

## SEVEN

# Junk Freedom, Broken Windows, and Black Lives Matter

One only wishes Wayne LaPierre and his NRA [National Rifle Association] board of directors could be drafted to some of these scenes, where they would be required to put on booties and rubber gloves and help clean up the blood, the brains, and the chunks of intestine still containing the poor wads of half-digested food that were some innocent bystander's last meal. (Stephen King, *Guns*<sup>1</sup>)

I had to return to the introduction of the book quite a few times while writing the remainder of it, in order to keep updating the part where I mention the most “recent” mass killing. In midsummer of 2015, white supremacist Dylann Roof shot and killed 9 African Americans in the Emanuel A.M.E. Church of Charleston, South Carolina. I had to substitute this shooting for the previous spring's Isla Vista killings in which a sexually frustrated misogynist, Elliot Rodger, had killed 6 people and injured 14 to punish women for rejecting him and sexually active men for being, well, sexually active. As I went back to this section of the book in Fall of 2015, Christopher Harper-Mercer had just fatally shot 9 people and wounded 9 others at Umpqua Community College in Roseburg, Oregon. Harper-Mercer had a history of mental illness and his mother had a large

gun collection—a predictably toxic combination. Mrs Harper-Mercer often took her son to the shooting range.<sup>2</sup> In writings he left behind, Harper-Mercer praised Eliot Rodger and shared his own frustrations at being a virgin and social outcast. At this point I realized I should finish the book quickly.

But I could never have finished fast enough to account for the rapidity with which mass shootings occur in the United States. I complete the last revisions of this book as news circulates of another gun massacre in Orlando, Florida. In the worst single shooter incident of mass killings in U.S. history, Omar Mateen opened fire in a crowded gay, Latino nightclub, murdering 49 people and wounding 53 others. While perhaps unique because of its magnitude and links to both homophobia, racism and jihadi terrorism, mass shootings themselves have become commonplace in America. Extrapolating from the FBI's definition of four people murdered in one incident as a definition for "mass killing," the website [www.gunviolencearchive.org](http://www.gunviolencearchive.org) uses the number of four people shot in one incident to determine a "mass shooting." Applying this definition, 372 mass shootings occurred in the United States in 2015—an average of just over one *every day*.

While mass shootings did not actually occur every day, over 70 days featured multiple mass shootings: 36 days had two mass shootings, 21 days had three, and 14 days had four or more. Particularly gruesome were the days of June 13, with 6 fatal shootings and 17 wounded; July 15, with 5 killed and 20 injured; and the week stretching from August 2 through August 9, with 18 killed and 63 injured during mass shootings. This week of violence began with drive-by shootings in Brooklyn, New York; Baltimore, Maryland; Chicago, Illinois; and St. Louis, Missouri; and ended with domestic-violence-related murders in Houston, Texas (eight dead); Barre, Vermont (four dead); and Gastonia, North Carolina (two dead, three wounded).<sup>3</sup>

In fact, in the week leading up to the Orlando killings in June 2016, 19 people were killed and 44 wounded in 13 mass shooting incidents. In Roswell, New Mexico, a husband and father shot his wife and four daughters; in Los Angeles, California, a man shot and wounded his former girlfriend and her son and killed her two daughters before turning the gun on himself; and separate shooting sprees at a Phoenix, Arizona

hotel and a Cape Coral, Florida convenience store left five people dead and eight people wounded. In the latter cases, as in many mass shootings, no motives have been determined. But given that the number of gun-related deaths in the United States has increased over 13% in recent years—from 29,684 in 2005 to 33,636 in 2014—the number of shootings is close to average. What surprises people about shooting deaths in the United States, however, is that gun related *homicides* comprise only about one third of these incidents (just over 12,000), while *suicides* make up almost two thirds of firearm deaths. And most of these deaths are the result of handgun use.

As in all health-related phenomena in which government regulation might save lives but cost corporations a few bucks, lobbyists and spin merchants abound. The NRA's lobbying efforts to deny virtually *any* regulation of *any* type on carrying *any* gun remain legendary. While the organization's annual lobbying expenditures ranged between US\$2 million and US\$4 million dollars from 2008 to 2015, their election campaign contributions to candidates skyrocketed by 250%—from just over US\$8 million to over US\$28 million—during that same time period. With two of their own Super PACs and 501(c)(4) organizations the NRA itself will donate well over \$30 million this 2016 election cycle, not to mention the wads of money they mobilize from their 5 million members' individual contributions. Despite the incredible and tragic impact that gun violence has on our nation's public health, politician after politician refuses to support even minimal regulations regarding background checks, waiting periods, or assault weapons.<sup>4</sup>

In part, the NRA succeeds in funding handpicked candidates who will adhere to the group's legislative agenda and infamous "scoring" system.<sup>5</sup> But the real impact emanates from the intimidation factor that their campaign war chests motivate. As one congressional aide, Chris Kofinis, suggested:

Unlike some interest groups, where it is money that creates influence, here it is more the *threat* of response [emphasis added] ... The idea is that if you come out for any type of gun control, any type of common-sense reform, they are going to come after you,

especially if you are a red-state Democrat. And they will paint you with a broad brush as being anti-gun.<sup>6</sup>

Even after the most recent mass shooting in Orlando, Democratic senators needed a 15-hour filibuster just to get Republican senators to allow a *vote* on gun-related legislation. The bills—one banning people on the government’s terrorist watch list from obtaining gun licenses and the others expanding background checks to gun shows and internet sales—were both doomed to fail, given NRA opposition; and fail they did. But politicians prefer to keep such proposals from public votes because the majority of Americans support increased gun regulations.<sup>7</sup>

Not only does our nation’s inability to address gun violence suffer from the same “follow the money” scheme as “kill it to save it” policies in education and food production, but the NRA and its investors also have their own information manipulators. Take, for instance, a 2013 study by the Bureau of Justice Statistics, which found that firearm-related homicides fell by 39%—from 18,253 in 1993 to 11,101 in 2011.<sup>8</sup> Later, in 2013, The Pew Research Center adjusted those figures to represent per capita rates, concluding that the incidence of gun-related homicides actually fell 49% during the same period. By themselves, these statistics look significant enough to suggest that gun violence is diminishing and perhaps concern about firearm regulation is misguided. In fact, the message of declining gun violence appeared far and wide in the right-wing media and was extremely loud on the tongue tips of many an NRA-pocketed legislator interviewed on mainstream media. Headlines in conservative media read: “Disarming Realities: As Gun Sales Soar, Gun Crimes Plummet” and “More Guns, Less Gun Violence Between 1993 and 2013.”<sup>9</sup>

The evidence suggests a very different story about gun violence for a number of reasons. First, the report was not only about homicides; it was about *all* gun-related deaths, which were and are increasing. It is true that gun-related homicides declined, but just as *all* violent crimes declined. From 1994—2013, all violent crimes fell almost 700,000 (or over 37%) while the *rate* of violent crimes (factoring in population changes) fell almost 48%. All homicides fell from 23,326 to 14,196 (or almost 40%),

while the per capita *rate* of murders fell 50%. Thus, the fact that gun-related homicides fell accordingly merely suggests that gun-related homicides fell at approximately the same rate (49%) as *all* murders committed with or without guns (50%). But the more notable statistical analysis suggests that most (if not all) of these major decreases occurred from 1993 to 2001, during the Clinton administration. While many theories have been generated to explain the large decline in violent crime during this period (demographic shifts, waning of the crack cocaine epidemic, improved economy, tighter gun control laws, and so on),<sup>10</sup> all of these trends may have impacted rates significantly. Regardless, however, the numbers are clear: from 1994 to 2001, violent crimes rates fell over 30%; from 2001 to 2013, they fell under 23%. Murders fell almost 40% from 1994 to 2001 and only 18% from 2001 to 2013.<sup>11</sup> Gun-related homicides fell almost half, from 7 per 100,000 people in 1993 to 3.8 per 100,000 people in 2000. But the number stayed flat throughout the 2000s, rising slightly to 4.2 in 2007.<sup>12</sup> While NRA and other gun-rights advocates have implied that the Bush administration's "pro-gun" policies and the massive increase in guns on the street from 2001 to the present *caused* the decrease in gun homicides, the greatest decline occurred pre-Bush and before big booms in gun sales.

Second, a more uncomfortable statistic suggests that while gun-related homicides declined alongside all murders and violent crimes, shooting deaths overall did *not* diminish—because gun-related *suicides* actually increased. Over the past 30 years, firearm suicides have exceeded firearm homicides even when homicide rates were at their highest in the late 1980s and early 1990s. Since 2006, though, the gap between the two has widened exponentially as gun-related homicides leveled off while gun-related suicides increased. And the relationship between guns and suicide continues to prove deadly. Although guns are not the most common method of suicide (drug overdose and poisoning are), gun-related suicides comprise the most *successful* suicides compared with all other methods *combined*. For example, drug overdose attempts succeed in only about 3% of cases, while handguns and shotguns succeed over 90% of the time. Meanwhile, the ease of accessibility (as well as the overall number) of guns available has serious correlations with

gun-related suicides. According to the Harvard Injury Control Research Center, more guns equals more suicides, especially among teenagers and young adults. Youth firearm suicides often involve weapons found in their own homes. Researchers controlled for region; divorce; education; unemployment; alcohol use; poverty, and urbanization to demonstrate that the most statistically significant relationship between youth and suicides is the accessibility of guns.<sup>13</sup>

In 2011, economist Richard Florida conducted an exhaustive study of gun-related violence and a variety of psychological, economic, social, and political characteristics by state. His findings? Despite myths about mental illness, drug abuse, and even unemployment and other predictors of stress, none of these provided strong correlations with gun violence. Poverty and poor wages *did* have a positive correlation with gun violence, as did lower levels of education, less successful economic development, and—not surprisingly—whether or not states consistently voted Republican. Given these characteristics, it is even less surprising that states with stricter gun control laws had lower levels of gun-related deaths—homicides and suicides. Florida concluded:

While the causes of individual acts of mass violence always differ, our analysis shows fatal gun violence is less likely to occur in richer states with more post-industrial knowledge economies, higher levels of college graduates, and tighter gun laws. Factors like drug use, stress levels, and mental illness are much less significant than might be assumed.<sup>14</sup>

Meanwhile, gun violence of another sort is also on the rise: that related to large-scale, public incidents in which firearms are involved. The FBI and other law enforcement agencies define these “active shooter incidents” as those in which “an individual [is] actively engaged in killing or attempting to kill people in a confined and populated area. Implicit in this definition is that the subject’s criminal actions involve the use of firearms.” Examining the years from 2000—2013, the FBI identified 160 active shooter incidents, noting they occurred in “small and

large towns, in urban and rural areas, and in 40 of 50 states and the District of Columbia.” And while most incidents occurred in business and school environments (70%), they also occurred on “city streets, on military and other government properties, and in private residences, health care facilities, and houses of worship.” The report continues:

The shooters victimized young and old, male and female, family members, and people of all races, cultures, and religions. The findings establish an increasing frequency of incidents annually. During the first seven years included in the study, an average of 6.4 incidents occurred annually. In the last seven years of the study, that average increased to 16.4 incidents annually. This trend reinforces the need to remain vigilant regarding prevention efforts and for law enforcement to aggressively train to better respond to—and help communities recover from—active shooter incidents.<sup>15</sup>

In other words, despite the significant decrease in violent crimes and murder between 2000 and 2013, the number of active shooting incidents and mass killings has risen dramatically. And we’d better get used to it.

The NRA and its gun proponents have their “researchers”, too. Most notable and prolific is John Lott and his new Center for Crime Prevention Research. Lott’s seminal work, *More Guns, Less Crime* (1998), argued that violent crime rates go down when states pass “shall issue” concealed carry laws.<sup>16</sup> In this and other books, Lott tackles most of the prevalent issues in gun debates: more guns equal less crime; good guys with guns stop mass shootings; guns are used more in self-defense cases than in committing crimes; mass shootings increase in “gun-free” areas; women’s gun possession makes them safer, and low firearm murder rates in other countries are overrated and misapplied when compared to the United States. Lott has created large data sets to conduct highly sophisticated econometric studies. Unfortunately—as is often the case in such research—it doesn’t prove what the researchers want it to prove and, as their research

gets scrutinized, their responses get more outlandish and more wrong.<sup>17</sup>

For example, soon after Lott's book came out, a 16-member panel of the country's National Research Council (NRC) convened to examine whether right-to-carry (RTC) laws influenced crime rate. Their 2004 report, "Firearms and Violence: A Critical Review," looked at Lott's methods in detail and wrote:

The committee found that answers to some of the most pressing questions cannot be addressed with existing data and research methods, however well designed. For example, despite a large body of research, the committee found no credible evidence that the passage of right-to-carry laws decreases or increases violent crime, and there is almost no empirical evidence that the more than 80 prevention programs focused on gun-related violence have had any effect on children's behavior, knowledge, attitudes, or beliefs about firearms. The committee found that the data available on these questions are too weak to support unambiguous conclusions or strong policy statements.<sup>18</sup>

Meanwhile, a 2010 reexamination of both Lott's work and the NRC's analysis not only supported what they called the NRC's "cautious conclusion," but also suggested the only *consistent* finding to emerge "is that aggravated assault *rises* [emphasis added] when RTC laws are adopted. For every other crime category, there is little or no indication of any consistent RTC impact on crime."<sup>19</sup> Such critique might have influenced Lott to note his limitations and to suggest that results are debatable and that science works best when people dedicated to its project continue to examine and collect data, in order to find the most accurate results and defensible conclusions possible. Instead, Lott continued to doggedly defend his initial research and his accusations of a scholarly witchhunt by the NRC. In a rare event, the NRC's Executive Officer publicly rebutted some of Lott's more absurd claims, but concluded with a very measured



statement concerning the scientific study of gun law policies and what the initial NRC study suggested:

[Lott's] column states that the panel ignored most of the studies that find a benefit in crime reduction from right-to-carry laws. The report contains an entire chapter and three appendices that address the rather large literature on these laws. The report cites both studies that do find positive effects and studies that do not find positive effects. On the basis of the very mixed evidence, the panel concluded that there was no basis for a conclusion that the passage of right-to-carry laws either increases or decreases crime.<sup>20</sup>

But when John Donohue and his colleagues revisited the NRC panel's findings, their conclusions went further in criticizing Lott. According to Evan DeFilippis, Donahue corrected Lott's dataset, which had several errors. DeFilippis continues:

Also, the [NRC] panel failed to incorporate a number of proper criminal justice control variables and lacked clustered standard errors. ... Whereas the NRC panel found contradictory yet statistically significant results across most of the crime categories, Donohue and his coauthors found very few statistically significant effects of RTC laws on crime rates, but almost all of them, significant or not, show crime *increases*. The conclusion of the best and most sophisticated RTC study to date: these laws have no beneficial impact and may actually increase crime. Lott is wrong. It is no longer a question of whether RTC laws are beneficial, but rather if they are impotent or harmful.<sup>21</sup>

Most recently, Lott has been taken to task for using fraudulent survey data and reviewing his own books under fake names for Amazon and other websites. As his academic career spirals downward, he can still be found on Fox News and other right-wing propaganda websites like Brietbart.com. But so much of

these discussions have gone beyond trying to really present facts and figures, scientific analyses and policies that would actually promote public safety. The power of “kill it to save it” is once again its ability to ignore uncomfortable facts and devolve into “truthiness” (accepting arguments that feel ‘right’ in the gut regardless of messy facts). In the case of firearms, regardless of how deadly and dangerous to the general public they prove to be, guns have become symbolic of “American freedom.” To own a gun without restriction—or (since gun ownership has actually declined while opposition to gun control has increased) just knowing you *can* own a gun, any gun, and as many guns as you want without restriction—has become emblematic of our nation’s gut definition for what freedom is. Freedom is not free education. Freedom is not universal, free health care. Freedom is not unrestricted access to decent jobs with living wages. Freedom is not a right to basic food, clothing, and shelter. In some states, freedom isn’t even the right to vote anymore. None of the elements that Roosevelt included in his Second Bill of Rights to guarantee citizens’ freedom speak to contemporary Americans’ imagination of freedom. These phenomena do not make Americans *feel* free. But guns do. Individuals can hold guns. And since we can’t really measure freedom, if guns make you *feel* free then the more guns we have, the more freedom we feel. And so we embrace them, fetishize them, rationalize their virtue, and defend them most virulently at those moments when they seem least virtuous—after every mass shooting in America.

## **From Broken Windows to Obama Care and Black Lives Matter: What’s Race Got to Do With It?**

We could choose to be a nation that extends care, compassion, and concern to those who are locked up and locked out or headed for prison before they are old enough to vote. We could seek for them the same opportunities we seek for our own children; we could treat them like one of ‘us.’” (Michelle Alexander, *The New Jim Crow*<sup>22</sup>)

James Q. Wilson's and George L. Kelling's 1982 "broken windows" theory was brilliant in its simplicity: have police focus on "quality of life" crimes (public drunkenness, graffiti, vagrancy, and so on) and not only will people in a "neighborhood" *feel* safer, but small crimes also won't escalate to big crimes. The theory—based on some anecdotes, observations, and minimal research—caught the imagination of many conservative politicians and police officers tired of the 1960s and 1970s trends toward decriminalization and focus on "root causes." Despite the authors' caution against training officers to "manage street life," Wilson and Kelling did suggest their theory came from a Newark, New Jersey pilot program, in which more officers walking the beat resulted in new community standards of behavior. They explained:

Drunks and addicts could sit on the stoops, but could not lie down. People could drink on side streets, but not at the main intersection. Bottles had to be in paper bags. Talking to, bothering, or begging from people waiting at the bus stop was strictly forbidden. If a dispute erupted between a businessman and a customer, the businessman was assumed to be right, especially if the customer was a stranger. If a stranger loitered, [an officer] would ask him if he had any means of support and what his business was; if he gave unsatisfactory answers, he was sent on his way. Persons who broke the informal rules, especially those who bothered people waiting at bus stops, were arrested for vagrancy. Noisy teenagers were told to keep quiet.<sup>23</sup>

This description suggests a collaborative effort between police and residents to maintain order while acknowledging certain liberties and even allowing small transgressions. Over time, however, these collaborations devolved into practices that encouraged beat cops to arrest primarily young men of color for the most minimal infractions. Exported around the country, a war on "quality of life" crimes combined with the 1980s and 1990s War on Drugs and effectively sent what some have

called a “lost generation” of young men of color to prison.<sup>24</sup> How did this happen? With great fanfare, New York City Mayor Rudolph Giuliani and top cop William Bratton adopted “broken windows” in 1993.<sup>25</sup> But as geographer Neil Smith (2001) explained, operationalizing “broken windows” became a “zero-tolerance” policy driven by a revanchist (revenge) and racist framework regarding who did and didn’t belong in 21st-century America. He wrote:

The founding document of the new U.S. revanchism is undoubtedly the innocuously named Police Strategy No. 5 bearing Giuliani’s and Bratton’s names. ... “A decent society is a society of civility,” it begins, and then lists a litany of people and “behaviors” that have *stolen* the city [emphasis added] from its rightful citizens: street peddling, panhandling, prostitution, squeegee cleaners, boom boxes, graffiti, public drinking, loud clubs, speeding cars, litter louts, public urination, street artists, and “dangerous mentally ill homeless people.” (The latter euphemistic convolution was forced by the fact that although homelessness is not a crime, homeless people, numbering perhaps 100,000 in the early 1990s, were the first targets of the new revanchism.) The document’s subtitle tells the strategy: “Reclaiming the Public Spaces of New York.” Less formally, Giuliani and Bratton vowed to “clean the city” of the “scum” that apparently “threatened” decent people walking down the street. Zero tolerance was passed off as an anticrime program. Actually, it is a social cleansing strategy.

And how, why, and for whom would this cleansing take place? Smith continues:

The language of decency and civility in Police Strategy No. 5 was heavily overwritten by class and race norms. It was generally clear to poor New Yorkers and especially people of color and many

immigrants that these norms expressed particular middle-class, white, often-suburban interests, ambitions, and identities. ... In fact, zero tolerance policing has led to an increase in police brutality and abuse, with a rash of police murders, shootings, beatings, sexual assaults, wrongful arrests, and various forms of corruption, suggesting a police force out of control. ... In two years, the Street Crimes Unit, a centerpiece of zero tolerance policing, made 45,000 street searches of disproportionately minority youths and made 10,000 arrests. Zero tolerance policing has encouraged race and class profiling that places a premium on street arrests of suspects while minimizing concerns about evidence. ... Operation Condor was another zero-tolerance social cleansing program. It stipulated arrest quotas for narcotics detectives working overtime, and officers would cruise the streets looking for people to pick up on petty infractions, or simply on suspicion. In March 2000, two undercover Condor officers with their quotas almost filled approached Patrick Dorismond, a Haitian immigrant and off-duty security guard, and asked to buy marijuana. When Dorismond retorted angrily that he was not a drug dealer, the officers got into a fight with him, drew a gun, and killed him.<sup>26</sup>

The media criticized these units and their tactics. Referring to “the Mussolini of Manhattan” and the “Hitler on the Hudson,” some journalists questioned the racial and class intentions of zero tolerance.<sup>27</sup> After Guinean immigrant Amadou Diallo was shot dead by four police officers and 41 bullets, even police officers themselves complained that “zero-tolerance tactics” have become a “blueprint for a police state and tyranny.”<sup>28</sup> As Neil Smith (2001) concluded, “When the police are exercised about an imminent police state, we should presumably take notice.”

Of course, these policies did not end in the late 1990s or early 2000s. Courts only recently agreed that “stop and frisk” violated civil liberties and New York City Mayor, Bill de Blasio, only recently began reforming police practices—all leading

*The New York Times* to report that “‘Stop-and-Frisk’ is All but Gone From New York.”<sup>29</sup> But such policies swept the nation throughout the 1990s and early 2000s, not only crowding the burgeoning prison industrial complex but also resulting in increased shootings of young Black men by police. The list of these murders over the past decade is too long to include here, but zero-tolerance policies and police practices like Operation Condor have left behind a Black and Brown body count crisscrossing the nation—from Eric Garner in Staten Island and Michael Brown in Ferguson, to Tamir Rice in Cleveland and John Crawford in Dayton, Ezell Ford and Dante Parker in California, Walter Scott in Charleston and Freddie Gray in Baltimore. And these are only a few of the more well-known, unarmed Black men killed by the police in 2014 and 2015; hundreds of others have met similar fates since then.<sup>30</sup>

The mistake would be to blame these social phenomena on “a few bad cops.” As *Slate* columnist Jamelle Bouie writes:

In this environment, where police are empowered to stop anyone for the faintest cause, violence is inevitable. Last month, Eric Garner was the victim, but it could have been anyone, because senseless deaths are a *predictable* cost of broken windows policing. It’s the trade-off. We’ll stop petty “disorder,” but at the price of dead bodies. And given what we know about our biases, those bodies will almost always be brown.<sup>31</sup>

It has become an epidemic inexorably linked to the operationalizing of “broken windows” as a zero-tolerance policy of social cleansing. Young men of color are imprisoned or killed to “save” the streets and city for the rest of “us.”

Even Kelling, one of the original authors of “broken windows,” recently asked people not to “blame my theory for poor policing,” for zero-tolerance practices and the mass arrests and shootings of young Black and Brown youth. He explains that, “Broken windows was never intended to be a high-arrest program. Although it has been practiced as such in many cities, neither Wilson nor I ever conceived of it in those terms.”<sup>32</sup>

And to Kelling's credit, he and Wilson did carry the following disclaimer in their original 1982 *Atlantic Monthly* piece:

The concern about equity is more serious. We might agree that certain behavior makes one person more undesirable than another but how do we ensure that age or skin color or national origin or harmless mannerisms will not also become the basis for distinguishing the undesirable from the desirable? How do we ensure, in short, that the police do not become the agents of neighborhood bigotry? We can offer no wholly satisfactory answer to this important question. We are not confident that there is a satisfactory answer except to hope that by their selection, training, and supervision, the police will be inculcated with a clear sense of the outer limit of their discretionary authority. That limit, roughly, is this—the police exist to help regulate behavior, not to maintain the racial or ethnic purity of a neighborhood.<sup>33</sup>

This seemingly throwaway disclaimer eventually undermined the entire theory and has ended in both failure and tragedy. For most, the implementation of “broken windows” policing has been discredited; contemporary criminologists, sociologists, and economists write overwhelmingly about its flawed assumptions and poor application.<sup>34</sup> But, as Bouie reminds us, “If broken windows were just a waste of resources, it wouldn’t be a huge concern. But as a policy, broken windows has also had the effect of terrorizing Black and Latino communities.” The recent turn towards social cleansing, towards terrorizing communities of color, is of course the dark underside of “kill it to save it.” Part of this nation’s rewired cognitive functioning graduated from welfare queens in the 1980s, to gangbangers in the 1990s, to any person of color driving, walking, shopping, or simply waiting in a shopping mall in the 2000s. As we “kill” public institutions and any real semblance or conception of “the public” in order to “save” the nation, what is left to save remains this toxic blend of hyper-individualism and corporate hegemony, often woven

together with the historically strong thread of racism. When Michelle Alexander wonders why we can't treat Black and Brown youth "like one of us," the answer may be that white America (and the non-white parts of America with enough class privilege to "pass") no longer knows or cares to know (or perhaps knows all too well) what "us" means. This dynamic has been at the heart of the Black Lives Matter movement. While some, predominantly white, politicians, and pundits claim "All Lives Matter" and cry reverse racism about "special" attention to African American deaths by police, the last three decades of intensified and militarized policing in urban communities of color has resulted in movements challenging the ways in which white supremacy and neoliberalism have devastated poor, non-white neighborhoods. The degradation of education and local economies, combined with mass incarceration and unindicted police homicides, has inspired a mass movement.<sup>35</sup>

While the Black Lives Matter movement has focused on police shooting and police brutality in general, it continues to expand outward and offer both a critique of current racist and neo-liberal policies, as well as create a vision for a different ideological premise for public policies. In "A Vision for Black Lives: Policy Demands for Black Power, Freedom & Justice," movement leaders explain the cultural and political landscape that inspired protest, but also set out demands to address the underlying economic and racial dynamics that makes solving racism and economic inequality so difficult. As Historian Robin D.G. Kelley argues: "Demilitarizing the police, abolishing bail, decriminalizing drugs and sex work, and ending the criminalization of youth, transfolk, and gender-nonconforming people would dramatically diminish jail and prison populations, reduce police budgets, and make us safer." "A Vision for Black Lives" explicitly calls for divesting from prisons, policing, a failed war on drugs, fossil fuels, fiscal and trade policies that benefit the rich and deepen inequality, and a military budget in which two-thirds of the Pentagon's spending goes to private contractors. The savings are to be invested in education, universal healthcare, housing, living wage jobs, "community-based drug and mental health treatment," restorative justice, food justice, and green energy." But such policies invariably meet up against kill it to save



it opposition that repels any efforts to create new public policy intended to address poverty, inequality and racism.<sup>36</sup>

The obvious case in point for such a dilemma has been the design and implementation of the Patient Protection and Affordable Care Act (ACA), which has come to be known as “Obamacare.” Addressing the inadequacy of our health care system, especially the fact that over 40 million citizens had no health insurance, newly elected President Barack Obama pledged to change it. But his campaign for health care reform, more than almost any other policy or position he’s promoted, incurred the wrath of conservative pundits and politicians. Health care reform debates seeded the 2009 summer of anger and frustration as masses filled town meeting halls flailing their arms and shouting, “Americans have lost our government,” “we’ve lost our country.”<sup>37</sup> The birth of the Tea Party during those hot, hazy days made for interesting political theater as automatic-weapon-bearing protesters carried signs like: “The Zoo Has An African Lion and the White House Has a Lyin’ African;” “ObamaCare: Coming to a Clinic Near You” (with a large picture of a stereotypical tribal medicine man superimposed with President Obama’s face); and a whole host of banners with pictures of monkeys, watermelons, fried chicken, and dozens of other racist images.<sup>38</sup>

Recent research demonstrates the impact of race on opposition to the ACA.<sup>39</sup> Prior to 2009, racial attitudes had little influence on white Americans’ opinions about whether “health care should be voluntarily left up to individuals.” But the Tea Party’s summer of discontent resulted in greater racialization about health care reform. As Judy Lubin explains, “Antiblack stereotypes, which had no independent influence on preference for governmental insurance in March 2009, became a strong predictor of views on this issue by September of the same year.” Other researchers found that, when similar health care policies were attributed to Obama as opposed to Bill Clinton, racial resentment and stereotypes impacted negative support for reform. Eric Knowles and colleagues found unconscious anti-Black prejudice significantly associated with negative attitudes about Obama and diminishing support for his health reform plans. Lubin concludes:

The use of specific terms by the media and political leaders can also trigger associations about certain groups and thus shape public opinion. For example, “government spending” is synonymous with welfare to the public and is associated with blacks, the poor, homeless and other vulnerable groups. The extent to which these groups are believed to be responsible for their circumstances (and not disadvantaged by structural or social barriers) influences one’s opinion on whether the government should take steps to correct inequities in society.<sup>40</sup>

And here lies the rub. Regardless of the actual programs within the ACA (and almost all of Obama’s more progressive undertakings), a large swath of white America has responded virulently against any policy that seemed to benefit the public good over an ephemeral and highly mythological hyper-individualism—“the public” itself has been racialized to be the enemy. As Amanda Marcotte wrote:

Attitudes about race and about the ACA are tightly interwoven. ... Research has found that white people with high racial resentment, regardless of their opinion on Obama, view health care reform as a giveaway to lazy black people. You can see why people don’t say these things out loud in public, but the eyebrow-wriggling and hinting has been strong throughout this debate.<sup>41</sup>

In the end, too many people can’t see past the dubious eyebrows and the knowing nudges. Americans’ health and safety degrades and declines before our eyes, but the instinctive commitments to individualism and the bottom line make it hard to imagine what a different world might look like. So we get angry with each other, rationalize our inaction with an overarching sense of impotency, and let the historical DNA of American racism run its course while we eat junk food, consume junk science, and live junk freedom.