

# Flesh in the Street

Jodi Rios

## A Day in August

The day Michael Brown Jr. was killed by police officer Darren Wilson in Ferguson, Missouri, I was in California working on edits to an essay I had written about North Saint Louis County, where Ferguson is located. As the teenager's body lay in the street in front of the Canfield Green Apartments, texts began to appear on my phone directing me to Twitter, *#Ferguson*. Mid-afternoon temperatures in Ferguson hovered near 100 degrees that day, and the instantaneous phenomenon of trending on social media was bringing hundreds of people to the scene. Reports from friends and on Twitter indicated that the crowd was increasingly upset by the slowness of authorities to explain what had happened or to move the body out of the heat. Differing accounts of the shooting by witnesses were further upsetting the crowd, including testimonies that the boy's hands were up when he was shot multiple times. Brown's parents, stepparents, and other family members, unable to obtain information or get near his body, were beside themselves, and, as the crowd and the media presence grew larger, officials at the scene were frantically trying to control the narrative of what had happened.

In the days following August 9, 2014, I watched events unfold in Ferguson in the helpless way one does from afar when familiar people and places are shown in chaotic media footage, with captions reading "from the front lines" and "state of emergency." Alarming calls for help, minute-by-minute updates, and war zone-like descriptions of tear gas, tanks, and heavily armored guardsmen filled my Twitter feed and appeared on my phone. While I was dismayed by the militarized response of officials, I was not surprised that tensions between residents and the police had escalated to a level that made front-page news around the world and consumed cable television networks with special

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*Kalfou*, Volume 3, Issue 1 (Spring 2016). © 2016 by the Regents of the University of California. ISSN 2151-4712 (print). ISSN 2372-0751 (online). <http://dx.doi.org/10.15367/kf.v3i1.87.g131>. All rights reserved.

coverage of “riots in a Saint Louis suburb.” After ten years spent conducting research and listening to people in North Saint Louis County, and twenty years lived in the Saint Louis region, I was sufficiently convinced that the municipalities of North Saint Louis County, including Ferguson, represent an extreme case of racialized policies and practices that continue to operate out of view except to those who experience them daily. It was in fact these specific conditions, including the recently publicized degrees of predatory policing and political violence practiced in these suburbs, that originally drew me to this area as the focus of sustained research.

Since those initial days in August 2014, much has been written in various media outlets regarding the causes and meanings of events in Ferguson.<sup>1</sup> Also debated is whether or not a genuine social movement is emerging, what form it is taking, and if it can be sustained as places like New York, Cleveland, and Baltimore take Ferguson’s place on the front page.<sup>2</sup> Scholars from various disciplines have begun to connect the dots between historical processes of race and racism in Saint Louis and events in Ferguson.<sup>3</sup> Some scholars interested in social movements and Black agency are looking at what is tenuously referred to as the Ferguson Protest Movement in relationship to larger histories of global Black struggle and reform policy in the United States.<sup>4</sup> While much of this work assumes the Ferguson Protest Movement and the now more widely known Black Lives Matter movement to be one and the same, a closer look suggests that the Ferguson protestors maintain organizational and political distinctions unique to this particular group and place. With this in mind, it is important to consider two questions. What was specifically different about the death of Michael Brown and the place in which he lived and died, such that this event sparked sustained protests around the world? And what is different about the core group of protestors that emerged from the events in Ferguson, Missouri?

This essay considers a potential paradigm shift in the struggle against the well-honed logics of racialization in the United States and offers a little hope toward the future. My argument contends that the critical factor sparking sustained protest in the wake of Michael Brown’s death in Ferguson at the hands of police officer Darren Wilson was not the fact Brown was young or unarmed. It was not where his hands were at the time Wilson fired his gun. Nor was it Brown’s contested identity as common thug or aspiring college student that led to a militarized police response and put Ferguson on the front page of newspapers around the world. The critical factor was not even that the leadership of Ferguson had long been practicing and defending a form of racially determined policing-for-profit on the backs of its Black citizens.<sup>5</sup>

In fact, by August of 2014, several police-involved shootings of young unarmed Black men had occurred that year in areas of North Saint Louis County in the course of stops for ordinance violations similar to Brown’s (Brown was

initially stopped for “Manner of Walking”). As in Ferguson, the everyday experiences of residents in these communities largely consisted of navigating geographies where their every action and sheer physical presence were, and are, subject to discipline for the purpose of funding and legitimizing municipal governments.<sup>6</sup> As an example, on July 5, 2014, roughly one month prior to Brown’s death, a police officer shot and killed Christopher Jones, an unarmed Black man in Pine Lawn, two miles south of Ferguson, during a routine traffic stop—routine in the sense that Pine Lawn issued an average of 1,500 traffic tickets every month in 2014.<sup>7</sup> Residents in this small community of 3,275 people, which is 96 percent Black, had even more reason to be frustrated with their leadership and police force than the Black residents of Ferguson. In 2014, police officers in Pine Lawn issued more than 19,000 traffic tickets and over 9,000 non-traffic ordinance violations (eight violations for every one resident), with fines and fees comprising 48 percent of the city’s budget.<sup>8</sup> Comparatively, the city of Ferguson, with a population of 21,200, wrote 11,800 traffic violations and 11,900 non-traffic ordinance violations in 2014 (roughly one violation for every one resident), with fines and fees making up 22 percent of the municipal budget.<sup>9</sup> In spite of these disparities, people did not show up in Pine Lawn to protest the death of Christopher Jones. In fact, few people noticed.

On August 9, the spectacle of Michael Brown’s flesh—lying heaped and face down on the pavement, stripped of corporal rights, exposed, and expanding in the sweltering summer sun for four and a half hours as his mother pleaded with officials to remove his body so she could be near her son—epitomized the experience of dehumanization Black residents had long endured in Saint Louis County. With the same power of a public lynching, the spectral terror publicly inflicted on the body of Michael Brown—a body that Darren Wilson would later describe in animalistic and demonic terms—bore witness to the limits of humanity that residents of the Canfield Green Apartments lived with every day, locating them squarely on the front line of a perpetual war they did not wage.<sup>10</sup> This war relies on, and is defined by, the production of differentialized racial subjects through physical, political, and economic violence.

As leaders of the early protests in Ferguson would later describe, the need to place their bodies directly on the front lines of the militarized police action initially rose as a response to the spectral flesh of Michael Brown’s body and had as much to do with pushing back against the historical disciplining of their bodies in space—as bodies out of place—as it did with protesting yet another police officer abusing deadly force.<sup>11</sup> This was the critical factor that sparked another kind of flesh in the street in the form of the Ferguson Protest Movement. This intentionally orchestrated spectacle—of unapologetic Black life and flesh—in turn breathed new life into a fledgling movement that simply insisted that *Black lives matter*.

## Profitable Bodies

For at least thirty-five years, Black residents of North Saint Louis County had experienced relentless hyperpolicing of their bodies for profit under the aegis of a rhetoric about proper suburban norms. Placing residents under the constant threat of state violence and stripping them of rights based on their so-called refusal to learn how to behave in the suburbs, municipal leaders created a system by which residents themselves paid for the very tools that denied them personhood.<sup>12</sup> Such processes illustrate how bare life—a concept initially theorized by Giorgio Agamben to describe one who is technically alive but unable to pursue a flourishing life—can be produced at multiple scales of governance.<sup>13</sup> These regional practices work within larger histories and scales of racialized violence, including trans-Atlantic slavery, colonial/imperial expansion, and capitalist production's reliance on the creation of surplus labor. Within all of these frameworks, Black bodies become a less-than-human, profit-generating reservoir for the purpose of legitimizing and funding their own oppression—in this case municipal entities that fail to provide basic public services (except for ever-expanding police forces). To put it in the way most residents I spoke with did, municipalities view residents as “ATMs,” to which cities return for cash time and again.<sup>14</sup>

The experience of racialized violence described by residents of North Saint Louis County can also be understood in relationship to Rob Nixon's conceptualization of slow violence.<sup>15</sup> Nixon highlights important layers of temporality and space-time embedded within what has long been described as structural violence.<sup>16</sup> Whereas Michael Brown's unarmed body—which sustained multiple bullet wounds due to Darren Wilson's perception that it posed an immediate threat—represents a singular act of “fast violence,” the policies, conditions, and neglect imposed on marginalized places and people constitute a “slow violence” that operates seemingly out of view. In addition to the slow violences of inadequate access to housing, jobs, education, food, health services, and healthy environments (which, over time, manifest in a forty-year life expectancy differential between residents in areas of North Saint Louis County versus West Saint Louis County), the residents of North Saint Louis County also endure the slow violence of constant personal and financial harassment that, over time, devastate multiple generations of family networks, as many residents interviewed for this research described.<sup>17</sup>

As such, North Saint Louis County is an extreme case of how municipal governments are important instruments of the modern racial state and processes of subject making.<sup>18</sup> Using formal and informal means of coercion and real and perceived forms of discipline and surveillance to construct hierarchies of power that appear rational and routine, municipalities use narratives of respectability, risk, and the protection of private property to discipline bodies and

extract much-needed resources.<sup>19</sup> As white suburban communities became majority-Black and found themselves gradually stripped of viable funding options based on the “risk” associated with the Black body, white and Black leaders alike adopted the white spatial logics of the racial state for their very survival. The leaders of many of these small cities in North Saint Louis County turned to the last means available to generate municipal revenue—policing and the courts—in order to fund city budgets and avoid municipal insolvency. Vicious cycles of taxation by citation work in tandem with historically produced tropes of Black deviance and criminality, which have also worked to obscure vast abuses of power over many years. When the state can no longer justify or support itself, as Walter Benjamin observed, it must turn to policing in the name of security. He writes:

[At] the point at which the state . . . can no longer guarantee through legal systems the empirical ends that it desires . . . the police intervene “for security reasons” in countless cases where no clear legal situation exists . . . accompanying the citizens as a brutal encumbrance through a life regulated by ordinances.<sup>20</sup>

The residents of North Saint Louis County are intimately familiar with the brutal encumbrance of a life regulated by ordinances.

## Experiences of Predatory Policing and the Courts

In light of recent reports stemming from sustained and ongoing protests, many stories detailing citizens’ experiences with the municipal courts and the effects on their lives are now being brought to the public’s attention through the media and legal advocates.<sup>21</sup> The most prevalent stories describe a geography of micro legal systems designed to criminalize and entrap people in a web of seemingly endless fines and fees. The fragmented nature of North Saint Louis County, which includes over fifty municipalities, means residents can be stopped and fined in multiple jurisdictions, often for the same infraction on the same day, such as a broken taillight or faulty muffler. Residents routinely comment on the fact that “you can get pulled over in one jurisdiction then just cross over into another and in five seconds get the EXACT same ticket as you just did.”<sup>22</sup> Another stated, “I’ve been stopped three times in one week in three different municipalities on my way home from work because my windows were tinted. It is ridiculous. The only way you know you’re entering a different city is a different police officer stops you.”<sup>23</sup> In addition to traffic ordinance violations, non-traffic ordinance violations rely on representations of suburban space and behavior. These types of nonviolent violation include things like manner of walking—for which Michael Brown was initially stopped, wearing sagging pants, playing loud

music, leaving toys or wading pools in a front yard, playing in the street, having a basketball hoop or barbecuing in a front yard, drinking alcohol within fifty feet of a grill, installing mismatched curtains, loitering in a park, failing to secure a trash can lid, failing to keep grass at a certain length, allowing someone not on the occupancy permit to spend the night, owning a nuisance dog, telling someone's future, and failing to contract with the private trash collection company.<sup>24</sup> The idea that someone could potentially land in jail for their inability to pay a citation for mismatched curtains seems implausible; however, residents questioned about this possibility said, "Yes, that could happen. For real."<sup>25</sup>

Specifically in Ferguson, the Department of Justice reported:

Ferguson's law enforcement practices are shaped by the city's focus on revenue rather than by public safety needs. . . . This emphasis on revenue has compromised the institutional character of Ferguson's police department, contributing to a pattern of unconstitutional policing[,] and has also shaped its municipal court, leading to procedures that raise due process concerns and inflict unnecessary harm on members of the Ferguson community.

According to the report, the police regularly accosted residents for what might be termed "sitting in a car while Black," and then charged them with bogus crimes like failing to wear a seat belt in a parked car or "making a false declaration" that, for instance, one's name was "Mike," not "Michael." Officers seeking promotion were told to keep in mind that their number of "self-initiated activities" (tickets and traffic stops) would have a significant effect on their future success on the force. Meanwhile, those receiving citations often lost their jobs and livelihoods due to court appearances, fines, and jail time. Justice Department investigators also discovered that Ferguson municipal court did not "act as a neutral arbiter of the law or a check on unlawful police conduct." Instead, it used its judicial authority "as the means to compel the payment of fines and fees that advance the city's financial interests."<sup>26</sup> In spite of the well-documented findings of this report, Ferguson has contested wrongdoing at every turn. The city council refused to agree to the terms of reform negotiated between representatives of the city and the Department of Justice, leading the DOJ to file its recent lawsuit against the city of Ferguson.<sup>27</sup>

Many cities in North Saint Louis County issue so many violations they often have several hundred cases on a docket for one evening of court, with some averaging five hundred cases per docket.<sup>28</sup> Multiple residents shared the sentiment of a woman who said, "Money-wise I've practically gone broke multiple times. Court fees and paying fines constantly over minor things has really taken a toll on me and [my son]."<sup>29</sup> In many courts, the most common directive to those who cannot pay fines and fees on the spot is to step out and call every friend

and family member they can think of to bring money so they will not have to “be detained,” which residents understand as jail.<sup>30</sup> It is not uncommon for a person to make bail in one jail only to be transported to a jail in a neighboring city where they have a warrant for failure to appear.

The number of people who live with anxiety over warrants for their arrest issued for failure to appear in court because they feared being jailed for inability to pay fines is staggering.<sup>31</sup> This dramatically affects the decisions residents make, such as when and where to drive and whether or not to use public space and amenities, like taking their children to the park.<sup>32</sup> Public transportation is lacking in this area, which was developed as a commuter suburb for people with cars. Food deserts are common, and many people described sending their children to the nearby gas station to buy snacks for meals because they do not want to use their car to drive several miles for groceries out of fear of being pulled over.<sup>33</sup>

Attorneys who have for decades worked in these municipalities as judges, prosecutors, defense lawyers, and city attorneys—often simultaneously—are the most critical of recent media attention and calls for reform.<sup>34</sup> This web of lawyers, as journalists from the *Saint Louis Post Dispatch* revealed in a recent exposé article, have been instrumental in building an infrastructure to extract money from the very poor.<sup>35</sup> City councils and mayors who are supposed to approve and oversee the practices of police and courts have instead been counseled and instructed over many years regarding how to push legal boundaries for the purpose of generating more revenue through fines and fees.<sup>36</sup> One municipal leader remembered asking the city attorney “Is this legal?” referring to one of the city’s practices, to which the attorney responded, “I don’t know, but we do it all the time over in [X city].”<sup>37</sup>

## From Bare Life to Spectral Flesh

The transformation of Michael Brown’s body, from sovereign and disciplined bare life—which residents of North Saint Louis County experience on a daily basis—into spectral flesh, set in motion the possibility for imagining different modes of life, and, as it turns out, demanded a different critique of what it means to live as human. The paradoxically liberating capacity of the flesh to move beyond the discursive enclosures of rights and personhood lies at the core of Alexander Weheliye’s powerful critique of the limits of biopolitics, bare life, and related theories of modern political violence, especially with regard to theorizing modern racial projects. In *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*, Weheliye argues for “the existence of alternative modes of life alongside the violence, subjection, exploitation, and racialization that define the modern human.”<sup>38</sup> Whereas the concept of bare life leaves the body suspended in a condition of utter abjection, Wehe-

liye offers the possibility for the fully inhabited flesh—that which experiences such things as pleasure, desire, pain, and death—to redefine living-as-human in ways that transcend the limits of biopolitics and liberal humanism. In Fanonian terms, the schema of the Black body, which is racially interrupted by the objectifying white gaze, is potentially restored when Blackness is fully claimed, inhabited, and lived.<sup>39</sup>

Many people I spoke with who witnessed Brown in the street that day recall a feeling of being spoken to directly through the image of his body. “This could be you,” for example. Several also relayed a feeling of an unspoken warning from those controlling the scene. “That will be you if you get out of line,” one respondent remembered thinking. Several also spoke about a haunting stemming from the image of Brown’s flesh expanding in the heat for hours on the hot blacktop “like roadkill.” Such images crystalized their understanding of their less-than-human status projected by the dominant, albeit minority, white community of Ferguson.<sup>40</sup> The contradiction between the message of their own inhumanity and the inhumanity practiced that day (and in the weeks and months following Brown’s death) led to what many describe as a shift in their understanding of the meaning of Black struggle—from demanding equal rights of personhood through and under juridical law and social recognition, to viewing Black life as a liberating force for society itself.<sup>41</sup>

## **Human as Verb**

The Ferguson Protest Movement is difficult to define or draw boundaries around; however, a small core group is recognized nationally as representing the Ferguson protestors with an even larger group recognized locally as such.<sup>42</sup> As with any emergent social movement, group politics is an ever-present concern, as various factions and subgroups struggle to define and communicate a clear purpose and agenda. Depending upon how boundaries are drawn and with whom one is speaking, the movement can be viewed as variously intersecting and merging with the more recognized Black Lives Matter movement, or as clearly separate—based on the unique circumstances and moment in time from which it grew.<sup>43</sup> At first glance, the Ferguson protest family, as members often refer to themselves, is primarily concerned with ending systemic injustices around racial profiling, police brutality, and the killing of people of color by police in the United States. A closer reading of the discursive terrain treaded by both the Ferguson protestors and Black Lives Matter protestors, however, reveals a much broader concern with the roots, legacies, and contemporary manifestations of racial violence, and specifically the relationship of modern state violence to institutional slavery. Practically and specifically understood, the core group of Ferguson protestors promotes and practices what Sylvia Wynter describes as *the praxis of being human*, a concept that decouples *humanness* from

an overdetermined scale between binary categories of Western Man and the Other. Instead, the condition of being *fully human* is linked to action, specifically action toward others and toward oneself.<sup>44</sup> Actions that affirm and protect Black life—understood historically and phenomenologically—are at the root of protestor praxis. This love of Blackness and therefore love of self, as described by many in the Ferguson protest family, extends well beyond notions of Black pride or Black agency. Rather, it is viewed as a global emancipatory project that is critical to, and intersectional with, any work aimed at dismantling structural foundations of oppression.<sup>45</sup>

Not coincidentally, Black and Brown women and queer women and men of color are the unequivocal leaders of a new iteration of resistance against structures developed to maintain privilege and power in North Saint Louis County. Through action, debate, and the narration of their own lives *and flesh*, the women- and queer-of-color protestors that make up the core leadership of the Ferguson movement offer unwavering critiques of intersectional domination and racialized practice—in Saint Louis County, throughout the country, and within the Ferguson protest family itself.<sup>46</sup> The essential yet often overlooked work of women- and queer-of-color activists and scholars, who have deeply felt both the suffering and liberatory capacities of inscribed flesh in their everyday lives, reveals the contradictory logics embedded in liberal democratic policy and practice, including those practiced by people claiming to speak for Black, Brown, and queer communities. Through all forms of communicative acts, including the unapologetic presence and performance of their own fleshly bodies, these protestors take no prisoners in calling out actions and words that do not support *being human as praxis*. Their work ultimately reveals the inhumanities normalized through contemporary iterations of liberal humanism embodied in the politics of the *All Lives Matter* counter-campaign. It also includes the refusal to tolerate heteronormative and cisgendered assumptions, practices, and attitudes within the protest family, a refusal that is born out of the inclination to destabilize all grounds upon which clear claims to identity are staked.

The women- and queer-of-color protestors who claim and maintain leadership roles in the ongoing local manifestations of the Ferguson Protest Movement represent another kind of flesh in the street. As opposed to victimized flesh, these bodies refuse to be yoked to tropes of respectability and are always-already self-defined as deviant, choosing to be located outside normative roles and identities. This is the flesh that pushes and contests the inscribed lines between and within gendered, sexualized, violated, and racialized bodies, upon what Katherine McKittrick describes as “demonic grounds”—the ground upon which inscribed flesh, past and present, is rejoined and becomes one.<sup>47</sup> Through the liberatory capacity of phenomenologically claiming and defining their own marked flesh, these young women and men call out the *less-than-humans* that perpetrate violence against the flesh of dysselected bodies.<sup>48</sup> The discursive field

of protest is thus shifted from symbolic life—the claiming of rights and recognition of personhood—to the relentless inversion of what it means to *live* as fully human.

This fundamental move by the core group of the Ferguson protest family to shift the referent of human-ness from being to action offers a response to Chandan Reddy’s reminder that “every movement to validate a claim of social freedom produces a disparate and adversarial claim by the state elsewhere against what it determines to be irrational cultures and practices.”<sup>49</sup> Understanding that using the logics of the state to claim social and legal freedoms does not result in freedom but rather creates new processes of enclosure, the Ferguson protestors redefine the metrics of *fully-human*, *almost-human*, and *less-than-human*. This process is not intended, however, to establish a new hierarchical order. Rather, those interviewed and who speak regarding the motivations and groundings within the movement often profess a politics of love—love of self, love of other, and, most importantly, love of Blackness—which radically repositions what is actually at stake.<sup>50</sup> The demand is simple: Stop killing us. However, the call to reimagine one’s humanity in direct relationship to one’s capacity to love fluidly and unconditionally is profound. Many emancipatory projects continue to fetishize and overstate the potential for juridical policy and US constitutional law to right centuries-old wrongs. However, scholars such as Lisa Marie Cacho, Robin Kelley, and Nelson Maldonado-Torres, like the Ferguson protestors, have argued that a heretofore unthinkable politics and decolonial ethics is necessary to overcome the modern imperial experience of racialization embedded in the tenets of liberal democracy and legal interpretations of freedom, justice, rights, labor, and property.<sup>51</sup> The shift in focus of the Ferguson Protest Movement—from securing civil rights and personhood to deconstructing neoliberal humanism through a politics of love and phenomenology of the flesh—illustrate these arguments in practice. Although predictably criticized for lacking tangible political goals or understanding political processes and for inciting violence, the affective turn reflected in the work and individuals of the Ferguson Protest Movement offers a response to calls for thinking differently about the nature, role, and efficacy of protest and praxis at a particularly uncertain juncture in the global history of racializing practices.

## Alternative Futures

As with any emergent social movement, struggles over leadership, priorities, organization, and tactics threaten to undermine singular direction, lasting commitment, and, ultimately, demonstrable change. Equally threatening are the ways purportedly well-meaning, mostly white, individuals and nonprofit groups operating within normative institutional structures usurp necessary resources and donations, and stand on foundations laid by marginalized and

delegitimized people.<sup>52</sup> In keeping with histories of Black movements and Black political culture, the antagonistic tactics of the Ferguson protestors are viewed as unproductive by some of the established Black and white activists and politicians in the region and the young street protestors often find they are not invited to the recently formed “Organizing Table” that brings together recognized post-Ferguson agents of change.<sup>53</sup> Regular conversations between core leaders also involve questions regarding the relationship between the Ferguson protest family and the Black Lives Matter organization and social movement, including if and how Ferguson protestors brought the BLM hashtag into the national arena and whether or not the Black Lives Matter organization speaks for Ferguson protestors.<sup>54</sup>

Regardless of these challenges, the transformative spaces of possibility for local reforms and national discussion were opened up through a dialectics of violence and liberation—on, and of, the flesh—in the form of the Ferguson Protest Movement. Although the revelations of vast economic exploitation and racially motivated policing of residents in Ferguson and North Saint Louis have been largely credited to watchdog agencies, legal advocates, media investigations, and Department of Justice reports, this work would not exist if bodies had not consistently been (and were not continuing to be) performatively and unapologetically in the streets of Saint Louis for the purpose of creating discomfort and maintaining pressure. Recent reforms stemming from agitation and revelation include the removal of some of the public officials deemed responsible for the problems delineated in the Department of Justice report on Ferguson; newly proposed state legislation and bills passed, such as Missouri Senate Bill 5 of 2014, that address connections between municipal budgets and predatory policing; ongoing state audits of courts and municipalities; voluntary and mandated court reform initiatives and lawsuits; renewed calls and traction for civilian review boards and municipal court consolidation; individual and class-action lawsuits against Saint Louis County municipalities, courts, and police departments; municipal amnesty programs for fees and fines owed; and two new Black members of the Ferguson city council. While some of these initiatives were floated several years prior to Michael Brown’s death, none had gained traction in terms of tangible outcomes because officials had little motivation to act and little interest in North Saint Louis County.

What, then, can we learn and what should we expect from the sustained actions of the Ferguson protest family? How should we understand this group in relation to what we see occurring in cities across the United States and beyond? Has something shifted since Christopher Jones died without public notice in Pine Lawn in July of 2014 and, if so, is it a paradigm shift that can alter sedimented societal structures? Regardless of how these questions are answered over time, we see how fully inhabited and lived (Black) flesh holds the potential to expose otherwise obscured forms of violence practiced within, and through, the

modern state. The Ferguson protest family, while fully invested in the goals of the larger Black Lives Matter Movement, is fundamentally distinct in its commitment to the phenomenology of the flesh.

## NOTES

*Acknowledgments:* I am deeply indebted to the people who shared their experiences and stories for this ongoing research project. I am particularly grateful to Angel Carter, whose work and insight helped shape this essay.

1. Between August 9, 2014, and August 30, 2015, I archived more than 250 news articles pertaining to events in Ferguson.

2. Ibid.

3. See, for example, Jeff Smith, “In Ferguson, Black Town, White Power,” *New York Times*, August 17, 2014, [http://www.nytimes.com/2014/08/18/opinion/in-ferguson-black-town-white-power.html?\\_r=0](http://www.nytimes.com/2014/08/18/opinion/in-ferguson-black-town-white-power.html?_r=0); Nadia Prupis, “‘This Is the Story of Power in This Country’: Ferguson, Institutionalized Racism and the Militarization of Police,” *Common Dreams*, August 19, 2014, <http://www.commondreams.org/news/2014/08/19/story-power-country-ferguson-institutionalized-racism-and-militarization-police>; Chico Harlan, “In St. Louis, Delmar Boulevard Is the Line That Divides a City by Race and Perspective,” *Washington Post*, August 22, 2014, [http://www.washingtonpost.com/national/in-st-louis-delmar-boulevard-is-the-line-that-divides-a-city-by-race-and-perspective/2014/08/22/de692962-a2ba-4f53-8bc3-54f88f848fdb\\_story.html](http://www.washingtonpost.com/national/in-st-louis-delmar-boulevard-is-the-line-that-divides-a-city-by-race-and-perspective/2014/08/22/de692962-a2ba-4f53-8bc3-54f88f848fdb_story.html); Radley Balko, “How Municipalities in St. Louis County, MO Profit from Poverty,” *Washington Post*, September 3, 2014, <http://www.washingtonpost.com/news/the-watch/wp/2014/09/03/how-st-louis-county-missouri-profits-from-poverty/>; Richard Rothstein, “Making Ferguson: Public Policies at the Root of Its Troubles,” *Economic Policy Institute Report*, October 15, 2014, <http://s3.epi.org/files/2014/making-of-ferguson-final.pdf>; Walter Johnson, “Ferguson’s Fortune 500 Company: Why the Missouri City—Despite Hosting a Multinational Corporation—Relied on Fines and Fees to Extract Revenue from Its Poorest Residents,” *The Atlantic*, April 26, 2015, <http://www.theatlantic.com/politics/archive/2015/04/fergusons-fortune-500-company/390492/>.

4. See, for example, Yarimar Bonilla and Jonathan Rosa, “Digital Protest, Hashtag Ethnography, and the Racial Politics of Social Media in the United States,” *American Ethnologist* 42, no. 1 (2015): 4–17; Mark Sappenfield, “Can Ferguson Spark New Civil Rights Movement? How Times Have Changed,” *Christian Science Monitor*, November 20, 2014, <http://www.csmonitor.com/USA/Society/2014/1130/Can-Ferguson-spark-new-civil-rights-movement-How-times-have-changed.-video>; Jay Caspian Kang, “‘Our Demand Is Simple: Stop Killing Us’: How a Group of Black Social Media Activists Built the Nation’s First 21st-Century Civil Rights Movement,” *New York Times Magazine*, May 4, 2015, <http://www.nytimes.com/2015/05/10/magazine/our-demand-is-simple-stop-killing-us.html>. Many academic conferences and lectures have been sponsored for the purpose of considering the meaning of the Ferguson protests and the Black Lives Matter movement. For example, “Black Life Matters Conference,” University of Arizona, January 15–17, 2015, <http://www.blacklifemattersconference.com/>; “From Protests to Politics—Then and Now,” Columbia University Law School, April 10–11, 2015, <http://web.law.columbia.edu/law-culture/>; “Policing, Protesting and Perceptions: A Critical Examination of the Events in Ferguson,” University of Missouri, February 26–27, 2015, <http://law.missouri.edu/faculty/symposium/lawreview2015/writing.html>; “From Ferguson to #BlackLivesMatter and Beyond,” Women’s and Gender Studies, Rutgers University, April 1, 2015, <http://www.ncas.rutgers.edu/womens-and-gender-studies-2015-symposium-fergusonnewarkgender>; “History, Rebellion, Reconciliation Symposium: Ferguson,” African American History Museum, Washington DC, April 25, 2015.

5. United States Department of Justice, Civil Rights Division, “Investigation of the Ferguson Police Department,” March 4, 2015, [http://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson\\_police\\_department\\_report.pdf](http://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf). Upon mak-



16. Johan Galtung, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6, no. 3 (1969): 167–191.

17. Ferguson Commission, "Forward through Ferguson: A Path toward Racial Equity," September 21, 2015, 9, [http://3680or2khmk3bzpk33juiea1.wpengine.netdna-cdn.com/wp-content/uploads/2015/09/101415\\_FergusonCommissionReport.pdf](http://3680or2khmk3bzpk33juiea1.wpengine.netdna-cdn.com/wp-content/uploads/2015/09/101415_FergusonCommissionReport.pdf); resident interviews. The Ferguson Commission was appointed by Missouri governor Jay Nixon to identify the issues related to the Ferguson protests and suggest reform measures.

18. David Theo Goldberg describes the engagements of the racial state as defining, regulating, governing, managing, and mediating racial matters, all of which describe municipal practices found in North Saint Louis County at a local scale. See Goldberg, *The Racial State* (Malden, MA: Blackwell Publishing, 2002), 109.

19. Kimberlé Crenshaw, "Color Blindness, History and the Law," in *The House That Race Built*, ed. Wahneema Lubiano (New York: Vintage Press, 1998), 280–289. Crenshaw, among others, has shown how formal and informal practices rooted in racialized distinctions coalesce in the public and private spheres resulting in both blatant and obscured forms of racial discrimination. The routinization of racialized difference is a fundamental component of race-making. See, for example, John Comaroff, "Reflections on the Colonial State, in South Africa and Elsewhere: Factions, Fragments, Facts and Fictions," *Social Identities* 4, no. 3 (1998): 321–361; Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1980s* (New York: Routledge, 1995); Barnor Hesse, "Reviewing the Western Spectacle: Reflexive Globalization through the Black Diaspora," in *Global Futures: Migration, Environment and Globalization*, ed. Avtar Brah, Mary J. Hickman, and Mairtin Mac an Ghaill (London: Macmillan, 1999), 122–143. In addition to formal policies, the rhetorical shaming of residents by leaders and some property owners based on racialized stereotypes that stand in contrast to the suburban ideal does much work toward certain forms of what Michel Foucault identified as governmentality—the regulation of the self and others or the conduct of conduct. See Foucault, "The Subject and Power," *Critical Inquiry* 8, no. 4 (1982): 777–795; Foucault, *The Government of Self and Others: Lectures at the College de France 1982–1983*, ed. Frederic Gros, trans. Graham Burchell (New York: Palgrave MacMillan, 2010).

20. Walter Benjamin, "Critique of Violence," in *Walter Benjamin: Selected Writings Volume 1, 1913–1926*, ed. Marcus Bullock and Michael Jennings (Cambridge, MA: Harvard University Press, 1996), 243.

21. Over fifty media articles have been written on this subject. See, for example, Radley Balko, "Why We Need to Fix St. Louis County," *Washington Post*, October 16, 2014; Campbell Robertson, Shaila Dewan, and Matt Apuzzo, "Ferguson Became Symbol, but Bias Knows No Borders," *New York Times*, March 7, 2015; Jennifer Mann, "Municipalities Ticket for Trees and Toys as Traffic Revenue Declines," *St. Louis Post-Dispatch*, May 24, 2015; Jennifer Mann, "After Code Violation Crackdown, Pagedale Officials Now Threaten to Demolish Homes," *St. Louis Post-Dispatch*, August 10, 2015. Several reports have also been published lately. See, for example, Better Together, "Report on Public Safety—Municipal Courts," October 2014; US Department of Justice, "Investigation of the Ferguson Police Department"; Ferguson Commission Report, "Forward through Ferguson."

22. Resident interviews.

23. *Ibid.*

24. These are current ordinances found in a review of municipal ordinances in twenty-nine cities in North Saint Louis County. Several cities do not provide copies of ordinances online or even hardcopies when requested by residents. In several cases when doing this research, I was told that the only way for residents or anyone else to obtain a list of ordinances was to come to city hall and pay to make the copies personally.

25. Resident interview. Similar statements were made by more than twenty residents of North Saint Louis County during interviews.

26. US Department of Justice, "Investigation of the Ferguson Police Department." See also Campbell Roberts, "A City Where Policing, Discrimination and Raising Revenue Went Hand in Hand," *New York Times*, March 4, 2015.

27. After almost a year of negotiations, the Ferguson city council voted not to accept the agreement regarding how to address the problematic practices and inequities outlined in the Department of Justice report on policing and the courts in Ferguson. The Department of Justice in turn filed a lawsuit on February 10, 2016, against the city of Ferguson for failure to comply with the agreement. The Ferguson city council recently reversed course and approved the agreement with the Department of Justice, although the city is continuing to fight the timeline and scope of compliance.

28. Review of municipal court dockets, 2013–2014.

29. Resident interviews.

30. Ibid.

31. For example, Ferguson issued 32,907 warrants in 2014 according to data collected by the Missouri Office of State Courts. See “Annual Judicial and Statistical Reports,” available on the website of the Supreme Court of Missouri, <http://www.courts.mo.gov/page.jsp?id=296>. In 1983, the US Supreme Court ruled that it was unconstitutional to jail someone claiming they could not pay for fines and court fees without holding a hearing to investigate such claims. *Bearden v. Georgia*, 461 U.S. 660 (1983).

32. Ibid.

33. Ibid.

34. At a public hearing held by the working group of the Missouri Supreme Court on November 12, 2015, all three individuals who spoke against municipal court reform were attorneys currently or formerly employed by municipal courts. The Missouri Supreme Court appointed the group in May 2015 after a critical Department of Justice report on Ferguson’s municipal court practices. The group filed a preliminary report on September 1, 2016, and Chief Justice Patricia Breckenridge narrowed the group’s focus and extended the deadline for a final report to March 1, 2016. See Jeremy Kohler, “Municipal Court Working Group Gets More Time and Narrower Focus,” *St. Louis Post-Dispatch*, September 28, 2015.

35. Jennifer Mann, Jeremy Kohler, and Stephen Deere, “A Web of Lawyers Play Different Role in Different Courts,” *St. Louis Post-Dispatch*, March 29, 2015.

36. Interviews with municipal leaders.

37. Interview with municipal alderman, January 12, 2009.

38. Alex Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human* (Durham, NC: Duke University Press, 2014), 2.

39. Frantz Fanon, *Black Skin, White Masks* (London: Pluto Press, 1986), 110–112.

40. Interviews with Ferguson protestors.

41. Ibid.

42. There are differing opinions regarding whether or not the actions and people emerging from events following the death of Michael Brown Jr. constitute a social movement and, if so, how such a movement is understood in relationship to what is popularly referred to as the Black Lives Matter movement. Based on my observations, interviews with core leaders, and the belief that a social movement must be connected to political reform, I maintain that the Ferguson protestors do represent a growing social movement that is interconnected with, yet distinct from, the nationally recognized Black Lives Matter movement.

43. The initial hashtag, #BlackLivesMatter, which later became a rallying cry of protests against police brutality, was started by Alicia Garza, Opal Tometi, and Patrisse Cullors, who also founded the Black Lives Matter organization. According to the official website, [blacklivesmatter.com](http://blacklivesmatter.com), the movement was originally conceived of in response to the 2012 acquittal of George Zimmerman, the man who shot and killed Trayvon Martin. The chapter-based national organization actively resists the dehumanization of people of color and affirms those historically marginalized in Black liberation movements, such as queer, trans, disabled, undocumented, and female members. The hashtag, organization, and founders gained public recognition through social and print media outlets during the weeks and months following several “police-involved shootings,” beginning with the death of Michael Brown Jr. and continuing with the death of Tamir Rice in Cleveland in November 2014; the non-indictment of the police officer who killed Brown in November 2014; the non-indictment announced in De-

ember 2014 of the police officer who killed Eric Garner in New York; and several more deaths in South Carolina, Maryland, and Texas in 2015. Many of the Ferguson protestors interviewed for this research reject being lumped together with the Black Lives Matter movement and claim responsibility for bringing national attention to the BLM organization. Several also expressed disappointment with what they viewed as a dismissal of their work by leaders of the Black Lives Matter organization. Some of the core leaders interviewed, however, saw the work of the two movements as one and the same.

44. Sylvia Wynter and Katherine McKittrick, “Unparalleled Catastrophe for Our Species? Or, to Give Humanness a Different Future: Conversations,” in *Sylvia Wynter: On Being Human as Praxis*, ed. Katherine McKittrick (Durham: Duke University Press, 2015), 9–89.

45. Interviews with core organizers of the Ferguson Protest Movement between September 2015 and January 2016.

46. These observations are based specifically on interviews with women of the Ferguson Protest Movement between September 2015 and January 2016 and with people involved with the movement between August 2014 and September 2015, as well as discourse analysis of several thousand statements made by protestors via Twitter during the same time periods.

47. Katherine McKittrick, *Demonic Grounds: Black Women and the Cartographies of Struggle* (Minneapolis: University of Minnesota Press, 2006).

48. Sylvia Wynter argues that capital accumulation has become the sole macro-signifier of symbolic life, and “symbolic death, therefore, is that of having been naturally dysselected and mastered by Malthusian natural scarcity: as are the globally homogenized . . . poor/the pauper/homeless/the welfare queens.” Wynter and McKittrick, “Unparalleled Catastrophe for Our Species?,” 37.

49. Chandan Reddy, *Freedom with Violence: Race, Sexuality, and the US State* (Durham, NC: Duke University Press, 2011), 39.

50. Interviews with core organizers of the Ferguson Protest Movement between September 2015 and January 2016.

51. Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York: New York University Press, 2012); Robin Kelley, *Freedom Dreams: The Black Radical Imagination* (New York: Beacon Press, 2002); Nelson Maldonado-Torres, *Against War: Views from the Underside of Modernity* (Durham, NC: Duke University Press, 2008).

52. An indictment of these practices can be found in Angel Carter’s essay “Cut the Check,” May 2015, *Liberated Souls* (blog), <http://liberatedsouls.co/ferguson-reflections-2/cut-the-check/>.

53. Interviews with core organizers of the Ferguson Protest Movement between September 2015 and January 2016. The Organizing Table is the informal name for a group of activists, clergy, lawyers, and representatives from new and established groups in Saint Louis. They recognize themselves as overseeing and carrying out activities, reform, and political pressure that continue from and capitalize on the momentum created by Ferguson protests. To understand how similar tensions between antagonism and accommodation have played out throughout the history of organized Black struggle, see Cedric J. Robinson, *Black Movements in America* (New York: Routledge, 1997).

54. Interviews with core organizers of the Ferguson Protest Movement between September 2015 and January 2016.