In October 2017, in the wake of sexual assault allegations against Hollywood mogul Harvey Weinstein, the white American actor Alyssa Milano took to Twitter and encouraged women everywhere to tweet #MeToo if they had similar experiences. The hashtag quickly went viral and spawned a global movement against sexual violence. However, as is often the case on Twitter, several Black feminists reminded the public that “Me Too” had a longer history, having been founded by African American anti-rape activist Tarana Burke, who had coined “Me Too” back in 2006 – the year Twitter came into existence – after encountering a young adolescent survivor of sexual assault whom she wished she had supported by saying “me too” due to her own history as a survivor. Burke has since taken on a leadership role in the Me Too movement, not just being acknowledged by Milano herself but also appearing with other movement leaders on Time’s 2017 “Silence Breakers” Person of the Year cover and being paired with Hollywood actor Michelle Williams at the 2018 Golden Globes Awards Show, where women entertainers joined activists – in response to a solidarity letter from the female farmworkers of Alianza Nacional de Campesinas – and unveiled the next phase of the movement, called Time’s Up. This phase would advance equality for women in the workplace and create a commission on sexual harassment in the movie industry, to be headed by Anita Hill, renowned for her role in the 1991 Congressional hearings on the sexual harassment charge she made against then Supreme Court Justice nominee Clarence Thomas.

That Burke and Hill have become the visible faces of a movement against sexual violence is a reminder of Black women’s experiences in the United States at the intersection of sexual violence and racism. Indeed, at the 2018 Golden Globes show, celebrated Black media mogul and entertainer Oprah Winfrey issued remarks that doubled both as an acceptance speech for her Cecil B. deMille Lifetime Achievement Award and as a rallying cry for the Me Too/Time’s Up movement. In her commentary, Winfrey honored the recent passing of Recy Taylor (1919–2017), a Black survivor of a vicious interracial gang rape during the Jim Crow era in 1944 in Abbeville, Alabama, who never received justice but whose case was investigated by civil rights pioneer Rosa Parks (1913–2005), who had served as secretary to a local National Association for the Advancement of Colored People (NAACP) chapter. As Winfrey described Taylor,
She lived, as we all have lived, for too many years in a culture broken by brutally powerful men. For too long, women have not been heard or believed if they dared to speak their truth to the power of those men. But their time is up. Their time is up!

Winfrey, who has spoken candidly about her own experiences of intraracial sexual assault, discursively shaped her remarks to link sexual violence with the history of white supremacy, which gestured toward the systemic prevalence of these issues rather than to the interpersonal level of women’s experiences.

This is worth considering, given that two legal and political cases of sexual harassment in the Supreme Court and in Congress – *Vinson v. Meritor Savings Bank* (1986) and the Anita Hill/Clarence Thomas hearings (1991) – have become landmark events in the trajectory of the anti–sexual violence movement. Both cases involved assault on Black women by Black men, even though their experiences bear the legacies of intersectional oppressions. Indeed, Kimberlé Crenshaw, who assisted Anita Hill’s legal team, coined the term “intersectionality” to illustrate Black women’s complex positioning between race and gender. As she argues about Hill’s experience in Congress: “Caught between the competing narratives of rape (advanced by feminists) on the one hand and lynching (advanced by Thomas and his anti-racist supporters) on the other, the race and gender dimensions of her position could not be told” (Crenshaw 1993, 1298). This chapter, therefore, explores how Black women, through their intersectional positonality, are caught in the middle between struggles against racism and sexism while simultaneously serving as the catalyst for change to systemic violence. In the pages that follow, we trace the history of Black women at the nexus between racism and sexual violence, and how they resisted these forces, and then investigate the continued legacies of both Mechelle Vinson and Anita Hill, who broke the silence on sexual harassment when they elected to bring charges against their violators in a legal and political context.

**A history of racialized sexual violence**

Sexual violence had already marked the “Middle Passage” experience of captive Africans journeying from the West African coast to the Americas. Women and girls were segregated aboard slave ships and placed in close proximity to the ship’s crew. And despite laws against rape, which were essentially laws that guarded against women as patriarchal property, the United States in its infancy institutionalized sexual violence, which in turn constituted race, as represented by a 1662 slave law in Virginia stipulating that children born of enslaved women would follow the status of their mother. The Virginia law explicitly stated that children would inherit the “condition of the mother,” whether she be free or enslaved. As historian Paula J. Giddings notes, “Such legislation laid women open to the most vicious exploitation. For a master could save the cost of buying new slaves by impregnating his own slave, or for that matter having anyone impregnate her” (1984, 37).

Despite the reproductive exploitation of enslaved women being enabled by law, Black women resisted their conditions. From what Stephanie M. H. Camp calls the “everyday resistance” of enslaved women – “foot dragging, short-term flight, and feigning illness” (Camp, 2) – to outright rebellion, these women found ways to curtail the legal and societal strangleholds on their bodies and transgressed the spaces allotted to them. They ran away from enslavers. They used contraceptives and abortive medicines to control the number of children they bore. They resisted partners chosen for them while making choices based on their own desires.

With regard to outright rebellion, we have examples throughout the Americas, from Nanny (ca. 1688–1733) on the Caribbean island of Jamaica, who formed maroon communities of
ex-slaves in the mountainous terrain away from the plantations owned by British colonizers (Sharpe 2003, 2), to Marie-Joseph Angélique (1710–34) who was convicted and hanged for burning down the city of Montreal in Canada in 1734.1 Women like Nancy Prosser, with her husband Gabriel (1776–1800), led a rebellion of a thousand slaves in Richmond, Virginia in 1800 (Giddings 1984, 40), which struck fear into slaveholding communities, coupled with the successful slave insurrection on the Caribbean island of Haiti, which won its independence as the first Black republic in the world a few years later in 1804.

Afterwards, in 1807, the transatlantic slave trade was legally banned, partly due to the international abolitionist movement, and England – which did not abolish slavery in its colonies until 1834 – would boast of being a nation where the formerly enslaved could “breathe free air,” thanks in part to the 1772 Somerset v. Stewart case, in which the presiding judge, the Lord Chief Justice William Murray, Earl of Mansfield (1705–93), ruled that an enslaved person could successfully sue for their freedom on English soil.4 Recently, historians have reevaluated the relationship between Lord Mansfield and his biracial great-niece, Dido Elizabeth Belle (1761–1804) – the subject of a 2013 film by Amma Asante – and its possible influence on his decision in the interest of the enslaved. After all, Dido, the daughter of Maria Belle, a slave-ship captive Africans, and Sir John Lindsey (1737–88), Lord Mansfield’s nephew and ship captain, could easily have been subject to slavery without such laws to protect her.5

The existence of Dido, however, points to a different set of relations that enslaved women carved out for themselves and their children, from Maria Belle, whose daughter – claimed by her father – was raised in the aristocracy, to Sally Hemings (1773–1835) – as Annette Gordon-Reed explores in a previous chapter in this volume – who secured freedom for the children she bore with Thomas Jefferson. The proliferation of a class of mixed-race children – derisively labeled mulattos, quadroons, and octoroons, based on the degree of blackness they possessed – who sometimes obtained free status complicates the position of enslaved women who may have negotiated such freedoms for the children they had with their enslavers. The system of concubinage – mythologized in Creole cities like New Orleans as “plaçage” – had the undesired effect of characterizing enslaved and free women of color as seductive “Jezebels,” while abolitionist literature was careful to victimize such women instead, as William Wells Brown (ca. 1814–84) proffers in his 1853 novel Clotel; or the President’s Daughter, which reimagines one of Sally Hemings’s daughters ensnared into slavery, given how she “follows the condition of her mother.” This creation of what Frances Smith Foster calls the “ultimate victim”6 necessitates a more nuanced approach to enslaved women’s sexual histories beyond simple victimization and toward an understanding of their agency – limited or otherwise.

Considering the dictates in the nineteenth century of the “cult of true womanhood,” which bestowed protection on white womanhood sworn to purity, piety, domesticity, and submissiveness, Black women had to tread carefully in crafting a respectable womanhood for themselves. Hence, Mary Prince (1788–1833), who published the first slave narrative by a Black woman in England in 1831, avoided any explicit discussion of sexual violence or of her own consensual interracial relationship with a white man (Sharpe 2003, 121). The same year, free-born women like Maria W. Stewart (1803–79) in Boston defended Black womanhood by speaking publicly and writing on the subject of Black women’s advancement, a precarious venture given her public engagement in the year of the Southampton rebellion led by Nat Turner in Virginia, which culminated in more entrenched laws guarding against slave mobility. Such restrictions eventually led to the formalization of the Underground Railroad moving freedom seekers to northern states and later, to Canada; and a formerly enslaved woman, Harriet Tubman (ca. 1822–1913), who self-emancipated in 1849, would become one of its most famous “conductors.”
It is worth noting that during this period, white women who participated in the antislavery movement made parallels between racial slavery and gender oppression. Indeed, it was the sexist exclusion of their right to speak at an antislavery convention in London that led Lucretia Mott (1793–1880) and Elizabeth Cady Stanton (1815–1902) to organize the women’s rights convention in Seneca Falls, New York in 1848. What often drove these women’s interest in the antislavery movement was the sexual violence that enslaved women suffered. At the 1856 trial of Margaret Garner (1834–58) – immortalized in Toni Morrison’s *Beloved* as the freedom-seeking enslaved woman who kills her daughter to prevent her return to slavery – antislavery activist Lucy Stone (1818–93) spoke of the “faded faces of the Negro children” with regard to the mixed-race complexions of Garner’s offspring, which to her “tell too plainly to what degradation the female slaves submit. Rather than give her daughter to that life, she killed it” (cited in Taylor 2016, 152).

We never hear Margaret Garner’s own words in these public hearings – which Morrison translates as “unspeakable thoughts unspoken” – just as we don’t hear the voice of Celia, who was convicted and hanged for killing her enslaver the year before in the *Celia v. Missouri* case, even though she claimed self-defense due to years of sexual abuse. Sojourner Truth (1797–1883) addressed the issue of women’s rights and the need for Black women’s inclusion in such a movement in a speech to the women’s rights convention in Akron, Ohio in 1851, but it was a white feminist, Frances Dana Gage (1808–84), who immortalized her speech as “A’n’t I a Woman?,” rhetorically alluding to the “thirteen children” she had born and seen “sold off to slavery,” even though Truth did not have that number of children. And while Truth did endure sexual abuse while enslaved in New York, the earlier recording of her speech does not include such colorful language. This is why Harriet Jacobs (1813–97) – writing as Linda Brent – with her 1861 *Incidents in the Life of a Slave Girl* is significant in addressing from a Black woman’s perspective the sexual violence that marked the enslaved girl by the time she reached puberty.

A different generation would experience a new slave narrative as other enslaved women’s voices were collected by the Workers Progress Administration (WPA) among the aging formerly enslaved population during the era of the Great Depression. For instance, there was the enslaved Sukie, who nearly killed her enslaver when he tried to rape her. Sukie’s story is told by an ex-slave named Fannie Berry, collected among WPA slave narratives in 1937. As Berry described Sukie’s resistance to her enslaver, “She tole him no,” which led to a fight between the two parties that resulted in Sukie maiming her enslaver when she pushed him into a pot of boiling soap (cited in Perdue, Barden, & Phillips, 49). For her actions, according to Berry, Sukie was sold on the auction block and continued to resist as she vulgarly invited her potential buyers to “see if dey could fine any teef down dere,” as she lifted up her dress just as they were inspecting the teeth in her mouth (Ibid.). Sukie was a bold and militant woman, and her resistance seems to have saved other enslaved women, considering that her enslaver stopped perpetrating violence against them.

Other enslaved women would seize the opportunity that emancipation delivered to avoid sexual intimacy, as in the case of emancipated Rose Williams, who decided: “After what I done for de massa … I’s never wants to truck with any man” (cited in Giddings 1984, 74). Rose, who was forced by her enslaver to have children with another slave named Rufus, practiced a form of freedom in her self-determination to remain unpartnered, which might even correlate with the “queer formations of freedom” that Vanessa M. Holden addresses in a previous chapter in this volume. These women’s narratives speak bold truths about the vicious forms of racism and sexual violence, at the malevolent intersection of which lies the experience of Black women who resisted.
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This legacy of violence continued to haunt Black women even after emancipation, when as Evelyn Brooks Higginbotham argues, they embraced a “politics of respectability” to guard against the most pernicious stereotypes and misogynoir, which shaped the segregationist policies that eventually developed. Indeed, the lynchings spawned from the post-Reconstruction era relied on beliefs of Black hypersexuality – both of Black men and of Black women, the latter often being subjected to both intra- and interracial sexual violence. The racial politics of the sexual hysteria concerning Black men and white women led anti-lynching activist and journalist Ida B. Wells-Barnett (1862–1931) to declare that “nobody believes the threadbare lie” (cited in Giddings 1984, 29) that white supremacists were spreading about Black rapists and innocent white womanhood; she was subsequently banned from the South for exposing the intersections of racism and sexual violence, in which the Black-rapist myth provided cover for the prevalent violence against Black communities – including women and children.

Nonetheless, Ida B. Wells boldly confronted lynch law, urging African Americans to migrate from the South and withhold their economic power while also advocating for self-defense, as she carried a pistol – concealed under her petticoats – determined to “sell my life as dearly as possible” (cited in Giddings, 20). She eventually took her anti-lynching fight abroad on a tour of England, financed by Black club women who eventually came together in the wake of the Plessy v. Ferguson Supreme Court decision, which legalized segregation, to form the National Association of Colored Women at an 1896 convention in Washington, DC, attended by the likes of Wells, Harriet Tubman, and the association’s first president Mary Church Terrell (1863–1954), among others. They organized in the face of intense white supremacy and recognized that they must defend themselves from continuous slander and violence against Black womanhood.

These struggles continued into the twentieth century, and the oppressive links between sexual violence and racism proliferating throughout the Jim Crow South followed African American women north during the Great Migration to urban communities. Specifically, their experience of abuse as domestics in white households set an early precedent for sexual harassment in the workplace. Subsequently, historian Darlene Clark Hine describes the “culture of dissemblance” of Black women during this era, in which they “shielded their inner lives” as survivors of rape, which contributed to a silencing on sexual subjects as well as the politics of respectability shaping the public lives of African American women.

However, other historians, like Kali N. Gross and Talitha L. LeFlouria, explored lives beyond respectability, such as those of incarcerated women, who were much more vulnerable to incidents of sexual violence, in their respective works Colored Amazons (2006) and Chained in Silence (2015). Meanwhile, Danielle McGuire’s At the Dark End of the Street re-centers Black women’s resistance to sexual violence as the impetus for the civil rights movement, as represented by Rosa Parks when she investigated the brutal gang rape of Recy Taylor, as previously mentioned. Parks’s anti-rape activism shaped the Montgomery bus boycotts that she and other women – specifically those in the Women’s Political Council of Montgomery, Alabama – organized in 1955, when Parks refused to give up her seat on a segregated bus. Her act of resistance resonated for African American women, who were not only racially discriminated against but were also subject to interracial sexual harassment and abuse when riding public transportation.

It is no wonder, with this intergenerational history of racialized sexual violence, that Black women would be at the forefront of anti-violence movements. During the 1970s and 1980s, Black women writers, as Gillespie explored in the previous chapter, began breaking the silence and dismantling the culture of dissemblance concerning their experiences as sexual assault survivors, specifically within Black communities, which revealed a different dynamic when perpetrators are Black instead of white men. Their literary explorations had set the stage for a larger legal battle that would establish political, cultural, and social standards for how the United States
would address sexual harassment, represented in the cases brought by Mechelle Vinson and Anita Hill, as explored in the following.

The legacies of Mechelle Vinson and Anita Hill

The women who organized the 1955 Montgomery bus boycotts not only created a public platform that launched Martin Luther King, Jr. (1929–68) as a civil rights leader; they also inspired behind-the-scenes leaders like Ella Baker (1903–86), who had trained activists like Rosa Parks in grassroots organizing when working in a leadership position at the NAACP. Baker went on to coordinate the Southern Christian Leadership Conference (SCLC), setting the organization’s agenda while King served as its figurehead, and later organized young people for the Student Nonviolent Coordinating Committee (SCLC), which drove such actions as voter registration drives and freedom rides. These efforts, shaping the civil rights movement, helped birth the Civil Rights Act of 1964.10

Congress specifically enacted Title VII of the Civil Rights Act, which makes it “an unlawful employment practice for an employer … to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual’s race, color, religion, sex, or national origin.”11 Interestingly, the prohibition against sex discrimination was inserted into the bill at the last minute, specifically because opponents of the Civil Rights Act thought the inclusion of sex would derail its chances of passing into law. As a consequence, there is very little legislative history upon which courts could rely in interpreting claims of sex discrimination. Sexual harassment is not specifically mentioned in Title VII, and therefore it is a product of judicial interpretation. The courts have relied upon guidance from the Equal Employment Opportunity Commission (EEOC), which enforces federal civil rights law and provides the national framework for defining and interpreting such laws. Black women file sexual harassment charges at the EEOC at almost three times the rate of white women and are disproportionately represented among women who file such claims.12 These figures are consistent with findings that women of color are more likely to experience sexual harassment on the job.13

Perhaps it should not be surprising, then, that it was the stories of two Black women that awakened the American public to the reality faced by women in the workplace. The case of Mechelle Vinson framed an interpretation of sex discrimination under the 1964 Civil Rights Act that included instances of sexual harassment, while the Anita Hill case animated the popular understanding of what constitutes sexual harassment in the workplace and how prevalent it is for many women. Though their allegations were quite different and their legal significance distinct, Mechelle Vinson and Anita Hill played pivotal roles in promoting a popular understanding of sexual harassment and in expanding the boundaries of anti-discrimination law.

Setting the stage for more than three decades of Supreme Court jurisprudence, Mechelle Vinson’s lawsuit against her employer was momentous. For the first time, the Supreme Court, in a unanimous decision, held that sexual harassment was sex discrimination and as such, prohibited by Title VII. The decision continues to define the legal parameters of sexual harassment law today. The case was filed in 1978 and worked its way to the United States Supreme Court, which issued a decision in Vinson’s favor in 1986. Vinson was 19 years old and recently separated from her husband when she started working as a teller-trainee at the Capital City Federal Savings Bank (later Meritor Savings Bank) in northeast Washington, DC. Over the course of the next four years, she rose to the position of assistant branch manager, until she was fired for “excessive use” of sick leave. Her supervisor was the branch manager Sidney Taylor, whom Vinson initially regarded as a father figure. During those four years, Vinson alleged she was subject to constant
sexual assault and harassment by Taylor, who was also a married church deacon with seven chil-
dren. The harassment began with an act of rape a few months after she joined the bank. Taylor
asked her out for dinner at a restaurant attached to a motel. After dinner, Vinson recounted,

He said, “I have been better to you, more than your husband.” I said, “Well, Mr. Taylor, I
appreciate that.” And he says, “I don’t want appreciation, I want to go to bed with you.” I
said, “I don’t want to go to bed with you.” … And he says, “Just like I hired you, I’ll fire you,
just like I made you, I’ll break you, and if you don’t do what I say then I’ll have you killed.”
… And that’s how it started.

According to Vinson,

Taylor … made repeated demands upon her for sexual favors, usually at the branch, both
during and after business hours; she estimated that over the next several years she had
intercourse with him some 40 or 50 times. In addition, respondent testified that Taylor
fondled her in front of other employees, followed her into the women’s restroom when she
went there alone, exposed himself to her, and even forcibly raped her on several occasions.
These activities ceased after 1977, respondent stated, when she started going with a steady
boyfriend.14

These allegations were disputed by Taylor, who testified at trial that he

never fondled her, never made suggestive remarks to her, never engaged in sexual inter-
course with her, and never asked her to do so. He contended instead that respondent made
her accusations in response to a business-related dispute … The bank also denied respond-
ent’s allegations and asserted that any sexual harassment by Taylor was unknown to the bank
and engaged in without its consent or approval.15

Without determining whether the allegations were true, the United States District Court for
the District of Columbia denied relief, finding that Vinson was not a victim of sexual harassment
or sexual discrimination and that

[i]f [Vinson] and Taylor did engage in an intimate or sexual relationship during the time of
[Vinson’s] employment with [the bank], that relationship was a voluntary one having noth-
ing to do with her continued employment at [the bank] or her advancement or promotions
at that institution.16

Vinson appealed the decision to the Court of Appeals, which reversed the decision and
remanded it to the District Court. The defendant appealed that decision, making it the first
sexual harassment case to reach the Supreme Court. Until then, the lower courts were divided
on the question of whether sexual harassment was a form of sex discrimination under Title VII.
In a unanimous decision written by William Rehnquist, a conservative justice appointed to
the court by Richard Nixon, the Supreme Court held that a claim of hostile environment and
sexual harassment was a form of sex discrimination actionable under Title VII. Justice Rehnquist
stated that “Without question, when a supervisor sexually harasses a subordinate because of the
subordinate’s sex, that supervisor ‘discriminate[s]’ on the basis of sex.”17 The court went further
and held that the correct inquiry on issues of sexual harassment was whether sexual advances
were *unwelcome*, not whether an employee’s participation in them was *voluntary*. In addition, the
court decided that the language of Title VII is not limited to “economic” or “tangible” discrimination. Rather, the language of Title VII “evinces a congressional intent ‘to strike at the entire spectrum of disparate treatment of men and women’” in employment.18

The importance of the decision cannot be overstated. In deciding the case, the Court recognized and acknowledged the harm of a longstanding and common cultural practice that disproportionately affected women’s experience in the workplace and deemed it unlawful. Vinson’s case was the product of years of feminist advocacy and recast the law of sex discrimination to prohibit behavior previously considered “normal” in the workplace. This decision also radically altered the theory of sex discrimination and provided parameters for determining what type of workplace behavior contravenes antidiscrimination law. It took another five years, however, before sexual harassment gained national importance when Anita Hill testified before the Senate Judiciary Committee in 1991, alleging that then Supreme Court nominee Clarence Thomas had engaged in a series of sexually harassing behavior.

Interestingly, Vinson’s and Hill’s stories are temporally connected to Thomas’s tenure at the EEOC. During the period when Vinson’s case was making its way to the Supreme Court, Thomas was the chairman of the EEOC, and Hill was his assistant, so they would both have been aware of Vinson’s case. At the time when he was leading the agency responsible for enforcing sexual harassment laws, Thomas was, according to Hill, engaged in exactly the kind of behavior that the EEOC had previously deemed discriminatory. In an odd twist, the Supreme Court’s decision in Vinson, written by a conservative justice, went further in recognizing the harms of sexual harassment than Thomas would have as the chair of the EEOC. The 1980 guidelines drafted by the EEOC had already recognized that a particular work environment could form the basis of a discrimination claim. But Thomas objected to the guidelines of his own agency, which recognized hostile work environment claims (as opposed to quid pro quo claims).19 In fact, when Vinson’s case reached the Circuit Court, Thomas and a majority of the five EEOC commissioners were more sympathetic to the bank’s defense than to Vinson’s complaint. But because the court’s opinion would have undermined its own work, the EEOC filed an amicus brief that supported the hostile environment theory but argued that Vinson’s claim did not fit within it.20 Others at the EEOC, including Anita Hill, vigorously defended the guidelines and supported Mechelle Vinson’s claims.21

Anita Hill’s testimony at the Congressional hearings did not alter the existing legal standard for sexual harassment, and yet its impact on the popular understanding of sexual harassment in the workplace was enormous. Though her allegations did not include sexual assault, they were otherwise similar to Vinson’s in that she alleged an ongoing pattern of unwelcome sexually explicit harassment by her workplace supervisor. Their stories were told in very different venues – Vinson’s within the judicial system and Hill’s within the political realm. But because her testimony was broadcast to millions around the world, Hill’s allegations had a much larger impact on making sexual harassment part of a national – even global – conversation about the treatment of women in the workplace.

Anita Hill and Clarence Thomas, both from poor rural backgrounds, both African American Yale Law School graduates, and both successful in their legal careers, met at the Department of Education in 1981 when Thomas hired Hill to be his special assistant in the department’s Office of Civil Rights. Hill was later hired as Thomas’s assistant again after he took a job as chairman of the EEOC. Hill would later testify that Thomas had harassed her in both positions. Hill alleged that Thomas repeatedly asked her to go out with him and would talk to her about sex and pornography.22

Six years later, during his confirmation hearings, liberals criticized Thomas’s record as Chair of the EEOC, arguing that his approach to civil rights mirrored that of the Reagan administration, characterized by a lukewarm embrace of civil rights enforcement and opposition to
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affirmative action. But it was Anita Hill’s allegations against Thomas that garnered international attention and changed the public discussion of women’s experience of sexual harassment in the workplace. What is seared in people’s memory is the spectacle of a young professional Black woman testifying before an all-white, all-male judiciary committee, her outsider status on full display as she was asked a series of insensitive questions by 14 white men skeptical of her motives and wary of suggestions that what Clarence Thomas had said to her was anything more than typical workplace banter. And yet, her groundbreaking testimony struck a nerve among women whose experiences at work were reflected in Hill’s allegations.

The year after Hill’s testimony, complaints to the EEOC about sexual harassment increased by 50 percent and led to the “Year of the Woman,” in which a record number of women ran for Congress – much like in recent years when the “women’s march” in 2017, in the wake of Hillary Clinton’s stunning loss of the U.S. presidential election to an outwardly sexist and racist Donald J. Trump, led to more women running for political office and breaking the silence on sexual violence in the #MeToo movement. In 2018, Anita Hill’s treatment at the hands of the Senate Judiciary Committee served as a powerful memory during the confirmation hearing of the Supreme Court nominee Brett Kavanaugh, who faced sexual assault allegations by Professor Christine Blasey Ford. Like Thomas, Kavanaugh was ultimately confirmed. But because of the brave and bold actions of women like Mechelle Vinson and Anita Hill, sexual harassment is now understood as a common form of discrimination, and its prohibition is firmly established in civil rights law in the United States.

Conclusion

Sexual coercion has been an entrenched feature of Black women’s experience in the United States from chattel slavery to the present day. It was slavery that first defined the legal parameters of access to the bodies of Black women and girls. White supremacy in the form of Jim Crow and northern segregation continued slavery’s degradation of Black women and restructured legal impediments to full citizenship, rendering them unprotected against violence and sexual assault. Today, violence against Black women by private and state actors (police, teachers, health care workers, and social workers) remains routine.

From #SayHerName – ignited by Kimberlé Crenshaw – which remembers those Black women and girls murdered and abused by police, who are often forgotten in public discourse on police brutality (including sexual assault), to #MuteRKelly, in support of the Black survivors of R&B singer Robert Kelly (recently documented in dream hampton’s Surviving R. Kelly) and other perpetrators of intraracial sexual violence, Black women continue to sound the alarm despite their marginalization. Indeed, it was their experiences at the intersection of racism and sexism that ignited the civil rights movement and forced the issue of sex discrimination. Because of their efforts, not only do we have a legal definition of sexual harassment but Title VII in the Civil Rights Act has also extended to LGBTQ rights, as interpreted by the Supreme Court in 2020. Such occurrences have reinforced what the Combahee River Collective has stated, based on the sentiments of civil rights activist Fannie Lou Hamer (1917–77): “When black women are free, everyone else gets free.”

Black women as a group and as individuals continue to resist multiple forms of oppression. By bringing to light their mistreatment in the workplace, Vinson and Hill have made some of the most consequential changes to popular understandings and legal definitions of sexual harassment. Situated within a centuries-long history of sexual violence, their silence-breaking, advanced decades before #MeToo, continues to serve as a shining example of and impetus for the contemporary feminist movement.
Black women, sexual violence, and resistance

Notes

2 To understand the gendered nature of the Middle Passage, see Sowande’ M. Mustakeem, Slavery at Sea: Terror, Sex, and Sickness in the Passage (Chicago: University of Illinois Press, 2016), 82–3.
12 An Analysis of Sexual Harassment Charges filed by Working Women at PAGES 5–6.
13 Recent research suggests that the difference in the rates of EEOC filings “reflects the fact that black women are perceived as having relatively little power in workplaces, and are therefore viewed as being less likely to file a complaint.” https://onlinelibrary.wiley.com/doi/abs/10.1111/gwao.12394
16 Vinson v Taylor 23 FEP Cases at 42.
17 477 U.S. 57 (1986) at 64.
18 Ibid.
19 Gillian Thomas, Because of Sex: One Law, Ten Cases, and Fifty Years That Changed American Women’s Lives at Work (New York: Picador, 2017), 98.
20 Ibid.
21 Ibid.

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