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The Condemnation of Black Motherwork: Anti-Bodies and Sexual Assault Sentencing

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## **ABSTRACT**

This essay argues that maternal condemnation is a key technique of carceral disciplining in sexual assault sentencing hearings in the US. The frequency, arbitrariness, and intensity of such condemnation demonstrate Black women's susceptibility to public critique, even when they are not at the center of projects of carceral discipline. By engaging the concept of Black anti-bodies, the essay shows how carceral institutions extend a logic of caring for Black women and girls in the process of sexual assault prosecutions. The public nature of court proceedings produces a spectacle of condemning Black maternal figures in the name of this care. The forms of talk that are publicly uttered also become part of a public record, which forms the basis for future sentences.

## ***Introduction: Anti-Bodies and Sexual Assault Sentencing***

In observing sexual assault prosecutions in Milwaukee's felony courts from 2012 to 2015, I concluded that while men were the disciplinary objects at the center of the proceedings, they often served as conduits to the court's condemnation of the maternal practices of Black women in community with the men being prosecuted. This essay takes up maternal condemnation during sentencing as a form of demonstrating Black women's susceptibility to public critique, even when they are not at the center of projects of carceral discipline. It is useful to engage the concept of Black anti-bodies (Davis 2025, Davis and Neil forthcoming) to think about how carceral institutions extend a logic of caring for Black women and girls in the process

of sexual assault prosecutions. Because of the state's claim that these prosecutions are carried out in the interest of women and girls, the context of sexual assault felony courts is critical here. The courts, open to the public, then produce a spectacle of condemning Black maternal figures in the name of this care. The forms of talk that are publicly uttered also become part of a public record, which forms the basis for future sentences.

In this essay, I show that in sexual assault prosecution, sentencing is the device that produces Black anti-bodies by striking at the fault lines of race, gender, and sexuality in its focus on Black motherwork. As the courts evaluated the factors that determined the sentence, they produced a lexicon that condemned Black motherwork, questioned the upbringing of the person being sentenced, their support system within the domestic and community spaces they hoped to rejoin, and their prospects for employment. For Davis (2025), the spectacular context in which Black birthing people are rendered simultaneously essential and disposable is critical to the stabilization of political systems. The courts' positioning of themselves as the arbiter of good maternal care (Mulla 2024), similarly upholds a political system that invests in disciplining Black people who are accused and convicted of crimes, along with their families, and communities.

For the men being sentenced, the stakes here were the extent to which they would be incarcerated in a prison, or allowed to serve all or a portion of their sentence under supervision.<sup>i</sup> With the courts' ongoing commitment to the myth of the absent Black father, it was the Black mother who was reviled as lacking the capacity to correct the persistent criminal impulses of her (adult) child. I argue that this disavowal of Black motherwork is achieved through several means in the courts, a site of racial spectacle. The spectacular nature of the courts was one of which court personnel were deeply aware, and often played a role in crafting. I regard this spectacle as

key to magnifying the force of Black anti-bodies as modes of institutionalizing anti-Blackness. Proceedings were marked by the compelled presence and participation of Black women as witnesses, and the court's willful and highly performative disavowal of local conventions. What were clear signs of pride and self-care in Black social worlds were mocked as suspicious, comedic, or abnormal by the courts (Mulla 2024).

### ***Sexual Assault and Its Prosecution in Milwaukee***

Working in the courts, I was aware that sexual violence commonly occurs within communities, within families, and within intimate spaces. I also undertook this project knowing that while some studies suggest a higher rate of sexual violence victimization among Black women, many others have found that there was really no evidence that sexual assault took place significantly more frequently in Black communities or Latino communities as compared to white communities (Kilpatrick et al 2007). I also knew that policing of Black and Latino communities was intensive, and that Black men in Milwaukee County, especially, were more likely to have contacts, stops, arrests and charges which put them more squarely under the surveillance of the police (Crime and Justice Institute 2022). Doing fieldwork in a court like the Milwaukee County Circuit Courts meant that I almost exclusively saw people of color being prosecuted and charged, and the large majority of these were Black people.

Subsequently, this meant that the people who were then ordered and produced in the courts to testify against them, including the victim-witness, were also Black people, and in the case of the victim-witness, primarily Black women and girls. The court personnel and all of the attorneys were almost exclusively white, comprising the labor of the institutional apparatus that produced Black maternal anti-bodies. In the courts, our research team observed proceedings involving 364 distinct defendants, and of these, 206, or 57 percent, were Black men and women.

Milwaukee County's African American population is about 26 percent, which is less than half of 57 percent. In contrast, 86 of the individuals were white men and women, which was only 24 percent of the defendants, while Milwaukee County is about 51 percent white.

Through the sentencing hearing, the court staged a racial spectacle that focused on the inadequacies of maternal care in the worlds of the men they are sentencing. It was Black motherwork itself that would be labeled inadequate to the task of community rehabilitation, further contributing to sentences that prescribed incarceration within custodial institutions. Returning to my fieldnotes from 190 sentencing hearings, these stories of Black maternal inadequacy emerged in hearings that followed a very structured form of discourse. There was a tripartite formula through which the judges invoked punishment, safety of the community, and rehabilitation. This included an assessment of community-based resources that would be a part of restoring this person to being a productive (in a capitalist sense) part of the community. Rehabilitation was seen as rooted within community infrastructures, and when a sentence required in-custody incarceration, the infrastructures of the community were degraded and deemed insufficient features of an ecology of rehabilitation. Part of what we heard during the sentencing hearing was very specific assessments in which those infrastructures were deemed deeply flawed, pathological, and hostile spaces for healing. That left the judge with no choice but to conclude that community rehabilitation was an impossibility and incarceration was the only logical choice. Key to this logic, Black motherwork was often dragged into the center of these discussions at the discretion of the judges.

### ***Condemning Black Motherwork***

While I frequently witnessed judges directly criticizing the mothers of Black defendants, here I discuss a sentencing hearing where the judge treaded into the familiar territory of the

defendant's employment history. Such talk was typical and shows how the event of sexual assault itself opens up a range of individuals and subjects to judicial scrutiny. Rather than focus on one particular mother, this example shows how Black motherwork is itself scrutinized even when it is indirectly evoked in a hearing. In the excerpt from a hearing transcript below,<sup>ii</sup> the judge expanded the scope of inquiry to condemn the defendant's former employer when he learned that the defendant, here called Mr. Steel,<sup>iii</sup> worked for a daycare. The daycare itself is a site of Black motherwork in this example.

When Mr. Steel's defense attorney pointed out her client's successful history of employment as a driver for the daycare, the court responded:

So let me get this straight. Some daycare in the city, God forbid, hires Mr. Steel, who is a convicted felon . . . who has auto theft on his record?! That would be problematic if he was to steal the van that he's driving with kids in it. . . . What ridiculous daycare hired Mr. Steel, violating, I'm sure, their moral duty, if not some legal duty of the State?

And then turning to the defendant, the judge asked for more details of his employment.

Judge: Who were you working for?

Steel: Angel Daycare.

Judge: Angel Daycare, what on God's earth is that? That is some half-baked, unlicensed, storefront daycare, right?

Steel: It was a real daycare.

Later, I confirmed that Angel Daycare was an existing, licensed, in-home daycare in a predominantly Black and Latino neighborhood in Milwaukee. After more inquiries about the proprietor who had hired Mr. Steel, along with more derision from the judge, he concluded:

Of course. Good God! People cannot believe what I see. There should honestly be a camera in this court every single day. So we have a convicted felon working at the “Angel Daycare” who is hired by [the owner], going with the theme, “God save us all.”

I want to emphasize that the establishment the judge critiqued was a daycare. Though many care providers in Milwaukee’s majority Black neighborhoods were modest in terms of their settings, they provided a much-needed form of community motherwork that sustained the neighborhood so that mothers could labor outside of the home and sustain themselves and their children. In these small moments of dismissal of the professionalism of a daycare, the court danced around naming Blackness outright, while also displaying, if not crowing, its lack of familiarity with and disconnection from Black social life.

*Conclusion: Sentencings as Conduits*

In sentencing, the stickiness of anti-Black logic clung not only to the person being sentenced, but worked through him as a conduit into his social world. The fate of the “sex offender,” whose violence the court sought to curb in the name of Black women and girls, was then sutured to the future of his Black communities, which were themselves disciplined through the sentencing hearing. Here, the state sent its tendrils deeply into the very fabric of Milwaukee’s Black social worlds, expanding its carceral reach and institutionalizing the condemnation of Blackness (Muhammad 2010). This essay has sought to show that the sentencing hearing condemned Black motherwork and social reproduction by rendering Black maternal bodies as anti-bodies. In the broader context of my fieldwork, there are many other Black mothers who were specifically named and shamed, often through direct forms of address during sentencing hearings.

This dismissal of Black motherwork, the insistence of the courts that it can only ever be considered a pathologizing force, relegated maternal labor to disposability, propelling Black mothers into the subject of Black anti-bodies. Recall, once more, that this case was a sexual assault sentencing hearing. Did the court need to make a show of dressing down Angel Daycare and its owner in order to sentence Mr. Steel? Returning to the framework of Davis's Black anti-bodies, we saw the court reject Angel Daycare, deeming the Black motherwork undertaken by the daycare, and by Mr. Steel as a daycare employee and driver, disposable. This disposability is at the heart of trends of overincarceration which harm the social, emotional, and economic life of Black communities (Lopez-Aguado 2016; Pawasarat and Quinn 2013). The peripatetic nature of anti-Black racism that Davis draws to our attention in her theory of Black anti-bodies is exhibited in the judge's practice of jumping from Mr. Steel to the demeaning of Angel Daycare and its owner. Black motherwork is itself cast as Black anti-body, spectacular and spectacularly susceptible to dressing down as the court established the basis to incarcerate Black men in the name of saving Black women and girls.

## ***REFERENCES***

Crime and Justice Institute. 2022. "City of Milwaukee Settlement Agreement Semiannual Analysis of Traffic Stops, Field Interviews, No-action Encounters, and Frisks." Community Resources for Justice, Boston, MA.

Davis, Dána-Ain. 2025. "Black Anti-Bodies and the Lexicon of Racism: A Thought Piece." *American Anthropologist*, ahead of print, July 15.

<https://doi.org/10.1111/aman.28096XX>.

Davis, Dána-Ain and Bisola Neil. 2025. "Black Anti-Bodies and the Trauma of Obstetric Racism." *Women's Studies Quarterly*, forthcoming.

Ditton, Paula and James Wilson. 1999. "Truth in Sentencing in State Prisons," Bureau of Justice Statistics Special Reports, Office of Justice Programs, U.S. Department of Justice.

Kilpatrick DG, Resnick HS, Ruggiero KJ, Conoscenti LM, McCauley J. Drug-facilitated, incapacitated, and forcible rape: A national study. Charleston, SC: National Criminal Justice Reference Service, 2007.

Lopez-Aguado, Patrick. 2016. "The collateral consequences of prisonization: Racial sorting, carceral identity, and community criminalization." *Sociology Compass* 10(1): 12-23.

Muhammad, Khalil Gibran. 2010. *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. Cambridge, MA: Harvard University Press.

Mulla, Sameena. 2024. "Evaluating care: Anti-Blackness and sexual assault sentencing in Milwaukee, WI," *Feminist Anthropology*. 5(2): 343-357.

Pawasarat, John, and Lois M. Quinn. 2013. *Wisconsin's mass incarceration of African American males: Workforce challenges for 2013*. Employment and Training Institute. University of Wisconsin, Milwaukee.

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<sup>i</sup> Wisconsin is what is termed a "truth in sentencing" state which means there is no parole or early release. Sentences are structured with time in custody and under extended supervision at the outset, and there is no veering from this

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sentence once it has been set. There are no hearings or considerations for “good behavior” as there is in practices of determinate sentencing (Ditton and Wilson 1999).

<sup>ii</sup> I have published about this exchange in *Feminist Anthropology* (2024), there thinking more about the court’s stake in care. Here, I switch the emphasis to Black motherwork.

<sup>iii</sup> All names and business names are pseudonyms in which I hope to capture the spirit of the conversation while protecting the anonymity of trial participants and the people and businesses they spoke about.