

This copy is for your personal, non-commercial use only.

NOVEMBER 25, 2014

Resisting the War Against the Black and Brown Underclass

Why We Won't Wait

by ROBIN D.G. KELLEY

Wait. Patience. Stay Calm. “This is a country that allows everybody to express their views,” said the first Black president, “allows them to peacefully assemble, to protest actions that they think are unjust.” Don’t disrupt, express. Justice will be served. We respect the rule of law. This is America.

We’ve all been waiting for the grand jury’s decision, not because most of us expected an indictment. District Attorney Robert P. McCulloch’s convoluted statement explaining—or rather, defending—how the grand jury came to its decision resembled a victory speech. For a grand jury to find no probable cause even on the lesser charge of involuntary manslaughter is a stunning achievement in a police shooting of an unarmed teenager with his hands raised, several yards away. Distilling 4,799 pages of grand jury proceedings to less than twenty minutes, he managed to question the integrity of eyewitnesses, accuse the 24-hour news cycle and social media for disrupting the investigation, and blame alleged neighborhood violence for why the removal of Mike Brown’s body from the pavement had to wait until morning. McCulloch never indicted a cop in his life, so why expect anything different now?

Some waited hoping for a miracle; most waited because they knew a crisis was brewing. The white folks in St. Louis and surrounding municipalities, as well as the state of Missouri, used the waiting period to prepare for war. Residents bought more guns and ammunition, stockpiled on plywood to cover store windows, installed alarm systems and window bars, stocked up on food and water. Governor Jay Nixon declared a state of emergency, calling up National Guard forces from across the state and beyond, training the state militia for riot control and counterinsurgency. The federal government has dispatched FBI agents, some presumably undercover operating inside protest movements. As I write these words, all forces are being deployed against protesters and the Black community more generally, and the governor has requested more National Guard troops.

Meanwhile, as we waited for the grand jury's decision, a twelve-year-old Black boy named Tamir Rice was shot and killed by police in Cleveland because the officer mistook his toy gun for a real one. Tamir was playing outside of Cleveland's Cudell Recreation Center, one of the few public facilities left that provide safe space for children.

As we waited, Cleveland cops took the life of Tanisha Anderson, a 37-year-old Black woman suffering from bipolar disorder. Police arrived at her home after family members called 911 to help her through a difficult crisis, but rather than treat her empathetically they did what they were trained to do when confronted with Black bodies in Black neighborhoods—they treated her like an enemy combatant. When she became agitated, one officer wrestled her to the ground and cuffed her while a second officer pinned her [“face down on the ground with his knee pressed down heavily into the back for 6 to 7 minutes, until her body went completely limp.”](#) She stopped breathing. They made no effort to administer CPR, telling the family and witnesses that she was sleeping. When the ambulance finally arrived twenty minutes later, she was dead.

As we waited, police in Ann Arbor, Michigan, killed a forty-year-old Black woman named [Aura Rain Rosser](#). She was reportedly brandishing a kitchen knife when the cops showed up on a domestic violence call, although her boyfriend who made the initial report insisted that she was no threat to the officers. No matter; they opened fire anyway.

As we waited, a Chicago police officer fatally shot 19-year-old Roshad McIntosh. Despite the officer's claims, several eyewitnesses reported that McIntosh was unarmed, on his knees with his hands up, begging the officer to hold his fire.

As we waited, police in Saratoga Springs, Utah, pumped six bullets into Darrien Hunt, a 22-year-old Black man dressed kind of like a ninja and carrying a replica Samurai sword. And police in Victorville, California, killed Dante Parker, a 36-year-old Black man and father of five. He had been stopped while riding his bike on suspicion of burglary. When he became “uncooperative,” the officers repeatedly used Tasers to try to subdue him. He died from his injuries.

As we waited, a twenty-eight-year-old Black man named Akai Gurley met a similar fate as he descended a stairwell in the Louis H. Pink Houses in East New York, Brooklyn. The police were on a typical reconnaissance mission through the housing project. Officer Peter Liang negotiated the darkened stairwell, gun drawn in one hand, flashlight in the other, prepared to take down any threat he encountered. According to liberal mayor Bill DeBlasio and police chief Bill Bratton, Mr. Gurley was collateral damage. Apologies abound. He left a two-year-old daughter.

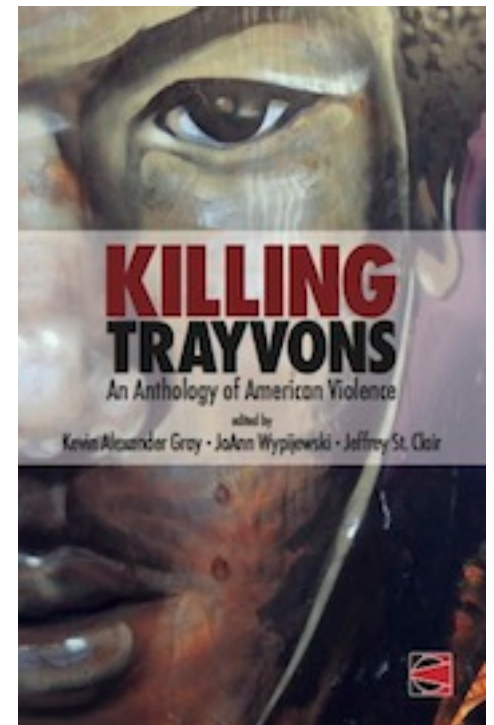
As we waited, LAPD officers stopped 25-year-old Ezell Ford, a mentally challenged Black man, in his own South Los Angeles neighborhood and shot him to death. The LAPD stopped Omar Abrego, a 37-year-old father from Los Angeles, and beat him to death.

And as we waited and waited and waited, Darren Wilson got married, continued to earn a paycheck while on leave, and received over \$400,000 worth of donations for his “defense.”

You see, we’ve been waiting for dozens, hundreds, thousands of indictments and convictions. Every death hurts. Every exonerated cop, security guard, or vigilante enrages. The grand jury’s decision doesn’t surprise most Black people because we are not waiting for an *indictment*. We are waiting for justice—or more precisely, struggling for justice. We all know the names and how they died. Eric Garner, Kajieme Powell, Vonderitt D. Meyers, Jr., John Crawford III, Cary Ball Jr., Mike Brown, ad infinitum. They were unarmed and shot down by police under circumstances for which lethal force was unnecessary. We hold their names like recurring nightmares, accumulating the dead like ghoulish baseball cards. Except that there is no trading. No forgetting. Just a stack of dead bodies that rises every time we blink. For the last three generations, Eleanor Bumpurs, Michael Stewart, Eula Love, Amadu Diallo, Oscar Grant, Patrick Dorismond, Malice Green, Tyisha Miller, Sean Bell, Aiyana Stanley-Jones, Margaret LaVerne Mitchell, to name a few, have become symbols of racist police violence. And I’m only speaking of the dead—not the harassed, the beaten, the humiliated, the stopped-and-frisked, the raped.

Meanwhile, Governor Jay Nixon, President Obama, Attorney General Eric Holder, the mainstream press and every state-anointed Negro leader lecture Black people to stay calm and remain non-violent, when the main source of violence has been

the police. Mike Brown’s murder brought people out to the streets, where they were met with tear gas and rubber bullets. State violence is always rendered invisible in a world where cops and soldiers are heroes, and what they do is always framed as “security,” protection, and self-defense. Police occupy the streets to protect and serve the citizenry from (Black) criminals out of control. This is why, in every instance, there is an effort to *depict the victim as assailant* – Trayvon Martin used the sidewalk as a weapon, Mike Brown used his big body. A lunge or a glare from a Black person can constitute an imminent threat. When the suburb of Ferguson blew up following Mike Brown’s killing on August 9, the media and mainstream leadership were more concerned with looting



and keeping the “peace” than the fact that Darren Wilson was free on paid leave. Or that leaving Brown’s bullet-riddled, lifeless body, on the street for four and a half hours, bleeding, cold, stiff from rigor mortis, constituted a war crime in violation of the Fourth Geneva Convention. It was, after all, an act of collective punishment – the public display of the tortured corpse was intended to terrorize the entire community, to punish everyone into submission, to remind others of their fate if they step out of line. We used to call this “lynching.”

War? Yes, war. The immediate and sustained resistance to the police following Mike Brown’s murder revealed the low intensity war between the state and Black people, and the disproportionate use of force against protesters following the grand jury’s decision escalated the conflict. To the world at large, Ferguson looked like a war zone because the police resembled the military with their helmets, flak jackets, armed personnel carriers, and M-16 rifles. But African-American residents of Ferguson and St Louis proper, and in impoverished communities across the country, did not have to endure tear gas or face down riot cops to know that they were already living in a war zone—hence Mike Brown’s and Dorian Johnson’s initial trepidation toward the police.

Past and present police violence in the area gave Brown and Johnson good reason to fear Wilson. The prosecution turned what may have seemed like a reasonable act of self-defense on the part of a startled and angry eighteen-year-old kid into an “assault of a law officer in the first degree.” That Wilson feared for his life was all he needed to justify lethal force. But it is the instructions to the grand jury toward the end of the three-month-long deliberations that deserve our attention. After asking jurors to judge Wilson’s actions against Missouri statute on police use of deadly force, the assistant county prosecutors, Sheila Whirley and Kathi Alizadeh, suddenly announced that after “doing our research” they learned that the statute had been superseded by a U.S. Supreme Court decision. In lieu of the decision and the old statute, Whirley wrote up a description of how the law applies when an officer can use force when making an arrest. When a grand juror began asking questions for clarification, Whirley explains that the old law “is not entirely incorrect or inaccurate, but there is something that is not correct, ignore it totally.” She then indicates that they will rely on the U. S. Supreme Court decision in [Tennessee v. Garner](#) (1985), “not that that matters much to you. . . . We don’t want to get into a law class.” She went on to focus on the self-defense instruction.

But just a quick glance at the decision reveals that the ruling was intended to limit the use of deadly force, arguing that killing a fleeing suspect constitutes an intrusive “seizure” potentially violating 4th Amendment protections against being deprived of life. If a suspect is not armed and dangerous, the use of deadly force is not warranted and thus the

seizure of life is not reasonable.

Whether we call it a war on drugs, or “Operation Ghetto Storm” as the Malcolm X Grassroots Movement dubs it, what we are dealing with is nothing less than permanent war waged by the state and its privatized allies on a mostly poor and marginalized Black and Brown working-class. Five centuries in the making, it stretches from slavery and imperialism to massive systematic criminalization. We see the effects on our children, in the laws that make it easier to prosecute juveniles as adults; in the deluge of zero tolerance policies (again a by-product of the war on drugs); in the startling fact that expulsions and suspensions have risen exponentially despite a significant decline in violent crime. Crisis, moral panics, neoliberal policies, racism fuel an expansive system of human management based on incarceration, surveillance, containment, pacification, lethal occupation, and gross misrepresentation.

The Black community of Ferguson and adjacent communities experience war every single day, in routine police stops, fines for noise ordinance violations (e.g., playing loud music), for fare-hopping on St. Louis’s light rail system, for uncut grass or unkempt property, trespassing, wearing “saggy pants,” expired driver’s license or registration, “disturbing the peace,” among other things. If these fines or tickets are not paid, they may lead to jail time, the loss of one’s car or other property, or the loss of one’s children to social services. The criminal justice system is used to exact punishment and tribute, a kind of racial tax, on poor/working class Black people. In 2013, Ferguson’s municipal court issued nearly 33,000 arrest warrants to a population of just over 21,000, generating about \$2.6 million dollars in income for the municipality. That same year, 92 percent of searches and 86 percent of traffic stops in Ferguson involved black people, this despite the fact that one in three whites was found carrying illegal weapons or drugs, while only one in five blacks had contraband.

And yet, defenders of the status quo always deflect critiques of state violence by citing the number of intra-racial homicides in low-income Black communities. Who can forget former New York Mayor [Rudy Giuliani’s recent quip](#) to Michael Eric Dyson on “Meet the Press”? “White police officers wouldn’t be there [in black neighborhoods] “if you weren’t killing each other.” Racist bluster, to be sure, but such assertions have succeeded in foreclosing a deeper interrogation of how neoliberal policies (i.e., dismantling the welfare state; promoting capital flight; privatizing public schools, hospitals, housing, transit, and other public resources; investing in police and prisons,) are *a form of state violence* that produces scarcity, environmental and health hazards, poverty, and alternative (illegal) economies rooted in violence and subjugation.

Ironically, Giuliani's vitriol makes a compelling case for the failure of modern law enforcement. If the police are charged with keeping the peace and protecting citizens, but instead have contributed to the "epidemic" of violent deaths, then a case can be made for the complete withdrawal of the police from Black and Brown neighborhoods. The police are trained for combat and often regard the youth in low-income communities of color as potential enemy combatants. This is why the killing of "innocent" Black men in dark stairwells, Black women with kitchen knives, or little boys brandishing toy guns are not accidents. Cops patrol these areas with their weapon close at hand; behind every shadow lurks a suspect, and in war it is kill or be killed.

In light of Missouri's failure to indict Darren Wilson for the murder of Mike Brown, calling for the withdrawal of the police—even temporarily—is a reasonable demand for people terrorized by state violence and feeling particularly vulnerable over their safety. They want law and order, but the police have shown a consistent disrespect for the law, flagrantly violated the Constitution, and operated with little to no accountability. Instead, the police operate as a rogue outfit, their actions create disorder and fear. Furthermore, failure to indict effectively exonerates the police force, providing a pretext for the police to ramp up violence and repression in response to the legitimate expression of anger and frustration over the government's failure to protect Black lives and ensure justice. It is already happening in the aftermath of the grand jury's decision, as riot police invade the headquarters of Hands Up United as well as designated safe spaces.

The young organizers in Ferguson from Hands Up United, Lost Voices, Organization for Black Struggle, Don't Shoot Coalition, Millennial Activists United, and the like, understand they are at war. Tef Poe, Tory Russell, Montague Simmons, Cheyenne Green, Ashley Yates, and many other young Black activists in the St. Louis area have not been waiting around for an indictment. Nor are they waiting for the much vaunted Federal probe, for they have no illusions about a federal government that provides military hardware to local police, builds prisons, kills tens of thousands by manned and unmanned planes without due process, and arms Israel in its illegal wars and occupation. They have been organizing. So have the young Chicago activists who founded We Charge Genocide and the Black Youth Project, and the Los Angeles-based youth who make up the Community Rights Campaign, and the hundreds of organizations across the country challenging everyday state violence and occupation. They remind us, not only that Black lives matter—that should be self-evident—but that resistance matters. It matters because we are still grappling with the consequences of settler colonialism, racial capitalism and patriarchy. It mattered in post-Katrina New Orleans, a key battleground in neoliberalism's unrelenting war on working people, where Black organizers lead

multiracial coalitions to resist the privatization of schools, hospitals, public transit, public housing, and dismantling public sector unions. The young people of Ferguson continue to struggle with ferocity, not just to get justice to Mike Brown or to end police misconduct but to dismantle racism once and for all, to bring down the Empire, to ultimately end war.

Robin D. G. Kelley, who teaches at UCLA, is the author of the remarkable biography [*Thelonious Monk: The Life and Times of an American Original*](#) (2009) and most recently [*Africa Speaks, America Answers: Modern Jazz in Revolutionary Times*](#) (2012). He is a contributor to [*Killing Trayvons: an Anthology of American Violence*](#).