

Two Nations, Revisited: The Lynching of Black and Brown Bodies, Police Brutality, and Racial Control in 'Post-Racial' Amerikkka

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Abstract

In 1968, President Lyndon B. Johnson established the National Advisory Commission on Civil Disorders (NACCD) to examine the 1967 race riots that were taking place in Los Angeles, Chicago, Newark, and Detroit that erupted in the mid-1960s. That report, officially labeled the Kerner Report, outlined structural inequalities in America that privileged whites over other racial and ethnic groups; the report concluded that the United States was headed toward two separate and unequal societies: black and white. Forty-seven years after the Kerner Report where do we stand? In this article, I revisit recent events on police violence toward minorities and give consideration to some thoughts moving forward.

Keywords

Institutional racism, lynching, police brutality, police violence, racial control, racism

Wrapped in plastic
Or closed casket for our troubles
Pressed in times
We busted like bubbles
With the police
This nation's peace sent here to run you

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Now look at what this crooked world has come to ...

...They don't give a fuck about us

While I'm kickin rhymes, getting to their children's minds

Now they give a fuck about us

They wanna see us die, they kick us every time we try

They don't give a fuck about us (Tupac Shakur)¹

Introduction

On 19 April 2015, 25-year-old Freddie Gray was pronounced dead after having sustained massive injuries to his larynx, vertebrae, and his spine where it was reported that it was 80 percent severed from his neck. Although the Baltimore authorities were quick at first to admit that the police did not follow procedure in both the immediate and timely medical care that Mr Gray needed and was denied, and were neglectful in Mr Gray's safety (i.e., failure to buckle Mr. Gray in the van as he was being transported to the police station), there continues to be silence and denial on the violence that Mr Gray was exposed to during his arrest. Ultimately, Freddie Gray's death was deemed a homicide and as I write this, a grand jury has indicted six officers with various counts of second-degree heart murder, involuntary manslaughter, and second-degree assault.² While many race and social justice scholars and activists have expressed relief with the outcome, some have clearly noted that this particular action represents only a start in terms of what needs to happen to adequately address illegal actions by the police,³ and the institutional racism that runs rampant in the US criminal justice system and prison industrial complex.

Regardless of the ultimate outcome of these six police officers, they are outliers in a society that views police officers as legitimate in their authority and capacity to control black and brown bodies, bodies that are often viewed as less valuable to whites and whites' property. If this were untrue, how do we explain the consistent patterns of social inequalities that treat whites as victims and minorities as perpetrators? How do we explain that the six officers indicted in Mr Gray's death had bails set lower than Allen Bullock, the 18-year-old young man who turned himself in for vandalizing a Baltimore City police vehicle? If Mr Bullock were white instead of black, one wonders if he might have been applauded as a "reveler" looking to just have some rebellious fun against the police such as was seen during the 2014 New Hampshire pumpkin festival riot,⁴ or the so-called "rallies" such as the one that occurred after University of Kentucky's loss in the 2015 March Madness tournament in which the looting, car-flipping, and fire incidences were calmly explained away as fans "blowing off steam" (see Reeves, 2015). Indeed, how do we explain the sheer violence, distain, and anger toward brown and black bodies—such as recently captured by Cleveland Police Officer Michael Brelo, who not only killed two black unarmed men who led police on a high-speed car chase in 2012, but who also felt it necessary to shoot Malissa Williams and Timothy Russell 49 times and at one point climbed on to the hood of their car and reloaded his gun in order to keep shooting after all of the other officers had already stopped firing (see Smith and Southall, 2015). Other Cleveland Police Officers must have felt similar to Brelo when they decided to kill 12-year-old Tamir Rice for brandishing a toy gun. As of this writing, no one has been charged in Tamir's death; Officer Michael Brelo was acquitted of manslaughter charges in May 2015.

The blatant disregard for black and brown bodies and racialized acts of social control is evident with the recent murders committed by police officers (or vigilantes) across the nation. Tanisha Anderson, Eric Garner, Rekia Boyd, Yvette Smith, Trayvon Martin, Michael Brown, Miriam Carey, Jonathan Ferrell, and Tamir Rice only represent a small number of blacks who have been

killed at the hands of police in the US. Indeed, Mappingpoliceviolence.org reports that over 300 blacks were killed by police in 2014.⁵ The murder of brown and black bodies and the frequencies in which they take place are not outlier accidental situations, nor are they reflective of the excuses that have come to be standard police responses to these situations—fear of personal safety. Rather, these murders point to the systemic and racialized ways in which murdering brown and black bodies have become normative practice in US society.

But it is not only the overt disregard for black and brown lives that should offend us, it is also the spectacle of racial oppression—for example, the fact that Michael Brown's body was left on the street for hours after he was killed by police officer Darren Wilson—that points to just how little has changed in American race relations since the days of Jim Crow. In fact, race scholars such as Michael Omi, Howard Winant, Eduardo Bonilla-Silva, Joe R. Feagin, Michelle Alexander, and countless others have noted that one could look at modern day race practices (and the need for racial spectacle) as old perfume repackaged in a new bottle. Thus, the legitimacy given to police agencies represents a rearticulation of slavery and Jim Crow era practices specifically designed to socially control people of color (Alexander, 2010; Bonilla-Silva, 2001). These modern day lynchings serve today in much the same way that they did in the past—as a way to illustrate and highlight white supremacy and emphasize minorities' place in a racialized social system. As people try to make sense of the escalation of police brutality and violence on poor people and people of color in a supposed era of colorblindness, one thing is clear—that social scientists and sociologists, in particular, have failed to take a central role in helping to reshape a nation that continues to control and punish minorities for the color of their skin and/or their non-European phenotype.

We Live in Two Nations

This is our basic conclusion: Our nation is moving toward two societies, one black, one white—separate and unequal. (National Advisory Commission on Civil Disorders, 1968)⁶

In 1968, President Lyndon B. Johnson established the National Advisory Commission on Civil Disorders (NACCD) to examine the 1967 race riots that were taking place in Los Angeles, Chicago, Newark, and Detroit that erupted in the mid-1960s. That report, also referred to as the Kerner Report after the chair of NACCD, Illinois Governor Otto Kerner, Jr, outlined in detail the deepening racial division between blacks and whites in the US that was directly related to existing structural inequalities that privileged whites: “What white Americans have never fully understood but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it” (1968: 1). The most famous line of the Kerner Report was their conclusion that the US is moving toward two separate and unequal societies, one black and one white. This report, while painstakingly to the point with race matters at the time, was certainly not groundbreaking news, at least not to social scientists such as Gunnar Myrdal who outlined America's hypocrisy toward social justice in his 1944 book, *An American Dilemma: The Negro Problem and Modern Democracy*, or W.E.B. Du Bois (1903) who predicted the challenge of the 20th century would be continue to be the problem of the color line. Nonetheless, the Kerner Report was instrumental for showcasing America's hypocrisy in its claim of being a global leader (and judge) of democracy and equality. Further, the report was instrumental in highlighting one of the top grievances⁷ blacks had mentioned regarding consistent inequality in their cities that was largely ignored: police practices.

Andrew Hacker's notable 1992 book, *Two Nations: Black & White, Separate, Hostile, Unequal*, painted a picture of America 25 years after the publication of the Kerner Report. That picture was bleak, harsh, and yet reflected the reality of black and brown lives that was strikingly different from

the lives of whites. Being black in America meant significantly more obstacles to economic, educational, or political success in comparison with their white counterparts. It also meant more resentment and animosity for blacks who became successful in their endeavors—and a questioning of the legitimacy of their success. And it meant increased surveillance of, and violence toward, minorities by state agencies and federal police agencies (Bonilla-Silva, 2001). Yet, for as much as whites seem to think that blacks have it made in the US, most whites would never trade their skin color with blacks.⁸ The basic conclusion of Hacker's book was that the lives of minorities in the US in 1992 continued to be no different than what outlined in the Kerner Report. And white responses to racial inequality in America has been one that exacerbates stereotypes in a way that ultimately leads to justifying the control of, and racial violence toward, black and brown bodies. Forty-seven years after the Kerner Report, where do we stand on race relations in the United States? Specifically, where do we stand on violence toward and control of black and brown bodies in our so-called era of colorblindness? And what are some thoughts we might consider moving forward?

Views on Race in the US

There is no denying that race continues to affect the lives of countless brown and black folks in America today—unless, of course, you are white. Although this statement may seem harsh, but the truth of the matter is that 50 plus years after the passing of the Civil Rights Act of 1964 and over 150 years after the Emancipation Proclamation in 1863, many minorities say that race relations between whites and minorities have either not changed or have gotten worse.

The contrast between views on race relations in the US is most stark between blacks and whites. For example, according to the 2014 national survey conducted by the PEW Research Center, fewer blacks today than five years ago believe that blacks and whites get along “pretty well” or “very well,” a drop from 76 percent to 64 percent (Lovelace, 2014). In contrast, whites are more optimistic regarding race relations these days (Wang, 2014). Blacks are also more skeptical of police shootings of minorities than whites and more likely to believe race to be a central factor in the shootings.⁹ Whites are three times more likely than blacks to believe there will be fair investigations into any shootings of brown or black bodies by the police or white vigilantes. And three out of four blacks polled said they expect relations between minorities and the police will get worse in the coming year.

A 2015 Poll conducted by CNN/ORC found that 69 percent of minorities think that the US criminal justice system favors whites over blacks. This compares with 42 percent of whites who believed the same. In another question, when asked whether they believed that blacks have as good a chance as whites to get jobs for which they are qualified, whites (81 percent) were twice as likely as blacks (45 percent) to claim “as good a chance.” The differences in views between whites and minorities continue to highlight the two worlds in which we live, where one group (whites) continues to be afforded more opportunities, dignities, and rights over other groups (minorities).

Violence toward Minorities

The US has long has a fascination with black bodies. From days of slavery to the years of Jim Crow to the post-Civil Rights Era, black and brown bodies have been controlled and put on display as an affirmation of white superiority. This fixation is particularly notable when it comes to black male bodies. As Bonilla-Silva (2001), Feagin (2006), and others have noted, the regulation of brown and black bodies—once the purview of slave overseers and night patrols, overt and violent racist organizations such as the Ku Klux Klan, and individual whites—have become largely replaced by state agencies such as the criminal justice system, and local and federal police (Marable, 1997).

In a US racialized social system, Bonilla-Silva (2001) argues that while the level of violence towards blacks and other minorities by the police has always been high, the phenomenal growth of police departments since the 1960s has allowed these state agencies to become the primary agents of social control of brown and black bodies. The media portrayal of minorities as violent perpetrators in need of social control allows for legitimization in many whites' eyes for extreme police brutality and mass incarceration as a new form of lynching for the 21st century (Alexander, 2010; Smith, 1995). The violence of police toward minorities is not a new phenomenon. It has been an ongoing issue in a US society that fears, loathes, and seeks control over minorities. Racial incidents of police brutality toward minorities today (e.g., Michael Brown, Eric Garner, Freddie Gray, Miriam Carey, etc.) mirror racial incidents just 25 years ago (e.g., Rodney King, Anthony Baez, Ahmed "Amadou" Diallo, etc.). Similar to Malissa Williams and Timothy Russell who was shot at 137 times by 13 Cleveland police officers (49 times by Officer Brelo alone), Ahmed "Amadou" Diallo, for instance, was shot at 41 times by New York police in 1999 while standing in front of his apartment building (Ruderman and Goodman, 2012). Like Williams and Russell, Diallo was unarmed.

Media Lies and Deceits

Contributing to whites' justification of violence toward brown and black bodies by both police and the larger criminal justice system is the media. No different than in the past, media not only continue to stereotype minorities as violent offenders that need to be controlled, they distort images and language in ways that provide privilege to whites who are almost always portrayed as innocent victims. Charles M. Blow, in a 2015 *New York Times* op-ed noted that calling protesters of the murder of Freddie Gray a "lynch mob" was a profound overreach and misuse of language that in no way resembled past (and present) violence toward minorities by whites. While not suggested directly by media (the term "lynch mob" was uttered by Baltimore police union president, Gene Ryan), the media no doubt added fuel to the fire with their 24 hour coverage of more angry protesters—protesters who represented only a small portion of the larger peaceful folks who attended protests across the nation against the brutality, murder, and injustice of police violence toward brown and black bodies. That blacks and other minorities continue to be stereotyped as violent (Embrick and Henricks, 2013; Entman and Rojecki, 2001; Stromberg, 2006) and therefore in need of control has direct consequences for minority lives as it justifies (in whites eyes) police harassment and continued violence toward minorities (Alexander, 2010; Cole, 1999; Russell, 1998), even for what are typically phantom offenses (Russell, 1998). White perpetrators of crimes are almost never portrayed the same by media in comparison with minorities. A recent story by CNN (Kohn, 2015) was one of the few commentary published on double standards of coverage by media on events by race. For instance, media coverage on the deadly shootout by white biker gangs (or "biker clubs" as reported in some media outlets) in Waco, Texas in May 2015 failed, for the most part, to mention the race of the perpetrators, failed to make commentary on the white on white violence, and failed to discuss how whites were destroying their own communities. This might not be an issue except for the fact that such commentaries are almost always made about minorities. Once again white privilege allowed for what was arguably one of the most brutal and violent events in recent Texas history—in which nine people lost their lives and 170 were arrested—to disappear, unexamined.

The Burden of Black Women

The coverage of black and brown male bodies in the media stands in stark contrast with that of black and brown females. While there is no denying that we should be concerned by the brutal

murders of Tamir Rice, Eric Garner, Michael Brown, Freddie Gray, and countless other minority men these past few years, one wonders about the media coverage of black and brown women who have also lost their lives at the hands of police officers.¹⁰ Where is the news coverage of Tanisha Anderson who found herself with her face slammed to the ground with a knee to her back by a police officer who was called by her mother to help with a mental episode she was having that day? Her death was ruled a homicide. Where was the extensive coverage of Miriam Carey, who had her one-year-old daughter in the car with her when she was shot at by US Secret Service and Capital police officers? Or Shelly Frey, a 27-year-old black woman who was killed in 2012 by an off-duty sheriff's deputy after allegedly being caught stealing from a Walmart store. The fascination with black bodies is a long history of white supremacy that discards the humanity of both black men and women but has largely ignored violence toward black women while celebrating violence toward black men (Savali, 2014). In a white supremacist, capitalist, and patriarchal society, black women, and the violence toward them, are rendered invisible (Marable, 1997). The sexual degradation of black women and their unheard pleas are captured most vividly by W. E. B. Du Bois (2003: 75) in his originally titled poem, "The Burden of Black Women":

And crying and sighing and crying again as a voice in the midnight cries,—But the burden of white men bore her back and the white world stifled her sighs.

Dying While Indigenous or Latino/a

Missing equally from media coverage is the police violence toward Indigenous Americans and Latino/a immigrants in the US. In the past 16 years, Indigenous Americans tied with blacks for the number of folks killed by police officers in America (see Cheney-Rice, 2015). While representing just over 10 percent of the black population in the US, this means that Indigenous Americans are being murdered at an alarming rate, yet one in which most folks remain unaware. Similarly, recent polls have found that a majority of Latino/as fear law enforcement officials, both Border Patrol and local police. The circumstances between the deaths of Indigenous, Latino/as and blacks are resoundingly similar. In fact, as protests were garnering media attention for the murders of Michael Brown and Eric Garner, 2014 came to be silently known as one of the worse times in recent history for Native Americans who have been subjugated historically to death and violence by a white supremacist state.¹¹ As reported in a recent CNN story (Moya-Smith, 2014), in comparison with other racial groups, Native Americans are the most likely group to be killed by police in America. And violence toward Latino/as by the police are routinely dismissed as Latino/as are often seen as "illegal" in the US and therefore criminal, and deserving of whatever punishment they receive—as seen in the case of Antonio Zambrano-Montes, a Mexican migrant worker who was unarmed when Pasco, Washington police officers shot and killed him on 10 February 2015 (see Planas, 2015). The violence toward Indigenous Americans and Latino/as in the US is nothing new. Since Europeans set eyes toward murdering Indigenous Americans for their resources in the 15th and 16th centuries (Berkhofer, Jr., 1978; Cornell, 1988), and used Latino/as as controlled labor (Montejano, 1987), both groups, similar to blacks in the US, have been cast as violent savages in need of control by whites. Both groups have been targets of extreme violence and continue to be cast as outsiders.

Conclusion: Is There a "Real" Solution in Sight?

Being a minority in the US, for many brown and black folks, continues to mean living a world different from whites. It means, as Toni Morrison once noted at the 1986 International PEN Congress, never feeling as if one were American (Haskins, 2002: 100). It means telling your

children that they will not be fully accepted as equals in a world that privileges whites, and it means preparing them for a world in which they have to tread carefully for fear of their lives. In 2015 we ask ourselves again, echoing the question once posed by Martin Luther King, Jr., “where do we go from here?”

The struggles for justice and democratic transformation through peaceful means have only resulted in the deaths of more brown and black folks. When peaceful means have been shown to give little to no justice, whites become surprised and angry at minority protesters who fight back through anger of their own. Yet, this is not a new phenomenon; minorities have always fought back against their oppressors in various ways, some peaceful, some not (Fanon, 1963; Kelley, 2002; Marable, 1997, 1999). In every era, whites have found ways to control minorities: through slavery, through Jim Crow laws, and now increasingly through state agencies. What do you do when police are given a free pass to murder brown and black bodies, are “caught” lying or trying to cover up their illegal actions, or whose actions when deemed inappropriate are often downplayed or ignored? How do you deal with a system in which police actions toward minorities are deemed legitimate in the eyes of most whites?

Recent race scholars have called for a new black power movement (Marable, 1997), or a new civil rights movement (Bonilla-Silva, 2003). Central to this movement needs to be the firm understanding that in order to deal with racial and ethnic inequalities today we need to understand the “new racism” of the racialized social system (Bonilla-Silva, 1997, 2001, 2003). That is, despite positive changes in the legal system stemming from the Civil-Rights Era, the racial practices and mechanisms that have kept Blacks and other minorities subordinated have become less overt and more covert, subtle and ambiguous (Bonilla-Silva, 1997; Bonilla-Silva and Lewis, 2000; Smith, 1995). Further, despite the political and legal gains minorities have achieved in the past 50 years, and despite the fact that we have a black president occupying the highest political office in the US, the reality is that conditions for many blacks, Latino/as, and Indigenous Americans have become worse. The call for a new civil rights movement needs to recognize the larger collective in the struggle for inequality and justice against police and state brutality. This includes not only the blacklivesmatter movement, but also the Latino/alivesmatter, NativeAmericanlivesmatter, and womenlivesmatter movements. The progress forward must be well organized and embracing of the fact the struggle for equality has always been a struggle over race, class, and gender matters in America. One thing is clear: police violence toward brown and black bodies are not new, we just keep acting as if they are.

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Notes

1. Shakur, Tupac (2002) They Don't Give a Fuck about Us. *Better Dayz*. Amaru, Tha Row. For more information on the album, see: <http://www.allmusic.com/album/better-dayz-mw0000663367>.
2. See *CNN Wire* (2015); see also Campbell (2015).
3. Although Baltimore police claimed that Freddie Gray was arrested for carrying an illegal weapon (switchblade), the State Attorney of Baltimore noted that the knife that Mr Gray was carrying was legal and therefore the police made an illegal arrest.
4. For more information, see Pearce (2014).
5. For more details on the individual cases, see: <http://mappingpoliceviolence.org/>
6. For the full report, see National Advisory Commission on Civil Disorders (1968).
7. Page 7 (Chapter 2) of the 1968 Kerner Report identified 12 major grievances from blacks that were divided into three distinct intensity levels. The most intense (level 1) included: police practices,

unemployment and underemployment, and inadequate housing. Level 2 included: inadequate education, poor recreation facilities and programs, and ineffectiveness of the political structure and grievance mechanisms. Level 3 included: disrespectful white attitudes, discriminatory administration of justice, inadequacy of federal programs, inadequacy of municipal services, discriminatory consumer and credit practices, and inadequate welfare programs.

8. In Chapter 3, Hacker mentions a parable that was given to white students in which they woke up one day as a black man or woman. Students were then asked how much money they would need in order to be compensated for the change in skin tone. Most students suggested that \$1m per year was not out of the ordinary.
9. For further information, see: <http://www.people-press.org/2014/08/18/stark-racial-divisions-in-reactions-to-ferguson-police-shooting/>
10. For a look at one of the few coverages on black women killed during police encounters, see: Abbey-Lambertz (2015).
11. Six Native Americans were reportedly killed by police in the last two months of 2014 alone. For more information, see: <http://lastrealindians.com/six-native-americans-killed-by-police-in-last-two-months-of-2014/>

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