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## Violence against Asians: When Is Racial Hate a Crime?

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## VIEWPOINT

# Violence against Asians: When Is Racial Hate a Crime?

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**Abstract:** In this article we focus on the mass shootings of Asian women at Atlanta spas in 2021. After the perpetrator killed six Asian women, he told the police that he wanted to eliminate “all Asians” and spoke of the “temptation” of the massage parlors and spas. We ask at what point will these forms of anti-Asian violence first be acknowledged, and then seen as a clear and present danger? To answer these questions we trace the historical roots in US history, and domestic and foreign policies of such violence. We reflect on a history of imperial politics, the means and methods of writing global power, including armed conflicts with and in Japan, Korea, and Vietnam, and the more recent US-China rivalry and antagonism. Second, we argue that divisions and hierarchizations as articulated through these policies are political technologies of control of subjects and territories which are bounded for capture and for experimentation toward the reproduction of a global order of the West and the Rest. In sum, we suggest that the asymmetrical and unequal sexualized landscapes and Othering that produce such violences ought to be critiqued, disrupted, and publicly challenged.

**Keywords:** sexual violence, Asian women, foreign policy, global power, racial capitalism.

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On March 16, 2021, Robert Long walked into three spas in Atlanta and shot nine people, six of them women of Asian descent. Witnesses state Long was overheard saying, “I am going to kill all Asians” and opened fire. At Young’s Asian Massage in Acworth, Long killed four people: Xiaojie Tan, 49; Delaina Ashley Yaun, 33; Paul Andre Michels, 54; and Daoyou Feng, 44. A fifth person, Elcias R. Hernandez-Ortiz, 30, survived being shot. An hour later, Long killed four Asian women on Piedmont Road in Atlanta—three at the Gold Massage Spa and one at the Aroma Therapy Spa across the street: Chung Park, 74; Hyun Jung Grant, 51; Suncha Kim, 69; and Yong Ae Yue, 63. They were of Korean descent.

At what point will these forms of anti-Asian violence first be acknowledged, and then seen as a clear and present danger with historical roots in US history and domestic and foreign policies? To respond to this question, we reflect on a history of imperial politics and means and methods of writing global power, including armed conflicts with and in Japan, Korea, and Vietnam, and the more recent US-China rivalry and antagonism. The chronology of this imperial antagonism points to a normative and hegemonic crafting and ordering of subjects and territories and a genealogy of desire that functions individually and territorially through a hierarchical and differentiating positing of bodies as sexual, gendered, raced, classed, and further intersectional categories. What is decisive here is the way such divisions and hierarchizations are political technologies of control of subjects and territories which are bounded for capture and for experimentation toward the reproduction of a systematic order of the “West

and the Rest” (i.e., Said 1978). Women of the West and the Rest play a significant role and are the contested figures of national and global power.

Much of the conversation on the Atlanta killings has revolved around whether this constitutes a hate crime. Hate crime refers to acts motivated by bias on the basis of race, religion, sexual orientation, or ethnicity. The Hate Crime Statistics Act, 28 U.S.C. § 534 (HCSA), passed in 1990, was modified in 2009 to become the Hate Crimes Prevention Act (US Congress 1990). It mandates the US attorney general to collect data on crimes of “prejudice based on race, religion, sexual orientation, or ethnicity.” Despite forty-seven states having passed laws against hate crimes, in 2019, 86.1% of law enforcement agencies reported to the FBI “no evidence” of a single hate crime in their jurisdiction (Bell 2021). And yet, we know hate crime incidents are on the rise. While the FBI said law enforcement agencies reported officially 8,559 hate crimes in 2019, the National Crime Victimization Survey said about 200,000 crimes were reported by victims (Ibid). Tellingly, in the year since the COVID-19 pandemic was found to originate in Wuhan, China, there has been a 68% increase in violence against Asians alone in the US, with an estimated 3,800 anti-Asian racist incidents, mostly against Asian women, in the past year.

Whether or not the Atlanta killings meet the *legal* definition of a hate crime in that specific jurisdiction, homicide and attempted homicide by a white male with the intention of “killing all Asians” is clearly a hate crime to us. These violent incidents, we argue, represent an ordering and manifestation of white supremacy and *global power* (i.e., Kindig 2021). They are acts of misogyny *and* anti-Asian racialized violence, and are part of a longer trajectory of colonial and imperial violence. We would argue that in fact, sexual violence cannot be easily disentangled from colonial, imperial and global power contestations, and legislation pinpoints where and when racist hate was codified into law. In 1875, the US Congress passed the Page Act (Sect. 141, 18 Stat. 477, 3 March 1875). Named after the Republican Representative Horace F. Page from California, it was introduced to “end the danger of cheap Chinese labor and immoral Chinese women” (Peffer 1986).

Such prejudicial language both creates and perpetuates erroneous racist stereotypes and ethical assumptions rooted in colonial projects and an unbridled racial animus used to justify such projects. Since this law was passed, the US has waged conflicts in the Pacific theatre of World War II, the Korean War, and the Vietnam War, and the concomitant Japanese internment camps, racist cartoon caricatures of various “Asian enemies,” or “Yellow” or “Red” scourges, and documented massacres of Asian civilians overseas, glossed over as cases of “just what happens” in the “fog of war.” Flash forward to today: Pawan Dhingra (2021) asserts that racism is indeed relevant in the Atlanta and other attacks. “Most Americans assume a person of Asian descent is foreign-born, unless there is some aspect of their appearance that clearly marks them as American...Asian Americans of all types experience this perception of being ‘forever foreigners’ in a wide range of ways” (Ibid). This is the origin of the relentlessly repeated questions “Where are you from?” and “No, really, where are you from?” when a white person sees a person of Asian descent in the U.S. In addition, it should come as no surprise that, since the pandemic, the unemployment rates of Asian Americans are the highest in the country (Ibid).

Further “complicating” the media and law enforcement’s narrative of the Atlanta shootings is Robert Long’s odd insistence that he “did not have a racial prejudice” against those of Asian descent followed by the claim of having a “sexual addiction.” Captain Jay Baker of Cherokee County, Georgia, initially argued Long was “having a bad day” and had attempted “to take out this temptation” (Wun and Goodman 2021). Captain Jay Baker of Cherokee County, as the officer of these institutions and the protector of the law and order of the imperial state, justifies the violence by providing individual moralistic arguments. And the circulation of both Long’s and this officer’s claims by other officials involved in the investigation disavow the colonial and racial elements of the shooting event and discount

the substantial impact of news of this and other violent incidents on Asian's sense of safety and security in their communities across the U.S.

Baker's and others' rhetorical strategies to externalize the violence as non-racially motivated, or as a "temptation," evades the colonial and imperial oppositions that *inscribe* both the US and the dominance of the white subject within it. The very notion of the US is assumed to be founded on a primary opposition between white and non-white persons, and whites who claim to have mastered the world of sensuality in which "savages" are said to live (i.e., Wynter 2003). Such a presumption of white mastery of sensuality/sexuality guides our understanding of Long's violence as a temptation or a bad day. However, this explanation individualizes the problem, and the presumed structural systems of erotics and ethical infrastructures of the West vs. the Rest remain firmly embedded in this construction of what happened and why. Normative notions of desire are inscribed in all institutions (i.e., the market, the educational system, the media, the law), and notions of morality are expressed through racist and sexist law universalized through the imperial order.

Critical to the process of colonization, and its contingent configurations of racism, is the produced difference between body and flesh (Spillers 1987). Beyond a Cartesian division between body and mind, the colonizing West produces itself as mind and "others" as body, a "primitive" flesh upon which violence happens with impunity. For example, the intimacy between masters and slaves, David Marriott (2017) tells us, signifies a relation of destruction and increase in property. Engaging with the work of Hortense Spillers, he writes that this intimacy

signifies a destruction as a "property *plus*," in which coitus is an excretory reabsorption ....The[re is a] unity here between ejaculation and enjoyment-domination. This locution permits us to glimpse how the raping and torture of slaves is always a pleasurable enrichment in which the right to power is bound up with the operation of violence and rule.

This intimacy of pleasure and violence, of destruction and increase in property operates on a global scale. It manifests itself on all registers ranging from the earth, to people to the family, the nation, international regimes of governance, and individuals, ecetera. And this political economic technology of the crafting of a hierarchical network of segregation (i.e., a hierarchy or a form of commensurability with the whites at the top, colonized others in between, and indigenous and blacks at the bottom of the hierarchy) is not merely a dividing and conquering of peoples and lands into colonial sites and identifications, it is also a segregation in-recombination. This process recombines existing relations into forms of difference that are supposed to be in a relation of equivalence.

The work of Spillers and Marriott is pivotal to help us understand this colonialcraft/racecraft of sexual imperialism and its ordering of the world. The production of networks/apparatuses whose organizing and ordering depend on hierarchies of difference (i.e., friends, enemies and those beings who have no symbolic immanence as modern subjects) manifest in the hands of people like Long. This violence cannot be understood outside the attempts and investments of material sources to constitute a patriarchal white supremacist order as imagined and projected through the European empires. This "ideal" order depends on the co-constitution of positionalities that are not only excluded as other—racialized identities that "pollute" or "contaminate" the purity of the ideal – but also as those whose being has no symbolic immanence as modern and sexual subjects.

The ongoing capitalist demand for further enclosures and conquering of sites in the forms of displacement, trade, gentrification, wars, ecological degradations has forced peoples to move and has accelerated the transmission of diseases. Former President Donald Trump's rhetoric to blame the Chinese

for the virus took hold quickly in a white supremacist world whose orientalist, patriarchal, and supremacist imaginaries see the other as the enemy and the problem behind all sorts of issues. His simplistic pathetic albeit affectively mobilizing discourse on the “Kung Flu,” or “China” virus, reinforcing white supremacist, xenophobic stances in an American First “plan.” Many Americans nationalized the figure of the virus instead of acknowledging how the “virus has moved through the circuits of capital and the humans that labor in them” (Moody 2020). According to Dun and Bradstreet, the “major portion of China’s employment and sales emanate from the businesses within the impacted region and have intricate ties to the global business network” (2). About 51,000 companies worldwide have one or more direct suppliers in Wuhan, and 938 Fortune 1000 companies have tier one or two suppliers in the Wuhan region. Moody further tells us, “The emphasis for the last two or three decades on lean production, just-in-time delivery, and, more recently, ‘time-based competition,’ along with updated transportation and distribution infrastructure, has accelerated the speed of transmission” (Moody 2020).

The massive layoffs, the viral inequality, and the accelerated health issues accompanying the pandemic generated a desire to displace the problems and intensified racist, fascistic, fatalistic and vigilante anti-black and anti-Asian responses. As global trade slowed down, more and more activities were halted due to illness, “social distancing,” lockdowns, and self-isolation. Colonial and racialized violence is endemic, even though the outright fascism and imperial politics of the US, the anti-blackness police violence, and the further erosion of the semblance of liberal democratic institutions through racist gerrymandering were challenged by Black Lives Matter and Indigenous organizing.

The presupposed connection between China and the virus, and Asian women, and sex, dates back to the contestations of the imaginaries and anti-colonial struggles for envisioning a world-making project other than the imperial and modern global capitalist project. The rise of European powers as the leaders of this project permitted European history and bourgeois norms for socially constructed sex to stand as the universal standards of erotic expression and relationality erasing also the racialization processes that inscribe certain epistemes and notions of sexuality. C.A. Diop (1996) reminds us in “Alarm in the Tropics,” the “complex” of the “white American” is a result of the sanitization of Greek thought in Western discourses of its African sources, making it impossible to acknowledge how the colonialist and imperialist fiction is entangled with the sexual (102). Racialization is thus entangled with sexualization, whereby slavery and segregation and the colonial ordering of the world through colonial-racialized hierarchies position blacks as sexual beasts burdening the world and others as objects of satiating white desire. Thus, sexuality comes to be understood as what the colonizers and the imperialists “do to themselves for pleasure, not what they do to the colonized for purposes of pain, pleasure, or politics” (Thomas 2007, 23). In this way, sexuality or sexual pleasure is designated for whites and those white but not quite colonized “pimps” (Fanon 1967), perversion to racialized bodies and savagery to (blacks) flesh (Agathangelou 2004; Spillers 1987; Thomas 2017).

We already mentioned the Page Act. It was part and parcel of an era marking the reconfiguration of the world through new imperialism and the reemergence of colonial rivalries, speeded-up colonial acquisitions, and an increase in the number of colonial powers and nation states – with Germany, the United States, Belgium, Italy, and, for the first time, an Asian power, Japan, all seeking slices of the colonial pie. As part of its imperial expansion, the US’s waging of wars in Asia to “contain communism” involved colonial violence entangled with sexualized violence. The sexual violence systematically waged against Asians or “white sexual imperialism” as Greg Thomas (2007) and Sunny Woan (2008) tells us, had different configurations at different times. Sexual imperialism or the upholding of a much broader opposition between the “civilized” and the “uncivilized,” sexualized/sensual and savages, the colonized and the colonizers is modern and bourgeois. Empire and its configurations dictate a normative genealogy of desire, a colonial-imperial telos for all humans (Thomas 2007). Indeed, this is what we saw

emerge through the US imperial colonizations and re-orderings of sexual relations in Asia. The US war in the Philippines in the 19<sup>th</sup> century and the wars in Korea and Vietnam in more recent times centralized the American military presence in the region. Senior American officers encouraged sex and good times for the men under their command, an informal but consequential foreign policy. The military prostitution serving US forces has played a lucrative part in local and national economies and in their attempts to position themselves as equivalent in the hierarchical inter(national) relation of nation-states. Zach Fredman (2018) explains that “Asian countries have long turned American military debauchery into economic gain and better relations with the U.S.” For example, over 70,000 American troops served in China during World War II and wherever Americans were deployed, “red light districts” sprang up around them. This became Chinese government policy after the war ended, when more than 54,000 Marines landed in China to prevent Chinese Communist forces from seizing control of formerly Japanese-occupied areas. Chinese President Chiang Kai-shek ordered mayors of coastal cities like Shanghai, Tianjin, and Qingdao to offer American personnel special treatment and “all kinds of entertainment” to encourage US forces to stay in China and support his military. When the US colonized Japan at the end of WWII, Japanese officials and police “collaborated with local brothel, nightclub and geisha-house owners to establish the Recreation and Amusement Association (RAA). Within two months, sex workers at RAA facilities and traditional brothels were servicing thousands of GIs each day” (Fredman 2018).

During the Vietnam War, the US strengthened connections with the rest of the Asian region through its R&R program. This program bolstered sex and hospitality industries regionally, including the creation of sex industries connected to the Thai government. Patpong and Soi Cowboy, “two contemporary Bangkok’s red-light districts” (Fredman 2018) were created during the GIs R&R visits and the military personnel fighting in Vietnam for “rest and relaxation.” That bolstered what became the foundations of Thailand’s modern-day sex tourism industry, attracting men from the United States, Europe and the rest of Asia. Other countries in Asia reordered their economies to cater to the US military and the sexual desires of the GIs. For example, Singapore’s Prime Minister Lee Kuan Yew leveraged the R&R program to foster economic development and connections with the United States. In his desire to attract US private investment, he targeted the Pentagon in the 1970s and enticed “free-spending GIs to visit the island city-state’s bars and brothels on R&R trips” (Ibid).

The entanglement of the sexualization of Asian women with their nations’ global power and with the US military, patriarchy, and capitalism built the foundation for the Atlanta shootings. Conjuncting Asian women as the objects of desire and intimacy for the satiation of the white men’s sexual colonial fantasies cannot be separated from the co-production of an imperialism led by white supremacists and, at its root, a transnational middle-class erotics. It is a historical and politically produced phenomenon within the configuration of imperialism and inscribed in the social, moral, and economic landscape - indeed, in the US psyche. While Long might be constructed as a sexual addict trying to rid himself of “temptation,” his slaughter of Asian women is not an exceptional moment. It is simply an intensified version of the existing sexual terror that inscribes all institutions and has always been a perk of not only the military who serve in Asia but of all white Americans. Whether one participates in sexual imperialism is not entirely a matter of when or how one is directly eroticized by or kills Asian Americans. Having imperial power means that some combination of one’s economic security, sexual expression, family values, progress and wealth aspirations are not imaginable or possible without such derivation of pleasure.

Law officials and his ex-roommates such as Tyler Bayless have mentioned Long’s drug addiction, his religious upbringing (photos of his baptism can be found on social media), and his depression linked to his “indiscretions” (Sorace 2021). An emphasis on the addiction and the displacement of angst, self-loathing, and blame on Asian women reflect histories of ongoing reproductions of empire and its white

erotics. Ignored are considerations of whose “victimhood” really matters, and which end that serves. Long’s various struggles and “bad day” becomes the focus in the sheriff’s narrative rather his killing multiple Asians. Excessive attention to Long’s struggles allows a reassertion and reinsertion of an imperial, patriarchal, Judeo-Christian and capitalist system that depend on “utopian” projections, erotic intimacies and economies of geopolitical colonial sexual violence. Imperial and patriarchal notions of heterosexual desire and imaginaries are inscribed as the elements of an “ideal” order against what it articulates and excludes as *other*—those identities which become the object of violence for the ridding of the degenerate, the ill, and the failures of the white masculine (sexual) subject. Such colonial strategies permit the consolidation of hegemonic power and the buttressing of their associated politics and epistemes. Explaining away this violence as a result of one white man’s “sexual addiction” throws a smokescreen that covers up the foundations of racial capitalism and other anti-colonial and anti-imperial projects. Such evasions are what enable injustice in the first place. Such derangements are the bricks that build violent worlds. Equally tellingly, the overemphasis on Long’s struggles evades the victims’ struggles to survive as immigrants, as workers, as Asian-Americans, as women and the meaningful but too often ignored *intersections* of these social locations and deficits in privilege and power that accompany them.

Through these epistemological and political mechanisms and narratives, these women are denied the ability to be fully American and to be full citizens, as the nation moralizes the notion that white (sexual) citizens always belong, always deserve consideration, and are the standard, non-prefixed citizens by which all Others are to be measured and be found lacking. Who is a “true” American and who is a “true” “model minority” subject? The shooting victims are denied these statuses. The discourse of whether Long’s is a racial crime riffs on and borrows from anti-blackness and critiques of colonial and enslaving structures and contingent racisms but ignores the reality of work and the economies in these Atlanta spas. Racial capitalism is entangled with white supremacy, Judeo-Christian norms and patriarchy. It seeks maximization of profits through a range of colonial mechanisms such as sexual violence, including killing as its primary technology of pleasure for the consolidation of imperial power.

The desire dynamics of global racial capitalism operate on multiple scales. In a world where the enslavement and super-exploitation of African slaves and the theft of Indigenous lands existing now in the form of global capital, the sieving through and exclusion of particular others from the rights and privileges of dominant power is through colonial (sexual) violence which makes modernity possible for the erection of white supremacy in the West and the Rest. Hierarchies of differentiated subjects, as bodies and minds, as bodies and flesh, as sensual and asexual are produced both inside and outside the law as this occurs within individual nation states and between nation states and across the globe.

It’s crucial that anti-colonial and anti-imperial feminists begin to actively challenge these dominant structures of violence and systems of thought that divide the world into the civilized = sexual = colonizers from the uncivilized = nonsexual = inhuman = nonhuman, that divide desire from capitalism and relegate the colonial and sexual imperialism into liberal identifications. These sexual imperial structures are global. Their manifestations, though different in different sites, still depend extensively on colonial ordering principles. Sexual imperialism demands that the world must exclusively be reserved for the pleasure of elite bodies that are white or be commensurable with whiteness, and for the quenching of fetishized colonial desires.

Colonized bodies and regions and countless more have been vulnerable for a long time. These women are targeted for racialized manifestations of violence. There is an explicit unevenness in how promises of security and protection for citizens are delivered in fulfillment of the social contract of the sovereign. In the end, whether Long’s crime is labeled a hate crime or not, sexual and racialized violence continue to be perpetrated and perpetuated due to present and historical imperialism as well as white and white but not quite male supremacy. This “pimp power” (Fanon 1967, 40) must be renounced, as does the

greedy caste sustaining it. The socio-sexual desires and edifices of the colonizers and the colonized elites must be disrupted, but as long as “pimps” play a role in the ordering of the world, such deadly manifestations will continue. These violences must be renounced via an imaginary and radical revolutionary solidarity among all those seen as threats and dangers to the racial imperial project. But as long as individual acts of violence remain sensationalized and seen as separate, disconnected “events,” anti-colonial and anti-sexual imperial reckoning will not become a *fait accompli*.

In sum, feminists have to ask: what are the stakes in producing analytics that divide systems and identifications based on racial and sexual domination and subordination without tending to their connections? How do we confront the mechanisms of force and violence attached to foreign policies, sexual economies, and academic work that interact with the energies at the nexus of sexuality, race, class, ability, and more?

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