing, and an interconnectedness to all life on this earth”.⁶⁸² Harry Aponte describes it as an abstract notion that breathes meaning into human existence, prescribes moral standards of existing, and is a moral compass that connects us to each other, existing at the heart of humanity. He further states that it may include a reliance on the supernatural or “on ethics or philosophy”.⁶⁸³ These understandings of spirituality are consistent with many African ancestral teachings of spirituality. According to Paulo Wangoola, spirituality for African people,

was linked to with the unshakable belief that humans were but a weak link in the vast chain of nature, which encompassed many animals, plants, birds, insects, and worms, and indeed animated beings such as stones and rocks. The world was not for conquering, but for living within adoring harmony and reverence. According to African spirituality, being in the perpetual flow of energy among animate and inanimate things and between all of these and the gods.⁶⁸⁴

Dillard posits that spirituality is connection with the mind and body, and endorses a definition which posits that, “[s]pirituality ... involved conscious relationship with the realm of the spirit, with the invisibly permeating, ultimately positive, divine, and evolutionary energies that give rise to and sustain all that exists”.⁶⁸⁵ She relies on this definition as it promotes consciousness – being premised on a choice to pursue relations with the divine power. In her view, this definition enables spirituality to play a meaningful role when engaging with social and political obstacles, including those embedded within academia.⁶⁸⁶ Additionally, there is an interplay between religion and spirituality because for many Black women learners and participants, spirituality and religion are interrelated or one in the same.

⁶⁸¹ Gayle, *supra* note 679 at 110.

⁶⁸² Wane, *supra* note 453 at 47. See also Gayle, *ibid* at 110.

⁶⁸³ Harry Aponte, “Spirituality: The heart of therapy” (2002) 13 J Fam Psychotherapy 13 at 16.

⁶⁸⁴ Paulo Wangoola, “Mpambo, the African Multiversity: A Philosophy to Rekindle the African Spirit” in George Dei, Budd Hall & Dorothy Rosenberg, eds, *Indigenous Knowledges in Global Contexts: Multiple Readings of the World* (Toronto, University of Toronto Press, 2000) 265 at 265 cited in Gayle, *supra* note 679 at 110.

⁶⁸⁵ Akasha Hull, *Soul Talk: The New Spirituality of African American Women* (Rochester, VT: Inner Traditions, 2001) at 2 cited in Dillard, “When the Music Changes”, *supra* note 399 at 68.

⁶⁸⁶ *Ibid*.

While it may be appropriate to associate spirituality with religion, it is imperative to understand that they are not exclusively tied to each other. As demonstrated above, spirituality stresses the importance of inner-connectedness and finding peace and purpose within and amongst all living things as we are all connected to a life source beyond our understandings. While religion embraces similar characteristics, it is also connected to a structured framework emerging from theologian teachings and rituals; and is often affixed to institutions such as Churches, Mosques, or Temples, to name a few.⁶⁸⁷ Nevertheless, history shows that religion and spirituality were used interchangeably until the twentieth century and with the rise of secularism, “a popular disillusionment with religious institutions as a hindrance to personal experiences of the sacred”.⁶⁸⁸ However, the conflation of the two sites was based on European colonial teachings of religiosity and spirituality that furthered oppression and violence against Black and Indigenous bodies, and even many white people who were considered heathens or pagans. As George Dei indicates, “[s]pirituality cannot be discussed outside the context of power”.⁶⁸⁹ Speaking on the experience of African peoples, slavery not only denied African people their autonomy and freedom but attempted to suppress their spirituality (or beliefs) by imposing colonial religious practices, such as Christianity, to the exclusion of all others, including traditional African Indigenous rituals and understandings. The word “attempt” is crucial, as even in the depths of despair, submerged in the belly of the beast of slavery, Africans, particularly women slaves, revived their traditional spiritual understandings and rituals. Though they had to hide these ancestral beliefs and rituals, many were able to do so by combining particular aspects of Christianity, for example, with their traditions. They surreptitiously practised their ancestral spiritual traditions, songs, dances, and rituals to remain connected.⁶⁹⁰ One such combination is known today as Revivalism or Baptist Christianity.⁶⁹¹

⁶⁸⁷ Brian J Zinnbauer et al, “Religion and Spirituality: Unfuzzifying the Fuzzy” (1997) 36:4 J Scientific Study Religion 549 at 551; also see, Agyepong, *supra* note 679 at 177.

⁶⁸⁸ Zinnbauer et al, *ibid* at 550.

⁶⁸⁹ George Dei, “Spiritual Knowing and Transformative Learning” in Edmund O’Sullivan, Amish Morrell & Mary Ann O’Connor, eds, *Expanding the Boundaries of Transformative Learning: Essays on Theory and Praxis* (New York, Palgrave MacMillan: 2002) 3 at 5, cited in Gayle, *supra* note 679 at 108.

⁶⁹⁰ Gayle, *supra* note 679 at 110.

⁶⁹¹ Wane & Neegan, *supra* note 679 at 37: “[r]evivalism is actually a spirit possession based on the integrated world of living persons and spiritual beings, which include God, Holy Spirit, and the dead. And although the unseen portion of this world includes the Christian ideologies, the total spirit pantheon is African-derived...they remained connected

They also managed to preserve other characteristics of their African spirituality including, but not limited to, Obeah, Pocomania, and Voodoo, albeit for the most part, in secret. Further, many adopted Christianity as their belief system; however, they were never far from their roots.⁶⁹² Whether they engaged in combining their traditions with Christianity, practising their own traditions without colonial influence, or adopting Christianity, or engaging in another form of religion altogether, their practices remained loyal to their African spiritual history. These traditions were transmitted inter-generationally and are evidence of our ancestors' resistance efforts against colonialists' oppressions, including spiritual oppressions,⁶⁹³ and the necessity to preserve even a piece of what was stolen from us. For example, trailblazers and heroes such as Sojourner Truth and Harriet Tubman relied heavily on Revivalism and other Christian influences in their work to resist oppressions. bell hooks, a prolific and influential educator, feminist, and activist, paid homage to Black spirituality, specifically Black women's reliance on spirituality, in her book *Sisters of the Yam*. Though written in 1993, *Sisters of the Yam* is very relevant today and sheds light on the importance of exploring spirituality as both a learner and when conducting research on the oppressions Black women encounter; particularly, the use of spirituality to cope, heal, and resist contemporary manifestations of white supremacy. She stated:

Black folks collectively believed in "higher powers," knew that forces stronger than the will and intellect of humankind shaped and determined our existence, the way we lived. And for that reason these [B]lack people learned and shared the secrets of healing. They knew how to live well and long despite adversity (the evils caused by racism, sexism, and class exploitation), pain, hardship, unrelenting poverty, and the ongoing reality of loss. They knew joy, that feeling that comes from using one's powers to the fullest. Despite the sexism of that segregated [B]lack world, the world of spirituality and magic was one where [B]lack women teachers, preachers, and healers worked with as much skill, power, and second sight as their [B]lack male comrades.⁶⁹⁴

It is obvious that for many Black women, and Black people, spirituality and religion are intrinsically tied to our everyday existence. They represent a connection that has existed pre-

to their African Creator and other forms of tradition and interpreted Baptist Christianity through Afro-Creole traditions."

⁶⁹² Gayle, *supra* note 679 at 110.

⁶⁹³ Wane & Neegan, *supra* note 679 at 37.

⁶⁹⁴ hooks, "Sisters of the Yam", *supra* note 664 at 2.

slavery, survived the Middle Passage, was utilized as a tool for comfort and resistance during slavery, and now, is used as a means of surviving the oppressive conditions that prevail in contemporary society. In the *Sistering* process, both spirituality and religion are under the umbrella of spirituality. However, both have a significant effect on the identity and the physical and emotional survival of many Black women across the diaspora (and the African continent).⁶⁹⁵ As discussed further in chapter 8, many co-participants relied on their spirituality to cope while surviving their experience of abuse and even after.

3c. African Cosmological Spaces

According to Dillard, cosmological spaces include “those persons, and spaces across differences that through their living and being are those life love lines that keep both of our heads above water when racism threatens our emotional, intellectual, and spiritual existence”.⁶⁹⁶ Innate to these spaces is healing and affirmation.⁶⁹⁷ Cosmological spaces are grounded in the powerfulness of solidarity standing for and with our sistahs – it is communal.⁶⁹⁸ This connection between Black women as opposed to women of another race, is invariably different and comprises complexities within the matrix of oppressions that are familiar to most, if not all, Black women. In this space, a rich epistemology is revealed through “the unseen, the spiritual, and embedded cultural practices”.⁶⁹⁹ Encapsulating an interconnectedness that sheds the “outsider” selves and opens the door to begin the work of healing and resistance. Naturally in this space, spirituality engenders various ways of knowing, including mental and emotional, as means of seeking “wholeness”:⁷⁰⁰ spirituality is healing. Philip Bostic and Karla Manning, in their review of Dillard’s work, comment on healing as a foundation in EFE as “the African Woman ascendant is an essential participant in the process of beginning to work on the healing of the soul” and thus humanity.⁷⁰¹ Primarily, restoring her humanity in turn restores humanity.

⁶⁹⁵ Gayle, *supra* note 679 at 110.

⁶⁹⁶ Dillard, “To Experience Joy”, *supra* note 677 at 115.

⁶⁹⁷ *Ibid.*

⁶⁹⁸ Dillard & Bell, *supra* note 677 at 346.

⁶⁹⁹ Philip Bostic & Karla Manning, “Learning to (Re)member the Things We’ve Learned to Forget: Endarkened Feminisms, Spirituality, & the Sacred Nature of Research and Teaching” (2015) 28:1 *Int J Qual Stud Educ* 131 at 132.

⁷⁰⁰ *Ibid* at 133.

⁷⁰¹ *Ibid* at 132.

As such, *Sistering* spaces are cosmological spaces. These spaces have a higher calling than simply being a platform to speak one's truth. As earlier discussed, fundamental to *Sistering* is reinforcing, empowering, and strengthening Black women damaged from the hate that plagued our existence. Restoration and healing are necessary to ensure that once the sistahs leave the space of affirmation, they are able to continue on.⁷⁰² Essentially, *Sistering* cultivates spaces "where we can see beyond the white gaze and are healed by our sisters who reach beyond our flesh to uplift".⁷⁰³ In this breath, there is a feeling of reciprocity where the learner and participant are mutually engaged in learning together and healing together; they are feeling together as a result of their intersubjective connection during the process. This was evident in this project when Susan advised that I had inspired her in an interesting way, or when Carol spoke about the connection she felt with me.

During my conversations with the participants, they shared how this process made them feel. I was truly surprised to hear that these feelings incorporated this healing feature, thus revealing the power of the unencumbered conversations required by *Sistering*. For example, London stated, while in tears,

Thank you. Honestly it was good. Like I was not going to say it's nothing I couldn't overcome or like it didn't bring pain. No. But like it does like you know, it's hard to talk about it but you can get through it. You definitely can get through it. And be comfortable and open it makes all the difference. Because if not, I'll be sitting here looking at you for two hours.

Tanisha also felt this space was a healing space. She advised,

because I started to recognize how keeping that story inside was affecting everything that I was doing...I realized how much I wasn't really dealing with it before. So I do think that telling my story can help me find ways to cope better, be more healthy. I feel lighter, and mentally, yeah, that's good.

Although she did not say it outright, it became very clear that the conversation in and of itself was a healing mechanism for Claire because she "... had someone to talk to. I had an ally". She further

⁷⁰² Animashaun & Bell, *supra* note 219 at 1242.

⁷⁰³ *Ibid.*

stated, "... it's a relief. I felt like some weight lifted off my shoulders, you know. Some burdens lifted. I feel good. I just wanted someone to talk to".

Additionally, the magnitude of the connection has the potential to encourage women to share deeper and harder with the desire to not only heal themselves, but to also affect change – restore humanity. This desire to affect change was demonstrated in the comments of all the participants. They felt comfortable enough to tell their stories with an eye on helping another woman in their situation, to change policies, to obtain funding for programs for Black women, and/or to be heard. Thus, the significance of spirituality for knowledge production in the Black community cannot be undervalued. It is propitious as it can transform research “and the very foundations of education” by creating spaces for healing.⁷⁰⁴

ii. Sistering Storytelling and Reciprocity: A Necessity in Sistering

As *Sistering* is intent on providing a platform for Black women to tell their stories and for their stories to be heard, it is only fitting that the second component of *Sistering* involves storytelling. In chapter 3, the reader was introduced to the co-participants through their stories using an approach similar to what Donald E Polkinghorne refers to as narrative analysis. Utilizing narrative analysis requires the learner to create a story from the information provided by the participants that “unites and gives meaning to the [experiences] as contribut[ions] to a goal or purpose”, thereby “develop[ing] or discover[ing] a plot that displays the linkage among the [information provided] as parts of an unfolding temporal development culminating in the denouement”.⁷⁰⁵ Accomplishing this task relies on synthesizing the information provided and not dividing it into distinct parts.⁷⁰⁶ Therefore, creating a storied outcome that both “fits” the information provided and illuminates “an order and meaningfulness” not necessarily exposed in the information prior to its configuration.⁷⁰⁷

From the transcripts I assembled the co-participants' narratives using only their words; except where to ensure clarity or enable flow, I made minor edits and additions. Once the narratives were

⁷⁰⁴ Dillard, “Towards an Education”, *supra* note 341 at 51.

⁷⁰⁵ Polkinghorne, *supra* note 31 at 15.

⁷⁰⁶ *Ibid.*

⁷⁰⁷ *Ibid* at 16.

completed, it was a necessary part of the process to provide a copy to the co-participants who indicated they wanted to review what was written for accuracy and to provide feedback. Six women opted to review their stories. This amounted to not only a process of reciprocity where the women had an actual say in how their stories were documented for the public eye, but it also provided a healing component, which again tapped into that spiritual understanding as described above. For example, following the review of her written story, London wrote, “thank you so much. I’m going through so much, and this really helped me by reading what I have gone through and living and trying my best to overcome it”. Charlene expressed similar sentiments, “reading this brought me back but also, I am proud of where I am. I am honored that you shared my story and pleased that you kept my real voice”. In addition to thanking me for remaining true to her words and vocabulary, Sharon hoped that other women reading her story would experience healing: “I feel good that I was able to share my story, which I never did to this extent with anyone. I feel that story will help and empower other women that face domestic violence to seek help or just to talk about their experience so they can heal”.

To employ a *Sistering* methodology is to move beyond segmenting the stories of the participants into themes and categories, though this does occur in part II and in this particular chapter. However, *Sistering*, through storytelling, ensures that the stories of the co-participants are presented in a meaningful way that actually provides a narrative outlining the experience(s) they shared: one that does not reduce their circumstances to merely themes and categories; and one that other women can relate to. Including the stories in this manner respects and promotes Black women as knowers and enables readers to engage with the words that are on the pages, commands respect for the women’s stories, and honours Black life, specifically the lives of the co-participants. There is also the profound hope that “[h]earing a storied description about a person’s movement through a life episode [would touch people] in a way as to evoke emotions such as sympathy, anger, or sadness”;⁷⁰⁸ and, perhaps help them to “re-think, and re-evaluate their own views, prejudices, and experiences”.⁷⁰⁹

⁷⁰⁸ Polkinghorne, *supra* note 31 at 11.

⁷⁰⁹ Joeng-Hee Kim, *Understanding Narrative Inquiry: The Crafting and Analysis of Stories as Research* (Thousand Oaks, CA: Sage Publications, 2016) at 235.

Further, I believe that enabling the co-participants to engage with their stories through reciprocity is tied to individual empowerment and the need to provide Black women with a platform to share their experiences how they deem appropriate: after all, it is their stories to tell. This will hopefully, in turn, enable other Black women IPV survivors who, for whatever reason, may not have access to the broader platform, to see themselves in the stories of the co-participants, realizing they are not alone. I also argue that this process advances a political stance promoting social justice and change, not only politically, socially, and legally, but academically, transforming how we conduct research.

4. Reflection Moment: Learner's Thoughts

I am a Black woman, immigrant, Jamaican, lawyer, and PhD candidate. I am personally affected by the societal condemnation of being Black, woman, and a Black woman in Canada. Additionally, I have seen first-hand, as a lawyer, the manifestations of racism, classism, sexism, and nationalism within a system that was built on these constructed ideologies that continue to exact violence upon racialized bodies, particularly Black and Indigenous bodies. Also, I have witnessed my mother being abused by a Black man and the way she was treated by a CLS that is, ostensibly, to protect all people. All this to say, I am acutely aware of the position I hold in society, and the influence my biases and position may have on my approach to this research project and my conversations with the co-participants.

As a learner, I am aware that the co-participants are credible experts in the field of IPV. It is their story; to approach our conversations as if I knew them and their stories would be engaging in epistemic injustice by stripping them of their agency. As a learner, I need to grapple with the fact that my engagement with the literature on IPV or that my mother and others I know have experienced IPV does not mean that I share with the co-participants the epistemic location of survivorship. Reflexivity is required to thwart these preconceived notions of what I think I already know. Reflexivity assisted with my development as a learner by enabling me to make meaningful efforts to remove myself from what I think I know about survivors, what I have been taught as an academic, my experience with IPV situations as a lawyer, and what the literature informed me of IPV. I had to enter these conversations with an open mind and a willingness to learn without

judgment or imposing my own biases on them and their experiences. I went into the conversations with every intent to hear and learn from the experiences of the co-participants.

In addition to identifying as a learner, I made a point of reminding myself of four things: (1) I am here to learn; (2) this is not my space alone; (3) this is her platform; and (4) listening is key, engagement is imperative. I am well aware that engaging in this exercise prior to the conversations does not erase my biases, nor does it alter my academic and professional positions. However, I did this exercise to ground myself and remind my subconscious of both the privilege I hold as the person conducting the research and the privilege I have of learning from the women who chose to be co-participants of this project. Essentially, these four reminders were how I “checked” myself, ensuring that I did not allow my biases to drive the project. Absent this “checking”, I would have been adopting the approaches I aim to dismantle and undermining my commitment to a decolonial means of *doing* research. As warned by Vivetha Thambinathan and Elizabeth Anne Kinsella, “if not checked appropriately, [learners] possess an unequal power to define, label and alienate oppressed populations”.⁷¹⁰ So, I conditioned myself from the role of the *researcher* to that of the *learner*.⁷¹¹ As a learner, I felt I was able to participate in these conversations and engage with the experts, be vulnerable, and allow myself to feel in an academic endeavour, though it is taboo in academic pursuits. I was able to let my guard down and *just be*. I did not experience tension while “checking” myself and being fully present as a learner/co-participant.

However, I would be naïve to assume that my academic and professional positions and class power may not have had some influence on the co-participants’ responses and engagement with me. For example, for those conversations that required the icebreakers, a number of reasons could be possible as to why these co-participants were reluctant to engage at the beginning – one reason may very well be my professional and academic positions. By raising this possibility, it is by no means intended to diminish what the co-participants shared or compromise their agency and autonomy – this would run counter to my project.

⁷¹⁰ Vivetha Thambinathan & Elizabeth Anne Kinsella, “Decolonizing Methodologies in Qualitative Research: Creating Spaces for Transformative Praxis” (2021) 20:1 Int J Qual Methods 1 at 3.

⁷¹¹ *Ibid.*

During the conversations, I employed various communication tactics intended to minimize the impact my positionality and biases may have and to be attentive to imbalances of power. Discussions of my profession were limited to the outset of the conversations (unless they were inquired about during or after the conversation); I made certain that the co-participants steered the conversations; I was very careful in the amount I shared to ensure that my personal stories, particularly about my mother's abuse, did not overshadow theirs; I freely spoke the Jamaican language with those who did so during our conversations – this encouraged comfort and a sense of relatability; and when they asked questions of me, I did not shy away from responding. I consciously made the effort to do the above in order to meet them where they were at during the conversations and as an indication that I was not engaging in these conversations to usurp their stories, but to truly learn from and engage with them and their stories.

Following the conclusion of each conversation, I reflected on my “just being”, my behaviours and actions, what I learned from the woman, and the importance of ensuring that the woman's voice and words took centre stage. I interrogated my presence asking questions like, “As a learner, how did I receive/respond to the information”?; “Was my perspective on the particular area we were covering at any given time projected as to influence the co-participants' responses”?; “Did I share too much”?; “Did I share enough”?; “Was there an evident power imbalance”?; and “Was this truly a conversation”? It was through these reflections that I came to understand that being a Black woman learner made these conversations more informative and engaging. Though some women had explicitly shared with me their relief that I was a Black woman, the depth of the conversations and information conveyed between the other women and I, made it clear that the learner as a Black woman was a necessary criterion for *Sistering*.

Additionally, each reflection made me better for the next conversation. There were times when I felt I did not receive the information a particular woman provided about her abusive situation as well as I could have. For example, in the conversation with Charlene, I learned that her partner asked her to marry him holding an actual gun to her head. I responded in utter shock, and I indicated, “I can't believe that”. Not because I did not believe her, but because it was surreal to me that someone would do that to someone they profess to love and want to marry. I was nervous responding in that way because even though I created this safe space, I still did not know what to

expect. But she understood that my comment was not judgmental, we commiserated over what happened to her, and the conversation continued to flow. Nevertheless, I wish I had responded differently; though, this is one of the benefits of *Sistering*. I showed my true self in that moment, and she trusted me enough to know that I was not judging her but expressing an emotion that was in response to the calibre of information I received. Subsequent conversations with other co-participants produced information with a similar impact but I was not nervous to react in a manner that is responsive to their situations. Working within the parameters of *Sistering* was an amazing experience I shared with the co-participants.

Another aspect of this reflective piece was how to “retell” their stories. For every story I wrote, I had a serious fear of pathologizing or further marginalizing the women, their families, and the Black community.⁷¹² Also, similar to Gibson and Abrams, I feared I would not capture the accuracy of the information they provided. Reflecting on these issues, I was reminded of two things. First, the purpose of this project is to step out on my faith to do something transformative, to give voice and power to Black women survivors of IPV. Second, the conversations taught me that the co-participants chose to speak to me because they wanted to be heard, facilitate change, experience some form of healing, and help to heal others; and they trusted me with their information. I had an obligation to the co-participants, the project, Black women, and myself; and I wanted to ensure that this was done with integrity – this work is sacred. As such, their words were the driving force of the stories and of the project.

5. Potential Limitations of *Sistering*: No Methodology is Perfect!

I have introduced *Sistering* as a methodological option for engaging with Black women survivors of IPV in this project, and for engaging with Black women generally. While the methodology is indeed applicable in diverse contexts, it is not without its limitations. First, I acknowledge that the majority of the discussion regarding religion in the use of the *Sistering* methodology focused on Christianity. This is a result of the co-participants’ indication of God’s presence in their responses to the abuse they are or were facing; and, to a lesser degree, the women I have encountered in my personal life. However, this focus does not preclude other women with different religious

⁷¹² Gibson & Abrams, *supra* note 635 at 471.

backgrounds from engaging with the method. Diversity in religion may provide further insight and knowledge regarding Black women's views of the police and whether religion is a staple in their responses to the abuse they face.

Second, arguably *Sistering* limits who can employ it as a learner and who can be considered a co-participant. I do not see the latter as a great limitation because I believe that culturally appropriate methodologies are necessary to explicate the circumstances and ways of thinking of Black women. As already noted, Black women have unique intersecting identities and circumstances; they address their situations by invoking actions and responses that are quite different from other racialized individuals, and from white women who are depicted as the quintessential women. However, *Sistering* requiring the learner to be a Black woman may garner its own challenges, one of which was borne out in section 1 of this chapter – Features of *Sistering* Methodology. Particularly, Black women learners identifying too closely with the women's stories and embedding themselves to feel more connected to the stories and the co-participants.

Another argument that I foresee regarding this limitation is that a learner with a different racial and/or cultural background engaging with Black women can be beneficial for knowledge production and dissemination. While there may be some benefits to this experience – one being the voices of disenfranchised individuals being provided a platform to disseminate their knowledge regardless of the race of the conduit – there is a history of white learners, many of whom perceive themselves to be allies, (un)consciously pathologizing the experience of Black women or providing other negative perspectives on their situations in a white dominated society.⁷¹³ Furthermore, some learners of the dominant society may also have a tendency to exude “a patronising quality of standing in the place of and speaking on behalf of [those considered] *Other*”⁷¹⁴ which does more harm than good for co-participants.

Third, *Sistering*, in the context of this project, did not flesh out the impact of certain intersectional identities, including culture and class, and how they may influence the women's decision-making

⁷¹³ Gisela Schulte Agyeman, “White Researcher-Black Subjects: Exploring the Challenges of Researching the Marginalised and ‘Invisible’” (2008) 6:1 Electronic J Business Research Methods 77 at 79.

⁷¹⁴ *Ibid* at 79.

process. I believe the reason for this was the nature of the conversations that took place and/or the particular circumstances of the ten co-participants. While I had an outline of what I wanted to discuss, the women steered the conversations. Although we did discuss culture and class, they were not at the forefront of these particular co-participants' decision-making process. Further, I also believe that it is the nature of the inquiry of my project that may have not steered the conversations to delve in those particular areas. I acknowledge that those are important factors and could have been further explored in the *Sistering* discussions. But again, *Sistering* provides room for these, and other, discussions regarding intersecting identities.

Fourth, *Sistering* appears to place the learner and the other co-participants on the same playing field. This appearance is a limitation because there is definitely an imbalanced dynamic given that the learner is initiating the project and the co-participants volunteer to engage with the project. Another imbalance could be the learner's economic and/or social status in relation to the co-participants. I am a lawyer and PhD candidate. However, my positioning did not dictate how I engaged in the conversations. And while I cannot speak on behalf of the other co-participants, I certainly did not garner sentiments from our interaction that my credentials, which they were privy to, impacted how they conversed with me. I engaged in two practices I believed grounded me and my approach to these perceived imbalances. First, which was discussed more fully above, prior to every conversation, I reminded myself of my role as a learner and the importance of maintaining that space so as to not overshadow the positions of the experts (the other co-participants), their narratives, and how they present them. Second, I was intentional in engaging in reflexivity throughout the project, the conversations, and at the conclusion of each conversation. Fundamentally, an essential safeguard within *Sistering* is the process of reflexivity.

Lastly, there is an argument to be made that *Sistering* does not allow conclusions about the full thoughts of the participants regarding the methodology itself because their approval is based on a snapshot in time – their immediate response at the time of the conversations. Two things come to mind to address this point. First, I believe that what they feel at the time of our conversation and in that moment should not be questioned. Questioning their feelings is scrutinizing the legitimacy and validity of their responses. This undermines their agency to feel and express how they feel at the time. Second, if this is indeed an issue, their ability to revisit their stories may temper this

limitation as the women have the ability to retract, edit, and/or provide feedback about the narrative, as well as about *Sistering* methodology.

6. Closing Remarks

Sistering offers a methodology that aims to centre (physically, emotionally, vocally, and spiritually), empower, uplift, and connect with Black women. In applying this methodology of engagement, I gained insights not only about the co-participants, but about myself, the power of self-reflection and how it can impact one's connections, temporally, spatially, and physically. For example, before constructing *Sistering*, I had neglected the importance of community despite my own community of friends and family. I was tied to the Western ideology of individualism and lost sight of the legacy of my ancestors and the teachings of my grandmother. When I was a child, my grandmother used to say, "it takes a village to raise a child", yet I had forgotten the meaning of that sentiment. *Sistering* made me remember the importance of community – that we cannot navigate this world alone – at a time where it seems that as a society we have lost sight of its significance. I had forgotten how community connections are instrumental in shifting negative rhetoric. With *Sistering*, remembering, self-reflecting, and attending to what it means to be part of a community are imperatives. *Sistering* encouraged me to find connections, beyond the superficial, with other individuals in the Black community. I did just that. I found a community in strangers and a newfound understanding of the power of working together and connecting on a deeper level that engenders a desire for collective change. It wasn't just me hoping for change but working towards it with a community wanting the same. It was a truly empowering, symbiotic, and spiritual experience. *Sistering* facilitated a type of freedom that I have never experienced in academic research – a type of freedom that has the very real potential to facilitate change.

CHAPTER 7 – BEHIND THE SCENES: ACCESSING THE CO-PARTICIPANTS

1. Demographics of the Co-Participants⁷¹⁵

Ten Black women, between the ages of 30 and 61, who are or were in intimate heterosexual relationships with Black men who abused them, and have either contacted the police, decided against contacting the police, or have done both, agreed to be co-participants with me on this project. The co-participants are of various Caribbean and African heritages: Claire, Carol, and Sharon were born in Jamaica; Tanisha, Susan, and London were born in Canada – Tanisha is of Guyanese parentage, Susan, Jamaican and Trinidadian parentage, and London was born in Nova Scotia, and is of Black, Indigenous, and white parentage. Stacey, Jazmine, and Jordan were born in Africa – Stacey is from South Africa, Jazmine from Nigeria, and Jordan from Angola. Charlene was born in England, with Jamaican parentage. Seven of the ten co-participants' situations involved the police though they were reluctant to involve them. Of the seven who involved the police, five made the call to the police themselves as they believed they had no other choice, and two had the assistance or encouragement of a third-party.

2. Accessing Co-Participants

I recognized that the participants are considered to be constituents of a hard-to-reach or hidden population due to the nature of the inquiry and their position in white society. However, I did not anticipate accessing them would have been as challenging as I experienced. Hard to reach or hidden populations are sub-groups of the population that are difficult to gain access to or those who wish to remain hidden.⁷¹⁶ According to Cecilia Benoit et al, hidden populations have three common characteristics: first, sample frames for them are non-existent, leading to an inability to quantify size or boundaries of the group; second, acknowledging membership in such groups may generate fear of persecution and prosecution; and third, group members are often skeptical of

⁷¹⁵ In order to engage with the co-participants, I received approval from the York University Review Ethics Board.

⁷¹⁶ Abdolreza Shaghghi et al, "Approaches to Recruiting 'Hard-To-Reach' Populations into Research: A Review of the Literature" (2011) 1:2 Health Promot Perspect 86 at 87.

outsiders, want to remain hidden, are unlikely to participate, and less likely to provide accurate information about themselves or their members.⁷¹⁷ The first two characteristics of hidden populations are not farfetched descriptions as the information these individuals are privy to or have expertise in are usually stigmatized or carry certain stereotypes that have social and even legal concerns. However, I take issue with the third characteristic. While these individuals may be skeptical of outsiders and want to remain hidden, I take issue with painting all with a broad brush as less likely to be truthful (this remains, even with my experience with imposter participants as discussed below). Respectfully, subscribing to this notion is dangerous and further stereotypes or pigeonholes said participants' contribution as suspicious. Frankly, given that these individuals are hidden and could remain hidden, why would they surface to provide inaccurate information? It seems to me that most would only surface and agree to share their stories with all intentions to do so accurately, especially given that participation is not forced upon them.

Being aware that accessing historically marginalized women who are survivors of IPV would be somewhat challenging, I attempted to gain access to these women through the snowball technique as I was aware of individuals interested in the topic and who would hopefully assist with obtaining participants. The snowball technique (or chain method)⁷¹⁸ occurs when an existing participant or interested party recruits potential participants to engage in the project by virtue of their friendship or other ties. The participants, in turn, similarly recruit others. In essence, this method utilizes hidden social networks and provides the listener with expandable contacts they may have never encountered through other means.⁷¹⁹ Snowball technique is not without its critics.⁷²⁰ For example, some scholars have emphasized its lack of appropriate representation: specifically, selection bias,

⁷¹⁷ Cecilia Benoit et al, "Community-Academic Research on Hard-to-Reach Populations: Benefits and Challenges" (2005) 15:2 Qual Health Res 263 at 264.

⁷¹⁸ Mahin Naderifar et al, "Snowballing Sampling: A Purposeful Method of Sampling in Qualitative Research" (2017) 14:3 Stride Dev Med Educ 1 at 2.

⁷¹⁹ Ronet Bachman & Russell Schutt, *Fundamentals of Research in Criminology and Criminal Justice* (USA: Sage Publications, 2003) at 196-197.

⁷²⁰ Jaime Waters, "Snowball Sampling: A Cautionary Tale Involving a Study of Older Drug Users" (2015) 18:4 Int J Soc Res Methodol 367 at 375-377: Waters, while employing the method to access 40-year-old individuals who are illicit drug users and have no connection to the criminal law system, found that it impeded the recruitment process for that study. Specifically, recruitment became problematic because the necessary participants were being asked to discuss a topic that they had decided to keep hidden; older adults had more at stake than younger individuals who indulged in the behaviour, and as such, their personal and vocational life would be jeopardized should they choose to participate; the characteristics of the person conducting the research were a factor in the potential participants' ability to trust them; and many of the individuals in the target population were not part of a social group where access would have been made simpler – many often indulged in illicit drug use in the privacy of their own home, alone.

lack of diversity regarding participants, and validity.⁷²¹ Selection bias is probably the most cited problem with snowball sampling as the participants are not randomly chosen, but instead are primarily reflections of personal connections. According to some critics, this approach lacks population representation and according to many, invalidates the research.⁷²² Additionally, because it primarily includes hidden populations or hard to reach individuals, snowball sampling is criticized for its limited sample size therefore hindering the learner from gaining access to a broader range of individuals. Further, given the sample size that it often creates, the validity of the research outcomes is challenged. Notwithstanding these challenges, “...the unique needs and struggles of hidden, hard to reach, and sensitive subject populations [provide justification for] social justice [learners] continu[ing] to use snowball sampling as a means of collecting [data] despite the fact that it “often lacks legitimacy in the eyes of the academy””.⁷²³

Despite the critiques, I employed this technique because it is in line with the principles of EFE and *Sistering* in a number of ways. First, notwithstanding its colonial underpinnings, it has the ability to challenge traditional Eurocentric approaches to research methods, particularly quantitative approaches, by stressing that the validity of the study does not rely on the number of participants, but lies in “the confidence that develops in a relationship over a period of time is *perhaps the best guarantee of sincerity* ... [emphasis added]”.⁷²⁴ From reviewing the literature on the snowball method, I learned that by virtue of the mode of connection embedded in the method (through particular persons or groups which are trusted by the participants), the participants may enjoy a form of comfort, hopefully providing them with a safe space to share their stories. Second, it is one of various tools used to guard against further marginalization of the co-participants as they are not subjected to sampling techniques that treat them as *mere* subjects or even *just another number*, or another participant – they are more likely to trust the learner as a result of method of association.⁷²⁵ Third, snowball sampling facilitates contacts that would be considered unconventional. For example, Xeturah Woodley and Megan Lockard recruited ten Black African American women who held a Master’s, PhD, or terminal degree through the assistance of a

⁷²¹ Xeturah Woodley & Megan Lockard, “Womanism and Snowball Sampling: Engaging Marginalized Populations in Holistic Research” (2016) 21:2 Qual Rep 321 at 323.

⁷²² *Ibid* at 323; see also Mary Dawood, “Sampling Rare Populations” (2008) 15:4 Nurse Res 35 at 37.

⁷²³ Woodley & Lockard, *ibid* at 323.

⁷²⁴ *Ibid* at 326.

⁷²⁵ *Ibid* at 327.

hairdresser and cross-cultural alliances/friendships.⁷²⁶ Both avenues assisted with getting the ball rolling, enabling learners to obtain participants. This is important given that the participants required for this project occupied different and intersecting identities. An ability to access them in their own spaces, wherever and however that may be, was paramount. Last, the size of the sample does not detract from the experiences that the participants will share and their connection to each other. The participants in the current project are not speaking to the experiences of all Black women who are survivors of IPV but provide insights on the subject, enable some understanding that may embolden others to share their stories, and encourage more learners to embark on such projects.

Though snowball technique was utilized as means of gaining co-participants for this project, I had to employ other means to access these women, as the technique only afforded me 4 co-participants. Scholars have suggested numerous ways of recruiting hard to reach populations. These include, but are not limited to, individuals with personal connections, outreach workers who may share the parameters of the study with other community resources, placing recruitment brochures in particular social settings, such as churches, and target email and social media strategies.⁷²⁷ Additionally, others have suggested intimate settings such as hair salons, employed in Woodley and Lockard analysis, and cross-cultural alliance building organizations.⁷²⁸

Given these suggestions and understanding that the women I seek are not one-dimensional but affected by intersecting oppressions that may find them in different spaces, I cast a wider net beyond my social circle. I developed a recruitment flyer which was provided to at least three women's shelters, libraries in various jurisdictions in the Greater Toronto Area, community health centres, social services, and other intimate settings, such as hair and nail salons. I also shared the flyer on social media platforms, including Instagram and a community newspaper whose audience is predominantly Black readers. This mass recruitment strategy enlisted the remaining 6 co-participants. However, utilizing these platforms, especially social media, came with obstacles: particularly, "catfishing" or "imposter participants".

⁷²⁶ See *Ibid.*

⁷²⁷ Georgia Sadler et al., "Recruiting Hard-To-Reach United States Population Sub-Groups Via Adaptations of Snowball Sampling Strategy" (2010) 12:3 Nurs Health Sci 369 at 373.

⁷²⁸ See Woodley & Lockard, *supra* note 721.

a. Experiencing Imposters: Be Careful – Recruitment Surprises

Imposter participants are individuals “who are dishonest about meeting study inclusion criteria and/or dishonest in their interview responses”.⁷²⁹ Accordingly, online conversations with participants facilitate this process easily by enabling participants to “misrepresent their identities and volunteer for studies even if they do not meet inclusion criteria”.⁷³⁰ During my first three conversations, I quickly learned that my method of recruitment, primarily the online method, along with the use of Zoom, allowed for the possibility of imposter participants.

During the early stages of recruitment, I received eighty plus emails within minutes of each other. I was cautiously excited as the emails came, at times, one after the other, or within five to ten minutes of each other, as if they were generated for this purpose. Nevertheless, I proceeded to schedule conversations with women who self-identified as meeting the criteria to be a co-participant via email. Jacqueline M Roehl and Darci J Harland suggested that scheduling conversations by phone would have been the first step to eliminate imposter participants as these participants are less likely to have multiple phones to create multiple identities.⁷³¹ This understanding was not part of my thought process at the time as I was naïve to the notion of imposter participants.

Following their contact, I provided some of them with an outline of the purpose of the project. If they agreed to become co-participants, they were provided a consent form to complete in order to participate. The women were also provided the option of participating via Zoom or in person. All the participants, including the ten whose stories informed this project, preferred to meet online via Zoom. Upon completion of their participation, each woman would receive a \$15 gift card for Tim Horton’s. Scholars have advised that incentives have the ability to attract imposter participants.⁷³² However, I provided said incentives to thank the co-participants for engaging in these difficult conversations with me.

⁷²⁹ Jacqueline M Roehl & Darci J Harland, “Imposter Participants: Overcoming Methodological Challenges Related to Balancing Participant Privacy with Data Quality When Using Online Recruitment and Data Collection” (2022) 27:11 Qual Rep 2469 at 2469.

⁷³⁰ *Ibid.*

⁷³¹ *Ibid* at 2471.

⁷³² *Ibid.*

During my first three conversations, the women refused to turn their cameras on, which I did not question as the consent form did not indicate cameras being on as a criterion for participation. Following the conversation with the second woman, I became suspicious that her and the first woman were not being truthful about their experiences or their identity, and that they were in fact the same person. Their stories only varied in minimal ways, they were unable to provide basic demographical information, the conversations were held roughly the same time of evening on consecutive days, and they had similar accents. During my conversation with the third woman, I began to have the same concerns. I asked the individual to turn her camera on, and she refused.

In light of these experiences and with approval of York's Research Ethics Board, the consent form was amended to require the co-participants to initially join the conversation with their video on to ensure no one participated more than once.⁷³³ Thereafter, all co-participants turned their cameras on at the outset of the conversation and it remained on for the most part. Another aspect that assisted with ensuring the integrity of the information is that each of the ten co-participants provided other means to contact them should I require clarification regarding any of their stories as I combed through the information. The information from the first three interviews was discarded and in no way utilized for this project.

It took me almost a year to locate ten co-participants. However, the recruitment process exposed my vulnerabilities and confirmed my learner status as I believed imposter participants were myths – urban legends. Apparently, they are not; and I am wiser due to this experience.

3. Sistah Circles: Conversations for Two

All ten co-participants opted to have our conversations occur over Zoom. Prior to the conversations commencing, I introduced myself to the co-participants, advised them of my ethical obligation, my intentions, and made it clear that I did not have any questions developed, though I did have a list of topics to cover. The lack of questionnaire was predicated on my intention to make this a free-flowing conversation between two “girlfriends,” and in most cases, I named the setting for

⁷³³ *Ibid* at 2475.

the type of conversations I hope to have as a sistah circle. Following my introduction, the conversations would either begin with pleasantries where the women and I would build a rapport, sharing details about our day, work, or school, then the conversation blossomed from that entry point. However, in three instances I began the conversation with an ice breaker (e.g. what comes to mind when you hear the words “police” or the “criminal law system”?) as the women required a “push” to dive into the topic. The ice breakers assisted with an introduction to the area of interest and propelled the conversations into an open dialogue. As demonstrated in the *Sistering* chapter, the conversations were free flowing. The participants and I shared personal details about our lives – they more so than I as this was their platform. The reciprocity, however, enriched the conversations as the co-participants felt comfortable to share in-depth details about their circumstances, including vivid details about the abuse they encountered, though the abuse was not the centre of the inquiry.

4. Learning their Stories After I Heard Them!

At the completion of the conversations, I transcribed the stories shared by the co-participants⁷³⁴ using Otter AI and Sonix AI, which are voice recognition softwares. Voice recognition software enables transcriptions without typing, and they boast a 98 percent accuracy rate.⁷³⁵ While voice recognition software enjoys such ratings, I manually compared the recorded conversations with the transcripts to ensure their accuracy; and for the most part, the software did not record accurately. I had to comb through each transcript with the recording at least twice. This process enabled me to engage in a close review of the conversations and facilitated the analytical process.⁷³⁶ During my multiple reviews, I ensured that the transcripts reflected the true features of the discussions, including expressions, tone of voice, particular emphases made, and timing by noting each feature beside the word or sentence in parentheses. These are particularly important for analyzing the information provided by the women.⁷³⁷ All in all, transcription was crucial to this project.

⁷³⁴ Julia Bailey, “First Steps in Qualitative Data Analysis: Transcribing” (2008) 25:2 Fam Pract 127 at 127.

⁷³⁵ Jennifer Matheson, “The Voice Transcription Technique: Use of Voice Recognition Software to Transcribe Digital Interview Data in Qualitative Research” (2007) 12:4 Qual Rep 547 at 551.

⁷³⁶ Bailey, *supra* note 734 at 127.

⁷³⁷ *Ibid* at 128.

Following the transcription of the conversations, I needed a means of analyzing the narratives I received from the co-participants that was not misguided or influenced by colonial teachings of “data” analysis. Needless to say, I was reluctant to engage in the traditional method of coding. Coding is the process of creating themes or codes from analyzing qualitative “raw data”.⁷³⁸ It utilizes a “word or short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data”.⁷³⁹ According to Radhika Viruru and Ambyr Rios,⁷⁴⁰ coding is a colonizing, Eurocentric method of analyzing information. They note that the practice of coding, as it stands in the qualitative research setting, is akin to that of quantitative research studies where stories of participants are broken down into categories that fail to recognize participants as knowledge producers. The person conducting the research reconfigures these disassembled fragments into an account of their making. In this process, participants are treated as objects and their knowledge devalued. Essentially, the learner takes the stories shared, recounts, and disseminates them as they see fit without recognition of the multidimensional fabric of the stories and the participants.

The traditional coding process does not coincide with my decolonial vision as it compartmentalizes and enables fragmentation of the stories shared by the co-participants, and, in turn, works to dehumanize them and their stories. Recognizing the dehumanizing effects of colonial coding methods, Viruru and Rios provide a few suggestions on how to conduct qualitative research to ensure a move towards a “pluriversal” worldview, as opposed to a universal one that is revered in colonial approaches. First, the information should be analyzed outside the Western canon. Meaning, the learner should employ a decolonial perspective when analyzing the stories shared by the participants. Particular to this process is the use of Gerald Roche’s formula for decolonial methodology discussed in chapter 5 – specifically epistemic decolonization. Here, epistemic decolonization includes unlearning the “norm”, using non-traditional ways of understanding the information received, and employing theories that inform the analysis and themes that necessarily

⁷³⁸ Victoria Elliot, “Thinking About the Coding Process in Qualitative Data Analysis” (2018) 23:11 Qual Rep 2850 at 2850; Jessica T DeCuir-Gundy et al, “Developing and Using a Codebook for the Analysis of Interview Data: An Example from a Professional Development Research Project” (2011) 23:2 Field Method 136 at 138.

⁷³⁹ Johnny Saldafia, *The Coding Manual for Qualitative Researchers* (London: Sage Publication, 2009) at 3.

⁷⁴⁰ Radhika Viruru & Ambyr Rios, “Needed Methodological Emancipation: Qualitative Coding and the Institutionalization of the Master’s Voice” (2021) 27:10 Qual Inq 1146.

challenge dominant beliefs regarding methodology. Viruru and Rios stress that to move outside the Western canon requires that research be guided by a principle of non-injuriousness wherein the learner appreciates the long history of injury imposed by colonialism. Research, including coding, must not further injure those already injured but rather, empower and humanize them. Analyzing information through the lens of Black Feminist Thought permits this decolonial endeavour as “Black feminist data analysis processes [...] serve to synchronously armor and humanize Black people”.⁷⁴¹

Second, Viruru and Rios suggest that analyzing the information received should foster dialogues that are non-universal. Western use of coding in qualitative inquiries has forced the learner to “speak coherently and with authority rather than to present [their] findings as tentative, transient and incomplete”.⁷⁴² This second recommendation enables the learner to divert from the norm and present the received information in a nuanced and inclusive way (not rigid and conclusive).

Last, Viruru and Rios implore learners to recognize “othered” bodies and spaces as “places, from which and with whom to think with”.⁷⁴³ As I embarked on the analysis of the transcripts, I was very intentional in moving away from the rigidity of traditional coding. I employed a process that enabled a connection with the information that is not superficial and through the lens of “othered” bodies and spaces.⁷⁴⁴ Realizing this approach required me to incorporate my way of knowing as a socially constructed “othered” body and ensure that the perspectives and understandings of the co-participants (also socially constructed “othered” bodies) were paramount and not ignored, diminished or diluted. Both these goals are intrinsically connected because through my way of knowing I ensured that I centred the experiences of the co-participants.

Over the course of my life, my grandmother has taught me valuable life lessons that inform how I survive and how I conduct myself today. My grandmother taught me to think critically and thoughtfully about my actions, who they affect and how those individuals would be affected, what I am told, and what I observe, hear, and/or read. She always reminded me that “no man is an

⁷⁴¹ Evans-Winters, *supra* note 213 at 140.

⁷⁴² Viruru & Rios, *supra* note 740 at 1154.

⁷⁴³ *Ibid* at 1155.

⁷⁴⁴ See *Ibid*.

island,” and to always treat each person I meet with dignity and respect. Her life lessons were at the forefront throughout this project, but definitely at the analysis stage as I wanted to make certain that I thoughtfully engaged with the information the women provided knowing that how I present them will impact the women, and the Black community generally. I was intent on treating them and their stories with the dignity they deserved.

As such, the teachings of my grandmother, bolstered by the suggestions of Viruru and Rios and the principles of both EFE and *Sistering*, gave me the opportunity to think through the stories and with the co-participants, the Black community, and highlighted my responsibility to centre Blackness. In essence, these various sources compelled me to be cognizant of Black people’s, particularly Black women’s, position in society and ensure that my analysis is thoughtfully developed and conveyed; that I do not contribute to harm or injury. Furthermore, I sought to preserve the integrity of not only the stories received, but how they were received.

I read through the transcripts, reflecting on and contemplating what I read, understanding the situations of each co-participant, and finding connections between the co-participants, myself, and the social world. To help me think through and with the stories and to process what I had learned, I used colours to keep track of my thoughts and interpretations as a way of connecting with the stories. I used eight colours to process my thoughts: *pink* related to stereotypes applied to Black women discussed by the co-participants; *yellow* related to the information I wanted to ensure was captured in the individual stories of the women; *orange* related to the co-participants’ notion of justice; *purple* represented police actions at the time they became involved in the co-participants’ IPV circumstances and/or indications of mistrust for the police; *blue* captured rhetoric regarding the concept of race treason; *red* represented coping mechanisms; *turquoise* was used to highlight information about Ontario Children’s Aid Societies; and *green* represented both supports and spirituality. The use of the colours produced different ways of understanding, and established connections between areas that required and encouraged further contemplation. During this process of contemplation, I made notes of the connections between the women, the differences, and identified areas that required further development and research. For example, using *pink* to highlight stereotypes enabled further contemplation because not only did I engage with the stereotypes about Black women, I also used the colour to highlight the impact of these stereotypes

on Black men, and the relationship between Black men and Black women as a result of the stereotypes. This led to further research regarding this relationship to provide a more fulsome understanding of how stereotypes of Black women impact Black families – particularly, how they influence some Black men’s treatment of Black women.

While applying the colour categories, the process of reflexivity assisted me with engaging with the information in a manner that attempted to ensure that I respected the stories, the co-participants, and non-participants. In addition to reflecting on the information, reflexivity was imperative to recognize my position as a learner and the need to take direction from the co-participants. It reminded me to refrain from recounting and disseminating the stories as I saw fit. It further ensured that I recognized that the categories that emerged from the stories were not necessarily my own as they evolved or were developed as a result of the conversations with the co-participants and their experiences. While separation into colour categories was implemented, the means of doing so included reflection and recognition of the multidimensional fabric of the stories and the co-participants within the project. Effectively, I viewed my role as making conscious efforts to actively engage with the stories, while remaining humble as a learner and acknowledging this engagement in the analysis.

Relatedly, there was a constant recognition that the co-participants are the knowledge producers, the experts on the topic, and to separate their experiences into mere constituent parts is to ignore the power of their knowledge and dismantle the basis of this project. I was constantly ensuring that how I presented and interpreted the information was true to the words and spirit of the co-participants. A crucial part of this analytical approach is reciprocity (discussed in chapter 6) where the co-participants received their stories and provided feedback to the learner.

I rarely quantified the information received. I only did so for the limited purpose of identifying the number of women who engaged (or not) the police in their IPV situations, providing context to respond to the questions posed by this project, and the outcome of the court cases for those who involved the police. The decision to minimally quantify the information received was intentional as I did not want to reduce the participants to numbers – devaluing their humanity. The co-participants are presented as human beings with complex stories who are impacted by their

position in society as a result of their intersecting identities. Furthermore, along with their stories in chapter 3, excerpts from their transcripts are embedded throughout the analysis to emphasize relatability between the co-participants and other Black women who read their stories, forming a collective voice while demonstrating the differences that encapsulates their individuality and, at times, complicated realities. Their stories are not linear but have curves that are revealed and explored in this project. Moreover, I attempted to follow the caution of Viruru and Rios to not produce a universal account, but a variegated and tentative one.

After completing my analysis of the transcripts, I learned of Venus Evans-Winters' concept of Daughtering which she developed by drawing from Black Feminism.⁷⁴⁵ I include a brief description here because while it resonates in many ways with Viruru and Rios, her work makes explicit many of the background assumptions informing my analysis. Particularly, Evans-Winters observes that it is the process of how we learn to be daughters which intuitively informs how we analyze information. That is,

... through deliberate but keen observation, and at times, direct command. At other times, we drop to our knees or altars to ask for guidance on how to be better daughters to mama or grandmama, or to mother Earth or Afrika, or god(dess) herself.⁷⁴⁶

The teachings of my grandmother are situated in the preceding quote. From very early on, we are programmed to think critically as a matter of existing through the teachings of our mothers, grandmothers, and communities. Through these teachings we become alert to the outside world and respond to it in the ways we were taught to survive it. *Daughtering* is a meaning-making approach that ensures we are not passive.⁷⁴⁷ As Evans-Winters makes clear, it is the way of our survival as Black women. It engenders us to be observant, rebellious, and it is without a doubt, spiritual.⁷⁴⁸ Daughtering reminds us that we are not alone as we navigate the world. It is the understanding that we are someone's daughter, granddaughter, sister, niece, and we are connected to the spirits of our ancestors.⁷⁴⁹ While this process has no instructional manual or playbook,⁷⁵⁰

⁷⁴⁵ Evans-Winters, *supra* note 213 at 137.

⁷⁴⁶ *Ibid.*

⁷⁴⁷ *Ibid* at 138.

⁷⁴⁸ *Ibid.*

⁷⁴⁹ *Ibid.*

⁷⁵⁰ *Ibid* at 137.

how we comb through the information we encounter requires a responsibility to the research as implored by Dillard and a reliance on what we learned during our developmental stage. Further, the approach must engage an understanding that the information analyzed requires the “daughter scholar” to contemplate how her “interpretation and representation” of the information received would impact those living and deceased.⁷⁵¹

Here, the learner is resonating with the information in the way envisioned by Viruru and Rios; that is, thinking through the stories and with the participants. But in Daughtering this thinking through and with extends beyond the co-participants to include the learner, social world, and all those affected: “Every time we remember or share stories of our past(s), we know that we are potentially invoking our ancestors’ memories”.⁷⁵² There is a thoughtful process that debunks segregation and fragmentation of the information because when we share, in writing or orally, we are invoking the presence of our ancestors.⁷⁵³ The use of Daughtering as a tool of knowledge production is a re-ignition of a connection to the spirit world and spirituality, refuting the disconnection of spirituality within the analytical process. Here, Daughtering shares a connection with EFE and *Sistering*, requiring the learner to engage spiritually with the whole project, including the analytical process.

Daughtering reminds us, as do Viruru and Rios and *Sistering*, that the colonial approach to research is oppressive to the co-participants and the learners – it violates the principle of non-injuriousness. As such, a decolonial approach aims to unsettle and disrupt the status quo with a view to liberation.⁷⁵⁴ Daughtering also encourage learners to embrace the truth that there is a multiplicity of ways to understand the experiences of Black women and the meaning it receives is based on the interpreter’s positionality.⁷⁵⁵

Thinking through and with the stories of the co-participants enabled me to “bear witness to [their] vulnerability and agency”.⁷⁵⁶ It further solidified the need to engage with the information in a way that strengthens and displays their personhood in a manner that empowers us and respects our past

⁷⁵¹ *Ibid* at 138.

⁷⁵² *Ibid*.

⁷⁵³ *Ibid* at 139.

⁷⁵⁴ *Ibid* at 140.

⁷⁵⁵ *Ibid*.

⁷⁵⁶ *Ibid*.

and continuous struggles as knowledge producers. Additionally, my attentiveness to the words and stories of the women came with guidance, not only from my grandmother, but from my spiritual connection to the co-participants, the project, and my ancestors.

5. Closing Remarks

Given the theoretical underpinnings and the methodologies that are employed to ensure a decolonial approach to this analysis, I now turn to the fruits of the conversations within *Sistering*.

PART II

***Sistering* Conversations: What Did We Learn?**

CHAPTER 8 – THE STRONG BLACK WOMAN STEREOTYPE, ITS USE, AND ITS DETRIMENT

The Fallacy of a Strong Black Woman

*They say, Black woman, Giirrrlll you are strong
And I believe them
Inseminated, then impregnated by it
Gave birth to a me immersed in it
The poster pride of a strong Black woman
Mother is so proud
For I am her
And she is her mother
And her mother, her mother
Strong Black women
A legacy that was not chosen, but imposed
A self fulfilling prophecy
Taking centre stage
A character actor
My profile remains the same
I have upheld my heritage
Suit up daily
Wear it like a badge of honour
Greeting the world with a smile
For today is another day you won't break my stride
Another day I will stand with my head held high
Another day I'll overcome your shit
Though, this is another day a piece of Blackness dies
Don't you hear, another Black body cries
Another denial racism is alive
Another use of microaggression counterintuitive to the current lie
Today, another day I can't let you see behind these eyes
To pry behind these lids of disguise
To excavate the genesis of this smile
Is to find a girl whose womanity was compromised at the expense of her existing
Strength was always my weakness
Holding on to a persona that wasn't always a friend to me
An imperial regime dominating my identity
colonizing my sensitivities
Suppressing my vulnerabilities
Ironically, it's solace for me
Black women are the mules of the world
That confinement has never changed
Standing guard for our Black brothers, though we often feel neglected*

*Tenacious rebels for our children
 As mothers, aunties, grandmothers, sisters, and godmothers
 In a world so vicious to Blackness
 Our lives would be meaningless if we didn't spearhead saving theirs
 I'm not allowed to be sensitive, though I am
 I'm not allowed to be vulnerable, though it's revolutionary
 Weakness weakens strength
 Though it exposes my humanhood gracefully
 I'm lost in my own womanhood
 As the parts that make me whole are impalpable in this perpetual rendition of humanity*

(Written and performed by Shushanna Harris)

1. Black Women are Strong: They Can Handle Anything!

She wears it like a suit of armor, a badge of courage. While it helps her to remain tenacious against the dual oppressions of racism and sexism, it is also an albatross around her neck.⁷⁵⁷

The negative stereotype of the “strong Black woman” derives from slavery. During the Transatlantic Slave Trade, Black women lost any claim to vulnerability. They had to demonstrate strength and “resilience” to survive the harsh and inhumane realities of slavery.⁷⁵⁸ Quoting Nanny, an elderly Black woman and grandmother of the main character, Janie, in Zora Neale Hurston’s novel, *Their Eyes Were Watching God*, “De nigger woman is de mule uh de world so fur as Ah can see”.⁷⁵⁹ And she must mule alone.⁷⁶⁰ As a social construct, like her race, the strong Black woman was invented to justify slavers’ violent treatment of Black women. They could endure harsh labour, abuse, even rape, and bounce back.⁷⁶¹ Accordingly, “[a]s dehumanizing objects, mules are living machines and can be treated as part of the scenery. Fully human women are less easily exploited”.⁷⁶² Slavery forced Black women to cope with our feelings by displaying the same strength that made us “good” slaves – we had to be strong. Consequently,

⁷⁵⁷ Regina Romero, “The icon of the strong Black woman: The paradox of strength” in Leslie C Jackson & Beverly Greene, eds, *Psychotherapy with African American Women: Innovations in Psychodynamic Perspective and Practice* (New York: Guildford Press, 2000) at 225; also see Josephine Etowa et al, ““You Feel You Have to be Made of Steel”: The Strong Black Woman, Health, and Well-Being in Nova Scotia” (2017) 38:4 Health Care Women Int 379 at 379.

⁷⁵⁸ Kelly, Spencer & Smith, *supra* note 123 at 58.

⁷⁵⁹ Hurston, *supra* note 282 at 14; also see Stewart, *supra* note 26 at 32.

⁷⁶⁰ Stewart, *ibid* at 36.

⁷⁶¹ *Ibid* at 34; also see Regina Austin, “Black Women, Sisterhood, and the Difference/Deviance Divide” (1991) 86 New Eng L Rev 877 at 883.

⁷⁶² Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 51.

... this strength was, and still is, exhibited by demonstrating perseverance in the midst of obstacles, smiling in the face of difficulties, and deftly maintaining a sense of self-sufficiency even with limited resources – characteristics seen as central to contemporary perceptions of Black womanhood.⁷⁶³

This perception is held by Black and non-Black people alike – including Black women. As Lee and Wells articulate, the concept of the strong Black woman has become instrumental to many Black women’s lives. We have internalized this trope to respond to and resist our oppressions.⁷⁶⁴ On the surface, the stereotype appears seemingly harmless as it is an archetype that characterizes Black women as capable of wearing multiple hats – the homemaker, the caregiver, the breadwinner – without *skipping a beat*. She relishes in self-reliance and is able to maintain her and her family’s existence without the assistance of anyone – she is invulnerable, impenetrable.⁷⁶⁵ A classic example of the strong Black women is the Mammy. Depicted as dark skinned, thick, strong women who were good cooks, capable of taking care of white children, and their own family life. The Mammy is a Black woman who carried the burdens without skipping a beat.⁷⁶⁶

Some scholars have encouraged the positive internalization of the trope. For example, Patricia Hill Collins has commented on its positive contributions, such as enabling Black women to “uplift the race” by participating in the Black community as “community other mothers”,⁷⁶⁷ thus enabling Black women to be perceived in a positive light as caregivers and nurturers. Similarly, research done by Lisa R Jackson has demonstrated that Black women students in a predominantly white university relied on the strong Black woman stereotype to dispel other myths about Black women in academia. Black female students displayed strength by showing their white counterparts that not only were they adaptable and resilient, but they were survivors. They demonstrated this through being assertive, confident in their speech, and refusing to be small in a sea of white “giants”. They wanted their white peers to understand that their place was earned and they too

⁷⁶³ Lee & Wells, *supra* note 566 at 119.

⁷⁶⁴ *Ibid* at 117.

⁷⁶⁵ See Waldron, Storey-MacDougall & Weeks, *supra* note 186; see also Etowa et al, *supra* note 757; see also Keosha Bond et al, “Race-Based Sexual Stereotypes, Gendered Racism, and Sexual Decision Making Among Young Black Cisgender Women” (2021) 48:3 Health Educ Behav 295.

⁷⁶⁶ Lee & Wells, *supra* note 566 at 119.

⁷⁶⁷ Etowa et al, *supra* note 757 at 380.

deserved to be there, like any other.⁷⁶⁸ Likewise, in another study, Subrina Robinson, Elena Esquibel, and Marc Rich learned that Black female university students upheld the persona of the strong Black women irrespective of the negative connotations, consequences, or labels that were associated with their actions.⁷⁶⁹ Embracing this persona enabled students to reclaim their space in classrooms lacking racial diversity and where “their racial inferiority was salient”.⁷⁷⁰

The co-participants in this project spoke about this stereotype. During our sistah circle conversations, we were able to unpack this stereotype where co-participants spoke candidly (and without judgment) about how they had in one way, or another, internalized this trope. For example, Jordan revealed how she embraced this trope through her own childhood trauma,

It’s just I’ve been through you know, things growing up. I have always had to just, you know, grow up ... I’ve been hurt in the home growing up, so it’s not like, oh my gosh, the big shock. Nobody has ever put their hands on me...so you come from it. You kind of just like, okay, you survive, you know ... it didn’t kill me before, so I won’t die from it.

When speaking of the abuse she encountered, Tanisha said, “it’s only recently that I started talking about it with other people. I just, I don’t know. I just buried it. I was like...I was thinking other people need help with those things. I’m fine. Like I got out of it ... I got away with it”.

We also discussed the generational and ancestral connection enabling us to internalize this strength. Susan and Carol explained this well, underscoring that many people in the Black community accept that Black women are strong. Susan stated,

we come from a culture that says, shit happens, handle it and move on or don’t handle it. Um, stay in that situation, but move forward is what you’re always going to do. You’re going to handle it ... Our foremothers and bless their hearts, are resilient. They handle some things that would make other people want to slit their wrists...And I think it’s because our history is of a people who deal with horrifying things and still move forward. And so as these other horrifying things happen, we just still do the same thing. Because we’ve been

⁷⁶⁸ See Lisa R Jackson, “The Influence of Both Race and Gender on the Experiences of African American College Women” (1998) 21:4 *Rev High Educ* 359.

⁷⁶⁹ Robinson, Esquibel, & Rich, *supra* note 227 at 64; Karla Scott, “Communication Strategies Across Cultural Borders: Dispelling Stereotypes, Performing Competence, and Redefining Black Womanhood” (2013) 36:3 *Women's Studies in Communication* 321-29 cited in Davis, *supra* note 7 at 306.

⁷⁷⁰ Robinson, Esquibel & Rich, *ibid* at 66; Scott, *ibid* cited in Davis, *supra* note 7 at 306.

practicing this for so long as a people, we've been practicing resilience for so long that we don't know anything else. And so we do it.

Carol furthered this sentiment by outlining the teachings of her grandmother:

I am going to tell you something. Where I come from, I had a grandmother that took care of me, and all I know from growing up from a baby she was blind ... I remember her being blind from I was six and all I can hear every day, be strong. Don't let nothing take you down. Remember this. And she would put that in my head. And that was what, in my head ... I'm very, very strong ... Everybody is like, how come you're smiling? I said, so I'm not going to let that take me down. I take back my life and I have it in my hand and I'm, I'm fine.

Others made an intrinsic connection between their strength and their spirituality. Almost as if the strength is an innate power bestowed upon them by God. Carol stated,

things are going to get better. You're strong. The Lord ... He's not going to give you more than you can hold. So, you can handle this [abuse].

Sharon relied on her strength through God as she stated, "God, I know you're going to take me out of this when I'm ready". Demonstrating the old proverb that the "Lord doesn't give you more than you can bear". So, she continued to be strong in the face of adversity.

Though the co-participants were able to speak about its internalization, they were also well aware of its detriments. They expressed how the trope impacted the abuse they received in the home and their responses to the abuse, which includes their understanding of its reach to the CLS, and the real possibility for further victimization and abuse from the system that is meant to protect all people. During this portion of the conversations, they were able to let their guard down and become vulnerable when describing their situations. Though I was not a survivor personally, my mother was, and much of the content below was rhetoric I heard from her. As such, we were able to commiserate about how Black women are viewed and understood by the CLS and society as a whole. Obviously, there were instances where they shared things that I could not relate to because of my lack of expertise in the area or personal experience. However, that did not prevent me from showing a level of care to their situation that was embedded in respect for their feelings and presentation of their views, and consoling through verbal cues, and so forth. There were even times

during our conversations I cried with them or for their situations and encounters with the police. Here, I honoured their experience by not dismissing their pain. As it is imperative that learners do not ignore the injuries that co-participants have endured as “dominant spaces continually deny those bodies rights to which they are entitled”.⁷⁷¹

2. Trope is not as Strong as it Seems: The Albatross

Though the trope can be presented in a positive light, its historical genesis, described above, cannot be ignored. That genesis and its repercussions have some scholars perceiving this “acceptance” as problematic for various reasons which explains its albatross feature. These concerns include the loss of Black women’s ability to be vulnerable, its damaging consequences on Black families, particularly some Black men feeling compelled to control “strong” Black women, Black women survivors’ acceptance and minimization of the abuse, and Black women survivors’ demarcation as unworthy of protection from police and, in turn, the CLS.

a. Vulnerability is Not her Strong Suit: Black Women are Resilient!

Lorin Kelly, Chelsea Spencer, and Sandra Smith refer to the internalization of this trope by Black women as “toxic Black femininity”, indicating not that Black women are toxic, but the detriments of Black women’s practices and rhetoric that keep the strong Black woman stereotype alive.⁷⁷² Sadly, today, many Black women refrain from showing weakness “at all costs, because what is a Black woman if not strong”.⁷⁷³ Black women must be on guard at all times and must always be resilient. Resilience is a word intrinsically connected to this trope. It is often deployed as a compliment to a Black woman’s ability to overcome her trials and tribulations against all odds. While resilience can be said with good intentions, “congratulating a person for not succumbing to the oppression [she] experiences” masks it and provides the oppressor a space in its shadows.⁷⁷⁴ Kelly, Spencer, and Smith are of the opinion that,

⁷⁷¹ Viruru & Rios, *supra* note 740 at 1155.

⁷⁷² Kelly, Spencer & Smith, *supra* note 123 at 55.

⁷⁷³ *Ibid* at 58.

⁷⁷⁴ *Ibid* at 58-59.

[r]esilience should not be a term that is celebrated and bestowed upon survivors of systemic oppression; instead, survivors should be praised for saving themselves from an unjust system that was created on the basis of the survivor's omission.⁷⁷⁵

This warning is one that was raised in the conversation with Susan:

But one of the things, one of the words I now hate is resilience. I am resilient, everyone says that. But resilience also means denial of what happens moving forward regardless. And that's not okay.

... not to endure as Black women, we're supposed to be strong. We're supposed to handle all of it. And we must do all of it regardless of what happens. We're supposed to handle it on our own. And this is one of the things we handle on our own – our men!

b. She Needs to Be Corrected. I'm the Man!

Second, this understanding of strength extends to, and is quite damaging for, Black women survivors of IPV and Black families.

[I]n a white supremacist world where the ideal representation of femininity is the white woman, the Black woman is deemed undesirable as per the white supremacist racial binary and the concept of Black inferiority. In the context of a white supremacist patriarchy the Black woman is too strong to be seen as vulnerable, which in the narrow white supremacist construction of gender paints her as a bearer of masculine essence – NOT [an] endurer of oppressive systems that need to be dismantled. In fact, this aspect of the [strong black women] stereotype not only attacks the Black woman but also entraps her Black male counterpart infusing dysfunction between them at a very intimate level.⁷⁷⁶

Over time, white supremacy further pathologized the strong Black woman as a “domineering matriarch” responsible for the emasculation of Black men and the destruction of Black families.⁷⁷⁷

Kelly, Spencer, and Smith posit that as a matter of white society's constant characterization of Black men as weak, Black men are motivated to engage in a form of toxic masculinity to claim their patriarchal stance and dominance over Black women. This serves to rationalize the “use of IPV against [Black women] and normalizes it as a power struggle for or liberation from racist

⁷⁷⁵ *Ibid* at 59.

⁷⁷⁶ Bond et al, *supra* note 765 at 296; See also bell hooks, “Feminist Theory”, *supra* note 53 at 15.

⁷⁷⁷ Etowa et al, *supra* note 757 at 380.

narratives, not as further oppression of Black women”.⁷⁷⁸ Understanding this sheds light on what Barrington Walker refers to as residual patriarchy.

Residual patriarchy is a form of “backhanded” patriarchy bestowed upon Black men by white society. It is feeble in the world outside of the Black community but holds great power within it.⁷⁷⁹ The Canadian post-slavery era saw Black men and women travel to Canada to escape the conditions of slavery that continued to have a stronghold in the United States. Black men traveled to Canada with certain expectations pertaining to gender roles. Central to these expectations was a Black man’s ability to be the provider for his household and a Black woman’s exercise of the virtues of white womanhood. Essentially, many Black men arrived in Canada with values associated with white patriarchy and white family dynamics.⁷⁸⁰ The problem, which persists through generations, is that for multiple reasons Black men were never privy to a position rendering them capable of upholding the dominant standards of the patriarch. These reasons are rooted in the colour of their skin and their precarious position in society as a consequence of racism, financial disparities, and the necessity that Black women continue to work for the economic viability of our families.⁷⁸¹ Hill Collins, speaking to the conditions of African American women, amplified this disparity stating, “[w]hile many [Black] women tried to leave the paid labor force, the limited opportunity available to African American men made it virtually impossible for the majority of Black families to survive on Black men wages alone”.⁷⁸² This was no different in post-slavery Canada.

Consequently, the home became unsafe for many Black women as Black men were living in the shadows of the white ideology of manhood and womanhood. Michelle Walker, analyzing Hill Collins’ work regarding IPV, contextualizes how residual patriarchy manifests between Black women and men in relationships stating, “Collins’ analysis of violence in the intimate relationships of Black men and women evolves from a conflict between the dominant gender ideology (that has never historically been our reality) and our acquiescence in playing out these dominant roles”.⁷⁸³

⁷⁷⁸ Kelly, Spencer & Smith, *supra* note 123 at 59.

⁷⁷⁹ Walker, “Race on Trial”, *supra* note 101 at 90.

⁷⁸⁰ *Ibid.*

⁷⁸¹ See Maynard, *supra* note 13; see also Walker, “Race on Trial”, *supra* note 101.

⁷⁸² Hill Collins, *Black Feminist Thought*, 3rd ed”, *supra* note 23 at 61.

⁷⁸³ Walker, *supra* note 251 at 28.

The inability to live up to the standards of white patriarchy, coupled with the historical and prevalent means of dehumanizing Black women and men, facilitated some Black men's false belief that they must dominate Black women to be "real men"⁷⁸⁴ – which includes making her more "womanly". As Hill Collins states,

Black men can shake the stigma of weakness by dominating *unnaturally* strong Black women. Being strong enough to "bring a bitch to her knees" becomes a marker of Black masculinity. ... Abusive men routinely blame their partners for their own violent behavior—if she had been more of a woman (submissive), she would have let him be more of a man.⁷⁸⁵

Essentially the Black woman gets the worst of the Black man in this scenario. Susan, one of the co-participants, explained this point by discussing a conversation she viewed between the late James Baldwin and a Black woman. Following her recital of the discussion, she situated it in the context of her situation:

James Baldwin and somebody else who I also know her name and can't remember at all. And in the conversation, she was talking about, they were talking about...but what it is that he says, as the Black woman is supposed to be there for your man when he comes home and he has a hard day, she's supposed to be there for you, there for him, because he has a hard day. And being Black in America is hard. And what he deals with every day, the racism is hard. And she said, I agree, but why do I get the worst of you? If you love me and I love you, why do you come home and give me the worst of you and them the best of you? But because of the discrimination and all that. But they get the best of you. When you come home and beat me, you come home and harsh on me because your life is hard and now you've made my life harder. So, this is what I think happens to us as Black women. We get the worst of them, whatever it is.

While not all abuse that occurs in Black families can be chalked up to residual patriarchy, it was evident in the experiences of some of the co-participants. For example, Sharon spoke of her husband abusing her every time she confronted him about cheating. An inference can be drawn that this was a means of reminding her of where her place was in the relationship and who was the "man"; and as the man he could do what he pleased. This was also evident when he repeatedly sexually assaulted her:

⁷⁸⁴ *Ibid.*

⁷⁸⁵ Hill Collins, *Black Feminist Thought*, 1st ed, *supra* note 203 at 189.

[t]here were times that I didn't want to have sex, he pretty much forced himself on me. Oh, *you're my woman. You can't tell me no.* And even when I'm crying, he's still taking it [emphasis added].

London's experience incorporates elements of control in this manner. If you recall, London was "pimped out" by both of her intimate partners who are the fathers of her children. Not only were they controlling her bodily integrity, sexually and physically, but they also controlled her financially and engaged in certain behaviours to ensure she knew her place. Here, she described the first time Steve hit her:

It started because at [take-out] I remember I got a salad and something else had sauce, maybe caramel apples. And I'm like, okay, I got everything. And then I'm like, oh no, no, no, wait. He's like, what? I'm like, I didn't, I'm like, no, I get, I got it. He looked upset. He's like, what's wrong with you? And he just punched me in the face. And I was just like, that was like the shocker. And I couldn't. I was like, like it was just. It woke me up. Um, and I remember he beat me up so bad that day, and then he's like, Call...another...girl. And she literally, like, put makeup on me from head to toe. And I went to work...I was pregnant.

This behaviour solidified his place as the "man" and the person in control.

You don't have no control over your money. Even when he was locked up when I was still with him... [he was] in control of everything. Money, your life, your friends, your family, what you can wear.

c. It's Not That Bad!

Third, as the abuse occurs in the household, many Black women who internalize or accept their "fate" as strong Black women are forced to "minimize, ignore, or deny the many challenges they face, including IPV".⁷⁸⁶ This ultimately impacts their responses to IPV. There is also research that suggests that Black women report IPV only in severely violent circumstances⁷⁸⁷ to avoid harming

⁷⁸⁶ Waldron, Storey-MacDougall & Weeks, *supra* note 186 at 21; also see Kelly, Spencer & Smith, *supra* note 123 at 59.

⁷⁸⁷ Marguerite B Lucea et al, "Factors Influencing Resource use by African American and African Caribbean Women Disclosing Intimate Partner Violence" (2013) 28:8 J Interpers Violence 1617 at 1620; also see, Kelly, Spencer &

their partner or themselves, or when they are trying to simply stop the abuse.⁷⁸⁸ This internalization may be a partial explanation for why some women believed they had no choice but to involve the police; or more accurately, the police were their last resort; and a reason for others' refusal to call them.

For example, Charlene minimized her abuse in comparison to the abuse her roommate endured:

Well as I'm not suffering. I mean, my roommate, her man. He tried to beat her with an iron one time in the house, and I had to be tough, strong arm in back, right? My man wasn't hurting me with weapons. We live in that same household. I could see it happening to her. I couldn't see it happening to me. Yeah, I'm not trying to say one was worse than the other. No, no.

After enduring the abuse for almost six years, Charlene believed she had no choice but to contact the police. Not because of the abuse, as she was "handling it", but mainly because of her children. A peripheral concern for her was also the very real possibility of her harming him. Charlene described the tug of war between her and her ex-partner where her son was the rope, then she stated,

... so, I had to call the police. We're not a family who calls the police ... I knew that I, I had to call the police or I'm going to get violent. I don't have the options of being violent. I work in a career that needs my police check. I have two children that I have to raise. I don't have the options of getting violent, but I know if I start fighting you, one of us are going to come up dead.

Susan diminished her experience of abuse because abuse only happens to white women:

This was my life, and I was to be enduring this. And only white women get beat by their husbands. And remember I wasn't getting beaten and even if I was getting beat, we don't do that. We handle these things. That's what we do.

Similar to Charlene, after enduring the abuse for 16 or 17 years, Susan contacted the police to save her children:

Smith, *supra* note 123 at 60; Mai El-Khoury et al, "Ethnic differences in Battered Women's Formal Help-Seeking Strategies: A Focus on Health, Mental Health, and Spirituality" (2004) 10:4 *Cult Divers Ethn Minor Psychol* 383.

⁷⁸⁸ Lucea et al, *ibid* at 1620.

That's the day I actually called the police. But I didn't do it for me. Or the abuse per se ... I thought he was going to hurt my children, and he used to be not very nice to the children ... And that's one of the things that I say to people all the time. It wasn't that he was a bad husband that made me leave. It was because he became a bad father. I was willing. I was willing to endure it for the rest of my life. I didn't know there was another option.

Carol decided to leave her abusive husband in 2008, but a few years prior to leaving him she contacted the police because it became a necessity, stating,

Girl, I got a pot thrown in my face, cut my face, and then I had to call the police. I didn't want to ... it was just bleeding. It was bleeding heavily. It wasn't until I saw blood that I told myself I needed to call the police.

When asked why she called the police after so many years, Sharon simply stated, "I just wanted the abuse to stop". She repeated this sentiment a few times during our conversation.

d. The Unworthy Woman

Fourth, as this stereotype has the potential to create abusive households in Black families, another powerful and, at times, catastrophic consequence is the very real effect of deeming Black women experiencing IPV unworthy of police protection. While I believe all women would like to be considered strong, this stereotype actually works to increase Black women's invisibility. It does so by upholding the myth that Black women lack the capacity to be harmed, and by ignoring the historical tragedy of physical and psychological harm that they have endured. This enables society, and the CLS, to deny them protection or fail to believe they require protection. This was exemplified in the (white) feminist movement's destabilization of Black women's struggles with oppressions. For example, while many white feminists ought to have been aware of Black women's oppressions, they employed narratives implying Black women's ability to circumvent such oppressions due to our *natural strength*.⁷⁸⁹ This feeds into white supremacist notions of the hyperbolic superhuman strength of Black women which renders us invincible; and thus, harm only befalls white women, those holding the characteristics of the true essence of womanhood and

⁷⁸⁹ hooks, "Ain't I a Woman", *supra* note 12 at 6.

femininity. These notions assist in validating Black women's denial of protection by those who profess to serve and protect all people, which is evidenced in mandatory arrests and charging policies discussed in chapter 2. As previously explained,

[t]he [CLS] is responsive to a narrow set of claims about abuse made by "victims" who present with a particular set of characteristics: weak, meek, passive, appropriately emotional but not overly so. People who fight back against their abusers, who are angry about what has been done to them, or who otherwise fail to conform to victim stereotypes may find their voices muffled in or their stories rejected by the legal system.⁷⁹⁰

The characteristics of meekness, passivity, and weakness are often associated with white women, and as such, it is white women who are considered worthy of police assistance.⁷⁹¹

Black women do not fit these characteristics as they are characterized "as hardened, tough, back-talking, strong, permissive, and undeserving of protection".⁷⁹² They are pigeonholed into a category of "women for whom blows might not be considered cruelty".⁷⁹³ They are delineated as "impossible victims"⁷⁹⁴ to whom the obligations associated with mandatory arrest/charging policies do not apply.

During our conversations, I learned how the ramifications of being "unworthy" unfolded in the experiences of the co-participants. They spoke of this in a number of ways, however, below I reproduce those that were the most salient in our conversations: white women are more likely to be protected; Black women's cases are not taken seriously; Black women lack credibility; and Black men are less likely to receive harsh punishments for abusing Black women.

⁷⁹⁰ Leigh Goodmark, "Law and Justice are not Always the Same: Creating Community-Based Justice Forums for People Subjected to Intimate Partner Abuse" (2017) 42:3 Fla St U L Rev 707 at 735.

⁷⁹¹ See Duhaney, "Criminalized Black Women's Experiences", *supra* note 35 at 2767; see also Ava Kanyeredzi, "Feeling 'like a minority...a pathology': Interpreting Race from Research with African and Caribbean Women on Violence and Abuse" (2019) 19:4 Qual Res 399.

⁷⁹² Angela Mae Kupa, "Law, Life, and Literature: A Critical Reflection of Life and Literature to Illuminate How Laws of Domestic Violence, Race, and Class Bind Black Women Based on Alice Walker's Book *the Third Life of Grange Copeland*" (1998) 42:1 How L J 1 at 8.

⁷⁹³ *Ibid*; also see Cross, *supra* note 166 at 240-241: Black women do not fit this characteristic as they are deemed too strong, too sexual, "too powerful or too uncontrollable to be dominated by anyone. Therefore, they cannot be victims."

⁷⁹⁴ Kanyeredzi, "Feeling 'like a minority'", *supra* note 791 at 400-401.

i. White Women Get the Glory

Co-participants revealed their belief that white women receive better treatment than Black women. At first, Jazmine discussed her discomfort when the “good Samaritan”, a white woman, contacted the police, stating, “I’m looking at the bias that’s in the system. The racism that’s in the system. I was scared. Will my case be taken serious because I’m a Black woman? Will my voice be heard? I was bothered”. However, further in our conversation, she advised,

[t]alking to the police was a bit simpler than I thought because the good Samaritan that helped me, she was a white woman...that helped the process. The police give preference to white women than Black women, so through her I was given listening ears. I talked to them about my problems and because of her, something was done and today I am free ... One of the main reasons I asked her to go with me was because she is a white woman ... I don’t think I would’ve had the listening ears I needed if I was alone.

It appeared that Stacey and Jazmine had the same idea about having a white woman ally. Stacey, when discussing perpetrator #1, explained that while she has a distrust for the police, one of the reasons she called was because “I just felt like having a white lady around would garner some sensitivity points with whomever showed up on the scene”.

Though Tanisha did not call the police, she highlighted her belief that being perceived as a white woman or “acting” white would get her farther with the police. Her comments are telling as they explicitly demonstrate society’s imposition of the misconceived belief of who is worthy of protection:

There’s a certain way that you speak to be able to get certain information [from the police] ... I do recognize when I’m like polite to the police that they will, sometimes will help me. I guess if they think I’m white or something, especially over the phone. In person I just have to really, I try my best to seem helpless and like I feel unsafe. I feel like I’ve used these keywords to a point where I’m able to get them to see me as human and like, help me.

She later described what she meant when she spoke about whiteness:

I know I can choose different words to describe what it means to be heard as white. And to me, that's being articulate and very, you know, calm and in my speech and in my tone, um, very deliberate. Yeah. Like, you know, so it's sounding smart, intelligent. And these are, you know, for me, I believe that when the police hear me speak, they're like, okay, we can't just trick her. We can't just say whatever we want to her. She's going to ask us questions. I'm like a Karen, just Black, like so I, I know that they see me that way. At the same time, they could receive me as being very annoying. Like, you know that feeling that we were talking about when you're a little bit when people think you're too smart and too calm. Arrogant. Like then if they think I'm being arrogant then it's not going to go well... I just find that the police, they have a shorter patience for Black people. I feel they give more time to the like the average citizen that is white. So, whatever they're acting like I'm just like okay I'm going to do that and just like a little less like to not be thought of as like annoying or dismissed or that I deserve this in some kind of way.

Claire advised that white women in IPV situations have more resources and will get help from police. She advised,

[c]all the police. She'll figure it out, you know. I don't want to sound mean, but they [white women] have the resource and a lot of them have their family. They know this one, this police or that one or that crown or whatever.

Charlene compared her situation to that of a white woman stating,

[w]hat's interesting is when the white woman calls the police, she gets resources as well as the police officer, right. They make sure they give her the resources for women's group or other domestic abuse resources. They make sure that the victim services person circles back and checks on her. The Black woman is scared to get the help, is scared they may be harmed by the help, and we don't get the same resources. When I left the station, I didn't get any resources. Not a pamphlet.

This comparison is illustrative of how Black women are seen as not worthy of protection. By failing to provide Charlene with any information, the police were upholding the stereotype that as a Black woman, she did not require assistance in navigating her circumstances – she is strong, she can deal with it.

ii. She's Black, She Can't be Taken Seriously!

Many women discussed their belief that the players of the CLS would not, and did not, take their cases seriously. London, who did not engage the police in either of her situations, believed that the police did not take Black women and their situations seriously. She expressed that we are immediately judged by them, and the police see us as weak:

I feel they view us as weak. I feel they judge us. I feel that we're with them we're like the bottom of women. Like there are white women; then there are rich women. I know there are different levels of white women because there are different levels, different classes; different backgrounds, but I feel like the Indians even come and there are even above us from India...like we are literally at the bottom. They don't take us seriously and they're already judging us before they get to us.

It is interesting that London mentioned the police perception of Black women as weak. According to the literature, that weakness should afford Black women protection. However, no matter her vulnerabilities, her protection is still compromised; the colour of her skin renders her unworthy of protection. Further, it can be inferred that her weakness is not related to emotions or physicality, but to inferiority. She furthered her point stating,

[I]ike it shouldn't even. If something happened to us before, that should have no effect on this situation. But it's like anything we ever call them for is one. It's not like something separate...we are judged on another Black woman and not in a positive light either.

Stacey, remembering the negative treatment she received from the police respecting perpetrator #2, acknowledged that, "I think that maybe it was also a fusion of a few things". However, she advised that the combination of her race and sex impacted the interaction because of "the lack of care that was exhibited" by the detective on the case. When she advised the detective that the perpetrator, who was to have no contact with her, had contacted her, his response led her to conclude that, "... he didn't take it seriously". Also, he "... misinform[ed] [her] of something that is very important to the case, the trial date".

In addition to not being taken seriously as a result of race and gender, Stacey also believed that the area where she resided, and the past criminality of her partner, were factors influencing the treatment she received. She stated:

I think my son's [at the time she was pregnant] father, obviously in the system, because they came to his address they probably had preconceived notion about what I am about as well. His line of business runs the gambit and you know criminality and I feel like because of his previous charges, the ones that he was actively in when I made the call, the ones that were subsequent. I feel like they probably didn't take me seriously because of the association because the address they had to respond to. I feel like that had an influence on how seriously this person took me because I'm a Black lady. Because I feel like if it was a white lady calling from that address, they would come more on like a search and rescue as opposed to like a part of the collective mess associated with that address.

Claire contacted the police on five different occasions to report her boyfriend's mistreatment of her. The first time she called was due to constant harassment and the financial abuse she was facing. However, the police were not going to arrest him, and from her comments, it appeared the police were not going to speak with him:

I did call the police, and they weren't going to arrest him. But while the police were speaking to me, he's threatening me, leaving threats. So, I played the message out loud. I didn't think it would be a threat. And when I played it, they heard the stuff he was saying. Checked out his name and said he has a history. This is his history of abusing people. This is the history.

Though she advised that the officers that attended were "very nice", she was concerned by their earlier reluctance to move the matter forward. Though they eventually decided to take action, arguably, their desire to act was not as a result of the threatening messages the perpetrator left her, but because upon checking his name, they saw he had a criminal history and decided to do something about it.

Claire also described other occasions where her encounters with the police were problematic. In fact, her second encounter with them left her feeling distraught and she promised herself she would never contact them again (though she eventually did):

I went to the station, told the police about my situation, and the officer got in my face and said, "Well, you charged him before in 2013...how is he going to see his kids? What do you want us to do?" I said to him, "I didn't know this was none of your business. Don't worry about it, I'll handle it myself". I left and I cried on my way home. I wrote the sergeant saying, "I don't have any faith in the police. Are you waiting for me to die? For me to kill him? Which one? I will never come back to you guys".

I just felt like they didn't take it serious. I don't know if they did. I felt like maybe I'm not taken serious, or maybe they don't take domestic serious. Is it because he had a second chance? Or is it because in domestic women always go back or men go back to the partner? So, it's like, so for the next four years I just put up with him.

Similar to Stacey, she was also of the opinion that the area she resided made it difficult for her to get the appropriate assistance from the police.

I feel like if I had money and I lived in a fancy area they would have came. So when I called the police back in 2022...so he was wanted like I told you...so I called 911 about 10 times before they caught him because he kept showing up and doing stuff...no one came 'til the next morning. He was banging on my door. He was screaming. He was throwing stuff, I called and they didn't come 'til the next morning. Okay when they came, they apologized and said they didn't have an officer in the area. I said, I'd be dead by now. I was very disappointed.

Sharon was of a similar view regarding the area she resided in. She said:

I don't think they took it seriously. They questioned me when he was right beside me. In the area that we were living at the time, it was normal for police to attend. I think sometimes when they got a call for that address there was no real urgency for them arriving. A lot of women were being abused in the building, and I don't think any of those men were arrested. The building was mostly Black people, younger women living with their spouses. Truth is, when the police came, they would ask the women, "Hey, did this person abuse you?" And we said, "No". So, my situation was another one of those incidents that they shrugged off, even though I was crying, and he was standing right beside me.

Stacey, Claire, and Sharon's views regarding the impact of the area they resided in is consistent with research that suggests that police perceive violence as normal in "ghettoized" neighbourhoods. Neighbourhoods that are considered "ghetto" are low-income neighbourhoods that are often occupied by racialized people.⁷⁹⁵

iii. She's Black, Can She Be Believed?!

Women discussed being disbelieved and deemed not credible by authorities. This is consistent with research suggesting that racial discrimination towards Black women has the potential to

⁷⁹⁵ Ammons, *supra* note 167 at 1019, cited in Harris, *supra* note 333 at 50.

influence how actors in the CLS view them and their rendition of events. Police, for example, may view Black women as not credible or as suspicious.⁷⁹⁶ A part of this suspicion is survivor-blaming, where it is believed that the women deserved, are responsible, or partially responsible, for their abusive circumstances.⁷⁹⁷ These misassumptions have impacted many Black women's experiences with the police, and have led to them being solely or dually arrested with the assailant as demonstrated in chapter 2.⁷⁹⁸

Part of Tanisha's reasoning for not contacting the police was fear of being blamed for being abused:

That was, that was another thought that ran across my mind that they're just going to say that it's my fault anyway. I'm like, so I'm like, let me just not.

Her concern is a valid one given the potential consequences; being ignored or arrested.

For other women, concerns that they will not be believed did not necessarily lie in their encounter with the police, but with other players of the CLS, including defense lawyers and judges. For example, Susan's case went to trial. She advised that "these police officers were amazing. And they went upstairs and they got him because he was screaming all over the house. And they went upstairs and they took him". However, she was very disappointed by the treatment she received from the other players of the CLS. The stereotypes of the Jezebel⁷⁹⁹ and the non-credible Black women were present:

⁷⁹⁶ Duhaney, "Contextualizing the Experiences", *supra* note 35 at NP21204; MacDonald, Fitch & Stanton, *supra* note 49 at 354; The Avalon Report, *supra* note 120 at 19.

⁷⁹⁷ Duhaney, "Contextualizing the Experiences", *supra* note 35 at NP21205.

⁷⁹⁸ See, *ibid*: Professor Patricia Duhaney's research explores the phenomenon of dual and sole arrest as it affects Black women demonstrating that being arrested after calling the police is a real possibility for Black women.

⁷⁹⁹ Bond et al, *supra* note 765 at 296: The jezebel is naturally "promiscuous, even predatory." This stereotype assisted with laying the groundwork for characterizing Black women in stark contrast to white women. In her book, *The Myth of Aunt Jemima: Representations of Race and Region*, Diane Roberts asserts that in New South America, post-slavery era, white women's bodies were "farthest removed from sexuality...". The Jezebel on the other hand, "...is to be used, penetrated, had, impregnated...wicked as a razorblade or sweet as sugar cane, but she is always the willing receptacle, the hip-grinding blues woman, the almond-eyed mulatta, the overblown "wench" who always says yes to men": Diane Roberts, *The Myth of Aunt Jemima: Representations of Race and Region* (New York: Rutledge, 1994) at 2 and 130.

The person who cross-examined me was the lawyer that I got for him...he painted me as the Jezebel who was messing around [cheating] in her relationship and who now was angry because he left her.

The judge ruled against her credibility for reasons that appear to be baseless and biased:

The judge said I wasn't credible because I wouldn't admit that I was angry the day that the incident happened with my daughter, and I thought to myself, so I couldn't have been afraid...she [the judge] said "she [referring to Susan] won't admit that she was angry and because she won't admit that she was angry, leads me to believe that some of her story isn't true in the way that she's expressing it". She also expressed that I mixed up my lawyer and my counselor, and the reason why is because my counselor was actually advising me legally, which is why I mixed them up. But she said I mixed up my lawyer and my counselor, which leads her to believe that I don't know what I'm saying either. I can't believe that. But these are one of some of the summations she gave about why I wasn't a credible witness.

iv. "He gets to go home safe": CLS and the Outcome when a Black Woman is the Survivor!

There were expressions of disappointment regarding the outcome for those whose case garnered a court disposition. Carol was disheartened by the outcome as,

[a]ll he got was to go to, you know, anger management class. I'm kind of disappointed. He came with a paper. He got a lawyer, came with a paper, and the paper on the paper, it told him that he said he would go to anger management. And you can see where he signed. And he had the paper and they give him a list of places. He wasn't even charged, but there was no harm. There was no, um, nothing. It's not even on his record. He got a peace bond.

Stacey, recalling the outcome of her court case involving perpetrator #1, was taken aback as she believed that the CLS valued a dog's life over hers. If you recall, she contacted the police, with the assistance of a white woman, on her boyfriend as he assaulted her and the dog. She stated:

I took the stand, told the truth about what happened to me and the dog was ridiculous...I learned that dogs received more justice than Black women ... the thought did cross my mind that damn if I was a dog maybe someone would have some empathy for me – maybe then, I would have received justice.

They [court] didn't really pay me any mind. They were really disgusted about the dog you know, being abused.

In the end, he was convicted of assaulting the dog. He was mandated to pay a fine and complete an anger management program. She believed the anger management course also related to her, but she was uncertain indicating, “it could’ve been for the dog”.

Susan concluded her trial experience stating,

[h]e got off on the assault. The only thing he got found guilty of was the breaking of my phone because he smashed my phone that day...Our justice system does not serve women in this situation, and it certainly doesn’t serve Black men. But the only time a Black man cannot be a monster is when he abuses a Black woman. He gets to go home safe.

This last point is startling but entirely consistent with the overall pattern of the CLS response to violence perpetrated by Black men against Black women. As noted, seven of ten women contacted the police. Of the seven that contacted the police, five had results either through trial, plea, or alternative measures, such as a peace bond. Three accused were placed on probation, two received fines, and one received a peace bond after completing an anger management course. There is research that suggests Black men and women receive harsher punishment overall than their white counterparts.⁸⁰⁰ Further, literature will be presented in upcoming chapters demonstrating Black men’s harsh treatment by police. Yet, Susan’s comments are not only contrary to the above research, but corroborate literature finding that Black men are less likely to experience harsh treatment should they abuse Black women.⁸⁰¹ This disparity is due, at least in part, to the racist misconception of the normalization of abuse in Black families.⁸⁰² It also speaks to the protection that Black women deserve – how valuable is her experience, especially if she is built for this? As a result of such attitudes, violence in Black families is treated as inconsequential within the CLS. This reality is highly problematic as “the tendency for police officers to not always hold Black men accountable for their actions minimizes the effects of violence in Black women’s lives and reinforces gendered violence against Black women”.⁸⁰³

⁸⁰⁰ Kelly, Spencer & Smith, *supra* note 123 at 60.

⁸⁰¹ Harris, *supra* note 333 at 50.

⁸⁰² Duhaney, “Contextualizing the Experiences”, *supra* note 35 at NP21194.

⁸⁰³ *Ibid* at NP21205.

3. How Does She Cope When Assistance is Lacking?

Given this backdrop, it is not surprising that many Black women survivors, including the co-participants in this project, engage in a number of coping mechanisms to address the abuse they face during and following the dissolution of the relationship. The co-participants mentioned a plethora of practices, including culture of dissemblance, relying on their faith and spirituality, writing, family and friends, and crying as means to cope with the IPV situations they encountered. These mechanisms are not mutually exclusive.

a. Culture of Dissemblance

The culture of dissemblance, as noted earlier, is a term coined by Darlene Hine to describe Black women and their notions of race women respectability in late 19th and early 20th centuries. It suggests that Black women create an outer appearance that veils their inner most secrets. It is to appear as though they are an open book to the masses while simultaneously remaining an enigma. It is a self-developed invisibility that enables Black women to secure their psychological well-being and “harness the resources needed to hold their own in the often one-sided and mismatched resistance struggle”.⁸⁰⁴ It is a form of Black women’s resistance in their navigation of the private-public spectrum; meaning, Black women developed a technique to protect their private selves in hopes of public acceptance or legitimacy.⁸⁰⁵ The mantra within this culture is: one does not hang (air) their dirty laundry (i.e. problems/concerns) for outsiders to see.

As Dr. Rachel Zellars suggests, this (un)conscious behaviour enables,

Black women to disassociate from violence at home and in the workplace; facilitate mental and physical survivals under hostile patriarchal conditions; and, importantly, internalize and promote “alternative self-images” tethered to so-called respectable, middle class norms. Simply put, faced with social conditions too commanding to be meaningfully challenged or overcome, Black women found a way to keep going, to keep working, and to manage the terror of violence by holing it up and tightly protecting its secrecy”.⁸⁰⁶

⁸⁰⁴ Darlene Hine, “Rape and the Inner Lives of Black Women in the Middle West” (1989) 14:4 Signs 912 at 915.

⁸⁰⁵ Maragh-Lloyd & Davis, *supra* note 569 at 60.

⁸⁰⁶ Rachel Zellars, “Aretha Franklin, Sexual Violence, and the “Culture of Dissemblance”” (1 November 2018), online: <<https://www.aaihs.org/aretha-franklin-sexual-violence-and-the-culture-of-dissemblance/>>.

Referencing the mostly private plight and hardships of the legendary Aretha Franklin – e.g. being raped at the age of 12, which produced a child, personal addiction, and being a survivor of IPV – Zellars posits that Franklin subscribed to this school of thought. Particularly, recounting a portion of Franklin’s biography, Zellars explains that Franklin used popular Black magazines such as *Ebony* and *Jet* to portray a persona of “success and respectability”, masking IPV and the addictions she was facing in private. She donned gowns, jewelry, etcetera “against a backdrop of domesticity” to ensure the public veil remained unblemished.⁸⁰⁷

Furthermore, implicit in this donning of respectability is also the need to insulate Black men from the white gaze and their private violence towards Black women at home. As Zellars notes, “[a] ‘culture of dissemblance’ in the lives of Black women has also nurtured and reinforced a custom of silence regarding intraracial and childhood sexual violence within Black communities”.⁸⁰⁸ It encourages a culture, which prevails to date, of Black men first, Black women and children second.⁸⁰⁹

A related understanding of the culture of dissemblance is embedded in what Beth Richie refers to as gender entrapment. Here, Black women survivors of IPV are entrapped by culturally gender specified roles where they are socialized to compromise their persons in service of Black men.⁸¹⁰ This is bolstered by Black women’s cultural education of Black men’s position in society, “an expectation that [B]lack women must position themselves in supportive roles”.⁸¹¹ It is also maintained by many Black women’s desire to attain and uphold traditional notions of family “and hegemonic intimate relationships with men”.⁸¹² This is notwithstanding the fact that the men they are intimate with are also marginalized and traditional understandings of “heads of households”

⁸⁰⁷ *Ibid.*

⁸⁰⁸ *Ibid.*

⁸⁰⁹ *Ibid.*

⁸¹⁰ Beth E Richie, “Gender Entrapment and African-American Women: An Analysis of Race, Ethnicity, Gender, and Intimate Violence” in Darnell F Hawkins, *Violent Crime: Assessing Race and Ethnic Differences* (England: Cambridge University Press, 2003) 198 at 207; also see Beth E Richie, *Compelled to Crime: The Gender Entrapment of Battered, Black Women* (New York, Routledge, 2018).

⁸¹¹ Ava Kanyeredzi, “Finding a Voice: African and Caribbean Heritage Women Help Seeking” in Yasmin Rehman, ed, *Moving in the Shadows: Violence in the Lives of Minority Women and Children* (London: Routledge, 2016) 205 at 213.

⁸¹² Richie, “Gender Entrapment” *supra* note 810 at 207.

are unattainable.⁸¹³ Consequently, as the violence unfolds in these relationships and in the home, Black women feel compelled to hide the abuse. Though “they [feel] betrayed, abandoned, and disoriented”, they retain loyalty to the Black men who are abusing them and attempt “to manage the violent episodes and conceal the signs of abuse”.⁸¹⁴ They keep the private hidden from the public domain. Furthermore, this understanding of the culture of dissemblance intersects with residual patriarchy. As Zellars explains, an example of this intersection is the dissolution of the Alfie Roberts Institute in Montréal, Quebec. In 2009 it was revealed that Alphonso “Alfie” Roberts, a St. Vincent native who was a prominent Black activist in Canada, writer, and former cricket player, was the perpetrator of IPV against his widow. Although Mr. Roberts’ closest allies, including the founder of the Alfie Roberts Institute, David Austin, were apprised of this history, the abuse was kept secret from the public by Mrs. Patricia Roberts and those who knew about it. When questioned as to the reason for lack of transparency, David Austin advised that Mr. Roberts had been forgiven by Mrs. Roberts, resulting in Austin forgetting the trauma bestowed upon Mrs. Roberts. As a result of Black women’s activism, the Alfie Roberts Institute no longer exists. Nevertheless, the secrecy of IPV was perpetuated by both the culture of dissemblance and residual patriarchy. As a result of his prominent position in society, his transgressions were kept secret to ensure that his legacy remained unstained by his closest allies, and it was Mrs. Roberts who carried the burden of this secret while masking it.⁸¹⁵

Further, the culture of dissemblance is fundamentally connected to the internal acceptance of the strong Black women idiom, even if it is a persona only to the outsider, notwithstanding its noted detriments. Andrea Davis eloquently unveils this intersection:

Black women, after all, have been socialized to believe that strength – psychological and emotional – is their particular inheritance that they should wear with pride because only white women have the luxury of weakness. These women, then, learn how to internalize their pain and find innumerable ways to camouflage and mask their suffering until it’s too late.⁸¹⁶

⁸¹³ *Ibid.*

⁸¹⁴ *Ibid.*

⁸¹⁵ See Zellars, “As If We Were”, *supra* note 33.

⁸¹⁶ Davis, *supra* note 586 at 279.

Like the concerns outlined respecting the strong Black woman stereotype, scholars, such as Desmond Jagmohan, believe that by engaging in the culture of dissemblance, Black women practice “tragic realism”.⁸¹⁷ That is, as a result of their oppressed state, members of marginalized groups develop strategies they believe will improve their collective situations. However, the tragedy manifests itself in a number of ways as Black women risk harm to their individual and communal selves. For example, it may have the inverse effect by undermining solidarity and contributing to the maintenance of a system that not only continues to oppress those who engage in the culture of dissemblance, but imposes harsher punishments on those who are most situated at the margins in the group.⁸¹⁸ Another consequence of transforming one’s attitude and behaviour to fit the “norm” is the acceptance and internalization of practices and behaviours that destabilize ways of Blackness that were shunned because they did not meet the white standard of being. In applying this consequence to the strong Black women trope, Krystal Lee and Daphne Wells posit that contemporary notions of strength circumvent the “hardships and stresses endured by Black women while still being widely embraced as a badge of honour in Black culture”.⁸¹⁹ In addition to the trope of the strong Black woman stereotype and other stereotypes, this critique also speaks to the circumstances of Black women who do not conform to normative sexualities and who are then characterized as “dangerous” as a result.⁸²⁰ A historical example of this is activist and lawyer Pauli Murray who struggled with her sexuality (as she was attracted to women). Not only was she chastised by her peers because of her sexual preference (and being transgendered – though such a term was not used until the 1950s), but she chastised herself believing she had a mental illness as a result.⁸²¹

Notwithstanding the concerns raised, the culture of dissemblance provides a well-developed understanding of the culture of silence/secrecy amongst many Black women and may contribute to their decision-making process in IPV situations.⁸²²

⁸¹⁷ Desmond Jagmohan, *Making Bricks Without Straw: Booker T Washington and the Politics of the Disenfranchised* (PhD dissertation, Cornell University, 2015) [unpublished] cited in Hakeem Jefferson, “The Politics of Respectability and Black Americans’ Punitive Attitudes” (2023) 117:4 *American Political Science Rev* 1448 at 1451.

⁸¹⁸ Jefferson, *ibid* at 1451.

⁸¹⁹ Lee & Wells, *supra* note 566 at 120.

⁸²⁰ Zellars, “Aretha Franklin”, *supra* note 806.

⁸²¹ Cooper, *supra* note 55 at 90-91.

⁸²² See Zellars, “As If We Were”, *supra* note 33; Shoniqua Roach, “(Re)turning to “Rape and the Inner Lives of Black Women”: A Black Feminist Forum on Culture of Dissemblance” (2020) 45:3 *Signs* 515.

During our conversations, I learned that women engaged in the culture of dissemblance for two purposes; first, to evade the white gaze; and second, to avoid community ostracization. Claire explained the importance of keeping the white gaze out of her situation:

I feel sometimes with other cultures they think, well, she's so stupid and you're not educated. Like, why would she go through that? She put herself through it. It's her fault, you know. Some blame. Not every white person, but some will say that's what she wanted. You have all those other kids already. You didn't see. It didn't work. And then you go at your old age, you know, you put yourself in it. So sometimes they judge.

Following her comment, she provided evidence to corroborate it when she made the mistake of telling her white manager about the abuse, stating,

And even at work my manager, she's white. She used to say [Claire] get a restraining order and they're getting fed up. This is in 2019. Go to the police. And they couldn't understand. Then when I finally did, she says, "I told you to do it years ago, but I'm glad that you did". Well, I understand, like I'm getting scold. And, "I'm sorry that you went through all that, but I told you to do it before". So I just felt like she judged me.

Assuming the culture of dissemblance to avoid community ostracization is supported by research suggesting that Black women (and men) who refuse to remain silent about issues involving their community, including IPV, risk being scrutinized by its members.⁸²³ Most of the women did not tell anyone for fear of being judged by the community and their families. They had been taught to deal with their issues in house. Jazmine indicated that she did not tell anyone about the abuse because,

⁸²³ Kathleen Cleaver, "Sister Act" (1993) 60 *Transit* 84 at 100; see also Zellars, "As If We Were", *supra* note 33 at 5: For example, Elaine Brown, a former member of the Black Panther Party, shared the physical, psychological, and sexual violence she endured as a member in her biography, *A Taste of Power: A Black Woman's Story*. For this, she was confronted with resistance from multiple scholars who accused her of deceit and even centered her sexuality in the discussion. One such critic was Kathleen Cleaver. Cleaver, while failing to deny the truth of Brown's recount of the sexual violence that befell Black women during the reign of the Black Panther Party, attempted to discredit Brown by advancing licentious accusations; see also, Kimberlé Crenshaw, "We Still Have Not Learned from Anita Hill's Testimony" (2019) 26 *UCLA Women's L J* 17 at 18: Anita Hill publicly accused Clarence Thomas of sexual harassment in 1991. Accordingly, when Ms. Hill brought Thomas to task for his inappropriate sexual advances towards her, she was chastised by members of the Black community for denouncing his behaviour in public and the public hearing that transpired. Both Brown and Hill's experiences brought to the forefront racist and sexist intersections; but most memorable is the backlash received because they broke the code of silence, leaving Black men, and in the case of Ms. Hill, the first Black United State Supreme Court Justice nominee, vulnerable to the white public gaze.

I was also afraid of what the community will say. I was kind of afraid, you know, of being judged. I was afraid of being stigmatized. I was afraid of being labeled.

Susan provides a daunting reality about how the culture of dissemblance manifests in the realm of IPV:

But for me, I told no one, so there was no one. Um. I always say that. It's like being in a dark room where you think you're the only person in the room, and if you had only put your arms out, you would have touched someone else, because it's a group of people in a dark room who think they're all in this dark room alone. And if they had just turned on the light, they would see there's everybody there, and they would also see that the room that they're in doesn't even have a door. But you can't see that because it's so dark. That is such ... That's what it felt like.

She further revealed how this was a generational garment that she wore:

And that's how I felt. I felt like I was by myself all the time, not knowing that my foremothers had gone through the same thing. They just don't talk about. They don't discuss it. And same for me.

Claire and Carol's articulation of the manifestation of the culture of dissemblance captures what Hine was speaking of. Claire stated,

[s]o I try to keep busy and I try to be positive, you understand? So that's the thing. You wouldn't even know I had a problem because I laugh a lot, I chat, you think everything's great? ... Yeah, we know how to cover up. You know, I think Black women, we know how to cover it up and do dishes, cook, do everything. When you could be hungry. No one know you're hungry because you have the best outfit on and you don't have a cent, but you, we carry our stuff properly. So you wouldn't even know that the world is on our shoulder, right?

Carol echoes the above:

Girl, that's why, don't you see. Sometimes you might see us and we go out and we'll get the best hairstyle that there is. Sometimes we're masking all of this by trying to look good, trying to masking, like thinking, yeah, oh my God, I'm going to get the best hair. Oh, I'm going to be the best dancer. Oh, I'm going to do this. Oh I'm going to you know what I

mean. We try so hard to be the, you know, to do this because we're masking so much. And you know what I mean? Yeah. So much.

After speaking with the co-participants and their characterization of the culture of dissemblance, I learned that an unintentional consequence of this “cover-up” is the normalization of abuse in the Black community with the aim of protecting our communal solidarity. One that is a generational cycle. This observation is one that scholars have commented on. As Burns states,

[o]ur abuse has been hidden in our communities’ refusal to acknowledge the pervasiveness of violence in our lives. This refusal is not maliciousness but a protective measure born of the legitimate fear that such information would be used as a weapon by the dominant culture. Our abuse has been hidden behind bravado and denials. The result is the creation of a climate of tolerance.⁸²⁴

b. Within Her Spirituality, She Finds Strength

In addition to employing the practice of the culture of dissemblance, some women relied on their faith or spirituality to deal with the abuse they faced. As you may recall from chapter 6, within *Sistering* methodology, exploring the spirituality of Black women is imperative to understanding how they deal with or respond to adversities and life in general. In that chapter, I provided an extensive analysis exploring religion and spirituality, therefore, here I will focus more on what the co-participants revealed. Noelle St. Vil et al learned that the women in their research pinpointed their belief in God or connection to religion as the guidance they relied on to survive and/or overcome the abuse they were facing.⁸²⁵ Similar insights unfolded during the conversations I had with the co-participants. For example, Claire indicated that she coped with the abuse through her spirituality as,

I’m not really religious. Yeah, I’d say I’m spiritual. I’m not a prayer warrior, but I know how to pray. I read and I prayed.

⁸²⁴ Maryviolet Burns, *The Speaking Profits Us: Violence in the Lives of Women of Color* (Seattle: Center for the Prevention of Sexual and Domestic Violence, 1986) at 4 cited in Yasmin Jiwani, “Walking a Tightrope: The Many Faces of Violence in the Lives of Racialized Immigrant Girls and Young Women” (2011) in Merry Morash & Meda Chesney-Lind, eds, *Feminists Theories of Crime* (London: Routledge, 2011) at 269.

⁸²⁵ St. Vil et al, *supra* note 125 at 66.

London advised the same stating, “I Believe in God and I prayed. I pray”. Stacey believed that enduring the abuse awoke her spirituality. However, she explained that she did not turn to her church as she has reservations about their practices as “there’s not enough emphasis on the responsibility of keeping men accountable for their behaviour”. However, she added, “I did a lot of reading like the Bible. I think that these misfortunes and a lot of time on my hands had the catalyst effect of getting more spiritual”. Stacey’s revelation is in line with research that finds that experiencing IPV strengthens many IPV survivors’ faith and spirituality.⁸²⁶

Carol explained that,

I used to go to Pentecostal church from the age of 14 to 18. I was in church, I was baptized. So all that I, you know what I mean, would still go through me. If things are going to get better. You’re strong. The Lord ... He’s not going to give you more than you can hold. So you can handle this.

Sharon advised “I am a spiritual person”. Therefore, turning to God and relying on her spirituality was natural for her in hard situations. She indicated that “praying, it made me feel better. And then I kept saying you know, God I know you’re going to take me out of this when I’m ready. So most of the praying that I was doing was just to keep me safe. That’s what I wanted was for him to keep me safe and like I know you’re going to”.

Charlene indicated that she became spiritual following the incident which assisted her with coping with the aftermath and dealing with her ex-partner. When speaking about coping she admitted,

I didn’t. I’m diagnosed with depression. I have taken time off. Spurts off for mental health. Mental health recovery ... and then by the time I was 30 I fell into a group of African spiritual group. And they taught me how to meditate. They taught me how to go back into my past and heal myself from those points.

They taught me how to use rituals and altars to change the energies of my environment. And I can tell you when I started I couldn’t keep my mind still for three whole minutes. Right. I spend a lot of my earlier years attached to um alcohol.

⁸²⁶See Kim Anderson, Lynette Renner & Fran Danis, “Recovery: Resilience and Growth in the Aftermath of Domestic Violence” (2012) 18:11 Violence Against Women 1279.

It's worth noting that although she gained spirituality following the incident, it was clear that she always had the connection with her ancestors whom she believed helped her through a significant incident:

He held a Smith and Wesson gun to the side of my head and asked me for my hand in marriage. This was after he'd already convinced my whole family. He took my mother and my aunt out. He hit up each one of my brothers telling them, "I'm going to ask your sister to marry me". He didn't even bring a ring. He did leave two rings on the side of my head with the gun though.

As the gun is to my head, I'm on the floor and the ancestors picked me up because you would think that would make you very timid. I looked at him and I felt like the energy of a thousand ancestors was in that room with me. I was looking in from above in that room. I wasn't there; I wasn't present. Like Footprints in the Sand when God carries you, in that moment, I was carried by my ancestors.

Charlene's analysis assists with understanding the connection we as Black women have with our ancestors and the spirituality which is embedded in our beings. Her ancestors and her spirituality were there to elevate and protect her.

Similar to Charlene, Tanisha tapped into her spirituality following the abuse she encountered:

I started doing it for myself. I got back to the things I love. I love meditation and yoga. I burn a lot of incense and just different woods and things like that. I believe in igniting all of my senses and kind of bringing myself to a certain awareness.

Both Charlene and Tanisha's connection to their spirituality during the aftermath of their experiences is consistent with research demonstrating this form of connection can facilitate transformation.⁸²⁷ This is evident when Charlene advised that prior to our conversation,

I had to make sure I had my trauma things in place. Rituals to release and burning my sage after thinking about it [the abuse she encountered] like I will go into a purification meditation at 9:30 anyway, so it'll be good to clear my spirit. And sometimes revelations come, and I've been speaking to my spiritual advisor about those things.

... because 've grown a long way. But we're never quite there, fully grown. So I'm always, you know, polishing.

⁸²⁷ *Ibid* at 1289.

c. Family and Friends: Maybe?

Though research suggests that family and friends assist IPV survivors in coping with the abusive situations they encounter,⁸²⁸ most of the co-participants did not tell family or friends. Carol summed it up in this way,

[e]mbarrassed I lied. What I would never tell them. I...when you're in an abusive situation, you don't tell nobody. You're ashamed because you think you pick up this person and you know what's going on. Nobody tells nobody else. You keep it to yourself.

Claire did not tell her family, however, she did confide in a girlfriend.⁸²⁹ Her friend offered moral support as well as a listening ear which is what she needed:

I like to chat, so I would have somebody, I'd rather somebody just listen. I have a friend that just. I could just talk and she would just have. No, she's not judgmental. She's not blaming me. She just listens. So, I actually have somebody to listen, you know what I mean? So, I think that's what made me help me to cope.

Susan's use of family and friends as a coping mechanism was a form of inverse reliance. Meaning, she coped by immersing herself in taking care of others:

I guess one coping mechanism was helping other people. I couldn't help myself so I helped others. I immersed myself in taking care of my children and being a mom. So I guess I coped by ensuring my roles as mother, friend, [and] daughter were fully fulfilled.

Tanisha, however, found support in her mother and advised, "Thank God that I like ... I feel fortunate that I have my family".

d. Creative Endeavours: Writing Became a Reliable Outlet

⁸²⁸ St. Vil et al, *supra* note 125 at 69.

⁸²⁹ See *ibid* at 69.

Tanisha, Susan, and Claire relied on writing as an outlet. Tanisha stated, “I started doing it [writing] for myself and I started writing about it [the abuse] also and turning it into like songs and [poetry] pieces that I would actually perform, and that helped me a lot”.

Susan wrote a play as a means of coping with her circumstances, “I wrote a movie/play about a domestic violence situation, my way of handling what happened to me”. And Claire kept a diary, “I write like I have the diary. I would write stuff. I had to get a diary where you lock it on your phone because when I had the physical diary, he would read it”.

e. Having a Good Old Cry: Black Women Cry Too!

It is important to humanize the situations of Black women by continuing to deconstruct the misconstrued understanding of our perceived strengths and presumed inability to be vulnerable. Black women are women. We are human; and we cry in the face of adversity. The co-participants were not afraid to embrace, share, and act on this truth. London was straight to the point, stating, “Honestly, I, I would just cry. Like I would literally, I would just cry”. She was one of the participants who shared her tears with me during our conversation.

Sharon was not afraid to express vulnerability by advising, “Crying and crying and praying and crying. And I was just thinking how I was going to get out of it because at that time, I didn’t really see how I was scared to like, because I’ve never lived on my own before”.

Carol’s recollection demonstrates how IPV impacted not only her, but her children:

Girl, I used to hide in the closet. Oh, God, I can’t. I used to hide in the closet when he would. When? When I think he’s coming home from his drunk and closed the closet door and cry. And my daughter, she picks up on it. So she would go and she would tell me, don’t come out and she’ll be just talking to him ’til he fall asleep, telling him foolishness ’til he falls asleep.

In these moments, I felt the *sisterly* responsibility the most. The co-participants were trusting me with their emotions. Further, this was also a moment of empowerment because being vulnerable when we are often told we can’t be is uplifting in safe spaces. This was a safe space.

4. Closing Remarks

The stereotype of the strong Black woman greatly influences how Black women navigate our IPV situations. This, in part, leads to our reliance on particular personal and interpersonal avenues when attempting to flatten or redirect the effects of the abuse because we feel we have no one else or nowhere else to turn to. Understanding this stereotype, and others like it, is necessary to appreciate many Black women's decision-making processes when dealing with their IPV situations.

CHAPTER 9 – HOW *WE* SEE THE SYSTEM: WE ALREADY KNOW HOW IT SEES *US*!

An Inherent Conflict

*I understand that you are supposed to be my ally
My standby
Though, hard to reconcile
I mean, I want to believe in your words
"To serve and protect"
But it's hard to trust when your hands are around my neck
Reflect, am I not who you are to serve and protect?
Or do I fail the melanin test?
You, taught me I wasn't worthy
I believed you
You, taught me I deserved it
I believed you
You, taught me I could handle it
I believed you
But ...
I learned, you believe we weren't worthy
That was a fallacy
I learned, you believe we deserved it
Only because of your ignorance, not the reality
I learned, you believe we could handle it
You were wrong
But we endured it because you showed us what hate resembles when it cascades on humanity*

(Written and performed by Shushanna Harris)

1. Police Mistrust: Rooted in the Historical Degradation of a People

The CLS has a historical bias against Black people borne from racist structures of property, colonialism, and slavery. This history is not left in the past but continues to play a significant role in the treatment of Black and other racialized bodies.⁸³⁰ Globally, Canada is heralded for its emphasis on diversity, inclusion, and multiculturalism;⁸³¹ painting a picture of equality and

⁸³⁰ See Kimberlé Crenshaw, "From Private Violence to Mass Incarceration: Thinking Intersectionally About Women, Race, and Social Control" (2012) 59:6 UCLA L Rev 1418.

⁸³¹ Scot Wortley, Akwasi Owusu-Bempah & Huibin Lin, *Race and Criminal Injustice: An Examination of Public Perceptions of and Experiences with the Ontario Criminal Justice System*, Canadian Association of Black Lawyers (Toronto: Ryerson University Faculty of Law, 2021), online:

acceptance for all individuals regardless of race, religion, sexual orientation, etcetera. However, the hyperbolicity of this reputation is illustrated through comprehensive research that reveals racism and discrimination in Canada and its treatment of those often characterized as “other”.⁸³² This research presents a narrative that challenges the dominant Canadian discourse and exposes truths that Canadians (continue to) shun.

The truth is: Black people in Canada continue to occupy spaces of oppression. This is the reality of our social existence and is evidenced in our encounters with various state apparatuses, including societal, educational, political, economic, legal or “any [other] state-controlled or state-influenced institution”.⁸³³ This is further demonstrated in the means, or lack thereof, afforded to us to navigate and make footprints in a society that (un)consciously condones white supremacy. Dealing specifically with the CLS, Black bodies are targeted and treated unfairly, to say the least, by the police and other players of the CLS.⁸³⁴ As such, it is not surprising that the relationship between the Black community and the various participants of the CLS has been fraught with violence, mistrust, fear, and anxiety.⁸³⁵

Black people have an acute sense of distrust for police and the CLS, so much so that members of the Black community, especially Black mothers, have developed racial socialization techniques to keep their children, specifically Black boys, safe from police brutality. In broad terms, racial socialization can involve adults imparting knowledge to children about racism and other forms of oppressions that may befall them due to the way they are racialized.⁸³⁶ Black mothers’ mistrust for

https://www.ryerson.ca/content/dam/law/documents/CABL_Report_Race_and_Criminal_Injustice_Feb_10_2021.pdf at 8.

⁸³² *Ibid.*

⁸³³ Linda Carty, “African Canadian Women and the State: ‘Labour Only Please!’” in Peggy Bristow et al, eds, *We’re Rooted and They Can’t Pull Us Up: Essays in African Canadian Women’s History* (Toronto: University of Toronto Press, 1999) at 197.

⁸³⁴ See Joseph Mensah et al, “Racial Discrimination in the Canadian Justice System: How Anti-Black Racism by the Police Harms Us All” (2021) 38:2 Cdn Soc Work Rev 63 at 65.

⁸³⁵ See Wortley, Owusu-Bempah & Lin, *supra* note 831. Also see: Scot Wortley & Akwasi Owusu-Bempah, “Unequal Before the Law: Immigrant and Racial Minority Perceptions of the Canadian Criminal Justice System – A Toronto Survey” (2009) 10 J Int Migr Integr 447; Scot Wortley, “Justice for All? Race and Perceptions of Bias in the Ontario Criminal Justice System” (1996) 38:4 Can J Criminol Crim 439; Rashmee Singh, “In Between the System and the Margins: Community Organizations, Mandatory Charging and Immigrant Victims of Abuse” (2010) 35:1 Can J Sociol 31 at 38: “Whether women are harmed or helped by the police and courts is largely contingent on their social positioning as white or racialized, citizens or immigrants, middle-class or poor”.

⁸³⁶ Diane Hughes et al, “Parents’ Ethnic-Racial Socialization Practices: A Review of Research and Directions for Future Study” (2006) 42:5 Dev Psychol 747 at 748.

police is based on a number of factors, including through intergenerational and vicarious transmission (which will be discussed below). Further, many employ “protective carework strategies”,⁸³⁷ including instituting a practice known as “the talk” to educate their sons about being a Black man in Canada and how to “behave” when stopped by the police.⁸³⁸ The talk has been described as a “rite of passage for Black boys” as they learn to navigate a world that is inherently racist and dangerous to Black bodies.⁸³⁹ To contextualize the imperative nature of “the talk”, Madison Armstrong and Jennifer Carlson write,

Black parents giving the Race Talk are not afforded play-type lenses through which to frame their attempts at preparing their children to face danger. One of the main points of the Race Talk is to explain to Black boys and young men that even actions that seem innocent may be used as an excuse by someone who wants to perpetrate violence against them.⁸⁴⁰

They also emphasize how parents provide “the talk” instilling in children the need for self-policing,

[t]here is no space for play-type language, because playing in a racialized body can easily be interpreted as threatening by law enforcement and other authorities. Rather than emphasizing reliance on authority figures to maintain safety, the Race Talk necessarily reminds Black children that authority figures may, in fact, be sources of danger, and that Black people must rely on themselves and the policing of their own behaviors for the maintenance of their own physical safety.⁸⁴¹

Though “the talk” focuses on the socialization of Black boys and consequently enables a serious neglect for Black girls’ intersectional perils and the imminent danger of police violence towards them,⁸⁴² it is nonetheless important as it demonstrates the pervasive nature of the mistrust in the Black community of the police. Because it is often women who provide these talks, there is no doubt that they too hold these beliefs, and practice what they preach.

⁸³⁷ See Madison Armstrong & Jennifer Carlson, “Speaking of Trauma: The Race Talk, The Gun Violence Talk, and the Racialization of Gun Trauma” (2019) 5:1 *Palgrave Commun* 1.

⁸³⁸ Bundy, *supra* note 12 at 330.

⁸³⁹ Armstrong & Carlson, *supra* note 749 at 5.

⁸⁴⁰ *Ibid* at 6-7.

⁸⁴¹ *Ibid* at 7.

⁸⁴² Amber Powell & Michelle Phelps, “Gendered Racial Vulnerability: How Women Confront Crime and Criminalization” (2021) 55:3 *Law Soc Rev* 429 at 433.

Frankly, this lack of trust and the need to provide “the talk” is practised because Black people have not only endured the institution of slavery and the stereotypes of Blackness that is attributed to it, but they are members of a white supremacist society that “maintain(s) the structural racial, [social, and political] inequalities initiated by slavery and segregation by contributing to the disproportionate arrest and incarceration of African Canadians”.⁸⁴³ Essentially, encountering the police and the CLS is traumatizing for some Black people, and with good reason, making it difficult for them to involve the police in their IPV situation. Research demonstrates that Black women, along with other marginalized women, are hesitant to inject the CLS in IPV situations in light of the historical and continual discriminatory treatment (trauma) the CLS imposes upon Black bodies, resulting in the strained relationship the Black community has with the police. There is a deep mistrust and fear that further violence would be bestowed upon them, the abuser, and their community from those who are sworn to protect them from harm.⁸⁴⁴

In an American analysis of 53 women IPV survivors – 25 women were Black, 15 were white, 8 were multiracial, though identified as Black, 4 were Indigenous, and 1 woman was Asian – Amber Powell and Michelle Phelps reported that of the 38 racialized women, 22 experienced police violence. Primarily, they experienced racial profiling, hostile communications (e.g. “shut the fuck up”), physical aggression, and intrusive bodily searches.⁸⁴⁵ Though the authors did not specify how many of the 22 women who experienced police violence were Black or identified as such, given the composition of the sample outlined above, it is safe to deduce that the majority of the 22 women identified as Black.

Furthermore, should Black, Indigenous, and other marginalized women report their abuse to the police they are at risk of what is referred to as “institutional betrayal”. According to the Avalon Report prepared for the Nova Scotia Mass Casualty Commission, institutional betrayal is violence exercised by an institution against those who enlist their assistance. It “may involve deliberate acts by the institution” including, but not limited to “perpetuat[ing] or continu[ing] to perpetuate, acts of violence and oppressions against marginalized communities [or] the institution does not provide

⁸⁴³ Mukisa Kakembo, “Name it, Then Change it: Addressing Anti-Black Racism in the Canadian Criminal Justice System” (2021), online: < <https://nsbs.org/wp-content/uploads/2021/01/AntiBlackCJSPaperMK2020.pdf> >.

⁸⁴⁴ The Avalon Report, *supra* note 120 at p. 9; see also Powell & Phelps, *supra* note 842 at 440.

⁸⁴⁵ Powell & Phelps, *ibid* at 441.

assistance or support”.⁸⁴⁶ These acts can be individualized or a product of systemic dysfunctions.⁸⁴⁷ The Avalon Report further outlined that Black Nova Scotians have experienced “violence, racism, and significant over-policing” as a result of institutional betrayal.⁸⁴⁸ This acts as an inhibitor to Black women IPV survivors reporting the abuse they encounter. The lack of trust in the police discussed in the Avalon Report was also visible in Duhaney’s research of Canadian Black women survivors. Her conversations with the women in her analysis revealed that Black women had a general mistrust for the police: “[s]ome women who believed they were not protected by the police or wrongfully accused were less likely to trust them”.⁸⁴⁹ In the Nova Scotia Mass Casualty Commission Report, Duhaney is quoted further explaining this point:

Some women may believe that if they were to call the police for help, they might be either mistreated by the police or they might not be believed. If they have had previous negative contact with the police, they might fear that it might result in another negative experience. They might be disrespected or the police may undermine or even minimize the extent of the severity of violence in their relationship.⁸⁵⁰

The co-participants of this project had similar sentiments as revealed in the Avalon Report and Duhaney’s analysis. Their perspectives provide some insights regarding their reluctance to involve the police in their IPV situations. As you recall, police were involved in the situations of seven of ten co-participants – five made the call to the police as they believed they had no other choice, and two had the assistance or encouragement of a third-party. From our conversations, I learned that the mistrust felt by the co-participants is rooted in a number of factors that are not mutually exclusive, including cultural and historical trauma that is intergenerationally transmitted or learned, vicarious transmission, and personal encounters with the police.

2. Police Mistrust and Intergenerational Transmission; Her/His Hurt, is My Pain Too!

⁸⁴⁶ The Avalon Report, *supra* note 120 at 9.

⁸⁴⁷ *Ibid.*

⁸⁴⁸ *Ibid.*

⁸⁴⁹ Duhaney, “Contextualizing the Experiences”, *supra* note 35 at NP21203.

⁸⁵⁰ MacDonald, Fitch & Stanton, *supra* note 49 at 355.

Black women fear overzealous law enforcement response rooted in racial discrimination, contextualized by historic and present-day police brutality, abuse, and discriminatory policing in their communities.⁸⁵¹

As a child, I was taught in school to dial 911 in situations of distress, but this teaching failed to incorporate the significance of racism, sexism, and discrimination. Most of the co-participants, including me,⁸⁵² were being taught in our Black households that the police were not our friends. These household lessons were not predicated on misguidance but rooted in personal experiences and the cultural and historical trauma Black people have endured collectively. Exposure to cultural and historical trauma influences how many Black people accept and impart knowledge and how we interact with subsequent generations.

Cultural trauma manifests “when members of a collective feel they have been subjected to a horrendous event that leaves indelible marks upon their group consciousness, marking their memories forever and changing their future identity in fundamental and irrevocable ways”.⁸⁵³ Such events include slavery or the killing of Black bodies by police officers. Historical trauma demonstrates not only cultural trauma but describes how that trauma is controlled and perpetuated by those in power in the broader society and within the communities that are experiencing the trauma. Basically, its genesis is located in the subjugation of a particular population by those in power. The dominant group accomplishes the creation of inferiors through various means, including enslavement, the military, laws prohibiting mobility, financial instability, the denial of cultural autonomy, etcetera. Importantly, the “overt” legitimacy of the dominance may fade over time, but “its legacy remains in the form of racism, discrimination and social and economic disadvantage”⁸⁵⁴ which enable oppressions to have a stronghold and influence on how Black

⁸⁵¹ Michele Decker et al, ““You Do Not Think of Me as a Human Being”: Race and Gender Inequities Intersect to Discourage Police Reporting of Violence Against Women” (2019) 96:5 J Urban Health 772 at 780.

⁸⁵² I used the term “[i]ncluding me” in this anecdote because I am a co-participant in this research. While my story is not the headline, in order for *Sistering* to be properly deployed, the learner must understand themselves as a participant in the project. Hence the use of the term co-participant, and not simple participant, to describe the women who are involved in this analysis.

⁸⁵³ Jeffrey Alexander et al, *Cultural Trauma and Collective Identity* (Oakland, CA: University of California Press, 2004) at 1.

⁸⁵⁴ Michelle Sotero, “A Conceptual Model of Historical Trauma: Implications for Public Health Practice and Research” (2006) 1:1 J Health Disparities Research and Practice 93 at 99.

people interact with each other and the broader society. Consequently, the effect of the trauma is transferred to subsequent generations.⁸⁵⁵

Here, I argue that many of the co-participants are recipients of the intergenerational transmission of police mistrust, based on the pervasive presence of cultural and historical trauma in the Black community resulting from encounters with the police, policing, and the CLS generally. Further, this mistrust influenced, among other factors, how they dealt with their respective IPV situations. As Walcott points out, “[a]s a people who have been “policed” from the plantation straight through to the present moment, Black people have such an intimate understanding of what policing looks like in all its forms ...”.⁸⁵⁶ Our mistrust reflects this history and acts as a guard against police brutality, as police violence against Black people perpetuates our dehumanization⁸⁵⁷ and defacement.

A factor in Carol’s reluctance to call the police was her upbringing. Carol

thought they [the police] wouldn’t care. I thought, what the hell am I calling them when they don’t, I don’t think they care ... Because in our community we hear so much about the police don’t care about us...it’s in your head everywhere you turn....you grew up listening to it ... It’s embedded, you know ... like a part of your society culture, you know what I mean.

Claire had a similar understanding. She stated:

And also remember growing up we were forbidden I don’t know ... I’m Jamaican. Don’t dial 911. Don’t call police. So, no matter what, we were taught not to call police. I grew up police aren’t your friend. I grew up, I went to Black study classes. I grew up with white people did this to you. And that’s how I was brought up. You understand? Never to dial those numbers. But I had no choice. You know what I mean?

⁸⁵⁵ *Ibid* at 99; see also Jordana Douglas, Marianna Perlstein & Lilian Polanco-Roman, “Toward an Understanding of Intergenerational Trauma and Storytelling in Black Families” (2025) 17:2 Psychol Trauma 256 at 256.

⁸⁵⁶ Walcott, *supra* note 8 at 10.

⁸⁵⁷ Thema Bryant-Davis et al, “The Trauma Lens of Police Violence Against Racial and Ethnic Minorities” (2017) 73:4 J Social Issues 852 at 855; see also Janet Helms, Guerda Nicolas & Carlton Green, “Racism and Ethnoviolence as Trauma: Enhancing Professional Training” (2010) 16:4 Traumatology 53 at 55.

Even though Claire acknowledged that she believed what she was taught, she outlined a double standard in this belief:

At first, I believed that but I'm saying these people are telling me, don't call this ... who are you supposed to call? Everyone says, don't call police. But if someone breaks in your house, the same people you're telling me don't call you're going to call. So, when is this number good to call ... So, then I was like this is two, this can't be two sided. It's okay to call today but you can't call tomorrow. It didn't make sense to me, so I started questioning it. I said this can't be right.

While Tanisha indicated that she was taught never to call the police on her own race, she advised she was also provided contradictory information about this prohibition. She stated,

...because growing up, I just. Was told, I don't know, it's interesting. I was told one thing, but shown showing another. My parents would be like, "oh, don't you call the police?" But they would do it like, eventually.

Some women discussed the anxiety they experienced when police are in their vicinity as a result of a collective fear for police. For example, Charlene advised,

We're not a family who calls the police ... when a police officer drives by you...all of us. We just get really light in the stomach.

She further contextualized this feeling, stating,

... in our past, we've known that oftentimes the victim ends up with charges anyway. Whether it's domestic, whether it was the brother of somebody who was murdered on the street. He doesn't have nothing to do with the murder but now he's on gun charges because the police were in the house doing their reporting and consoling. And what's that. Oh, we were in the house. It was in our eyesight. No, we're not doing any of that.

I have no trust for the police. None. I grew up in the 70s where it was the racial divide was very clear. My mom would say don't trust anything the white people say to you. Especially the teacher, the principal, and the police officer. She would say that often to us. Which also means that when you're in need you have nobody in authority to go to.

Charlene's closing sentence, "which also means that when you're in need you have nobody in authority to go to" is not only grim but finds support in the literature. Researchers demonstrate that

the fear and mistrust Black women have in the police impedes their ability to rely on the police and the CLS, and this greatly compromises their access to any physical health and safety protections that may be afforded to them by police intervention.⁸⁵⁸ Some authors characterize this attitude towards the police as legal cynicism, “a cultural orientation in which the law and the agents of its enforcement are viewed as illegitimate, unresponsive, and ill equipped to ensure public safety”.⁸⁵⁹ Others refer to it as legal estrangement or an intuitive understanding by Black people that the legal system excludes them and cannot help them. Legal estrangement is rooted in three “sociolegal processes”: first, procedural injustice or the unfair treatment of marginalized people; second, vicarious marginalization which arises as a result of the mistreatment of family friends, etcetera; and third, “structural exclusion”, which includes disproportionate distribution of “policing resources and protection”.⁸⁶⁰ With respect to this third process, the disproportionate distribution of policing resources and protection takes the form of both the under- and over-policing of the Black community. Racist ideologies about Black people, including our perceived violence, underpins the unreasonable surveillance of us by police. The community is also under-policed, under-resourced, and less protected by law enforcement. This disproportionate distribution is borne out in relation to IPV; resources are not allocated in a way that protects Black women.⁸⁶¹

Amy Herbele, Elsie Obus, and Sarah Gray made a similar argument suggesting that cultural trauma subsequently limits a group’s ability to obtain services, especially when those services are entrenched in systems that have colonial roots. To engage those services risks perpetuating the trauma.⁸⁶² This is exactly the situation for many Black women survivors of IPV. They are reluctant to turn to CLS for help because it was built by colonizers and continues to perpetuate colonial ideologies and practices. The CLS’ colonial roots render reliance upon it traumatizing for many Black women and the Black community, generally.

⁸⁵⁸ Decker et al, “You Do Not Think”, *supra* note 851 at 780.

⁸⁵⁹ David Kirk & Mauri Matsuda, “Legal Cynicism, Collective Efficacy, and the Ecology of Arrest” (2011) 49:2 *Criminol* 443 at 444, cited in Powell & Phelps, *supra* note 842 at 431.

⁸⁶⁰ Monica Bell, “Police Reform and the Dismantling of Legal Estrangement” (2017) 126 *Yale LJ* 2054 at 2100-2114.

⁸⁶¹ Whynacht, *supra* note 113 at 14.

⁸⁶² Amy Herbele, Elsie Obus & Sarah Gray, “An Intersectional Perspective on the Intergenerational Transmission of Trauma and State-Perpetrated Violence” (2020) 76 *J Social Issues* 814 at 816-817.

Like Charlene, Susan bears anxiety about police:

... even just the mention of [criminal law system or police] brings, like, you know, you've got that block in your chest, that anxiety that you feel. Um, I think we all feel that as, as Black people, when we think about police. I don't think any of us think they are our friends, and they serve and protect us, as it says on the side. I remember I used to always see police cars and say, it says to serve and protect. And I would say at the end of that sentence is who? Because it wasn't me ... And then I think, one of the spoken unspoken rules as Black people is we don't call the police.

In further reflection on her mistrust for the police, Susan makes it clear that alternative measures are often called upon and not the police:

So, when one thinks about anything that happens, it's not the police that you call. And I think what happens as a result and I think about my situation is what do we do. We call our brothers, our uncles, our whoever to handle a situation. Right. And that's how it gets handled because we don't trust the police.

This statement is revealing as it suggests that there is a preference to invoke the assistance of informal or alternative options, including family, to obtain the required protection. This is consistent with research suggesting the same. Michele Decker et al posits that,

[c]ommunity norms of police avoidance rooted in historic experience of race-based discrimination were potent deterrents for contacting police for the Black women in our sample. The impact of these community norms is likely amplified for [Intimate Partner Violence/Sexual Assault] survivors, who often turn first to their informal networks before seeking support through formal systems.⁸⁶³

Though Susan refrained from seeking refuge from family or a friend, she advised that growing up, "... no one ever taught me that I could call the police in domestic violence. No one ever taught me that the police were an option in my life. No one taught me that. And so, there was no way for me to articulate a behaviour that I didn't learn". She solidified her point stating, "the laws of Blackness still apply. They do. The laws of Blackness still apply. We don't call the police".

⁸⁶³ Decker et al, "You Do Not Think", *supra* note 851 at 780.

While calling the police was not believed to be an option for Susan, the thought of calling the police seemed foreign to London. She said,

[I]t didn't even come to your mind. Even like I said, my mom was abused. The cops have never come to my house as I was growing up. That's one thing I can say. I don't remember no cops ever coming to my house for like domestic abuse with my mom. And like I said, we used to live in apartment buildings. We grew up in housing our whole life. Like, there's never been cops. Like she never, ever called the cops.

It's like you put your... we got two feet. We're going to wear two shoes today. You get beat up, you're going to, you're going to tie your same two shoes and you're going to go. Like even my friends, like I know friends that were beat up when I was younger...I have never probably met anyone who called the cops.

Following this statement, she made a point that resonated with me. She said,

It's crazy that you could call the ambulance or a firefighter. There's a fire, you call the firefighter. It's normal. You hurt yourself, you call the ambulance. You're not! You better not! You better like you're not calling the police...you're going to get in trouble.

She then went on to contextualize the gravity of calling the police growing up in her household:

Whether she [mom] taught it to me, or it was just you don't do it, you know it's wrong. Like, not even that. It's not normal. It's wrong. We don't call the cops ... Call the cops and make the cops come to my house, you're getting an ass whooping ... So I was raised like that from time. Like I've never called the cops, like growing I've never. The most we see cops like I told you is that school. That's where they go. They ain't coming to nobody's house.

You know, they have power even when I know I didn't do nothing wrong. Like we see what's happening in the world.

3. Police Mistrust: Vicarious Exposure

In addition to intergenerational transmission, some co-participants also expressed a mistrust resulting from vicarious exposure to the continued racist rhetoric and treatment of Black people and Black bodies by the CLS. In their analysis of vicarious trauma respecting police killing of

Black bodies, Jacob Bor et al contends that witnessing such atrocities can categorically disrupt the mental state of Black people, causing,

heightened perceptions of systemic racism and lack of fairness, loss of social status and self-regard, increased fear of victimisation and greater mortality expectations, increased vigilance, diminished trust in social institutions, reactions of anger, activation of prior traumas, and communal bereavement.⁸⁶⁴

With the proliferation of various social media platforms, vicarious exposure to police brutality towards Black people has become a norm in our societies. To name a few, in 2020, we saw George Floyd take his last breath after officer Derek Chauvin had his knee on his neck for 8 minutes and 46 seconds. In 2023 the world witnessed the brutal beating of Tyre Nichols by five police officers – he subsequently succumbed to his injuries while in the hospital. In 2024, the death of Sonya Massey was captured on the body worn camera of the police officer who shot her in the head in her own home after she called them for assistance. Unsurprisingly, this tends to exacerbate individual and collective mistrust for the police.

Though Charlene’s mistrust for the police is informed by a number of factors, including intergenerational transmission, she is a primary example of police mistrust through vicarious exposure. She advised, “I grew up in the 80s, so there were quite a few Black men that were killed by officers. There were quite a few that were assaulted by officers that were never on the books. Nobody was charged”. In addition to having knowledge of these assaults, her mother was brutally assaulted by the police when Charlene was 16 years old. This is an incident which crippled her and her family’s perception of the police – a major reason she advised, “we aren’t a family that calls the police”.

[M]y mom is a normal person. She was a real estate agent and a nurse. And a 250-pound police officer punched her right in her face and knocked out her bottom tooth. So, with the punch, my mom shit herself on the spot. So, then it was dirty nigger, dirty nigger. As he was beating her up, he was pulling her by her neck but putting all the pressure down here. Um, some little boy who was in grade ten was driving in the opposite way. He stopped.

⁸⁶⁴ Jacob Bor et al, “Police Killings and Their Spillover Effects on the Mental Health of Black Americans: A Population-based, Quasi-experimental Study” (2018) 392:10144 *Lancet* 302 at 303; also see Bryant-Davis et al, *supra* note 857 at 855, Shelly Harrell, “A Multidimensional Conceptualization of Racism-Related Stress: Implications for the Well-Being of People of Color” (2000) 70:1 *Am J Orthopsychiatry* 42 at 45.

The officer said, “oh, she's resisting arrest. Call it in”. Instead, he [the police] called his brethrens from [the station] and drove her down to [the station]. Right before taking her into the building, he smacked her in her face and said, “You better behave”. There was some reaction when he went through her purse and found out she was a nurse, and not just some rogue girl.

She had just sold her first house and was racing from the sale to her job. Yes, she was late. She saw the cop put on her cruise control under the speed limit. He still lit her up.

We went to court, and he said that she attacked him, bit his finger, and hurt him bad. So, he was found not guilty of assaulting my mother who took six years to replace her tooth and had to learn how to smile differently. My mother was charged with assaulting a police officer. She had to do probation. She had to do community service hours, and now, whenever she goes across to the States with her church sisters on those campaigns, I have to stay on alert just in case the US doesn't accept her pardon that she eventually got.

The importance of Charlene sharing this traumatic event with me was not lost. We sat in this moment as it became evident not only of the impact it had on her and her family, but the impact it had on me, the learner. Following a moment of reflection, Charlene outlined that because of this experience and her overall lack of trust for the police, she had developed a strong sense of anxiety in the presence of police. So much so that when she called the police as a last resort response to the IPV situation she was facing, which will be explored in chapter 10, she did not want them in her home. In fact, they had to remain outside to speak with her about the incident until she eventually attended the station:

I know I called them to my house, but I actually didn't want them to enter my house: “Ma'am this could be more comfortable if we go inside.” Comfortable for who? Not for me.

Tanisha's mistrust for police was also influenced by police treatment of her friends and individuals she worked with:

I think because of the nature of my job, I would hear a lot of stories about young Black men who would tell me about how the police treated them when they went to jail, and even a lot of my friends, like, yeah, a lot of my guy friends have had interactions with the law and been brutalized by the police.

Further, the mistrust she embodies for the police is arguably heightened in intimate partner violence situations based on an encounter she witnessed with her parents and her interactions with other women who are survivors of IPV.

When I was a little girl, my parents had a physical fight. I remember the police came because they were trying to call the police on each other over a bunch of foolishness. The police told my dad he had to go; and I think 5 days later he was back, and my parents have stayed together ever since. I don't think the police can help with anything like that. I think that anybody could still come back and if you put them in jail, that's going to be the end of you.

And so I just always hear these stories of these women who went to the police, told them that they were getting beat down, and nothing happened. And I met women. I've met women too who have shown me this like that. Their boyfriends beat the crap out of them and nothing happened. The police came one time and nothing happened. Then they went back to him. So, for me, I just felt like the police makes the abuse stay.

London's mistrust for the police and involving the police in her IPV situation was especially triggered when dealing with her ex-partner, Steve, as she witnessed, firsthand, how the police treated him during a case of false identity. She explained,

... the first day I ever went away with him. Right. The next day he's like, "oh, let's go shopping". So, we're walking [down the street], all these cops from nowhere come out with the big rifles, and me and him are walking and they're like, get down, [Shawn].⁸⁶⁵ Get down! [Shawn] from America, get down! [Shawn] from America. So, I'm like his name's [Steve], not [Shawn]. And so even from then and from the other incident, with the bouncers, I just had, like, a soft spot. Like I already know this just even more proves that the cops don't like him. It doesn't even matter. I'm a female. Like how I got it growing up young. Like, I'm like, he really does get targeted ... And then they're like, okay, false identity. But it just stuck with me too. Like I'm like, I already know the cops don't like him. As bad as I'm hurt, I'm still thinking about this guy.

Due to this incident and the fact that she has "no trust" for the police, calling the police did not come to mind when he was assaulting her.

⁸⁶⁵ Steve and Shawn are both pseudonyms. London advised that the police were calling him the wrong name. However, I did not want to use the name she advised the police used to satisfy confidentiality.

From the reflections above, we learned that some of the co-participants have been vicariously exposed to various forms of police violence towards Black bodies, in some cases resulting in death, injuries, or the use of excessive force. Their fears are supported by statistical data revealing that Black people face harsher treatments by law enforcement in Canada. Recently, the Ontario Human Rights Commission in their report, *From Impact to Action: Final Report into Anti-Black Racism by the Toronto Police Service*, confirmed that Black people are “significantly overrepresented” in areas such as racial profiling, racial discrimination, and anti-Black racism across all aspects of police involvement with Black lives.⁸⁶⁶ Further, they are overrepresented in arrest, charges, carding, and use of force, etcetera.⁸⁶⁷ This solidifies research, reviewed briefly below, that Black people are the posterchildren for excessive use of force by police in Canada, are subjected to constant scrutiny, ridicule, and surveillance by law enforcement, and are overrepresented in provincial jails and federal penitentiaries.

a. Use of Force

A CBC report in 2018 shed light on the troubling realities of Black people, particularly Black men, and their encounters with police in Canada. The report looked at 461 fatalities by police over a 17-year period, 2000-2017. The report included a number of startling revelations. First, though adjusted to account for the population growth over the 17-year period, the number of fatalities at the hands of the police had steadily increased. Second, although white people accounted for almost half the fatalities that occurred over the period, Black and Indigenous people were significantly overrepresented given their composition in the population.⁸⁶⁸ Specifically, although Black people comprised 2.5 percent of the population during the reviewed period, they represented almost eight percent of police killings.⁸⁶⁹ Respecting regions, Black people represented 8.3 percent of the

⁸⁶⁶ Ontario, Human Rights Commission of Ontario, *From Impact to Action: Final Report into Anti-Black Racism by the Toronto Police Service* (Ontario, 2024) online: <<https://www3.ohrc.on.ca/en/impact-action-final-report-anti-black-racism-toronto-police-service>>.

⁸⁶⁷ *Ibid.*

⁸⁶⁸ Jacques Marcoux & Katie Nicholson, “Deadly Force: Fatal Encounters with the Police in Canada 2000-2017”, *CBC News* (2018), online: <<https://newsinteractives.cbc.ca/longform-custom/deadly-force/>>; Scot Wortley, Ayobami Laniyonu, & Erik Laming, *Use of Force by the Toronto Police Service, Final Report* (Toronto: Ontario Human Rights Commission, revised January 2023), online: <<https://www.ohrc.on.ca/sites/default/files/Use%20of%20force%20by%20the%20TPS%20report%20%28updated%20January%202023%29.pdf>> at 11-12.

⁸⁶⁹ Marcoux & Nicholson, *ibid*; Wortley, Laniyonu, & Laming, *ibid* at 11-12.

population in the Toronto region, yet they accounted for almost 37 percent of police killings. Third, CBC was unable to identify the racial identities of 22 percent of the cases, therefore, should any of those unidentified fatalities be Black or Indigenous bodies, the disproportionality in the use of lethal force would be even more alarming.⁸⁷⁰ This data was updated in July of 2020 to reflect a time period of 2000-2020. The results are not surprising given the previous data; Black fatalities represented 8.63 percent of the killings, yet Black people only represent 2.92 percent of the Canadian population over the time period of the data collection.⁸⁷¹

In the time period after the CBC report, the shootings of Black men by the police have continued to occur and is evidenced, for example, by police killings of Jean René Junior Olivier in 2021 and Mathios Arkangelo in 2024. Olivier, a 37-year-old Black man, was a resident of Quebec. His mother, Marie-Mireille Bence, called the police for help because her son was experiencing a mental health episode and had a knife in his hand. Bence stated to the press, “I called for help and then found my son on the ground ... I find this absurd. There were other ways to do this, other means of disarming him, but they didn’t do that”.⁸⁷² Arkangelo, a 28-year-old Black man, and resident of Edmonton, was fatally shot by an officer after an alleged impaired driving investigation. Arkangelo is alleged to have fled the scene of the accident. Police subsequently located him, a “conflict” occurred, and he was shot by a police officer. He was rushed to the hospital where he died.⁸⁷³ There is some indication that he was shot while his hands were in the air.⁸⁷⁴ We are far too familiar with this narrative, especially with the fatal incidents on American soil. The statistics of police killings of Black people, particularly Black men, in America are staggering. According to Jacob Bor et al, Black people are more than three times more likely than their white counterparts

⁸⁷⁰ Wortley, Laniyonu, & Laming, *ibid* at 12.

⁸⁷¹ Inayat Singh, “2020 Already a Particularly Deadly Year for People Killed in Police Encounters, CBC Research Shows” *CBC News* (23 July 2020) online: <<https://newsinteractives.cbc.ca/features/2020/fatalpoliceencounters/>>.

⁸⁷² Angela Mackenzie & Rachel Lau, “Instead of Getting Help, He Got Three Bullets’: Family of Man Killed in Repentigny Demand Answers” *CTV News* (2 August 2021), online: <<https://www.ctvnews.ca/montreal/article/instead-of-getting-help-he-got-three-bullets-family-of-man-killed-in-repentigny-demand-answers/>>.

⁸⁷³ “Police Fatally Shoot Man, 28, After Reported Impaired Driving Collision in Northeast Edmonton”, *CBC News* (9 July 2024), online: <<https://www.cbc.ca/news/canada/edmonton/edmonton-police-asirt-police-shooting-1.7251153>>.

⁸⁷⁴ Madeleine Cummings, Julia Wong & Mrinali Anchan, “Family of Edmonton Man Killed by Police Questioning How It Happened, Lawyer Says” *CBC News* (12 July 2024), online: <<https://www.cbc.ca/news/canada/edmonton/mathios-arkangelo-1.7262714>>.

to be killed by the police, representing more than 40 percent of all police killings; they are five times more likely to be killed unarmed than their white counterparts.⁸⁷⁵

Compounding the above statistics is a recent report prepared by the Toronto Police Service. On January 1, 2020, Toronto Police Services commenced collecting race-based data relating to the use of force and strip searches. As a result, the Toronto Police Service gathered data and released a report on June 15, 2022, exposing and confirming the deleterious effects of systemic and institutional racism that has a stronghold on the lives of many Black people in Toronto and beyond; a truth many Black citizens, advocates, and scholars have been voicing for decades. The report, *Race and Identity Base Data Collecting Strategy: Understanding Use of Force and Strip Searches in 2020*, being the first of its kind in Ontario, and perhaps in Canada, revealed that Black people comprise 10.2 percent of Toronto's resident population, yet Black males represented 22.6 percent of the encounters with the police which led to police use of force or strip searches. That is 2.2 times their composition in Toronto. Equally problematic, Black men were 2.3 times more likely to be subjected to firearms being drawn at them when they were perceived to be unarmed; while white people were 1.4 times more likely to have non-lethal force used by police when they were believed to be armed with a weapon. Respecting offence types, homicide and weapons investigations revealed insignificant effects across racial lines; however, use of force against Black men was prominent in all other offences, including robbery and minor offences such as mischief and fraud.⁸⁷⁶ Noteworthy, Black men were 1.7 times more likely to be strip searched following a homicide or weapons arrest.⁸⁷⁷

The detriments of white supremacy borne out in the report were also realized in the lives of Indigenous people and other racialized groups residing in Toronto.⁸⁷⁸ This report provided vital insights. However, it failed to provide an analysis respecting the use of force exercised on women in general, and specifically Black women. The report suggests that five percent of the use of force

⁸⁷⁵ Bor et al, *supra* note 864 at 303.

⁸⁷⁶ Toronto Police Service, *Race & Identity Based Data Collection Strategy: Understanding Use of Force and Strip Searches in 2020, Detailed Report* (Toronto: Toronto Police Service, 2022), online: <www.tps.ca/media/filer_public/23/56/2356516a-16bd-4788-a7a7-fbe2cb4f1de6/6753b844-2e26-4fb1-9f3e-6db1cffe2f4.pdf> [<https://perma.cc/TG33-AQWW>].

⁸⁷⁷ *Ibid.*

⁸⁷⁸ *Ibid.*

incidents involved women and 12.5 percent included both men and women⁸⁷⁹, yet these numbers did not warrant an analysis except a minimal comparison to men. Professor Duhaney's analysis on Black women survivors of IPV and their encounters with the police shed some light on excessive use of force against Black women, albeit limited to women experiencing IPV. She learned that 6 of the 15 women in her analysis who were arrested either solely or dually, reported excessive force or aggression from the police.⁸⁸⁰

In addition to the women in Duhaney's analysis, cases such as Dalia Kafi and Stacy Bonds further illuminate the violence inflicted upon Black female bodies and highlight a significant deficit in the conversation pertaining to police treatment of Black bodies that have heavily been ignored. In 2017, Dalia Kafi, a 26-year-old Calgarian Black woman, was arrested for failing to comply with the curfew condition of her recognizance of bail (as it was referred to at the time). While at the police station, PC Alex Dunn attempted to remove her headscarf. She resisted by moving her head away from his grasp, and he forcefully flipped her and slammed her face onto the ground of the police station, resulting in a small pool of blood. This incident was captured on camera and shown at the trial of PC Dunn who was charged with assault causing bodily harm in May of 2019. The officer was subsequently found guilty of the named offence, and in June of 2021, he was sentenced to thirty days conditional sentence—a jail sentence of thirty days to be served in the community.⁸⁸¹ Ms. Kafi died from a drug overdose two days prior to PC Dunn's sentencing hearing.

In 2008, Stacy Bonds, a 25-year-old Black woman, was arrested by Ottawa Police officers for public intoxication because she questioned the officers' reason for stopping her in the first place.⁸⁸² Upon her arrest, she was frisk searched. However, what transpired at the Ottawa police station left her traumatized and humiliated. Ms. Bonds was dehumanized as she was strip searched, and effectively sexually assaulted by the state.⁸⁸³ The search began with a female officer inserting her hand down the pants of Ms. Bonds who began showing resistance and subsequently striking the

⁸⁷⁹ *Ibid.*

⁸⁸⁰ Duhaney, "Contextualizing the Experiences", *supra* note 35 at NP1200; also see The Avalon Report, *supra* note 120 at 13.

⁸⁸¹ Bill Graveyard, "Conditional Discharge for Police Officer Who Assaulted Suspect", *The Global and Mail* (29 June 2021), online: < <https://globalnews.ca/news/7991917/calgary-dalia-kafi-dead/> >.

⁸⁸² Maynard, *supra* note 13 at 123.

⁸⁸³ Danardo Jones & Elizabeth Sheehy, "R v Desjourdy: A Narrative of White Innocence and Racialized Danger" (2021) 99:3 Can Bar Rev 611 at 613.

officer. This resulted in a charge of assault peace officer. Following the actions of the female officer, Ms. Bonds was attacked and taken to the floor by three male officers. Sergeant Desjourdy, a fourth officer, violently kned her two times in the kidney area, forced his hands down her pants, and cut her bra and shirt from her body with a “blunt-edge safety scissors...as she lay face down on the police station floor”.⁸⁸⁴ Upon completion of this vicious attack, she was left in a cell half naked and soiled for more than three hours prior to her release from custody.⁸⁸⁵

This incident was captured on video which assisted in a stay of proceedings at her trial.⁸⁸⁶ Sgt. Desjourdy, however, was charged with sexual assault in March of 2011. His trial commenced in 2012, and he was subsequently acquitted.⁸⁸⁷

The experiences of Kafi, Bonds, Charlene’s mother, and the stories of other “forgotten” Black Canadian women illuminates the hidden and unspoken truths missing from Canadian discourse and epistemology: Black women are victims of police violence too. A recent United States response to the ignored violence inflicted upon the bodies of Black women is the “Say Her Name” movement. This movement began in December 2014 by the “African American Policy Forum: a Center for Intersectionality and Social Policy” to make visible the faces of Black women and girls who have been killed by police officers across the United States. It is a movement with an agenda to illuminate state violence against Black women with hopes of generating discourse around racial injustice and gender-inclusive justice for *all* Black lives.⁸⁸⁸ Including Black women and girls in the discussion of racial injustice and other structural and systemic oppressions is necessary for numerous reasons. First, it expands and provides a comprehensive analysis of the relationship between numerous oppressions, members of the Black community, and the police. Second, as Black women are often primary caretakers in their families, state violence against them has “ripple effects throughout families and neighbourhoods”.⁸⁸⁹ Third, incorporating state violence against

⁸⁸⁴ *R v Desjourdy*, 2013 ONCJ 170 [*Desjourdy*]; see also, Jones & Sheehy, *ibid* at 613; see also Maynard, *supra* note 13 at 123.

⁸⁸⁵ Jones & Sheehy, *ibid* at 613.

⁸⁸⁶ *R v SB*, 2010 ONCJ 561, [2010] OJ No 5034 (QL).

⁸⁸⁷ *Desjourdy*, *supra* note 796.

⁸⁸⁸ The African American Policy Forum (AAPF), *Say Her Name: Black Women are Killed by Police Too* (New York: The African American Policy Forum), online: <<https://www.aapf.org/sayhername>>.

⁸⁸⁹ Kimberlé Crenshaw & Andrea Ritchie, “Say Her Name: Resisting police Brutality Against Black Women” (New York: The African American Policy Forum (AAPF), 2015), online: <https://www.aapf.org/files/ugd/62e126_9223ee35c2694ac3bd3f2171504ca3f7.pdf>.

Black women allows discussions beyond “fixing” Black men and bad police officers, and the integration of those relating to the structures that perpetuate and enable state violence against *all* Black people. Fourth, inclusion enables society to recognize that in fact *all* Black lives matter.⁸⁹⁰ Consequently, the unfortunate exclusion of Black women in discourses about race and gender works to erase our histories, obscuring the fact that we too suffer as a result of what history has done to us and what history has taught others (and us) about us. Furthermore, mistrust for the police is not primarily rooted in the treatment of Black male bodies alone –though this remains a significant factor – but the police and CLS’ treatment of *all* Black bodies.

b. Walking or Driving While Black

In 2017, the Union of British Columbia Indian Chiefs and British Columbia Civil Liberties Association wrote a letter to the Police Complainant Commissioner highlighting that while Black people comprise one percent of the population in British Columbia, we represented five percent of those individuals stopped and questioned by police while walking.⁸⁹¹ This is a phenomenon known as carding⁸⁹² (or colloquially, “walking while Black”). Similarly, a 2019 Halifax study by Scot Wortley revealed that Black people were six times more likely to be stopped and questioned by the police when walking than their white counterparts.⁸⁹³ Scot Wortley, Akawsi Owusu-Bempah, and Huibin Lin, in a study consisting of 1450 participants in the Greater Toronto Area, learned that Black people (both men and women) were the most vulnerable to carding and traffic stops. Accordingly, 17.8 percent of Black participants were subjected to at least one pedestrian stop or carding, while the same fate was afforded to only 4.4 percent and 5.3 percent of their white and

⁸⁹⁰ *Ibid.*

⁸⁹¹ See British Columbia, Union of British Columbia Indian Chiefs and British Columbia Civil Liberties Association to the Office of the Police Complaint Commissioner, *Policy Complaint Concerning Street Checks by the Vancouver Police Department* (Vancouver: Union of British Columbia Indian Chiefs and British Columbia Civil Liberties Association, 2018) online: <[https://bccla.org/wp-content/uploads/2020/06/2020-06-05-PCC-Letter-to-UBCIC-BCCLA .pdf](https://bccla.org/wp-content/uploads/2020/06/2020-06-05-PCC-Letter-to-UBCIC-BCCLA.pdf)>; also see Alok Mukherjee & Tim Harper, *Excessive Force: Toronto’s Fight to Reform City Policing* (British Columbia: Douglas and McIntyre Ltd, 2013) at 180-181.

⁸⁹² Gervan Fearon & Carlyle Farrell, *Perceptions of the Toronto Police and Impact of Rule Changes under Regulation 58/16: A Community Survey* (Toronto: Toronto Police Services Board, 2019), online: <<https://tpsb.ca/consultations-and-publications/publications-list/category/2-publications-at-55>>. Carding is a process where police officers randomly accost individuals, requesting personal information, where there are no reasonable grounds to do so. The information is then recorded on a contact card.

⁸⁹³ See Scot Wortley, *Halifax Nova Scotia: Street Checks Report* (Halifax: Nova Scotia Human Rights Commission, 2019), online: <https://humanrights.novascotia.ca/sites/default/files/editor-uploads/halifax_street_checks_report_march_2019_0.pdf>.

Asian counterparts, respectively. Further, 24.9 percent of Black males were stopped and questioned by police officers as opposed to 5.3 percent and 6.1 percent of white and Asian participants.⁸⁹⁴ Likewise, Black women were more vulnerable to pedestrian stops than white and Asian women. Specifically, 12.5 percent of Black women were subjected to at least one pedestrian stop as opposed to 3.4 and 4.7 percent of white and Asian women, respectively.⁸⁹⁵

Regarding traffic stops, the authors found significant racial disparities affecting Black people; 35.7 percent of Black participants reported being stopped at least once by the police in the past two years while driving, compared to 22.7 percent of their white counterparts and 23.8 percent of Asian participants. Overall, Black men were most vulnerable to traffic stops. Approximately 43.5 percent of Black male participants were stopped by the police on at least one occasion, compared to 22.8 percent and 27.8 of their white and Asian counterparts, respectively.⁸⁹⁶ Similarly, Black women were more likely to encounter traffic stops than their white and Asian counterparts. Approximately 17.5 percent of Black women participants experienced at least one traffic stop; whereas only 9.4 percent of white women and 8 percent of Asian women who participated reported being stopped by the police while operating a motor vehicle.⁸⁹⁷

c. Overrepresented in Provincial Jails and Federal Penitentiaries

Although there are gaps in statistical data regarding incarceration rates at the provincial levels, there is some information revealing that Black people, particularly Black men, are overrepresented in the jail and prison systems. In 2021, Statistics Canada reported that while Black adults represent four percent of the Canadian population they were disproportionately represented in custodial settings – namely in Nova Scotia, Ontario, British Columbia, and Alberta.⁸⁹⁸ Specific to Ontario, although Black people represent only five percent of Ontario’s population, they accounted for 14 percent of incarceration admissions – Black men representing 15 percent and Black women

⁸⁹⁴ Wortley, Owusu-Bempah & Lin, *supra* note 831 at 50.

⁸⁹⁵ *Ibid.*

⁸⁹⁶ *Ibid* at 48.

⁸⁹⁷ *Ibid* at 49.

⁸⁹⁸ Statistics Canada, *Overrepresentation of Black People in the Canadian Criminal Justice System*, Research and Statistics Division (Ottawa: Statistics Canada, December 2022), online: <https://www.justice.gc.ca/eng/rp-pr/jr-obpccjs-spnsjpc/index.html#_ftnref20v>.

accounting for 8 percent. Another 2021 Ontario analysis, using correctional administrative data of 45,956 men and 6,357 women released from Ontario provincial jails in 2010, reported that Black men experienced an incarceration rate five times that of their white counterparts; and Black women were almost three times more likely to be incarcerated in comparison to white women. Further, the statistics demonstrated that approximately 1 in 14 Black men, ages 18 to 34, entered the provincial jail system in 2010; and Black men and women released during this period disproportionately represented marginalized communities.⁸⁹⁹ Although the majority of data relied on for the aforementioned study dates back to 2010, the information presented is indicative of the historical discrimination Black men and women face in Canada.

Race-based data respecting incarceration rates are more readily available at the federal level. The *2018-2019 Annual Report of the Office of the Correctional Investigator* demonstrates that the picture is equally bleak in federal correctional institutions. At the time of the report, Black people accounted for only 3.5 percent of Canada's population,⁹⁰⁰ yet constituted approximately 8 percent of the federal penitentiary population.⁹⁰¹ The *2022-2023 Annual Report of the Office of the Correctional Investigator*, reveals that the incarceration rates for Black inmates had increased 1.2 percent, representing 9.2 percent of the prison population, while their composition in Canada's population remained virtually the same. Further, the majority of Black inmates are men; and 38 percent of them are between the ages of 18 to 30.⁹⁰² The *2024 Annual Report of the Office of the Correctional Investigator* confirms the overrepresentation of Black people in the penitentiary population and that "Black and Indigenous individuals are overrepresented in maximum-security institutions, suggesting there is racial bias at play".⁹⁰³

⁸⁹⁹ Akwasi Owusu-Bempah et al, "Race and Incarceration: The Representation and Characteristics of Black People in Provincial Correctional Facilities in Ontario, Canada" (2023) 13:4 Race & Justice 530 at 535.

⁹⁰⁰ Statistics Canada, *Canada's Black Population: Growing in Numbers and Diversity* (Ottawa: Statistics Canada), online: <<https://www150.statcan.gc.ca/n1/pub/11-627-m/11-627-m2019006-eng.htm>>: at the time of the investigative report, this was the statistics available regarding the Black population in Canada.

⁹⁰¹ Office of the Correctional Investigator, *Annual Report of the Office of The Correctional Investigator*, by Ivan Zinger, The Correctional Investigator, 46th Annual Report (Ottawa: Office of the Correctional Investigator, 2019), online: <<https://oci-bec.gc.ca/en/content/office-correctional-investigator-annual-report-2018-2019>>.

⁹⁰² Office of the Correctional Investigator, *Annual Report of the Office of The Correctional Investigator: Summary of Major Investigations, Findings, and Recommendations* by Ivan Zinger, The Correctional Investigator (Ottawa: Office of the Correctional Investigator, 2022), online: <<https://oci-bec.gc.ca/en/reports>>: select "Office of the Correctional Investigator Annual Report 2021-2022".

⁹⁰³ Office of the Correctional Investigator, *Annual Report of the Office of The Correctional Investigator* by Ivan Zinger, The Correctional Investigator (Ottawa: Office of the Correctional Investigator, 2024), online: <<https://oci-bec.gc.ca/sites/default/files/2024-10/Annual%20Report%20EN%202024%20E2%80%93%20WEB.pdf>>.

4. Police Mistrust: Her Direct Exposure to Police Violence

Some of the co-participants also shared their own personal encounters with the police which further influenced their mistrust of them. While Sharon did not suggest that intergenerational or vicarious transmission influenced her mistrust for the police, she made it clear that the one time she called the police against her abuser was the last time she called them. From that encounter, she developed a mistrust for them which persisted, even viewing them as failures:

I wouldn't say it [mistrust] was something I felt before I called the police because I was young, so the police didn't really matter to me. Because I wasn't getting in trouble, I had no dealings with them to know if they were good or bad. To me they were just the police at that point; but it's when I called ... I don't think they have our backs. They don't have our best interests at heart, um failures.

Tanisha had a similar encounter when she engaged the police and was disappointed as a result. She reflected on a hate crime incident, stating,

I had to involve the police because of a hate crime that happened ... and the police tricked me like she was pretending to be on my side. And then afterwards she turned everything against me and made me look like a liar. Hung up the phone on me, like yelled at me. And I'm just like, what? I'm like, whatever. And that's when I was working alongside them. I did everything they asked, so I just, I don't think they will help me like they, they prioritize based on. I don't even know their priority system. And I just don't think that I'm a priority, like I'm at the bottom of the list when it comes to justice. I know that's a very bleak outlook.

London advised, "I don't really have like good interactions with the police." In elaborating on this point she recalled the time the police caused her to have a miscarriage:

An incident happened to me before, where I went like to the highest court in the province. So when I was pregnant, one of my friends was in like an abusive relationship as well. She's really petite, like she looks like a kid. So when I was at work, her and the kid's dad got in an altercation. So when I got back, he already left. So the police tried to come in and I was like, you can't come in. I'm babysitting. The babysitter left. We [police and her] were just arguing like he was trying to come in. I'm like, you're not. He actually pushed me against the vehicle, and I had a miscarriage in the hospital. It went to like, the highest court in the province. Then basically the cops defended him, saying, I assaulted him by spitting. But I'm like, when we are arguing, like spit came out of my mouth. I never spit on the

officer at all. And when I told him I was pregnant, he's like, "oh, sure you are". That's what they all say.

This form of police aggression and violence was also experienced by Stacey after she attended a convenience store to purchase a pack of cigarettes:

I had gone to a gas station to pick up a pack of cigarettes and I looked young ... the clerk at the desk wasn't satisfied that I was of the age of majority. So my younger brother came, he had his ID, he was in the car. I told him to come and get the cigarettes. She wouldn't sell to him either. And now we're debating with them ... she ended up calling the police and five squad cars showed up ... I stand 4'9", I wasn't being aggressive to the teller, I wasn't causing a scene apart from you know, telling her like, what she's doing is unfair and not right. And the police came they started to um ... this is in the era of like, you know, the Black Lives Matter ... to have five Squad cars come. I didn't have any weapons and any drugs or anything crazy like that. Why do you need five squad cars, filled with two officers? That's 10 officers. They were coming for me 'cause I was the one that was talking right. I don't hold any threat, physical threat at all, so I didn't understand the need for this um excessive presence.

... I've never seen you know, I've seen white people get belligerent in here...I've seen white people be belligerent in all scenarios and never have I ever seen 5 squad cars pull up for them. What was the deciding factor that 10 officers had to come here for me saying that, you know, I am of the [age of] majority to purchase this product if they don't want me to purchase the product, that's fine, but I just find it funny. And this heavy police presence for someone who doesn't impose any kind of threat. I didn't threaten anyone either verbally what was the point.

While speaking of the incidents they encountered, both London and Stacey demonstrated emotions that were welcomed and embraced in a *Sistering* conversational setting. For example, both expressed anger, disbelief, and sadness for the brutality they encountered by those sworn to protect all. London lost a child as a result, and the dignity and humanity of both were diminished.

Here, the blatant disregard allotted to their situations, police violence, and the loss of bodily integrity and dignity bestowed upon these women made it difficult for them to rely on any form of police engagement to protect them from the violence they were experiencing from their partners, who were also Black. These experiences, along with those outlined regarding intergenerational and vicarious transmission, lead to a form of racial socialization. Research indicates that Black people who directly (or indirectly) experience police violence engage in a form of racial

socialization which includes among other things, “taking steps to avoid encounters with the police”.⁹⁰⁴ As such, it is no surprise that avoidance of the police was an intentional decision many of the co-participants believed they needed to make, and that instead, they found other ways to cope. That is, until, for some, it was truly a last resort.

5. Police Mistrust: Intersecting with Black Motherhood

Another factor that bolstered their mistrust of police is interference from other governmental agencies, such as child protection authorities. In Ontario, child protection responsibilities are carried out by Children’s Aid Societies (CASs).⁹⁰⁵ While the obligation to report to a CAS if there are reasonable grounds to suspect a child may be in need of protection belongs to everyone, section 125(5) & (6) of the Ontario *Child, Youth, and Family Services Act* render it an offence should a person who has “professional or official duties with respect to children”, including police officers, fail to do so.⁹⁰⁶ Although CASs play a pivotal role in society, Black women’s concerns about their intrusion cannot be ignored. CAS interference is plagued by stereotypes depicting Black mothers as incapable parents, thereby fostering and upholding the historical racism that is embedded in such institutions. Donna Coker, recognizing the economic, social, and legal disparities faced by Black women notes,

Being poor, but particularly being African American and poor and female increases one’s risk of child welfare involvement...the intersection of punitive approaches to child welfare with punitive approaches to domestic violence results in the removal of children from mothers who are abused.⁹⁰⁷

The intrusion of CAS is a real fear for many Black women in Canada. In 2022, the Ontario Association of Children’s Aid Societies released a report sharing race-based data regarding children in the care of Ontario CASs. The report revealed that 14 percent of the children under the

⁹⁰⁴ Bryant-Davis et al, *supra* note 857 at 860.

⁹⁰⁵ *Child, Youth, and Family Services Act*, 2017, SO 2017, c 14, Sched 1, s 34 and 35.

⁹⁰⁶ *Ibid*, s 125(5)(a) and (b).

⁹⁰⁷ Donna Coker, “Race, Poverty, and the Crime-Centered Response to Domestic Violence: A Comment on Linda Mills’ *Insult to Injury: Rethinking Our Response to Intimate Abuse*” (2004) 10:11 *Violence Against Women* 1331 at 1333.

care of CASs in Ontario are Black, yet they only comprise seven percent of the population.⁹⁰⁸ The report further noted that in 2018 Black children were more likely than their white counterparts to be referred to CASs by school authorities or police. More specifically, 43 percent of the cases referred by school personnel related to Black children, while only 28 percent were white children; and 27 percent of investigations referred by police were related to Black children and 23 percent were for white children. Additionally, the statistics are stark by region. For example, in Toronto, 41 percent of the children in care are Black, the majority being of Jamaican descent.⁹⁰⁹ Likewise, in Peel region, while Black children represent nine percent of the population, they account for 22 percent of the children in care and another 19 percent are of mixed-race. Additionally, Black children remain in care longer than children from other ethnicities.⁹¹⁰

Apprehensions of this magnitude regarding Black children are made possible due to white supremacist ideologies about Black mothers. Black mothers have historically been viewed as incapable of taking care of their own children. This is ironic given that throughout history Black women were tasked with domestic duties, particularly raising white children. The mammy represents a Black woman who fulfilled this role perfectly. She is asexual and an essential caregiver to the needs of the white family; but most importantly, raising white babies.⁹¹¹ The mammy was the archetype of an ideal Black woman in a society plagued by white supremacy and patriarchy. Her characteristics were infused in white society's evaluation of all Black women. In the midst of raising white children, white society believed that the mammy recognized her position "as the obedient servant [who] has accepted her subordination".⁹¹² Evidently, this stereotype did not come to describe all Black women; nor was the mammy free from the overarching fear and devaluation of Blackness – she was still unfit to raise her own child, especially without oversight. Notions of Black mothers being unfit to raise their own children has steeped into the psyche of the

⁹⁰⁸ Nicole Bonnie, "Understanding the Over-representation of Black Children in Ontario Child Welfare Services, Ontario Association of Children's Aid Societies (Toronto: University of Toronto, Faculty of Social Work, 2022) online: <<https://www.oacas.org/wp-content/uploads/2022/06/Black-Children-in-Care-OIS-Report-2022-Final.pdf>> at 6. Jennifer Clarke et al, "Imaging a Community-Led Multi-Service Delivery Model for Ontario Child Welfare: A Framework for Collaboration Among African Canadian Community Partners" (2018) 28:2 JL & Social Pol'y 42 at 45.

⁹⁰⁹ Doret Philips & Gordon Pon, "Anti-Black Racism, Bio-Power, and Governmentality: Deconstructing the Suffering of Black Families Involved with Child Welfare" (2018) 28 JL & Social Pol'y 81 at 82.

⁹¹⁰ *Ibid.*

⁹¹¹ Bond et al, *supra* note 765 at 297; also see Roberts, *supra* note 799 at 1.

⁹¹² Hill Collins, *Black Feminist Thought*, 3rd ed, *supra* note 23 at 80.

colonial state and by extension into child welfare systems. Unfortunately, individuals are more likely to report Black families, as opposed to white families. Specifically, Black mothers are not viewed by state actors (and other actors who file reports) as being capable of caring for their own children. Essentially, they do not fit the bill of acceptable mothers, encouraging CAS to interfere as saviours to rescue Black children.⁹¹³ Doret Philips, speaking of the origins of the child welfare system, states,

... discourses of social workers as virtuous and civil, were always linked to race, as this identity became synonymous with white women as morally superior subjects, who were ostensibly 'helping' the Aboriginal and racialized "Other".⁹¹⁴

This attitude persists and plays into the notion of Black families as inherently dangerous. Black mothers who are subjected to CAS intrusion are often criminalized for resisting the oppression that marks their involvement with the CAS. This criminalization depicts them as angry Black women who are dangerous;⁹¹⁵ and thus, require oversight. Consequently, their voices are often unheard, preventing them from engaging in effective advocacy on behalf of themselves and their children⁹¹⁶ because CAS workers refuse to listen to "the angry Black woman" who just wants her child back. When I speak of criminalization here, it not only reflects the involvement of the CLS but includes techniques and measures similar to those implemented by the CLS to effect crime control, such as the imposition of "state policies and practices that involve ... stigmatization, surveillance, and regulation".⁹¹⁷ Black mothers become subjected to aggressive surveillance to ensure that they comply with requirements stipulated by CAS workers in order to regain access to their own children and not be deemed unfit mothers. A good example of criminalization is CAS' misconception of childrearing in many Black households and calling it child abuse. Due to CAS' lack of cultural understanding of childrearing in many Black families, child service workers often believe that physical punishment is the primary form of punishment in Black households. This

⁹¹³ Harjeet Badwall, "Colonial Encounters: Racialized Social Workers Negotiating Professional Scripts of Whiteness" (2014) 3 *Intersectionalities* 1 at 4.

⁹¹⁴ Philips & Pon, *supra* note 909 at 86.

⁹¹⁵ *Ibid* at 92.

⁹¹⁶ *Ibid*. Also see Ontario Human Rights Commission, *Interrupted Childhoods: Over-representation of Indigenous and Black Children in Ontario Child Welfare* (Ontario: Ontario Human Rights Commission, 12 April 2018), online: OHRC <<https://www.ohrc.on.ca/en/interrupted-childhoods>>.

⁹¹⁷ Kaaryn Gustafon, "Degradation Ceremonies and the Criminalization of Low-Income Women" (2013) 3 *UC Irvine L Rev* 297 at 300.

leads to an unwarranted gaze on Black families and Black mothers in particular as they are often responsible for childrearing.⁹¹⁸ This racialized and sexist presupposition characterizes Black mothers as abusers and blames them for the treatment they receive from CAS as a result of the dominant group's negative perceptions of their childrearing capabilities.⁹¹⁹

Recognizing the current dynamics and understandings of mothering that are particularly racist and sexist, and the (un)conscious overall fear of Blackness embedded in the CAS, it is reasonable to imagine how it can occupy a significant space in the mental gymnastics that occur in the decision-making process of some Black women when determining whether to involve the police in their IPV situations. Charlene, who has worked with children and had been “working to break the stigma of CAS to help parents” navigate the process and “understand that CAS is actually there to support them” knew that calling the police would trigger CAS’ involvement, and she did not “want them in [her] house”. She explained that to prevent them from becoming intrusive, she had to prepare for the process as she is well aware of how the system treats Black families. As such, she did the legwork. She explained,

This was something that I prepared for because I know how the systems work. So, I went the next day [after] and filed for the custody stuff. I went to the school and registered for the separated parents’ thing that they had. After school, I went to our spiritual advisor, and we booked sessions so that the children could have someone to talk to who’s not me...how am I going to get them to not come to my house, is to prove that I am a competent parent. Black women feel like they have to prove to these organizations that they are good mothers, especially when you’re a victim in these situations, and to a victimizer who has a dirty record. Because then we are seen as not smart enough or we’re part of the problem. We are treated differently with CAS. I knew that I never wanted to go into a [family] court system for my children, but I had to because that’s the first question CAS was going to ask, If I’ve done my due diligence.

Charlene’s viewpoint reveals what appears to be a contradiction, or a tension, between her understanding that CASs are there to assist women yet is an organization that treats Black mothers with such skepticism that it prompted her to employ measures to keep the CAS at bay. I use the word appear because in theory, CASs are there to assist *all* families who encounter the system and

⁹¹⁸ Jennifer Clarke et al, *supra* note 908 at 46.

⁹¹⁹ *Ibid* at 46.

protect children from harm.⁹²⁰ However, historically that has not been the case for Black and Indigenous families due to racist undertones of the organization. Reconciling with this fact, Charlene prepared herself as best as she could for interacting with an inherently discriminatory system that has demeaned Black mothers and unjustifiably characterized them as bad mothers. This was withstanding her belief in the CAS' mandate.

A CAS was involved in Claire's situation on three occasions. Though they were pleasant, she was worried about their presence in her life. She explained,

I'm not the one. If they're involved. It's because of him. He doesn't live here. He's the one aggravating me. So, they'll be more, you know, contacting him. I take care of the kids. They go to the doctor, they go to school. I try to keep them safe. So, I wasn't really worried about that. I was just didn't want them showing up at my house and to be in your life and stuff, you know, having to explain stuff to people. I didn't want to go through that again.

It could be inferred from her comments that she felt prepared to engage with the CAS, albeit reluctantly. She was doing everything a "competent" mother was supposed to do which would hopefully enable her to escape their gaze. Furthermore, the preparatory lengths she employed to ensure fairness speaks volumes and cannot go unnoticed.

The reason both Charlene and Claire went into preparation mode was because, ultimately, they feared the removal of their children from their homes. Given the statistics above this is a legitimate fear. This fear was expressly stated by Carol,

... my son had [gone] to school and said something to the teacher. When they call me in a meeting, I said, oh, he makes up stories sometimes. Because they wanted to get CAS involved. CAS did come to the home once and I, and I lied. *I didn't want my kids to be taken away.* So, it was a big deal... So, we had to keep it [abuse] a secret. We say don't tell school, don't say nothing like I'm going to work it out. [emphasis added]

The fear that is associated with being mischaracterized as an incompetent mother exacerbates the situation of a Black woman IPV survivor who has to grapple with the fact that by calling the police there is a very real potential that her children could be apprehended by a system that already

⁹²⁰ See *Child, Youth, and Family Services Act*, *supra* note 905, Preamble and s 1.

believes she is an inferior mother incapable of “proper” childrearing. It is not surprising that police mistrust is intertwined with fear of the interference of other government institutions, including but not limited to CASs.

6. Closing Remarks

The mistrust the co-participants described for the police is rooted in a number of factors, including cultural and historical trauma, vicarious exposure to police treatment of other Black people, and/or personal encounters with police. The co-participants’ resistance to engaging with the police is further exacerbated by the potential interference of other government agencies with deep-seeded racial disparities, such as CASs.⁹²¹ Knowing this, no analysis regarding IPV and women should be embarked on without exploring and addressing the historical disconnect between the CLS and the Black community that is the product of discrimination, anti-Black racism, sexism, and so forth.

⁹²¹ Also, immigration services, social welfare, etcetera. I did not speak of these and other services due to the lack of space within the dissertation. However, they are important areas to explore and authors, including Idil Abdullahi, have done so: Abdullahi, *supra* note 1.

CHAPTER 10 – RACE TREASON: AN ACT OF BETRAYAL

That's why you feel like you don't want to like, contribute to another Black man going to jail like I don't. I don't want to be a reason for another Black man to go to jail. And that's honestly like it's sad that I'm putting them ahead of me...I'll start thinking, oh, my sons...I don't want someone to put them in jail...⁹²²

1. Race Treason: Bodily Integrity vs. Race loyalty

In the above quote, London, like many Black women, is grappling with the prospect of becoming an accomplice to the discriminatory treatment Black men encounter from law enforcement, and by extension the CLS, when deciding whether to contact the police. Essentially, the security of her bodily integrity and autonomy is challenged by the notion of betraying her race by contacting the police and subjecting Black counterparts to a perpetually racist system and thereby, committing what Charmaine Crawford and Karen Flynn have referred to as “race treason”.⁹²³ Other scholars refer to this phenomenon as “race traitor”⁹²⁴ or “the trap of loyalty”.⁹²⁵ Regardless of the preferred term, it is a “racialized and gendered loyalty – a set of cultural mandates that exploit women’s emotional commitment to their intimate relationships and to members of their household”.⁹²⁶ Beth E Richie delineates three dimensions of the trap of loyalty that many Black women survivors of IPV and Black women in general have to contend with. The first is Black women’s belief that it is their responsibility to insulate their loved ones from racism and the white gaze. Second are the internalized effects of the strong Black woman stereotype, implying that Black women are capable of withstanding maltreatment, more so than others. Third is the upholding of the rhetoric proclaiming that Black women are in a privileged position relative to their male counterparts, including in their encounters with law enforcement, which compels Black women to protect Black men.⁹²⁷ Co-participant, Jordan, touched on this third prong as she believes biases within the system are geared towards Black men, more so than Black women,

⁹²² London, “Transcript of London” (12 December 2023) at 82.

⁹²³ Flynn & Crawford, *supra* note 33; see also Zellars, “As If We Were”, *supra* note 33.

⁹²⁴ Powell & Phelps, *supra* note 842 at 432.

⁹²⁵ Richie, “Arrested Justice”, *supra* note 40 at 36.

⁹²⁶ *Ibid.*

⁹²⁷ *Ibid* at 36-7.

... there's definitely systematic biases and stuff like, but I feel like it don't affect me as a, as a woman as much as it affects males. Things like carding and, you know, unnecessary stops when you're driving and being confused for the wrong person because you, you look a certain way. I think those biases are, I definitely see them more towards males than females.

Some scholars highlight Richie's three dimensions, along with other factors, as reasons Black women are less likely to report IPV, not only to the police, but to other resources purporting to assist IPV survivors. These additional factors include the "systemic normalization of what constitutes abuse", fear of dual arrest,⁹²⁸ Black people being prone to higher sentences, and systemic barriers (including, lack of resources).⁹²⁹

Within the structure of race treason or the trap of loyalty brews a form of cultural manipulation that renders Black women's existence secondary to Black men's.⁹³⁰ This trap or the fear of committing race treason, forces many Black women survivors to engage in the culture of dissemblance as discussed in chapter 8, conceal the abuse they face, and avoid outside intervention from the police and other resources. Consequently, Black women survivors of IPV are subjected to a twin form of violence which is, "intimately related and gendered, with police violence subjugating and humiliating [Black] men, who in turn subjugate the women they encounter in public and private".⁹³¹ In these circumstances, the abuse she faces is placed on the back burner as she caters to the needs of the Black man. And should she choose to contact the police for assistance, it is a betrayal to the Black man as she is surrendering him to a system that is detrimental to his bodily, psychological, and physical integrity.⁹³² She is involuntarily contributing to the perpetuation of the systemic cycles that trap them both. His needs prevail over hers because, as co-participant Sharon stated, "[Y]ou can't call the police on your man". Lana McLean, a clinical social worker with over 25 years experience in working with the Black community in Nova Scotia and Ontario, contextualized the role of the Black woman as protector in the Nova Scotia Mass Casualty report stating:

⁹²⁸ This is a legitimate fear, see Duhaney, "Contextualizing the Experiences", *supra* note 35; Duhaney, "Criminalized Black Women's Experiences", *supra* note 35.

⁹²⁹ Kelly, Spencer & Smith, *supra* note 123 at 60.

⁹³⁰ at 37.

⁹³¹ Powell & Phelps, *supra* note 842 at 432.

⁹³² Richie, "Arrested Justice" *supra* note 40 at 46.

We say Black women are the keepers of culture in our community and we have to be protective of the larger – or have more situational awareness and not just our own issues of our own protectiveness, but – and we are very mindful of the impact of what it looks like for Black men if they are the perpetrators, to be actually engaged in the criminal justice system and that they are over-represented in the criminal justice system. So, for us, it's also another generation of loss into the criminal justice system...⁹³³

Some Black women internalize this role as protector of Black men as their understanding of state violence coincides with Black men as targets. This propels Black women as a site of protection for Black men,⁹³⁴ though they too are subjected to state violence.

Sacrifice

*...my job is to protect you
This ain't nothing new
Black men walk around with a bullseye on their backs
Everyday is hunting season
Ripe for the picking
White society's favourite drug of choice
I mean, it seems they get a better high when a Black man is captured or dead
So, I sacrifice my temple
Your punching bag
Make-up keeps our secrets safe
Shielding your weaknesses
Afterall, you love me, right?*

*Stockholm syndrome has become my permanent state
My loyalty to you is written in history books
Something Black girls and women continue to learn to this day
My body's screams, tears, and scars will remain hidden
Mask with a smile
For fear of someone asking the right question and my tears betray me with a blistering cry
What I am saying, I don't expect you to understand
This relationship is toxic
Though I remain loyal to a broken man
Pretending is my superpower
But I do it because I love my Black man!*

(excerpt from a poem, *Sacrifice*, written by Shushanna Harris)

⁹³³ MacDonald, Fitch & Stanton, *supra* note 49 at 359.

⁹³⁴ Powell & Phelps, *supra* note 842 at 444.

In the current analysis, many of the co-participants, including those whose situations involved the police, took the role as the protector of Black men seriously. Charlene projects this vividly when she explained a conversation she had, many years later, with the man who abused her:

You know, when the kids were about 20, he was in a conversation with me and he said, I will never forgive you. I'll never forgive you because you called the police on me. And I said, I will never forgive you because you put me in a position where I, me, me *defender of all Black man called the police on a Black man*. You put me in that position. I will never forgive you. *I forgive you for assaulting me. I forgive you for harming my children. I forgive you for the emotional damage. I do not forgive you for making me call the police on a Black man* [emphasis added].⁹³⁵

Even after her case was in the CLS, she refused to be an accomplice to his demise. She made it clear to the officer,

[i]f you think that I'm going to show up at court so I can help you lock up a Black man by putting all of my vulnerabilities up at the front and then nobody to help me unpack that later. Absolutely not.

Stacey reminisced on a situation where her impulse was to protect her boyfriend, a Black man, from police harassment:

There were two police officers, and they stopped him. I was with him like right beside him. They stopped him and started to interrogate him um saying you know, there's a person of interest and they need to know what he's doing here just a lot of rubbish and harassment. This is like in the era of like when we were like getting heat for carding and such. You know the Black Lives Matter marches and such. I was ah really upset that they were abusing their power because like, what was the ground for you to stop this person? He's in his home or his property that he's paying for. I took over the whole conversation started answering the police. I'm like, no, don't answer them anymore. What are you doing here? Who is the person that you're looking for? What's the description of this person? You don't have any rights to interrogate somebody in their own home, there's no probable cause for you to be interrogating this person. We are minding our own business ... There's nothing suspicious about what he's doing he's in his own home; he does not have to pull out any identification for you. You have to show and prove why you need to interrogate him. You don't just stop anybody at will randomly in their own dwelling and ask them what they're doing. So, I was just really upset that you know, what would have happened if I wasn't there to advocate?

⁹³⁵ The reader should sit with this quote for a moment before moving on. Unpack what it means for a Black woman to "betray" a Black man and her community. The wound is deep and lasting.

The responsibility Stacey felt during this moment was shared by London, who witnessed Steve being ambushed by the police in broad daylight due to false identity. She indicated that she felt a sense of “responsibility towards this Black man that was abusing me”. However, her sense of responsibility was not limited to the man that was abusing her, but to all Black men:

Actually, it makes me feel like in America Black men gotta’ obey the police. We’re in the opposite. Like you guys are in fear, but we’re in fear because you don’t want to give them the opportunity to do whatever it is that they’re about to ... they’re capable of doing ... this could go south very fast. Like we see what’s happening in the world, like, yeah.

He’s a Black man is at the front of your mind, to be honest. Like that’s before ... That’s why you don’t call because that’s in the front of your mind before anything else.

As noted above, part of embracing the role of the protector is the need to protect Black men from the anticipated harm from a system with a long history of racist violence towards Black bodies. Tanisha was adamant that she did not want the police to physically harm her abuser, and this shaped her decision to refrain from contacting the police:

100% I did not want them to, like, hurt him. Even though I know he hurt me. I do know that ... I just also think that he has a lot of like, trauma. Not to say I deserve to receive that trauma, but I think the police will make it worse.

Because he was being crazy. He was being so aggressive and like, I just felt like if they caught him in that state, he’s going to die today. Like and then that would be on me. I don’t think I would ever be able to like let go of that feeling that I got somebody killed ... I would hear a lot of stories about young Black men who would tell me about how the police treated them when they went to jail, and even a lot of my friends, like, yeah, a lot of my guy friends have had interactions with the law and been brutalized by the police.

Jazmine had a similar fear. She did not want to call the police because she was afraid of what they would do to a Black man:

I was equally scared for him as a Black man. I was afraid of what the police would do to him. He was my husband and in as much as I was experiencing the abuse, he was someone I loved so much ... and, you know, sometimes the police don’t give enough time or listen well to Black people, so I was afraid of him getting hurt.

Even Jordan, who “find[s] this justice system can be actually quite lenient”, felt a “little bad for him, which is wrong”. She felt bad,

... because I knew his background. I knew like it was going to set him up. I knew he hadn’t been in trouble for a while. I guess we were young. We were like early 20s. I knew it was gonna affect him and I kind of put, didn’t put myself first and I kind of thought about him more than myself. But I knew that he couldn’t hurt me once I moved on.

Although his background and his family history played a bigger role than his race in deciding against calling the police, she articulated,

I know the statistics. So even though I was, you know, I was in my early 20s and not in Canada for too long. I mean, I was at that point, I was probably here for six years, but I had the gist of it. I was just thinking he’s going to be another statistic if I put him in jail.

Nevertheless, even with her reservations, she strongly believes that when deciding to call the police

... we can’t be thinking, oh, it could be our son or this or that. People, when they’re adults, they know. People are aware of the consequences of their behaviour. And I mean, we all wake up and go to work and do things the right way. So why are we scapegoating other people just because they look like us? Or they might get mistreated once they’re inside?

These women, including Jordan, are more concerned with the harm that could come to a Black man in the system, than the harm they were facing in private. During our conversation, Carol, when discussing this very issue, stated,

... there’s this whole notion about Black men and the police, right? That they’re going to be arrested. You can have a record. I’m a Black woman. We don’t like the system, and the system is going to turn against him. *I’m worried about him and the system instead of me* [emphasis added].

2. Race Treason: An Entrenched Ideology in the Black Community

The fear of Black men being harmed by police and the CLS gives rise to the phenomenon of race treason. Race treason is directly connected to the demarcation of the Black man being cast as inherently dangerous. Similar to stereotypical fallacies about Black women, the “dangerous” Black

man finds its roots in slavery. Black men were shackled on slave ships because of white slavers' fear of rebellion and the belief that Black men, not Black women, threatened the safety of white men and white women.⁹³⁶ Over time, the dangerous Black man became synonymous with the criminal Black man. For example, Black men's existence was regarded as a threat to white women's sexuality as the prototypical image of sexual violation was the Black male rapist preying on white women victims.⁹³⁷ Canada's first Prime Minister, John A Macdonald, in 1868 upheld the death penalty for rape to protect white women from the licentious desires of Black men, writing:

We still have retained the punishment of death for rape ... We have thought it well ... to continue it on account of the frequency of rape committed by negroes, of whom we have too many in Upper Canada. They are very prone to felonious assaults on white women; if the sentence and imprisonment were not very severe, there would be the great dread of people taking the law into their own hands.⁹³⁸

Disturbing in this account is John A MacDonald's ironic desire to "save" Black men from vigilantism by maintaining the ultimate punishment – death. Equally problematic was the reliance on the death penalty because of societal beliefs about Black men and the need to punish Black bodies. Both the belief and the need have withstood the test of modern times in a number of ways as demonstrated by the CLS' treatment of Black men, as well as the racist rhetoric about Black men and the Black community propelled by the media.

a. Black Men, the CLS Condemns You Because You Are Black!

The construct of the dangerous Black man is evident in modern society. While the law contends that every person charged with a criminal offence is presumed innocent until proven guilty, Black men are often neglected from this fundamental presumption, the cornerstone of the CLS. Instead, they are often guilty until their innocence is proven.⁹³⁹ In chapter 9, it was demonstrated that Black men are most likely to experience excessive force by the police, are constantly subjected to unjustified and unreasonable surveillance by law enforcement and are overrepresented in both provincial jails and federal penitentiaries.

⁹³⁶ hooks, "Ain't I a Woman" *supra* note 12 at 17.

⁹³⁷ See Walker, "Race on Trial", *supra* note 101 at 116; see also Maynard, *supra* note 13 at 41.

⁹³⁸ Extracted from Walker, "Race on Trial", *ibid* at 116.

⁹³⁹ Maynard, *supra* note 13 at 11.

Recognizing the injurious nature of anti-Black racism in the CLS, Canadian courts have taken judicial notice of the pervasive presence of anti-Black racism in Canada and its inimical ramifications for Black people.⁹⁴⁰ More profoundly, courts have now accepted that social context evidence revealing how anti-Black racism has impacted an accused person's life and its connection to the offence "may be...relevant to mitigate the offender's degree of responsibility...and/or to assist in the blending of the principles and objectives of sentencing ..."⁹⁴¹ Yet, this has done little to change the trajectory of Black men's treatment by the CLS. The incarceration of Black men continues to increase and violence against Black men's bodies in the CLS continues to prevail. For example, on December 28, 2016, Michael Theriault, an off-duty police officer, and his brother Christian, maimed Dafonte Miller, a young Black man, after the Theriault brothers believed Mr. Miller and his friends were breaking into their vehicles on their driveway. The Theriaults chased Mr. Miller and his friends. Once the brothers had him in their grasp, he was severely beaten by Michael Theriault, causing him to lose an eye. Initially, Mr. Miller was arrested and charged with multiple offences including theft under five thousand and two counts of assault with a weapon.⁹⁴² Michael Theriault participated in his arrest. It was only after a subsequent investigation that the Theriault brothers were charged with aggravated assault. However, only Michael Theriault was convicted of the lesser and included offence of simple assault. This, despite the fact that Mr. Miller's assault constituted being struck with a pipe after he was bleeding profusely from the catastrophic injury to his eye (which he ultimately lost), and while he was attempting to seek assistance from a nearby residence.⁹⁴³

During the introduction of his decision, the Honourable Justice Di Luca acknowledged that racism has been the fate of Black people in Canada:

The trial in this matter took place at a time when the community's concern with race relations is at an all time high. Indeed, it is fair to say that for many members of the community, the tipping point has been reached. The Black community has suffered deep

⁹⁴⁰ See *R v Le*, [2019] 2 SCR 692; *R v Borde*, 2003 CanLII 4187; *R v Morris*, 2021 ONCA 680 [*Morris*].

⁹⁴¹ *Morris*, *ibid* at para. 13.

⁹⁴² *R v Theriault*, 2020 ONSC 6768 at 4.

⁹⁴³ *Ibid*.

wounds due to years of overt and systemic racism. The broader impact of this crime must be understood within that context.⁹⁴⁴

A startling revelation in this decision came when Di Luca J stated, “One could well ask how this matter might have unfolded if the first responders arrived at a call late one winter evening and observed a Black man dressed in socks with no shoes, claiming to be a police officer asking for handcuffs while kneeling on top of a significantly injured white man”.⁹⁴⁵ This statement exposes the very nature of anti-Black racism. However, the law failed another Black man as it ignored the interplay between systemic and institutionalized racism, criminal law, and a white male police officer as the perpetrator; and rendered a not guilty verdict for aggravated assault where a young Black man lost an eye as a result of the actions of the perpetrators. Yet, the law claims to not see colour!

b. Black Men, The Media Has a Lot to Say About You!

The media are among the most powerful of ... many institutions, as they help transmit its central cultural images, ideas, and symbols as well as a nation’s narratives and myths. Media discourse plays a large role in reproducing the collective belief system of the dominant [w]hite society and the core values of this society.⁹⁴⁶

Compounding the dire situation of Black men’s interactions with the CLS are the images used to portray Black men in the media. The media tend to project fear of Black bodies, which in turn facilitates enhanced surveillance of the Black community and Black men. The media, being controlled by the dominant culture, paint a picture of Black people, and Black men specifically, as dangerous and incapable of being trusted. This results in perpetuating stereotypes, born from slavery, preserving white supremacist ideologies casting Black men as inferior and as criminals;⁹⁴⁷ and successfully racializing crime. It is true that the majority of the public do not have first-hand experience or knowledge of crime. It is the media that defines and conceptualizes crime and the

⁹⁴⁴ *Ibid* at 6.

⁹⁴⁵ Kayla Goodfield, “Off-duty Toronto Cop Found Guilty of Assaulting Dafonte Miller” *CTV News, Toronto* (26 June 2020), online: <<https://toronto.ctvnews.ca/off-duty-toronto-cop-found-guilty-of-assaulting-dafonte-miller-1.5000911?cache=wcoseppn%3FcontactForm%3Dtrue>>.

⁹⁴⁶ Frances Henry & Carol Tator, “Contributions and Challenges of Addressing Discursive Racism in the Canadian Media” (2009) 34:4 *Cdn J Communications* 711 at 711.

⁹⁴⁷ Dolores Mullings, Anthony Morgan & Heather Quelleng, “Canada the Great White North Where Anti-Black Racism Thrives: Kicking Down the Doors and Exposing the Realities” (2016) 53:1 *Phylon* 20 at 26.

faces associated with it.⁹⁴⁸ As Frances Henry and Carol Tator rightfully noted, “One of the most important factors in the racializing of crime is the overreporting of crimes allegedly committed by people of colour – especially Black [people]”.⁹⁴⁹ While it is true that crime does not discriminate, it occurs in all cultures, the media tend to overrepresent the crimes that are located predominantly in the Black community and crimes allegedly perpetrated by Black men in predominantly white neighbourhoods. Again, Black men are portrayed as dangerous.

While it is important to report the news, it is important to do so equally and without relying on and perpetuating stereotypes. However, that is often not the case, especially for Black people. We rarely hear about the brutalities and atrocities that befall Black men (and women) by the police in Canadian media. Yet, the media tend to focus extensively on gun violence in predominantly Black residential areas, which sends the continuous message that Black men threaten the safety and sanctity of Canada.⁹⁵⁰ For example, the media rarely spoke about the police killings of Black men such as Jean René Junior Olivier and Mathios Arkangelo, discussed in chapter 9, but are quick to focus on highlighting crimes of Black people, Black men specifically, that are often “interracial or intercultural”. Frances and Tator refer to this type of news as sensational. They argue that crime news coverage can be “routine” or “sensational”. Routine crime coverage reflects “ordinary people” and is hardly given any paper or airtime.⁹⁵¹ Sensational coverage, by contrast, “involves personalities, or take place under unusual circumstances, or involve more than one victim, or, in our increasingly heterogeneous society, are interracial or intercultural”⁹⁵² and for the most part focus on the Black community. A prime example of this is the 1994 Just Desserts shooting. The media coverage of the incident, the trial, and its aftermath was focused on race and culture. In 1994, three Black men held up the Just Desserts café on Davenport Road in Toronto at gunpoint. In the midst of the robbery, a patron was shot and killed by one of the assailants. All three individuals were subsequently arrested. Their jury trial commenced in May of 1999 and concluded

⁹⁴⁸ Frances Henry & Carol Tator, *Discourses of Domination: Racial Bias in the Canadian English-Language Press* (Toronto: University of Toronto Press, 2002) at 163.

⁹⁴⁹ *Ibid* at 164.

⁹⁵⁰ Mullings, Morgan & Quelleng, *supra* note 947 at 26.

⁹⁵¹ Henry & Tator, “*Discourses of Domination*”, *supra* note 948 at 163.

⁹⁵² *Ibid*.

in December 1999. Two of the assailants were found guilty and the other acquitted.⁹⁵³ The narrative projected by the media, received, and embraced by the public “was that young Black (*Jamaican*) men were responsible for the escalating violence in society and should be deported in great numbers.”⁹⁵⁴ Though this is an older case, it appears that the narrative remains the same today.

Another way of sensationalizing crimes committed by Black people is by identifying the area and the race of the person. For example, where the media omit the racial identities of suspects, they incorporate cultural identifiers that tend to send the same message. Terms or identifiers such as “jerk chicken” (identifying Jamaicans) or identifying an area, such as “near Jane and Driftwood” (a predominantly poverty-stricken Black neighbourhood),⁹⁵⁵ tend to associate the suspects with a particular Black community, preserving the longevity of the stereotype of the dangerous Black man and promoting the white supremacist narrative. Saul Miller, Jon Manner, and Vaughan Becker in their research found that the stereotype of the dangerous Black man is no fiction, but a real belief for many white people. In their 2010 study they learned that white participants projected racial stereotypes, including criminality and aggression, on Black people as opposed to other racialized groups.⁹⁵⁶ Therefore, the media’s coverage of crime is critical as it has an impact on not only how the broader society views Blackness, Black men, and the Black community, but also how Black women interact with and treat Black men. “The talk” is no coincidence, and a Black woman’s acute sense of protecting Black men is to insulate them from the white gaze. Thus, to call the police on a man you are supposed to protect would undoubtedly make any Black woman feel like she has betrayed her own.

⁹⁵³ Hanry & Tator, “Contributions”, *supra* note 946 at 712; see also, “Two of Three Convicted in Just Desserts Shooting”, *CBC News*, online: <<https://www.cbc.ca/news/canada/two-of-three-convicted-in-just-desserts-shooting-1.179172>>.

⁹⁵⁴ Hanry & Tator, “Contributions”, *ibid*.

⁹⁵⁵ Mullings, Morgan & Quelleng, *supra* note 947 at 26.

⁹⁵⁶ See Saul Miller, Jon Maner & Vaughn Becker, “Self-protective Biases in the Group Categorization: Threat Cues Shape the Psychological Boundary Between “Us” and “Them”” (2010) 99:1 *J Pers Soc Psychol* 62.

3. How Dare You Make That Call? You Don't Call 911 Against a Black Man!

Having access to the aforementioned plight of Black men, whether through intergenerational transmission, vicarious transmission, or personal encounters with the police as outlined in chapter 9, instills fear in Black women of the horror that could come to Black male bodies because of their failure to uphold what co-participant Susan referred to as the “Black code”. As already stated, some Black women prioritize the protection of Black men and, at times, sacrifice their own bodily and psychological integrity in the process. This reflects a communal understanding that prioritizes the safety of Black men. In this sense, race treason has the very real potential of causing internalized friction for a woman experiencing abuse, and intracommunity tension should the police be involved as she would be deemed to have betrayed not only the Black man, but notably, the Black community:

So, for Black women, intimate partner violence or gender-based violence, must be viewed in terms of whether or not we are going to betray the community in reaching out to police. That betrayal has a lot of cognitive dissonance, a lot of psychological and emotional aspects of well-being that must be taken into consideration, and for particularly all women, but particularly African [Canadian] women who have prevalence of having our children apprehended by child welfare. As our brothers and sisters in the Indigenous community, we need to be protective of that particular vital resource.⁹⁵⁷

Lana McLean points out the reality is that Black people are a community-based people and any decision Black women survivors of IPV make regarding police engagement is assessed within that context.⁹⁵⁸ Accordingly,

[w]e are...conditioned in terms of some of our cultural and social norms given our history with systemic racism over and under policing, that it's our view that *we cannot be a sellout*. And so there are very complex nuance social constructions within the African...community that impact on how women of African descent choose to make informed decisions when they're under trauma experiences about how they want to move forward. But the core essence of it, is that we are community-based people, ones that are based in trust and relationship and any particular aspect that would make that vulnerable.⁹⁵⁹

⁹⁵⁷ MacDonald, Fitch & Stanton, *supra* note 49 at 358.

⁹⁵⁸ *Ibid.*

⁹⁵⁹ *Ibid* at 359.

With this backdrop, should a Black woman survivor of IPV decide to report it to the police, she faces the real possibility of becoming vulnerable to ridicule and social exile from her community. For example, both Claire and Tanisha expressed the real possibility of being labelled an “informer” or a “rat” if the police are called. Claire stated,

... that’s what I was taught. Taught that you’re an informer, you know you can’t talk to the police. Don’t make people even see you say hi because people will think you’re carrying news. So that’s how I was brought up as a teenager ... informer, that’s how they talked. So that’s the stuff that I grew up learning and did.

Tanisha reiterating Claire’s point stating:

And I was told that, you know, you don’t call the police on your own [race]. You do that, then you’re a snitch or you’re a rat. And like, that’s a punishment worse than death for people to think that you can’t be trusted. No matter if they did a whole bunch of things for you to believe that.

Both Claire and Tanisha’s upbringing resonate with the teachings I received from my mother and other members of my family and that are well documented in the discourse around protecting the Black community from the white gaze per the discussion on the culture of dissemblance. Labels such as “rat”, “informer”, “snitch”, and “sellout” are other ways to ensure that people in the Black community refrain from “airing their dirty laundry”, keep police out of their business, and uphold the “code of silence”, which is directly connected to “a legacy of historic and ongoing racism, the failure of legal systems to protect [Black] communities, and police violence”.⁹⁶⁰ Regrettably, a Black woman could be deemed a “snitch” or “sellout”, and her reputation harmed by being labelled untrustworthy.⁹⁶¹ As revealed by Tanisha, being labeled a snitch is “a punishment worse than death for people to think that you can’t be trusted”. Effectively, a side effect of the concern of being labelled a snitch or an informer is that many Black women in IPV situations are forced to conduct a balancing act weighing their desire for safety, protection, and justice against the social and communal risks they face in reporting the abuse.⁹⁶²

⁹⁶⁰ The Avalon Report, *supra* note 120 at 12

⁹⁶¹ Monica Bell, “Situational Trust: How Disadvantaged Mothers Reconceive Legal Cynicism” (2016) 50:2 L & Soc’y Rev 314 at 316.

⁹⁶² Decker et al, “You Do Not Think”, *supra* note 851 at 780.

There is American research suggesting that the discourse in the Black community against police reporting and being labeled a “snitch” is strongly applied to street offences, including drugs and violent crimes, and not necessarily towards familial violence.⁹⁶³ However, the co-participants in this analysis reveal just how reporting to the police to protect themselves from IPV made them vulnerable to being cast out of the Black community.

Susan felt the brunt of this tension when she called the police on the perpetrator. She reminisced about the friends she lost as a result and feeling like a “monster”:

It makes you a monster who put a man who was innocent in jail. So, justice looks like people believing that you're not lying. That you're speaking the truth. And this is true regardless of what they do with it. His friends have all divorced me. All of them don't speak to me. One of our friends who I make a joke about that I lost him in the divorce. One of our friends speaks to me and we don't speak about that.

She expanded on her family dynamics and reminded me that there is a Black code to not involve the police, and she broke it:

I think his family, that is what it is for them that I had him arrested. And I think at the end of the day, I broke the Black code called 911, and brought them, you know, Babylon, into the situation when maybe we could have dealt with it differently, which is hysterical because no one was helping me, and everyone knew he was a monster.

Charlene experienced the feeling of being cast out from her own family. Though she was not exiled, after the police were called, she believed her family chose him over her which can create internal feelings of isolation and constitute a form of exile. She stated,

[t]hey very much choose him. But the only blessing about them choosing him because he's not an active father. So, him having connections with my brothers and my mom and my aunt meant that he thought about my children more. But it is to my detriment, and it doesn't make me feel loved in my own family ... We were up here with just my mom and my three other siblings. Oh my god. It was nobody else. No aunts, uncles, no cousins, no nothing. And now I have to go sit in the corner while you go bring up my abuser.

⁹⁶³ Bell, *supra* note 962 at 332.

Carol had a similar situation where she became the “bitch” for calling the police. She was criticized by members of her community, and asked, “don’t you know to keep the Black man out of jail?” Keeping a Black man out of jail may be the goal, however, when the situation called for police involvement, many co-participants felt they had no choice.

4. The Situation Required It: Black Women’s “Situational Necessity” for Police

Notwithstanding their deep distrust of police, their concerns regarding race treason, and the pull of the Black code, several of the co-participants did, on occasion, call the police. In coming to understand this seeming paradox, the work of Monica Bell was helpful. In her analysis of African American mothers, she found that, notwithstanding their general distrust of the police, they did engage with police in some circumstances. This Bell calls “situational trust”. Situational trust is a form of trust that is “tightly attached to context, such that the respondent who says, as a general matter, that “Police are crooked,” might trust a police officer to escort a troublemaker away from her home, or may over time develop trust in the reliability of specific officers without trusting the institution writ large”.⁹⁶⁴ Black mothers, she found, engaged with police under four different situational circumstances: officer exceptionalism,⁹⁶⁵ domain specificity,⁹⁶⁶ therapeutic consequences, and institutional navigation.⁹⁶⁷

Like Bell, I was prompted to ascertain the reasons that caused the co-participants to engage the police despite their profound mistrust. However, unlike Bell, I questioned whether “trust” was the right concept here. I realized that the reasons provided by the co-participants to engage the police were not tied to any form of “trust” for the police as suggested by Bell, but out of necessity. Though their mistrust for the police was still vivid, the situations they found themselves in at the time of police involvement were created from what I would refer to as situational necessity. Meaning, they

⁹⁶⁴ *Ibid* at 326.

⁹⁶⁵ *Ibid* at 326-329: Officer exceptionalism refers to accepting certain individual officers while continuing to mistrust the institution of policing.

⁹⁶⁶ *Ibid* at 329-332: Domain specificity describes situations when police are engaged to deal with issues inside or near the home. However, they are not trusted to intervene in street crimes. In the domestic context, limited trust is provided to police to remove violent perpetrators of IPV, locate missing children, or control neighbourhood disturbances.

⁹⁶⁷ *Ibid* at 335-337: Institutional navigation refers to the involvement of the police to gain access to other state institutions (ie social welfare services – housing, access to youth services, etcetera) that they would not otherwise have access to due to their socio-economic status, etcetera.

called the police or accepted the “help” of the police because they believed they had no other option at the time – it was necessary. During our conversations, the women identified a number of factors that demonstrated necessity.

a. Children Made the Difference!

For some of the co-participants, protecting their children was paramount in their situation at the time which rendered it necessary to contact the police. For example, Susan stated, “[t]he person who called the police that day was my children’s mother, and she was Mama Bear. In that moment, she was just protecting her young. That’s what I was doing”. To further contextualize this statement, during our conversation, she advised without hesitation, “I was willing. I was willing to endure it. For the rest of my life. I was, I didn’t know there was another option”. That was until he raised his hand at their daughter.

Charlene called the police as her child was caught in the middle of a tug-of-war:

My poor kids woke up because of the commotion. There was a tug of war using my son as the rope. This is like 11:30 at night. I let him go because I was like one, “I don’t know why you are physically pulling my child like this” and “I don’t know where you think you’re going with my child”. As we’re going through the tug of war, that’s when I called the police ... I had to call the police because of my son, and I was going to get violent.

Charlene added another dimension to the equation when she spoke about the possibility of getting violent. While her son was her priority, her physical survival and her freedom were also at stake. She advised, without hesitation,

I had to call the police ... I had to call the police because of my son, and I was going to get violent. I don’t have the option of being violent. I worked in a career that needed my police check. I have two children that I have to raise. I don’t have the option of getting violent, and I know if I start fighting, one of us was going to come up dead.

b. Make the Abuse Stop

Another aspect of situational necessity of the co-participants was witnessed in their desire to make the abuse stop. They wanted to disrupt the behaviour of the abuser. In some respects, this relates to the therapeutic consequences outlined in Bell's work. Therapeutic consequences relate to participants contacting the police against their loved ones (children or domestic partners) in hopes of gaining access to resources to assist individuals or, specific to this analysis, to simply disrupt the behaviour. In Bell's analysis, some women who contacted the police for disruption purposes, believed it would "provide a path toward redemption".⁹⁶⁸

While some of the co-participants involved the police to disrupt the behaviour, only one saw it as a means of providing a path to redemption for the abuser. Stacey called the police twice on two separate partners. She advised that in addition to not having alternative supports, she called the police on perpetrator #1 because "I was hoping to knock some sense into him to not get engaged in criminal activity, and that I was willing to do whatever it took to protect myself including calling the police to mitigate the violence". She was only 19 years old at the time.

Charlene hoped to disrupt the act because she wanted him to leave. She stated, "in that moment, I really needed the cops. I really needed something to make him go". Sharon similarly called the police on her husband at the time because she "just wanted the abuse to stop". In her mind dialing 911 was the only way in the moment to achieve her desired outcome and stop the violence; though if you recall from her story, the violence continued for 11 years.

Jazmine, though she had reservations when the police were called on her Black husband and was afraid of the physical consequence that he would encounter, reconciled herself to having the good Samaritan call the police because she too just wanted the abuse to stop:

At some point, I didn't care anymore because the pain, the emotional trauma I was passing through was, you know, getting the better part of me. So, I wasn't afraid of anything. I wasn't scared of him getting hurt anymore. I wasn't ready to cover up for him anymore.

c. Lack of Resources

⁹⁶⁸ *Ibid* at 333.

Further, Claire, Stacey, and Sharon also believed they had no other option but police intervention due to lack of resources. Sharon believed that she had no support, family or otherwise. To get the help she required, she relied on the police who she called a failure during our conversation.

Claire, who contacted the police five times on the perpetrator stated,

I felt like I had no choice. I didn't know who else to call. It's either I call somebody to do something to him or call them. I don't want to get myself in trouble. I just felt, yes, I didn't trust them, but I felt like I trust them more than I trust him, if that makes sense. They were my last resort.

Stacey, when speaking to both situations of abuse, stated, “the places I could run to, people I could talk to are few, and I feel like I used the police even though I may not be a fan of the institution for a lack of resources otherwise”. Further in our conversation, she reiterated, “[t]he lack of resources for women like me in abusive situations and the need to create a safe space between myself and the abuser were reasons I called the police”.

The co-participants' decision to call the police on their Black partners were made out of situational necessity to protect their children, to disrupt the behaviour, and due to the lack of resources for Black women survivors of IPV. These reasons are not mutually exclusive as demonstrated as they overlap for some women. Nevertheless, the decision to call the police was not without its consequences for co-participants, whether it be scrutiny from their community or through their own internalized guilt.

5. Did I do the Right Thing? Internal Guilt – the Aftermath of Situational Trust

During our conversations, I learned that for some co-participants the situational necessity that propelled them to call the police gave them anxiety because they felt they were betraying their partners due to the consequences that awaited them as Black men. Carol said the night she called the police “I couldn't sleep”. She remembered she started feeling guilty for what she had done:

I started thinking he's going to hate me and oh my God, he might get a criminal record. Everything was about him, him.

She further advised that “even after they [the police] were coming, I wanted to pick up the phone and retract it. Like, I was trembling and nervous. I wanted to pick up the phone and say, oh, it’s ok”. She could not believe what she had done.

Susan advised that she called the police to protect her children. However, “once it started to occur and they came and all that, I did recognize that this is a Black man. And what this means”. She continued,

This is the father of your children. He is going into the justice system where there’s no place for a Black man. What happens next? I knew, I know him. He hates small spaces. He doesn’t like these things. They’re not going to be nice to him. They do wicked things to Black people whether they’re guilty or not. He’s going to go now and suffer. These are the things of course I thought about. But I don’t think it’s because of justice or my call. It’s because I’m human. I was his wife, and as much as he’s a horrifying human being, there was a part of me that loved him.

Like Susan, the reality of the circumstances of calling the police on a Black man came after Stacey called. She posited that with perpetrator #1 the “thought of him being a Black man fleetingly crossed my mind, but I needed to send a message”. However, when recalling the time that she called the police on perpetrator #2, she indicated, “when he got arrested, because I didn’t know what was happening. I was mad. I was sad. I was just like you know like the plight of the Black man”. Nevertheless, similar to her dealings with perpetrator #1, she put her situation into perspective and determined that calling the police was appropriate in this circumstance because “through like the four months we were together I was like if there’s anybody that needed to be monitored by law enforcement, it’s this guy”. Though she felt this way about this individual, her intentions for calling were to retrieve her belongings, not to call the police on a Black man for IPV. Subsequent to the call, her protective stance towards Black men resurfaced as she downplayed the incident when providing a statement to the police:

I recalled that when they asked me to give a statement, and I was giving it I was doing a lot of...I would describe it as word jambalaya to try and make it appear less than what it was. Like while I did want to get my statement I was conflicted and was trying to dance around the narrative of what had happened. And it made for a very shitty statement.

Sharon felt the confliction that Stacey spoke about. After advising that she lied to police, she explained how she began to feel, partially because of his reactions, but also because of guilt. She stated,

I don't even know. I just think at that point, because once I call the police he started crying, "Oh, you're going to make me go to jail. You better tell them that I didn't do anything to you". And then I'm freaking out, "Oh my God", even though, you know, he hit me, "Oh, he's going to go to jail. What am I going to do? I'm by myself". So, it's like when the police knocked the door, he's like "you better make sure you tell them everything is good. Everything is good". So, I didn't even think about telling them the truth. The thought didn't even cross my mind to tell you the truth.

She goes on to state,

I think it was more sympathy for him. Like, oh, I'm going to get him in trouble. Why did I do this? Shoot. You know he's going to hate me. It was just crazy. And then I was even thinking, if I tell the police that anything happened and I'm still here, he's going to abuse me again for opening my mouth.

6. Closing Remarks

The recollections of the co-participants and the guilt they encountered in the name of protecting their bodily integrity and/or their children reveal the pervasive nature of the concept of race treason and its impact on Black women and Black families. This illuminates the complexities of being a Black woman in general and specifically, being a Black woman survivor of IPV. The latter has a difficult, often life threatening, decision to make, placing her between a rock and a hard place. Understanding the concept of race treason and its interplay with stereotypes of both Black men and women, together with the intersections of racism, sexism, patriarchy, and so forth, is important to begin to acknowledge and appreciate IPV in general and IPV in the Black community. One cannot gain insight into the IPV problem without looking at the different dynamics and intersections that significantly impact women experiencing IPV and who are constantly ignored because of essentialist understandings of IPV.

CHAPTER 11 – JUSTICE HAS MULTIPLE FACES: BLACK WOMEN AND THEIR CONCEPTIONS OF JUSTICE

Justice

*They say, justice has no colour
Yet, she is white of Greek descent
They say, justice is blind
Yet, jails and prisons provide housing for Black and Indigenous peoples who represent less than 13 percent of Canada's population, collectively
They say, justice is for all
Yet, it appears that "all" doesn't include my people
They say, "We want justice!"
Yet, the "we" they speak of implicates whiteness as the supreme voice for society
So, when they say "justice", does it necessarily resonate with me?*

(written and performed by Shushanna Harris)

1. Black Women, Define Your Idea of Justice!

The previous section of this analysis outlined a number of important truths regarding the reasons Black women may be (and are) against enlisting the CLS as a response to IPV. In chapter 2, it was also demonstrated that "justice" for IPV came with a heavy reliance on the CLS, as many white feminists believed that the CLS was the answer needed for this epidemic. This dependence facilitated a number of law reforms and policies. However, these reforms, policies, and the overall reliance on the CLS failed to recognize the intersectional identities of many women, particularly Black women, whose histories with the CLS have been plagued with defilement, dehumanization, de-womanization, and hate. I have yet to locate research indicating that any of these policies and reforms came with the input of Black and other racialized women. Additionally, I have yet to find published academic literature in Canada that actively engaged with Black women and asked them what their perspectives on justice are, let alone what a Black woman who is a survivor of IPV envisions justice to be. This is not to say that there are not grassroots projects attempting to facilitate conversations with Black women survivors of IPV in the community. One such project, mentioned briefly in chapter 2, is The Truth & Transformation: Advancing Gender Equity For Black Women, Girls And Gender Diverse, and Trans Peoples (B-WGGDT) led by the non-profit

organization, WomenatthecentrE. It is a novel Canada-wide project asking survivors to share their stories to effect social justice changes. According to the website, the project entails four objectives: “centre the lived experience of B-WGGD [Black Women, Girls And Gender Diverse, and Trans] survivors of gender-based violence”; “[c]reate a communications strategy to raise awareness about the needs of Black women, girls, and gender diverse people”; “[c]onduct a comprehensive and community-based participatory research regarding experiences of gender-based violence of self-identified Black women, girls, and gender-diverse people”; and “[d]evelop a national gender equity policy to address structural factors such as gendered inequity and anti-Black racism”.⁹⁶⁹

Another organization, also mentioned briefly in chapter 2, that is doing this grassroots work in Canada is the Third Eye Collective, based in Montreal, Canada. Third Eye Collective is comprised of survivors who dedicate their service to the healing of Black women from, and organizing against, gender based and state violence. They are currently working on a project that highlights the “histories of partnership and sexual violence in the Black communities in Montreal”. Particularly, the organization is exploring how “these silenced histories destroy valuable institutions within our communities and fracture our relationships in specific, ongoing ways”.⁹⁷⁰

Though there are a plethora of published studies in the United States regarding IPV, the CLS, and Black women, I have located only two that actively enlist and directly ask Black women survivors of IPV what their notions of justice entail. I have heavily relied on both of these studies: a study by Laurel Sharpless et al⁹⁷¹ which speaks exclusively to the experience of Black women survivors; and another by Michele Decker et al⁹⁷² where the majority of participants in the study were Black women (19 of 26 women).

Research suggests that IPV disproportionately affects Black women;⁹⁷³ and as noted in chapter 2, Statistics Canada data indicates Black women experience among the highest rates of IPV affecting

⁹⁶⁹ WomenatthecentrE, online: The Amourgynoir Code <<https://www.womenatthecentre.com/truth-transformation/>>.

⁹⁷⁰ Third Eye Collective, online: Third Eye Collective <<https://thirdeyecollective.wordpress.com/resources/>>.

⁹⁷¹ Laurel Sharpless et al, “Moving Towards Transformative Justice for Black Women Survivors of Intimate Partner Violence: An Intersectional Qualitative Study” (2024) 24:2730 BMC Public Health 1.

⁹⁷² Michele Decker et al, “Defining Justice: Restorative and Retributive Justice Goals Among Intimate Partner Violence Survivors” (2022) 37:5-6 J Interpers Violence NP2844.

⁹⁷³ St. Vil et al, *supra* note 125 at 63; see also Sharpless et al, *supra* note 971 at 2.

“visible minorities”. Therefore, logic dictates that our notions of justice should be accounted for when considering responses to IPV; and quite frankly, should be even if we were not disproportionately impacted. This is especially true when policies and reforms, such as mandatory arrest policies, strip us (and other survivors of IPV, including some white women) of our autonomy and agency. Justice as delivered by the CLS is often retributive and is defined by the various players in the CLS, such as the police, prosecutors, or judges,⁹⁷⁴ leaving no room for survivors’ voices about the issue.

According to Leigh Goodmark, where and whether a survivor finds justice is dependent on what justice means to her.⁹⁷⁵ Effectively, justice is individualized.⁹⁷⁶ An understanding that justice, like the experience of IPV, is not monolithic; and while one form of justice, such as retribution, may be what one survivor envisions, justice may have a very different meaning for another survivor. Furthermore, justice is a fluid concept that is defined in a multitude of ways by those seeking it⁹⁷⁷ as it is intrinsically connected to their life circumstances. For Black and other racialized women, those life circumstances include consideration of their intersecting oppressions. Additionally, justice does not necessarily reflect an exclusive reliance on the CLS. The CLS may not even be required to achieve justice. According to Clare McGlynn and Nicole Westmarland, justice does not unequivocally equate to “convictions and prison sentences”.⁹⁷⁸ While conducting research with white women survivors of sexual assault, McGlynn and Westmarland developed the concept of kaleidoscopic justice. When asked to identify justice, the CLS was not at the forefront of the participants’ minds; “what arose from discussions were myriad perceptions, ideas, and suggestions which might, in some shape or combination, provide – for some – a sense of justice”.⁹⁷⁹ As a kaleidoscope changes pattern when rotated, so do perspectives of justice, which not only differ among survivors, but also can change within an individual survivor over time – “each view being unpredictable in outcome”.⁹⁸⁰ During our conversations, I quickly understood the notion of kaleidoscopic justice as the women’s perspective on justice differed. Equally as important as these

⁹⁷⁴ Goodmark, *supra* note 790 at 708.

⁹⁷⁵ *Ibid* at 708.

⁹⁷⁶ *Ibid* at 727.

⁹⁷⁷ *Ibid* at 708; also see, Clare McGlynn & Nicole Westmarland, “Kaleidoscopic Justice: Sexual Violence and Victim-survivors’ Perceptions of Justice” (2019) 28:2 Soc & Leg Stud 179.

⁹⁷⁸ McGlynn & Westmarland, *ibid* at 185.

⁹⁷⁹ *ibid* at 185.

⁹⁸⁰ *Ibid*.

differences, their articulations of justice cries out for changes within and outside the CLS, requiring an intersectional understanding of Black women's circumstances that addresses the gendered racism experienced by Black women.

As we unpacked their perceptions of justice, it was surprising to me that some found justice within both the Black community and the CLS, and even expressed optimism based on the current trajectory of policing in Ontario. Others shunned the CLS, while some found justice in acknowledgement of the abuse. Lastly, others located it in perpetrator accountability. These are not necessarily mutually exclusive as will be demonstrated below.

a. Justice is a Possibility: The Black Community and CLS Working Together!

In the few research projects exploring justice from the perspective of Black women IPV survivors, there is polarity in the conclusions. In the research conducted by Decker et al with 26 women IPV survivors, 19 of whom identified as Black, 5 as white, and 2 as multiracial, the CLS was characterized as unreliable, “unresponsive and incompatible” with their justice needs.⁹⁸¹ The authors further learned that the participants expressed significant frustrations when attempting to achieve justice through the CLS. Decker et al learned that the CLS provided perpetrators with impunity and placed survivors at risk. Furthermore, the “lack of confidence in the system” prevented survivors from engaging with it.⁹⁸² Despite what they learned, they proposed that a survivor-centred approach to justice can be found within the CLS while emphasizing safety. However, to do so there must be a collaboration with “both restorative and retributive justice frameworks” – an urgent requirement to afford IPV survivors justice.⁹⁸³

While the urgent call by Decker et al invokes the CLS, Sharpless et al's participants eliminate the CLS from the equation when defining justice. Sharpless et al found that justice entailed various themes, such as “resolution through dialogue, therapy and counseling, support through increased access to resources, and protection of children”.⁹⁸⁴ The participants advised that they preferred

⁹⁸¹ Decker et al, “Defining Justice”, *supra* note 972 at NP2860.

⁹⁸² *Ibid.*

⁹⁸³ *Ibid* at 19.

⁹⁸⁴ Sharpless et al, *supra* note 971 at 7.

resolution dialogue in a non-judgmental, survivor-centred space facilitated by either family or community members.⁹⁸⁵ Within this framework, a safe space is created to find solutions with trusted individuals rather than depending on the police. Further, it encourages healing with those that understand their experiences free of judgement.⁹⁸⁶ The participants also emphasized the importance of housing, daycare, and transportation as critical elements of justice,⁹⁸⁷ pointing to the larger themes of communal, systemic factors contributing to IPV. The authors concluded that reliance on the police to assist Black women who are IPV survivors may be ineffective for a multiplicity of reasons, including stereotypes, fear of experiencing discrimination, fear and mistrust of police, and protecting Black men.⁹⁸⁸

The views of a number of the co-participants in my project align with the findings of Decker et al in that their notions of justice include both the CLS and the community, though the CLS in particular requires considerable change. For example, Jazmine, who became an orphan at a young age as she lost both her parents, envisioned justice to encompass,

... all aspects with the criminal law system. You know, I think Black survivors should have access to you know a culturally competent, sensitive support systems, including counseling, legal assistance, shelter, and resources for physical and emotional discovery. I think Black women survivors should have people to advocate for them for changes you know to combat racial disparities in the criminal justice system.

Speaking exclusively about community involvement, she stated, “[a]nd like me, like an orphan, there needs to be programs addressing economic inequalities and supporting economic empowerment initiatives to help survivors gain independence and also to help them escape abusive relationships”.

For Jordan, police and the community work in conjunction where the Black community is obliged to be a third eye for the police. She is well-aware of the systemic biases within the CLS as revealed in the previous section when she stated,

⁹⁸⁵ *Ibid.*

⁹⁸⁶ *Ibid.*

⁹⁸⁷ *Ibid* at 8.

⁹⁸⁸ *Ibid* at 10.

[t]here's definitely systematic biases and stuff like that, but I feel like it don't affect me as a woman as much as it affect males things like carding and, you know, unnecessary stops when you're driving and being confused by what the wrong person because you, you look a certain way. I think those biases, I definitely see them more towards males than females.

However, she views the police as a symbol of "justice" and states, "I do see things like police, you know, a necessary evil and not even evil, just a necessary thing. Like we need them". She furthered her thoughts by imploring the Black community to work with the police by reporting crimes,

... I don't...I never liked the whole no snitching culture and, you know, people not doing their part even though they know who the perpetrators are.

They [the Black community] should definitely subscribe to more things like what they call neighbourhood watch and things like that. We can't be thinking, "Oh, it could be our son or this or that". I never liked that at all because I mean anytime you don't report something you potentially creating harm for the next person who becomes a victim of such perpetrators or someone harming a child, harming a partner. Yeah, that's how I feel about it.

Sharon articulated the separate roles of the CLS and the community in explaining her notion of justice. For example, she believes that while both parts are important, justice starts within the community, then women should turn to the police. She posited,

I think it [justice] should be a combination of both [police and community]. First and foremost, I think finding help within the community and they actually help you without being fake about it; and then calling the police.

... well, in the community, you're probably going to go to a family friend or a family member. Not having you going to that person, and then they're going to call someone else. They're going to be laughing and talking. Oh, she an idiot? She did this or this happened or that happened. It's actually helping the person, keeping it to yourself for one, unless the person wants to share it. But it's, I don't know ... the togetherness for help and justice within the Black community is lacking. Right.

A part of this idea of justice is finding help within your community, being able to locate the help within your community. You're going to be more comfortable opening up to someone from our community than another race.

Ultimately, Sharon believes that supports from family and friends are ingenuine and therefore, resources for Black women are needed in the Black community and society in general. She believes that such resources will assist the police with conducting their duties:

I don't think there's enough culturally oriented resources for Black women. I think it's starting because I think there's more Black women that are forming sister groups now like on Facebook, Instagram. There's more, "Hey let's get together. Hey if this is happening, you can come and talk to us, even though we don't know each other". There needs to be more shelters specifically for Black women. Once these resources are in place the police will have a means to help Black women who do call them.

Sharon was not the only woman who believed resources were lacking for Black women IPV survivors. In fact, all the women shared this sentiment; and the truth of it is well-documented in the literature. As Kelly, Spencer and Smith warn, "[w]hen examining IPV victimization, it is also necessary for society to acknowledge the disparity of resources and supports for Black women".⁹⁸⁹ Equally as problematic as the scarcity of resources, there is research to suggest that many Black women IPV survivors are denied shelter services, or are not classified as high risk as a result of stereotypes which render Black women "impossible victims" and/or providers lack a cultural understanding of IPV.⁹⁹⁰ Effectively, culturally appropriate resources have the very real potential of improving what Marguerite Lucea et al refers to as "the uptake of IPV-related services for women of color".⁹⁹¹

b. No Justice with the Police/CLS Without Training!

While some women incorporated both the CLS and the community in their notions of justice, they also called for changes to policing before police can be effective in responding to IPV in the Black community. Jazmine, Claire, and London spoke specifically to police training. For example, Jazmine noted, "The police need culturally sensitive training and be better equipped to address abuse experienced by Black women survivors".

⁹⁸⁹ Kelly, Spencer & Smith, *supra* note 123 at 60

⁹⁹⁰ See Tameka Gillum, "Improving services to African American survivors of IPV" (2009) 15:1 Violence Against Women 57; see also Lucea et al, *supra* note 787 at 1617.

⁹⁹¹ Lucea et al, *ibid* at 1619.

Though Claire was disappointed in the outcome of her case, she saw hope in the police where training is properly implemented, stating,

... give them [police] some training, maybe a certain department, like specializing in domestic violence. You train those people to come out in the community, not these hoggish [aggressive] mean police, the ones with empathy and stuff. Just come out to the community and just deal with us properly. I guess I'm looking for some sort of engagement in the Black community.

London also spoke about the need for police training:

Just like you know how now they're starting to get another police line for like mental cases that they [police] need special training for Black women. That's exactly what I feel justice would be. If we had some type of assistance or like the 911 ... special to Black women. And I'm not saying it has to be a Black woman either because anybody can do it, but they have to be culturally competent. That would probably be a step in the right direction for justice for Black women in abusive relationships.

But she does provide a caution:

Even with the training, Black people probably won't trust the police and there's nothing for Black women connecting them with supports just based on being African Canadian. I feel if Black women [knew of a group for them], they would probably be more open because they're around themselves and it's different than a white woman being there and talking to them about their situation. I'm not putting nothing, taking anything away from white women helping, but it's just different. Definitely think more Black women, even if they didn't call the police or something, would at least feel like they have somebody else in the community if programs or groups for them existed.

c. There's a Bright Side to CLS Justice: the CLS is Looking Up!

In addition, some women showed optimism regarding the CLS and what justice would look like now if their situations occurred today. Sharon's situation for example, started approximately 32 years ago and lasted for 11 years. Her experience with the police diminished any hope she had in them in the 1990s which prevented her from calling them again. However, now, it appears that justice for her involves the police. She stated,

I think there would have been better help from the police. Okay, whether the police was going to take me, put me in a shelter or arrest him something, put a restraining order against him, it would have been better help.

When asked whether she would advise a Black woman survivor of IPV to call the police today, she replied emphatically, “Oh call the police. I’ll help you call them”. Her comments are not without an in-depth understanding of the current relationship between the police and members of the Black community. If you recall, in chapter 9, she made it clear that she did not think the police had the “backs” of Black people. She saw them as failures. Nevertheless, she is willing to bet on them this time around.

Carol called the police when she was experiencing IPV in the early 2000s. Though the police were “nice” to her, she expressed unfavourable reviews of their overall treatment of her. Nevertheless, she advised that the police are protectors and would counsel another Black woman IPV survivor to contact the police. Specifically, she indicated,

Leave and call them. I still believe in them ... from the time of my incident until now, there are changes. I clearly see that it’s not like what I went through ... They come and I’ve heard positive things where they, you know, make sure you’re okay. They will call you. So, I do believe that it’s changing. And the community is becoming more aware of abuse.

d. Reflection Moment: Learner’s Thoughts

The above information was surprising to me. Given the tensions between the Black Community and the CLS, particularly the police, outlined in chapter 9, and my personal and vicarious understandings of this relationship, it was difficult for me to leave my bias at the door. I was aware that I held an essentialist belief that Black women generally, and those who chose to participate in this project, would resist involvement of the CLS in their definitions of justice given the very violent history.⁹⁹² Though the research on Black women IPV survivors’ concept of justice is scarce, there is some research that provides some evidentiary support for my assumption. For example, Sharpless et al’s empirical research of 15 Black women IPV survivors, where 53.3

⁹⁹² Ejeris Dixon, “Building Community Safety: Practical Steps Toward Liberatory Transformation” in Ejeris Dixon & Leah Lakshmi Piepzna-Samarasinha, eds, *Beyond Survival: Strategies and Stories from the Transformative Justice Movement* (Edinburgh, AK Press, 2020) at 16.

percent had police involvement in their situation, found that the participants expressed an approach to justice that steered away from the involvement and reliance on the CLS.⁹⁹³ The writers deduced that engaging the police as a primary response to IPV “may be ineffective for IPV survivors”.⁹⁹⁴

With this evidence and my knowledge of the violent history of policing present and squarely in my mind, I had to consciously realign my perspective and approach by reminding myself of the importance of being open minded and that I am in a position of a learner, and I needed to refrain from reacting in a way that may result in feelings of judgment and discomfort for the women in the conversations. This was important as I did not want to engage in epistemic injustice by denying the co-participants their knowing abilities by attempting to usurp or influence how they presented their concepts of justice. I am not saying I was completely without bias (which would be unrealistic), but I was well aware of my positioning and mindful of avoiding one of the very things this project aims to challenge: epistemic injustice.

e. Resistance to Invoking the Police in Their Definition of Justice

In contrast to the above perspectives, some women were resistant to including the police in their justice concepts. This resistance is in line with an abolitionist feminist perspective. Some Black Feminist and critical feminist scholars have called for the abolition of the carceral system in general, and in particular in addressing IPV. They have not only called for, but also introduced, community-based services, programs, and resolutions as an alternative to what is believed to be a failed and flawed CLS. These scholars and activists argue that criminalization fails to protect women, countering the consensus among the masses that incarceration assists with the reduction of crime.⁹⁹⁵ As Mariame Kaba eloquently stated,

[e]ven if the criminal punishment system was free of racism, classism, sexism and other isms, it would not be capable of effectively addressing harm...if we want to reduce (or end) sexual or gendered violence, putting a few perpetrators in prison does little to stop the many other perpetrators. It does nothing to change a culture that makes this harm

⁹⁹³ Sharpless et al, *supra* note 971 at 5.

⁹⁹⁴ *Ibid* at 10.

⁹⁹⁵ Kaba, *supra* note 34 at 3; also see Battle & Powell, *supra* note 34 at 525.

imaginable, to hold individual perpetrators accountable, to support their transformation, or to meet the needs of the survivors.⁹⁹⁶

They further argue that the CLS is complicit in denying the credibility and reliability of survivors and revictimizing them, ignoring the intersectional accounts of Black and other racialized women.⁹⁹⁷ Further, the reliance on and expansion of the carceral system impedes resources being allocated to social programs and services that can actually combat and address IPV.⁹⁹⁸ They posit that combating IPV and enabling safety is achieved by “building meaningful, accountable relationships within the community”⁹⁹⁹ and allocating appropriate resources to do so. Additionally, they argue that “the expansion of the carceral state is targeted, not random. It affects different groups in the population differently, with a clear predisposition to aggressively target socially vulnerable groups and those that politically threaten the system controlled by those in power”.¹⁰⁰⁰ In other words, the carceral state is designed to target primarily Black and racialized people. Accordingly, these flaws require a new approach to IPV, one that “...demands intentional movement and insightful responses to the violence of systemic oppression”.¹⁰⁰¹ Such a response is the birth of the abolitionist feminist movement which hosts a number of obligations, including, but not limited to, calls for the destabilizing police, custodial institutions, surveillance, and the rejection of any aspect or expansion of the prison industrial complex.¹⁰⁰²

Like the thinkers of the abolitionist feminist movement, all the co-participants advocated for resources being allocated to communities to assist Black women and families impacted by IPV. Although there was consensus among the co-participants in their aversion to police involvement and their fear of subjecting Black men to a racist system CLS that targets and punishes Black men, there were divergences among them regarding dismantling the CLS. For example, Charlene has deep reservations respecting the police, but critical in her analysis is the reality that “I don’t think we have an alternative right now”. However, she strongly denounces the CLS as unhelpful, stating,

⁹⁹⁶ Kaba, *ibid.*

⁹⁹⁷ Battle & Powell, *supra* note 34 at 525.

⁹⁹⁸ Beth Richie & Kayla Martensen, “Resisting Carcerality, Embracing Abolition: Implications for Feminist Social Work Practice” (2020) 35:1 *Affilia* 12 at 13.

⁹⁹⁹ Dixon, *supra* note 992 at 17.

¹⁰⁰⁰ Richie & Martensen, *supra* note 998 at 13.

¹⁰⁰¹ Angela Davis et al, *Abolition. feminism. now.* (Chicago: Haymarket Books, 2022) at 4.

¹⁰⁰² Kaba, *supra* note 34 at 134.

I think about those men. Okay, suppose you get charged with something and now you're doing a two-year bid, so you spend a third of that time in jail and then come out rehabilitated? No. Addressed any of your problems? No. Now you have a deep-seated hatred for the woman that you may have had children with. Now you're going to go out and find another woman and do it again... Like it's not like it's not a helpful system for intimate partner ... A helpful system for anybody. But I think our people [Black people] suffer more from it. Because when a white man comes out on a two-year bid, he may still be able to be a consultant somewhere and presented full and accepted everywhere he goes. But the black man wears that criminal record like a stain.

Given that the police are what we have right now, she believes they should only be called as a last resort:

You call them when you're feeling unsafe, your mind can't logically think of anywhere that's safe, that ball rises in your throat, and there's another lock that's under your heart chakra, those are signs and signals that your body is telling you, you need support – that's when you call.

But,

... once the police are called, we need a social program that runs in partnership with the justice program. But that is non-biased because right now it's very biased.

But and I know I keep thinking of the abuser, the initiator as a male. But I think there's not enough rehabilitation especially for child sex abusers, domestic violence abusers ... there's no support to get them better. To bring them to balance.

Further, she recognized that justice changes will come through the younger generations. She reminded us that,

... a lot of us suffered in silence... Our younger children, the 30s and younger are speaking about it, they're forming support groups about it. They will not be shamed. They name their abuser. It's not a secret anymore.

It is still not as much... And I think that change is going to come through our youth. Our youth understand that our jail system is just another system, right. And that the jail system needs more.

As Charlene believes the CLS is not helpful, she discussed justice by offering a holistic approach that extended beyond the CLS to include community resources dealing with the aftermath of police

involvement and the family law system. She described what is required to enable justice as a whole with families involved in IPV situations.

I think that justice should look like, how do we form as a family? How do we operate as a family, as two separate families, as a blended family, as a part time family? What does that look like? ... There's no help with having the woman negotiate what the drop-offs and pickups look like. What you should be more lenient with and what can you be more rigid with ... There's nobody that helps us with the, the living, the life after calling the police. And I would hope that that would be part of justice. Not just the court proceeding. Not just does he have a charge against him or not. Right. Because if you think about it right, sometimes um sometimes there are accidents, sometimes there are um individual incidents of wrongdoing. And you're forcing me to make the charges so that we can send him to jail. But now with his criminal record he can't earn and can't pay the child support. We need to pay for the house.

Charlene's notion of justice is one that considers families, including the children, and working together to ensure their lives are minimally affected. She was the only one who described justice to include the family law perspective. This is not surprising given her encounter with family court:

I just wanted the rights to make decisions for my children. I didn't care about the financial part because he got all dirty money anyway. They [court staff] would say to me, "Oh you're not looking at it right". So now, I'm the bad guy. People are refusing to talk to me. The mediator won't talk to me because I don't want to go guns blazing for this man who just had a domestic with me. I was trying to get what I needed with minimal disturbance within my family because guess what, he is still going to be my children's dad. I was looked at like I didn't have enough intelligence to know that I was a victim because I still wanted to find some win/win solution...

It was evident that the court appearances were taxing and destabilizing for her as she explained the outcome of the matter after the perpetrator refused to attend court on three different occasions:

The judge said to me, "Well I don't see any financial support order here". I said, "Your Honour, I don't even need all the chaos of that. I just need to know that I can sign off on things at school, that I can get a passport for my child. I want all the legal rights to make decisions. He can see them every other weekend, if he so chooses". And I got a 20-minute lecture: "There're two parents", "Two parents are financially responsible, legally", and "You're doing your children a disservice". And I'm thinking, "You don't even know the circumstance". Then he was like, "Okay, \$750 a month so ordered". I don't think the judge understood how much chaos and confusion that financial order would do for me moving forward through our lives.

Though Susan and Stacey discussed their desire to protect their children (born or unborn – Stacey was pregnant on the second occasion) when they made the decision to call police, an inference can be made that safety for their children (and themselves) was significant to their concept of justice – though not expressly stated. For example, Stacey made it clear in our conversation that when she called the police on perpetrator #2, the father of her only child, she wanted to protect her unborn child as she was pregnant and in the end “...really it came down to weaponizing the system against him to make sure that I was safe”. Research suggests that for IPV survivors with children, their notion of justice is intrinsically connected to their children and stems beyond the survivors’ needs¹⁰⁰³ as safety and protection are heightened when children are involved.

Safety and protection being connected to justice and the CLS was demonstrated in the analysis of Decker et al. They found that for both Black and white women, invoking the police afforded them temporary relief of some sort from the perpetrator. For some of the women in their study, justice was in part related to the perpetrator receiving jail time, since it was incarceration that provided the needed separation from their abusive partners. However, because they deemed the length of separation resulting from the perpetrator’s incarceration insufficient, their reluctance to involve police was increased.¹⁰⁰⁴

In addition to Charlene, both Stacey and Tanisha also resisted including the police in their notions of justice. Stacey expressed that justice for her includes “equity, restitution, and retribution, and is complemented by community resources and support for Black women experiencing domestic violence”. However, she made it clear that, respecting both men who had perpetrated violence against her,

[t]he lack of resources for women like me in abusive situations and the need to create a safe space between myself and the abuser were reasons I called the police. The police would not be my first choice if I had resources and a safe space.

¹⁰⁰³ Sharpless et al, *supra* note 971 at 9.

¹⁰⁰⁴ Decker et al, “Defining Justice”, *supra* note 972 at NP2854.

As previously mentioned, for Stacey, the system was used as a weapon, but not one she particularly wanted to invoke. Essentially, her idea of justice boiled down to resources and safe spaces for Black women survivors of IPV in the community. This understanding is consistent with research suggesting that resources or lack thereof in the Black community for IPV survivors is connected to justice and is integral to how Black women navigate their circumstances and whether they interact with the police or the CLS.¹⁰⁰⁵ It is also congruent with the call for programs, like transformative justice, and resources for Black women that are alternatives to the CLS.¹⁰⁰⁶ Transformative justice is a justice model embedded in abolitionist feminism that, of course, challenges the CLS and introduces techniques and mechanisms that present an alternative response to the current form of crime control.¹⁰⁰⁷ It recognizes that IPV is a form of control rooted in oppressions such as poverty, racism, classism, and sexism, and appreciates that the CLS perpetuates these forms of oppression against marginalized people and should not be trusted to intervene in their lives.¹⁰⁰⁸ It relies on leaders and individuals from marginalized communities to develop a holistic response model that is more sensitive to the circumstances of the involved persons, focusing on transforming their situations rather than restoring the status quo.¹⁰⁰⁹ A model such as this may fulfill Stacey's concept of justice given the community reliance, trust, and support that is important to her.

Tanisha did not call the police in her situation. She acknowledged that when she thinks about the police and the CLS, she thinks of,

Injustice. Deep, uh, colonial colonizers, uh, modern day slave masters. Also, protection and safety. And the best we got, the lesser of two evils, right? Because not that I've never been helped by the police. And I rely on, like. Yeah, so many things have happened to me, but at the same time it's like a place to go. But you just don't always find like a level of justice that feels satisfactory, like still feels unjust and still feels unfair, a lot of the time.

¹⁰⁰⁵ Sharpless et al, *supra* note 971; see also Kelly, Spencer & Smith, *supra* note 123 at 60; Lucea et al, *supra* note 787 at 1619; MacDonald, Fitch & Stanton, *supra* note 49.

¹⁰⁰⁶ See Sharpless, et al, *ibid*.

¹⁰⁰⁷ Mimi Kim, "From Carceral Feminism to Transformative Justice: Women-of-Color Feminism and Alternatives to Incarceration" (2018) 27:3 J Ethn Cult Divers Soc Work 219 at 226; also see Goodmark, *supra* note 790 at 726-731.

¹⁰⁰⁸ Goodmark, *ibid* at 724.

¹⁰⁰⁹ Kim, *supra* note 1007 at 227.

She furthered her perspective suggesting that when it comes to justice, she has a lack of faith in the CLS,

I think I would rather just leave it alone. And he somehow leaves me alone for the rest of my life. Like that would be justice to me. I don't even want to do anything with the police, because still, I feel like that's his whole life. That's going to be my whole life. Right now. I feel like I've just been talking to the police about the police. Like for the last two years, everything that I'm doing, like there's some involvement with the police and I just don't like them at all. I don't like them. I watched just way too many shows of how they abuse people, and they've done it to me too ... I don't think they will help me like they, they prioritize based on. I don't even know their priority system. And I just don't think that I'm a priority, like I'm at the bottom of the list when it comes to justice. I know that's a very bleak outlook.

Her desire to be away from the situation as part of her definition of justice is mirrored in Decker et al's research. There, women saw leaving or being left alone as a form of safety for which they did not believe the CLS was the proper forum to offer such reprieve. One Black woman in the research, who refrained from calling the police, made it very clear, "I just want him to be left alone".¹⁰¹⁰ Though Jordan did not explicitly state it as part of her definition of justice, it was clear during our conversation that leaving was the way to end the abuse and have him leave her alone. For her, it was not hard to leave because "[her] sense of security just trumped everything".

Tanisha also talked about another side of justice she found in the community. Specifically, community education in the form of prevention. Essentially, she uses her experience and story as a cautionary tale for the Black women, girls, and boys she works with. It has become a tool of empowerment and liberation for both her and those who hear her story. She has also witnessed the power of education in this way:

I mentor a lot of young black girls now. And even young black boys. And I use this as a tale to tell them like. How to behave differently. I feel like I've saved some people. Getting to the point of somebody hitting them. Like, I feel like I saved some people from that and that...that is what I want to continue to do.

¹⁰¹⁰ Decker et al, "Defining Justice", *supra* note 972 at NP2851 and NP2855.

In this statement, Tanisha touches on a number of important concepts that scholars have found to resonate with survivors' iterations of justice: empowerment, voice, and education. Leigh Goodmark suggests four principles that should inform any response to IPV, and two of those principles are individualization, which includes empowerment, and voice.¹⁰¹¹ Empowerment "call[s] for self-determination, controlling one's environment, and providing women with the necessary tools to make meaningful choices".¹⁰¹² Like Tanisha, Charlene used her story in this way to not only empower herself, but others: "I have used all part of this domestic situation to empower and support women". Further, enabling the survivor's voice to be heard means she is able to share her story unfettered in her desired mode. This is interconnected with empowerment as it enables survivors to disseminate the facts as they see them and be "recognized and acknowledged as valid and trustworthy sources of information, thus restoring their dignity".¹⁰¹³ Tanisha's concept of education overlaps with Charlene's comments when she indicated that change begins with the younger generation. Educating the younger generation as a prevention mechanism against intergenerational IPV is recognized in the literature as an important aspect of justice, especially for Black mothers who are IPV survivors.¹⁰¹⁴

f. Acknowledgment, Accountability and Punishment

i. Acknowledgement

Other co-participants spoke about justice in the sense of acknowledgement. For example, it was important that their communities acknowledged the abuse they endured and believed them. This is consistent with literature suggesting the importance of acknowledgement for survivors. Though McGlynn and Westmarland's study spoke to the situations of white women who are survivors of sexual assault, they provided some insight into this requirement for justice. As they describe acknowledgement or recognition is "the perception of something as existing or true; they have

¹⁰¹¹ The other two factors explained by Leigh Goodmark are validation and vindication. Validation is akin to an acknowledgement of the offence against the survivor and the harm done to her. The process of "validation affirms the victim's personhood and restores the victim's dignity, a condition taken from the victim by abuse." Vindication, on the other hand, is a clear denunciation of the offence. It is connected to community, the CLS, or both holding the offender accountable for his actions: see Goodmark, *supra* note 790 at 730.

¹⁰¹² *Ibid* at 728; McGlynn & Westmarland, *supra* note 977 at 186.

¹⁰¹³ Goodmark, *ibid* at 728; also see McGlynn & Westmarland, *ibid* at 186.

¹⁰¹⁴ See Sharpless et al, *supra* note 971 at 9.

been harmed and victimized...recognition therefore, is a communicative response, acknowledging the truth of another perspective".¹⁰¹⁵ Intuitively, it is adopting one's viewpoint and recognizing that person's truth.¹⁰¹⁶ To be acknowledged does not solely rest at the feet of the assailant, but can include family, friends, broader community, etcetera.¹⁰¹⁷ Susan began identifying her notion of justice by stating,

[w]hen I was in that trial, my intention was to have him go to jail. I worried about my children. I was concerned about my children. I was concerned about what it means for their father to be in jail. I thought about all of those things, but my intention was, yes, my idea of justice was for him to be in jail. Life. That karma, that wonderful thing we talk about, well, life sucks, so that sucks for everyone. Is that karma or just the fact that life sucks sometimes? I wanted him to go to jail. I wanted to be acknowledged.

As our conversation continued, her concept of justice shifted slightly, demonstrating an aspect of kaleidoscopic justice. Here, we learn from this slight shift that incarceration was less important and acknowledgement was what she desired, which did not necessarily occur in the CLS:¹⁰¹⁸

... my idea of justice. Looks like being acknowledged. Women who are in abusive situations are denied. It doesn't matter if people saw her bruises. The question next is, what did you do? Um, not. What did he do? What did you do to make him beat you that way? And it's never his fault...It's only in these circles where we have these conversations, where we say he's a monster. It's not your fault. And he did this. But this is our circle. The circle is small. It's not the world. The world says, what did you do? What was wrong with him? How did this happen? He must have been crazy. He must have been this. He must have been drunk. He must have been very angry. He's never responsible. You're responsible for his anger, his whatever. But he's not responsible for that. So what does justice look like? Someone believing that this man did this to me. And I'm not lying. That's what justice looks like to me. *Being believed is better than him being in jail.* [emphasis added]

... being believed, I'm talking about my community ... Justice to me means my community says that man is a monster and I get it.

... Because now I'm not this lying, horrible woman. It's true. He is this monster, and he hurt me. The acknowledgment of that is bigger than him being in jail. Then I also have to say that him paying in the criminal justice system at least allows some people to say, maybe she was telling the truth. That acknowledgment makes other people acknowledge it. People

¹⁰¹⁵ McGlynn & Westmarland, *supra* note 977 at 188.

¹⁰¹⁶ *Ibid.*

¹⁰¹⁷ *Ibid.*

¹⁰¹⁸ *Ibid.*

will say she's lying and she won. And that's why she won and women win and all this bullshit, right? The opposite side is still there. So that's why the justice system isn't necessarily the best place. But when I speak about justice and people believe in me, it's my community. It's those people around me. It's the people that I love. Who believe me and truly the people who he loves believing me too.

The conversations with all the co-participants brought further insights about acknowledgement – not necessarily about being believed by those in the Black community but being seen and treated with dignity and respect by the police and the CLS as a whole. Some tied acknowledgement (or lack thereof) to their “communication” with the police during their interaction at the scene and as the case progressed. For example, Carol explained,

My idea of justice is to follow up with me, see if I'm okay, tell me, Carol we arrested him on this date, explain the process to me ... if he comes back at your door or we're going to come and see if you're okay, we're going to follow up with you to see if you're okay. We will call we will let you know when he's going to be released. Right ... I didn't get any of this ... I was so mad at the police and the system for a long time that I wouldn't even, you know, look at them. Every time I see the police, I'd be like, I'm not even looking at them. They're worthless.

When Sharon explained part of her notion of justice, she stated,

[f]or one. Arrest him. I mean or not even arrest him right away but take me away from the situation. I would've been in a comfortable area where he was not present, and I would be able to explain what happened. Then they would have the information to take action based on what I told them ... they just, you know, questioned both of us together where he dominated the conversation, and nothing came of it.

Communication in the manner described by both Sharon and Carol is humanizing. While the treatment they received is not exclusive to Black women, it resonates with literature noted earlier highlighting that due to intersectional oppressions, including racism and sexism, Black women not only feel mistreated by police and the CLS, but are belittled and/or ignored as they do not fit the mould of what constitutes an “ideal” IPV survivor. Though both women interacted with the police in the 1990s and 2000s, respectively, we cannot ignore the late Daniella Mallia whose “cry for help” was not only dismissed by the police as a “he said she said” matter, but she was criminalized as they cautioned her, signalling their (un)conscious bias against Black women. As noted earlier, while both officers were eventually disciplined for their actions (being demoted from first class to

second class ranked officers for a period of time), their actions rendered her a woman incapable of being abused by virtue of being Black. This situation occurred in 2022.

ii. Accountability and Punishment

The need for accountability has found a place in the definition of justice for many women survivors¹⁰¹⁹ and has often been connected to punishment or consequences. However, survivors' understanding of consequences or punishment is fluid and based on their "circumstances and justice interest".¹⁰²⁰ According to Kathleen Daly, "offender-accountability-taking responsibility" includes the assailant being "held to account" and actively taking responsibility for his indiscretions.¹⁰²¹ Furthermore, being held accountable does not necessarily involve the CLS.¹⁰²² For example, Decker et al indicate that some of the women in their analysis who invoked the assistance of the CLS did so to hold the perpetrator accountable for his actions. However, those who did not invoke the system believed that the CLS lacked the "accountability or consequences" they desired.¹⁰²³ For the women in the Sharpless et al study accountability of the perpetrator was best addressed within the Black community and not the CLS.¹⁰²⁴ The co-participants in this project who called for accountability tended to situate it in the criminal law realm as indicated in the stories of Susan, London, Claire, Stacey, and Jordan.

Though Susan indicated that "[b]eing believed is better than him being in jail", she also acknowledged that, "him paying in the criminal justice system at least allows some people to say, maybe she was telling the truth." This would assist her need for acknowledgement, notwithstanding her apprehensiveness towards the CLS.

¹⁰¹⁹See Women's Legal Education and Action Fund (LEAF), *Due Justice for All: Part One: A Survivor-Focused Analysis of Canada's Legal Response to Sexual Assault*, (Toronto, LEAF, 2021), online: <<https://www.leaf.ca/wp-content/uploads/2021/09/Due-Justice-Report-Part-1-FINAL-September-2021.pdf>>.

¹⁰²⁰ See *ibid* at 22.

¹⁰²¹ Kathleen Daly, "Sexual violence and victims' justice interests" in Estelle Zinsstag & Marie Keenan, eds, *Restorative Responses to Sexual Violence – Legal, Social and Therapeutic Dimensions* (Oxford: Routledge, 2017) 108 at 119.

¹⁰²² McGlynn & Westmarland, *supra* note 977 at 187.

¹⁰²³ Decker et al, "Defining Justice", *supra* note 972 at 7 and NP2854.

¹⁰²⁴ See Sharpless et al, *supra* note 971.

Though the police were not involved in either of the situations where London experienced IPV, she referenced the importance of accountability and being acknowledged when she indicated that “no one cared”. Accordingly, she stated,

[l]ike I think he [Mark] should be accountable for his actions ... Like, I feel like he’s not going to be accountable for anything like it. Like no one cares. Like, even like with Steve, no one cared.

From the conversation it became clear that her current understanding of accountability could be linked to the involvement of the CLS. When asked whether she would contact the police if found in this situation again she stated, “Yes, yes. And I would never make that mistake again”. She elaborated by stating, “I wouldn't have probably called [them] right there because you, you do have a risk of losing your life...”

Looking back on her situation, London stated,

[t]hat’s what I would do if I could look back. I wouldn’t tell you; I wouldn’t say I’m calling the cops, I wouldn’t give you no idea, I wouldn’t even make you think that because I don’t know if I would make it. But when I’m safe that’s when I would do it if looking back.

Her emphasis on safety is reminiscent of co-participants who called the police to protect their children and Stacey’s comment about weaponizing the system against perpetrator #2 for safety reasons.

For Claire, justice involves the person taking ownership and being accountable for his actions. However, the relationship between the CLS and the community evolves to oblige the perpetrator to become active in the community as a means of showing accountability. In her view, justice should not exclusively involve punishing the perpetrator but compelling him to take part in community education as a form of rehabilitation and to educate the community. She remarked,

[w]ell, justice I would have ... You do something you just pay for. You know, I don’t want to sound mean and cold. You just have to take ownership for what you’ve done. Pay for whatever. If it involves doing stuff in the community, having a relationship, you know, with the community, having, um, you know, teaching us stuff. So, we don’t all repeat this

type of, you know, because sometimes as a mom, you're going through stuff and you don't realize your kids are going through it too, or your neighbour or whatever. Just, just I think it should be there to just teach us, not only punish us, but to teach me something, you know?

Given that Claire was one of the participants who contacted the police, it was important to know whether her idea of justice was served. She advised,

I don't believe justice was served as he admitted guilt to some charges, but 21 were dropped. On the first day of court, I learned that I would have to testify in person instead of being on CCTV. His lawyer was ill, so we had to return for a second day. On the second day, the prosecution said he would plead guilty to 9 charges, excluding sexual assault and threats to my brother. Three weeks later, I had to contact the police as he violated his release conditions. Additionally, I am back in family court to amend the motion.

Here, her explicit disappointment with the outcome of the court case, the lack of deterrent effect of the CLS, and the taxing effect the "justice" system has on the survivor are carefully illuminated. While on the one hand, Claire's comments highlight the inefficacy of the CLS, they also resonate with the critiques of the CLS outlined by abolitionist feminists, including its failure to protect women and its revictimization of women.

Jazmine also saw punishment as a part of accountability and sought it within the CLS. Though she was free from the assailant, she felt that he did not get what he deserved. She stated, "...the very fact that I was freed from the bondage I think I was satisfied...*they didn't give my ex-husband the punishment he deserved*, but I was satisfied. Okay". [emphasis added]

When speaking about perpetrator #1, specifically the outcome of the court case, Stacey felt that the system valued the life of a dog over hers as it failed to provide her with the justice she required for the abuse she endured. To her, he was not held accountable because he was not convicted of assaulting her, but for harming the dog. If you recall in chapter 8, Stacey's sentiments on this issue were: "They [court] didn't really pay me any mind. They were really disgusted about the dog you know being abused".

She further posited about his punishment,

[i]t wasn't even about financial gain, if he's gonna have to pay to like donate to an animal initiative he should also do something for domestic abuse ... there was a fine that had to be given to ah an animal adjacent organization.

The only aspect of the sentence that impacted her was the probation order, where he was to have, “no contact [with her] and what I’m assuming is the anger management”. As this conversation unfolded, it became clear that she used the term “assuming” because “it could’ve been for the dog”.

2. Closing Remarks

If one really wishes to know how justice is administered in a country, one does not question the policemen, the lawyers, the judges, or the protected members of the middle class. One goes to the unprotected – those, precisely, who need the law’s protection most! – and listens to their testimony.¹⁰²⁵

This quote by James Baldwin is precisely the reason for this exploration of justice and what it means to the co-participants. The CLS has long held a monopoly on state-sanctioned “justice” and how it is administered. It is a system that is inherently flawed, racist, and disproportionately imposed upon racialized bodies, particularly Black and Indigenous bodies. Understanding this, Black women were given a platform to provide their accounts of the CLS’ inability to address their IPV situations by outlining what justice means to them. Justice is not monolithic; it is a product of the life circumstances of the survivor and the intersecting constructions that render them “inferior” in society. Digging into the meanings of “justice” for the unprotected is essential because a proper response to IPV is knowing what that response looks like for women of different backgrounds: knowing better is the first step in doing better!

¹⁰²⁵ James Baldwin, *No Name in The Street* (New York: The Dial Press, 1972) at 92.

CHAPTER 12 – CLOSING REMARKS: WHAT I HAVE ACCOMPLISHED

I want to say thank you. Um, because, yeah, I had to pick myself up spiritually and emotionally, but there was nothing to support the processes and the systems. As a Black woman, a lot of those things felt like they were against me. Um, and as I talk, I'll tell you the reasons why I felt that [way]. But, you embarking on a study like this could possibly change some of the things, the perspectives, the way of dealing with the victim because I was a victim, but not treated as such.¹⁰²⁶

I accomplished my vision for this project. First, this project responded to the questions posed in the introduction. Specifically, it provided insight into some of the factors that resonated with heterosexual Black women survivors of IPV who were abused by Black men, when deciding whether to involve the CLS in their IPV situations; and what constituted their notions of justice. Secondly, I conducted research differently, employing a decolonial lens. Third and perhaps most salient, the project centred the voices of Black women survivors of IPV and made them and their experiences visible.

Through conversations with ten co-participants, I elucidated the CLS' utter failure to make good on its promise of "protection". Rather, in the lives of the co-participants, their experiences with the CLS were violent, not protective. The violence the co-participants suffered is a direct result of their intersecting oppressions, their fringe positions, and their demarcation as "other" in society. These conversations assisted with understanding the numerous factors Black women have to grapple with when deciding whether to call 911, including but not limited to racist stereotypes, race treason, mistrust for the police, and other consequences that flow from their intersecting oppressions.

Further, due to their perceptions of the police and the CLS, it was imperative to gain knowledge about what justice entailed for each of the co-participants. Many involved the police in their conceptualization but cited the need for police reform.

¹⁰²⁶ Charlene, "Transcript of Charlene" (5 March 2024) at 13.

The co-participants provided rich and detailed accounts of their experiences and thoughts. I believe this was no coincidence and was encouraged by the methodology I relied on to conduct research with Black women. *Sistering* methodology, which borrows heavily from Black Feminism, EFE, sisterhood, and sistah circles, gave the co-participants a space where they could unapologetically be their “full human” selves, should they choose. It is a methodology created with Black women, and with Black women ways foundational to its core. As Black women, many of us depend heavily on our Black sistahs to keep us grounded and accountable; provide a space of support and empowerment; a space where reciprocity thrives; a space where we can relish in our Blackness free from surveillance from white society. The components of *Sistering* enabled this connection to occur between strangers as demonstrated by the comments of the co-participants reproduced in chapter 6. Additionally, by naming storytelling as one of its main components, *Sistering* permitted the learner to create a narrative analysis of the stories of each woman. The narrative must accurately depict the stories provided by the women during the conversations. Therefore, the learner is obliged to use the majority of the co-participants’ words with minimal alterations, only to add to the flow of and transition within the narrative.

Following a rich discussion about *Sistering*, I provided a reflexive moment with my encounter with the methodology, the conversations, and the overall experience. Further, while I believe *Sistering* to be a game-changer in the academic world, I am cognizant that it is not without limitations which I outlined. *Sistering* is a decolonial methodology that is situated outside the colonial box yet more than capable of taking up space amongst other “conventional” research methodologies, claiming its legitimacy in academia.

In addition to employing *Sistering* as a storytelling component, this project incorporated another form of storytelling: spoken word poetry. Spoken word poetry was used as an outlet enabling the learner to engage with the fluidity of Blackness, literature, and the stories of the other co-participants, and to evoke emotions from the reader that may have otherwise been subdued during their review. Perhaps most importantly, spoken word is implemented to challenge Eurocentric ways of presenting information.

The methods employed by this project have accomplished what many research methodologies have failed to do – put Black women, our experiences, our voices, and our way of knowing first. Black women have voices and lived experiences that are unique to our circumstances as Black women. While we do not live the same experiences, we have shared commonalities regardless of geography, religion, sexual orientation, or class: “Black women across the diaspora have shared the unique history of surviving and struggling against [w]hite supremacy, economic oppression and domination, and gender oppression.”¹⁰²⁷

To properly extrapolate and provide adequate and meaningful attention to the IPV problem, Black women survivors must be heard and given a contextualized platform without prejudice. Charlene’s words in the opening quote perfectly articulates my hope for this project. This project “could possibly change some things, the perspectives, [and] the way of dealing with [Black survivors]” of IPV.

¹⁰²⁷ Evans-Winters, *supra* note 213 at 14.

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