

Brown v. Ferguson



Endnotes

On 21 March 2012 a crowd assembled in New York's Union Square to hear two bereaved parents speak: "My son did not deserve to die"; "Trayvon Martin was you; Trayvon Martin *did* matter".¹ Summoning heavenly powers to their aid, a preacher led the crowd in prayer: "Hallelujah we are Trayvon Martin tonight...". The Million Hoodie March — a reference to the Million Man March called by Nation Of Islam leader Louis Farrakhan in 1995 — had been publicised on social media with the #MillionHoodies hashtag by a New York activist and ad agency worker alongside a change.org petition. Trayvon Martin's parents had themselves only found out about it last minute during a chance visit to New York. But it had gone sufficiently viral to bring out 5,000 to Union Square, and 50,000 across the country, at short notice. Within days the meme would make it into the House of Representatives. Bobby Rush, of Chicago's South Side, donned a hoodie for an address on racial profiling. He was escorted from the chamber by security while the chair droned over him: "the member is no longer recognised".

The Million Hoodie March took place while Occupy's flame was guttering, and a residual Occupy presence had been cleared from Union Square only the day before. There was an overlap of personnel, resulting in some off-message chants — "we are the 99%" — and the use of the people's mic. Along with the black nationalists and community organisers who commonly turned out for such events were members of a younger crowd: Zuccotti freaks, anarchists from Brooklyn, members of Occupy the Bronx — some of whom would go on to form the Trayvon Martin Organizing Committee. After the speeches, the rally fragmented, with some heading up to Times Square, and another crowd heading in the opposite direction, for downtown Manhattan, where one rode Wall Street's bronze bull, shouting "I am Trayvon Martin". The accidental symbolic dissonance of that gesture may be taken as marking a junction-point in the recent history of American struggles. Five days before, Occupy protesters had been rebuffed in an attempt to retake Zuccotti Park, and three days later they would march from there to Union Square, demonstrating against police brutality, but this was the waning phase of that movement. Another was waxing.

Descending modulations

While political composition had tended to present itself as a fundamental, unsolvable riddle for the movements of the global 2011–12 wave, they were not compositionally static. There had been a tendency to produce descending modulations, with the worse-off entering and transforming protests initiated by the better-off: occupations initiated by students or educated professionals over time attracted growing numbers of the homeless and destitute; university demonstrations over fee hikes gradually brought out kids who would never have gone to university in the first place. Later, the Ukraine’s Maidan protests, kicked off by pro-European liberals and nationalists, mutated into encampments of dispossessed workers. In England, such modulations had terminated with the crescendo of the 2011 riots, as the racialised poor brought their anti-police fury to the streets.²

If such compositional descent could bring questions of race into play in the struggles of a country where they are a largely post-colonial development, where less than 4% of the population identify as black, it was unsurprising that such questions would soon press to the fore in the movements of a nation founded substantially on the plantation, where the percentage is three times higher and the urban ghetto a reality. And if the riddle of composition, for movements like Occupy, had stemmed from the lack of any already-existing common identity, “black”—in this country more than any other—seemed perhaps to offer one. Though it was an identity which many of the Occupiers of course could not share, it might at least offer a pole of attraction, a leading edge for mobilisations. Early activists within this wave would thus consciously seek to solve Occupy’s “whiteness” problem, which many imagined would facilitate the development of either a broad alliance of workers and the poor, or — for some — a new civil rights movement.

17-year-old Trayvon Martin had been shot and killed on 26 February 2012 during a visit to the suburban gated community where his father’s fiancée lived. The homeowners of The Retreat at Twin Lakes in Sanford, Florida had suffered massive losses of equity in the years immediately following the crisis, the value of their homes collapsing, and a couple of recent break-ins had heightened the anxiety. Neighbourhood watch volunteer George Zimmerman was armed and patrolling the area, anticipating a return of the culprits. The appearance of an unrecognised individual, apparently fitting their racialised profile in Zimmerman’s mind, prompted him to call the police, before getting involved in some confrontation. That Trayvon had been armed with only a packet of Skittles and an Arizona Ice Tea when shot, but had been clothed in a standard racial signifier — the hoodie — would establish the symbolic coordinates of the case.³

But old and new media were silent at first; then on 8 March the story broke in the national press. A social media trickle now began, which would quickly become a torrent as outrage spread at racial profiling and the killing of a teenager. Soon, local actions were being organised: a rally at a church in Sanford; another outside the Seminole County courthouse. But these were not reducible to the spontaneous response of a local community: the first was led by an evangelical preacher from Baltimore; the second was organised by student activists from a newly forming leftist grouping, “Dream Defenders”, at the historically black Florida Agricultural and Mechanical University 300 miles away in Tallahassee, the state

capital. By 17 March, the family's calls for Department of Justice intervention were making the *New York Times* — calls swiftly answered, with Emanuel Cleaver of the Congressional Black Caucus announcing an investigation into the case as a possible "hate crime". Four days later, with the Million Hoodie March, the demonstrations too went national.

Vertical mediations

The next day, Al Sharpton was on the ground in Sanford, leading a demonstration. A TV host, ex-James Brown manager, founder and president of the civil rights organisation National Action Network (NAN), Sharpton is one half of America's celebrity black activist duopoly. The other — who was soon to follow, along with NAACP⁴ president Ben Jealous — is Jesse Jackson: twice Democratic presidential candidate, colleague of Martin Luther King Jr., founder of the National Rainbow Coalition and Operation PUSH, as well as their current amalgamation. Sharpton and Jackson are both ordained Baptist ministers, following a standard pattern that entwines civil rights and organised religion; King too was a Baptist minister. With the arrival of such figures and their associated institutions, the nascent movement gained the imprimatur of long-standing civil rights figures and present-day "race leaders".⁵

That most of its leaders were, in living memory, subjected to violent state repression has not prevented the Civil Rights Movement from taking a special, sacrosanct place in national myth.⁶ Here, the nation's foundation in the original sin of black chattel slavery is ritually sublimated in the Christ-like figure of King — in whose blood Jackson literally anointed himself. For his speeches, King now sits in the American pantheon alongside Lincoln and Jefferson, and like George Washington he has a national holiday in his honour. For American schoolchildren, MLK day signals the approach of Black History Month, during which they are told of proud Rosa Parks on the bus and subjected to newsreel footage of Southern cops attacking peaceful protesters. Together these furnish an airbrushed image of a social movement which, fleetingly emergent from the mire of American history, all can safely applaud. In this firmament, Civil Rights appears as the *ur*-model for political action per se, its constellations of historic leaders and events the major points for orientation and aspiration. It was through that movement that part of the black population managed to extricate itself from the descending fate of those who remained in the ghetto. The movement also left behind a significant institutional infrastructure.

"Civil rights leaders" such as Sharpton and Jackson, often placed at the front of demonstrations, even have sufficient political heft to regularly get the ear of the President: at the time of writing, Sharpton had clocked up more than 60 invitations to the White House since 2009. If the wave of struggles that would later become known as #BlackLivesMatter has often seemed an exemplar of youthful hashtag activism, and if social media — as lawyers on both sides of George Zimmerman's murder trial would later agree — would be the making of the Trayvon case, it would thus be a mistake to emphasise some putative horizontality at the expense of these more vertical mediations, which were already in gear within a month of Trayvon's death. Such vertically integrated coordination is of course a commonplace of American history, in which the racial bonds among whites have always been stretched over a greater span. Slave owner and yeoman farmer,

postbellum landlord and poor white sharecropper, WASP industrialist and Irish immigrant had even less in common than black political elites have today with the predominantly poor victims of racial violence. Yet the yeoman joined slave patrols and fought to defend slavery in the Civil War; the white sharecropper (after the brief interracial alliance of populism) would help to maintain Jim Crow segregation through lynch terror; and the Irish immigrant, though initially racialised himself, would brutally police black neighbourhoods on behalf of his protestant betters. Historically, the vertical mediations of whiteness were able to span these great distances not because of the affinity of culture or kin, but because they were embodied in the American state itself.

Now however, that state was topped by someone ostensibly outside this construct. However tenuously, blackness too now seemed capable — at least in principle — of spanning comparable social distances. Before a month was up, the reticent Obama had conceded to media pressure for a statement, with a lukewarm Rose Garden pronouncement that managed to quietly affirm a personal racial identification with Martin — “if I had a son, he would look like Trayvon” — while simultaneously brushing this under the rug of a common American identity: “all of us as Americans are going to take this with the seriousness it deserves”. The rhetorical tension here — racial particularity vs. the universality of national citizenship — registered the constitutive contradiction of American society. This tension had beset Obama’s campaign and presidency alike, with race both an asset and a liability.⁷ Rhetorical oscillations between these poles would thus consistently structure his reactions to the coming wave of struggles.

Mediation and causation

But the Al Sharpton or Jesse Jackson-led demonstration after the killing of another black person, typically at police hands, had been a familiar fixture of the American political landscape for decades; the rate of such deaths had been high for years — and may have been even higher in the past.⁸ The capacity for a single fatality to set in motion what would — once it had met with some powerful cross-currents — become the most significant wave of US struggles in decades thus demands some explanation, and it is here that the particularities of hashtag activism become more important, alongside other key factors. The recent mass uptake of easy-to-use digital tools had lowered the bar for political mobilisation, generalising capacities for active production and dissemination of information. This brought possibilities for countering or bypassing mainstream news agendas, and facilitating processes of questioning the standard practice of simply reiterating police reports within popular media. Other narratives could now be collectively constructed on the basis of relatively little effort on the part of individuals, pulling together particular instances that in previous times would not have been linked. It was through such mediations that a unified cause was to be constructed from a list of geographically and temporally scattered killings, and it is thus in part to these mediations that we must look if we are to grasp the articulation of this movement.

Also, having been more or less made taboo in the long push-back that had started under Nixon, with the wave of crisis-era struggles — and Occupy in particular — open protest had again become both visibly possible and increasingly legitimate. Lastly, the past few years

were ones of political-economic and social crisis, with a dwindling of prospects worse in black communities than elsewhere: race is a marker for the most insecure fractions of the US labour force, who are inevitably hit disproportionately by generally declining conditions. It would be the combination of these conjunctural factors with the peculiar social and institutional structures of racial representation in the US that would enable the burgeoning of a singular mass movement. The death of Trayvon Martin was a signal flare illuminating a tortured landscape. There was thus nothing idle about the comparisons that would become commonplace between him and Emmett Till, the murdered 14-year-old whose mutilated features helped spur the civil rights movement.

Martin's parents soon started to undertake their own campaigns over the Trayvon case and related issues, while the demonstrations proliferated nationally and the social media chatter continued to grow. A 24 March 2012 Trayvon demonstration in Hollywood seems to have been the occasion for the first deployment of "Black Life Matters" as a slogan and hashtag, perhaps responding to Trayvon's father, Tracy Martin's assertion just a few days before at the Million Hoodie March, that Trayvon *did* matter. In Martin's case it seems to have been meant programmatically: that Trayvon would be *made* to matter through a campaign, in his name, for justice. Similar performative intent may be perceived in the slogans that emerged at this time. #BlackLivesMatter appeared — perhaps as a corruption of the existing slogan — in the response of @NeenoBrowne to the 12 April announcement that Zimmerman would be charged with murder; the meme may well have an older provenance than that.⁹ Whether black people's lives "matter" is a question posed objectively in a country where they are so perfunctorily expended: 6,454 killings in 2012, a figure out of all proportion to the size of the black population.¹⁰ Such memes surely catch on for a reason: they are thoughts already in everyone's heads.

Hitting plaster

On 6 April Dream Defenders set out on a Civil Rights-model 40-mile march from Daytona Beach, Florida to Sanford. Then from late April another case entwined itself with Trayvon's, adding complexity and further outrage. In Jacksonville, Florida, Marissa Alexander was being prosecuted for aggravated assault after having fired a warning shot at her abusive husband — a shot that, unlike Zimmerman's, had only hit plaster. Florida's version of the "Stand Your Ground" law — which authorises those who are under threat to defend themselves — seemed to be at play in both cases, with distinctly different prospective outcomes.¹¹ On the one hand, a man who had killed an unarmed black teenager, invoking the right of self-defence. On the other, a black woman who had harmed no one while defending herself against the threat of violence, and who stood to spend a long time in prison. The bleak combination of these two cases seemed demonstration enough — even before the results of the trials were in — of the racial (and gendered) character of the legal system. The 20 May sentencing of Alexander — given a mandatory minimum of 20 years in prison — only confirmed expectations.¹²

The Trayvon case in particular had by now become a national media spectacle and, since Obama's statement, had summoned familiar reactions. From a straightforward national villain, Zimmerman was increasingly celebrated as a folk hero by conservatives.

A mediated battle over representation ensued, with Zimmerman claiming he was being victimised, while Trayvon was given the usual treatment meted out to that elite class of the racialised deceased whose deaths ignite significant protest: his digital presence muckraked by media for any indications he might have been anything less than an “angel”. That he was a middle-class kid from a Florida suburb did not prevent such attempts — but it limited their plausibility, and thus probably their efficacy. The outcome would almost certainly have differed had Trayvon actually been a child of the ghetto — as would Obama’s capacity to conjure up a parental identification. But still, while the case waited, and Trayvon’s family kept plugging away at small-scale activism, the media coverage gradually dropped off, and the social media torrents reduced to a plaintive trickle.

Then on 23 November another name was added to the list: Jordan Davis, 17, shot and killed, also in Jacksonville, Florida, by Michael Dunn. Davis’s offense was that he played loud hip-hop in his car, for which he earned ten shots from a 9mm handgun, three of which hit and killed him. This was a random act of rage from someone with an antipathy to what he saw as “thug” culture, though Dunn too would claim self-defence, having felt threatened by a mysterious shotgun that was never to be found.¹³ With another, similar Floridian case in so many months it was probably inevitable that #RIPJordanDavis would join #RIPTrayvonMartin. On 1 December, Dream Defenders staged a vigil for Davis a couple of hours away in Tallahassee. And the Davis family soon joined the sad daisy chain of the campaigning bereaved, linking up with Trayvon’s family for anti-gun-violence events in the aftermath of the Sandy Hook school shooting. They drew on family history associating them with civil rights struggle, while Davis’s mother would later tell a melancholy story linking the two fates:

Jordan kept saying [of Trayvon Martin], “Mom, that could have been me. Mom, that could have been me.” We talked at length. He said, “He didn’t even do anything wrong.” And I told him, “Jordan, you don’t have to be doing anything wrong. You are a young black male and there are certain people who will never give you respect.”¹⁴

Gun control and Stand Your Ground: these were the tangible and immediately prospectless campaigning issues at play at this time, in the long months while people waited for the Zimmerman trial to begin. But, of course, a generalised sense that there was something specifically *racial* at work in such things had never gone away. A late December demonstration in Oakland, California, drew links between Trayvon and a local black man, Alan Blueford, who had died at the hands of the cops, while in January 2013, *JET Magazine* — which had published the original photos of Emmett Till — placed Davis’s portrait on its cover with the headline: Is your child next?

On 9 March 2013, 16-year-old Kimani Grey was shot and killed by plainclothes police in East Flatbush, Brooklyn in an event whose contradictory accounts — gun-brandishing gang member or unarmed innocent executed in cold blood while fleeing for his life — would never be reconciled. This brought New York City the closest thing to an anti-police riot since the 1980s — a smashed pharmacy and cars in flames a few blocks from the site of the shooting, after teenagers broke away from a vigil — with further gatherings on subsequent nights as #BrooklynRiot spread on Twitter. Local council member Jumaane Williams showed up with heavies to shut things down in the name of the community, accusing

Occupy of sending outside agitators. This was an early instance in a pattern that would become general, of existing black organisations claiming to represent the movement, their legitimacy in this respect a function of their ability to rein in the violence. But what distinguished protest for Grey from that for Trayvon and Davis was the confinement to a locality and relative lack of mediation: though it was soon added to the hashtag memorials, actions in Grey's name differed. In lieu of the solidarity protests of far-flung activists accompanied by waves of social media chatter in the weeks and months after an incident, the reaction to Grey's death was near in both time and space.¹⁵ Such formal differences may be read as indexes of distinct compositions.

The President is Trayvon Martin

In June 2013 — in the summer that marked the fiftieth anniversary of the March on Washington — Black Life Matters activists were in Chicago's South Side responding to gun violence by "collecting dreams". Then came Zimmerman's 14 July acquittal on all charges. This brought the bellows to bear again on 2012's embers. On 16 July Dream Defenders started a several-week sit-in at Florida's Capitol building, demanding a Trayvon Martin Act to repeal Stand Your Ground and outlaw racial profiling, and with Twitter and Tumblr posts on the Zimmerman trial, the #BlackLivesMatter variant now reared its head again, this time under the stewardship of activists — Alicia Garza, Patrisse Cullors and Opal Tometti — who would later become leading figures in the movement and assert ownership of this slogan.¹⁶ Meanwhile the state proffered carrot and half-concealed stick: under Democratic pressure, US Senate hearings on Stand Your Ground (at which Trayvon Martin's and Jordan Davis's families would testify) were announced on 19 July, while Obama now identified *himself* with Trayvon — and as a victim of racial prejudice — speaking at significant length on issues of race, suggesting that there may be some legislative reforms ahead, while simultaneously upholding the neutrality of the existing law, and warning against violent protest. Here was that tension again: "black" and "president" in some ways at odds; now, perhaps more than ever, the former rhetorically encroaching on the latter, probably in reasoned anticipation that the Trayvon Martin case would not quietly die.

The next day, in customary fashion, Al Sharpton and the National Action Network announced demonstrations in "100 cities". The Martin, Alexander and Davis protests had so far been centred on their home state of Florida — with solidarity actions coming from America's two activist metropolises, New York City and the Bay Area. Demonstrations now spread to DC, Atlanta, Dallas, Cincinnati, New Orleans, Minneapolis, and on, though Florida remained a base, with protests in Jacksonville and Miami. The Alexander case was still on the agenda, with a Jacksonville rally called by Jesse Jackson. The latter — who lent his physical support to the Tallahassee sit-in — was also offering to mobilise institutional force in aid of the younger demonstrators. Florida was, said Jackson, an "apartheid state", and — singing from the standard Civil Rights hymnbook — "the Selma of our time". Though the standard power brokers of black politics could obviously not fill demonstrations and occupations all by themselves, now, as in spring 2012, this was evidently more than a spontaneous upsurge.

Indeed, the concerted push from student-led demonstrations and occupations — and, later, riots — as well as the institutional and personnel holdovers of Civil Rights activism, all the way up to the legislative organs of the American state, with diplomatic mediation and concessions announced by the President, is one of the most remarkable aspects of this wave of struggles. Set against Occupy or the anti-globalisation movement, it has had a peculiar social and institutional “depth”— one only possible, perhaps, in a country beset by race’s constitutive contradiction, where Civil Rights legacies perform important social and ideological functions. With a now-sizeable black middle class still prone to identify along racial lines before any other, and with an active black presence in higher state institutions, there is a social basis, it would seem, for substantially vertical modes of movement composition which defy traditional storytelling about radical upsurges and their inevitable cooptation. This was the composition that “black” brought.

Before long even Oprah Winfrey — a *Forbes* rich list member worth \$3 billion — was wading in, drawing parallels between Trayvon Martin and Emmett Till. And within a month came the mediatic spectacle of the March on Washington anniversary and the “National Action to Realize the Dream March”, bringing out the Obamas, Bill Clinton and Jimmy Carter (but notably no Bushes; Carter pointedly identified Democratic fortunes with Civil Rights gains) to glory in Civil Rights as national myth. Sharpton took a historic opportunity to criticise black youth culture and its “sagging pants”, to much applause. But attendance estimates were much lower than anticipated — probably somewhere in the 10,000s. While the symbology of Civil Rights is never far away in this wave of struggles, this was evidence, perhaps, that the sentiments exposed by the Trayvon case were looking for something other than monuments to a previous generation’s heroism; Luther dons the mask of the Apostle Paul.

Fuck the feds

At this stage activist strategy remained largely confined to a Civil Rights playbook. First highlight local instances of racist violence or institutional discrimination in order to draw in the federal government. Then use Department of Justice or FBI investigations into “civil rights violations” to extract concessions from state and local officials.¹⁷ This orientation to the federal government might seem surprising — especially given its role in crafting policies that have adversely affected African Americans. But race and the US state have had a long and intimate relationship in which the latter’s role cannot simply be reduced to either abuse or accommodation, and it would be a mistake to read the function of the state here as a matter of the simple incorporation of a previous generation’s insurgent black politics. Black people in America have been continually exposed to high levels of arbitrary violence. This violence has often been inflicted directly by agents of federal, state and municipal governments; at other times by private actors with the tacit or explicit approval of the state. But jurisdictional conflicts between different levels of government have also allowed black movements, in certain periods, to play one off the other. Indeed their attempts to do so have shaped the existing division of powers in the United States.

Prior to the Civil War, tight restrictions on federal power had been introduced into the Constitution explicitly to forestall any potential for Congress to undermine or outlaw

slavery in the Southern states, and federal legal protection had been largely limited to slaveowners — the Constitution’s Commerce and Fugitive Slave Clauses confined the federal enforcement of property rights to the kind of property that had a tendency to flee across state lines. But after the war the 14th and 15th amendments, together with the Enforcement Acts, gave Congress unprecedented powers to overrule state law in order to protect the former slaves from their former masters. These amendments, along with a beefed-up interpretation of the Commerce Clause, still underlie federal power over state judiciaries today. The question of race is thus bound intimately to the very structure of political power in America.

But the intended beneficiaries of these developments were abandoned almost immediately by the newly empowered federal government amid a backlash against Reconstruction, led by a revanchist Southern elite. A series of Supreme Court decisions culminating in *Plessy v. Ferguson* (1896) succeeded in depriving Southern blacks of their newfound constitutional protections. And even as federal judicial oversight and intervention expanded in the early twentieth century to cover organised crime, auto theft, drug and prostitution rackets — billed as “white slavery”— the federal government consistently ignored the appeals of anti-lynching campaigners.¹⁸ It was only after *Brown v. Board of Education* (1954), when Jim Crow had become both unprofitable and a national embarrassment,¹⁹ that Southern blacks were finally able to discount these constitutional promissory notes.²⁰ In a sense, black people were both the first and last to enjoy access to federal protection.

Of course today, as in the past, those protections remain very limited. The Department of Justice has been inconsistent in enforcing its civil rights mandate, and no-one imagines the feds are committed to racial equality. There is perhaps an analogy here with the role of the Chinese Communist Party in making an example of corrupt local officials in order to quell protest and preserve the wider system of corruption. The role of Congress in establishing the basis of mass incarceration (see addendum, below) and the recent gutting of the Voting Rights Act by the Supreme Court leave no illusions about the trustworthiness of the federal government in this respect. But the history of Reconstruction shows that there is nothing new in the fact that the supposed saviours of black people can often be their worst enemies.

Being black while seeking help

On 14 September 2013 Jonathan Ferrell, 24, crashed his car in Charlotte, North Carolina and went to a nearby house in search of help. The homeowner called 911 and police officers soon arrived on the scene. Rather than helping Ferrell, police officer Randall Kerrick shot him 10 times.²¹ On 2 November Renisha McBride, 19, crashed her car in Dearborn Heights, Michigan, in the Detroit metropolitan area, and went in search of help. Apparently intoxicated and confused, she knocked on Theodore P. Wafer’s front door in the early hours of the morning. He responded with a shotgun blast to her face. The appearance of such strikingly repetitive patterns in this story is probably in part a product of the mediation of specific incidents: two cases that separately and with different timing might have drawn little attention in themselves coming to resonate together, the latter case amplifying the former, and both sounding out louder together. But it is surely also in part an artefact of generic structures of American society: the black person deposited in an

unfamiliar neighbourhood by a car accident, rousing fears on the part of the resident to whom they attempt to appeal for help, ultimately leading to their death – the whole standard apparatus of suburban anxiety, racialisation and arbitrary violence towards black people shows itself.

Spokespeople for the McBride family seem to have resisted her insertion into the ongoing macabre narrative of Trayvon et al., but with Michigan's Stand Your Ground law potentially at stake, and Wafer's defence involving the claim that he thought his home was being broken into, the association was probably inevitable – as was Al Sharpton's prompt appearance on the scene, making the case. On the day of McBride's funeral, however, an attempt by Democrats to repeal Florida's Stand Your Ground law was defeated by overwhelming Republican opposition. In the weeks following McBride's death, demonstrations grew in Detroit, with vigils and rallies outside a police station using the Black Lives Matter slogan, while #JusticeForRenisha entered the national chatter. But the lack of Trayvon-esque levels of mobilisation was noted: did black women's lives matter even less?

In February 2014, though Jordan Davis's killer was convicted of 2nd degree murder, a hung jury meant that a full-scale murder charge was left pending further trial. This led to national outrage and Florida demonstrations for Davis. These were followed in major cities across the country by a new round of Trayvon Martin actions. A 10 March demonstration at Florida's State Capitol in Tallahassee, led by Martin's and Davis's parents, as well as the omnipresent Sharpton, demanded repeal of Stand Your Ground. Yet at this point Florida's Republican-dominated legislature actually appeared ready to *extend* this legislation – albeit with a view to cases like Marissa Alexander's where a warning shot is fired. While the country's pulse seemed to be palpably quickening over issues related to these killings, and the “New Civil Rights Movement” idea remained much in the air, it seems conceivable that things might have fizzled at this point into minor Stand Your Ground and gun control campaigns, had further events not intervened.

I can't breathe

But at mid-summer, while Dream Defenders were organising “Freedom Schools” across Florida – modelled on the obligatory Civil Rights precedent – New York cops added another name to the list, while managing to bring police brutality to the fore in the mix of live issues: Eric Garner, 43, killed in a chokehold on 17 July 2014 on Staten Island, New York City, by police officer Daniel Pantaleo. Garner apparently sold “loosies” – individual cigarettes purchased in neighbouring states like Pennsylvania or Delaware where taxes were lower – and had already been arrested multiple times in 2014 for this minor misdemeanor. For the cops this was a matter of clamping down not on crime but “disorder”, part of the “broken windows” policing strategy made famous by the NYPD.²² Garner's last arrest was captured in a video which was released 6 hours later to immediately go viral: Garner remonstrating with the police officers, referring to the arrests as a pattern of harassment, announcing that “it stops today”; Pantaleo throwing his arm around Garner's neck, while five other cops dragged him to the ground, piling on top of him. In another video we see a crowd gathering while cops insist “he's still breathing”;

ambulance workers arriving on the scene fail to notice that he isn't. Garner died on the sidewalk surrounded by his killers, his dying words caught on camera: "I can't breathe. I can't breathe".

Perhaps because the ground had already been prepared by preceding events; perhaps because this event was captured so viscerally; perhaps because it took place in New York City rather than Florida or Michigan, it became clear around this time that a momentum was building. On 19 July demonstrations for Garner took place on Staten Island and in Harlem, with Al Sharpton and NAN involvement. In a speech criticising the police, Sharpton quickly announced a civil rights lawsuit against the NYPD. On 29 July Broadway stars staged a flashmob demonstration for Garner in Times Square. Then a further name: John Crawford, 22, shot and killed by police in Beavercreek, Ohio on 5 August 2014 after picking up a toy gun in a shop. Video of aggressive police questioning of Crawford's girlfriend after the killing would further stoke controversy.

And another: on 9 August, 18-year-old Michael Brown Jr. was shot and killed by police officer Darren Wilson in Ferguson, Missouri, a suburb of St. Louis, unarmed, and — witnesses claimed — with his hands up in surrender. If events in this wave of struggles had hitherto largely followed the sanctioned Civil Rights standard of non-violent direct action, now came a shift of key: this was the Watts moment. And if actions had so far been mostly convened and driven by university students and professional activists, those descending modulations now kicked in again, bringing out a substantial cut of Ferguson's poor.

Addendum: On mass incarceration

With Ferguson approaching the brink, it probably made little difference to the overall pattern of events that on 7 August Theodore P. Wafer, Renisha McBride's killer, was found guilty of all charges and sentenced to 17–32 years. Indeed, even some activists were doubting whether they could honestly chalk this up as a victory. Patrisse Cullors, an anti-incarceration activist who had set up the Black Lives Matter Network along with Alicia Garza and Opal Tometi, began to worry that the movement was celebrating the very thing she had been campaigning against; she and Garza were actually debating this when Michael Brown's shooting rolled across the television news.²³ Ferguson would put this question on hold, but the fact that the first mass movement against mass incarceration would have, as one of its central demands, *more* incarceration (albeit only for cops and racists) would remain a point of contention.

In 1970 an obscure sociologist from Galveston, Texas, Sidney M. Willhelm, published a book with the incendiary title *Who Needs the Negro?*²⁴ In it he argued that a bitter irony was facing black America: just when the Civil Rights Movement was promising to liberate black people from discrimination in the workplace, automation was killing the very jobs from which they had previously been excluded. Willhelm painted a dystopian future that has proved eerily prophetic. He warned that African Americans were in danger of sharing the fate of American Indians: heavily segregated, condemned to perpetually high levels of poverty and dwindling birth rates — an "obsolescent" population doomed to demographic decline. At the time, in the heady days of Civil Rights success, Willhelm was dismissed as a

kook. Today his book is remembered only within some small black nationalist circles.²⁵

In retrospect many of Wilhelm's predictions bore out, but even his bleak vision failed to anticipate the true scale of the catastrophe in store for black America. He wrote that "the real frustration of the 'total society' comes from the difficulty of discarding 20,000,000 people made superfluous through automation", for "there is no possibility of resubjugating the Negro or of jailing 20,000,000 Americans of varying shades of 'black'." Nowhere in his dystopian imagination could Wilhelm envisage an increase in the prison population of the scale that actually occurred in the two decades after his book was published. Yet this was the eventual solution to the problem that Wilhelm perceived: the correlation between the loss of manufacturing jobs for African American men and the rise in their incarceration is unmistakable.

Today in the US one in ten black men between the ages of 18 and 35 are behind bars, far more than anything witnessed in any other time or place. The absolute number has fallen in recent years, but the cumulative impact is terrifying. Amongst all black men born since the late 1970s, *one in four* have spent time in prison by their mid-30s. For those who didn't complete high school, incarceration has become the norm: 70% have passed through the system.²⁶ They are typically caged in rural prisons far from friends and family, many are exploited by both the prison and its gangs, and tens of thousands are currently rotting in solitary confinement.

How to explain this modern hellscape? Wilhelm gives us an economic story: capitalists no longer have the capacity or motive to exploit the labour of these men; unnecessary for capital, they are made wards of the state. Michelle Alexander, in *The New Jim Crow*, gives us a political one: fear of black insurgency (a backlash against the successes of the Civil Rights Movement) led white voters to support "law and order" policies, like increased mandatory minimum sentences and reduced opportunity for parole.²⁷ Alexander underplays the impact of a very real crime wave beginning in the late 1960s, but it is true that these policies were first championed by a Republican "Southern strategy" that did little to conceal a core racial animus, and they began to receive bipartisan support in the 80s, when the crack epidemic united the country in fear of black criminality.

However, if white politicians had hoped to specifically target blacks with these punitive policies then they failed. From 1970 to 2000, the incarceration rate for whites increased just as fast, and it continued to increase even as the black incarceration rate began to decline after 2000. Blacks are still incarcerated at much higher rates, but the black-white disparity actually *fell* over the era of mass incarceration. This is partly a matter of wider demographic trends, such as urbanisation and inter-regional migration, but it means that black people are far from being the only victims of the prison boom.²⁸ Even if every black man currently in jail were miraculously set free, in a sort of anti-racist rapture, the US would still have the highest incarceration rate in the world.

American banlieue

Ferguson is a picture of pleasant suburbia, a town of tree-lined streets and well-kept homes, many of them built for the middle class at mid-century. But Ferguson is in north St. Louis County, and the area is suffering from one of the region's weakest real estate markets.

— *St. Louis Post Dispatch*, 18 August 2013

St. Louis has a long history of state mandated racial segregation in the form of redlining, segregated public housing, restrictive covenants and so on.²⁹ Out of urban engineering and “slum surgery” there came the 1956 Pruitt-Igoe project, which housed 15,000 people in North St. Louis. Modelled partly on Le Corbusier's principles by Minoru Yamasaki, the architect who would go on to design the World Trade Centre, this project became notorious almost immediately for its crime and poverty.³⁰ Local authorities solved the problem — and that of Pruitt-Igoe's large-scale rent strike — by simply demolishing it in the early 1970s in an event that Charles Jencks famously identified as “the day modern architecture died”.³¹ North St. Louis has remained heavily impoverished and racialised to the present, with 95 percent of the population identifying as black, and unemployment among men in their twenties approaching 50 percent in many neighbourhoods.

An incorporated city close to the northern edge of St. Louis, Ferguson had been an early destination for white flight, as both workers and jobs moved out of the city in the 1950s and 60s, to escape the desegregated school system and benefit from the lower taxes of suburban St. Louis County. But many of the refugees of the Pruitt-Igoe disaster too fled north to places like Ferguson when other white suburbs blocked the construction of multi-family housing, enforced restrictive covenants, or simply proved too expensive.³² This was the beginning of another wave of out-migration — this time black — as crime and poverty swept the deindustrialised city through the 1980s and 90s. Whites now began to leave Ferguson, taking investment and tax revenues with them, and the local government started to allow for the construction of low- and mixed-income apartments in the southeastern corner of the town.³³ These developments fit a general pattern of spatial polarisation and local homogenisation, as segregation has occurred between blocks of increasing size — town and suburb rather than neighbourhood.³⁴ Through such dynamics, the population of Ferguson has become increasingly black over recent decades: from 1% in 1970, to 25% in 1990, to 67% in 2010. But the local state ruling over this population has lagged significantly behind its rapidly shifting racial profile: in 2014 only about 7.5% of police officers were African-American, and almost all elected officials white. Meanwhile the gender balance has changed just as rapidly, with Ferguson displaying the highest number of “missing black men” in the US: only 60 black men for every 100 women; thus more than 1 in 3 black men absent, presumed either dead or behind bars.³⁵

A further influx to Ferguson — and specifically Canfield Green, the apartment complex in the southeast where Michael Brown lived and died — came from another mass demolition of housing stock: neighbouring Kinloch, a much older African American neighbourhood, had also been suffering from the general dynamics of declining population and high crime until much of the area was razed to make way for an expansion of Lambert-St. Louis International Airport. While Kinloch and Ferguson may together form a continuous picture

of racialisation, urban decay and brutalisation at the hands of planners and developers, viewed at other scales it is the polarisations that start to appear: a couple of kilometers from Ferguson's southern perimeter lies the small townlet of Bellerive. Bordering on the campus of the University of Missouri-St. Louis, Bellerive has a median family income of around \$100,000.

Indeed, Ferguson itself remains relatively integrated by the standards of St. Louis County, with a quite prosperous white island around South Florissant Road. Thus both crime and poverty are lower than in neighbouring suburbs like Jennings and Berkeley. But it is a suburb in transition. If in the 1960s and 70s the racial divisions of St. Louis County were largely carved out by public policy, as well as semi-public restrictive covenants, in the 1990s and 2000s they tended to follow a more discrete and spontaneous pattern of real estate valuations. Ferguson, like Sanford, Florida, was impacted heavily by the recent foreclosure crisis. More than half the new mortgages in North St. Louis County from 2004 to 2007 were subprime, and in Ferguson by 2010 one in 11 homes were in foreclosure. Between 2009 and 2013 North County homes lost a third of their value.³⁶ Landlords and investment companies bought up underwater properties and rented to minorities. White flight was now turning into a stampede.

Because property taxes are linked to valuations, the Ferguson city government had to look elsewhere for funding. Between 2004 and 2011 court fines netted \$1.2 million, or around 10% of the city's revenue. By 2013 this figure had doubled to \$2.6 million, or a fifth of all revenues. The city's annual budget report attributed this to a "more concentrated focus on traffic enforcement". In that year the Ferguson Municipal Court disposed of 24,532 warrants and 12,018 cases, or about 3 warrants and 1.5 cases per household. A Department of Justice report would soon reveal that these had been far from evenly distributed across the population:

African Americans account for 85% of vehicle stops, 90% of citations, and 93% of arrests made by FPD officers, despite comprising only 67% of Ferguson's population. [They] are 68% less likely than others to have their cases dismissed by the court [and] 50% more likely to have their cases lead to an arrest warrant.³⁷

In high poverty areas like Canfield Green, non-payment of fines can easily lead to further fines as well as jail time, and the report found that "arrest warrants were used almost exclusively for the purpose of compelling payment through the threat of incarceration". Here the disappearance of white wealth and the destruction of black had led to a mutation in the form of the local state: revenue collected not through consensual taxation but by outright violent plunder.

Mike Brown's body

For four and a half hours Mike Brown's body lay mouldering on the hot tarmac. By the time the cops finally dragged it away — not even into an ambulance but merely the back of an SUV — the pool of blood had turned from red to black. They left the body on the street for so long because they were busy "securing the crime scene", which meant dispersing the large angry crowd that was gathering as residents poured out of surrounding apartments.

As local news reporters arrived on the scene, shaky cellphone footage of Brown's body was already beginning to circulate. Dorian Johnson, a friend of Brown's who was with him at the time of the fatal incident, told interviewers that he had been "shot like an animal". Cops reported gunfire and chants of "kill the police". "Hands up, don't shoot" and "We are Michael Brown" would soon be added to the chorus, while someone set a dumpster on fire; signs already that an anti-police riot was in the offing. The exposed body, doubled over, blood flowing down the street, had seemed to say: you matter this much. As if to reinforce the point, more cops arriving on the scene drove over a makeshift memorial of rose petals where Brown's body had lain; a police dog may also have been allowed to urinate on it.

At a daytime vigil the next day, 10 August 2014, a black leader of the County government tried to calm the mounting unrest, but was shouted down. Members of the New Black Panther Party chanted "Black Power" and "rambled nonsensically about that devil rap music, the Moors, etc".³⁸ As day tilted into evening, the large, restive crowd met with massive police presence — a conventional proto-riot scenario. Confrontations ensued: a cop car and a TV van attacked; shops looted; a QuikTrip gas station the first thing aflame. This acted as a beacon, drawing more people out.³⁹ And rather than the mythically random object of "mob rage", it was a deliberately selected target: rumour had it that staff had called the cops on Brown, accusing him of shoplifting. The QuikTrip was followed by some riot standards: parked vehicles set alight; looting on West Florissant Avenue — plus a little festivity, music playing, people handing out hotdogs. The cops backed off for hours, leaving that odd sort of pseudo-liberated space that can appear in the midst of a riot.

As the eyes of the nation turned to watch, people joined in on social media with the #IfTheyGunnedMeDown hashtag, mocking the media selection of the most gangsta possible victim portraits. Activists from St. Louis, some of whom had been involved in a spontaneous march the year before through the city's downtown in response to the Zimmerman verdict, began to descend on the suburb. Meanwhile standard mechanisms sprung into action: on 11 August the FBI opened a civil rights investigation into Brown's shooting, while NAACP President Cornell William Brooks flew into Ferguson, calling for an end to violence. Obama intervened the next day with a statement offering condolences to the Brown family and asking for people to calm down. Faced with an immediate wave of rioting, it was predictable which way the constitutive tension would now be resolved: Obama eschewed any racial identification with Brown or his family, in favour of "the broader American community".

But the rioting rolled on over days; action necessarily diffuse in this suburban landscape, police lines straining to span subdivisions.⁴⁰ Away from the front lines strip malls were looted while carnivalesque refrains lingered in the air: protesters piling onto slow driving cars, blasting hip-hop, an odd sort of ghost riding. In altercations between cops and protesters the latter sometimes threw rocks or molotovs. But they were also often hands-up, shouting "don't shoot". In retrospect, this may look like an early instance of the theatrics of this wave of struggle, and it would soon become a familiar meme. But it was also apparently a spontaneous response to the immediate situation, right after Brown's shooting, before the media-savvy activists rolled into town at the end of the month — for it had an immediate referent, not only symbolically, in Brown himself, but also practically, as

protesters confronted the diverse toolkit of the American state: SWAT teams, tear gas, rubber bullets, pepper balls, flash grenades, bean bag rounds, smoke bombs, armoured trucks. The nation was aghast as images scrolled across screens of this military hardware, of a cop saying “Bring it you fucking animals”—coverage which police attempted at points to shut down.

Social contestation in the US has long faced much greater threat of physical violence than in other comparable countries — indeed, those protesting in Ferguson would also at points be shot at with live ammunition by unidentified gunmen, and sometimes get hit. (This is surely one reason why such contestation often seems markedly muted, given conditions.) Police violence against unarmed black people was thus not a simple *content* of these protests, an issue for them to merely carry along, like any other demand. It was also implicated in the nature of the protests themselves, where everyone out on the streets those days was a potential Mike Brown. There was, we might say, a peculiar possibility for movement unification presenting itself here; a unity one step from the graveyard, given by the equality that the latter offers; a unity of the potentially killable: hands up, don’t shoot. And as the country looked on, this performance of absolute vulnerability communicated something powerful; something with which police were ill-equipped to deal: Will you even deny that I am a living body?

Such messages, broadcast on the national stage, seemed to pose a threat to police legitimacy, and raised practical questions about the continuing management of the Ferguson unrest. Criticism of the militarised policing came even from the midst of the state — albeit its libertarian wing.⁴¹ On the 14th the Highway Patrol — a state police force, less implicated in the immediate locality, with a much higher ratio of black officers and distinctly non-militaristic style — was ordered in as an alternative, softer approach with a view to easing tensions, apparently with some success. In the evening hours, a captain even walked with a large peaceful demonstration. At “an emotional meeting at a church”, clergy members were despairing at “the seemingly uncontrollable nature of the protest movement and the flare-ups of violence that older people in the group abhorred.”⁴² Meanwhile, Canfield Green turned into a block party.

After 5 days of protests often violently dispersed, the name of Brown’s killer, Darren Wilson, was finally announced, along with a report that Brown had stolen a pack of cigarillos from Ferguson Market & Liquor — not the QuickTrip gas station — the morning of his death. The timing of this identification of criminality was probably tactical; it was soon followed by an admission that Wilson had not stopped Brown for this reason. That night, Ferguson Market & Liquor received similarly pointed treatment to the QuickTrip: it was looted. The next day a state of emergency and curfew was declared. There were now a small but significant number of guns on the streets, often fired into the air, and police were getting increasingly nervous. On 12 August Mya Aaten-White, great-granddaughter of local jazz singer Mae Wheeler, was shot whilst leaving a protest; the bullet pierced her skull but missed her brain, lodging in her sinus cavity. She survived and refused to cooperate with police investigations.

While some came in from neighbouring areas, those out on the streets in the early days

remained predominantly local residents.⁴³ But a mass of creepers was already climbing over Ferguson's surface, forming vegetal tangles, trying to grasp some masonry: Christian mimes, prayer and rap circles, wingnut preachers, the Revolutionary Communist Party, "people who would walk between the riot cops and the crowd just saying 'Jesus' over and over again"; a generalised recruitment fair.⁴⁴ Bloods and Crips were out, participating in confrontations with cops as well as apparently protecting some stores from looters. Nation of Islam members too took to the streets attempting to guard shops, arguing that women should leave; others called for peace in the name of a new Civil Rights Movement; Jesse Jackson was booed and asked to leave a local community demonstration when he took the opportunity to ask for donations to his church; "African-American civic leaders" in St. Louis were said to be "frustrated by their inability to guide the protesters": a rift seemed to be opening.⁴⁵

This riot could easily have remained a local affair like those in Cincinnati 2001, Oakland 2009 or Flatbush the year before. Yet it happened to coincide with a high point in a national wave of activism, and it managed to shake free of local mediators, opening up a space for others to interpret and represent it at will. Soon social media-organised busloads of activists descended on Missouri from around the country — Occupy and Anonymous apparently identities at play here, plus a scattering of anarchists. In the following month "Freedom Rides" — another Civil Rights reference — were organised under the Black Lives Matter banner: it was at this point that this really emerged in its own right as a prominent identity within these movements. Ferguson was mutating from a terrain of community riots into a national centre for activism. Key figures began to emerge, often identified by their number of Twitter followers: some local, like Johnetta Elzie ("Netta") and Ashley Yates, others who had made the pilgrimage, like DeRay McKesson from Minneapolis.⁴⁶

The new race leaders

It's more than a hashtag — it's a civil rights movement.
— *YES! Magazine*, 1 May 2015

All the pieces were now in place. What appeared as one movement was actually two: media-savvy activists and proletarian rioters, for the most part divided both socially and geographically.⁴⁷ But in Ferguson's aftermath this divide was spanned by a shared sense of urgency; by the diverse resonances of a hashtag; by developing institutional bridges; and perhaps above all by the legacy of the Civil Rights Movement itself, with its ability to conjure black unity. The similarities were many: "black lives matter" evoking the older slogan "I am a man";⁴⁸ the faith and religious rhetoric of many activists; the tactics of nonviolent civil disobedience and media visibility — contrasted with the far more opaque riots; not to mention the direct involvement of Civil Rights organisations and veterans themselves.

The key to this encounter is the simple fact that the historic gains of the Civil Rights Movement failed to improve the lives of most black Americans. Today racial disparities in income, wealth, schooling, unemployment and infant mortality are as high as ever. Segregation persists. Lynching and second class citizenship have been replaced by mass

incarceration. The fight against a New Jim Crow would thus seem to require the kind of movement that overthrew the Old. But something fundamental has changed and therefore troubles this project: a small fraction of African Americans reaped significant benefits from the end of *de jure* discrimination. In 1960, 1 in 17 black Americans were in the top quintile of earners; today that number is 1 in 10 (for whites it is 1 in 6). Inequality in wealth and income has risen significantly among African Americans, such that today it is much higher than among whites.⁴⁹

For some Marxists, the participation of the black middle class in anti-racist movements is seen as a sign of their limited, class-collaborationist character. When such people become leaders it is often assumed they will attend only to their own interests, and betray the black proletariat.⁵⁰ It is true, as such critics point out, that the institutional and political legacy of Civil Rights has more or less been monopolised by wealthier blacks.⁵¹ However, these critiques tend to run up against notorious problems with defining the middle class, problems that are particularly acute when it comes to the black middle class. In American political ideology “the middle class” consists of everyone except the poorest members of society. For mainstream sociology it is the centre of a spectrum of income or wealth, a variously wider or narrower range around the median. Weberians add certain status markers to the definition, such as supervisory roles in the workplace, “white collar” professions, or college education. Finally, Marxists tend to simply add, in an *ad hoc* manner, the mainstream or Weberian definitions to a two-class model based on ownership or non-ownership of the means of production. None of these approaches provide us with a consistent class subject bearing a coherent set of interests.

These problems of definition are amplified with the black middle class. We know that there has been an influx of black people, women in particular, into “white collar” professions, but this occurred just when much of the higher status associated with this work was being stripped away.⁵² We know that many more black people today have a college education, but also that the value of a college education has fallen sharply in recent decades. The transformation in the income distribution, both between blacks and whites and among blacks, thus seems more revealing than these Weberian measures. However, the rising incomes experienced by certain families since the 1960s have not always been durable. The intergenerational transmission of wealth is less assured for African Americans, whose historical exclusion from real estate markets has meant that middle income earners typically possess much less wealth than white households in the same income range. As a result, those born into middle income families are more likely than whites to make less money than their parents.⁵³ Downward mobility was amplified by the recent crisis, which negatively affected black wealth much more than white.⁵⁴

Partly because available measures of social structure are so shaped by this notion, partly because there really are strata whose most salient structural trait is their falling — however vaguely — between true elites and those unambiguously identifiable as poor, it is impossible to do away with the concept of the “middle class”. Here, and in what follows, we use “middle class” in the mainstream sense, to mean middle income earners. But one must remain on guard about the ambiguities and potential traps lurking in this term. In the case of the “black middle class” the fundamental problem is that it tends to conflate two

different layers: (1) those who made it into stable blue-collar or public sector professions, and who thus achieved a little housing equity, but who generally live close to the ghetto, are a paycheck away from bankruptcy, and got screwed by the subprime crisis; and (2) a smaller petit-bourgeois and bourgeois layer that made it into middle-management positions or operated their own companies, who moved into their own elite suburbs, and who are now able to reproduce their class position.

Many of the new activist leaders fall into one or another of these layers.⁵⁵ This in itself is nothing new. The old Civil Rights leaders also tended to come from the “black elite”. Yet that elite was relatively closer to the black proletariat in income and wealth, and was condemned by Jim Crow to live alongside them and share their fate. It consisted of religious and political leaders, as well as professionals, shopkeepers, and manufacturers who monopolised racially segmented markets — the “ghetto bourgeoisie”. Although many helped to build Jim Crow segregation, acting as “race managers”, they also had an interest in overcoming the barriers that denied them and their children access to the best schools and careers, and thus in the Civil Rights Movement they adopted the role of “race leaders”, taking it as their task to “raise up” the race as a whole.⁵⁶

The new activists distinguish themselves from the previous generation along technological, intersectional and organisational lines. They are suspicious of top-down organising models and charismatic male leaders. But this is less a rejection of leadership per se than a reflection of the fact that — in an age of social media niches — almost anyone can now stake a claim to race leadership, to broker some imaginary constituency. They strain against the hierarchical structures of traditional NGOs, although many are staff members thereof. They identify more with the inspiring prison break of Assata Shakur than with the careful behind-the-scenes coalition-building of Bayard Rustin. They want to shake off these stultifying mediations in a way that aligns them with the younger, more dynamic Ferguson rioters, and social media seems to give them that chance.

But despite their good intentions and radical self-image, and despite the real unity that Ferguson seemed to offer, differences between the new generation of race leaders and the previous one only reinforce the gap between the activists and those they hope to represent. Those differences can be described along three axes:

1. Firstly, most of the activists are college-educated. And unlike the previous generation they have not been restricted to all-black colleges.⁵⁷ This doesn't mean they are guaranteed well-paid jobs, far from it. But it does mean that they have a cultural experience to which very few people from poor neighbourhoods in Ferguson or Baltimore have access: they have interacted with many white people who are not paid to control them, and they will typically have had some experience of the trepid, cautious dance of campus-based identity politics, as well as the (often unwanted) advances of “white allies”. Thus although their activism isn't always directed at white liberals, their social and technical abilities in this respect often exceed those of skilled media-manipulators like Sharpton.
2. Secondly, unlike the previous generation, many of them did not themselves grow up in the ghetto. This is perhaps the single biggest legacy of the Civil Rights Movement:

the ability to move to the suburbs, for those who could afford it. In 1970, 58% of the black middle class lived in poor majority-black neighbourhoods; today the same percentage live in wealthier majority-white neighbourhoods, mostly in the suburbs.⁵⁸ This means that they have much less personal experience of crime. Of course, they still experience racist policing, are stopped by cops far more than whites and are subject to all manner of humiliations and indignities, but they are much less likely to be thrown in jail or killed.⁵⁹ Indeed the likelihood of ending up in jail has fallen steadily for the black middle class since the 1970s even as it has skyrocketed for the poor, both black and white.⁶⁰

3. Finally, and perhaps most significantly, activism is for them, unlike the previous generation, in many cases a professional option. Today an expectation of “race leadership” is no longer part of the upbringing of the black elite. Identification with the victims of police violence is generally a matter of elective sympathy among those who choose to become activists, and of course many do not make that choice.⁶¹ But for those who do, traditional civil service jobs and voluntary work have been replaced by career opportunities in a professionalised non-profit sector. These jobs are often temporary, allowing college graduates to “give back” before moving on to better things.⁶² DeRay McKesson, before he became the face of the new activism, had been an ambassador for Teach for America, an organisation that recruits elite college graduates to spend two years teaching in poor inner-city schools, often as part of a strategy to promote charter schools and bust local teacher’s unions.⁶³ In general the “community organising” NGOs, whether they are primarily religious or political, are often funded by large foundations such as Ford, Rockefeller and George Soros’ Open Society. An integral aspect of the privatisation of the American welfare state, they can also function as “astroturf”: supposedly grassroots political movements that are actually fronts for lobby groups (e.g. school reform) and the Democrats.

Thus, in the aftermath of Ferguson, along with the influx of activists from around the country there came an influx of dollars. Whilst existing non-profits competed to recruit local activists, foundations competed to fund new non-profits, picking winners.⁶⁴ Netta was initially recruited by Amnesty International, and she and DeRay would set up Campaign Zero with backing from Open Society.⁶⁵ Subsequently DeRay gave up his six-figure salary to “focus on activism full time”.⁶⁶ Some local activists were not so lucky. Many lost their jobs and became dependent on small, crowd-funded donations. In January 2015 Bassem Masri, who livestreamed many of the original protests, was outed by a rival livestreamer as an ex-junkie.⁶⁷

Reform riots

On 18 August Missouri Governor Jay Nixon called in the National Guard to enforce the curfew. Two days later Attorney General Eric Holder traveled to Ferguson, where he met with residents and Brown’s family. In nearby Clayton, a grand jury began hearing evidence to determine whether Wilson should be charged. On 23 August at least 2,500 turned out for a Staten Island Garner demonstration, led by Sharpton, with chants of “I can’t breathe”,

and “hands up, don’t shoot”, picking up the meme from Ferguson. A group called Justice League NYC, affiliated with Harry Belafonte, demanded the firing of Officer Pantaleo and the appointment of a special prosecutor. The next day, Brown’s funeral in St. Louis was attended by 4,500, including not only the ubiquitous Sharpton and Jackson, and Trayvon Martin’s family, but also White House representatives, Martin Luther King III, and a helping of celebrities: Spike Lee, Diddy, and Snoop Dogg. In the name of Brown’s parents, Sharpton’s eulogy disparaged rioting:

Michael Brown does not want to be remembered for a riot. He wants to be remembered as the one who made America deal with how we are going to police in the United States.

But these were, of course, not mutually exclusive, as the history of riot-driven reform testifies. While riots generally consolidate reaction against a movement — with the usual pundits baying for punitive measures, while others jostle to conjure from the events a more reasonable, law-abiding “community” with themselves at its head — they also tend to shake the state into remedial action. Only days later the Justice Department announced an enquiry into policing in Ferguson. Shortly after, large-scale reforms to Ferguson’s political and legal institutions were announced. By the end of September the Ferguson police chief had publicly apologised to the Brown family, who were also invited to the Congressional Black Caucus convention, where Obama spoke on race. From the single national community invoked against the immediate impact of rioting, he again ceded significant ground to the particularity of racial questions, speaking of the “unfinished work” of Civil Rights, while simultaneously presenting this as an issue for “most Americans”.

Unrest was still ongoing through September, overstressing Ferguson’s police force, who would soon be replaced again, this time by St. Louis County police. With the thickets of organisations and professional activists on the ground, other, more theatrical and non-violent forms of action were now tending to replace the community riot, such as the 6 October interruption of a St. Louis classical concert with the old Depression-era class struggle hymn “Which side are you on?”. On the same day a federal judge ruled on the side of peaceful activists and against police, over whether demonstrations could be required to “keep moving”. Meanwhile, Eric Holder announced a general Department of Justice review of police tactics, and from 9 October Senate hearings began on the question of militarised policing. Ferguson actions stretched on through October, under the aegis of many different groups, including “Hands Up United”, which had been formed locally after Brown’s death, while more protesters rolled in from around the country.

Gridlock

Elsewhere, demonstrations for John Crawford were ongoing, with the occupation of the police station in Beavercreek, Ohio, and rallies at the Ohio statehouse. Out of these, a draft “John Crawford Law” was to emerge, a bold bit of legislation requiring toy guns sold in Ohio to be identifiably marked as toys. After all, Ohio police did seem to have a peculiar difficulty with differentiating toys from real weapons — at least when in the hands of black people — for another name was soon to be added to the list: Tamir Rice, 12, shot and killed

in Cleveland, Ohio on 23 November 2014 by police officer Timothy A. Loehmann while playing with what the 911 caller had already identified as a toy. Two days later, Tamir Rice protesters would bring gridlock to downtown Cleveland.

In mid-November, as the Grand Jury decision on Brown's killer drew near, Missouri Governor Jay Nixon had once again declared a state of emergency, bringing in the National Guard in anticipation of the usual non-indictment and a new round of rioting.⁶⁸ On 24 November these expectations were fulfilled. As the non-indictment was announced, Michael Brown's mother was caught on camera yelling "They're wrong! Everybody wants me to be calm. Do you know how those bullets hit my son?". As she broke down in grief, her partner, wearing a shirt with "I am Mike Brown" written down the back, hugged and supported her for a while, before turning to the crowd, clearly boiling over with anger, to yell repeatedly "burn this bitch down!"; if Mike Brown's life mattered little to the state, it might at least be made to. As looting and gunshots rattled around the Ferguson and St. Louis area, protests ignited in New York, Sanford, Cleveland, Los Angeles, Seattle, Washington and on — reportedly 170 cities, many using the tactic of obstructing traffic. After a "die-in" and roving traffic-blocking in the perennial activist hotspot of Oakland, riots spread, with looting, fires set, windows smashed. In the midst of the national unrest, church groups made interventions criticising the Grand Jury decision and supporting peaceful demonstrations. Ferguson churches brought a newly religious twist to activist "safe spaces" discourses, offering themselves as "sacred spaces" for the protection of demonstrators.⁶⁹

In the following days, as the National Guard presence in Ferguson swelled, demonstrations were ongoing across the country — and beyond. Outside a thoroughly bulwarked US Embassy in London, around 5,000 assembled in the dank autumn evening of 27 November for a Black Lives Matter demonstration, before this precipitated in a roving "hands up, don't shoot" action down Oxford Street and confrontations with cops in Parliament Square — an event that drew links between Brown and Tottenham's Mark Duggan, whose own death had ignited England's 2011 riot wave.⁷⁰ In cities across Canada, too, there were Ferguson solidarity actions.⁷¹ On 1 December Obama invited "civil rights activists" to the White House to talk, while the St. Louis Rams associated themselves with the Brown cause, walking onto the field hands-up.

Then on 3 December 2014 came the second Grand Jury non-indictment in just over a week: the officer whose chokehold had killed Eric Garner, in full vision of the country at large, predictably cleared of wrongdoing. Cops, of course, are almost never charged for such things, and are even less likely to be convicted, in the US or elsewhere; the executors of state violence cannot literally be held to the same standards as the citizenry they police, even though their credibility depends upon the impression that they are. Due process will be performed, stretched out if possible until anger has subsided, until the inevitable exoneration; only in the most blatant or extreme cases will individual officers be sacrificed on the altar of the police force's general legitimacy. Nonetheless, it seems in some ways remarkable that such petrol would be poured with such timing, on fires that were already raging.⁷²

The following day thousands protested in New York City, with roving demonstrations blocking roads, around the Staten Island site of the killing, along the length of Manhattan, chanting “I can’t breathe. I can’t breathe”. Die-ins happened in Grand Central Station, mirrored on the other side of the country in the Bay Area. Significant actions were happening almost every day now, typically called on Facebook or Twitter, with groups blocking traffic in one corner of a city receiving live updates of groups in many other areas, sometimes running into them with great delight. In the coastal cities the recent experience of Occupy lent a certain facility to spontaneous demonstration. Police appeared overwhelmed, but in many cases they had been instructed to hold back for fear of fanning the flames.

Then on 13 December large scale demonstrations were called in various cities: New York, Washington, Oakland, Chicago. The Washington demo was lead by the inevitable Sharpton, and the Garner and Brown families, though speakers were disrupted by young Ferguson activists — further sign of a rift. Tens of thousands came out in New York, but this was a traditional stewarded march, the energy of the previous weeks either contained or spent. A few days later, two Brooklyn cops were executed by Ismaaiyl Brinsley ostensibly in revenge for Garner and Brown, with the police union blaming the left-leaning Mayor, Bill de Blasio, for taking a soft line on the protestors.⁷³ Meanwhile Obama announced a further institutional response: a commission on police reform, “Task Force on 21st Century Policing” to “examine how to strengthen public trust and foster strong relationships between local law enforcement and the communities that they protect, while also promoting effective crime reduction.”

While unrest simmered down in the cold winter months, it was not extinguished. In early January 2015 a small camp was formed outside the LAPD headquarters, publicised with both #OccupyLAPD and #BlackLivesMatter hashtags, to protest the killing of Ezell Ford, a mentally-ill 25-year-old who had been shot by LA police in 2014, and whose death had already formed the focus of several demonstrations. In February Black Lives Matter memes were going strong in celebrity circles, with Beyoncé’s and Common’s backing dancers and Pharrell Williams all performing “hands up, don’t shoot” gestures at the Grammys. Such celebrity involvement has been another remarkable aspect of a wave of struggles characterised by some forms of action that must horrify polite American society — from the November 2013 Trayvon fundraiser that Jamie Foxx threw in his own home, to Snoop Dogg’s associations with the Brown and Davis families, to Beyoncé and Jay-Z’s bailing-out of Ferguson and Baltimore protesters, to Prince’s 2015 “rally4peace” and protest song, “Baltimore”.

In early March came the Department of Justice announcement that Darren Wilson would not be charged at the federal level for civil rights violations in the shooting of Brown, citing a lack of evidence. But this was in concert with more carrot proffering, presumably in anticipation of further unrest: on the same day, the same department issued a damning report on the racial bias of policing in Ferguson, evidenced in emails containing racist abuse and a systematic use of traffic violations to boost state coffers. The local police chief would resign within days. The initial findings of the “Task Force on 21st Century Policing” were also released the same day, to further underline prospects for reform — and, by

implication, the efficacy of riot in achieving this. But the next day riotless Cleveland's legal filings managed to blame 12-year-old Tamir Rice for his own shooting, something on which the city was quickly to backtrack after the scandal broke. In Ferguson, protests continued, in the context of which a further two cops were shot, though not killed, leading to demos of support for police and confrontations between pro- and anti-police actions.

Rough ride

Then the beginning of April added another name to the list: Walter Scott, 50, shot and killed while fleeing, by police officer Michael Slager, in North Charleston, South Carolina. This was another case caught on camera — footage soon released with the assistance of a Black Lives Matter activist. When Anthony Scott saw the video he echoed Brown's friend Dorian Johnson in remarking "I thought that my brother was gunned down like an animal." Murder charges were brought against Slager within days, as activists arrived on the scene and small Walter Scott demonstrations kicked in at North Charleston's City Hall. Like Renisha McBride's, Scott's family seem to have initially resisted his incorporation into the chain of deceased and the associated media spectacle. Nonetheless, the story had soon made the cover of *Time* magazine, photos of Scott's blatant murder deployed on a blacked-out cover under a large bold type "BLACK LIVES MATTER". And another blast of oxygen would soon hit the movement's still smouldering embers: the day after Scott's funeral, Baltimore police arrested Freddie Gray, 25, and took him for a "rough ride" in the back of a police van, in the course of which his neck was broken.⁷⁴

During Gray's subsequent days of coma, before his 19 April death, demonstrations had already started in front of the Western District police station. On 25 April Black Lives Matter protests hit downtown Baltimore, bringing the first signs of the unrest to come.⁷⁵ The 27 April funeral, like Brown's, was attended by thousands, including White House representatives, the Garner family, "civil rights leaders" etc. A confrontation between cops and teenagers outside Baltimore's Mondawmin Mall was the trigger event for the massive rioting that would now engulf Baltimore for days, causing an estimated \$9m of damage to property.⁷⁶ Tweets declared "all out war between kids and police" and "straight communist savage".⁷⁷ A familiar riot-script followed: calls for calm and condemnations of "thugs", allocating blame to a selfish minority and upholding peaceful protest in contrast; the National Guard called in; a curfew announced, mass gatherings to clean up the riot area; a disciplinarian parent puffed up into a national heroine after being caught on camera giving her rioting child a clip round the ear; suggestions that gangs were behind it all; some people spying an influx of outside agitators...

But the archetypes thrown by the light of the flames must of course not blind us to each riot-wave's specificities. In the English riots early claims about gang involvement later proved unfounded. In Baltimore, gangs seem to have performed the exact opposite function to that claimed early on. Police had issued warnings of a truce between Bloods, Crips and the Black Guerilla Family with the intention of "teaming up" against them. But it was soon revealed that the truce, brokered by the Nation of Islam, was in fact to suppress the riot. Bloods and Crips leaders released a video statement asking for calm and peaceful protest in the area, and joined with police and clergy to enforce the curfew. On 28 April

news cameras recorded gang members dispersing “would-be troublemakers” at the Security Square Mall.⁷⁸

Hard times in the city

The best image to sum up the unconscious is Baltimore in the early morning.—
Jacques Lacan

The similarities between Baltimore and St. Louis are striking. Both have been shrinking for decades as a result of deindustrialisation, with roughly half the inner city below the poverty line. Both were epicenters of state-mandated segregation up to the 1970s, and subprime lending in the 2000s.⁷⁹ And while in most US cities crime rates have fallen sharply since their 1990s peak, in St. Louis and Baltimore they have stayed high, with both consistently in the top ten for violent crime and homicide.⁸⁰ Yet while traditional black suburbs of St. Louis, such as Kinloch, have been gutted, those in Baltimore have thrived and proliferated.⁸¹ Situated at the nexus of the wealthy tri-state sprawl of Maryland, Virginia and DC, Baltimore’s suburbs contain the largest concentration of the black middle class in the US. Prince George’s County is the wealthiest majority black county in the country, often cited as the quintessential black middle class suburb, and its police force has a special reputation for brutality.⁸² In his most recent memoir Ta-Nehisi Coates cites his discovery of this fact as the source of his disillusionment with black nationalism. Coates’ fellow student at Howard University, Prince Jones, was killed by a black P.G. County officer who mistook him for a burglary suspect. At the time Coates devoted an article to the questions of race and class raised by this killing:

Usually, police brutality is framed as a racial issue: Rodney King suffering at the hands of a racist white LAPD or more recently, an unarmed Timothy Thomas, gunned down by a white Cincinnati cop. But in more and more communities, the police doing the brutalising are African Americans, supervised by African-American police chiefs, and answerable to African-American mayors and city councils.

In trying to explain why so few showed up for a Sharpton-led march in the wake of the Jones shooting, Coates pointed out that “affluent black residents are just as likely as white ones to think the victims of police brutality have it coming”.⁸³

For decades these suburbs have incubated a black political establishment: federal representatives, state senators, lieutenant governors, aldermen, police commissioners. This is another legacy of Civil Rights.⁸⁴ It meant, as several commentators have noted, that Baltimore was the first American riot to be waged against a largely black power structure.⁸⁵ This was in marked contrast to Ferguson, and it raised a significant problem for simplistic attempts to attribute black deaths to police racism: after all, three of the six cops accused of killing Grey were black.⁸⁶ It seemed, that is, that events were starting to force issues of class back onto the agenda. Blackness had for a while presented itself as the solution to a previous composition problem, supplanting the weakly indeterminate class politics of the 99% with something that seemed to possess all the social actuality that Occupy did not. But just as descending compositional modulations had produced that change of key, they now raised the question of whether the new black unity could hold

along its hitherto extremely vertical lines. Was class the rock on which race was to be wrecked, or its social root, by which it might be radicalised? At this point, the former prospect seemed the more likely.

Looking down

On April 28, as FBI drones circled the skies over Baltimore, Obama gave his statement, interrupting a summit with Shinzo Abe. This seemed markedly less scripted than those hitherto, stepping gingerly from phrase to phrase, balancing statements of support for police with those for the Gray family; noting that peaceful demonstrations never get as much attention as riots; fumbling a description of rioters as “protesters”—before recognising the faux pas and quickly swapping in “criminals”, then escalating and overcompensating with a racialising “thugs”; linking Baltimore to Ferguson and locating the ongoing chain of events in “a slow-rolling crisis” that had been “going on for decades”; calling on police unions not to close ranks and to acknowledge that “this is not good for police”.

But most notably, the race contradiction which had described the polar tensions of Obama’s rhetoric now receded into the background, while the problem over which “we as a country have to do some soul searching” became specifically one of *poor* blacks, impoverished communities, the absence of formal employment and its replacement with the illicit economy, cops called in merely to contain the problems of the ghetto; this was the *real* problem, though a hard one to solve politically.⁸⁷ Hillary Clinton too was falling over herself to express an understanding of core social issues at play in these struggles.⁸⁸ The conservative *Washington Times* declared Baltimore’s problem to be a matter of class, not race, and spoke sympathetically of how “residents in poorer neighbourhoods feel targeted by a police force that treats them unfairly”.⁸⁹ Mainstream opinion seemed to be shifting, with Democrats and Republicans trading shots over Baltimore, while often tacitly sharing the premise that the problem was inner-city poverty. The contrast with the 1960s was striking: where ultra-liberal Johnson once saw black riots as a communist plot, now the entire political class seemed to agree with the rioters’ grievances: black lives did indeed matter, and yes, ghetto conditions and incarceration were problems.⁹⁰

As well as the relatively low level of property destruction in comparison to 60s riots (see table), the surprising degree of elite acceptance here might perhaps be attributed to the very different possibilities facing these two Civil Rights Movements, old and new. Where the first threatened substantially transformative social and political effects, challenging structures of racial oppression that dated back to Reconstruction’s defeat, and brought the prospect of dethroning some racist elites along the way, the new politics of black unity seemed to be kicking at an open door that led nowhere. Where the first could offer the prospect of incorporation of at least some parts of the black population into a growing economy, the new movement faced a stagnant economy with diminishing opportunities even for many of those lucky enough to have already avoided the ghetto, let alone those stuck in it.⁹¹ Aspirations to solve these problems were good American pipe dreams, easily acceptable precisely because it was hard to see what reform might actually be addressed to them beyond anodyne steps such as requiring more police to wear bodycams.

Table: Impact of selected US riots (source: Wikipedia)

	LA
	1965
Days of rioting	6
Buildings looted/burnt	977
People killed	34
Arrests	3,438
Damage (millions of \$)	40

The existing black elite is willing to embrace the “New Jim Crow” rhetoric as long as it funnels activists into NGOs and helps to consolidate votes — but always within a frame of paternalism and respectability, sprinkled with Moynihan-style invocations of the dysfunctional black family. Here lame initiatives focus on such things as mentoring to improve individual prospects, thus sidestepping social problems.⁹² Meanwhile churches function both as substitutes for the welfare state and as organs of community representation — roles they have proved willing to embrace and affirm in the context of this movement.⁹³ Elites in Baltimore have capitalised on the mood, for example by indicting all the cops in the Grey case — something that will win State’s Attorney Marilyn J. Mosby accolades whatever the outcome. But it is probably significant that the word “thug” was first deployed here by those same elites — and Obama.⁹⁴ While people across the spectrum of black American society and beyond could easily affirm that all those lives from Trayvon Martin onwards certainly did matter, what could they say to rioters from Baltimore’s ghettos? Could the thin unity of black identity still hold when the stigma of criminality pushed itself to the fore?

Grace

On 8 June a police officer on one of the most prominent cases was indicted: Michael Slager, for the murder of Walter Scott. We might reasonably anticipate that, here, finally, a cop is likely to be sacrificed to the greater legitimacy of the police. Surely they can hardly do otherwise: this case seems as clear-cut as they come, and any other outcome would be an outright admission of double standards. But, as we’ve recently seen with Randall Kerrick — killer of Jonathan Ferrell — even clear-cut cases typically fail to produce convictions; much like with civilian Stand Your Ground cases, the police officer needs only to say that they felt “threatened” — even if the victim was unarmed.

The cell neighbouring Slager’s would soon be occupied by another South Carolina man: Dylann Roof, 21, executioner, on 17 June, of 9 black churchgoers in Charleston. His was a white supremacist’s reaction to the post-Trayvon events. With the demand for indictment of cops finally met (more were to be indicted over the next month, in Cincinnati), the reaction to the massacre appeared muted. No angry protests, only shock and grief. At Roof’s pre-trial hearing family members of his victims showed up and publicly forgave him. It was this Christian “grace” that gave Obama the opportunity to finally present himself as a Civil Rights president, at the funeral of state senator Reverend Pinckney, who had died in the massacre. The lamblike innocence of the victims and the civil response of the

community allowed him to invoke an image of blackness clothed in that most American tradition: Christian faith.

Appropriating the rhetorical vernacular of the black church, he could finally put aside his equivocations over race and racism: “we’re guarding against not just racial slurs but we’re also guarding against the subtle impulse to call Johnny back for a job interview but not Jamal.” Cue uproarious cheers: “Hallelujah!” Roof’s revanchist Southern nationalism meant that righteous black rage could now be targeted not at killer cops but at a symbol: the Confederate flag, which had flown from the statehouses of Alabama and South Carolina ever since George Wallace led a white backlash against Civil Rights in the 1960s. On 27 June Bree Newsome, a black Christian activist, tore down the flag from the South Carolina statehouse. By the following week the Republican governors of both states had ordered the flag removed from official buildings.⁹⁵ For a while videos of attacks on people, cars and buildings flying the flag became a popular internet meme.⁹⁶

With summer came the interventions of Black Lives Matter activists into the Democratic primaries: interruptions of surprise leftist contender Bernie Sanders’ speeches that would be construed as confrontations between “race first” and “class first” leftisms; an impromptu meeting with Hillary Clinton, followed by a denunciation of “her and her family’s part in perpetuating white supremacist violence in this country and abroad”. Tensions began to emerge at this point between Campaign Zero, identified with DeRay, and the Black Lives Matter Network, led by Garza, Tometi and Cullors, in large part over the question of whether they should accept the tender embrace of the Democrats.⁹⁷ This guardedness is not without justification: after all, as American leftists are fond of saying, the Democratic Party is where social movements go to die. In August the Democratic National Committee passed a “Black Lives Matter” resolution, only to be rebuffed in a statement by the Black Lives Matter Network; senior Democrats competed to endorse the more obedient pupil, Campaign Zero.

Receiving less coverage, but perhaps more significant, the summer also saw an open confrontation with the Civil Rights old guard at the NAACP. A large part of the rift here is defined by the issue of “black-on-black” crime: according to the Bureau of Justice Statistics, 93% of murders of black people are at the hands of other black people — as Rudy Giuliani was keen to point out at the peak of the Ferguson unrest. For NAACP figures such as Roslyn Brock, the pressing question is thus: “How do we give life to the narrative that Black Lives Matter when we are doing the killing?”⁹⁸ For the new activists, such discourses let “white supremacy” off the hook, placing the blame on black people themselves, and amount to black leaders “policing” their own communities as part of a generalised “respectability politics”.

Criming while black

The question of “black criminality” is overdetermined by decades of liberal vs. conservative acrimony, dating back to Moynihan’s 1965 lament over the state of the “negro family”.⁹⁹ Approximately three distinct sets of diagnoses and prescriptions stake out the rhetorical perimeter of this triangular debate. Conservatives condemn cultural pathologies and a lack

of stable two-parent families, seeing this as the source of high crime in black neighbourhoods; the solutions thus become promotion of religious observance and black fatherhood, paired with condemnation of rap music. Liberals defend rappers and single mothers from patriarchal conservatives, and condemn racist cops who exaggerate black criminality by over-policing black neighbourhoods; thus the solution becomes police reform and fighting racism. Finally, social democrats will agree with conservatives that black crime is real but point to structural factors such as high unemployment and poverty, themselves driven in part by present and past racism; the solution thus becomes a Marshall Plan for the ghetto.

Many in the black middle class are sceptical of liberal denials of black criminality; many have family members or friends who have been affected by crime. Often open to structural arguments, they are also tired of waiting for social democratic panaceas which seem ever less likely. Noting their own capacities for relative advancement, it's easy for them to contrast the condition of the black poor to the supposed success of other racialised immigrant groups. They are thus drawn to conservative conclusions: there must be something wrong with their culture, their sexual mores, and so on. This is not just a matter of the Bill Cosbys and Ben Carsons. It is the position of influential liberal academics like William Julius Wilson and Orlando Patterson. It has also increasingly become the position of many supposed radicals: Al Sharpton raging against sagging pants, Cornel West decrying the "nihilism" within black culture and identifying religion as a solution.¹⁰⁰ This is what Black Lives Matter activists mean when they object to "the politics of respectability".

Such objections are, of course, essentially correct: it is stupid to blame crime on culture.¹⁰¹ Michelle Alexander's *The New Jim Crow* is a key reference point for these activists. Alexander points to racial disparities in drug-related incarceration: blacks and whites use drugs at similar rates, but blacks are arrested far more often, and sometimes receive longer sentences for the same offence, with the implication that these disparities are the work of racist cops and judges. Such liberal responses to conservative arguments tend, however, to come with a blind spot. By concentrating on low level drug offenders — who even many conservatives agree shouldn't be serving time — Alexander avoids some thorny issues. Among inmates, violent offenders outnumber drug offenders by more than 2-to-1, and the racial disproportion among these prisoners is as high as among drug offenders.¹⁰² But with these crimes it is hard to deny that black people are both victims and perpetrators at much higher rates.¹⁰³ Here the explanation of the structuralists is basically right, even if their solutions look implausible: black people are much more likely to live in urban ghettos, faced with far higher levels of material deprivation than whites.

With their endemic violence, these places are the real basis for the high "black-on-black crime" statistics that conservatives like to trot out as evidence that responsibility for the violence to which black people are subjected lies with black communities themselves. Understandably reacting against such arguments, liberals have pointed out similarities between intra-racial murder rates: 84% for whites and 93% for blacks.¹⁰⁴ This seems a polemically effective point: shouldn't white communities thus take more responsibility for "white-on-white crime" too? But again, something is being obscured: according to the

Bureau of Justice Statistics, black people kill each other 8 times more often. It is not necessary to accept the rhetorical logic by which acknowledging this appears a concession to conservative moralising. Aren't high crime rates to be expected in the most unequal society in the developed world? And isn't it entirely predictable that violent crime should be concentrated in urban areas where forms of employment are prevalent that do not enjoy legal protections, and which therefore must often be backed up with a capacity for direct force? Arguments that avoid such things often involve implicit appeals to an unrealistic notion of innocence, and therefore seem to have the perverse effect of reinforcing the stigma of crime; here the critics of "respectability politics" reproduce its founding premise.¹⁰⁵ While the prospect of the underlying problem being solved through a gigantic Marshall Plan for the ghetto looks like the most forlorn of hopes, many policy proposals from Black Lives Matter activists merely amount to some version of "more black cops".¹⁰⁶ The history of police reform in places like Baltimore, where the police and "civilian review boards" have long mirrored the faces of the wider population, clearly demonstrates the insufficiency of these responses. But those who make the more radical claim that the demand should be *less* rather than *better* policing, are in some ways just as out of touch.¹⁰⁷ The troubling fact — often cited by the conservative right, but no less true for that reason — is that it is precisely in the poorest black neighbourhoods that we often find the strongest support for tougher policing. When Sharpton, in his eulogy for Brown, railed against the abject blackness of the gangster and the thug, some of the activists were horrified, but his message was warmly received by many of the Ferguson residents present. This is because Sharpton was appealing to a version of "respectability politics" that has roots in the ghetto. Ta-Nahesi Coates, who grew up in West Baltimore, has acknowledged that many residents "were more likely to ask for police support than to complain about brutality". This is not because they especially loved cops, but because they had no other recourse: while the "safety" of white America was in "schools, portfolios, and skyscrapers", theirs was in "men with guns who could only view us with the same contempt as the society that sent them".¹⁰⁸

Policing surplus populations

At the most abstract level, capital is colour-blind: surplus value produced by white labour is no different to that produced by black, and when racist laws interfere with the buying and selling of labour, as they ultimately did in the Jim Crow South, capitalists will tend to support the overturning of those laws. Yet when the demand for labour falls and the question arises of who must go without, workers can generally be relied upon to discover the requisite divisions amongst themselves, typically along lines of kinship, ethnicity and race. Capitalists thus benefit from racism even if they don't create it, for in periods of growth these divisions undermine any collective bargaining power that workers might otherwise be able to achieve. Historically, rigid racial hierarchies have been the work not of capital, but of the state — especially, though not exclusively, white-settler and other colonial states. State racism is epitomised by anti-miscegenation laws, which aim to realise racial difference by outlawing racial mixing; the nation-state became a racial state. During times of economic crisis, racial states could be counted on to intervene in labour markets

— which contingently assign workers to the employed and the unemployed — in order to assign these determinations methodically, along racial lines.

In the mid-twentieth century this state-orchestrated project of race-making broke down at a global level. On the one hand, exposure of the Nazi genocide and the success of decolonisation movements de-legitimated explicit state racism. On the other, rapid post-war growth led to tight labour markets, reducing competition for jobs between racialised groups. This was thus an era of assimilation, evinced by the partial victories of the Civil Rights Movement. What put this process into reverse was the reassertion of capitalist crisis tendencies in the 1970s. Falling profits led to a fall in the demand for labour. Recently achieved formal equality did nothing to stop real economic inequalities being reinforced by heightened competition for jobs. Here the state would find for itself a new race-making role, this time not as arbiter of legal separation, but rather as manager of racialised surplus populations.¹⁰⁹

As the regulation of social relations by the labour market began to break down with the slowing of the economy, proletarians were ejected from the industrial sector, leading to rising unemployment and under-employment, and growth in low-wage services. Populations fled towards suburbs, leaving behind decaying inner cities. This brought a fraying of the social fabric, alongside a fiscal crisis of the state. Across bipartisan divides, governments from Reagan onwards took this as an opportunity to force the end of a whole range of already meagre social programmes. Previously existing communities began to break down. This had a cultural dimension: private in-home consumption of media, growing atomisation and so on. But most of all, existing solidarities had been premised on a growing economy. Communities that were supposed to achieve autonomy in the context of the Black Power Movement found themselves riven with crime and desperation. Here the police stepped in as a last resort form of social mediation, managing a growing social disorder, becoming ubiquitous across the social fabric. When people entered altered mental states through some breakdown or another, for example, the state increasingly dispatched not “mental health professionals” but cops, who would subdue by force and frequently kill in the process.

In this precarious world one must survive with little help, and any accident or run of bad luck can result in losing everything. It is no surprise that people get sick or turn to crime when they fall down and can't get back up. The police are there to ensure that those who have fallen don't create further disturbances, and to haul them away to prison if they do. People who are thereby snared are not just those nabbed by the cops, but people — not angels — caught in the vectors of a spreading social disintegration. At the same time, broader populations — fearful of looking down — develop their own cop mentalities. This gives the lie to anti-police slogans that present the police as an imposition on the community, that hinge on assumptions that these communities would do just fine if the police stopped interfering: where community and society are themselves in states of decay, the police offers itself as a stand-in; bringing a semblance of order to lives that no longer matter to capital.

For much the same reason, it is more or less impossible for the state to resolve the problem

by changing the fundamental character of the police. A full-scale reform that did away with the present function of the police as repressive, last-resort social mediation, would require a revival of the social democratic project. But with its diminished economic resources, the state lacks the key to that door. Meanwhile the softer reforms around which Black Lives Matter activists can unite with a bipartisan political elite — things like decarceration for low-level drug offenders and “justice reinvestment” in community policing — only raise the prospect of a more surgically targeted version of the carceral state. The brutal policing of black America is a forewarning about the global future of surplus humanity. Escaping from that future will require the discovery of new modes of unified action, beyond the separations.

Coda

Drawing in people from across a vast span of American society under the heading of “black”, to protest over issues deeply entwined with racialising structures, this wave of struggles has displayed a peculiar vertical integration. The content of this unifying term has suggested a certain weightiness when set against the orientationless groping towards unity of other recent movements such as Occupy. It is a rare movement that can seem to unite the ghetto-dweller, the multi-millionaire star and the political power-broker behind a substantive social cause. But there’s the rub. Stretched across such an unequal span, it was inevitable that the unity at play here would be correspondingly thin. If the content of identity is null without it, at extremes of difference the positing of identity reverts to the merest formality, while the content escapes.

That blackness can seem to offer something more substantial is an effect of its peculiar construction: a social content forcefully given by its role as marker of subordinate class, but also an identitarian unity enabled by its ultimate non-correspondence with class. These poles in tension have long identified the specificity of black struggles: proletarian insurgency or “race leadership”; blackness as socio-economic curse or as culture. But as the divide between rich and poor gapes ever wider, and as the latter sink further into misery and crime, gestures at holding the two poles together must become ever emptier. To reach towards the social content one must loosen one’s hold on the identity; to embrace the identity one must let go of the content. It is practically impossible to hold both at once. Is the core demand to be about police reform? Or is it to be about ameliorating ghetto conditions in which police violence is more or less the only check on other kinds? If blackness seems to offer itself as a space in which these demands might not actually be at odds, this is only by the indistinct light from the gloam of older capacities for solidarity, when the black middle class too lived in the ghetto and shared its fate; when the black working class could reasonably hope to see better days.

Though it is clear that blackness has been in large part evacuated of consistent social content, from its evident capacity to induce such large-scale dynamic mobilisations in the American population it is equally clear that it would be premature to announce its demise. And in its tensions there still lies an unstable if unaffirmable moment, at the social root of racialising logics, where capitalist social relations are rotting into nothing, and where the most pressing problems of surplus humanity lie. If race could present itself as the solution

to one compositional riddle, conjuring a new unity through descending modulations, that unity itself issues in another compositional impasse as a further descent threatens to undo it. Now the ghetto has rediscovered its capacity to riot, and to force change by doing so, will other, larger components of America's poor — white and latino — stand idly by? And what role, in such moments, will the new race leaders play? One must bend one's ear to pick out the new compositions into which these modulations are resolving.

Epilogue

The bodies have not ceased to pile up. On 16 July 2015, Black Lives Matter activist Sandra Bland, 28, was found hanged in a police cell in Waller County, Texas — an event ruled suicide, but with many of course suspecting foul play. Those who enter the macabre pantheon of this movement are the tip of an iceberg. As we laid down these words, 891 people had been killed so far this year by US police, of which 217 were identified as black, more than double the rates for whites and hispanics.¹¹⁰ Though exact figures aren't available, in the years since this wave of struggles began, tens of thousands of black people will have been murdered in the US.¹¹¹ Though the total would be only slightly less for whites, they represent 63% of the US population, while black people are only 13%.

On 9 August, the anniversary of Brown's shooting, 250 people gathered in Ferguson during the day. In the evening there was some shooting at police, looting, and a journalist was robbed, whilst armed men guarded Ferguson Market & Liquor. Tyrone Harris Jr., 18 — apparently a close friend of Mike Brown's — was shot by four plain-clothed police officers, after supposedly being involved in a gunfight between looters. On 19 August another St. Louis teenager, Mansur Ball-Bey, 18, was shot in the back by police after running from a search of his home. Large crowds gathered in North St. Louis, to be tear-gassed by police; rocks thrown, cars burned, looting... A video went viral of Peggy Hubbard, a black grandmother who grew up in Ferguson, attacking Black Lives Matter for supporting "thugs" like Ball-Bey — and her brother and son, who were in jail — whilst ignoring the tragic death of Jamyla Bolden, 9, killed by a stray bullet from a drive-by as she lay in her mother's bed. On 24 August a newly appointed Ferguson judge announced that all arrest warrants issued prior to 2015 would be cancelled, and the Missouri legislature capped court fees in St. Louis County at 12.5% of municipal revenues. Although the slaughter shows no sign of abating, collective bargaining by riot is once again leveraging concessions.

Notes

1) Thanks to Chino, Chris, Danielle, Idris, Jason, Mike and Shemon.

2) See 'A Rising Tide Lifts All Boats' and 'The Holding Pattern' in *Endnotes* 3, September 2013.

3) Why Trayvon's death in particular triggered such a reaction, in a country where a black man is killed almost every hour, is difficult to

understand. Part of the reason may be Trayvon's background, his undoubted 'innocence', making him a safe object of middle class identification. But it is surely also the exaggerated symbolism of the scene: the 'white ethnic' coveting the value of his home, the mirage of a black intruder whose very presence seems to jeopardise it. Such

suburban fears have long been entwined with dynamics of racialisation in the US. See Chris Wright, 'Its Own Peculiar Decor' in this issue.

- 4) NAACP (National Association for the Advancement of Colored People): a key African-American civil rights organisation formed in 1909 by a group including WEB Du Bois, initially focused on overcoming Jim Crow laws.
- 5) Cedric Johnson, *Revolutionaries to Race Leaders: Black Power and the Making of African American Politics* (University of Minnesota 2007).
- 6) With the knowledge of presidents Kennedy and Johnson, the FBI under J. Edgar Hoover – and its murky COINTELPRO programme – persecuted the movement and its leaders, including the now-venerated King. During Nixon's presidency it organised the assassination of Fred Hampton and other members of the Black Panther Party.
- 7) Its function as an asset here was, of course, rather more novel, surely in some part a measure of the gradual filtering-through of Civil Rights gains. But such things appear distinctly ambivalent in the context of the rotting edifice on which they are perched. There was something disarmingly redemptive about an extremely unequal and grotesquely violent society selecting a black man to be President.
- 8) Data on police shootings are notoriously incomplete. The best evidence on trends over time is the FBI's charmingly titled 'justifiable homicides by law enforcement'. This series shows peaks in 1980 and 1994. Alexia Cooper and Erica Smith, 'Homicide Trends in the United States, 1980–2008', Bureau of Justice Statistics, 2010, p. 32.
- 9) blacklifematters.org was registered on 18 March 2012, in the run up to the Million Hoodie March, and appeared on placards at the Hollywood demo. This site links Trayvon actions to charter schools and church-based activism. #BlackLifeMatters remained more common than #BlackLivesMatter through 2012. The activists who would become known as the originators of the latter trace their own

story back to the struggles of summer 2013, after Zimmerman was acquitted of all charges.

- 10)Source: FBI. Crime in the United States, 2012.
- 11)According to the prosecutor, Angela Corey, who also tried the Zimmerman case, Alexander's Stand Your Ground defence failed because she had left the house to retrieve a gun from her car. Although the Twin Lakes police chief had initially cited Stand Your Ground as a justification for releasing Zimmerman without charge, his lawyers did not actually appeal to Stand Your Ground, opting for a standard self-defense plea.
- 12)Alexander was released on appeal in January 2015, having done three years, with two more to serve under house arrest, wearing an ankle monitor.
- 13)In autumn 2014, when America was boiling in the aftermath of Michael Brown's shooting, Dunn would be found guilty of three counts of attempted murder and sentenced to life in prison without parole.
- 14)Ta-Nehisi Coates, 'To Raise, Love, and Lose a Black Child', *The Atlantic*, 8 October 2014.
- 15)Flatbush may be seen as an instance of an older tradition of community riots in response to police shootings – one also evidenced in the 2009 Oscar Grant riots in Oakland. There local 'community leaders' found themselves largely outflanked due to their longstanding alliances with mayor Jean Quan. On Flatbush see Fire Next Time, 'The Rebellion Contained: The Empire Strikes Back', 15 March 2013; Nick Pinto, 'Everybody Wants a Piece of Kimani Gray', *Village Voice*, 20 March 2013.
- 16)Alicia Garza, 'A Herstory of the #BlackLivesMatter Movement', *The Feminist Wire*, 7 October 2014.
- 17)This game plan has been tacitly assumed by most actors in the current wave, from Dream Defenders and Organization for Black Struggle at the local level, up to NAN and the NAACP at the national level, whether the immediate demand was repeal of Stand Your Ground or police reform. As a strategy it was more visible in the early days, but it would return to prominence in summer 2015, with the

- approach of the Democratic primaries.
- 18)Lisa Miller, *Perils of Federalism* (Oxford 2008).
- 19)Federal support for Civil Rights was partly explained by the incompatibility between Jim Crow and the role of the US as ‘leader of the free world’. The key pre-condition for the movement’s success in the South was that sharecroppers had been replaced by the mechanical cotton harvester, and the rigidly divided Jim Crow labour market proved a drawback to employers in burgeoning Southern cities. The principal beneficiaries of the Civil Rights Movement may have been the Southern white elite, who experienced an influx of regional investment in its wake. See Gavin Wright, *Sharing the Prize: The Economics of the Civil Rights Revolution* (Harvard 2013).
- 20)There was an ironic inversion here: the 14th amendment, originally addressed to the rights of former slaves, had been reinterpreted as protecting corporations from state regulation and was thus largely overlooked in the Civil Rights Act, which instead relied on the Commerce Clause to make private race-based discrimination a federal offence.
- 21)In this case the NAACP actually *praised* police for promptly bringing charges against Kerrick, though the initial indictment failed. A second Grand Jury indicted him for voluntary manslaughter on 28 January 2014 – a fairly rare occurrence in this chain of events. However, a mistrial was declared in August 2015, with a hung jury reflecting a broader national polarisation over the issue of police killings.
- 22)It seems that the trigger for the clampdown on Garner’s spot in the Tompkinsville Park area of Staten Island was the complaints of local shopkeepers and landlords, concerned about customers and property values. ‘Beyond the Chokehold: The Path to Eric Garner’s Death’, *New York Times*, 13 June 2015.
- 23)Jamilah King, ‘How three friends turned a spontaneous Facebook post into a global phenomenon’, *The California Sunday Magazine*, 1 March 2015.
- 24)Sidney M. Willhelm, *Who Needs the Negro?* (Shenkman 1970).
- 25)Automation has long been a central topic among black revolutionaries and nationalists in the US. C.f. James Boggs, *The American Revolution: Pages from a Negro Worker’s Notebook* (Monthly Review Press 1963)
- 26)Bruce Western, *Punishment and Inequality in America* (Russell Sage Foundation 2006).
- 27)These reforms, along with new conspiracy charges that could be used to turn any associate into a state’s witness, effectively gave sentencing power to prosecutors. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New Press 2010). However, as James Forman Jr. points out, Alexander’s backlash thesis overlooks the support of black politicians for this same legislation. James Forman Jr., ‘Racial Critiques of Mass Incarceration: Beyond the New Jim Crow’ *NYU Law Review*, vol. 87, 2012.
- 28)For most of the 20th century, the black incarceration rate was much lower in the South, for Jim Crow lynch terror didn’t require jails. With Southern urbanisation and the advent of civil rights this rate began to rise (strikingly it first reached Northern levels in 1965, the year of the Civil Rights Act). But although today the black incarceration rate is higher in the South, racial disparity is lower, for the white incarceration rate has grown even faster (Data: BJS Historical Statistics on Prisoners in State and Federal Institutions).
- 29)In 1974 a panel of federal judges concluded that ‘segregated housing in the St. Louis metropolitan area was ... in large measure the result of deliberate racial discrimination in the housing market by the real estate industry and by agencies of the federal, state, and local governments.’ Richard Rothstein, ‘The Making of Ferguson: Public Policies at the Root of its Troubles’, *Economic Policy Institute*, 15 October 2014.
- 30)See the 2011 documentary film directed by Chad Freidrichs, ‘The Pruitt-Igoe Myth’, for an exploration of the social history of this project.
- 31)With a certain historical irony, some would

later view the other famous demolition of Minoru Yamasaki buildings as the day postmodernity died.

32)See Anthony Flint, 'A Failed Public-Housing Project Could Be a Key to St. Louis' Future', *Citylab*, 25 August 2014; R.L. 'Inextinguishable Fire: Ferguson And Beyond', *Mute*, 17 November 2014.

33)See Chris Wright, 'Its Own Peculiar Decor', in this issue for an analysis of such dynamics.

34)See Daniel Lichter et al., 'Toward a New Macro-Segregation? Decomposing Segregation within and between Metropolitan Cities and Suburbs', *American Sociological Review*, vol. 80, no. 4, August 2015.

35)The national average for whites is 99 men for 100 women, 83 for blacks. Wolfers et al, '1.5 Million Missing Black Men', *New York Times*, 20 April 2015.

36)Jim Gallagher, 'Blame poverty, age for weak North County home market', *St. Louis Post Dispatch*, 18 August 2013.

37)'Investigation of the Ferguson Police Department', United States Department of Justice, Civil Rights Division, 4 March 2015. The very existence of a DoJ report taking notice of these issues in Ferguson is itself an outcome of the struggles that happened in large part because of them.

38)Anonymous testimony posted on Dialectical Delinquents website.

39)The scorched forecourt of this place would become a central gathering point for protests over the coming weeks.

40)Phil A. Neel, 'New Ghettos Burning', *Ultra*, 17 Aug 2014.

41)Senator Rand Paul, 'We Must Demilitarize the Police', *Time*, 14 August 2014.

42)Julie Bosman, 'Lack of Leadership and a Generational Split Hinder Protests in Ferguson', *New York Times*, 16 August 2014.

43)Solid statistics on participation seem to be unavailable at present, but arrest figures chime with logical readings of the events: in its first phase, Ferguson was clearly a community anti-police riot, and its social character may thus be judged in part by using the place itself as a proxy. Ann O'Neill, 'Who

was arrested in Ferguson?', *CNN*, 23 August 2015.

44)Various, 'Reflections on the Ferguson Uprising', *Rolling Thunder #12*, spring 2015.

45)Bosman, 'Lack of Leadership and a Generational Split'.

46)For profiles of the new activists, see 'The Disruptors', *CNN*, 4 August 2015.

47)Special thanks to Chino for help on this section.

48)The iconic photo of men carrying signs reading 'I am a man' is of striking garbage workers in Memphis, 1968. That slogan can in turn be linked back to the 18th century abolitionist slogan 'am I not a man and a brother?', which was echoed by Sojourner Truth's 'ain't I a woman?'.

49)A simple measure is the ratio of top to bottom income quintiles within the black population. In 1966 this was 8.4 (the richest 20% blacks had about 8 times the income of the bottom 20%); by 1996 it had doubled to 17. The corresponding figures for whites were 6.2 and 10. Cecilia Conrad et al., *African Americans in the US Economy* (Rowman and Littlefield 2006), pp. 120–124.

50)See, e.g., Adolph Reed Jr., 'Black Particularity Reconsidered', *Telos* 39, 1979; Keeanga-Yamahtta Taylor, 'Race, class and Marxism', *Socialist Worker*, 4 January 2011.

51)For example, affirmative action has been largely restricted to white collar professions and elite universities. C.f. the 1978 'Bakke' struggle over quotas in medical schools.

52)13% of black employees were 'white collar' in 1967, 40% in 1984 and 51% in 2010 (compared to 62% of whites). Bart Landry, 'The Evolution of the New Black Middle Class', *Annual Review of Sociology* 37, no. 1, 2011.

53)Of those born into the bottom quintile, over 90% of both blacks and whites earned more than their parents, but only 66% of blacks born in the second quintile surpass their parents' income, compared with 89% of whites. Pew Trusts, 'Pursuing the American Dream: Economic mobility across generations', 9 July 2012

54)From 2005 to 2009, the average black

household's wealth fell by more than half, to \$5,677, while white household wealth fell only 16% to \$113,149. Rakesh Kochhar et al, '20 to 1: Wealth Gaps Rise to Record Highs Between Whites, Blacks and Hispanics', *Pew Social & Demographic Trends* 2011.

55) Alicia Garza, co-founder of the Black Lives Matter network, grew up in predominantly white Marin County, CA, where the median household income is over \$100,000. DeRay McKesson, by contrast, grew up in a poor neighbourhood of Baltimore. Yet he earned a six-figure salary as the director of human capital for the Minneapolis School District, where he developed a reputation for ruthlessness in firing teachers. Jay Caspian Kang, 'Our Demand Is Simple: Stop Killing Us', *New York Times*, 4 May 2015.

56) On the history of 'race management', see Kenneth W. Warren, 'Race to Nowhere', *Jacobin* 18, summer 2015.

57) Many are from elite universities, including Nyle Fort at Princeton, and the Black Ivy Coalition. DeRay McKesson, alum of an elite Maine liberal arts college, was recently hired by Yale.

58) Patrick Sharkey, 'Spatial segmentation and the black middle class', *American Journal of Sociology* 119, no. 4, 2014.

59) Karyn Lacy describes the 'exclusionary boundary work' with which the black middle class distinguishes itself from the black poor in the eyes of white authority figures. *Blue Chip Black: Race, Class, and Status in the New Black Middle Class* (UC Press 2007).

60) Today white men with no high school education are incarcerated at three times the rate of black men with a college education. Western, *Punishment and Inequality*.

61) On the growing gap between proletarian and middle class black identity, see Ytasha L. Womack, *Post Black: How a New Generation Is Redefining African American Identity* (Chicago Review Press 2010); Touré, *Who's Afraid of Post-Blackness?: What It Means to Be Black Now* (Free Press 2011).

62) See e.g., Obama's stint in a church-based community org on Chicago's South Side.

63) DeRay is not the only Teach for America (TFA) leader involved. CEO Matt Kramer showed up at the Ferguson protests, and Brittany Packnett, executive director of St. Louis TFA, launched Campaign Zero along with DeRay and Netta. Anya Kamenetz, 'A #BlackLivesMatter Leader At Teach For America', *NPR*, 12 May 2015.

64) The Open Society Foundation claimed to have 'invested \$2.5 million to support frontline community groups in Ferguson' including Organization for Black Struggle and Missourians Organizing for Reform and Empowerment. See 'Healing the Wounds in Ferguson and Staten Island', Open Society Foundations blog, 19 December 2014.

65) Darren Sands, 'The Success And Controversy Of #CampaignZero And Its Successful, Controversial Leader, DeRay McKesson', *Buzzfeed*, 14 Sept 2015.

66) DeRay also sits on the board of Justice Together, a new non-profit dedicated to 'ending police brutality', along with a director of the Rockefeller Foundation and several Silicon Valley liberal-libertarians. See Tarzie, 'Meet The New Police Reform Bosses', *The Rancid Honeytrap*, 25 June 2015.

67) This appears to have been motivated by competition over potential funders. Sarah Kenzior, 'Ferguson Inc.', *Politico Magazine*, 4 March 2015.

68) In the US, a Grand Jury plays a filtering role in relation to normal court proceedings, determining in secret whether criminal charges should be brought. They are led by a prosecutor, and the defence presents no case. The lack of accountability here makes them a preferred option in these sorts of circumstances. Although under normal circumstances the absence of defence typically increases the likelihood of indictment, if the prosecutor who leads the jury is himself reluctant to indict (due to institutional ties with the police), then non-indictments are more or less guaranteed, and can always be blamed on the Grand Jury itself.

69) See, e.g., 'Presbyterian Church Stated Clerk responds to Ferguson grand jury decision',

pcusa.org, 24 Nov 2014: 'We call the church to pray that God will give us the courage and strength to have honest conversations about race where we live, work, and worship. We pray for safe spaces in Ferguson and in all communities for people to voice their views.'

70)For an account of the Duggan case, and the riot wave that followed it, 'A rising tide lifts all boats', *Endnotes 3*, September 2013.

71)Early on, Palestinians had sent messages of solidarity with Ferguson, including tips for dealing with riot police – an echo of the international linkages that had once characterised the Black Power movement. In April, as Baltimore was recovering from its own riot wave, Ethiopian Israelis would also draw connections between their own struggles against police violence and the Black Lives Matter movement, using the 'hands up, don't shoot' meme. See Ben Norton, 'Baltimore Is Here: Ethiopian Israelis protest police brutality in Jerusalem', *Mondoweiss*, 1 May 2015.

72)The prosecutor who supervised the grand jury investigation, Daniel Donovan, was subsequently elected to represent Staten Island, a borough heavily populated with police officers, in the United States Congress. The city later settled a wrongful-death claim by paying \$5.9 million to Garner's family.

73)This, as well as the subsequent 'police strike', turned out to be an opening gambit in contractual negotiations between the city and the Patrolmen's Benevolent Association.

74)'Rough ride': a police technique for inflicting violence on arrestees indirectly, through the movements of a vehicle, thus removing them from the culpability of more direct aggression. Manny Fernandez, 'Freddie Gray's Injury and the Police "Rough Ride"', *New York Times*, 30 April 2015.

75)White Orioles' fans partying outside the stadium clashed with demonstrators, police intervened violently, and a 7-11 was looted.

76)Police shut down the mall in response to a flyer circulating on social media calling for a 'purge' – a horror-movie reference to a day of lawlessness. Dozens of high school students

showed up for this, but many more were trapped in front of the mall by police who shut down the buses that were supposed to take them home, and fired tear gas into the gathering crowd. Justin Fenton, 'Baltimore rioting kicked off with rumors of "purge"', *The Baltimore Sun*, 27 April 2015.

77)*The 2015 Baltimore Uprising: A Teen Epistolary* (Research and Destroy, New York City 2015).

78)'Gangs call for calm in Baltimore', *Baltimore Sun*, 27 April 2015; Garrett Haake, 'Gang members help prevent riot at Baltimore mall', *WUSA9*, 28 April 2015.

79)Baltimore was the first city to adopt a residential segregation ordinance (in 1910). Richard Rothstein, 'From Ferguson to Baltimore', *Economic Policy Institute*, 29 April 2015.

80)They also share a distinctive history: both were border state cities where slavery had a tenuous foothold. See Barbara Fields, *Slavery and Freedom on the Middle Ground* (Yale 1985).

81)In 1970 there were 7 census tracts in the Baltimore area that were majority black, relatively wealthy, and far from the concentrated poverty of the inner city. In 2000 there were 17. Sharkey, 'Spatial segmentation and the black middle class'.

82)P.G. County police were among the first to descend on Baltimore in response to the riots.

83)Ta-Nehisi Coates, 'Black and Blue: Why does America's richest black suburb have some of the country's most brutal cops?', *Washington Monthly*, June 2001.

84)In 1970 there were 54 black legislators in the US. By 2000 there were 610. Most are in state houses, but the Black Caucus has become a powerful force in Congress, with over 40 members.

85)Curtis Price, 'Baltimore's "Fire Next Time"', *Brooklyn Rail: Field Notes*, 3 June 2015.

86)44% of Baltimore's police are black, compared to 60% of its population, but the wider metropolitan area from which police are recruited is 30% black. See Jeremy Ashkenas, 'The Race Gap in America's Police

- Departments', *New York Times*, 8 April 2015.
- 87)'Remarks by President Obama and Prime Minister Abe of Japan in Joint Press Conference', White House, 28 April 2015.
- 88)'It's time to end the era of mass incarceration', 29 April 2015. Even Tea Party Republican Ted Cruz has joined the anti-incarceration chorus.
- 89)Kellan Howell, 'Baltimore riots sparked not by race but by class tensions between police, poor', *Washington Times*, 29 April 2015.
- 90)Similarly striking is the contrast to the reaction of the British state and media to the 2011 English riots, which was uniformly authoritarian and uncomprehending.
- 91)See 'A Statement from a Comrade and Baltimore Native About the Uprising' on *SIC* website.
- 92)For example, 'Big Brothers Big Sisters', and Obama's 'My Brother's Keeper' initiatives.
- 93)See Antonia Blumberg and Carol Kuruvilla, 'How The Black Lives Matter Movement Changed The Church', *Huffington Post*, 8 August 2015.
- 94)Also this time it was the NAACP, headquartered in Baltimore, that blamed 'outside agitators'. Aaron Morrison, 'NAACP condemns looting and violence in Baltimore', *International Business Times*, 28 April 2015.
- 95)No other states fly it, but it is incorporated in Mississippi's state flag, supported by a recent 2-1 popular vote.
- 96)At the end of June a more ancient and anonymous meme was revived in response: eight Southern black churches were burnt in one week.
- 97)Darren Sands, 'The Success And Controversy of #CampaignZero'.
- 98)Darren Sands, 'The NAACP And Black Lives Matter Are Talking Past Each Other', *BuzzFeed*, 17 July 2015.
- 99)For a summary of the report and subsequent debates, see Stephen Steinberg, 'The Moynihan Report at Fifty', *Boston Review*, 24 June 2015.
- 100)Stephen Steinberg, 'The Liberal Retreat From Race', *New Politics*, vol. 5, no. 1, summer 1994.
- 101)For contemporary evidence of the structural determinants of crime see Ruth Peterson and Krivo Lauren, 'Segregated Spatial Locations, Race-Ethnic Composition, and Neighborhood Violent Crime', *Annals of the American Academy*, no. 623, 2009.
- 102)Drug offenders make up a much higher proportion of federal prisoners, but only 6% of prisoners are in federal prisons. See Forman Jr., 'Racial Critiques of Mass Incarceration'.
- 103)If we look only at homicides (generally the most reliable data), from 1980 to 2008 blacks have been 6–10 times more likely than whites to be victims and perpetrators. Cooper and Smith, 'Homicide Trends in the United States, 1980–2008'.
- 104)Janelle Bouie, 'The Trayvon Martin Killing and the Myth of Black-on-Black Crime', *Daily Beast*, 15 July 2013.
- 105)Indeed, in questioning the reality of crime, liberals suggest that the most dispossessed are obediently acquiescing to their condition.
- 106)For example, Michael McDowell, of Black Lives Matter Minneapolis, has advocated making 'community leaders' police officers. Waleed Shahid, 'The Interrupters', *Colorlines*, 14 August 2015.
- 107)See Alex Vitale, 'We Don't Just Need Nicer Cops: We Need Fewer Cops', *The Nation*, 4 December 2014.
- 108)Coates, *Between the World and Me* (Spiegel & Grau 2015), p. 85. Coates further describes this as 'raging against the crime in your ghetto, because you are powerless before the great crime of history that brought the ghettos to be.'
- 109)See Chris Chen, 'The Limit Point of Capitalist Equality' in *Endnotes 3*, Sept 2013.
- 110)These figures from the Guardian's 'The Counted' project, started in response to this wave of struggles, which aims of keep track of those killed by US police. A similar count by the Washington Post, restricted to shootings, reports 759 deaths, of which 190 were black. Accessed 9 October 2015.
- 111)For 2000–2010 the figure was over 78,000, more that the total number of US military casualties during the Vietnam War.