

# Near Life, Queer Death

*Overkill and Ontological Capture*

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**Eric Stanley**

What if it feels good to kill or mutilate homos?

—Anonymous, restroom wall, University of California,  
Santa Cruz, ca. 2006–2008

A feeling of inferiority? No, a feeling of nonexistence.

—Frantz Fanon, *Black Skin, White Masks*

“Dirty faggot!” Or simply, “Look, a Gay!”

These words launch a bottle from a passing car window, the target my awaiting body. In other moments they articulate the sterilizing glares and violent fantasies that desire, and threaten to enact, my corporal undoing. Besieged, I feel in the fleshiness of the everyday like a kind of near life or a death-in-waiting. Catastrophically, this imminent threat constitutes for the queer that which is the sign of vitality itself. What then becomes of the possibility of queer *life*, if queerness is produced always and only through the negativity of forced death and at the threshold of obliteration? Or as Achille Mbembe has provocatively asked, in the making of a kind of corporality that is constituted in the social as empty of meaning beyond the anonymity of bone, “But what does it mean to do violence to what is nothing?”<sup>1</sup>

In another time and place, “‘Dirty nigger!’ Or simply, ‘Look, a Negro!’” (“Sale nègre! ou simplement: Tiens, un nègre!”) opened Frantz Fanon’s chapter 5 of *Black Skin, White Masks*, “The Lived Experience of the Black” (“L’expérience vécue du Noir”), infamously mistranslated as “The Fact of Blackness.”<sup>2</sup> I start with “Dirty faggot!” against a logic of

flattened substitution and toward a political commitment to non-mimetic friction. After all, the racialized phenomenology of blackness under colonization that Fanon illustrates may be productive to read against and with a continuum of antiqueer violence in the United States. The scopic and the work of the visual must figure with such a reading of race, gender, and sexuality. It is argued, and rightfully so, that the instability of queerness obscures it from the epidermalization that anchors (most) bodies of color in the fields of the visual. When thinking about the difference between anti-Semitism and racism, which for Fanon was a question of the visibility of oppression, he similarly suggests, “the Jew can be unknown in his Jewishness.”<sup>3</sup> Here it may be useful to reread Fanon through an understanding of passing and the visual that reminds us that Jews can sometimes not be unknown in their Jewishness. Similarly I ask why antiqueer violence, more often than not, is *correctly* levied against queers. In other words, the productive discourse that wishes to suggest that queer bodies are *no different* might miss moments of signification where queer bodies do in fact signify differently. This is not to suggest that there is an always locatable, transhistorical queer body, but the fiercely flexible semiotics of queerness might help us build a way of knowing antiqueer violence that can provisionally withstand the weight of generality.<sup>4</sup>

Indeed, not all who might identify under the name *queer* experience the same relationship to violence. For sure, the overwhelming numbers of trans/queer people who are murdered in the United States are of color.<sup>5</sup> Similarly, trans/gender nonconforming people, people living with HIV/AIDS and/or other ability issues, undocumented and imprisoned trans/queer people, sex workers, and working-class queers, among others, experience a disproportionate amount of structural violence. In turn, this structural violence more often than not predisposes them to a greater amount of interpersonal violence. Yet many lesbian, gay, bisexual, and transgender (LGBT) folks in the United States who have access to normative power may in their daily lives *know* very little about either structural or personal violence. The long history and magnified present of gay assimilation illustrates these varying degrees of possibility and power available to some at the expense of others. In contrast, I am marking *queer* as the horizon where identity crumbles and vitality is worked otherwise. To this end, *queer* might be a productive placeholder to name a nonidentity where force is made to live. This is not to suggest that the negativity of *queer* and methodologies of violence define the end of queer worlding or that the parameters of opposition are sedimented as such.<sup>6</sup> On the contrary, the very fact that queers do endure is evidence, as Fred Moten has beautifully argued about the history of blackness in relation to slavery, that “objects can and do resist.”<sup>7</sup>

I start here, in reference to Fanon’s text, because he continues to offer us among the most compelling analyses of structural abjection, (non)rec-

ognition, and psychic/corporal violence. “Look, a Negro!” violently freezes Fanon in a timeless place as a black object, overdetermined from without, as a signifier with no meaning of its own making. In a similar way, the “dirty faggot” of my opening places queerness in the anonymity of history and shocks it into the embodied practice of feeling queer in a particular place, body, and time. This meditation will attempt to understand how the queer approximates the cutting violence that marks the edges of subjectivity itself. Race and gender figure the contours of my thinking on the work of violence in the gathering up of queer remains. Here the force of violence that interests me is not introduced after the formation of something that might be called queer. I am using the term *queer* to precisely index the collision of *difference* and violence. In other words, *queer* is being summoned to labor as the moment when bodies, non-normative sexuality/genders, and force materialize the im/possibility of subjectivity. Against an identity that assumes a prior unity, queer disrupts this coherence and also might function as a collective of negativity, void of a subject but named as object, retroactively visible through the hope of a radical politics to come.

### **Found and Lost**

“There is a crime scene somewhere, we just haven’t found it yet,”<sup>8</sup> stated a New York City police officer about the now-cold case of Rashawn Brazell. Brazell, a nineteen-year-old black gay man, *went missing* the morning of 15 February 2005 from the Brooklyn apartment he shared with his mother. Witnesses reportedly saw Brazell leave early in the morning with an unknown man who rang his doorbell and met him outside. Two days later, around 3:00 a.m. on 17 February, New York Transit Workers found two “suspicious” bags alongside the tracks at the Nostrand Avenue station in Brooklyn. Upon closer inspection of a black garbage bag, which was lined with another blue garbage bag, they discovered two legs and the arm of a then-unidentified black male. A week later, on 23 February, workers at the Humboldt Street recycling plant in New York made another discovery of body parts in an identical blue bag stuffed inside a black bag. Among these remains was a fingerprintable hand, which confirmed the body parts to be those of the missing Brazell. An assortment of bones and flesh—part of a torso, hand, leg, and pelvis—filled the bags. According to the autopsy and coroner’s report, Brazell was “kept alive” for two days before he was surgically dismembered. The report also suggests that the murderer had a “working knowledge of human anatomy” as all the cuts were “clean” and on the joints. Moreover, the cuts were all first traced with a sharp object, probably a knife, using precision and care, before the heavier work of cutting through bones was performed. The assorted cuts and stab marks on the torso suggest, according to the report, that there

was probably a struggle before death. However, the actual cause of death is still undetermined, as Brazell's head is still missing.

The never-found knife that traced Brazell's body into pieces is but one of the artifacts that assemble the afterlives of this murder. The original offense, the mutilation, torture, and disarticulation of Brazell, is made to repeat, to reiterate, its trauma and terror as a grammatical constellation of the long histories and cultural narratives that equate the act of black queer sex, and queers more broadly, with the work of death. The reiteration of the murder serves as monument to what *must* become of young, black queers who have anonymous sex with other men. Brazell's actual murder, along with the logic that argues that his death was of his own making, traces the inescapable circle that carved not only his body, but also his history. How then might we read the specificity that ended the life of Brazell dialectically with the cultural violence that rewrites his death as an inevitable end?

The case of Rashawn Brazell is, in many horrific ways, nothing out of the ordinary. From the gruesome murder itself, the ritualistic dismembering of the corpse, and the aftermath of silence punctuated by sensationalistic pulses, Brazell, like the overwhelming majority of murdered trans and queer people in the United States, remains in the swimming generality of cold cases, murders never solved, killers never really feared, and body parts never found. The true terror of Brazell's experience is felt once we begin to read this case as so chillingly common. This typicality places Brazell in a mass grave of tangled bones, a queer burial of unmarked pain.

Case after case of mutilated queers in various states of decomposition builds my archive. A random name in a news report of a murdered trans woman leads to another story of inassimilable harm. In 2000, not all that far from Brazell's house, in Queens, New York, a large green plastic tub was found with a foot, crushed bones, and a human skull with "gay nigger #1"<sup>9</sup> written in marker with an accompanying Social Security number. The skull belonged to nineteen-year-old Steen Keith Fenrich. Fenrich's stepfather later confessed to killing his stepson and trying to frame Steen's boyfriend because he was gay. Another question found me at the murder of "A. Fitzgerald Walker,"<sup>10</sup> a black transwoman living in Fayetteville, Arkansas. According to testimony two men outside a gay bar picked up Walker, then all three went back to her apartment. One of the men, Yitzak Marta, later stated that once in her apartment they *discovered* that she was a "man" and so they left. Neighbors became suspicious because the tires on Walker's car had been slashed. Three days later the police entered her apartment to find her lifeless body and "KKK" in two-foot high letters written in her blood.

I rehearse these other cases in hopes of capturing momentarily the unconfineable, the affective weight, the terror, and the pain of queer life, a composition sketched from missing body parts that few ever really miss.

The question, then, of signifying the dead, of rewriting violence and of representation itself must be raised. Writing death tends to reproduce a pornography of violence through which the fleshiness of those we are in conversation with, their material lives, and the politics of their ends are decomposed into tropes of speculative pain and sensational disappearance. As impossible necessity I stage my etho-methodological query along with that of Moten in thinking about how one might inhabit a space of representation so overdetermined: “Is there a way to subject this unavoidable model of subjection to a radical breakdown?”<sup>11</sup> Can there be a radical breakdown that re-members a queer corporality that may have never been? Brazell’s mother seizes us with a similar plea: “I want who did this off the street, and I want the rest of my child.”<sup>12</sup>

### **Cold Calculations**

Can one find what was not ever there—the missing head of a black queer or the identity of an unnamed transwoman whose body is never claimed? How do we measure the pain of burying generations of those we love or even those we never knew? Brazell’s bloody end asks these questions through its calculus of trauma. This kind of loss orders a precarious organization, a kind of trace of that which was never there, a death that places into jeopardy the category of life itself.

The numbers, degrees, locations, kinds, types, and frequency of attacks, the statistical evidence that is meant to prove that a violation really happened, are the legitimizing measures that dictate the ways we are mandated to understand harm. However, statistics as an epistemological project may be another way in which the enormity of antiques is disappeared. Thinking only, or primarily, statistically about antiques violence is both a theoretical and a material trap. Although statistical evidence is important to make strong knowledge claims about the severity of violence, “statistics” seem to have a way of ensuring that the head of Brazell is never found. Ironically, because his head has yet to be recovered, the “actual” cause of death cannot be officially determined. Furthermore, this indeterminate cause of death bars Brazell from being entered into hate crimes statistics. Not yet dead, Brazell has never been counted as a casualty of “hate violence.”<sup>13</sup>

Currently the FBI, through the Criminal Justice Information Services (CJIS) Division, collects the only national data on “hate violence.” These data on hate violence (or hate crimes, as they are more commonly called) contain categories for religious, racial, and disability “bias” and antihomosexual (male and female), antibisexual, and antiheterosexual incidents (in the 2008 statistics, 2 percent of reported hate crimes were antiheterosexual incidents, while 1.6 percent were antibisexual).<sup>14</sup> This

hate violence reporting is optional for local jurisdictions; the FBI collects no statistics on trans/gender variant incidents; and the 2008 statistics report that only ten “victims” experienced “multi-bias” incidents. The 2008 report also counted only 1,706 incidents based on “sexual orientation,” which comprised infractions ranging from vandalism to murder. It would seem misguided at best to suggest that the number 1,706 can really tell us anything about the work of antiqueer violence. Reported attacks on “out” queer folks, such as these data, can of course only work as a swinging signifier for the incalculable referent of the actualized violence. This is not simply a numerical issue; it is a larger question of the friction between measures and effect. Not unlike the structuring lack produced by any representation that offers us, the viewers, the promise of the real, statistics can leave us with only a fragmented copy of what they might index. “Reports” on antiqueer violence, such as the “Hate Crime Statistics,” reproduce the same kinds of rhetorical loss along with the actual loss of people that *cannot be counted*. The quantitative limits of what gets to count as antiqueer violence cannot begin to apprehend the numbers of trans and queer bodies that are collected off cold pavement and highway underpasses, nameless flesh whose stories of brutality never find their way into an official account beyond a few scant notes in a police report of a body of a “man in a dress” discovered.<sup>15</sup>

Even when a murderer is not successful and there is a survivor who could enter the act into the official record, incidents of violence are not often reported to the FBI or local police, and for good reason. The National Crime Victim Survey (NCVS) states that only about 58 percent of such incidents are ever reported; however, I would assume the percentage to be much lower.<sup>16</sup> Furthermore, *“It’s War in Here”: A Report on the Treatment of Transgender and Intersex People in New York State Men’s Prisons*, a 2005 report compiled by the Sylvia Rivera Law Project, argued that the police are still one of the largest perpetrators of anti-trans, -gender-nonconforming, and -queer violence.<sup>17</sup> There is a growing body of work in trans/queer critical prison studies and activism that also supports these findings.<sup>18</sup> With the police or some other tentacle of the prison-industrial complex, namely the FBI, as the primary and only collection, processing, and reporting agency for such data, people’s reluctance and fear around identifying such incidents should come as no surprise.<sup>19</sup>

Even with these fragmented and disjointed accounts, missing numbers, and never-recovered body parts, antiqueer violence overwhelms. Story after story of dismemberment, torture, mutilation, lynching, and execution coagulate a bleeding history of what it means to be queer in the United States. All available discourse seems unable to get at the enormity and brutality of this phenomenon. How can we measure the loss of Rashawn Brazell? The grinding task of transforming memories and skin into cal-

culated data offers us little. Even if his murder made the official number rise to 1,707, what would we know then that we do not know now? Would we believe the interlocking systems of racism, classism, and homophobia that emptied his skin of the possibility of value would crumble? Or would we believe that the legal system that has spent its history imprisoning and otherwise disappearing people of color and trans/queer folks would suddenly reverse its architecture of power? What I am after then is not a new set of data or a more complete set of numbers. What I hope to do here is to resituate the ways we conceptualize the very categories of “queer” and “violence” as to remake them both.<sup>20</sup>

### **Public Pain, Private Loss**

Where statistics fail, scars rise to tell other histories. From the phenomenological vault of growing up *different*, to the flickers of brutal details, one would not have to dig deep to uncover a corpse. Yet even with the horrific details, antiqueer violence is written as an outlaw practice, a random event, and an unexpected tragedy. Dominant culture’s necessity to disappear the enormity of antiqueer violence seems unsurprising. Yet I suggest that mainstream LGBT discourse also works in de-politicized collusion with the erasure of a structural recognition. Through this privatization the enormity of antiqueer violence is vanished.<sup>21</sup>

Thinking violence as individual acts versus epistemic force works to support the normative and normalizing structuring of public pain. In other words, privatizing antiqueer violence is one of the ways in which the national body and its trauma are heterosexualized, or in which the relegation of antiqueer violence, not unlike violence against women, racist violence, violence against animals (none of which are mutually exclusive), casts the national stage of violence and its ways of mourning as always human, masculinist, able-bodied, white, gender-conforming, and heterosexual. For national violence to have value it must be produced through the tangled exclusion of bodies whose death is valueless. To this end, as mainstream LGBT groups clamber for dominant power through attachment of a teleological narrative of progress, they too reproduce the argument that antiqueer violence is something out of the ordinary.<sup>22</sup>

The problem of privatizing violence is not, however, simply one of the re-narration of the incidents. The law, and specifically “rights” discourse, which argues to be the safeguard of liberal democracy, is one of the other motors that works to privatize this structural violence. Rights are inscribed, at least in the symbolic, with the power to protect citizens of the nation-state from the excesses of the government and against the trespass of criminality. In paying attention to the anterior magic of the law, it is not so much, or at least not only, that some are granted rights

because they are human, but that the performative granting of rights is what constitutes the promise of *humanity* under which some bodies are held. This is important in thinking about the murder of Brazell, and about antiqueer violence at large, because it troubles the very foundations of the notion of protection and the formative violence of the law itself. According to the juridical logic of liberal democracy, if these rights are infringed upon, the law offers remedy in the name of justice. This necessary and assumptive formal equality before the law is the precursor for a system argued to be based on justice. In other words, for the law to lay claim to something called justice, formalized equality must be a precondition. The law then is a systematic and systematizing process of substitution where the singular and the general are shuttled and replaced to inform a matrix of fictive justice.

Thus for the law to uphold the fantasy of justice and disguise its punitive aspirations, antiqueer violence, like all structural violence, must be narrated as an outlaw practice and *unrepresentative* of culture at large. This logic then must understand acts like the murder of Brazell in the singular. Through a mathematics of mimesis the law reproduces difference as similarity. By funneling the desperate situations and multiple possibilities into a calculable trespass kneading out the contours and the excess along the way, equality appears. To acknowledge the inequality of “equality” before the law would undo the fantastical sutures that bind the U.S. legal system. In the hope of being clear, for the law to read antiqueer violence as a symptom of larger cultural forces, the punishment of the “guilty party” would only be a representation of justice. To this end, the law is made possible through the reproduction of both material and discursive formation of antiqueer, along with many other forms of violence. I too quickly rehearse this argument in the hope that it might foreclose the singular reliance on the law as the ground, and rights as the technology, of safety.<sup>23</sup>

### **Killing Time**

“He was my son—my daughter. It didn’t matter which. He was a sweet kid,” Lauryn Paige’s mother, trying to reconcile at once her child’s murder and her child’s gender, stated outside an Austin, Texas, courthouse.<sup>24</sup> Lauryn was an eighteen-year-old transwoman who was brutally stabbed to death. According to Dixie, Lauryn’s best friend, it was a “regular night.” The two women had spent the beginning of the evening “working it” as sex workers. After Dixie and Lauryn had made about \$200 each they decided to call it quits and return to Dixie’s house, where both lived. On the walk home, Gamaliel Mireles Coria and Frank Santos picked them up in their white conversion van. “Before we got into the van the very first thing I told them was that we were transsexuals,” said Dixie in

an interview.<sup>25</sup> After a night of driving around, partying in the van, Dixie got dropped off at her house. She pleaded for Lauryn to come in with her, but Lauryn said, “Girl, let me finish him,” so the van took off with Lauryn still inside.<sup>26</sup> Santos was then dropped off, leaving Lauryn and Coria alone in the van. According to the autopsy report, Travis County medical examiner Dr. Roberto Bayardo cataloged at least fourteen blows to Lauryn’s head and more than sixty knife wounds to her body. The knife wounds were so deep that they almost decapitated her—a clear sign of overkill.

*Overkill* is a term used to indicate such excessive violence that it pushes a body beyond death. Overkill is often determined by the post-mortem removal of body parts, as with the partial decapitation in the case of Lauryn Paige and the dissection of Rashawn Brazell. The temporality of violence, the biological time when the heart stops pushing and pulling blood, yet the killing is not finished, suggests the aim is not simply the end of a specific life, but the ending of all queer life. This is the time of queer death, when the utility of violence gives way to the pleasure in the other’s mortality. If queers, along with others, approximate nothing, then the task of ending, of killing, that which is *nothing* must go beyond normative times of life and death. In other words, if Lauryn was dead after the first few stab wounds to the throat, then what do the remaining fifty wounds signify?

The legal theory that is offered to nullify the practice of overkill often functions under the name of the trans- or gay-panic defense. Both of these defense strategies argue that the murderer became so enraged after the “discovery” of either genitalia or someone’s sexuality they were forced to protect themselves from the threat of queerness. Estanislao Martinez of Fresno, California, used the trans-panic defense and received a four-year prison sentence after admittedly stabbing J. Robles, a Latina transwoman, at least twenty times with a pair of scissors. Importantly, this defense is often used, as in the cases of Robles and Paige, after the murderer has engaged in some kind of sex with the victim. The logic of the trans-panic defense as an explanation for overkill, in its gory semiotics, offers us a way of understanding queers as the nothing of Mbembe’s query. Overkill names the technologies necessary to do away with that which is already gone. Queers then are the specters of life whose threat is so unimaginable that one is “forced,” not simply to murder, but to push them backward out of time, out of History, and into that which comes before.<sup>27</sup>

In thinking the overkill of Paige and Brazell, I return to Mbembe’s query, “But what does it mean to do violence to what is nothing?”<sup>28</sup> This question in its elegant brutality repeats with each case I offer. By resituating this question in the positive, the “something” that is more often than not translated as the human is made to appear. Of interest here, the category of the human assumes generality, yet can only be activated through the

specificity of historical and politically located intersection. To this end, the human, the “something” of this query, within the context of the liberal democracy, names rights-bearing subjects, or those who can stand as subjects before the law. The human, then, makes the *nothing* not only possible but necessary. Following this logic, the work of death, of the death that is already nothing, not quite human, binds the categorical (mis)recognition of humanity. The human, then, resides in the space of life and under the domain of rights, whereas the queer inhabits the place of compromised personhood and the zone of death. As perpetual and axiomatic threat to the human, the queer is the negated double of the subject of liberal democracy.

Understanding the *nothing* as the unavoidable shadow of the human serves to counter the arguments that suggest overkill and anti-queer violence at large are a pathological break and that the severe nature of these killings signals something extreme. In contrast, overkill is precisely not outside of, but is that which constitutes liberal democracy as such. Overkill then is the proper expression to the riddle of the queer *nothingness*. Put another way, the spectacular material-semiotics of overkill should not be read as (only) individual pathology; these vicious acts must indict the very social worlds of which they are ambassadors. Overkill is what it means, what it must mean, to do violence to what is *nothing*.

### **Surplus Violence**

After finishing a graveyard shift washing dishes for minimum wage at a local Waffle House, eighteen-year-old Scotty Joe Weaver stopped by his mom’s to give her some money he owed her before heading home to his green and white trailer in the rural town of Pine Grove, Alabama. Scotty Joe was a drag performer in local bars with a fondness and talent for working Dolly Parton. He had dropped out of school some years before in the hope of escaping constant harassment and daily physical attacks. Scotty Joe, like many eighteen-year-old queers, was excited about his recent move to his own place with his “best friend” Nichole Kelsay. Kelsay’s boyfriend, Christopher Gaines, had also been staying at their trailer along with his friend, Robert Porter. Weaver’s modest trailer home was, according to his mother, “not much” and was puzzled into a neighborhood of thirty or so trailers.<sup>29</sup>

Returning home in the early morning hours, worn out from a long night’s work, Weaver, alone, took a nap on his couch. As Kelsay, Gaines, and Porter ate pancakes in a restaurant and made last-minute decisions regarding the plan to murder Weaver that had begun the week before, Weaver slept for the last time. Kelsay, Gaines, and Porter returned to the trailer home in the early afternoon and found Weaver still asleep. Kelsay

locked herself in the bathroom as Gaines said to Porter, “OK. Come on. Let’s do it.”<sup>30</sup>

Porter first struck Weaver in the head with a blunt object. As blood poured down the back of his skull, Kelsay, Gaines, and Porter tied him tightly to a kitchen chair. Over the next few hours, Weaver was beaten repeatedly and stabbed with an assortment of sharp objects. Gaines and Porter then strangled him for about ten minutes with a nylon bag until he fell unconscious to the floor. Blood was oozing from Weaver’s ears, which according to the prosecutor was a sign that he was still alive. Unsure, Gaines kicked Weaver’s seemingly lifeless body to see if they had been successful. The details of what happened, and what actually ended Weaver’s life, are lost within a collage of accusations and denial. Dr. Kathleen Enstice of the Alabama Department of Forensic Sciences, through her sketches and snapshots at the trial, suggested that Weaver was also stabbed twice in his face and at least nine more times in his chest with several cuts to the rest of his body. He was also partially decapitated.

Weaver’s body was then, according to a jailhouse phone interview with Gaines, wrapped in a blanket (and his head in a towel), dragged into Weaver’s bedroom, and placed on his mattress. Thinking that if the air-conditioning temperature was turned way down, the incriminating smells of decomposing queer flesh might be slowed, Gaines and Porter cooled the room, took \$80 in cash that Weaver had on him, along with his ATM card, and left. Kelsay, Gaines, and Porter’s original plan was to throw Weaver’s body into a nearby river, and the three had even purchased cinder blocks to weigh him to the river’s floor. However, the three feared that the body would surface, so after the murder they returned to the Walmart where the supplies had been purchased and received a \$2.11 refund for the cinder blocks. After hitting up the local Dairy Queen and Arby’s for lunch, they went to Kelsay’s mother’s house to play some cards and relax. Later that evening Porter and Gaines returned to the trailer to dispose of Scotty Joe’s body. They stuffed the blanket-wrapped body into the trunk of Gaines’s car, then stopped by a gas station and filled an empty Coke bottle with gasoline. About eight miles deep in a nearby pine grove, Porter and Gaines laid out Weaver’s body, along with other incriminating evidence, and doused it with the gasoline. After the two urinated on the body, they set it afire and drove back to town. Weaver’s charred and mutilated remains were later found by a person on an ATV.

### **Wounds of Intimacy**

The queer, here Rashawn Brazell, Lauryn Paige, or Scotty Joe Weaver, is forced to embody to the point of obliteration the movement between object nothingness at one end—a generality that enables queers to be

killed so easily and frequently—and at the other end, the approximation of a terrorizing threat as a symbol of shattering difference, monstrosity, and irreconcilable contradiction. This fetishistic structure allows one to believe that queers are an inescapable threat and at the same time know that they are nothing.

According to Lum Weaver, Scotty Joe's older brother, Gaines had always had "issues" with Scotty Joe's homosexuality. As in the majority of interpersonal antiqueer violence, the attackers knew, and in this case even lived with, their target. The murder of Weaver must be read as a form of intimate violence not only because of the relationship the murderers had to Weaver, but also, and maybe more important, because of the technologies of vivisection that were deployed. As Kelsay, Gaines, and Porter had, according to testimony, at least a week to plan the murder, it seems logical that, during that time in rural Alabama, they could have produced a gun that would have made the murder much less gruesome. However, the three decided to cut and rip Weaver to pieces using raw force. The psychic distance that may be produced through the scope of a hunting rifle, and the possible dissociation it might provide, is the opposite of blood squirting from your former roommate's chest and the bodily strength it takes to lunge a knife into the flesh and bone of a human body. The penetrative violence, the moments when Gaines was thrusting his knife into Weaver's body, stages a kind of terrorizing sexualized intimacy.

If Weaver was at once so easy to kill, and at the same time so monstrous that he had to be killed, this intimate overkill might also help us to understand why antiqueer violence tends to take this form. Weaver was, after all, the roommate and "best friend" of one of his killers. However, at the same time, robbing him would not be enough, killing him would not be enough, the horror of Weaver's queerness forced his killers to mutilate, decapitate, and burn his body. This tender hostility of ravaging love and tactile brutality may be an opening for the task of facing the question scribed on the bathroom wall, "What if it feels good to kill or mutilate homos?" The disavowal of the queer threat through a murderous pleasure signals a much more complicated structure of desire and destruction. This complex structure of phobia and fetishism, not unlike the pleasure and pain Kelsay might have experienced as she helped slaughter her "best friend," asks us to consider antiqueer violence outside the explanatory apparatus that situates all antiqueer violence on the side of pure hate, intolerance, or prejudice.

### **Affective Remains**

Weaver's body, bound in gasoline-soaked fibers, partially decapitated, charred, and pummeled beyond death, as remainder of a queer life, rep-

resents what kind of sociality is (not) lived before such a death. There has been in the recent past an important and understandable drive in critical and artistic production to articulate the various forms of vitality that congeal below the surface or outside the orbit of the fully realized promise of personhood. This desire is at least in part a wish for a way of understanding what Audre Lorde has called, in her exacting ability to place us at the scene, “the deaths we are forced to live.”<sup>31</sup>

Among the most productive and fraught expressions of this compromised vitality is Giorgio Agamben’s offering of “bare life.” For Agamben, bare life signals a kind of stripped-down sociality, skillfully articulated via his reading of the Nuremberg Laws enabled through a legal state of exception. The state of exception that placed absolute power in the hands of Hitler, as the necessary temporal precondition for bare life, seems for some not an exception at all. The liberation of the camps that brought with it the dismantling of or at least radical change in Germany’s juridical system, including the Nuremberg Laws (but surely did not end anti-Semitism), left untouched the “Nazi version” of Paragraph 175, the clause criminalizing homosexuality. To this end, as hundreds of thousands of those who survived the camps were swept to freedom, “homosexual” survivors were forced to serve their remaining sentences in prison. Death through freedom, as it were, requires a different formulation, or at least a different way to think about proximity and vitality.<sup>32</sup>

If for Agamben bare life expresses a kind of stripped-down sociality or a liminal space at the cusp of death, then near life names the figuration and feeling of nonexistence, as Fanon suggests, which comes before the question of life might be posed. Near life is a kind of ontocorporal (non) sociality that necessarily throws into crisis the category of life by orientation and iteration. This might better comprehend not only the incomprehensible murders of Brazell, Paige, and Weaver, but also the terror of the dark cell inhabited by the queer survivor of the Holocaust who perished under “liberation.”<sup>33</sup>

Struggling with the phenomenology of black life under colonization, Fanon opens up critical ground for understanding a kind of near life that is made through violence to exist as nonexistence. For Fanon, violence is bound to the question of recognition (which is also the im/possibility of subjectivity) that apprehends the relationship between relentless structural violence and instances of personal attacks evidenced by the traumatic afterlives left in their wake. For Fanon, the Hegelian master/slave dialectic, as theoretical instrument for thinking about recognition, must be reconsidered through the experience of blackness in the French colonies. For Fanon, Hegel positions the terms of the dialectic (master/slave) outside history and thus does not account for the work of the psyche and the historicity of domination like racialized colonization and the epidermal-

ization of that power. In other words, for Fanon, when the encounter is staged and the drama of negation unfolds, Hegel assumes a pure battle. Moreover, by understanding the dialectic singularly through the question of self-consciousness, Hegel, for Fanon, misrecognizes the battle as always and only for recognition.

Informed by Alexandre Kojève and Jean-Paul Sartre, Fanon makes visible the absent figure of Enlightenment assumed by the Hegelian dialectic. For Fanon, colonization is not a system of recognition but a state of raw force and total war. The dialect cannot in the instance of colonization swing forward and offer the self-consciousness of its promise. According to Fanon, “For Hegel there is reciprocity; here the master laughs at the consciousness of the slave. What he wants from the slave is not recognition but work.”<sup>34</sup> Hegel’s dialectic that, through labor, offers the possibility of self-consciousness, for the colonized is frozen in a state of domination and nonreciprocity.<sup>35</sup>

What is at stake for Fanon, which is also why this articulation is helpful for thinking near life, is not only the bodily terror of force; ontological sovereignty also falls into peril under foundational violence. This state of total war, not unlike the attacks that left Brazell, Paige, and Weaver dead, is at once from without—the everyday cultural, legal, economic practices—and at the same time from within, by a consciousness that itself has been occupied by domination. For Fanon, the white imago holds captive the ontology of the colonized. The self/Other apparatus is dismantled, thus leaving the colonized as an “object in the midst of other objects,” embodied as a “feeling of nonexistence.”<sup>36</sup>

While thinking alongside Fanon on the question of racialized difference, violence, and ontology, how might we comprehend a phenomenology of antiequeer violence expressed as “nonexistence”? It is not that we can take the specific structuring of blackness in the French colonies and assume it would function the same today, under U.S. regimes of antiequeer violence. However, if both desire and antiequeer violence are embroiled by the histories of colonization, then such a reading might help to make more capacious our understanding of antiequeer violence today as well as afford a rereading of sexuality in Fanon’s texts. Indeed, Fanon’s intervention offers a space of nonexistence, neither master nor slave, written through the vicious work of epistemic force imprisoned in the cold cell of ontological capture. This space of nonexistence, or near life, forged in the territory of inescapable violence, allows us to understand the murders of queers against the logics of aberration.

This structure of antiequeer violence as irreducible antagonism crystallizes the ontocorporal, discursive, and material inscriptions that render specific bodies in specific times as the place of *the nothing*. The figuration

of near life should be understood not as the antihuman but as that which emerges in the place of the question of humanity. In other words, this is not simply an oppositional category equally embodied by anyone or anything. This line of limitless inhabitation, phantasmatically understood outside the intersections of power, often articulated as “equality,” leads us back toward rights discourse that seeks to further extend (momentarily) the badge of personhood. The nothing, or those made to live the death of a near life, is a break whose structure is produced by, and not remedied through, legal intervention or state mobilizations. For those who are overkilled yet not quite alive, what form might redress take, if any at all?

### **Queer Crypts**

The dead object must remain dead, must be kept in his place as dead; this must always be verifiable.

—Jacques Derrida

At 12:48 p.m. on 8 January 1999, the body of Lauryn Paige was found in a ravine near the entrance of the Tokyo Electron Corporation in Austin, Texas. Barely covered by weeds and roadside trash, her body was laid to unrest in the stagnancy of wastewater and debris. In plain view and hidden from sight, Paige’s tomb holds an open secret with deadly consequences. A shallow grave, unrecognizable as such, the locus of Paige’s unimaginable end indexes the limits of a queer present. A portrait of a near life, out of time, it terrorizes through its everywhere-ness. Beyond the pageantry of meaning, this scene pictures the untraceability of antiqueer violence. Both everywhere and nowhere—a series of trash bags, a burning blanket, a concrete ditch—perhaps this is the province of the queer.

This ditch ought not be our end. Yet I stay in the place of violence, in the muddy abjection of a drainage ditch, precisely because it offers no recuperation, no rescue beyond decomposition. If we start here with an understanding that escape is not possible and that against the dreams of liberal democracy there may be no outside to violence, how might we also articulate a kind of near life that feels in the hollow space of ontological capture that life might still be lived, otherwise?

### **Notes**

I ambivalently write myself into this paper not because I believe these instances are analogous with the most horrific kinds of murder, but because what I am calling “antiqueer violence” is important to name not only in its most brutal articulations but also in its everydayness. Angela Y. Davis, Donna Haraway, David Marriott, Erica Meiners, Toshio Meronek, José Muñoz, and Adam Reed have all generously offered feedback, criticism, and support for this work.

1. Achille Mbembe, *On the Post Colony* (Berkeley: University of California Press, 2001), 174.
2. Frantz Fanon, *Black Skin, White Masks* (New York: Grove Press, 1967), 109. For the original French text, see Fanon, *Peau Noire, Masques Blancs* (Paris: Éditions du Seuil, 2008), 88.
3. Fanon, *Black Skin, White Masks*, 115.
4. It is not that I am suggesting that Jews, queers, and people of color all experience analogous forms of subjugation; however, knotting them together, momentarily, may be useful to understand the structures of each. Also, I am using *trans* and *queer* together to mark the ways in which gender is always a part of “homophobic” violence and in which sexuality figures in “transphobic” attacks. Throughout this research I attempted to locate the cut that would separate “homophobic” from “transphobic” violence. However, what I kept being faced with was the impossibility of that cut. Furthermore, some argue that anti-trans violence and queer violence are different because anti-trans violence is always a result of visual difference, yet this reading erases the ability of some trans people to pass and the inability of some queers to do so. For an early definition of the term *queer* as a (non)identity, see Eve Kosofsky Sedgwick, *Tendencies* (Durham, NC: Duke University Press, 1993), xii. For a discussion on Fanon and “homosexuality” that differs from my own, see Terry Goldie, “Saint Fanon and ‘Homosexual Territory,’” in *Frantz Fanon: Critical Perspectives*, ed. Anthony Alessandrini (New York: Routledge, 1999), 75–86.
5. See National Coalition of Anti-Violence Programs, “Hate Violence against the Lesbian, Gay, Bisexual, Transgender, and Queer Communities in the United States in 2009,” 2010 ed., [www.avp.org/documents/NCACP2009HateViolenceReportforWeb\\_000.pdf](http://www.avp.org/documents/NCACP2009HateViolenceReportforWeb_000.pdf) (accessed 8 November 2010). Of those murders reported, 79 percent were of people of color and 50 percent were transwomen.
6. *Queer* as a structure of longing has been radically held open for us by José Muñoz’s declaration, “Queerness is that thing that lets us feel that this world is not enough, that indeed something is missing.” José Esteban Muñoz, *Cruising Utopia: The Then and There of Queer Futurity* (New York: New York University Press, 2009), 1.
7. Fred Moten, *In the Break: The Aesthetics of the Black Radical Tradition* (Minneapolis: University of Minnesota Press, 2003), 1. For some uses and dangers of the “subjectless” critique of queer theory, especially in relation to Native studies, see Andrea Smith, “Queer Theory and Native Studies: The Heteronormativity of Settler Colonialism,” *GLQ: A Journal of Lesbian and Gay Studies* 16 (2010): 42–68. The “new homonormativity,” as Lisa Duggan and others have called it, signifies the current heightened push by some LGBT folks (and almost all national LGBT organizations) for the powers and privileges of heterosexual culture. For other critiques of gay assimilation we might look to the split between the Gay Liberation Front and what became the Gay Activist Alliance (1969–1970), the Third World Gay Revolution’s manifesto, “The Oppressed Shall Not Become the Oppressor” (1970), the work of Sylvia Rivera and STAR of the early 1970s, the writing and organizing of the Combahee River Collective (1974–1980), the bombings of the George Jackson Brigade (1975–1977), LAGAI-Queer Insurrection (1983–present), the publication of “Queers Read This” (1990), Transsexual Menace (1993–1995), Gay Shame SF (1999–present), FIERCE (2000–present), the film *Homotopia* (2006), and the organizing done in Solidarity with the NJ4 (2007–present). This is not an exhaustive list by any means, but it might help us think about the historicity of assimilation and its resistance. For an analysis of contemporary assimilation, see Lisa Duggan, *The Twilight of Equality? Neoliberalism, Cultural Politics, and the Attack on Democracy*

(Boston: Beacon, 2003), and Mattilda Bernstein Sycamore, *That's Revolting! Queer Strategies for Resisting Assimilation* (Brooklyn: Soft Skull, 2008). Jasbir K. Puar and David Eng have also, in different ways, importantly asked what kinds of queers can and cannot be folded into the projects of liberalism. See Jasbir K. Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham, NC: Duke University Press, 2007), and David L. Eng, *The Feeling of Kinship: Queer Liberalism and the Racialization of Intimacy* (Durham, NC: Duke University Press, 2010).

8. William K. Rashbaum, "Body Was Cut Up, Experts Say," *New York Times*, 26 February 2005.

9. National Gay and Lesbian Task Force, "Murder of Gay, African-American Man Reflects Twin Diseases of Racism, Homophobia, NGLTF Says," 24 March 2000, [www.thetaskforce.org/node/1219](http://www.thetaskforce.org/node/1219).

10. I use the initial "A." because the name used in the reports was more than likely her legal name and not the name she went by. "Second Man Convicted of Killing Black Transvestite in Arkansas," *Jet*, 28 July 1997, 18.

11. Moten, *In the Break*, 5.

12. See Kareem Fahim and John Koblin, "A Year after a Teenager Was Dis-membered, Still No Answer," *New York Times*, 13 February 2006. See [www.nytimes.com/2006/02/13/nyregion/13dismember.html](http://www.nytimes.com/2006/02/13/nyregion/13dismember.html).

13. This is not to suggest that hate crimes statistics or legislation builds safety; on the contrary: they strengthen the prison-industrial complex, which is the anti-thesis of trans/queer safety.

14. FBI, 2008 Hate Crime Statistics, Victims, by Bias Motivation, [www2.fbi.gov/ucr/hc2008/victims.html](http://www2.fbi.gov/ucr/hc2008/victims.html) (accessed 19 August 2010).

15. For more on the politics of classification, see Geoffrey C. Bowker and Susan Leigh Star, *Sorting Things Out: Classification and Its Consequences* (Cambridge, MA: MIT Press, 2000), 255. Furthermore, classification for many trans/queer folks continues to be a practice that reproduces traumatic pain, embarrassment, and humiliation. For an example of the ways in which the media condense the murders of transpeople, often treating them with a disdain similar to that of their murderers, see *Long Beach Press Telegram*, 7 November 2004, in which the Notes section states: "This transsexual woman was found beaten to death in an alleyway near 14th and Paloma streets in Central City neighborhood. She was badly beaten."

16. See National Archive of Criminal Justice Data, Inter-university Consortium for Political and Social Research, [www.icpsr.umich.edu/NACJD/](http://www.icpsr.umich.edu/NACJD/) (accessed 22 August 2010).

17. Sylvia Rivera Law Project, "*It's War in Here*": *A Report on the Treatment of Transgender and Intersex People in New York State Men's Prisons*, [srlp.org/resources/pubs/warinhere](http://srlp.org/resources/pubs/warinhere) (accessed 19 August 2010).

18. See Eric Stanley and Nat Smith, eds., *Captive Genders: Trans Embodiment and the Prison Industrial Complex* (Oakland, CA: AK Press, 2011).

19. Sylvia Rivera Law Project, "*It's War in Here*." Also see Amnesty International, "USA: Stonewalled: Police Abuse and Misconduct against Lesbian, Gay, Bisexual and Transgender People in the U.S.," [web.amnesty.org/library/index/engamr511222005](http://web.amnesty.org/library/index/engamr511222005) (accessed 1 August 2010).

20. The instances of violence I am attending to in this essay are, for the most part, not cross-racial or cross-class. This seems to be because, among other factors, the victims and murderers share similar social and geographical spaces. Far from believing that white supremacy or classism are not at work here, the question then is how are they at work, differently.

21. "LGBT discourse" refers to mainstream, U.S.-based national LGBT

organizing, most notably the Human Rights Campaign and the National Gay and Lesbian Task Force.

22. Of course in a world that aligns life with the normal and relegates the abnormal to the space of death, normality is hard to argue against. However, this push for normativity has the power of further obliteration of the inassimilable. The activist work done by groups like INCITE! Women of Color against Violence shows the connections between interpersonal violence and larger systems of state violence. For more, see Angela Y. Davis, "The Color of Violence against Women," in *Colorlines*, issue 10 (Fall 2000); see [www.colorlines.com/archives/2000/10/the\\_color\\_of\\_violence\\_against\\_women.html](http://www.colorlines.com/archives/2000/10/the_color_of_violence_against_women.html). Dan Savage's 2010 video campaign "It gets better," which urges people to make videos stating that LGBT life, after youth, is filled with less pain and terror, vividly reproduces this teleological logic. See [www.itgetsbetterproject.com](http://www.itgetsbetterproject.com).

23. "Fictive justice" is a way of talking about how legal precedent forces a kind of "justice" based on analogy. In other words, judgments are made based on other cases. Justice then is based on a series of abstractions. This point has been highlighted by much of the work in critical race theory. For a foundational example, see Kimberle Crenshaw, "The Intersections of Race and Gender," in *Critical Race Theory: The Key Writings That Formed the Movement*, ed. Kimberle Crenshaw, Neil Gotanda, Gary Peller, and Kendall Thomas (New York: New Press, 1995), 357. Here Crenshaw shows how the law is unable to apprehend the multiplicity of identity. There are also instances when antiequeer violence erupts onto the social screen, for example the 1999 murder of Matthew Shepard. Shepard, a white, gay, twenty-one-year-old college student, it could be argued, was held as referent for all antiequeer violence because of the relative ease of mourning him. Although this might be true, antiequeer violence must be simultaneously put on public display and made to disappear so that the murders of queers exist outside national meaning. Mourning for Shepard, through the spectacle of a mocking pain, works to disappear the archive that is queer death.

24. Jordan Smith, "The Lauryn Paige Fuller Story: Of Murder and the Gender Continuum . . ." *AustinChronicle.com*, 18 February 2000, [www.austinchronicle.com/gyrobase/Issue/story?oid=oid%3A75904](http://www.austinchronicle.com/gyrobase/Issue/story?oid=oid%3A75904).

25. *Ibid.*

26. *Ibid.*

27. For a discussion of transpeople and discourses of "discovery," see Talia Bettcher, "Evil Deceivers and Make-Believers: On Transphobic Violence and the Politics of Illusion," *Hypatia* 22 (2007): 43–65. See also "Man Gets Four Years in Prison for Transgender Slaying," *FOXNews.com*, 1 October 2005, [www.foxnews.com/story/0,2933,170954,00.html](http://www.foxnews.com/story/0,2933,170954,00.html). This is not to suggest that justice would be enacted if these defendants were found guilty. For sure, the entirety of the prison-industrial complex is itself a form of violence. However, reading the success of these defenses is one way to measure the ways in which transphobia/homophobia are central to the law.

28. Mbembe, *On the Post Colony*, 174.

29. Scotty Joe Weaver's body was found on 22 July 2004.

30. See Laura Douglas-Brown, "Ala. Killing May Be Anti-gay Hate Crime," *Southern Voice*, June/July 2004; available at [www.neverforgetthem.info/AL\\_002.htm](http://www.neverforgetthem.info/AL_002.htm) (accessed January 2011).

31. Audre Lorde, *Sister Outsider: Essays and Speeches* (Berkeley, CA: Crossing Press, 2007), 38. For other accounts of lives lived through formations of death, see Claude Meillassoux, *The Anthropology of Slavery: The Womb of Iron and Gold*

(Chicago: University of Chicago Press, 1991); Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1985); David Wojnarowicz, *Close to the Knives: A Memoir of Disintegration* (New York: Vintage Books, 1991); Sharon Patricia Holland, *Raising the Dead: Readings of Death and (Black) Subjectivity* (Durham, NC: Duke University Press, 2000); Abdul R. JanMohamed, *The Death-Bound-Subject: Richard Wright's Archaeology of Death* (Durham, NC: Duke University Press, 2005); Judith Butler, *Precarious Life: The Powers of Mourning and Violence* (London: Verso, 2006); Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997); Antonio Viego, *Dead Subjects: Toward a Politics of Loss in Latino Studies* (Durham, NC: Duke University Press, 2007); David Marriott, *Haunted Life: Visual Culture and Black Modernity* (New Brunswick, NJ: Rutgers University Press, 2007); Neferti Tadiar, *Things Fall Away: Philippine Historical Experience and the Makings of Globalization* (Durham, NC: Duke University Press, 2009); Frank B. Wilderson, *Red, White, and Black: Cinema and the Structure of U.S. Antagonisms* (Durham, NC: Duke University Press, 2010).

32. See Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998).

33. This is not to suggest that antiqueer violence is worse than anti-Semitism or any other kind of domination. In fact, I think the temporal/spatial structure of near life might have something to offer studies of the Holocaust.

34. Fanon, *Black Skin, White Masks*, 220–21n8.

35. See Alexandre Kojève, *Introduction to the Reading of Hegel*, trans. James A. Nichols, ed. Allan Bloom (New York: Basic Books, 1969); and Jean-Paul Sartre, *Being and Nothingness* (1943), trans. Hazel E. Barnes (London: Routledge, 1995). Also, see David Marriott, “On Racial Fetishism,” *Qui Parle: Critical Humanities and Social Sciences* 18 (2010): 215–48.

36. Fanon, *Black Skin, White Masks*, 109, 139. For more on the self/Other collapse that Fanon illustrates, see Diana Fuss, *Identification Papers* (New York: Routledge, 1995), esp. chap. 5, “Interior Colonies: Frantz Fanon and the Politics of Identification.”

