Understanding Ferguson

Suburban Marginality and Racialized Penality in the Age of Neoliberalism

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> This is the message that has spread through streets and tenements and prisons, through the narcotics wards, and past the filth and sadism of mental hospitals to a people from whom everything has been taken away, including, most crucially, their sense of their own worth. People cannot live without this sense; they will do anything whatever to regain it. This is why the most dangerous creation of any society is that man who has nothing to lose. You do not need ten such men—one will do.
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> JAMES BALDWIN, "DOWN AT THE CROSS"

On August 9, 2014, 18-year-old Michael Brown and his friend, Dorian Johnson, were walking on the roadway on Canfield Drive in the southeastern part of Ferguson, Missouri.[1] As they walked, the young men

1 This is a revised version of a German article titled "Der Fall Michael Brown: (Symbolische) Polizeigewalt und kollektive Fantasie." *Von Selma bis Ferguson: Rasse und Rassismus in den USA*, edited by Michael Butter, Astrid Franke, and

encountered Darren Wilson, a white police officer in an SUV, who demanded that they use the sidewalk. Approximately two minutes after this encounter, Michael Brown was dead, killed by the police officer with at least six shots.

After the killing, Brown's corpse was not immediately removed from the scene but left "bleeding […] in the hot summer sun for four hours, much of that time uncovered, as the residents of [his neighborhood of] Canfield looked upon his splayed-out corpse in horror" (Devereaux). The blatant brutality of Brown's spectacular murder and the attempts of Ferguson officials to deflect responsibility for the killing that "devastated a family with high hopes for their college-bound son" (Devereaux) sent a shockwave through the town, which erupted into weeks of intense protests. When a jury decided not to indict Wilson for the killing, protests intensified further and the black rage thus kindled catalyzed a transnational activist movement which, most prominently under the slogan Black Lives Matter, continues to assert human rights for black people in the face of anti-black state violence (cf. Harris).[2]

In the aftermath of the shooting – and owing to the public protests and their international media coverage – the United States Department of Justice (DOJ) issued a report on the Ferguson Police Department (FPD) and the city's municipal court. The report exposed a systemic pattern of abusive and largely unconstitutional law enforcement practices that were "shaped by the City's focus on revenue rather than by public safety needs" (U.S. Dept. of Justice, *Ferguson Report* 2). Ferguson's focus on revenue generation was further structured by racial bias. As the DOJ explained, the city's officials perceived "some residents, especially those who live[d] in Ferguson's predominantly African-American neighborhoods, less as constituents to be protected than as potential offenders and sources of revenue" (4). Weaving together material and symbolic modes of division, Ferguson's

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2 My use of the term black rage draws on Cornel West's description of Malcolm X as a "prophet of black rage." According to West, this rage is shaped, among other things, by a "great love for black people," a "profound commitment to affirm black humanity at any cost," and a "tremendous courage to accent the hypocrisy of American society" (136).

approach to law enforcement emblematizes "the law-and-order upsurge that has swept most postindustrial countries around the close of the century" and which "constitutes a *reaction to, a diversion from, and a denegation of, the generalization of the social and mental insecurity* produced by the diffusion of desocialized wage labor against the backdrop of increased inequality," as Loïc Wacquant, a rigorous contemporary proponent of relational sociology, argues in *Punishing the Poor* (xv, original emphasis). Ferguson's penal system thus instantiates the interrelation of the materialist and symbolic dimensions of the social, which are traditionally kept apart in critical thought.[3] For, as Wacquant further argues,

> penal institutions and policies can and do shoulder both tasks at once: they simultaneously act to enforce hierarchy and control contentious categories, at one level, and to communicate norms and shape collective representations and subjectivities, at another. The prison symbolizes material divisions and materializes relations of symbolic power […]. (*Punishing the Poor* xvi)

Exploring the symbolization of material divisions and materialization of symbolic power that characterize law enforcement in Ferguson, this article places the killing of Brown within the larger nexus of what Wacquant defines as the neoliberal "government of social insecurity" (11). Contrary to common critique of the idea of a post-racial America, this government of social insecurity is indeed post-racial to the effect that "the absence of racism in the law mean[s] that African Americans [can]not claim racial harm," as Keeanga-Yamahtta Taylor notes in *From #BlackLivesMatter to Black Liberation* (52-53). Post-race then, indicates not post-racism but the state's consistent withdrawal from the legacy of the Civil Rights revolution. Intertwining structures of *race making* (cf. Wacquant, "Deadly Symbiosis" *passim*) and structures of *class making*, penal practices in Ferguson, as

3 Emphasizing this link between the materialist and symbolic spheres of the social is truly in line with relational sociology which "demands […] a rupture with naive conceptions derived from philosophical anthropology that dominate our perceptions in everyday life, most importantly the binary opposition of society and individual, structure and agent, or, more generally, the long-established dichotomy of objectivist and subjectivist modes of knowledge," as Christa Buschendorf explains in a review of *Punishing the Poor* (305).

elsewhere in the U.S., are indicative of the state's larger task of protecting the established order or, put differently, of reinforcing its resilience in the face of social disturbances caused by heightened economic deregulation, fiscal austerity, reduced social spending, expansive social precarity, population shifts, and growing social discontent (cf. Franke and Hirschfelder). Thus, I contend that the case of Ferguson "ties together [issues of] inequality and identity, fuses [issues of] domination and signification, and welds the passions and the interests that traverse and roil society" (*Punishing the Poor* xvi).

THEORETICAL APPROACH: NEOLIBERAL PENALITY AND THE SYMBOLIC POWER OF 'RACE'

Wacquant's work on urban marginality, ethnoracial domination, and the penal system offers powerful analytic tools and methodologies that allow researchers of social inequality to grasp more clearly the progressive interweaving of social policy and penal policy within the larger context of a neoliberal state that 'punishes its poor' (cf. Buschendorf et al. 303, 306). Wacquant argues that the post-Civil Rights era was marked by a shift in U.S. state policies that "*tipped the balance of the US bureaucratic field from its protective to its punitive pole*" (*Punishing the Poor* 43, original emphasis). A particularly drastic feature of this shift is the rise of the penal state, which has come to replace the country's relatively tenuous welfare state. This penal state, Wacquant insists, "responds, not to rising *criminal insecurity*, but to the wave of *social insecurity* that has flooded the lower tier of the class structure owing to the fragmentation of wage labor and the destabilization of ethnoracial or ethnonational hierarchies" (287, original emphasis). Consequently, the targets of America's penal system are, firstly, poor and, secondly, black (cf. Wacquant, "Class" 78-79).

In his seminal article "Deadly Symbiosis: When Ghetto and Prison Meet and Mesh," Wacquant traces the *longue durée* of racialized domination in the U.S. from slavery to the present. He identifies four "peculiar institutions" – slavery, the Jim Crow system, the urban ghetto, and the hyperghetto – that have successively performed "the task of *defining, confining, and controlling* African Americans in the United States" (98-99, original emphasis). Postindustrial restructurings starting in the late 1960s – includ-

ing the shift from manual to service-based labor and the relocation of production plants from the city centers of the Northeast and Midwest to southern anti-union states and low-wage foreign countries – led to the disintegration of the urban ghetto, rendering its (semi-)skilled black residents effectively redundant within America's national economy. Unable to sell their labor, and thus devoid of economic – and ultimately human – worth, these deproletarianized African Americans from the inner cities have been caged in the symbiotic interlocking of the remains of the ghetto, defined as hyperghetto, and the prison system. In other words, as the ghetto loses its ability to enforce the color line through "economic extraction and social ostracization of a population deemed congenitally inferior, defiled and defiling" ("Class" 81), a function uniting all before-mentioned institutions, "it is up to the fourth 'peculiar institution' born of the adjoining of the hyperghetto with the carceral system to remould the social meaning and significance of 'race' in accordance with the dictates of the deregulated economy and the post-Keynesian state" ("Deadly Symbiosis" 117).[4]

4 The nexus of the various structures of ethnoracial marginality is the result, first, of the epistemic propensity to highlight structural coherences and, second, of the tendential systematicity of social practices and struggles. I must insist on this lest it is believed that Wacquant is attempting to propagate some kind of conspiracy theory. Rather than stemming from an intentionalist or even determinist unity, then, the interconnectedness of the structures outlined above must be conceived as the product of a *practical unity* shaped by regularity as much as by digression and driven less by monolithic behavior than by (collective and individual) interest, social competition, and researchers' analytical practice. "It should be clear," Wacquant explains, "that the high degree of internal coherence and external congruence displayed by the radiography of the nascent government of social insecurity after the collapse of the Fordist-Keynesian order drawn here is partly a function of the analytic lens deployed. It should not mislead the reader to think that the penalization of poverty is a deliberate 'plan' pursued by malevolent and omnipotent rulers—as in the conspiratorial vision framing the activist myth of the 'prison-industrial complex.' Nor does it imply that some systemic need (of capitalism, racism, or panopticism) mysteriously mandates the runaway activation and glorification of the penal sector of the bureaucratic field. The latter are not preordained necessities but the results of struggles involving myriad agents and institutions seeking to reshape this or that wing and prerogative of

Wacquant defies essentialist notions of 'race' by embedding this concept within a framework of social practices, more precisely relations of power. 'Race,' then, is produced in various acts of race making; it "consists of a set of *politically negotiated meanings, a symbolic structure of power* that must be activated to be efficacious" ("The Puzzle" 12, original emphasis). To characterize 'race' as a structure of symbolic power is to highlight its capacity to legitimize, or rather naturalize, the established social order. In this sense, 'race'

> becomes an operative principle of social vision and division [which] resides in the full gamut of forms assumed by social action: in categories, taxonomies, and theories, but also in the objective distributions of positions and powers that make up institutions and, last but not least, in human bodies shaped and inhabited by the differentiations it stipulates. (Wacquant, "For an Analytic" 227-28)

Today, the penal system constitutes America's primary institution of symbolic production. It is, as Wacquant puts it, the country's "main machine for 'race making'" ("Deadly Symbiosis" 117). A particularly far-reaching effect of this rise of the penal state has been the renewed popularization of the phantasmatic association of blackness and deviance (cf. 117), which allows state officials to deprive African Americans of basic constitutional rights, above all, their right to vote.

Wacquant's sociology of ethnoracial domination invites us to explore anti-black state violence not in isolation, but within the larger processes of the crafting of the neoliberal state and, relatedly, the political aim of neutralizing an ever-growing dispossessed and dishonored "*surplus population*" (105, original emphasis; see also "Crafting"). Correspondingly, the killing of Brown should not be viewed merely as additional evidence of the racism of individual police officers or departments; rather, it must be understood as the realization of the – political and economic – necessities of a postindustrial society wherein (poor) black lives have indeed ceased to matter.

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the state in accordance with their material and symbolic interests" (*Punishing the Poor* xx).

OBJECTIVE DOMINATION: FERGUSON'S MATERIAL DIVISION IN SOCIAL/PHYSICAL SPACE

This section outlines Ferguson's objective conditions of racialized power. One cannot fully understand these conditions, which shaped Brown's fatal encounter with Wilson, unless they are observed in the larger context of struggles over physical space and its various forms of capital: Wilson's attempt to charge Brown and Johnson with the 'crime' of jaywalking is essentially a variation of this struggle and an example of the established group's claim to Ferguson's public space.[5] For Pierre Bourdieu, spatial struggles are intimately linked to struggles over power and, thus, a main site of symbolic violence:

> Because social space is inscribed at once in spatial structures and in the mental structures that are partly produced by the incorporation of these structures, space is one of the sites where power is asserted and exercised, and, no doubt in its subtlest form, as symbolic violence that goes unperceived as violence. (Bourdieu et al. 126)

5 My use of the terms "established group" and "outsider group" is based on Norbert Elias's theory of established-outsider figurations. In the introduction to his seminal study *The Established and the Outsiders*, co-authored with his student John L. Scotson, Elias argues that it is not so much ethnicity than social inequality that generates the perceived human superiority of the established group *vis-à-vis* the perceived human inferiority of the outsider group (cf. 1). "'[R]ace relations,'" he contends, "are simply established-outsiders-relations of a particular type" (15). Similarly, we may argue that Ferguson's established-outsider relation is shaped, but not restricted by 'race.' After all, the FPD did include a small number of Blacks; and there is no reason why a black police officer should not have seized this opportunity for revenue generation. Thus, even though 'whiteness' is a vital component of the established representation of Ferguson's dominant group, "the salient aspect of their relationship [with the outsiders] is that they are bonded together in a manner which endows one of them with very much greater power resources than the other and enables that group to exclude members of the other group from access to the centre of these resources and from closer contact with its own members, thus relegating them to the position of outsiders" (16).

The struggle over physical space, then, corresponds to the struggle over "social space" and is therefore inseparable from the "*political construction of space*" which, shaped by government and economic interests, practically translates into "the *construction of homogenous groups on a spatial basis*" (129, original emphasis).

Whereas Wacquant's studies tend to focus on the urban cores as the main site of socio-spatial marginality, the social struggles in Ferguson indicate a gradual shift of socio-spatial marginalization from the cities to the suburbs. According to Richard Rothstein, segregation in 21st-century America replicates the European model: Affluent whites settle in gentrified neighborhoods in the city centers while the poor, particularly Blacks and Latinos/as, are continually pushed to inner-ring suburbs (cf. 2-4, 31). Today almost forty percent of America's poor live in suburbs such as Ferguson (Dreier and Swanstorm).

Ferguson, a city with approximately 21,000 inhabitants, is one of 90 municipalities in St. Louis County, Missouri. 25 percent of the city's population live below the poverty line (U.S. Dept. of Justice, *Ferguson Report* 11), which is one and a half times the rate of poverty in America as a whole (Casselman). While Ferguson's total population has remained more or less consistent, its racialized demographics have changed rapidly over the past four decades (cf. *Ferguson Report* 11). In 1970, Blacks accounted for less than 1 percent of the city's population with whites comprising nearly all of the remaining 99 percent; by 2010, these proportions had changed to the point that Blacks and whites represented 67 and 29 of Ferguson's population, respectively (cf. Rothstein 3; U.S. Census Bureau 2). Space does not permit an extended discussion of the manifold reasons for this remarkable change in Ferguson's racial composition, but it will suffice to highlight a few significant points.

In his report "The Making of Ferguson" (2014) Rothstein conducts a detailed analysis of racialized division in the St. Louis metropolis, from the segregationist policies of President Woodrow Wilson in the early 20th century until the present. Rothstein shifts the analytical focus from a "methodological individualism" (Bourdieu, *Pascalian Meditations* 155), i.e., the emphasis on personal racism as the main cause for segregation, to an inquiry into the systemic structures and policies that indicate "the explicit intents of federal, state, and local governments to create racially segregated metropolises" (1). As he further explains,

[m]any of these explicitly segregationist governmental actions ended in the late 20th century but continue to determine today's racial segregation patterns. In St. Louis these governmental policies included zoning rules that classified white neighborhoods as residential and black neighborhoods as commercial or industrial; segregated public housing projects that replaced integrated low-income areas; federal subsidies for suburban development conditioned on African American exclusion; federal and local requirements for, and enforcement of, property deeds and neighborhood agreements that prohibited resale of white-owned property to, or occupancy by, African Americans; tax favoritism for private institutions that practiced segregation; municipal boundary lines designed to separate black neighborhoods from white ones and to deny necessary services to the former; real estate, insurance, and banking regulators who tolerated and sometimes required racial segregation; and urban renewal plans whose purpose was to shift black populations from central cities like St. Louis to inner-ring suburbs like Ferguson. (2)

Rothstein applies one of the main hypotheses of relational thought, the interpenetration of objective configurations and subjective modes of thought and perception, in defining the extent to which segregationist policies structured whites' prejudiced efforts to distance themselves from Blacks in St. Louis as a whole:

Whites observed the black ghetto and concluded that slum conditions were characteristic of black families, not a result of housing discrimination. This conclusion reinforced whites' resistance to racial integration, lest black residents bring slum conditions to white communities. Thus, to the extent we attribute segregation of the contemporary St. Louis metropolitan area to white flight, government policy bears some responsibility for creating conditions that supported the racial stereotypes fueling such flight. (20)

Another important aspect of Rothstein's report for the Economic Policy Institute is that it moves away from what Elias has criticized as "process-reduction" (*Zustandsreduktion*) by defining segregation as a set of dynamic processes that, over the course of historical changes, prevail in the form of "*transhistorical invariants*" (Bourdieu and Wacquant 78, original emphasis). "The following pages," he writes at the outset of his study,

tell the story of how St. Louis became such a segregated metropolis, where racial boundaries continually change but communities' racial homogeneity persists. Neighborhoods that appear to be integrated are almost always those in transition, either from mostly white to mostly black (like Ferguson), or from mostly black to increasingly white (like St. Louis's gentrifying neighborhoods). Such population shifts in St. Louis and other metropolitan areas maintain segregation patterns established by public policy a century ago. (3-4)

Ferguson used to be what James Loewen has called a sundown town. To wit, until the mid-1960s, Blacks and other racialized minorities were forced to leave town after sunset (cf. Rothstein 3, 32n2; U.S. Dept. of Justice, *Ferguson Report* 118). Warning signs that read "Nigger, Don't Let The Sun Go Down On You In …" or "Nigger, Read This Sign and Run" frequently marked the boundaries of such towns (qtd. in Loewen 3, 69).[6] In Ferguson, this practice of racialized exclusion was discontinued in 1968, among other things because of organized protests in the neighboring predominantly black town of Kinloch following the assassination of Martin Luther King, Jr. in April of that year (cf. Rothstein 32n2).[7] In 1975 a federal court further mandated that Ferguson "and other white towns […] integrate their schools into a common district with Kinloch" (Rothstein 3). All of this concurred with the elimination of public housing in the city of St. Louis to generate a steady migration of Blacks to formerly white suburban towns. Once the first African Americans broke the color line in these suburbs, 'for sale' signs began to pop up on the lawns of their neighbors (cf. Rothstein 4).

6 Like lynching, this exclusion of Blacks after sunset must be viewed as a racializing form of violence. As such, it is established firmly in the collective memory of African Americans. In his famous "Message to the Grassroots," Malcolm X earns much applause and laughter from the almost exclusively black audience when he signifies on sundown towns in his critique of the March on Washington. Arguing that the March was essentially hijacked by the Kennedy Administration, X contends: "They controlled it so tight, they told those Negroes what time to hit town […]; and then told them to get out of town by sundown. And every one of those [Uncle] Toms was out of town by sundown" (16-17).

7 Moreover, as Loewen demonstrates in his study of sundown towns, opposition to housing discrimination increased with the passing of the Civil Rights Act of 1968 which banned discrimination in housing (395-96).

The gradual 'blackening' of Ferguson did not counter the persistent racialized division in the city's physical space. According to a study by *Spatial Structures in the Social Sciences* (S4), a research initiative at Brown University, only 26 percent of the city's Blacks lived in majority-white areas in 2010 ("Ferguson City"). This lack of integration is further evinced by the unequal distribution of power resources, i.e., capital. While the black newcomers were gradually becoming the majority, the city's resources of power remained firmly in the hands of the old-established whites: At the time of Brown's death in 2014, Ferguson's mayor was white, the all-white school board had recently suspended its first black superintendent under unclear circumstances, the city council included only one black member, and the city's municipal judge, court clerk, prosecuting attorney, and assistant court clerks were also all white. Ferguson's white police chief presided over a department of fifty white and three black police officers, which gave the city's white establishment full control over the local monopoly of violence.[8] Defining the power imbalance between Ferguson's established and outsiders in a way that highlights the link between distribution of capital and social distance, Marc Lamont Hill notes: "[T]he social distance between those in positions of authority—particularly the police, but others as well—and those who actually lived in Ferguson was [...] vast" (21).

Social distance in Ferguson, as elsewhere, is inseparable from the unequal distribution of economic capital, which helps to structure the racial division in Ferguson's physical space. The city is more or less split between a "middle-class suburbia" (Casselman) in the Northwest and a "suburban ghetto" (Dreier and Swanstorm) in the Southeast. Ferguson's southeastern

8 Cf. "Institutional Racism"; Levintova et al.; Smith; U.S. Dept. of Justice, *Ferguson Report* 13. When the DOJ conducted its investigation in September 2014, the Ferguson Police Department held four black police officers (12). By outlining this racialized imbalance in Ferguson's distribution of (power) capital, I do not mean to suggest that the killing of Brown would not have occurred had there been a higher number of African Americans in positions of power. As the 2015 death of Freddie Gray in Baltimore, Maryland, illustrates, cities run by a black political elite are not exempt from problems of structural violence against Blacks (cf. Taylor 75-80). For a discussion of the way in which diversification – particularly of police departments – and black exceptionalism are used to further the neoliberal project, see Taylor 75-152.

tip, comprising the apartment complexes of "Canfield Green, where Brown lived and died," is basically truncated from the rest of the city by West Florissant Avenue, "a bleak stretch of payday loan stores, nail salons and half-vacant strip malls"; the median household income of this census tract is below $27,000, "making it the eighth-poorest census tract in the state" (Casselman). It is roughly a mile from Brown's neighborhood to the headquarters of Emerson Electric, a multinational corporation with a history of union suppression (cf. Berger). The company that once "provided the types of housing and employment opportunities that drew Black people to the city" has meanwhile moved all of its production plants to foreign countries; and, "as much of the town lives in suburbanized poverty, Emerson's CEO, David Farr, guides the company while pulling an annual compensation worth as much as twenty-five million dollars" (Hill 8).

Because of the withdrawal of industrial facilities and the hesitance of officials to raise taxes on the wealthy and on corporations (cf. Taylor 126), Ferguson is one of many municipalities across the U.S. that generates revenue out of fines and fees issued on the basis of aggressive police and court practices.[9] In a city wherein Blacks account for 80 percent of the poor (cf. Casselman), police officers used ordinary activities, so-called "[n]uisance crimes" or "quality of life" violations (Taylor 123), as pretexts to impose citations predominantly on black citizens, frequently issuing multiple tickets during a single stop.[10] Once caught in the dragnet of law enforcement (cf. Wacquant, *Punishing the Poor* 2), citizens were sent on a "legal odyssey" by Ferguson's municipal court "from which it [could] be difficult, if not impossible, for ordinary people to emerge with their finances intact" (Taylor 127-28). Individuals who were too poor to pay their fees even faced jail time, a punishment of poverty that is utterly unconstitutional (cf. 127).

9 The digital version of the *Ferguson Report*, which can be accessed on the DOJ's website, makes explicit reference to the city's police department as "a collection agency for its municipal court" (55). According to Taylor, this aggressive police and court practice constituted "the town's second leading source of revenue" (155).

10 In an interview with *The New Yorker*, Darren Wilson cited the example of a fellow police officer who had issued sixteen tickets during one stop. When asked how many tickets he issued, Wilson replied "that he 'usually' never wrote more than three" (Halpern).

According to the DOJ, African Americans accounted not only for 95 percent of jaywalking charges in Ferguson but also "for 85% of vehicle stops, 90% of citations, and 93% of arrests made by officers"; furthermore, black drivers were "more than twice as likely as white drivers to be searched during vehicle stops" despite being "found in possession of contraband 26% less often than white drivers" (U.S. Dept. of Justice, *Ferguson Report* 7). The police's monopoly of physical violence certainly undergirded this enormous power imbalance between Blacks and whites in Ferguson. As the DOJ found,

> FPD records suggest a tendency to use unnecessary force against vulnerable groups such as people with mental health conditions or cognitive disabilities, and juvenile students. Furthermore, […] Ferguson's pattern of using excessive force disproportionately harms African-American members of the community. The overwhelming majority of force—almost 90%—is used against African Americans. (*Ferguson Report* 47-48)

Thus, the DOJ also exposed a process of criminalizing mental illness, which Taylor sees as a byproduct of fiscal austerity designed to exempt "the state [from] any obligation to address poverty" (123). Municipal governments impose massive cuts in social services, such as mental healthcare, and then empower police officers "to 'clean up' the consequences." "[J]ails," Taylor continues, "have become the predominant destination for those who commit crimes of mental health. This is because of the dearth of mental healthcare, including treatment facilities that would be more appropriate destinations" (123).

The racialized power in Ferguson, then, exemplified by the death of Michael Brown, is shaped not merely by anti-black animus, but by the violence of a state that intertwines its traditional exclusion of Blacks with "the neoliberal era of free-market reform, the rollback of social spending, and cuts in taxes for corporations and the wealthy" (Taylor 6). In this way, Ferguson ties together its past, present, and future, wedding its historical anti-blackness with the present demands of economic discipline in anticipation of the larger scheme to promote "the advance of neoliberalism" (Wacquant, *Punishing the Poor* xviii).

SUBJECTIVE SIGNIFICATION: SYMBOLIC DOMINATION ON THE BASIS OF 'RACE'

According to Bourdieu, "[t]he great social oppositions objectified in physical space […] tend to be reproduced in thought and in language as oppositions constitutive of a principle of vision and division, as categories of perception and evaluation or of mental structures" (Bourdieu et al. 125). This section examines the reproduction of Ferguson's objective divisions in the "categories of perception and evaluation" of agents. To highlight the interrelation between these two dimensions of the social – on the one hand, the objective social relations and divisions and, on the other hand, the subjective modes of perception and thought that infuse the former with meaning – allows us to grasp more clearly the invisible mechanisms through which racialized power in Ferguson becomes naturalized.

In its report, the DOJ found that Ferguson officials drew on black stereotypes to explain the racial disparity in their penal practices:

> Several Ferguson officials told us during our investigation that it is a lack of "personal responsibility" among African-American members of the Ferguson community that causes African Americans to experience disproportionate harm under Ferguson's approach to law enforcement. (115)

Based on Bourdieu's assumption of the reproduction of social oppositions in perception and thought, I argue that this subjective position of Ferguson officials is firmly rooted in their objective position in the city's social space. Insisting on African Americans' presumed irresponsibility, they articulate a feeling of human superiority (expressed as black inferiority) that indicates the embodied presence of the city's racialized power structure. The officials' view corresponds to an *officialized* and thus established view which, denying the police's participation in an oppressive system, reinforces a discourse of 'blaming the victim.'

According to Elias, this form of self-exculpation is usually achieved through "collective fantasies" on the part of the established group which "reflects and, at the same time, justifies the aversion—the prejudice—its members feel towards those of the outsider group" (19). According to such establishment fantasies, the outsiders are marked by an objective sign – for example, a different skin color – that signifies their supposed natural

inferiority. This mark at once reifies the act of stigmatization and absolves the established group from it. Elias notes: "[I]t is not *we*, such a fantasy implies, who have put a stigma on these people, but the powers that made the world—they have put the sign on these people to mark them off as inferior or bad people" (20, original emphasis). Thus, Elias's concept of collective fantasies highlights a mechanism in the legitimization of power that characterizes the practice of race making.

Race making is not readily evident in the language of Ferguson's established group, which emphasizes the alleged inferior culture, rather than the 'race,' of the city's black outsiders. In an interview with Jake Halpern, Darren Wilson echoes the established notion of black anomy when, characterizing the children of a black woman, he explains that "[t]hey're so wrapped up in a different culture." Halpern, suspecting "racial code language," asks Wilson to specify, whereupon the latter responds: "[I mean] pre-gang culture, where you are just running in the streets—not worried about working in the morning, just worried about your immediate gratification," concluding that this "is the same younger culture that is everywhere in the inner cities." Wilson employs a culturalist language to reinforce the racist establishment fantasy of 'super predators' (cf. Dilulio), thus illustrating that, in the age of ostensible colorblindness, the notion of culture is used as a "classifying category" that is "never far from race" (Butter, Franke, and Tonn 9, my translation). By pointing to an allegedly devious 'black culture,' Ferguson's officials engage in a phantasmatic production of 'race' to the effect that this act of production itself is denied.

A variation of this established fantasy of black anomy – which evokes the pro-slavery discourse according to which slaves were "unfit for freedom" – can be found in the FPD's public representation of Brown. Almost a week after the shooting, the Ferguson police finally gave in to public protests and decided to disclose Wilson's identity. Yet, the officer's identity was revealed only after the FPD publicized a surveillance video that showed Brown stealing a pack of cigarillos in a local neighborhood store. On August 15, 2014, a press conference was held during which Police Chief Thomas Jackson admitted that Wilson's decision to stop Brown and Johnson was not connected to the theft (cf. Lee and Richinick). The fact that the "strong-arm robbery," as the police defined it, finds no mention in Wilson's call for backup (cf. "Case: Grand Jury" 256) tends to support this claim. However, during the grand jury hearing that took place a month

before the press conference, Wilson claimed to have recognized Brown as the suspect in the larceny (209). Similarly, the March 2015 DOJ report of the shooting indicates that "Wilson was aware of the theft and had a description of the suspects as he encountered Brown" ("Justice Department" 6).

Regardless of whether Wilson's approach was linked to the theft, "the real work of the tape had already been done" (Taylor 22). Paralleled by the mainstream media's depiction of Ferguson protesters as vandals and looters, this symbolic work of public demonization drew on the collective establishment fantasy of black anomy and, more specifically, on the notion of the "underclass." Characterized by Wacquant as a "scholarly myth" ("Decivilizing" *passim*), the concept of the underclass allows state officials not only to talk race in colorblind or coded language (e.g., 'gang banger,' 'thug,' or 'welfare queen') but also to continuously amplify the penal state in the name of 'law and order,' that is, on the basis of a rationale that constructs the effects of systemic dispossession – such as stealing – as the product of an alleged "culture of poverty" (161).[11]

11 In his documentary *Stranger Fruit*, released in March 2017, director Jason Pollock reveals a previously unreleased surveillance video from the neighborhood store that supposedly proves that, as Pollock himself puts it, "Mike did not rob the store" ("Stranger Fruit Trailer"). The silent video shows Brown entering the store at approximately 1:13 am, eleven hours before the alleged robbery and his subsequent death (1:09-1:11). The teenager takes two bottles of soda from a beverage cooler, walks to the counter, and asks for two big boxes of cigarillos. A different camera angle shows three clerks behind the counter. One clerk bags the items while Brown pulls a small package out of his pocket and throws it on the counter. The second clerk takes the package and, after sniffing it, passes it on to his colleagues who also sniff it. There is a brief verbal exchange between the clerks and Brown before the latter picks up the bag with the items and begins to leave. Seconds later, Brown turns around, goes back, and leaves the bag on the counter. He then exits the store. Pollock claims that Brown bartered the cigarillos in exchange for marijuana. The video released by the FPD captures not a robbery, he further contends, but Brown retrieving the items he had put on layaway the evening before. Jay Kanzler, the attorney for the neighborhood store, disputes this narrative, arguing that Pollock's film, which led to further protests and disturbances in front of the store, was heavily "misedited" (FOX 10 Phoenix).

In a passage of "Deadly Symbiosis" that highlights the demonizing of young black males, Wacquant writes:

> In the era of racially targetted [sic] 'law-and-order' policies and their socio-logical pendant, racially skewed mass imprisonment, the reigning public image of the criminal is not just that of 'a *monstruum*—a being whose features are inherently different from ours' […] but that of a *black* monster, as young African-American men from the 'inner city' have come to personify the explosive mix of moral degeneracy and mayhem. (118, original emphasis)

Aiming to construct his killing of Brown as an act of self-defense, Wilson draws on precisely this public image in his grand jury testimony. The officer describes his physical altercation with Brown as follows: "[W]hen I grabbed him, the only way I can describe it is I felt like a five-year-old holding onto Hulk Hogan" ("Case: State" 212). Wilson's self-infantilization invokes the symbolic complementarity of white innocence (or vulnerability) and black blameworthiness (or danger). Writing about the trial that followed the police beating of Rodney King, Judith Butler explains:

Kanzler draws on an extended version of the video – showing the clerks reshelving the items after Brown has left – to forward his claim that the store workers declined Brown's offer to barter and that the teenager left the bag in the store only after they had threatened to call the police (cf. McLaughlin, Shah, and Valencia). Since St. Louis County investigation papers indicate that prosecutors and the Ferguson police viewed the video, Pollock's film "raise[s] questions about how forthcoming police and prosecutors [are] about evidence" ("Prosecutor Says"). Despite the fact that the details of Brown's earlier visit to the store still remain unclear, the events surrounding the release of the two videos emblematize the struggle over the power of "performative magic" or, put differently, the "power to impose a certain vision of the social world, i.e. of the divisions of the social world" (Bourdieu, *Language* 106). Brought back to the fore by the Trump administration's emphasis on "alternative facts" (cf. Blake), this struggle over the power of legitimate definition, which constitutes one of the most fundamental "symbolic struggles of everyday life" (*Language* 106), signifies "a contest within the visual field, a crisis in the certainty of what is visible" and believable, as Judith Butler has argued (16).

[T]he infantilized white […] is positioned […] as one who is helpless in relation to that black body, as one definitionally in need of protection by his/her mother or, perhaps, the police. The fear is that some physical distance will be crossed, and the virgin sanctity of whiteness will be endangered by that proximity. The police are thus structurally placed to protect whiteness against violence, where violence is the imminent action of that black male body. And because within this imaginary schema, the police protect whiteness, their own violence cannot be read as violence […]. (18)

Indeed, Wilson constructs his own violence as the imminent violence of Brown; for it is while recounting his first shots that his discursive demonizing of the teenager becomes explicit: "[H]e looked up at me and had the most intense aggressive face. The only way I can describe it, it looks like a demon, that's how angry he looked" ("Case: Grand Jury" 224-25). Brown, hit by one of Wilson's shots, flees; Wilson takes up chase until the teenager stops at a lamppost. The officer describes the ensuing events as follows:

He turns, and when he looked at me, he made like a grunting, like aggravated sound and he starts, he turns and he's coming back towards me. His first step is coming towards me, he kind of does like a stutter step to start running. When he does that, his left hand goes in a fist and goes to his side, his right one goes under his shirt in his waistband and he starts running at me. (227)

Wilson shoots again. He can tell that Brown is hit at least once because the teenager flinches; according to the police officer, Brown does not stop, but continues to run mechanically toward him: "At this point it looked like he was almost bulking up to run through the shots, like it was making him mad that I'm shooting at him" (228). Wilson then invokes his social distance by articulating his effort to maintain physical distance: "I know if he reaches me, he'll kill me. And he had started to lean forward as he got that close, like he was going to just tackle me, just go right through me" (229). The officer bespeaks in this description a threat that is intimately linked to the danger of social mixture, a repugnance toward close contact with members of the outsider group defined by Elias as fear of "anomic infection" (9). It is in this way that the officer's narration subtly indicates his dread of losing social status and, ultimately, racialized honor.

Brown dies from a bullet that enters the top of his head. Describing this last moment of the teenager's life, Wilson states: "And when [the bullet] went into him, the demeanor on his face went blank, the aggression was gone, it was gone, I mean, I knew he stopped, the threat was stopped" ("Case: Grand Jury" 229). Wilson's animalization of Brown hyperbolizes the establishment fantasy of black anomy to the point of revealing its (super-)naturalist essentialism: In the officer's narration, Brown is turned into a devious black brute, filled with uncontrollable rage and devoid of the fear and pain that would make him human. The "performative magic" (Bourdieu, *Language* 106) of Wilson's phantasmatic delineation is intimately tied to the officer's social position as a representative of the state. It is this proximity to the state as the center of power or, as Bourdieu puts it, "as the holder of a sort of metacapital" (*Practical Reason* 41) that vests Wilson with the authority "to impose a more or less authorized way of seeing the social world," one that "helps to construct the reality of that world" (*Language* 106). In popular culture, the brute is usually construed as a menace that must be neutralized because it defies the established (white) authority, because it fails to 'stay in its place.' Similarly, when asked in a televised interview what should have happened to prevent Brown's death, Wilson matter-of-factly replies: "Him complying" ("Exclusive" 23:05).

Habitus, Bourdieu explains, "tend[s] to transform instituted difference into natural distinction, produc[ing] quite real effects, durably inscribed in the body and in belief" (*Logic* 58). Wilson's ability to anticipate his chances in court on the basis of a "feel for the game" (66) constitutes one of the real effects of this bodily inscription. Ryan Devereaux invokes the bodily dimension of knowledge when he observes:

> The fact that Wilson testified was telling. He was not legally required to do so, and in most grand jury cases defendants do not testify because their attorney cannot be present. This move, some suggested, was an indication that Wilson and his legal counsel *felt* the proceedings would work to his favor. (my emphasis)

Thus, the grand jury's decision not to indict Wilson for the killing of Brown was not simply the 'logical' result of the officer's adjustment to an

'objective' law, as some legal analysts contend[12]; it was the *socio-logical* outcome of the lawful "encounter between [the subjective structures of] the *habitus* and [the objective structures of] a field, between incorporated history and an objectified history" (Bourdieu, *Logic* 66, original emphasis). Rather than merely freeing the officer from any wrongdoing, Wilson's exoneration can be read as an official consecration of his (symbolic) power: of his authority, his representation, and, ultimately, of the murder itself. [13]

OBJECTIVE CRISIS AND SYMBOLIC BATTLE

On July 21, 2014, exactly twenty-five years after the initial release of his critically acclaimed film *Do the Right Thing* (*DTRT*) and nineteen days before the shooting of Brown, director Spike Lee posted a short film on *YouTube* that interspersed two sets of footage by way of parallel editing. The first set of footage, taken from *DTRT*, depicts the dramatic death of one of the film's main characters, Radio Raheem. The second set of footage, taken from a cell phone video, shows the killing of forty-three-year-old Eric Garner on July 17, 2014.[14]

12 Cf. Theodore Shaw's "Introduction" to the *Ferguson Report* (U.S. Dept. of Justice xi-xii).

13 "The form par excellence of the socially instituted and officially recognized symbolic power of construction is the legal authority, law being the objectification of the dominant vision recognized as legitimate, or, to put it another way, of the legitimate vision of the world, the ortho-doxy, guaranteed by the State. An exemplary manifestation of this State power of consecration of the established order is the *verdict*, a legitimate exercise of the power to say what is and to make exist what it states, in a performative utterance that is universally recognized (as opposed to an insult, for example) […]" (Bourdieu, *Pascalian Meditations* 186, original emphasis). My argumentation is mainly one of structural positionality and therefore independent of the presence of 'nonwhite' agents. From a structural viewpoint, "whiteness as an episteme operates despite the existence of […] nonwhite jurors" (Butler 19).

14 Lee released two films within a period of five days. The first video, posted on July 21, 2014, appeared on the director's official *YouTube* channel (www.youtube.com/watch?v=Bnq4rrcIO1g). The second film, released four

What links Raheem's filmic death to Garner's real death is the fact that both men were killed by officers of the New York Police Department using an illegal chokehold. By intercutting the various pieces of footage and arranging them according to certain patterns of movement, speech, and action, Lee sensitizes the viewer to the similarities of the two killings, and thereby also to the presence of the past of racialized (state) violence – a present-past that links the police terrorism of the late 20th and 21st century to the terrorism of lynching of the late 19th and early 20th century. The stylistic device of parallel editing is central to the video's interleaving of present and past (and, in the same vein, of fiction and reality). It explicates the filmic break with the established notion of chronological temporality – and thus also with the notion of progress – generating what Jelani Cobb, in his commentary of the video, has called a "cinematic sense of déjà vu." "It's entirely possible for an uninformed viewer," Cobb further notes, "to believe that Lee's scene was inspired by Garner's death instead of preceding it by a quarter century."

There is another, less obvious, similarity between Garner and Raheem which Lee's video subtly indicates, a similarity that links the two cases to the later one of Brown. Like Brown, the two men were killed while defying police authority or, put differently, while attempting to assert their humanity against the oppressive forces of a state that consistently constructs the inhumanity (in the form of illegality) of the black (surplus) body. As we have seen, this consistent dehumanization (qua illegalization) characterizes the violence – symbolic as well as physical[15] – of a state that embraces the

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days later by Lee's production company, 40 Acres and a Mule Filmworks, appeared on *Vimeo* (vimeo.com/101731549). While both films, entitled "Radio Raheem and the Gentle Giant," are fairly similar in terms of content and style, the *Vimeo* film is approximately 47 seconds longer. The reason for this is that, in depicting the death of Garner, the *Vimeo* film includes not only the famous cell phone video by Garner's friend, Ramsey Orta, but also a lesser known video by another bystander, Taisha Allen. Though shorter in running time, the *YouTube* film represents Lee's most immediate response to Garner's death and thus constitutes the focus of my inquiry.

15 Highlighting the interrelation of symbolic and physical violence, Bourdieu maintains: "Domination, even when based on naked force, that of arms or money, always has a symbolic dimension […]" (*Pascalian Meditations* 172; cf. also

hegemony of market ideology, practicing "'[s]mall government' in the economic register" and "'big government' on the twofold frontage of workfare and criminal justice" (Wacquant, *Punishing the Poor* 308).

The collage aesthetic of Lee's video – the juxtaposition of *DTRT* and the Garner video, the "mixing and matching of fragments [of readymade found footage] to provide a new whole" (Lippard 136) – cues viewers to revisit the director's 1989 film and to reassess it in terms of "the role of art […] to 'become' reality, rather than merely recoding it" (Cran 7). It is by recognizing this interpenetration of fiction and reality in *DTRT* that we can appreciate the film's prophetic vision and arrive at certain conclusions about its significance regarding current structures of racialized state violence.[16]

A closer examination of the film's climactic murder scene and its portrayal of the subsequent uprising of the predominantly black (and brown) residents of Bedford-Stuyvesant, Brooklyn, will serve to illustrate this point. Lee constructs the killing of Raheem as an act of lynching. A medium close-up depicts the young man as he struggles against three police officers who restrain him after having pulled him away from a fight. In the course of the struggle, one of the officers puts his baton around Raheem's neck and begins to pull. The following thirty seconds depict Raheem's struggle for his life. Tension builds as Lee crosscuts between the choking and the residents of the neighborhood who are forced to witness the death of their friend. Raheem's feet are filmed in a close-up, jerking above the ground until they finally stop moving. Depicting this police killing from an African American perspective – a kind of meta-perspective that mirrors the

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Logic 126). Brown, Raheem, and Garner are further united in their respective defiance of the established economic power: Brown (more or less consciously) challenged Ferguson's systemic for-profit policing whereas Garner was approached by two NYPD officers in plainclothes because they believed that the father of six was selling so-called "loosies," i.e., untaxed loose cigarettes (cf. Hill 31-39). Radio Raheem died as a cause of fighting Sal, the owner of the local pizzeria, whom the film represents as the neighborhood's main entrepreneur.

16 *DTRT* includes various elements that establish it firmly in the social and political reality of its time – from posters of Jesse Jackson's 1988 presidential campaign to a graffiti calling upon voters of New York City's 1989 mayoral election to "dump Koch" (*Do the Right Thing* 1:23:01-1:24:36).

residents' witnessing of the killing – Lee renders the death of Raheem as a "crucial moment of the process of gaining insight" (Buschendorf and Franke 87) into the neighborhood's power relation.[17] This moment is experienced by the residents of Bed-Stuy in the form of a symbolic "encounter with the collective past" (87) of racialized violence, prompting them to realize that the police "did it again" (*Do the Right Thing* 1:33:51).[18]

In a wider sense, Raheem's killing also instantiates an encounter with the collective past of lynching itself: As Jonathan Markovitz points out, lynchings are "generally meant 'never to be forgotten by anyone'" and function to "create collective memories of terror and white supremacy" (xxvi). Thus, in Lee's film, the uprising against the local powers-that-be is catalyzed by a process of awareness wherein the unconscious, embodied knowledge of vulnerability to gratuitous violence – the residents' realization that they are not even "safe in [their] own […] neighborhood" (*Do the Right Thing* 1:33:55) – is finally raised to the level of consciousness. "The unconscious," writes Bourdieu, "is history—the collective history that has produced our categories of thought, and the individual history through which they have been inculcated in us" (*Pascalian Meditations* 9).

A similar process may have sparked the uprising in Ferguson. Reflecting on the circumstances that contributed to the rebellion, Taylor assumes that "[t]he transformation of Mike Brown's murder from a police killing into a lynching certainly tipped the scales" (154). Many observers have stressed the link between Brown's murder and America's history of lynching. Isabel Wilkerson, for instance, uses the negligent treatment of Brown's

17 According to the storyboard of the scene, published in Lee's production journal, the incident is depicted from the point of view of the black character Buggin' Out who instigated the conflict that leads to the killing (cf. Lee and Jones 272).

18 *DTRT* itself is dedicated to, and was inspired by the fate of, various black victims of racially motivated killings in the 1980s, including Michael Stewart, who was choked and killed by New York Transit Police in 1983 after he had been arrested for spraying graffiti on a subway station; Eleanor Bumpurs, who was shot and killed in 1984 while being evicted from her apartment in the Bronx; Michael Griffith who was fatally hit by a car in 1986 after fleeing from a racist mob in the predominantly Italian-American neighborhood of Howard Beach, Queens; and Yusef Hawkins, killed by a racist mob in the predominantly Italian-American neighborhood of Bensonhurst, Brooklyn, in 1989.

corpse by the Ferguson police as an example to argue that "Mike Brown's shooting and Jim Crow lynchings have too much in common":

> The demeaning objectification of the victim that was evident historically also persists to current times. During formal Jim Crow, the lynched body was sometimes left hanging for days or weeks as a lesson to people not to step outside the caste into which they had been born. In a similar way, Michael Brown's body was left in the street in Ferguson for four hours in the August sun after he had been killed. (Wilkerson)

Besides serving as a symbolic manifestation of power – one that undergirds the (neoliberal) imperatives of police compliance and personal responsibility (cf. Wacquant *Punishing the Poor* 307) – the act of leaving Brown's body on the street also entails what Buschendorf defines as "one of the most efficient means of symbolic violence": the violence of ascribing lower human value to the members of the outsider group (Buschendorf and Franke 84). It would be erroneous to conceive of the symbolic violence of Ferguson's penal system in rationalist terms; rather, this violence is best understood as a form of ritualistic imposition that shapes acts of seeing as much as it relies on them. As Wacquant puts it,

> the rampant gesticulation over law and order is conceived and carried out not so much for its own sake as *for the express purpose of being exhibited and seen*, scrutinized, ogled: the absolute priority is to put on a spectacle, in the literal sense of the term. For this, words and deeds proclaiming to fight crime and assorted urban disorders must be methodically orchestrated, exaggerated, dramatized, even *ritualized*. (*Punishing the Poor* xi-xii, original emphasis)

Halpern's interview with Michael Brown, Sr. illustrates the symbolic effectiveness of this official discourse:

> Brown, Sr., recalls worrying that his son's physical stature might make him a target for the police. "We had a conversation about just following orders," he said. "After you thought that you were being disrespected, get a name and a badge number, so your parent can reach out to the police department and file a complaint." Most important was a simple directive: "Obey."

The words of Brown, Sr. highlight the "subtle psychosocial mechanisms of symbolic violence" (West and Buschendorf 7), illustrating the extent to which the established power has been inculcated into the subjective structures of the father who experiences this power in the form of a deep-seated fear. Based on a knowledge derived from a Du Boisian "double-consciousness" (364), Brown, Sr. can only prepare his son "for a fate from which" he knows he "cannot protect him" (Baldwin 302). Thus, he can only attempt to meet this horror by resorting to the established language which becomes the only legitimate language ("follow orders," "obey") and by passing this language on to his son.[19]

Although symbolic violence binds its victims through a relation of coerced recognition, it does not render them altogether powerless. As Buschendorf explains,

> the emphasis on the connivance of the dominated does not at all exclude their potential power of resistance and subversion […]. As to symbolic violence, Bourdieu maintains that it is not restricted to the dominant, but that it could also emanate from the victims of domination, in which case it would take the form of a "symbolic battle" or even a "symbolic revolution." (Buschendorf and Franke 79)

Bourdieu insists that it is especially during periods of "objective crisis" that a "heretical break with the established order" can be precipitated (*Language* 128). Such a period of objective crisis may, if met by critical (dis)positions, promote the creation of a new *langue* – a language capable of "exploit[ing] the possibility of changing the social world by changing the representation of this world which contributes to its reality or, more precisely, by counterposing a *paradoxical pre-vision*, a utopia, a project or programme, to the ordinary vision" (128, original emphasis). Brown's death generated precisely such a crisis in the Bourdieusian sense, exposing the arbitrary violence

19 For an insightful discussion of James Baldwin's "Down at the Cross" in the context of the concept of symbolic violence, see Bourdieu, *Pascalian Meditations* 170; also cf. West and Buschendorf 7-8. For a powerful illustration of the fear of black parents and their coerced complicity in instituting their children into the (symbolic) power of the police, for instance, by urging them to "[s]wallow your pride," see Martinez, Elam, and Henry.

that characterized Ferguson's racialized relation of power: the fact that its Police Department's mistreatment of Blacks was systemic, essentially dehumanizing, and due to the city's material and symbolic necessities rather than the result of 'bad behavior.' It is through this recognition of vulnerability to gratuitous violence that the members of Ferguson's black outsider group became "rebel[s] who [fought] back in a 'symbolic battle'" (Buschendorf and Franke 89). The establishment of a language of black affirmation, which forms the conceptual core of the Black Lives Matter movement, can be seen as one site of this symbolic battle. It is by expediting this new wave of symbolic struggle for love and power for the dispossessed and dishonored that Brown's death reveals the extent to which his life actually mattered (cf. Goodman and Moynihan).

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