

# Black Lives Matter and the Paradoxes of U.S. Black Politics: From Democratic Sacrifice to Democratic Repair

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## Abstract

This essay seeks to understand the complex response to the current Black Lives Matter protests against police violence, which pose deeper questions about the forms of politics that black citizens—who are experiencing a defining moment of racial terror in the United States in the twenty-first century—can and should pursue. When other citizens and state institutions betray a lack of care and concern for black suffering, which in turn makes it impossible for those wrongs to be redressed, is it fair to ask blacks to enact “appropriate” democratic politics? These questions are explored via a reading of Danielle Allen and Ralph Ellison’s meditations on the problem of democratic loss and Hannah Arendt’s critique of school desegregation battles in the 1960s. I suggest that there is a conceptual trap in romantic historical narratives of black activism (especially the civil rights movement) that recast peaceful acquiescence to loss as a form of democratic exemplarity.

## Keywords

Black Politics, Democratic Theory, Sacrifice, Racial Solidarity, Black Lives Matter

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Since August 2014, when the protests sparked by the killing of Michael Brown that erupted in Ferguson, Missouri, were met with disproportionate police repression against citizen protesters, very little has changed in the United States. The list of unarmed black persons—men, women, and children, queer, straight, trans, from New York City, to Baltimore, to St. Louis, to Chicago, to Texas—killed by violent, predominantly white police officers only continues to grow. From Eric Garner to Akai Gurley to Tamir Rice to Aiyana Stanley-Jones to Rekia Boyd to Sandra Bland to John Crawford to Laquan MacDonald . . . there is no discernible end to the tragic parade of the unarmed black dead.<sup>1</sup> Perhaps the only difference is that now some of us, their fellow citizens, though certainly not all, make a point of saying their names and asserting that black lives matter. In this essay, I try to make sense of the complex response to contemporary protests against police violence, particularly the demonization of those who have taken to the streets to protest the routine killing of black persons with impunity across the United States for minor, if not imagined, offenses by representatives of the state, and the ensuing debate about how to understand their actions. In a clear example of the racialized politics of solidarity, protesters and their critics have viewed the same events through very different lenses. This was exemplified by the dueling twitter hashtags that arose in the wake of the protests over the killing of Freddie Gray in Baltimore. Where some saw unlawful “riots,” others participated in justified “uprisings.” These dueling frames raise deeper questions about the forms of politics that black citizens, who are experiencing a defining moment of racial terror in the United States in the twenty-first century, can and should pursue. What are the costs of enacting “appropriate” democratic politics in the face of systematic racial violence? As Melvin Rogers has observed, “Two ideas mingle together in Ferguson, Missouri: the absence of [political] reciprocity where Blacks are concerned and the disposability of Black lives . . . [Blacks] are perpetually losers in American democracy.”<sup>2</sup> Democratic sacrifice is supposed to be equally distributed, as is care and concern over the losses suffered by fellow citizens. The absence of reciprocity thus calls into question not only the integrity of U.S. democracy, but also the kinds of democratic obligations that can be fairly placed upon black citizens as a result. When other citizens and state institutions betray a pervasive lack of concern for black suffering (which in turn makes it impossible for those wrongs to be redressed), is it fair to ask blacks to make further sacrifices on behalf of the polity? Taking as its starting point the status of blacks as perpetual losers in U.S. democracy, this essay explores whether the display of exemplary citizenship by blacks in the face of such unequal bargains constitutes an unjust form of democratic suffering. Relatedly, if the answer to this question is yes, should we think about “riots” (whether or not we agree with

the designation of citizens' actions in Ferguson and Baltimore as such) as inadequate, but necessary, forms of democratic repair for black citizens in the face of racial terror?<sup>3</sup>

I explore these questions by turning to analyses of the problem of democratic loss, specifically Danielle Allen and Ralph Ellison's meditations on democratic sacrifice. Allen and Ellison's transmutation of black sacrifice into political exemplarity has profound consequences for how we conceive black political praxis. On one reading, for example, the radical disregard for and antipathy to black life revealed by negative responses to the Black Lives Matter protests is not indicative of a crisis of U.S. democracy, but rather politics as usual in the racial state.<sup>4</sup> If this is the case, we are forced to consider not only whether (echoing James Baldwin) inclusion is worth "the price of the ticket," but if there is also a conceptual trap in historical narratives of black politics that recast peaceful acquiescence to loss as a form of democratic exemplarity in the face of democratic losses that are seemingly not repairable within the constraints of traditional liberal politics (including norms of "civility"). Such romantic narratives of racial progress and reconciliation make it plausible to suggest, as some have done, that civil rights icon Rev. Martin Luther King Jr. would be "appalled" by the Black Lives Matter movement, or to demand immediate black forgiveness after horrific losses such as those suffered in Charleston, South Carolina, at the hands of an avowed white supremacist shooter.<sup>5</sup>

I challenge this transmutation of undue democratic sacrifice by subordinated racial groups into democratic exemplarity via an interrogation of the unwarranted assumptions of liberal democratic progress and perfectability that undergird it. In particular, the essay contests three key theoretical and historical assumptions of the conceptualization of black politics as democratic sacrifice. One problematic historical assumption is the reduction of a long history of black activism (and a broad intellectual tradition of black political thought) to a specific, sanitized version of the civil rights movement of the 1960s that then sets the terms for what are considered legitimate forms of black politics. A second theoretical misunderstanding is a mistaken account of white moral psychology that overstates the efficacy of peaceful acquiescence to loss on the part of subordinated groups in bringing about transformations in the ethical orientations of dominant groups. Finally, I suggest that readings of nonviolent protest as acquiescence or sacrifice obviate the self-understanding of black activists (both in the 1960s and today) who understood themselves as engaging in acts of defiance.

The limits of liberal democracy's ability as an institution to deal with certain types of injustice, particularly systematic racial violence and terror that is (implicitly or explicitly) sanctioned by other citizens and carried out by the

state, raises key questions about our expectations of black citizens. In particular, it forces us to confront the inability of dominant approaches in liberal democratic theory to accept black anger as a legitimate response to racial terror and violence. If anger at injustice is politically productive and even necessary, we need to contemplate, paraphrasing Audre Lorde, the “uses of [black] anger” in order to make sense of events like the Baltimore uprising and so-called disruptive actions by the Black Lives Matter protest movement.<sup>6</sup> Since the era of slavery, black thinkers have grappled with the problem that the struggle for black life and black freedom often requires acting outside the strictly legal, beginning with those fugitive slaves who gained their freedom by committing the crime of “stealing” themselves. The essay thus ends by considering how we might draw on insurgent strands of black political thought to conceive and enact more radical democratic subjectivities. Black fugitive thought, I suggest, points away from democratic sacrifice and toward other forms of politics that blacks might productively enact in the face of racial terror. The essay is thus less concerned with salvaging democracy, and rather with thinking about the paradoxes of black politics produced by the problematic reification of democratic sacrifice as the paradigmatic example of black political excellence/civic virtue.

## **From Democratic Loss to Black Sacrifice**

Danielle Allen has argued that democratic politics is characterized by loss, and as a result one of the central tasks facing democracies is the challenge of managing the experience of loss. Drawing on the Aristotelian formulation of politics as the practice of ruling and being ruled in turn, Allen suggests that democracy inspires citizens with the aspiration to be sovereigns, but their experience is more often one of frustrated agency. Because citizens have conflicting preferences, all policy decisions inevitably generate winners and losers; citizens thus have to learn to reconcile themselves to the experience of losing. In Allen’s words, “democracies inspire in citizens an aspiration to rule and yet require citizens constantly to live with the fact that they do not. Democracies must find methods to help citizens deal with the conflict between their politically inspired desires for total agency and the frustrating reality of their experience.”<sup>7</sup> According to democratic theory, the losses experienced by citizens are justified because they befall them arbitrarily; that is, all can win or lose a given public policy debate, and there are no systematic winners and losers. Historically, of course, this has not been the case, and some groups of citizens have disproportionately borne the burden of loss. Allen’s analysis of the problem of democratic loss thus quickly pivots into a discussion of the virtues of democratic sacrifice—of citizens who cope with

the experience of loss in an exemplary fashion—because citizens who sacrifice by being good losers are key to democratic stability. The paradigmatic example she offers of such exemplary citizenship are African Americans who responded to racial terror during the civil rights-era struggles of the 1960s with non-violence. This is hardly coincidental. Allen's transmutation of blacks' peaceful acquiescence to the perpetual losses characteristic of a racial polity into acts of exemplary citizenship ironically fails to challenge the disproportionate distribution of loss, and might instead serve to perpetuate it.<sup>8</sup>

Allen derives her notion of acceptance of democratic loss as a political virtue from the dispute between Hannah Arendt and Ralph Ellison over school desegregation battles in the 1960s. In her controversial essay "Reflections on Little Rock," Arendt objected to federally ordered desegregation for three main reasons: it turned a social matter into a political one, it violated states' rights, and it asked children to take on political activities that were the purview of adults.<sup>9</sup> As commentators at the time and since have noted, Arendt's commitment to an idiosyncratic distinction between the social and the political led her to not only misunderstand the actions of the black parents who sent their children to the front lines of school desegregation battles in the South, it also prevented her from recognizing that state-sanctioned educational disparities were a political issue (as it was one of the key means by which white supremacy was maintained).<sup>10</sup> In Arendt's view, the black parents had failed to protect their children and had exposed them to social rejection: "My first question was: what would I do were I a Negro mother? The answer: under no circumstances would I expose my child to conditions which made it appear as though it wanted to push its way into a group where it was not wanted. . . . If I were a Negro mother in the South, I would feel that the Supreme Court ruling, unwillingly but unavoidably, has put my child into a more humiliating position than it had been in before."<sup>11</sup> In his critique of Arendt, Ellison rightly observed that her reading of the motivations of the black parents was an act of profound misrecognition. She misunderstood their actions, viewing them as motivated by material self-interest, and completely failed to see the day-to-day sacrifice and heroism that survival under Jim Crow demanded of all African Americans.<sup>12</sup> Not only were black parents not asking their children to take up burdens that they themselves were unwilling to bear, Ellison argued, they viewed such sacrifices as necessary lessons in survival within a hostile world.

In his response to Arendt's essay, Ellison formulated a notion of African American sacrifice as a public act on behalf of the common good, and also as a duty to the self. According to Ellison, Arendt's critique of the black parents and of the NAACP for putting black children on the front lines of desegregation battles failed to recognize the political heroism of ordinary African

Americans. She did not understand that the peaceful endurance of racial violence was a form of civic sacrifice. African Americans in the South, Ellison argued, learned “about forbearance and forgiveness. . . . So today we sacrifice, as we sacrificed yesterday, the pleasure of personal retaliation in the interest of the common good.”<sup>13</sup> In Ellison’s view, African Americans had a special duty to sacrifice the need for revenge: “while still pressing for their freedom, they have the obligation to themselves of giving up some of their need for revenge.”<sup>14</sup> Ellison thus presents African American sacrifice as a dual obligation. African Americans learned to meet racial terror with non-violence in order to preserve their own lives within an arbitrary system in which responding in kind to any insult or harm could lead to sudden death. But peaceful acquiescence also exposed the reality of white violence to other whites who might be persuaded to support the cause of racial justice. For African Americans confronted with ever-present and senseless violence, Ellison suggested, “personal courage had either to take another form or be negated, become meaningless. Often the individual’s personal courage had to be held in check, since not only could his exaction of satisfaction from the white man lead to the destruction of other innocent Negroes . . . the most inconsequential gesture could become imbued with power over life or death.”<sup>15</sup> Yet exercising such restraint was difficult. Meeting racial terror with non-violence, Ellison noted, “places a big moral strain upon the individual, and it requires self-confidence, self-consciousness, self-mastery, insight and compassion.”<sup>16</sup> Ellison thus described African American political heroism as both a public sacrifice on behalf of the polity, and as an ethical duty to the self. The relative weight of these motivations is of crucial importance in evaluating the fairness of (black) democratic sacrifice, however, as external and internal obligations have different ethical import.

Drawing on Ellison, Allen suggests that democratic sacrifice is an obligation shared equally by all citizens. She argues that sacrifice is both a central political virtue and an enabling condition of democracy: “of all the rituals of democracy, sacrifice is preeminent. No democratic citizen, adult or child, escapes the necessity of losing out at some point in a public decision.” Because public policy decisions will rarely benefit all citizens equally, those citizens “who benefit less than others from particular political decisions, but nonetheless accede to those decisions, preserve the stability of political institutions. Their sacrifice makes collective democratic action possible. . . . The hard truth of democracy is that some citizens are always giving things up for others.”<sup>17</sup> For such sacrifices to be legitimate, however, they must be evenly distributed among citizens. Allen recognizes that historically U.S. democracy dealt with the inevitable fact of loss in politics by unevenly distributing the burden of sacrifice. In the U.S. polity, the “paradoxical fact that most democratic citizens

are, at the end of the day, relatively powerless sovereigns” was resolved via “the two-pronged citizenship of domination and acquiescence,” which assigned “to one group all the work of being sovereign [whites], and to another group [blacks] most of the work of accepting the significant losses that kept the polity stable.”<sup>18</sup> Because “this approach is a breeding ground of distrust,” Allen suggests that democratic sacrifice must meet the following pre-conditions in order to be legitimate: it must be made voluntarily, it must be equally shared (i.e., it cannot routinely be expected of the same group of citizens), and it needs to be honored by those citizens who are its beneficiaries.<sup>19</sup>

There is undoubtedly something seductive about Ellison and Allen’s identification of African Americans’ nonviolent response to racial terror, and their struggle against systematic racial subordination within the parameters of the rule of law and the norms of liberal politics, as a heroic form of democratic sacrifice. On this reading, undue democratic suffering is transformed into democratic exemplarity. What are the dangers of this understanding of democratic loss and political virtue for those that have been the paradigmatic “losers” in U.S. democracy, however, who have already disproportionately shouldered the burden of democratic sacrifice? What is the price of such acquiescence for the struggle to achieve racial justice? Is this a self-defeating form of political heroism? One of the questions raised by the notion of black sacrifice formulated by Ellison and Allen, thus has to do with its implied ranking of competing political goods. In other words, in their vision democratic citizenship demands of racially subordinated groups that they pursue political projects aimed at making the entire political community more just and free, but it is important to consider whether fulfilling such obligations could come at the expense of their own interests and claims to justice. Moreover, at what point does it become unjust or indeed un-democratic, to expect citizens to continue to peacefully acquiesce to repeated political losses? In his thoughtful essay on the Ferguson protests, for example, Steven Johnston places them within a tradition of “democratic politics as forceful, militant resistance;” he argues that violence can be “democratically contributive. . . . Citizens who have no official outlet for redress of grievances need to be self-reliant.”<sup>20</sup> At the end of the essay, however, Johnston lauds the Ferguson protesters in a way that makes a political virtue of their vulnerability, thereby drawing attention away from the question of whether it is fair to ask some citizens to make such unequal sacrifices. “These citizens were badly outgunned and held their ground. In the face of a Frankensteinian police force . . . they didn’t flinch.” Johnston ends his essay with a call for equal vulnerability, but the problem is precisely that all citizens are not called upon to make themselves equally vulnerable. In the case of subordinated groups facing racial terror and violence, understanding their losses as democratic exemplarity can also become a

demand for extraordinary sacrifices from the citizens least positioned to make such “gifts.” In other words, are there any limits to the democratic suffering that this notion of political virtue demands of already-subordinated groups in a polity? What are the limits of expectations of black sacrifice for the sake of democracy? Does asymmetric democratic vulnerability not become political martyrdom at some point?

There is a very real danger that the notion of acquiescence to democratic loss as political exemplarity demands a kind of civic sacrifice of blacks that is not expected of other citizens. The question of whether the burden of sacrifice is still unequally distributed can be fruitfully explored by considering how the traditional winners in U.S. democracy have coped with loss. The civil rights victories of the 1960s that resulted in the end of Jim Crow, for example, did constitute a moment of political loss for white citizens committed to a racial polity in which they had exclusive access to political power and privileged social and economic standing. Have white citizens been good losers?<sup>21</sup> Arguably not, as historically victories in the struggle for racial equality have been followed by eras of deep and sustained backlash in which blacks and other minorities have borne the brunt of racial terror, violence, and xenophobia.<sup>22</sup> This dynamic is certainly evident in the climate of white racial resentment that quickly followed the post-racial euphoria occasioned by Barack Obama’s election in 2008. As Joel Olson has observed, the fact that whites (as a racial group) have historically been the winners in U.S. democracy has shaped their political imagination. In a racial polity that nevertheless conceives itself as a democracy, white citizenship is the equivalent of racial standing. As a result, “the tension between the desire for equality and the desire to maintain one’s racial standing results in a narrow political imagination that constrains the way white citizens understand citizenship (as status rather than participation), freedom (as negative liberty), and equality (as opportunity rather than social equality).”<sup>23</sup> It is precisely because of a political imagination *not* shaped by loss that demands that whites renounce racism can be viewed as an infringement of their personal freedom and a devaluing of their status as citizens, because an expanded sphere of (white) individual liberty that has not been afforded to other citizens has been a consistent feature of U.S. democracy.<sup>24</sup> In such a context, it is thus possible that the democratic sacrifices of members of subordinated groups, rather than being honored, might instead be resented by members of the dominant group, who might also ironically develop a sense of white victimhood.

What if, then, Arendt was right (albeit for different reasons than those she articulated) and Ellison was wrong about the advisability of sacrifice and the burden of political heroism? In her essays on school desegregation, Arendt explained that her critique was prompted by one of the widely circulated

photographs of adolescent African American girls facing abuse by racist mobs as they tried to integrate all-white public schools: "The girl, obviously, was asked to be a hero."<sup>25</sup> Arendt's critique centered on the fact that it was children, not adults, who were being asked to display political courage, but perhaps we should broaden her criticism to the expectation that it is those who have been the victims of racism that should do the work of democratic repair, that they should make further sacrifices on behalf of the polity. The question is how to square democracy's commitment to equally distributing the burdens of citizenship with the fact that racially subordinated groups are asked to bear primary responsibility for the work of racial justice. Moreover, it is also important to consider whether the underlying historical and theoretical assumptions on which Allen and Ellison's notion of black sacrifice as political exemplarity is based hold up under further scrutiny. I contend that they do not.

### **Peaceful Acquiescence or Black Defiance?**

One of the most common critiques of the Black Lives Matter protest movement, by white and (some) black commentators alike, has been its failure to emulate the political exemplarity of the civil rights movement of the 1960s. Contemporary Black Lives Matter protesters have been critiqued for failing to follow the (alleged) disciplined adherence to non-violence of earlier anti-racist struggles, for not embodying black respectability, not adopting a visible hierarchical leadership structure, not formulating clear policy goals, etc.<sup>26</sup> On this reading, white public opinion has not become uniformly mobilized in support of the Black Lives Matter protests against police violence because of the failures of the protesters to make visible to a white audience the reality of an unjust criminal justice system via the willing sacrifice of their innocent, non-resisting bodies to racial violence.

These critiques of contemporary black activism reflect three key historical and theoretical assumptions about how anti-racist change has occurred in the United States upon which the notion of black politics as democratic sacrifice depends, all of which turn out to be mistaken upon further examination. They are (1) a romantic narrative of the civil rights movement of the 1960s that results in a teleological account of racial progress and the perfectibility of U.S. democracy, (2) a claim about the effect on political solidarity of meeting racial terror with non-violence and peaceful acquiescence derived from a mistaken understanding of the moral psychology of "the white citizen," and (3) a theoretical gloss on non-violent protest as sacrifice that does not correspond with the way participants in black protest movements frame their own actions as defiance or resistance. The notion that peaceful acquiescence to

democratic loss represent the best frame for understanding the sacrifices demanded of black citizens might thus not only unfairly place the burden of responsibility for repairing racial wrongs upon those who are already most harmed by racism, it might also rest on misguided assumptions about how to achieve racial justice that might actually prevent the dismantling of white supremacy in the long run.

One assumption underlying conceptions of black politics oriented to democratic sacrifice is historical and reflects a specific liberal understanding of both racism and U.S. democracy. According to what we might call the perfectibility of U.S. democracy thesis, political relations among citizens are constantly moving in a more egalitarian direction, and gradual progress toward racial justice is thus inevitable and natural. President Obama symbolically invoked this idea during his second inauguration, when he swore the oath of office on Dr. King's bible and described his election as a step in the country's gradual but inexorable progress toward racial equality and the creation of a more perfect union. This teleological conception of U.S. race relations is especially evident in what Brandon Terry has persuasively characterized as the romantic narrative of the civil rights movement that predominates in public memory. As Terry observes, it is important for political theorists to be clear about what is at stake philosophically in the versions of history they choose to adopt. The relationship between historiography and philosophy, which remains under-examined, is in fact crucial, because the particular understandings of historical events adopted by political theorists implicitly shape the supposedly abstract arguments they develop. Terry suggests that political theorists need to pay more attention to how the particular historical narratives they adopt serve specific philosophical ends.<sup>27</sup>

This is especially true of the civil rights movement of the 1960s. The romantic narrative that dominates the historiography of this moment of victorious black protest reinforces a distorted view of both U.S. racism and black politics. Because romance as a genre involves the idea of movement toward a telos or goal (in this case unity), Terry argues that to emplot the civil rights movement in this way is to portray it as the culmination of the country's inevitable march toward racial equality, a reading of U.S. history that in turn renders racism as epiphenomenal to U.S. democracy. Drawing on the work of the "Long Civil Rights Movement" historians, Terry argues that the romantic narrative of the civil rights movement tends to downplay the more radical aspects of the civil rights movement and to erase the fact that there was significant disagreement among black activists at the time about how best to pursue racial justice, the efficacy of non-violence, the primacy of issues of political and legal inclusion versus economic redistribution, etc. This narrow conception of the civil rights movement functions to foreclose

other (possibly more radical) forms of black politics, and pre-emptively delegitimizes them. It results in the assumption that non-violent protest aimed at inclusion into the existing legal and political order is the most effective political strategy that black citizens can and should pursue. Black politics that doesn't follow the script of the romantic narrative of the civil rights movement, with its implicit expectation of democratic sacrifice, then comes to be viewed as both illegitimate and ineffective. Moreover, the romantic narrative of the civil rights movement shifts attention away from black loss to the idea that black politics should be oriented toward the goal of democratic repair rather than racial justice. Ironically, Ellison's claim that racial terror in the South had taught African Americans to survive violence and keep working toward their own goals, which meant that they also learned about "hope," illustrates how the racial perfectibility of U.S. democracy thesis can lead those who have already suffered the greatest democratic losses to reconcile themselves to further sacrifice.

A second problematic claim underlying the notion of black politics as democratic sacrifice is a mistaken theoretical account of white moral psychology that assumes that exemplary forms of political activism by racialized minorities induce positive ethical transformations in members of the dominant racial group. Peaceful acquiescence to racial terror is viewed as an exemplary act of citizenship due to the assumed capacity of this act of democratic sacrifice to sway the moral orientations of members of the dominant racial group who, upon observing such naked displays of violence, are shamed into renouncing racial injustice. Allen, for example, argues that "those who agree, in the face of violence and domination, cast aggressive acts into the starkest relief by allowing them to expend their full force. Those who are agreeable in this way show up violent citizens for what they are, and force witnesses to the spectacle to make a choice about whether to embrace or disavow the violence."<sup>28</sup> According to this notion of black political excellence as peaceful acquiescence to democratic loss, there are "fundamentally healthy elements of the citizenship of subordination—the ability to agree, to sacrifice, to bear burdens in order to force contradictions in the citizenship of the dominated, until this citizenship caves in upon the rottenness of its inherent ills."<sup>29</sup> It is hardly clear that Allen is right to believe that dominant groups can be shamed into renouncing racial power, however, and it is this claim about the effect of meeting racial terror with non-violence on white moral psychology upon which the plausibility of her characterization of democratic sacrifice by racially subordinated groups as a "healthy" political strategy depends.

According to the dominant romantic historical narrative of the civil rights movement, well-behaved, respectable, middle-class protesters engaged in the "right" kind of political activism and were thus able to incite solidarity with



black suffering among white observers. This account of how the civil rights victories of the 1960s were achieved fails to take into account the effects of racialized solidarity; however, it elides the fact that observers might read the same event in radically different ways. Race has historically impeded the recognition that fellow citizens who are racial others deserve the same care, concern, respect, or even that the harms they suffer merit the same attention. Racialized solidarity, which has been the norm in existing liberal democracies, refers to the “the diametrically opposed ethical-historical perspectives developed by [the members of] dominant (white) and subordinated (non-white) groups in a racialized polity.”<sup>30</sup> Arendt’s “Reflections on Little Rock” essay is a case in point: it shows that some Northern observers of black acquiescence to racial violence failed to see its heroic character, and interpreted it as motivated by self-interest rather than as a sacrifice on behalf of the common good. Indeed, Arendt literally misread what she was seeing. As Kathryn Gines has shown, the photograph (seen below) upon which Arendt based her critique of black parents and the NAACP did not in fact depict a young black girl forced to face a racist white mob alone. Instead, Dorothy Counts was accompanied both by a black friend of the family (who Arendt assumed was white, despite the fact that he was identified as black in the accompanying article) and by her father.<sup>31</sup>

Arendt’s response to contemporaneous critiques of “Reflections on Little Rock” also exemplifies why democratic sacrifice might be a self-defeating form of black political activism, because it is in fact ultimately unable to change white hearts and minds. Arendt’s response in “A Reply to Critics” reveals another way that white citizens might react to being forced to confront the reality of their own racial advantages: rather than experiencing shame (as Allen suggests), they could respond with resentment and

defensiveness. Indeed, one of Arendt's counter-arguments to her critics was that federal intervention to enforce school integration had produced a sense of grievance among Southern whites: "The series of events in the South that followed the court rulings . . . impresses one with a sense of futility and needless embitterment."<sup>32</sup> Likewise, in the preface to the version of "Reflections" that was finally published, Arendt includes a telling explanation of her personal history as a Jewish/European immigrant to the United States, which she suggested should have absolved her of any possible charges of racism:

I should like to remind the reader that I am writing as an outsider. I have never lived in the South and have even avoided occasional trips to Southern states because they would have brought me into a situation that I personally found unbearable. Like most people of European origin I have difficulty in understanding, let alone sharing, the common prejudices of Americans in this area . . . I should like to make it clear that as a Jew I take my sympathy for the cause of the Negroes as for all the oppressed or underprivileged peoples for granted and should appreciate it if the reader did likewise.<sup>33</sup>

There is of course a terrible irony in Arendt's recourse to the familiar trope of European moral superiority to the United States on the question of racism only a decade after the Holocaust. But precisely because she viewed herself as someone whose ethical judgments could not possibly be distorted by racist preconceptions, Arendt could disavow the demand for identification with black suffering that non-violence was supposed to evoke. The common assumption that black sacrifice will induce shame among white citizens, which will in turn produce a re-orientation to racial justice, is thus predicated on a particular account of white moral psychology that fails to take the effects of racialized solidarity into account.<sup>34</sup>

Moreover, even if black sacrifice did produce changes in white moral orientations in the 1960s, the varied response to the current Black Lives Matter protests suggests that shaming whites into solidarity with black suffering may be far more difficult today, in an era characterized both by a belief that the United States is now a post-racial society, and also by a high degree of white racial resentment against racialized minorities, particularly blacks and Latinos. As a result, the bar for proving the continued existence of structural (or even individual-level) anti-black racism is extremely high. This dynamic is evident in the dissection of the pasts of unarmed black victims of police violence, even children (as in the cases of Aiyana Stanley-Jones and Tamir Rice), for evidence of criminality in order to claim that they were not innocent and were thus mainly or partly responsible for their own deaths. The problem is that if white solidarity requires black innocence, then the goalposts for racial justice continually shift because every specific instance of injustice becomes a discussion of whether or not a

particular black victim was “deserving,” which displaces the focus away from questions of racial injustice, democratic suffering, and black loss.<sup>35</sup> There are thus important questions that need to be asked about the ideal of black politics as democratic sacrifice, including, what is the economy of suffering that requires protesters or victims of police violence to suffer more in order to merit care and concern on the part of their fellow citizens, when their lives are already shaped by violence and other forms of loss?<sup>36</sup>

Finally, the characterization of black activism as peaceful acquiescence to loss is also called into question by the different way in which participants in protest movements understand their own actions. The iconic photograph of Dorothy Counts’s confrontation with a racist mob referenced by Arendt in “Reflections” perfectly illustrates this dynamic whereby ostensible moments of black sacrifice were in fact experienced as instances of black defiance. Counts’s reading of the event was a far cry from what Arendt (and perhaps many of the white observers who were moved by the image) assumed. She later claimed to have felt not fear, but pity. She explained that: “*if you look at the picture the right way, you see what I see. What I see is that all of those people are behind me. They did not have the courage to get up in my face.*”<sup>37</sup> What Arendt and those who subscribe to the romantic narrative of the civil rights movement also miss is thus that rather than seeing themselves as passive victims, African American protesters in the 1960s viewed themselves as engaged in defiant resistance. At the same time, it is also possible that peaceful acquiescence to violence, rather than being read as sacrifice, could be interpreted as black submission, and that this is the price of white acquiescence to steps toward racial equality, which suggests a much different account of the impact of these gestures on white moral orientations. In a counter-intuitive reading of the “hands up, don’t shoot” gesture that became a rallying cry for protesters after the killing of Michael Brown, for example, art historian Dora Apel argues that there is a racialized visual economy that shapes how images of black protest are read:

The submissive hands up gesture of black protesters facing a militarized police force is meant to appeal to liberal sympathies by showing that they are “respectful” and law-abiding, suggesting the opposite of “uppity.” [In the 1960s] . . . images of blacks offering no resistance to police violence were selected by white editors because it was easier to gain white liberal sympathy by visually defining racism as excessive acts of brutality, from which moderate and liberal whites could distance themselves, while at the same time their racial anxiety could be quelled by the picturing of black nonresistance.

Some of this certainly seems to be at work in Arendt’s reading of the Counts photograph, which she interpreted as depicting black humiliation and self-abasement for the sake of material advancement.

Apel suggests that there might be a similar dynamic at work in the visual record of Ferguson, where “photos of the militarized police facing black protesters who are non-resistant perform reassuring symbolic work that manages white anxieties about race.” In her view, such images have the effect of “normalizing black passivity and even subtly promoting ongoing black humiliation.”<sup>38</sup> As was the case with Dorothy Counts, however, there is also a more complicated reading of the “hands up/don’t shoot” gesture of current protests against police violence. Protesters may have intended the gesture not as deference, but as defiance. Particularly when coupled with chants such as “who do you serve? who do you protect?,” which were delivered as indictments of police officers that fail to protect black citizens, the gesture could also be read as combining deference and defiance at the same time.<sup>39</sup> In other words, the problem for theoretical accounts of black activism as democratic sacrifice is that there is a complicated politics of reception and performance at work in moments of racial strife: a gesture that ostensibly bespeaks submission (and that could be read as peaceful acquiescence) might in fact be intended as a challenge to a democratic order that continues to expect some groups to disproportionately bear the burden of loss.<sup>40</sup>

The key theoretical and historical assumptions underlying understandings of black protest as democratic sacrifice are thus mistaken, but this framing has very real and concrete political consequences. Critics of the Black Lives Matter movement who have applauded the disproportionate police response to the protests regard the assertion of the right to protest by black citizens as an illegitimate deployment of violence, as an unjustified challenge to norms of civility that supposedly already prevail in the polity. If the affective price of white acquiescence to demands for racial justice is (imagined) black submission, this might explain why so many white observers not only fail to empathize with the Black Lives Matter protests but also actively laud police violence against black citizens. In the tragic political trap created by the transmutation of black sacrifice into democratic exemplarity, there is very little room for blacks to express outrage at injustice, or to enact a politics of defiance of their expected status as peaceful democratic losers.

## **Black Politics for Deadly Post-racial Times: Riots as Democratic Repair**

How then might we move beyond notions of democratic sacrifice to begin to conceive forms of black activism that are more appropriate for a context defined by racial terror, state depredation of poor black communities, mass incarceration, racial profiling, excessive use of force by the police, disparities in sentencing, and lack of accountability of law enforcement?<sup>41</sup> As Angela

Davis has observed, U.S. democracy has been shaped by practices of subjection that can be traced back to slavery; given contemporary forms of mass incarceration, she suggests that the prison has become the new site for the “civic death” that used to be associated with slavery.<sup>42</sup> Connecting this analysis to the disproportionate state repression of Black Lives Matter protests from Ferguson to Baltimore, one of the reasons that protesters exercising their constitutional rights could be criminalized is that by virtue of being mostly black they were already viewed as criminals or soon-to-be criminals undeserving of the normal protections of citizens. In a society defined by mass incarceration, the dynamic that governs interactions between the police/criminal justice system and “criminals” inevitably bleeds over into other encounters between the state and “law-abiding” citizens. Democracies defined by the deployment of moral panics around crime to manage dispensable populations are uneven democracies, where large populations have only marginal access to the rights of citizenship, and where the standing of those who do is defined precisely in light of the denial of such rights to others. As Davis observes, in the United States, “There are multiple figurations of the enemy (including the immigrant and the terrorist), but the prisoner, imagined as murderer and rapist, looms large as a menace to security.”<sup>43</sup> The Black Lives Matter protests have, to a certain extent, rendered continued willful white ignorance about how the dehumanization of black life begins prior to incarceration more difficult to sustain.<sup>44</sup> Disregard for black life antecedes fatal encounters with the police; it has its origins in the development of urban ghettos as a specific aim and consequence of state policy and in the criminalization of entire communities in order to make them subject to predatory looting by corrupt iterations of the state.<sup>45</sup> A conception of acceptable black politics that emphasizes further sacrifice in the form of peaceful acquiescence to democratic loss appears both inadequate and counter-productive in such a context.

In fact, the failure of the victories gained by the civil rights movement to eliminate structural disparities in wealth and the criminal justice system raise important questions about the limited ability of liberal democracy to truly address racial justice. Descriptive black political representation, for example, has not transformed the racialized character of the state, just as the presence of black police officers does not appear to prevent violence toward black citizens. That is because white supremacy produces a racial state that exceeds mere demography or phenotype.<sup>46</sup> In Ferguson, for example, while some of the problems clearly stem from a predominantly white political structure and administrative apparatus ruling over a predominantly black citizenry, the election of more black office-holders or infusion of more black police officers will not solve the economic shortfalls that have led it and other

municipalities to criminalize the daily lives of their poorest citizens in order to fund their operations. But if blacks are condemned to be perpetual losers in U.S. democracy, how can democratic theory account for this specific form of racialized democratic loss? How do we conceive forms of black politics that do not prioritize democratic repair over racial justice?

If formulations of black politics as democratic sacrifice create a trap whereby any deviation from submission, respectability, and non-violence serves to render black grievances illegitimate, perhaps we should instead consider instances of “rioting” as a form of democratic redress for black citizens, even if in and of themselves they cannot transform the prevailing racial order. These instances of violence, which are often viewed as self-destructive, might be productive for black citizens because they allow for the expression of black anger and pain, which is otherwise precluded by expectations of black sacrifice and forgiveness. In the case of Baltimore, for example, the events of 2015 echoed those of 1968, over whose meaning there was a similar tug of war. For many outside onlookers, using the term *uprising* was an attempt to endow with political meaning random violence directed at “innocent” targets such as retail establishments, when in reality the violence in the wake of Freddie Gray’s killing was simply self-destructive behavior that placed added burdens on the community (by making necessary goods inaccessible, for example). Participants, however, framed the events differently. In their view, so-called rioting performed a certain kind of civic work. It provided an outlet for responses to the losses generated by white supremacy that they were otherwise precluded from expressing in public, visible ways that could not be easily ignored or bypassed by their fellow citizens. As one participant in the 1968 protests explained, “I felt at that point people had such grief and sense of loss and anger that they had to express it somehow.”<sup>47</sup> Riots (for lack of a better term) might thus constitute a form of democratic repair for African Americans, not because they are a solution to structural problems and institutionalized injustices, but because they allow black citizens to express their pain and make their losses visible to a racial order that demands that they sacrifice both by not expressing anger and grief at said losses, and also by peacefully acquiescing to them.

In contrast to notions of democratic sacrifice, certain strands of black political thought allow us to begin to develop such a fugitive reading of black activism and of more radical democratic subjectivities. Frederick Douglass, for example, who is usually viewed as a thinker firmly situated within the assimilationist tradition in African American thought, also advocated a revolutionary understanding of black freedom that required a subversive approach to the law. In “What to the Slave is the Fourth of July,” Douglass interpreted the U.S. founding as an anti-colonial, revolutionary event in which the rule of

law was flouted in the name of higher moral and political principles, suggesting that in the pre-civil war era it was unruly abolitionists and fugitive ex-slaves who were displaying exemplary civic virtue. In his autobiographies, Douglass also suggested that slaves were forced to develop a different relationship to the law: "Slaveholders made it almost impossible for the slave to commit any crime, known either to the laws of God or the laws of man. If he stole, he but took his own; if he killed his master, he only imitated the heroes of the revolution."<sup>48</sup> This fugitive tradition within black political thought could thus be reclaimed to rescue contemporary black politics from the strategic dead-ends produced by the enshrinement of a romantic narrative of the civil rights movement as an exemplary moment when racial progress was achieved via political activism that fully acquiesced to liberal democratic norms. As Davis has suggested, black liberation must entail "ways of contesting the absolute authority of the law," because the law can and does act to reproduce injustice and inequality.<sup>49</sup> Black politics must thus actively resist the reproduction of mass incarceration and the looting of black communities by the state via the criminalization of black lives, in addition to exposing and condemning police violence. The rejection of the politics of respectability and insistence that "*all* black lives matter" by the Black Lives Matter protesters, for example, point toward a more radical critique of the carceral state that rejects the distinction between law-abiding middle-class black citizens and always-already criminalized black "thugs" in urban ghettos.

The seemingly endless litany of dead black bodies needing to be named, mourned, and remembered—Jamar Clark, Samuel Dubose, Walter Scott, Natasha McKenna, Bettie Jones, and on and on and on—coupled with hostile responses to the Black Lives Matter protests, make it difficult, if not impossible, to engage in naïve exercises of democratic hope. Indeed, one useful lesson from the backlash against the Black Lives Matter protests is the imperative to revisit arguments about black sacrifice as political exemplarity. Certain strands of fugitive black political thought can help us to theorize instead how engaging in a politics of active resistance that does not fit easily within the bounds of liberal democracy might be absolutely crucial to achieving racial justice. Perhaps, envisioning different democratic futures requires ceasing to expect black citizens to be political heroes. Taking seriously the idea of riots as a form of democratic repair for black citizens means recognizing that responsibility for racial justice does not lie primarily with those who have already suffered the lion's share of the losses inflicted by racism. In the wake of Ferguson, Baltimore, Charleston, and the numerous other instances where it has become necessary to affirm that black lives matter, even in death, black politics must move beyond peaceful acquiescence to loss. Democratic sacrifice is no longer enough.

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## Notes

1. The most comprehensive databases so far compiled of persons killed by police officers in the United States are <https://www.washingtonpost.com/graphics/national/police-shootings/> and <http://mappingpoliceviolence.org/>. The latter specifically breaks down the data on black victims.
2. Melvin Rogers, "Introduction: Disposable Lives," *Theory & Event* 17, no. 3, supplement (2014).
3. I should note that this essay is concerned with contemporary black politics in the United States. It cannot be assumed that the theoretical frames and racial dynamics present here are similar for black activism in other contexts.
4. Police officers, for example, are routinely acquitted despite evidence of use of excessive force or of unnecessary escalation of encounters. They invariably invoke pervasive images of black men as threats that are persuasive to predominantly white juries that share similar biases. When implicit bias prevents the humanity of blacks from being recognized, it is impossible to gain redress via legal means, because the judicial system reproduces and magnifies bias at every stage, from arrest, to prosecution, to sentencing.
5. See the comments by Republican ex-presidential candidate Mike Huckabee, for example: <http://www.cnn.com/2015/08/18/politics/mike-huckabee-black-lives-matter-martin-luther-king/index.html>.
6. Audre Lorde, "The Uses of Anger," in *Sister Outsider: Essays and Speeches* (Trumansburg, NY: Crossing Press, 1984). It is true that many non-black citizens have mobilized in support of the Black Lives Matter protests, but the backlash exemplified in the assertion that "all lives matter" has come mainly from white observers who reject both the movement's aims and tactics.

7. Danielle S. Allen, *Talking to Strangers: Anxieties of Citizenship after Brown v. Board of Education* (Chicago: University of Chicago Press, 2004), 22–23.
8. On the concept of a racial polity, see Charles W. Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1997).
9. See Meili Steele, “Arendt versus Ellison on Little Rock: The Role of Language in Political Judgment,” *Constellations* 9, no. 2 (2002): 186.
10. See Kathryn T. Gines, *Hannah Arendt and the Negro Question* (Bloomington, IN: Indiana University Press, 2014).
11. Hannah Arendt, “A Reply to Critics,” *Dissent* 6 (1959): 179.
12. As Jill Locke has persuasively argued, even on her own terms, Arendt’s misunderstanding of desegregation as black “social climbing” depends on ignoring the fact that segregation served to ensure white social climbing (i.e., their dominant social status). See Jill Locke, “Little Rock’s Social Question: Reading Arendt on School Desegregation and Social Climbing,” *Political Theory* 41, no. 4 (August 1, 2013): 533–61.
13. Interview with Ralph Ellison in Robert Penn Warren, *Who Speaks for the Negro?* (New Haven: Yale University Press, 1965), 342.
14. *Ibid.*, 343.
15. *Ibid.*, 341.
16. *Ibid.*, 343.
17. Allen, *Talking to Strangers*, 28–29.
18. *Ibid.*, 41.
19. *Ibid.*, 110.
20. Steven Johnson, “Two Cheers for Ferguson’s Democratic Citizens,” *Theory & Event* 17, no. 3, supplement (2014).
21. I use the term “white citizen” here in the sense in which Joel Olson defines the term. See Joel Olson, *The Abolition of White Democracy* (Minneapolis: University of Minnesota Press, 2004).
22. This was certainly the case with the backlash against Reconstruction, which manifested itself in the widespread lynching, political disenfranchisement, consolidation of Jim Crow racial segregation, and anti-immigrant sentiment that characterized “the nadir” era of U.S. race relations.
23. Olson, *The Abolition of White Democracy*, xix, xxi.
24. Arendt, for instance, viewed school desegregation mandates as an illegitimate intrusion into a zone of private liberty that white parents should have been able to enjoy.
25. Hannah Arendt, “Reflections on Little Rock,” *Dissent* 6 (1959): 50.
26. Many current members of the black political establishment who participated in the civil rights movement in the 1960s have made this critique. It was also the subtext for the description of Baltimore protesters as “thugs” by President Obama and mayor Stephanie Rawlings.
27. Brandon M. Terry, “Which Way to Memphis?: Political Theory, Narrative, and the Politics of Historical Imagination in the Civil Rights Movement” (PhD diss., Yale University, 2012), especially chapters 1, 5, and 8.

28. Allen, *Talking to Strangers*, 115.
29. *Ibid.*, 116.
30. Juliet Hooker, *Race and the Politics of Solidarity* (New York: Oxford University Press, 2009), 88.
31. Gines, *Hannah Arendt and the Negro Question*, 16–17.
32. Arendt, “A Reply to Critics,” 181.
33. Arendt, “Reflections on Little Rock,” 46.
34. Lebron, e.g., argues that shame can drive racial justice, but does not address the question of how shame is induced. See Christopher J. Lebron, *The Color of Our Shame: Race and Justice in Our Time* (Oxford, UK: Oxford University Press, 2013). For a different strategy for inducing changes in the moral orientations of white citizens, see Greta Snyder, “‘Marking Whiteness’ for Cross-Racial Solidarity,” *Du Bois Review* 12, no. 2 (Fall 2015): 297–320.
35. I use the term *solidarity* rather than empathy, because there is a difference between empathy and solidarity. To have empathy is to be able to identify with the pain or suffering of others. Solidarity, meanwhile, implies willingness to take action to resolve the harm at issue, and even being willing to give up unearned privileges in order to do so. Where racial justice is concerned, the problem is thus not simply how to generate white empathy, but rather how to engender white solidarity.
36. Poverty and mass incarceration already shape the lives of many black citizens, for example. Blacks are over-represented among the poor in the United States, and Black and Latino communities have the highest rate of mass incarceration, which suggests that the carceral state is a strategy for the reproduction of racial stratification. See Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010).
37. Cited in Gines, *Hannah Arendt and the Negro Question*, 18.
38. Dora Apel, “‘Hands up, Don’t Shoot’: Surrendering to Liberal Illusions,” *Theory & Event* 17, no. 3, supplement (2014).
39. I thank Anne Norton for pointing out this alternate reading of the gesture.
40. Similar questions can be raised about the limits of democratic dialogue, especially where race is concerned. The lionization by some citizens of white police officers who have killed unarmed black citizens, expressed, for example, in donations to legal defense funds, suggest that (contrary to what I have argued elsewhere), rather than functioning as sites for the production of political solidarity, public debates about rights in the context of high levels of white racial resentment and feelings of white victimhood, can instead have precisely the opposite effect.
41. One example of invisible state depredation of already poor black communities is seizure policies that essentially tax the families “of the incarcerated poor (mostly men) to subsidize the carceral state” and its project of “poverty governance.” See Mary Fainsod Katzenstein and Maureen R. Waller, “Taxing the Poor: Incarceration, Poverty Governance, and the Seizure of Family Resources,” *Perspectives on Politics* 13, no. 3 (2015): 638–39.

42. Angela Y. Davis, *Abolition Democracy: Beyond Empire, Prisons, and Torture/Interviews with Angela Y. Davis* (New York: Seven Stories Press, 2005), 36–37.
43. *Ibid.*, 42–43.
44. On the concept of the “epistemology of ignorance” that shapes the moral orientations of white citizens in a racial polity, see Charles W. Mills, “White Ignorance,” in *Race and Epistemologies of Ignorance*, ed. Nancy Tuana and Shannon Sullivan (Albany: State University of New York Press, 2007).
45. The latter dynamic was amply documented in the Department of Justice’s scathing report on Ferguson. See [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)
46. Black politicians have also been complicit in setting up predatory local governments that prey on poor black citizens, and black police officers have also been involved in some of the deaths that have galvanized Black Lives Matter protests. In the case of Freddie Gray, for example, three of the indicted officers were black and one was a woman, and one of the deputies who provided false testimony about how Walter Scott was killed in South Carolina was also black.
47. Cave, Damien. “Defining Baltimore: #Riot, #Uprising or #Disturbance?” *The New York Times*, April 28, 2015, <http://www.nytimes.com/live/confrontation-in-baltimore/riot-uprising-or-disturbance/>.
48. Frederick Douglass, *The Life and Times of Frederick Douglass*, 1892 ed. (Mineola, NY: Dover Publications, 2003), 69.
49. Davis, *Abolition Democracy: Beyond Empire, Prisons, and Torture/Interviews with Angela Y. Davis*, 92.

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