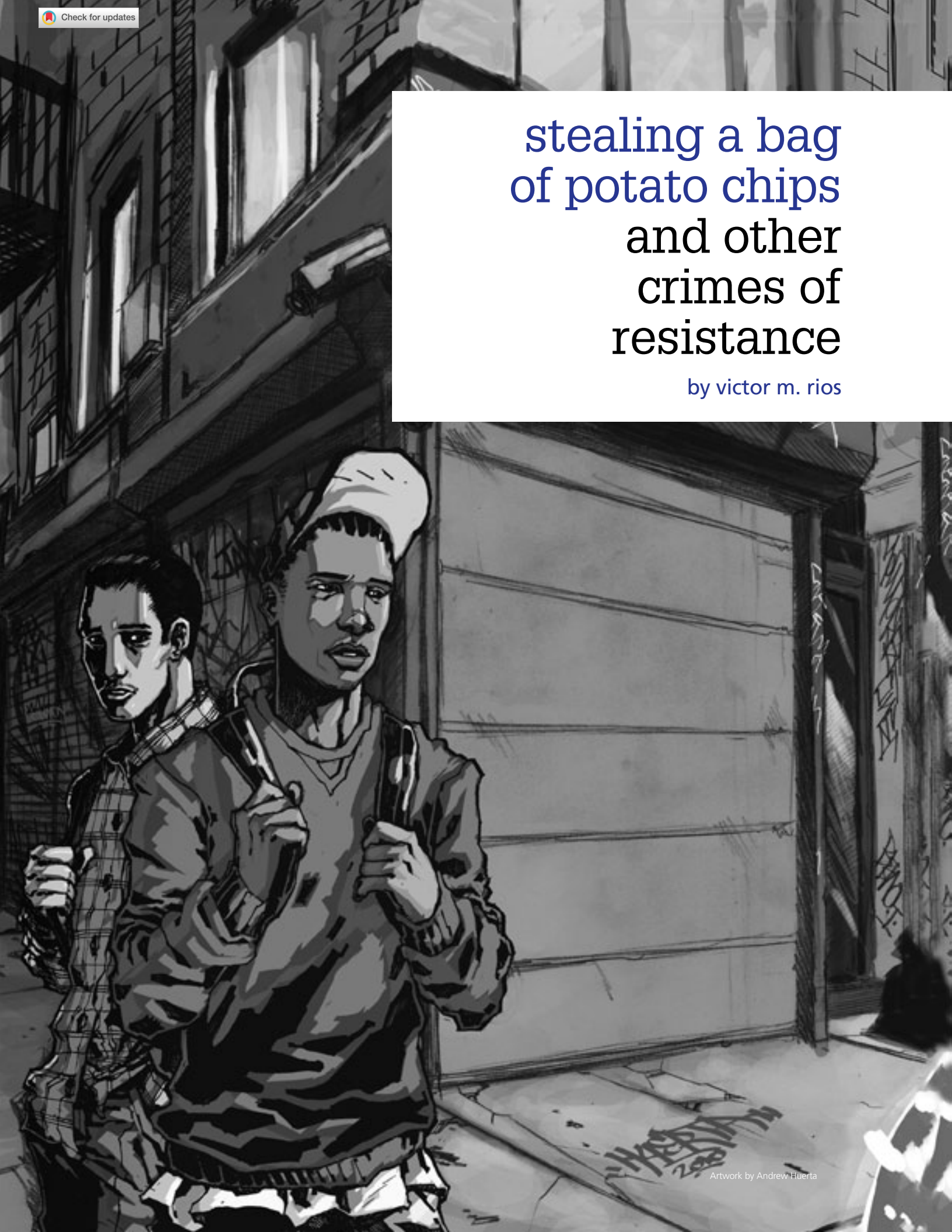


stealing a bag of potato chips and other crimes of resistance

by victor m. rios



Ronny was called in for a job interview at Carrows, a chain restaurant that served \$9.99 sirloin steak and shrimp. He called me up, asking for help. I loaned him a crisp white dress shirt, which I had purchased at a discount store when I worked as a server at a steak house during my undergraduate years. I convinced Ronny

to wear fitted khakis, rather than his customary baggy jeans. He agreed, on the condition that he would wear his white Nike Air Force Ones, a popular basketball shoe at the time. These shoes had been in and out of style in the urban setting since the early 1980s. By 2002, a famous rapper, Nelly, created a popular song named "Air Force Ones," and famous basketball players such as Kobe Bryant wore these shoes during games. Black and Latino youths in Oakland sometimes even wore them to more formal events such as high school proms, quinceañeras, and weddings. I asked Ronny why he insisted on wearing these shoes in a professional setting. He replied, "Because professionals wear them."

Many of the boys I worked with in my research believed they had a clear sense of what courteous, professional, and "good" behavior was. Despite their attempts to present themselves with good manners and good morals, their idea of professional behavior did not match mainstream ideas of professional behavior. This in turn created what I refer to as *misrecognition*. When the boys displayed a genuine interest in "going legit," getting a job, or doing well in school, adults often could not recognize their positive attempts and therefore criminalized them.

The boys had grown up in an environment which had deprived them of the social and cultural capital they needed to progress in school and the labor market. Therefore, they developed their own alternative social and cultural capital, which they used to survive poverty, persist in a violent and punitive social ecology, prevent violence, avoid incarceration, and attempt to fit into mainstream institutions. Education scholar Tara Yosso develops a framework for understanding and using the capital marginalized communities develop—what she calls *community cultural wealth*. She argues that marginalized communities have always generated community cultural wealth that's allowed them to

survive and resist. Sociologist Martín Sánchez-Jankowski has recently discussed poor people's ability to organize their social world and maintain social order as "persistence." According to Sánchez-Jankowski, contrary to the popular academic belief that poor people live in a disorganized world where they have a limited capacity to generate "collective efficacy" (the ability of a community to solve its own social problems), the urban poor shape their behaviors around making sense of and creating social order within a marginal context. *Organic capital*, then, is the creative response the boys in this study developed in the midst of blocked opportunity and criminalization. Despite being well-intentioned, though, these efforts were often not well received by mainstream institutions.

Ronny's story is indicative of how many of the boys attempted to tap into mainstream institutions but failed. As they encountered rejection, they returned to the resilience and survival strategies that they had developed in their neighborhoods. I continued to prepare Ronny for his interview, helping him develop "acceptable" cultural capital. We prepared with mock questions: "Why do you want to work for us?" I asked

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him. He responded, "I am a hard worker." "That's a good start," I said. "How about expanding that and telling them that you're also a team player and that you enjoy the restaurant atmosphere?" Ronny nodded. The day of the interview, I walked into the restaurant separately from Ronny. To calm his nerves I told him, "You look great, man. This job is yours!" He looked sharp: a professionally dressed, athletically built, charismatic, tall, African American young man with a charming

dimple every time he smiled. I was certain he would get the job. I sat down for lunch at a booth, in an attempt to observe Ronny being interviewed. I looked at the menu and, with a knot in my gut, nervous for Ronny, ordered what I knew would eventually give me a worse stomach ache: a Mile-High Chipotle Southwest Burger. I sat about twenty feet away from the table where Ronny sat with a manager.

Ronny tried to use his charisma to connect with the manager, but she kept her distance and did not look at Ronny, seemingly uninterested in what he had to say. At the end of the interview, Ronny stood abruptly and walked away from the manager, with no handshake or smile. He went outside. I ordered my burger to go, paid my bill, and met him in the parking lot. As I headed to the door, I turned to look in the manager's direction, and she was greeting a White male youth. She smiled, gave him her hand, and offered him a place to sit. Ronny's first contact with her was not this friendly. I walked outside to meet Ronny, who sat on the hood of my car.

I asked for a debriefing. He told me that he had a good feeling and that the manager had seemed to like him. I asked him to walk me through the interview. He had followed the plan flawlessly. I was proud of him. "You followed the plan. You did a great job," I told him. "Why didn't you shake her hand when you left?" I asked. "'Cause," Ronny replied. "Why not?" I scolded. "Because it was a white lady. You not supposed to shake a white lady's hand. They be scared of a nigga. They think I'ma try to take their shit or fuck 'em. I just said thanks and walked out." Ronny did not get the job.

Ronny did all he could to land the job, but the limited resources at his disposal for showing respect may have kept him from getting the position. In this case, he believed that not shaking the manager's hand would show respect; instead, Ronny may have been perceived as a rude kid not able to hold employ-

of the stereotyped expectations of black men as criminals and sexual aggressors, deeply rooted in American culture.

Ronny applied for multiple jobs. After about a dozen applications and three failed interviews, he became discouraged. He reported being asked by other managers about his "drug habits" and "criminal background." Ronny decided to abandon the job-search process and instead invested \$20 in pirated DVDs; a few hours later, he'd made \$50 from the illegally copied movies. He reinvested the \$50 in a backpack full of pirated DVDs, and after a few weeks, Ronny had made enough to buy a few new pairs of glossy Air Force Ones. However, the six to ten hours he spent in front of the grocery store, waiting for customers for his DVDs, made him a measly \$20 or \$30 a day—certainly not worth the risk of getting arrested for a federal offense.

Still, Ronny, like many of the other boys, preferred to take on the risk of incarceration and the low wages that this underground entrepreneurship granted him in order to avoid the stigma, shame, and feeling of failure that the job-application process produced for him. Misrecognition of genuine attempts to do well in school, the labor market, or their probation program led to frustration—and to producing alternatives in which the boys' organic capital could be put to productive use.

resistance identities

In feeling excluded from a network of positive credentials, education, and employment opportunities, young people develop creative responses that provide them with the necessary tools to survive in an environment where they have been left behind and where they are consistently criminalized. *Resistance identities*, according to sociologist Manuel Castells, are those created by subordinated populations in response to oppression. These identities operate by "exclud-

ing the excluder." Some, like the boys I studied, develop practices that seem to embrace criminality as a means of contesting a system that sees them as criminals. Similarly, sociologist Richard Quinney argues that poor people engage in crimes such as theft as "acts of survival" in an

economic system in which their well-being is not fulfilled by other collective means. He further argues that some poor and working-class people engage in "crimes of resistance," such as sabotaging workplace equipment and destroying public property, as a form of protest against their economic conditions.

The young men in this study constantly participated in everyday acts of resistance that baffled teachers, police officers, and community-center workers. From the perspective of the adults, these transgressions and small crimes were

Feelings of exclusion from a network of positive credentials, education, and employment opportunities led to resistance identities.

ment in a restaurant environment. I asked Ronny to tell me how he learned about not shaking white women's hands. He told me that his white female teachers had asked him to keep his distance, white women on the street would clasp their purses when they saw him walking by, and white female store clerks would nervously watch him when he walked into an establishment. Ronny had been socialized from a young age to overcompensate around white women to show he was not attempting to harm or disrespect them. This behavior may have been a result



Illustration by Ryan Kelly

ridiculous: the risk of being caught was high and the benefit derived from the deviant act was minuscule. This frustration led adults to abandon empathy for the boys and to apply the toughest sanctions on them. "If they're going to act like idiots, I am going to have to give them the axe," explained one of the gang task-force officers.

Many of the adults I interviewed believed the boys' defiance was "stupid." Sarcastic remarks often followed when a youth purposely broke a simple rule, leading him to be ostracized, kicked out of class, or even arrested. Why would the boys break the simplest of rules knowing there would be grave consequences? For the boys, though, breaking the rules was

resisting a system that seemed stacked against them. In many ways, criminality was one of the few resources the boys could use in response to criminalization.

the stolen bag of chips

One fall afternoon, I met with fifteen-year-old Flaco, a Latino gang-associated young man from east Oakland. We joined three of his friends as they walked to their usual after-school hang out, Walnut Park. They decided to make a stop at Sam's Liquor Store. I walked in with them, noticing a sign that read, "Only two kids allowed in store at one time." I realized they were breaking the store rule by entering in a group of four

and pretended to walk in separately to see how the store clerk would respond to their transgression. I stood in the back of the store as Flaco walked up the candy-bar aisle—keeping a good distance between himself and the Snickers, Twix, and Skittles, to show the clerk, who was already staring him down, that he was not attempting to steal. He grabbed a candy bar, held it far away from his body, walked a few steps, and placed it on the counter. Many of the boys in this study often maintained their distance in the candy or soda aisles at stores to show they were not attempting to steal. Store clerks in the neighborhoods I studied were always apprehensive of customers: they watched people from the moment they walked in, had surveil-

overreacted, but because of Mike, Flaco felt respected by the store clerk the next time he went in the store: “Mike fucked up. He was acting hyphy [crazy] that day. He should have paid the guy... But because of what he did, me and my dogs go into the sto’, and the guy don’t say shit. We all go in like five deep—like ‘what?’—and dude don’t say shit no more.”

When I asked Mike why he had stolen the bag of chips, he responded, “That fool was trippin’. He should’ve come correct. I was gonna pay him. You saw, I had the money in my hand.... That fool knows not to fuck with us anymore. ...I did get taken in for that, but it don’t matter. They gave me probation and shit. I’ll just keep it cool now since that fool will keep it cool now too.” In Mike’s worldview, fighting for dignity at the cost of giving up his freedom had paid off. Though Mike’s actions resulted in his commitment to the criminal justice system, he was very aware of this risk when he stole the bag of chips. He had grown frustrated at the treatment he had received at school, by police, and then at the store. This frustration, and a deep desire to feel respected, led Mike to willfully expose himself to incarceration. In the end, Mike lost his freedom, coming under the supervision of the criminal justice system. Nonetheless, Mike gained a sense of dignity for himself and his peers.

I also asked Mike, “Why didn’t you steal something more expensive?” He told me that he thought about it, but, in the moment, he didn’t care what he took. He wanted to prove a point to the clerk: “Not to fuck with me.” It wasn’t about saving a quarter, accumulating the most valuable commodity he could get his hands on, or stealing because he was poor and wanted to eat a bag of chips. Although he may have had a desire for any or all of the above, he stole the chips to redeem himself for being shamed and feeling disrespected. In the end, despite facing further punishment, Mike and his friends felt that their actions were not in vain; they had won a small battle in a war they were so tired of losing. Authority figures expected the boys to follow their rules, and the boys expressed a deep desire “to be left alone” and remain free; one of the only resources they had to feel respected within the system was to actively engage in behaviors that defied the rules of the game. This, in turn, led to further misrecognition and criminalization.

defiance as resistance

Defiance constituted a temporary success to the boys. Watching interactions between the boys and authority figures was often like watching a life-sized game of chess, with a rook strategically moving in response to a queen’s movement. A police officer would get out of his car, the boys would posture; an officer would grab a young man, his friends would prepare

This self-defeating path led to trouble but also a sense of agency and dignity.

lance cameras set up, and one clerk had taped up pictures of himself holding an AK-47. The clerk at Sam’s may have been concerned that too many kids in his store meant that he could not keep an eye on all of them.

A balding, middle-aged, Asian American male, the clerk pointed to the door and yelled, “Only two kids allowed in the store at a time!” The three youths in line to pay for their items looked at the clerk and at each other. Mike, closest to the entrance, responded, “We ain’t doing shit.” The clerk replied, “I am going to call the police!” Mike grabbed a twenty-five-cent bag of Fritos Flamin’ Hot chips, lifted it up in front of the clerk’s face, and said, “You see this? I was gonna pay for it, but now I ain’t paying for shit, stupid mothafucka.” He rushed out of the store with the bag of chips, as the clerk called the police. The rest of the youngsters dropped the snacks they were in line to purchase and ran out. I walked up to the store clerk and gave him a quarter for Mike, who had stolen the chips. Infuriated, the clerk said, “It’s too late. The police are on their way to get the robbers.”

I was not able to track down the boys until a few days later. When I ran into Flaco, he informed me that the police had arrested Mike that day for stealing the twenty-five-cent bag of chips. After interviewing the boys and observing the store clerk’s interactions with them in the days and weeks after this event, I found that Mike’s “irrational” behavior had actually changed the way the store clerk interacted with the boys. The boys believed the clerk had begun to treat them with more respect—he avoided provoking negative interactions with the boys, even if it meant allowing a few more youths into the store than policy allowed. While even Mike’s peers believed that his actions were “crazy,” they also acknowledged that something significant had changed. For example, Flaco thought Mike had

to run; an officer would humiliate one of the boys, and the boy would respond by not cooperating or by cursing back. As one side moved to repress, the other moved to resist. The boys were almost always captured and eliminated from the chess board, but not before they had encroached on the opponent's territory, changing, if even subtly, the game.

Mike and Ronny were searching for something beyond immediate gratification. They did not want to follow the rules to gain social rewards like a good grade, a legitimate bag of chips, completing a probation program, or becoming a "normal" citizen. Instead, the boys chose a road that at first seemed futile and ignorant, a self-defeating path that led them into more trouble but eventually provided them with a sense of agency and dignity against criminalization.

In mocking the system, these young people gained a sense of empowerment. However, these same strategies added fuel to the criminalization fire. Many realized that they were actively stoking that fire, but they believed it was worth the negative consequences. Maintaining a sense of dignity—feeling accepted and respected—was a central struggle. The boys consciously chose to fight for their dignity, even if it meant risking their freedom.

crimes of resistance

Many of the young men self-consciously "acted stupid" as a strategy to discredit the significance of a system which had excluded and punished them. These deviant politics garnered attention from the youth control complex, frustrating its agents: the police, school personnel, and others. This frustration led to more punishment, which led to a deeper crisis of control in the community. In the end, it was this crisis of control, when institutions were not able to provide a sufficient amount of social order, the young men consciously perceived to be a successful result of their defiance. As Flaco put it, "They trying to regulate me, right? So if they can't regulate me, then that means they not doing their job. So my job is to not-what's that word?-confirm [conform]."

The boys consistently chose to act "bad" in circumstances in which adults expected them to act "good." Almost all the acts that led to an arrest for violating probation were committed as conscious acts of resistance; in the boys' accounts, they knew they were facing severe consequences but decided to break the rules to make a point. This may have been their way of resisting what they perceived to be unfair treatment and punishment. These transgressions served as a resource for feeling empowered and for gaining redress for the humiliation, stigma, and punishment they encountered even when they

were being "good." Because they reported that they committed their transgressions as a way of "getting back at the system," as Ronny explained, I am calling these acts *deviant politics*, by which I mean the political actions—the resistance—that youth labeled by society as "deviant" use to respond to punishment that they ubiquitously encounter.

Boys who resisted often suffered real and drastic consequences. Sometimes, they did not even realize that they were resisting. Often, they were simply, as they called it, "getting stupid," meaning that they acted "bad" for the sake of being "bad." These kinds of practices had few long-term positive outcomes for any of the boys in the study.

Breaking the rules meant resisting a system; criminality was one of the few resources the boys could use in response to criminalization.

In an environment in which there were few formal avenues for expressing dissent, which the boys believed to be extremely repressive, they developed forms of resistance they believed could change, even if only temporarily, the outcome of their treatment. The boys believed they had gained redress for the punitive social control they had encountered by adopting a subculture of resistance based on fooling the system. Their crimes of resistance, which made no sense to the system, were fully recognizable to those who had been misrecognized and criminalized.

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