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On Love and the Limits of Theory: A Commentary on Gayle Salamon's *The Life and Death of Latisha King: A Critical Phenomenology of Transphobia*

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Gayle Salamon's *The Life and Death of Latisha King: A Critical Phenomenology of Transphobia* (Salamon 2018) is a meaningful contribution to critical trans studies, a riveting phenomenological study of transphobia, and an innovative intervention into philosophical methodology. Salamon's phenomenological analysis of how Latisha King's existence was experienced by others during her life and afterlife reveals how transphobia mobilizes productions of phantom agency—or invented agents, intentions, and actions conjured within a narrative of experience in order to align with anti-trans reasoning used to make sense of the experience (Bierria 2014). Salamon's vivid descriptions carefully outline how the transphobic experience of another person's transgression of gender norms in the phenomenological realm—the spaciousness of a gown, the clicking of heels, the feel of a name in one's mouth—are leveraged not merely to misread or even willfully distort the intention of that person, but to actively *construct and project* an entire narrative of agentic intention onto her. Salamon argues that Latisha King's presumed sexuality was named by the court, the press, and the adults in her community as code to reference her gender nonconformity, a coding that both obscured the anti-trans hostility towards Latisha and enabled others to invent and attribute aggressive sexual intention onto Latisha. Salamon further describes how this phantom sexual aggression was used to rationalize the redirection of ethical responsibility onto Latisha for her own death, which of course set the stage for the re-invention of Latisha's killer's action from a hostile act of violence to an understandable act of self-defense: a remarkable reconstruction of

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the explanation of the momentum behind the actions and reactions that paved the road toward Latisha's death.

Salamon's argument is both persuasive and bracing. Her strategic use of phenomenological theory to explicate others' experiences of Latisha's being in the world was innovative and effective. Her close reading of court transcripts was particularly helpful in viscerally connecting readers to the key meaning-making sensory experiences that Salamon deconstructs. Her discussion also inspired me to view the documentary she often references, *Valentine Road*, which offers other dimensions of this series of events. Though a very different kind of project than Salamon's book—more documenting than deconstruction—the film features interviews that rattle, particularly when people in the community where Latisha King lived and died perform Salamon's thesis in a manner that was startlingly frank. But it was also this film and my own research that led me to more deeply interrogate two of Salamon's premises that she asserts early on: first, the notion that Latisha's race was rendered invisible in the context of the trial and second, relatedly, the dismissal of love as a key part of the political and phenomenological story of Latisha's life.

De-racialized or De-relationized?

Salamon frames the heart of her discussion as such, "So my readings of Latisha, and in particular the ways in which she was gendered and racialized, are readings of absence as well as presence, imaginings that try to animate what is occluded and its relationship to what is manifest" (23). In her discursive analysis of the trial (the trial of Brandon McInerney, the person who murdered Latisha King, but it seems clear that it was also, if not especially, Latisha herself who was on trial), Salamon navigates the complicated absence/presence of race in how others describe their experiences of Latisha, her sexuality, and her gendered expressions. Salamon notes that, in a pre-trial hearing to determine whether the fatal shooting constituted a hate crime, race was not determined as a relevant factor in Brandon's murder of Latisha. Thus, while the hate crime charge was premised on Latisha's sexuality, her "race was literally disallowed" in the explicit discourse of the trial itself. Salamon critiques this decision, noting that "This is a parsing that is legally possible but phenomenologically nonsensical: neither the experience nor the perception of gender can be divorced from race" (19). Indeed, this is the classic problem that Kimberlé Crenshaw used to develop her theory of intersectionality: anti-discrimination laws had been designed to only acknowledge one kind of identity-based bias at a time, rendering bias that is at once racist and sexist (or, in this case, racist, transphobic, and sexist), illegible to the law, making the complex experience of bias endured by those within those intersections formally unrecognizable and, therefore, impossible to repair (1989). I agree with Salamon's

assessment, but I found myself wishing that she had walked her readers through why it is that she thinks it is phenomenologically nonsensical to move forward as if gender and race can be disentangled, particularly in this case. It is left as a self-evident truth, and perhaps at this point it should be self-evident, but if race is part of the phenomenological story of transphobia for Latisha, then it would help to know more.

What Salamon does assert is that disallowing discussions of race re-made Latisha into a deracialized fragment in the context of the courtroom. While race was not allowed as a spoken presence, she suggests that it could be read as an absence, such as the use of "aggressive" as a descriptive for Latisha as code for others' racial anxiety. But this astute observation undermines her claim that Latisha was deracialized in courtroom discourse. In "African-American Women's History and the Metalanguage of Race," Evelyn Higginbotham compellingly argues that race imbues meaning into a "host of terms and expressions . . . that would otherwise fall outside the referential domains of race" (1992: 255). Based on Salamon's recounting, race appeared to operate as a metalanguage in courtroom text as meaning carried on the back of other words (or inferences) besides "black" and "race." The absence of the use of the words "black" or "race" does not de-racialize Latisha because those words do not *have* to be spoken to infer racial meaning—invoking "aggression" is enough. Salamon's recounting of the transphobic fiction of Latisha's sexual aggression also does significant racial work here, for sexual aggression is one of the most powerful paradigms within anti-black systems of logic (Davis 1983). Framing Latisha as de-racialized within the courtroom makes it harder to understand how her racialization influences the ways in which the trial—and what is said in the trial—is in fact deeply racist. For example, I was struck by the discussion of California's Proposition 21 in the documentary, a law that *required* children as young as 14 who are accused of certain crimes to be charged in the adult judicial system, and, if found guilty, those as young as 16 are imprisoned with adults. Though youth crime had dropped 30% in the previous decade before the law passed in 2000, advocacy for the proposition promoted racist constructions of young black and brown people to make a case that safety necessitated it, and the law has caused devastation to those communities ever since. In the film, after a clip of the prosecutor unsurprisingly defending Prop 21, we turn to Brandon's defense attorney who forcefully states that "a lot of people" thought the law would be used for "gang kids," not for someone like Brandon. The prosecutor and defense attorneys' unity in their apparent lack of concern for so-called "gang kids" who are subject to devastating punitivity under the statute flags the racism informing both sides of the courtroom, racism imposed onto Latisha throughout the trial. This racialized criminality that is integral to the structure of U.S. law is inseparable from the gendered criminality so intricately described by Salamon. So, while the

court's official decision to exclude explicit references to race in the trial might, in part, constitute a discursive absence, *unspoken* racialization is not *de*-racialization.

The integral relationship between racism and transphobia in Latisha's life might be clarified if we meaningfully reflected on her identity and experience as black. I argue that we cannot understand Latisha's identity as trans (broadly construed using Susan Stryker's definition, as Salamon does) or the phenomenology of transphobia without understanding Latisha's situatedness as black and thus, in this context, *alone*. We don't get much information about Latisha's family background from either Salamon's book or the documentary. According to a news article, Latisha's birth mother, like Brandon's mother, struggled with drug addiction. I learned that her birth father abandoned Latisha and her brother (Setoodeh 2008). I also learned that the people who adopted her and her brother were white. In the film, a guardian from the shelter where the state placed Latisha asserted that she was abused at her adoptive parents' home, and, in her close read of court testimony stifled by an objection, Salamon notes that the abuse was likely a punitive response to Latisha's gender identity (141). That abuse was reported to social services, but that office was unsuccessful in removing Latisha from the home. Latisha *was* removed, however, after probation stepped in and criminalized her for vandalism and "stealing" food from her adoptive parents' own refrigerator. The anti-black carceral state, of course, is largely organized to dis-recognize Latisha as a victim of violence; she is made primarily legible as a criminal. Probation detained Latisha at the juvenile justice center and a judge placed her in a shelter for "abused and neglected children."

These episodes demonstrate that Latisha was not de-racialized, but violently *de-relationized* through anti-black/anti-trans processes of abandonment, punitive abuse, criminalization, and stigma. Latisha was black, but it appears as if she was unsituated in her blackness as a *relational* identity through her loss of her black parent,[1] her separation from her black brother when she was removed from her second set of parents, and no apparent "black community" with whom she was connected that was visible to readers like me. I am less focused here on Latisha's own self-recognized identity as a black girl which, as Salamon notes, was an identity that she increasingly asserted towards the end of her life. My key concern is that no one appeared to *claim* her, a status which shapes how one's value is understood by others. It is not my intention to suggest that Latisha had no meaningful relationships; there appeared to be people—teachers, students, social workers, and, notably, Averi, a black girl classmate and a friend—who cared about Latisha's life, sense of self, and well-being. But to care and to claim are different. Care is attending to someone else's well-being, while claim is asserting a bond between oneself and another, a belongingness, a mutual responsibility between subjects based on connection. Claiming facilitates the terms of relational accountability (consider Alice Walker's reflection that, among the critiques of her character Albert, from *The Color*

Purple, who abuses others before an eventual transformation, she wondered why more critics did not ask, who are his people, or who can claim this individual so that there is collective responsibility to help repair the harm he has done? [Walker 1995]). Claiming creates visceral connection through situating one's relationship to others (consider the role of Emmet Till's mother, Mamie Till, whose painful, public practice of claiming her murdered son included her decision to keep his casket open because she wanted to "let the people see what they did to my boy"). But descriptions of Latisha never seem to quite situate her anywhere; her lack of kinship connection, her lack of community orientation, and her apparent lack of a group of people who could assert an active, loving bond with her all demonstrated a failure of others to claim and contextualize Latisha. This representation of Latisha as being socially *un*situated was established by racism and transphobia and, in turn, contributed to the racist/transphobic shift of culpability from the shooter to the one who was shot. Whiteness situates Brandon relationally and, though we learn in the film that his family has struggled with severe violence, we do, at least, meet his devastated family, including video of his abusive father who, though he does not survive to the end of the trial, we see in tears about the fate of his son. We meet Brandon's girlfriend who exchanges love letters with him while he is in prison and appears to have some sympathy towards his white supremacist views. I am not arguing that Brandon's connections are functional, just that they *exist* and, thus, are able to be represented and performed in front of the jurors. Brandon is *claimed* which helps others evaluating his actions bestow value onto his life, which helps protect him from criminal punishment. Meanwhile, Latisha's unsituatedness and aloneness facilitates rationalizations of her disposability.

In a reflection about her name, Salamon quotes Averi who suggests that Latisha experimented with black-girl sounding names that Averi perceived as sounding tough, like someone you would not mess with—criteria that, Salamon notes, matches the name she settled on: you don't mess with Latisha (22). But this characterization of Latisha's self-naming as a strategy to intimidate also has a shadow of alienation and disconnectedness. That is, it is both an anti-black and anti-trans consequence that someone named "Latisha" is imagined as tough and untouchable, and yet Latisha, the *individual*, appeared to deeply desire to be engaged.

Desire, Refusal, and Slippery Slopes

Which brings me to the second premise that I wrestled with. Salamon critiques the formulation of Latisha's story as a "love story with a bad ending" because it foregrounds Latisha's sexuality while obfuscating the politics of, and the transphobic responses to, her gender. That is, thinking about Latisha's story through the lens of love reinforces the conflation of sexuality and gender that Salamon aims to unmoor so that the story of transphobia is allowed to clearly emerge. I

agree with Salamon's powerful critique and, therefore, I am sympathetic to her analytical strategy to keep the focus on transphobia and the community's collective gender panic (Westbrook and Schilt 2014). However, I worry that completely sidelining the question of love and sexuality may be an over-correction that unintentionally marginalizes Latisha's experiences of her own life.

For example, though I am wary of contributing to the ongoing displacement of Latisha's own characterizations of her intentions, let us for a moment consider the possibility that Averi's account—that Latisha said something flirtatious to Brandon—is true. The possibility that Latisha endeavored to connect, to realize her desire to connect and be seen romantically and sexually through her speech act, seems meaningful to Salamon's analysis of her life and death insofar as intersubjectivity is a key point of phenomenological inquiry. Salamon writes, "the project of phenomenology is an elucidation of the ties between self and world" (Salamon 2018: 16). If I read her right, the main ties Salamon aims to elucidate are Brandon's and others' profoundly violent transphobia as it connects to their anxiety about Latisha as a black trans girl in their shared world, or a phenomenology of *transphobia* as she clearly states in the title of her book. However, it seems to me that the reverse of these ties—*Latisha's* ties with Brandon and the others—informs an analysis of racialized transphobia as well. Latisha, through her experience of simultaneous sexual discovery, profound social disconnection, and an understanding of the potential of violent consequences, may have made the remarkable choice to reach out to another person. I do not presume to know *why* she would have done this. Averi offers some insight, explaining that there was a Valentine's Day tradition at their school to tell the person on whom you had a crush about your feelings, which, she suggests, was the instigator for Latisha's engagement with Brandon. So, perhaps Latisha had genuine romantic/sexual feelings towards Brandon. Or maybe she just wanted to see what would happen, to reach through the social closure to connect. But an important feature of this scenario, I think, is that Latisha boldly breached the romantic/sexual social untouchableness that was projected onto her by racism/transphobia. This rebellious act, an act that could be read as her *refusal* of the naturalization of the isolation imposed onto her, may have been part of the story of the transphobic violence that ended her life. *Part* of the story—not the *cause* of it.

I make this point somewhat apprehensively because I see how it can be coopted, distorted, and folded into the view that Latisha brought her own murder onto herself, as several jurors in the trial casually assert in the documentary while bonding over wine. ("Latisha didn't get it," they say together, mutually affirming their truth to each other while drinking their Two Buck Chuck.) But this is the problem of the racial politics and, as Salamon shows, the gender politics of criminalized agency: there is no breathing room to consider the possibility that Latisha *did* flirt with Brandon without sliding into the inevitable stabilized nar-

rative that she caused her own murder. So, I can understand why we might want to avoid a discussion about Latisha's intent altogether and keep the focus solidly on Brandon and company so as to re-instate his/their responsibility for his/their violence. But, as I have argued, I do not think we can tell the phenomenological story about transphobia without exploring the politics of intimate connection and the scarcity of its availability from the point of view of Latisha. I am arguing that the withholding of the possibility of intimacy within other's experience of Latisha's expression of desire seems to be as much a part of the phenomenology of transphobia as the cultivation of resentment at the sound of Latisha's heels.

In multiple ways, Latisha asserted her right for people to see her and love her and claim her and desire her *as she was*, reflecting how her gender, her race, and her sexuality worked together to shape her being (and non-being) in the world. Not engaging the issue of sexuality contributes to not fully grappling with key elements of how transphobia is racialized in Latisha's story—the clearest tie between them, in my view, resting on Latisha's alone-ness. And, just as racism and transphobia can unfold as co-constituted forms of oppression, so can queerphobia and transphobia, particularly because of their intertwined relationship in the realm of intersubjective, intimate experience. Thus, while attempting to understand sexuality and gender phenomenologically in isolation of one another can be a temporarily productive bracketing strategy to make a specific point within a hostile discourse, which I think Salamon's work critically accomplishes, the question is, is this move sustainable long-term?

This conundrum emerges in other discussions in which theorists attempt to course correct modes of analysis that are pre-mobilized to victim-blame. For example, some feminist theorists have argued that the question, "why do some survivors of domestic violence remain in abusive relationships?" implicitly suggests that survivors are responsible for their own victimization and, therefore, the question should not be seriously engaged but instead met with an alternative question that refocuses the discussion on the person enacting violence, such as "why do abusive people remain abusive?" (Bierria 2010). To redirect the burden of interrogation and culpability away from the survivor, this move brackets the question about survivors' choice-making and, therefore, at least potentially, brackets their interior life and experience of the world as they navigate a context of violence and chaos. Though these brackets are strategic, and sometimes even *necessary*, this strategy to pivot a discourse away from transphobic, racist, and sexist premises can also limit the extent to which we allow ourselves to engage the subjectivities of survivors of violence. If Latisha has a right to her desire in our engagement with her story, can we create a methodology that allows enough analytical breathing room for us to engage the possibility of her desire without giving way to the anti-trans, anti-black slippery slope that enables the transference of culpability to Latisha for the violence that was done to her?

In closing, I want to highlight Salamon's critical intervention in philosophical methodological approach to a case study. The care and intentionality that she brings to her discussion of Latisha and others are rarely felt in other philosophical handlings of people's stories. In fact, we do not call stories case studies, we call them thought experiments, which obscures any ethical responsibility between the theorist and the theorized. In my experience, philosophers rarely engage the ethics of using people's lives and experiences as object lessons. Analytic philosophy tends to roughly handle human beings without reflecting on why it is that the most marginalized groups are rendered available for intellectual play without a robust sense of methodological responsibility towards them or their well-being. Salamon's work represents an important intervention in this disciplinary bad habit. Her thoughtfulness, choice of language, self-awareness, her practice of trying to integrate other voices when possible given the flow of her discussion, and her mindful presence at the trial are practices that are much too rare and deeply welcome. I hope that we can use this book and other work that engages in similar interventions as models when exploring ideas about people for whom the stakes are literal life and death.

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Note

1. Salamon notes that Latisha was biracial and identified as black (19).

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