“Morality cannot be legislated, but behavior can be regulated. Judicial decrees may not change the heart, but they can restrain the heartless.” When Dr. Martin Luther King, Jr. stated these words, he was referring to anti-lynching laws which would help protect his and his community members’ lives. Now, Dr. King’s words can more expansively relate to resistance—to racial, gender, and sexual inequalities. Queer people of color have displayed resistance long before 2016, when it became the key term of a movement against a president who uses his platform to scapegoat minorities, before A Tribe Called Quest raised Black power fists at the Grammys, and before thousands of women took to the streets to reassert their voices post-inauguration day. In 1989, Kimberle Crenshaw wrote “Demarginalizing the Intersection of Race and Sex” to coin intersectionality, Ellen Nadler initiated the legal fight for same-sex couples to remain parents in 1967, and James Baldwin taught us that love is a battle starting in the 1950’s. Activists have been resisting systemic infringements on their right to autonomous identity for decades. Their resistance is visible in the 1960s Civil Rights and feminist movements as well as the 1970s introduction of intersectionality and women and gender studies. Because of these activists, we can articulate how privilege and power manifest themselves in all aspects of life. Intersections of experiences are specifically affected by historically, institutionally, and societally constructed norms about love, relationships, and representation. Understanding those intersections is key to progression.

To unpack the power dynamics within white and person of color LGBTQ relationships, there must be an examination of the desires for privilege, cis heteronormativity, and assimilation inherent in them due to hegemonic systems of oppression. I will use American court cases from the 1940’s onwards to demonstrate institutional infringements on queerness. I will also use scholarly articles to support my point that white privilege infiltrates every aspect of life including relationships and the dynamics which form them, with a specific focus on visibility.

The LGBTQ equality movement is situated within a larger struggle for minority rights in the United States. The summer of 1969 is a microcosm for queer peoples’ larger struggles to be heard. Queer people were involved in the protests by anti-Vietnam War advocates, African Americans, Native Americans, and feminists without a specific cause of their own.¹ They had to find a way to incorporate their social justice needs quietly—yet, the sexual identities they were born with were enough

to challenge the norms of society. The queer community did not stand idle as their fellow minority communities engaged in protests; they themselves were starting to ignite their own movements in San Francisco, Washington, Los Angeles, and New York.\(^2\) The context in which the fight for queer liberation arose was one where the national census, surveys, and political parties deemed queer people invisible by not including them. LGBTQ people could not exist as a unified group with legal recognition.\(^3\) The only way they were acknowledged as a group was as a group of sinners by alt-right conservatives and the American public in general. The demand for visibility climaxed during a Friday night in June of 1969, when New York police officers raided an iconic gay bar, the Stonewall Inn in Greenwich Village. This time, after numerous raids, the queer people of New York violently resisted, breaking windows, throwing stones, and giving fuel to flames that were once figurative.\(^4\) They made a loud statement to the American public: “We exist and we are here to stay.”

That Friday night in Greenwich Village commenced the modern gay rights movement.\(^5\) Since then LGBTQ visibility and rights have expanded. The first annual gay pride parade happened on the anniversary of the raid on June 28th, 1970, the first federal gay rights bill was introduced to address discrimination based on sexual orientation five years later, and the first legal same-sex marriage took place in Massachusetts in 2004.\(^6\) The concepts of visibility and rights interlock with privilege, which will be explored in my argument that queer interraciality is burdened by whiteness. However far the LGBTQ movement came leading up to the monumental milestone of the Supreme Court of The United States guaranteeing same-sex couples across America the right to marry, queer activists evidently still have a long struggle ahead, considering the election of Donald Trump, a white supremacist to the Oval Office and one of the most homophobic governors in modern U.S. history, Mike Pence, as his accomplice. Queer people, with all of their intersecting identities, have resisted before, currently resist, and will continue to resist.

Institutional Enablement of Privilege

Intersectionality is the framework which is most useful for discussing and learning about intersecting identities and struggles; it countervails decades of cisgender white men and women being at the forefront of non-inclusive social movements, state homophobia, and racism. The need for research on intersectional identities and struggles is high, yet most LGBTQ academic research and corresponding education is one-dimensional and fails to include people who belong in racial, economic and religious minorities as

\(^2\) Ibid.
\(^3\) Ibid, 2.
\(^4\) Clendinen and Nagourney, 2.
\(^5\) Ibid.
well as a sexual minority. Hence, awareness of intersecting struggles is not widespread, fueling a plethora of different issues such as cis-heterohomophobia and strikingly low visibility for many young queer people of color. *LGBT Youth in America’s Schools* gives readers examples of what researchers need to include in their studies to serve educational institutions better: “How do LGBT youth of color integrate their racial and ethnic identities? What interventions can be used or altered to better facilitate this process?” and “Are immigrants, particularly undocumented immigrants, less likely to report anti-LGBT harassment and violence due to a desire to minimize their interactions with governmental authorities?” are questions we should be taught to grapple with as early as possible. Libraries, grade schools, and universities are institutions which have the power to gate-keep social norms by choosing to represent or dangerously misrepresent different groups.

When transgender youth of color and immigrant LGBT youth are left out of conversations about identity, mental health, and body health, they feel ostracized, causing them to remain silent about issues that are unique to their experiences. Thus, the cycle of institutionally, inflicted ignorance, and lack of visibility continues. At that, transgender youth of color, immigrant LGBT folks, and other people of intersecting identities should not be expected to explain themselves or be outspoken about their experiences because awareness should be a societal effort—a step towards creating more environments in which the aforementioned people thrive and feel comfortable stepping forward. Accordingly, it is crucial for the discrepancies in treatment of LGBT youth across different environments and geographic spaces be acknowledged in research. Only “24 percent of rural students reported that LGBT resources were available in their school libraries, compared with 45 percent of suburban students and 32 percent of urban students.” These stark differences need to be addressed and further investigated to see if they correlate with differences in reported rates of depression and suicidal thoughts. Research, education, and awareness all factor into which type of queer person is visible and prioritized and which types get further marginalized in a shallow attempt to be inclusive.

Ever since women’s studies emerged as a new discipline at Cornell in 1969, intersectionality has been an educational tool used to navigate a context where opportunities for women of all backgrounds are not equally dispersed. Particularly, intersectionality and subsequent women’s

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7 For example, the first article that comes up with a search for “gay teen suicide” on JSTOR, “Young, Gay, and Suicidal: Dynamic Nominalism and the Process of Defining a Social Problem with Statistics,” by Tom Waidzunas at Northwestern University, makes no mention of race, gender, ethnicity, class, or location as factors which affect the mental health of LGBT youth. The wide audience the article is able to reach learn about sexuality as it relates to suicide in a way that completely disregards intersecting struggles and coinciding oppression.


studies education emerged from the call for black-on-black love by lesbian Black feminists, who were left out of the first wave of feminism and the Civil Rights Movement. “The Combahee River Collective Statement [which Kimberle Crenshaw expanded on in 1989 to coin intersectionality as a term] noted that its proto-intersectional politics “evolve[s] from a healthy love for ourselves, our sisters, and our community which allows us to continue our struggle and work.” The statement’s impact extends beyond the second wave of feminism into modern day movements. A person who is a Black, Muslim lesbian, for example, will face more prejudice and institutionally-inflicted oppression than one who is a white, Christian lesbian—although both are part of sexual minorities, one is racially privileged and does not experience racial and religious minoritization. These advantages and disadvantages stack to create completely different experiences for both.

Conclusively, education and educational resources function on an institutional level to contribute to the visibility of white, middle class queer people over queer people of color, concurrently contributing to disparities in privilege among the groups. Intersectionality is necessary to dissect how such privilege affects people based on their social identifiers; it facilitates women’s studies’ inquiry into power dynamics which exist within society and which naturalize inequality and perpetuate oppression.

Inequality within larger societal dynamics and in individual ones is extremely multi-dimensional, hence why intersectionality was conceptualized.

Legislation and Policy as Infringing Upon LGBTQ Agency: The Case of Earnestine Blue

Historical and legislative impediments on queerness and interraciality contribute to power dynamics and privilege which manifest themselves on individual levels. For example, the Religious Freedom Restoration Act is still being enforced in Indiana, allowing businesses and individuals to refuse queer people services for supposedly religious purposes. This act results from a long history of homophobic laws and groups and should not surprise the American public. The Southern Poverty Law Center outlines what they call a “Timeline of the radical right’s thirty-year crusade against homosexuality,” starting with 1977 and the formation of the first anti-gay group, Save Our Children, motivating queer activists to fight hate groups. During the 1980’s, nearly 17,000 queer soldiers were discharged as a result of the U.S. Department of Defense asserting that homosexuality was incompatible with service in 1982. In 1986, the Supreme Court imposed normative sex practices and criminalized same-sex sex practices with the

Bowers v. Hardwick decision, holding that all states’ anti-sodomy laws are constitutional.\textsuperscript{13} The 2000’s started with another homophobic Supreme Court decision, America et al. v. Dale, which allowed the Boy Scouts to continue banning gay scoutmasters, refusing gay men an opportunity to serve their communities and furthering the stereotype that queer men are innately pedophilic.\textsuperscript{14} Moving forward, the 2000’s continued to see legalized attacks on queerness. In the context of examining queer interraciality, when people are refused a huge part of their identity based on their race or sexuality, those who refused them their rights to basic humanity become ubiquitous and superior. Parallels can be drawn between restrictions on gay marriages and interracial marriages. Bans on interracial marriages were initially enforced as a conscious tactic to embed and entrench white supremacy, while the rules referring to marriage as a relationship between a man and a woman grew out of a context of cisheteronormativity and raging homophobia.\textsuperscript{15} Marriage has always functioned as a state institution; the laws which regulate it also regulate sexual practices and gendered expectations. Although Perez v. Sharp in 1948 and Loving v. Virginia in 1967 overruled the ban on interracial marriages and invalidated all anti-interracial marriage laws respectively, according to Julie Novkov, “The more abstract, egalitarian approach of neutrally extending access to marriage to same-sex couples would simply let same-sex couples into a largely untransformed [colorblind] institution.”\textsuperscript{16}

Another major obstacle to queer relationships and particularly, queer relationships of color, is the denial of the right to parent. Again, those who refused queer folks their right to be parents and adopt children gain a powerful edge and set norms for families that align with heteronormative, institutionally, and societally enforced prejudices. According to Daniel Rivers, “Institutional anti-gay and lesbian prejudice constructed same-sex sexuality as antithetical to parenting, actively stripped many lesbian and gay men of their parental rights, and kept a whole generation of lesbian and gay parents in fear of being estranged from their children.”\textsuperscript{17} Rivers’ statement exemplifies how anti-LGBT adoption policies extend beyond the denial of parenting rights to LGBT folks to construct widespread homophobic views which deem them incapable of cultivating life and “likely to be pedophiles [and] emotionally irresponsible,” simply due to their sexualities, which are “deviant.”\textsuperscript{18}

The legal fight for parenting equality began in 1967 when Ellen Nadler lost custody of her five-year-old daughter to her ex-husband and Justice Babich cited her

\textsuperscript{13} Ibid.
\textsuperscript{14} Ibid.
\textsuperscript{16} Ibid, 347.
\textsuperscript{18} Ibid, 918.
sexuality as the reason she was unfit to parent.\textsuperscript{19} Using the framework of intersectionality is imperative to understanding how racism, misogyny, and homophobia stack to vehemently stigmatize queer women of color who are also parents fighting for not only custody rights but human rights—the right to be seen as a caring, responsible adult just as anyone else is. While the legal fights of queer white women gained public attention by virtue of their racial privilege, the struggles of queer mothers of color were left invisible.\textsuperscript{20} Earnestine Blue is an example of a woman who had every societal odd stacked against her and resorted to every parent’s worst nightmare:

The intense vulnerability of being a lesbian mother of color was so great that in some cases it drove women to go underground with their children to keep custody of them. Earnestine Blue, an African-American lesbian mother who fled California for Utah in 1974, rather than lose custody of her children to their father, described the way that racism and anti-lesbian bias worked together in the courtroom: "I think that homophobia plays into it, I think the racism plays into it. I think that the judge did not care because both of us were African-Americans. I think that they felt like I was way worse because I was a lesbian." Blue recalled that her lack of financial resources made her especially vulnerable and said, "I'm a black lesbian female, and my husband... he had a lot more money than I did, and I couldn't afford an attorney."\textsuperscript{21}

Blue’s story exemplifies how race, sexuality, gender, class, and geographic location, factored into her difficult decision to hide her children.

The judge and the lawyer who are part of a patriarchal judicial system, which is supposed to protect the life, liberty, and pursuit of happiness of all people, failed her. Also, in many cases during the 70s and especially in the South, queer interraciality was cited as a reason for custody denial and an indicator of unfit parents, furthering racial and sexual stereotypes while villainizing people who simply want to keep their children. In Nadler’s case, anti-sodomy laws were stretched to not only deny her custody and but also force her to say the names of all the lesbian lovers she had had since 1966, at the request of a D.A. agent, all “in the best interests of the child,” a “smokescreen” used to judge homosexuals and impose heteronormativity.\textsuperscript{22}

The difference between Nadler’s legal fight and Earnestine Blue’s was that Nadler’s case was given a second chance by the California Court of Appeals, which used Justice Babich’s lack of broad discretion as a reason for reassessing his decision.\textsuperscript{23} Although Nadler still lost custody of her

\textsuperscript{19} Ibid, 917.
\textsuperscript{20} Ibid, 923.
\textsuperscript{21} Ibid, 923.
\textsuperscript{22} Ibid, 920, 924.
\textsuperscript{23} Ibid.
children to her ex-husband and her sexuality continued to be tried, unlike Blue’s, her race was not. Nadler had the privilege of not being forced to hide her children, resources to re-try her case, and the benefit of her case emerging as the symbol for the larger fight for queer parenting rights. However, the custody fights of Nadler, Blue, and countless others from the years 1967 to 1985 contributed to eventual ideological shifts in society and culture which the courts finally began to acknowledge and rule accordingly.

Overcoming racism in addition to homophobia would still have a long way to go, but the bravery of all the people who fought for their human rights during those 20 years is not to be understated. As Dr. King said, morality cannot be legislated, but behavior can be regulated.

So far, the racial and intersectional issue of privilege is presented using historical and institutional evidence, which helps us to understand how racism and homophobia operate on a larger scale—the same evidence can inform us about power dynamics which infiltrate every individual queer interracial relationship. In accordance with Frantz Fanon’s theories about racism, interracial relationships expose colonizer/colonized and oppressor/oppressed power dynamics which are rooted in a history of colonialism. When queer people of color get stigmatized to a point where they feel they are incapable of being loved for who they are, they can very well resort to striving for whiteness in their life. It would be easy to say that “society” has rejected them. The harder truth to grasp is that white people, who benefit from institutional racism, infringe upon queer people of color’s ability to be loved, because they have become the default half of any healthy relationship and the norm to aspire to. Yet, those with white privilege continually otherize and objectify queer women of color for their own titillation and fail to accept them into the fabric of society which has always hailed them on the basis that they stay white as gatekeepers of culture. Fanon coins the term “lactification,” to describe efforts to whiten minority races to save them, not in terms of preserving their pre-colonial cultural values, but in terms of ensuring that they will not stand out. With this view, queer people of color will not cause an uproar over their rights and their lives—instead, they will be whitewashed.

Symbolic Oppression: Media and Representation of LGBTQ Otherness and Marginality

On a societal level, stigmatizing queer people of color takes the form of symbolic oppression via misrepresentations and, at that, lack of representation—all of which additionally factor into power dynamics within interracial queer relationships and privilege. According to GLAAD, whereas 94.9 percent of television hours are taken up by heterosexual characters, only 3.6 percent includes gay

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24 Rivers, 936.
26 Fanon, 33.
males, and 0.6 percent lesbian females.\textsuperscript{27} Shows that do portray LGBTQ characters tend to fall short when it comes to normalizing queerness and being a queer person of color, projecting images which become synonymous with queer identity in a negative way. For example, \textit{Orange is the New Black} is a popular show that has received immense praise for portraying lesbians of color as main characters, but the manner in which they get portrayed and the way their storylines pan out can provide examples of common patterns within the larger context of media representation. The show encourages a critique of the prison industrial complex, racism, sexism, and homophobia while also displaying unrealistically sexualized iconography for the entertainment of the viewers. In her article, Anne Schwan argues that the show utilizes post-feminist and neoliberal strategies to capitalize on common stereotypes found in the women's prison genre while inconsistently celebrating its minority characters.\textsuperscript{28} The main character, Piper Chapman’s white, upper-class privilege allows her to navigate the prison world with resources, family, and business experience at her disposal; hence, \textit{Orange is the New Black} both builds on and problematizes the exploitation fantasies that come with the women’s prison genre.\textsuperscript{29} Her privilege also allows her to hold the viewer’s perspective and let them see through her eyes—especially in the first season where the point of view shots blur out minority characters and focus on Chapman’s view of the world, a symbolic reference to real-life racial hegemony. Additionally, the only transgender woman of color on the show, Sophia Burset, is incorporated into the show with use of dialogue and flashbacks, yet, ends up disappearing for many episodes at a time because of solitary confinement. Although this is unfortunately realistic for transgender victims of mass incarceration, the show, and media in general, does not make enough effort to flip the script for people of intersecting identities, leaving LGBT youth of color with reflections of themselves which are depressing and indicate an inevitable path dictated for them by society and oppressive institutions. Coincidingly, the main two characters, Chapman and her on-and-off white girlfriend Alex Vause, are the only lesbians on the show to get a developed relationship story-line, they eventually get engaged, while Poussey Washington, a Black lesbian who was just starting to get serious with her Asian-American girlfriend, is choked to death by a security guard, raising awareness about police brutality while also adhering to the pattern of lesbians of color having tragic storylines and being incapable of maintaining a romantic relationship. Symbolic oppression does not outwardly

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\textsuperscript{29} Ibid, 474.
relay to its viewers that they are inferior, it continuously imposes on them reflections, which gradually embed the ideas that they do not exist as people but as marginalized identities, inevitably doomed to a particular fate. Hence, the discrepancies in portrayals of white queer people and queer people of color also signify immense discrepancies in visibility and representation, which lend themselves to how comfortable people of color feel about expressing their true identities, how they navigate a society which has so many preconceived notions of who they are supposed to be, and how they function in interracial relationships which are skewed in terms of privilege.

In Allan Bérubé’s experiences, “Gay men of color, working against the stereotype, have engaged in long, difficult struggles to gain some public recognition of their cultural heritages, political activism, and everyday existence.” The word “existence” is key here; to have to fight for the right to keep your child or order a wedding cake is one thing, but having to disrupt the heteronormative, racist fabric of society to merely ask people to acknowledge you is completely different. As Bérubé states, “To educate gay white men, they’ve [gay men of color] had to get our attention by interrupting our business as usual, then convince us that we don’t speak for them or represent them or know enough about either their realities or our own racial assumptions and privileges.”

It is extremely difficult to convince people of a minority that is already stigmatized and marginalized that there are still people who have it worse, because their memberships in multiple oppressed minorities stack to profoundly disadvantage them. This dilemma should not be characterized as a contest to see who is the most disadvantaged. Rather, it is a call for examining how whiteness is the norm of which everything else is built around, how the assumptions and privileges it creates form “a powerful camouflage woven from a web of unquestioned beliefs—that gay whiteness is unmarked and unremarkable, universal and representative, powerful and protective, a cohesive bond.” Such a camouflage has the purpose of veiling activists with neutrality in order to accommodate white fragility. From an intersectional standpoint, gay white men have the privilege of retreating to narrow definitions of activism when the fight for liberation for all people gets too frustrating and long-winded. Gay men and women of color of course, do not have anywhere near the same privilege. This reality, coupled with historically and institutionally formed prejudices, fuels power dynamics within interracial relationships which are incredibly poignant. Afterall, “As James Baldwin’s words remind [us], acting on gay desires is about not being afraid to love and therefore about having to confront this white society’s...


31 Ibid.
32 Bérubé, 206.
terror of love—a terror that lashes out with racist and anti-gay violence.\textsuperscript{33} 

In accordance with Amy Steinbugler, differences in power arise in the most ordinary moments of everyday life. In the U.S., only “Two percent of interracial gay couples and 1.7 percent of lesbian couples are Black/white pairs.”\textsuperscript{34} Two gay lovers, one who is Black and one who is white, “are unequally positioned in a social context that privileges whiteness and marginalizes Blackness within other categories, such as gender, sexuality, and social class.”\textsuperscript{35} Queer people experience race and racial lines as they intersect with their experiences of being in a sexual minority. Interracial queer partners have to negotiate “each other’s differential access to status and power” and “navigate racially divided social environments” to find comfort within each other, steps that intraracial couples do not even have to think about.\textsuperscript{36} Eduardo Bonilla-Silva’s concept of “abstract liberalism,” a key part of colorblind racism, is evident in many accounts of interracial queer relationships where the white partner will diminish the role race plays in shaping his/her partner’s life and whose Black partner will internalize such diminishment to be able to say that his/her partnership “just happens to be” comprised of people from two different races; this is not true.\textsuperscript{37} If a queer person of color is so intimidated by the history of their people, the institutions which stigmatize them, and the symbolic oppression they see on a daily basis, they may not be visible to other queer people as a result of being too afraid to out themselves. Examining queer interraciality is about examining how systemic racism and color blind-racism operate to infringe on queerness and create power dynamics right from the outset of being born into a life of multiple intersecting identities which makes it nearly impossible for one to be accepted for who they are. How can a queer interracial relationship “just happen to be” if one half of that union has experienced a lifetime of discrimination coming from all different angles and the other half only has to tackle one of those angles? How can the white half of that union have negotiated their differences yet diminish the role that race has played in their partner’s life? Is that diminishment not a testament to their power and privilege? According to Steinbugler, a social context where interracial relationships are viewed as “ill-fated, based purely on sexual attraction, [and] simply immoral,” necessitates racework which includes visibility management, or modifying both identities and public behaviors.\textsuperscript{38} Darius Hockaday, a young adult born out of an interracial Black/white marriage, can attest to feeling the impacts of historically and institutionally stigmatized interracial relationships.\textsuperscript{39} Within his own Black

\textsuperscript{33} Ibid, 225.
\textsuperscript{34} Ibid.
\textsuperscript{36} Ibid, xiv.
\textsuperscript{37} Steinbugler, xv.
\textsuperscript{38} Ibid, xviii.
community, he has been deemed “a light-skin” and “not Black enough” even though he feels the daily impacts of his skin color because of what he believes is a persistence of the One Drop rule. “I’ve been called a n*gger before, I’ve been harassed, I’ve been pulled over by cops, I know what it feels like.”40 In terms of his parents’ interraciaility, he speaks about how upset his great-grandparents on his white mother’s side were when they found out she was dating a Black man, and how that experience stuck with his mom to the point where she was infuriated with the fact that he identified himself as Black and not mixed. Hockaday mentions that although his mother will never fully understand his struggles, she should understand that she has a Black child and that she is married to a Black man—both have profound implications for how they have to carry themselves in a racist society. Her colorblindness is a signifier of her privilege and her child feels the consequences daily.

Historical, institutional, and societal forces combine to construct love. From being denied basic humanity to rarely being included in important conversations about LGBT issues to only seeing yourself portrayed in depressing ways, queer interraciaility is defined by power dynamics constructed from inequality. Using intersectionality to examine queer interraciaility is crucial because race intersects with all dimensions of inequality including cis-heterosexism and homophobia, having profound implications in terms of privilege and visibility. Heightened awareness and eventual progression lie in acknowledging the powers that be while also fighting them for the sake of all people, not just one type of people. In the words of President Barack Obama, “Change will not come if we wait for some other person, or if we wait for some other time. We are the ones we’ve been waiting for. We are the change that we seek.”41 Kimberle Crenshaw, Earnestine Blue, and James Baldwin all sought change in the way their humanity was viewed and treated, and they could not afford to wait for anyone else; when their oppressors went low, they went high.

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40 Ibid.

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