
Dean Spade’s Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law systemizes the radical trans political movement and lays out a structure for successful mobilization for change. A complex quagmire of injustices perpetuated in current social programs, services, and legislation foreshadows the mobilization efforts described throughout the book. The continually helpless non-profit conglomerate remains idle in the fight to battle the growing crises of incarceration, criminalization, poverty, and tragedy, while those most affected by these crises grow more and more vulnerable.

Spade saves the majority of his vitriol for those who identify under the umbrella of “neoliberalism”; he claims that emphasis on free trade and privatization fueled the gaps that now exist in the LGBTQ movement, creating a rift between privileged and marginalized members of the community (pp. 49-65). As corporations move jobs overseas to take advantage of an “exploitable and unprotected” work force, severe domestic job losses destruct working class neighborhoods (pp. 52-54). Trade liberalization fuels loose controls on corporations and perpetuates modes of colonialism, while the media blames anyone—immigrants, gay people, women—but the government or corporations themselves (pp. 51-54).

Spade discusses flaws in the neoliberalism movement through a variety of contexts, including hate crime legislation and anti-discrimination laws, but the fight for marriage equality ideally demonstrates the dichotomous nature of the term equality (p. 29, 61-62). The fight for gay marriage in this country has been highly publicized as a win for the populace, but the fight for marriage equality has narrowed the LGBTQ movement’s already myopic political focus (pp. 28-34, 61). Conglomerate non-profits that look more like offshore banks are running the show; with heavy hitting donors pulling the strings backstage, these non-profits assure that any attempts at equal rights emerge through a siphon of marriage equality (pp. 52-53). The health care equality debate, for example, comes under the guise of providing “equal access to health care through a

If an individual does not fit into the appropriate category of race, gender, and class, they are excluded from coverage. The ideal poster child for marriage equality, as created by this narrowly driven movement, appears to be upper-middle class, looking to get married, and looking to appear for a guest spot on ABC’s Modern Family. For those who find the concept of marriage to be an ancient patriarchal rite, options to obtain the same benefits that married people traditionally receive are limited and often legally complicated.

The ability to receive the same bundle of rights that opposite sex partners receive through the formalization of their relationship can only be achieved through an exact replication of the heteronormative marriage paradigm. Too often, the gay and lesbian community will take heart-wrenching stories about a loved one being banned from seeing their dying partner in the hospital and turn them into exemplars of marriage inequality: they were not married, so they did not have rights. But the formalization of a relationship does not need to accord with hetero-archetype of marriage, according to LGBTQ legal expert Paula Ettelbrick. Ettelbrick originally worked with many of the major non-profits that she would be later be analytically critical of because she found their narrow focus on the fight for marriage problematic since it precluded the recognition of families that existed outside the scope of marriage. For example, co-jointing or domestic relationships are left out of the marriage club, without access to joint health care, family benefits, or tax breaks.

NON-DISCRIMINATION POLICIES AND HATE CRIME LEGISLATION: WHY THEY DO NOT WORK

Anti-Discrimination Legislation

The Employment Non-Discrimination Act did not, at the time of Normal Life’s publication, include language to prohibit discrimination based on sexual orientation and gender identity, and numerous states do not have protections for those who do not clearly fit into gender roles, even if there is some non-discrimination policy on the books. The fight for inclusive treatment continues, allowing only in-crowd anti-discrimination protection, which furthers

6. Id.
the isolation of those living on the fringes of society (p. 82). Equality Ohio, the only self-identifying statewide equality organization in my home state of Ohio, is currently at the apex of its push for both a state and federal bill adding sexual orientation and gender equality into anti-discrimination legislation. While anti-discrimination campaigns appear relatively harmless, they continue to separate those who “fit in” and those who do not. Campaigns like this enhance the feeling for outsiders that they will always be on the outside, and the legislative results from these campaigns enforce that premonition. Illegal immigrants and incarcerated, disabled, and poor members of the trans community are the most vulnerable outsiders, and have the fewest opportunities to be heard (p. 82). In practice, employers find reasons to terminate employees for being black, trans, gay, or poor, but will provide a different, “legal” reason in the termination letter. And those most vulnerable, Spade points out, are often left without any legal options (pp. 82-84).

When trying to file a successful discrimination claim, the bar to prove intent to discriminate is so high that many victims of discrimination are discouraged from even filing (pp. 81-82). In accordance with the ADA, a disability is defined as “a physical or mental impairment that substantially limits one or more major life activities of such individual.” In order for a plaintiff to establish a prima facie case of discrimination under the ADA, the plaintiff must establish the following elements: the employer is subject to the ADA; the employee is disabled within the meaning of the ADA or is perceived to be so by the employer; the employee is able to perform the essential functions of the job, with or without reasonable accommodation; the employer took an adverse employment action against the employee because of, in whole or in part, the employees protected disability. These prongs have evolved over decades of jurisprudence, such that the test continues to narrow the chances for a successful plaintiff in a federal discrimination action; this leaves even fewer opportunities for employees to sustain a victory, much less make it to court.

Members of the trans community consistently appear in the unprotected category of potential plaintiffs because protections like providing for gender-neutral bathrooms are so rarely included in company policies, let alone in state and federal legislation, and because trans plaintiffs have lost employment discrimination cases even in jurisdictions where discrimination based on gender identity is against the law (pp. 83-86). But the serious physical and mental health issues trans people experience when they do not have such crucial bathroom access are quantifiable and alarming. And gender identity claims under anti-

9. See, e.g., Kinneary v. City of New York, 601 F.3d 151, 155-56 (2d Cir. 2010).
discrimination laws for bathroom access often fail because the only issue courts see is one of biological sex. The highly contentious issue of bathroom access is merely one representative example of the problems facing the trans community in the workplace, and, too often, the fear of an anti-trans court decision that will affect higher court rulings in the future prevents litigation.

So why continue the tradition of creating legislation that purports to promote inclusiveness, but in fact only to exacerbates the rift between the in-crowd and the outsiders? Spade not only argues that anti-discrimination law isolates those most vulnerable, but also points out that our anti-discrimination laws treat the perpetrators of discrimination simply as bad apples, and not as examples of the institutionalized racism pervading this country (pp. 84-85). Through anti-discrimination laws, Americans rest on their equality laurels, relaxing due to their belief that discrimination has been “fixed,” but a piece of paper does not erase centuries of discrimination and disparities. And while the solid effect of these anti-discrimination laws is difficult to quantify, the emergence of claims based on “reverse racism” seem to demolish any chance of more substantive change in anti-discrimination efforts. Unfortunately, the continued used of anti-discrimination policies, which are pitched to the public as “solutions” for the have-nots, only isolate those who need assistance the most. Similarly, the evolution of hate crime statutes presents long-term challenges, but with more pejorative effects.

**Hate Crime Legislation**

According to the National Institute of Justice, forty-nine states have hate crime statutes. How can this be a bad thing? Take bad people who did bad things and put them in jail longer. The hate crime pathology finds its roots in trajectories like the War on Drugs and the War on Terror, which, since their introduction, have led to a rapid increase in incarcerated persons and a swell in anti-immigration reform, respectively. Discrimination against immigrants resulting from the War on Terror, combined with laws like the ADA, which specifically call out those identified as drug users and exclude them from protection under the law, has lead to massive increases in convictions and legalized discrimination (p. 57). Confinement of those convicted of a crime involving drugs “increased 975 percent between 1982 and 1996” (p. 57). These xenophobic, racist, and classist reforms allow hate crime legislation to prevail by perpetuating bigoted archetypes that further damage those most marginalized

11. *Id.*
Since the murder of Matthew Shepard, the country, including both the LGBTQ community and its allies, has become more aware of the effect that intent has in determining the sentence of a defendant. But these popular sentence enhancements, while making us feel safer in bed at night knowing the big, bad bigots are “off the streets,” do nothing to shelter those they claim to protect. The well-intentioned but myopic force behind hate crime legislation is simple: deter hate crimes by lengthening sentences. But Spade points out many flaws, including the most obvious: if you are going to commit a hate crime, you don’t Google the possible sentence enhancement (or check a law book) before doing it (p. 87). Moreover, each sentence enhancement perpetuates the growth of the prison industrial complex and continues the cycle of racism and violence within the prison system. “Imprisonment in the United States has quadrupled since the 1980’s” (p. 88). Couple that with the fact that one in every nine black men between the ages of 20 and 34 is imprisoned. These alarming statistics show that hate crime legislation is taking those convicted of hate crimes out of the non-incarcerated population, and putting them in an environment with more access to victims. According to the Prison Rape Elimination Act, which was passed in 2003 and implemented in 2012, placement for transgender and intersex inmates is analyzed on a case-by-case basis. However, this often leaves the most targeted prisoners in the general population for extended periods of time and makes them more vulnerable to assault. Transgender inmates are 13 times more likely to be sexually assaulted. But assaults are not the only issues these inmates face, medical treatment relating to violence is also skewed in favor of those who are less marginalized: in more than half of the cases of assault on transgender inmates, medical attention is not provided when needed.


Transgender women in male prisons are 13 times more likely to be victims of abuse, and LGBTQ inmates are often targets when imprisoned. By taking the racists, homophobes, or xenophobes and putting them in an environment where the power dynamic leaves potential victims without anyone to go to for help, we are combatting hate crimes by creating more opportunities for hate crimes. With the extremely high general awareness of hate crime sentence enhancement, this utilitarian approach may deter some from perpetrating hate crimes. However, attempting to construe hate crime legislation and lengthier incapacitation as a vehicle for deterring those imprisoned for these crimes is not only short-sighted, but also puts those marginalized communities engulfed by the prison industrial complex at even greater risk of abuse.

Spade acknowledges some of the positive aspects of hate crime legislation, including more media awareness about trans lives, and perhaps a slight mitigation of the incredible devaluing of human life that those in the trans community often experience from local police and the media after being a victim of a heinous crime (p. 81). Hate crime proponents also cite the possible shift in law enforcement attitude that can be encouraged by passing hate crime legislation: police will see trans lives as more meaningful if greater punitive weight is put on crimes targeting trans people (pp. 80-81). But substantive proof that hate crime legislation helps to change law enforcement attitudes cannot be quantified; changes that need to happen to shift public perception cannot be mandated by a legislature.

On April 17, 2013 in Cleveland, Ohio, the body of a transwoman was discovered in a pond in a city park—she had been stabbed multiple times and her body was weighed down with a chunk of cement and a brick. Through degrading and insensitive reporting, the police and media brutalized the memory of Cemia Acoff when they referred to her in print as being “oddly dressed” and refused to use the appropriate gender pronouns; local news used the wrong pronouns and the wrong name consistently. With hate crime legislation on the books in forty-nine states, did a piece of paper change how the media and police referred to Ms. Acoff? No. A fundamental ideological shift must occur to enact this sort of change, and Spade sees this shift as coming from the bottom-up.

20. See generally TRANSGENDER EQUALITY, supra note 17.
LIFE CHANCES: WHAT’S SO GREAT ABOUT THE IN-CROWD?

By analyzing power dynamics, Spade gives insight into which societal shifts will produce serious change for those who need it most (pp. 101-05). While Spade discusses multiple theories of societal power dynamics, his pervading goal appears to be a need-based mobilization of those most affected by the cultural and societal oppression that has unfortunately become commonplace.

For a description of societal disciplinary power, Spade borrows the constantly evolving theory of sexual identity from French philosopher and social theorist Michel Foucault.23 The theory Spade utilizes implies that through cultural norms, people see each other differently, and therefore relate to their own sexuality in a different way (p. 105). Spade applies this theory of sexuality to power dynamics and cultural disciplinary norms (pp. 105-07). Through the manipulation of these norms, society, in effect, controls itself through a self-guiding approach that focuses on either societal shaming or approving (pp. 106-07). The status quo is defined by the media, social movements, and administrative agencies, and generally perpetuates white, Christian, heterosexual norms (p. 108). But this Foucault-based theory ultimately falls short; Spade acknowledges that one piece of legislation will not alter norms put in place through centuries of enforcement and enhancement, and change will not be accomplished simply through the work of rich, white lawyers or bankrolled non-profits (p. 108).

The most potentially effective model of power dynamics incorporates the population-management power module. Spade takes the distribution of wealth dynamic and applies it to the distribution of life chances (pp. 110-11). Together, legislation and administrative agencies control not only how we live our lives, but the quality and length of our lives as well (p. 139). While many programs like Social Security, welfare, and immigration reform are marketed as providing a necessary service to society, these systems amplify the already substantial schism between the haves and have-nots (pp. 141-142). For example, through something as basic as having to fill in “M” or “F” on a form, one person’s entire world and feeling of self worth could be decimated (pp. 144-146). The visceral powerlessness felt by someone who cannot even fill out a form to access services because their identity doesn’t fit in a box effectuates a dangerous paradigm. Through these administrations, outsiders are identified as those who cannot “check a box,” while information is gathered about the insiders, including their needs, wants, and motives (p. 142). This data collection identifies outsiders and gives organizations information on how to continue to make steps towards eliminating these outsiders from society, whether through criminalization, imprisonment, or abandonment (p. 142). The most poignant and

transparent example of this is administrative control over identification documents.

The myriad policies concerning gender identification vary radically state by state. Some states allow a person to change the gender on their identification documents if that person provides evidence of surgery and a doctor’s letter; other states just require evidence of the surgery; other states are even more antiquated, requiring evidence that every possible surgery has been completed before documents can successfully be changed to the correct self-identifying gender (p. 145). “According to a 2009 study, 80 percent of transgender women and 98 percent of transgender men have not undergone genital surgery (p. 145).” The vast dichotomy between the number of people who undergo surgery and the bright line requirements for those seeking gender identity validation from local and state agencies makes many ID changes nearly impossible, if not totally unrealistic (pp. 144-46). When questions on the first day at a new job could lead to an uncomfortable discussion about one’s valid ID, which could lead to an immediate termination of employment, the motivation of many trans people to seek on-the-books employment evaporates (pp. 143-46). The blatant discrimination experienced by those in the trans community in these moments is not covered under our country’s supposed all-inclusive anti-discrimination legislation.

The challenges that trans and queer people experience due to lack of identification documents surface in every aspect of life, from trying to land a job to trying to get a bed in a homeless shelter (pp. 146-147). Many homeless shelters use an intake process that requires an individual seeking a bed to identify their gender. If gender is not binary for an individual—meaning that the individual does not identify exclusively as male or female—where does a homeless shelter put them? Not all shelters can accommodate the trans homeless population, and unfortunately, too often, trans women are placed in all-male shelters (p. 147). This leads not only to certain sexual harassment, but also to the high probability of assault (p. 147). In our sex-segregated society, everything from health care to a driver’s license, and everything in between, is so highly scrutinized along binary gender lines that for those who don’t fit those categories, the results are deadly (p. 150).

So what is the solution? There isn’t just one according to Spade. As he starts to outline possible alternatives, the waters become more than murky—they become downright opaque (pp. 155-60). Spade recommends a shift away from focusing on archetypal law reform exclusively (referencing the push for marriage equality), and encourages a shift toward needs-based assessment of conditions for those most vulnerable to cracks in the system (p. 155). By focusing on issues of incarceration, police relations, and violence within the prison industrial complex, rather than anti-discrimination and hate crime legislation, Spade hopes

24. See also Dean Spade, Documenting Gender, 59 Hastings L.J. 731 (2008) (describing documentation policies and requirements for each state).
to more effectively address the real needs of those suffering the most (pp. 155-57). Administrative reform is not far behind. Spade’s push for identification reform can be seen through his organization the Sylvia Rivera Law Project (SRLP). SRLP has worked tirelessly in areas like New York to combat classist, racist, and xenophobic policy through education and community participation (pp. 158-59). Resistance to such efforts within the LGBTQ community will continue; Queer and Trans folks will continually be left out of rights advancements for Lesbian, Gay, and Bisexual people. The efforts for formal inclusion that Spade discusses later in the book perpetuate an arc of exclusion that ground efforts may have difficulty combatting (pp. 161-66).

MORE NON-PROFITS, MORE PROBLEMS

Spade’s most effective political criticism addresses the challenges facing non-profit organizations. Before discussing their shortcomings, we must discuss the puzzling structure of non-profits and how they became so crucial to the mainstream LGBTQ movement. Spade discusses the theorization of potential steps non-profits could take to negate some of their missteps in the past (pp. 174-77). His mobilization model, while in theory extremely convincing, demonstrates how mobilizing the most vulnerable need-based groups in society can prove to be microcosmic and pragmatically unrealistic (pp. 212-15).

With its shift toward short timelines, narrow agendas, and philanthropic motives, the non-profit model aims to fill in the holes left by shortcomings in social services provided by the government. However, this model is not just unfocused, it is totally off base (pp. 59-60). Non-profits, while originally created with good intentions, allow a few wealthy donors to fuel the agenda of one or more bloated board of directors (pp. 177-78). From the number of organizations created, to the bankrolls they sustain, many of these organizations operate like corporations, shifting away from grassroots activism and education to focus on issues like hate crime legislation, anti-discrimination work, and the fight to legalize same-sex marriage. 25

Spade points out the irony that by fighting for marriage equality, the LGBTQ community is actively alienating members of the community that identify as queer or trans (p. 61). But why is this a bad thing? Shouldn’t a step in the right direction be positive for all involved? Unfortunately, no. By continuing to isolate already vulnerable members of society through its own legal and financial agenda, some LGBTQ non-profits fuel the systemic problems that so many “bottom-up” organizations are trying to combat. For example, instead of

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fighting anti-immigration policy, in an attempt to lower aggressive racial profiling policies that target everyone in the community, non-profits push for gay marriage so that a non-citizen spouse can gain citizenship (pp. 61-66). Instead of creating more effective hospital visitation regulations that include a variety of family structures, non-profits claim that same-sex marriage will solve this problem. But ultimately the quick fix of marriage equality cannot meet the demand for equality from those who are most marginalized and oppressed, and for whom marriage is not a choice or option (p. 62).

But not everyone sees the gay and lesbian agenda as shifting away from the needs of the LGBTQ community. Some non-profits are doing good work that challenges the “rich white gay” stereotype that now plagues many non-profits’ reputations. However, while some good work is being done, too often the non-profit complex bulldozes individuals in the name of equality. One of the most blatant examples of this is the story of Tyrone Garner. Garner was the other plaintiff in a case that many in the non-profit community say defined the gay rights movement for the twenty-first century, *Lawrence v. Texas*. Hailed as a huge victory for equal rights, in *Lawrence* the Supreme Court upheld the right to privacy of two adults engaged in consensual, same-sex intimacy in the privacy of their own home. In a book review of Dale Carpenter’s *Flagrant Conduct: The Story of Lawrence v. Texas*, Marc Spindelman, a professor of law at The Ohio State University’s Moritz College of Law, reveals a troubling scenario concerning Garner’s treatment after the historic legal win that set LGBTQ rights on the appropriate jurisprudential trajectory towards marriage equality.

Garner, a transient, poor man, returned penniless to Texas after a failed attempt to work as a spokesperson for the LGBTQ community. He remained impoverished until his death in 2006, just three years after the *Lawrence* ruling. The humble obituary in the *New York Times* was the only public recognition Garner received upon his death; there was no memorial service. Garner’s family reached out to LAMBDA Legal Executive Director Kevin Catheart and asked him to raise money through LAMBDA because they could not afford to process the body or pay for a funeral. Garner’s remains were held in the morgue for weeks waiting for funds. Within a few weeks only $200 dollars was raised, and so the family had no choice by to release Garner’s remains to the county for cremation at no cost; his remains were returned to the family in a

28. *Id.* at 578-79.
32. *Id.*
plastic bag.\textsuperscript{33} The tragedy of Garner’s death and its aftermath is made all the more glaring by the fact that in 2012, Kevin Cathcart was reported to have made over $280,000 dollars, and LAMBDA’s annual contributions topped over 16 million dollars.\textsuperscript{34} In addition, LAMBDA continues to use an iconic image of Garner on the steps of the Supreme Court in the “History” section of its website.\textsuperscript{35} LAMBDA, like so many organizations fighting for “equality,” left Garner totally isolated while simultaneously promoting his image for their benefit. Within the elite space of the non-profit machine, the poor and underrepresented—all those who cannot speak up for themselves—are often isolated, used, and discarded.

So what is “bottom-up” mobilization? The top-down approach employed by many non-profits leads to a system with too many lawyers and too little groundwork. As social structures in poor communities are devastated by social services cuts, immigration enforcement, and discriminative incarceration, poor communities have to rely more and more on corporations and foundations for support (pp. 172-173). Non-profits have shifted their focus from political-based resistance toward charity work, but the immediacy of the issues facing these poor communities is significantly downgraded (p. 175). The effects of the maldistribution of support services are furthered as the structure of colonialism that is perpetuated through the non-profit charity model (pp. 63-64). Furthermore, the immense catering to donors that has to be done by staff in non-profits eliminates the possibility of using funds for anything but the narrow goals set forth by the board. If a new need emerges, one that an organization was not previously aware of, the steps to mobilize an effort to respond are bogged down by institutional pressures, and too often, as a result, the need is not addressed (pp. 177-178).

The fiscal breakdown of many of these major organizations sheds light on the severe inequalities that non-profits continue to enable through their funding. Policy analyst Christine Ahn compiled non-profit data in 2002 and found that less than 3 percent of funding went to serve African Americans and Latina/os, and less than .1 percent went to serve gays and lesbians (p. 179); most of the funds acquired went to universities, hospitals, research, and the arts (p. 179).\textsuperscript{36} These numbers are even more dismal when considering the tax breaks donors receive by funneling their money through organizations or foundations that may even bear their own name. The in-crowd (wealthy donors, board members, etc.)

\begin{itemize}
  \item \textsuperscript{33} Id.
  \item \textsuperscript{34} Lambda Legal, \textsc{Charity Navigator}, http://www.charitynavigator.org/index.cfm?bay=search.summary&orgid=5162 (last visited Jan. 7, 2014).
  \item \textsuperscript{36} Citing Christine E. Ahn, \textit{Democratizing American Philanthropy}, in \textsc{The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex} 63-76 (INCITE! Women of Color Against Violence ed., 2007).
\end{itemize}
continues to save, while the outcasts stand by for assistance that will never arrive.

Spade breaks down the mobilization model through the “Four Pillars of Social Justice Infrastructure,” a series of steps developed by the Miami Workers Center, a South Florida action center focused on the mobilization of low-income communities of color through leadership development and needs-based action. The Four Pillars—policy, consciousness, service, and power—lay out a process of mobilization that involves focusing not on standard legislative and institutional shifts, but instead on shifts in media advocacy, public education, critical services for those who need them most, and development of community leadership (pp. 180-81). These concepts, when incorporated into standing non-profits, may help shift the helplessness so many non-profits experience and may help transform them into more effective organizations (pp. 182-88). Spade emphasizes that the “quick fix” method for serving the community is not enough, but through providing need-based assistance, an organization can help mobilize a community to be able to participate in change (p. 162). Community members who are focused on survival needs will not have the time to get politically involved, so by providing more direct survival services, individuals can take steps to become more involved in the process of healing and helping their own community.

Spade is often critical of involving too many lawyers in the mobilization process, but he does describe specific roles the legal community may play in restructuring non-profits. Besides providing legal services to those in the community that are most vulnerable, Spade encourages attorneys to take a step back from always making decisions and to allow less conventional methods of problem solving to take a front seat, especially when dealing with challenges that are often not addressed in law books (p. 186). Spade’s most important plea, is to encourage mass mobilization of issues by promoting public education and using policy reform as a campaign platform (p. 186). By taking a law or policy reform issue and putting it in front of the public through the lens of a political campaign, communities can work together through the political process to provide assistance to movements and increase public awareness about issues (p. 187). This bottom-up process will not only increase community education and involvement, but will also build leaders from within the communities where change is most needed (pp. 190-91).

While the Four Pillar model is extremely inclusive, does it work in real life on a large scale? Can a non-profit utilize these structural tools and, in a sense, revitalize and shift its focus? The short answer: probably not. While Spade’s list

38. Spade discusses the Education for Liberation Project (ELP) as an effective model of this process. ELP is a community leadership program that teaches young potential leaders community organizing skills and campaign knowledge to encourage these young leaders to stay in their communities and effectively work for change.
of organizations using bottom-up mobilization started with this model in mind, for most large non-profits out there, restructuring is a losing battle. The large and boisterous dinosaurs of the non-profit era will continue to be fed by rich donors who would prefer going to house parties instead of protests. The fight for marriage equality still wags politely in the states, with non-profits scrambling to attach their names to perfect plaintiffs in hopes of bringing constitutional claims that will get their names on the front page of the local paper. Challenges facing the trans community, including transformative issues related to prisons, police, inclusive health-care reform, and education, so often cannot be addressed effectively in a court, in a board meeting, or at a fancy fundraiser. For these challenges, Spade instead finds the baseline of solutions to be rooted in education and communication (pp. 193-97).

In applying the Four Pillars method in the context of local organizing, Spade describes an organization concerned with the criminalization and incarceration of the trans community that developed a substantial following by simply having weekly meetings (p. 213). These meetings were open to anyone who wanted to discuss their experiences within the prison industrial complex and the perpetual issues faced by those who had been incarcerated, issues like addiction, homelessness, and continued criminalization (p. 213-214). These weekly meetings eventually materialized into a two-day conference entitled “Transforming Justice,” where trans prisoners had the opportunity to share their stories with other members of the community that had been imprisoned or afflicted. Spade describes the conference as strictly invite-only—the organizations involved specifically invited people of color, formerly imprisoned people, and trans community members (p. 214). Highly educated white people were not on the guest list; they were purposely left off to enable former prisoners and trans people to feel comfortable sharing their stories and talking freely about their experiences (pp. 214-15). The result of the two-day conference was a list of bullet points acknowledging the continual human rights violations suffered by those who are trans and gender non-conforming, as well as a renewed commitment to ending the human rights crises faced by trans and gender non-conforming persons within the prison system and other communities (p. 215). While the description of this conference was powerful, my biggest disappointment in reading about it is that those who needed to hear about these issues most were not invited to attend the event. By isolating those with money, power, and privilege, the two-way communication Spade encourages cannot happen. And while inviting intellectuals, scholars, and the wealthy to stop in and listen to the “outsiders” is not the solution to the problem, neither is leaving out those who can use their power and privilege to enable change. Those who have the most power to enable change will never truly understand the daunting list of issues and problems facing marginalized communities throughout America unless communication between the “outsiders” and the “insiders” is encouraged.
WHERE DO WE GO FROM HERE?

Spade ends his book with a compelling list of organizations that are focusing on queer, trans, and bottom-up mobilization in various ways, from prison letter-writing campaigns to public education efforts. These organizations are not beholden to pressure from wealthy donors, and they have the ability to enable local leaders to exclusively focus on grassroots organizing and campaigning (p. 220). Organizations like Black and Pink in Boston represent the true meaning of what mobilization should look like.\(^\text{39}\) Black and Pink is an organization that focuses on the abolition of the prison industrial complex through open communication with and connection between those currently incarcerated and those not currently incarcerated. Their programs range from opportunities to write to queer and trans prisoners who are in solitary confinement due to lack of appropriate and safe housing, to a series of workshops that educate people on challenges faced within the prison industrial complex and resources for prisoner abuse.\(^\text{40}\) While this organization is just one example, many organizations Spade lists provide similarly varied services to help tackle systemic issues plaguing the trans and queer communities both inside and outside of prison walls (p. 221). Black and Pink’s commitment to maintain leadership within the organization that is made up of both current prisoners and non-prisoners enables a cultivation of knowledge that can only be gleaned through honest and open communication.

Ideally, other organizations like Black and Pink will continue to pop up as more and more of those who thought they were in the “in-crowd” of the right movement, discover that they are, in fact, not protected under the exclusive umbrella promulgated by the mainstream non-profit community as equality. And hopefully these organizations will receive more funding to make further transformative changes in the future. Spade’s detailed projections of potential models will be there for these green organizations as they grasp at new structures, and focus more on real needs and less on fancy dinners.\(^\text{41}\) But as a community, we must be careful not to allow the pendulum to swing too far in one direction. We must not make the same mistake so many non-profits have made by excluding one group from the discussion. For real progress to be made, communication must be open: insiders with power, privilege, and money, must talk to those who are excluded from the mainstream rights movement. Maybe then some balance will be achieved, and real change accomplished.

Brooke Cartus


40. Id.