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On the Courtesies of Order

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> The courtesies of order, of ruly forms pursued from a heart of rage or terror or grief defame the truth of every human crisis. And that, indeed, is the plan: To defuse and to deform the motivating truth of critical human response to pain.
> —June Jordan

AT STAKE IN THIS ESSAY is the possibility of generating a deeper historical understanding of the alliances that solidify between liberal antiracist reformers and the white-supremacist authoritarian state during periods of domestic upheaval and counter-state political struggle. Following poet June Jordan's prophetic wisdom, the ensuing argument places emphasis on the processes by which the courtesies of liberal order—that is, (white) civil society's foundational principles of "peace," "legality," and "civility"—compose a matrix of racist disciplinary power that I dub *reformist policing*. By invoking this term, I am referencing a constellation of strategies, technologies, and motives that dynamically coerce insurgent forms of Black dissidence into white pacifist paradigms of political engagement. Initially formed in response to the groundswell of urban insurrections in the late-1960s, I uncover a key technology of the reformist policing process operating in the official scripts of Civil Rights reform: the contingent embrace of a "docile" Black subjectivity and politics embraced by liberals as an explicit containment strategy.

As a point of historiographic departure, we might look to Senator Robert N.C. Nix's condemnation of the 1965 Watts uprising as evincing the underlying economy of practices that drives this mode of counterinsurgency warfare:

> Mr. Speaker, despite the complexity of the circumstances, despite the admitted fact that all of us say there is some cause for unrest, I say there is no justification for murder, pillage, arson, robbery, assault, and general disregard for the constituted laws

> of the land . . . To blame the Negro leadership is a most interesting response. It is to impute to those leaders a power never possessed in history by the leaders of any people—the ability to control a mob . . . Mr. Speaker, *I categorically condemn the use of violence in any form. I completely reject the utter disobedience of proper public authority*. This sort of behavior bears no relation whatever to the civil rights struggle; its yield is only bitter fruit and ill will.[1]

To defame the everyday social truths forged in resistance to the white-supremacist state—to defuse and deform the structure of motives animating collective Black revolt—is a unique effect of the reformist policing process. Echoing the originary colonial distinction between the Savage and the Civilized, Senator Nix's assimilation of the "civil rights struggle" into the disciplinary strictures of "proper public authority" can be seen erecting moralistic barriers against insurrectionary dissent by fashioning the uprising as illegal, irresponsible, and "mob-like." This modernist split between the rational and irrational, citizen and criminal, docile and incendiary can be seen as resonating with the era's common liberal racial sensibilities in ways that reify and uniquely "dramatize" the state's posture as neutral arbiter of domestic racial crisis. This fabricated identity as postracial crisis mediator facilitates an array of tacit policing mechanisms, which, in turn, hinge on the (tentative) privileging of a pacifist, Black bourgeois subjectivity and praxis fashioned in diametric opposition to the criminalized figure of the Black insurrectionist.

The marching orders of more conservative elements in civil society also can be seen unfolding in the archive of the Watts uprising: "The United States is experiencing *a severe breakdown in respect for law and order* among students, among minority groups, among extreme right and left wing organizations" (Sen. Ichord); "Here we see armed thugs running rampant in the streets *burning*, *pillaging*, *and killing*" (Sen. Hansen); "A government of laws which has been the cornerstone of our Republic for nearly 200 years is being set aside or superseded" (Sen. Jordan); "The time is long past due when the President should make an unequivocal statement that *law and order will prevail, that the police departments of this nation will not be sacrificed to appease criminals*" (Sen. Martin).[2] In predictable fashion, conservatives in the days during and after the uprising were stirring the ideological conditions of possibility for a racist moral panic to blossom around the "threat" of insurrectionism and Black nationalist militancy.

One of the most revealing examples of this reactionary criminological tendency can be found in the statements of Senator Herman Talmadge White, a white Democrat from Georgia:

> Mr. President, the entire Nation is shocked and horrified by the racial rioting in the city of Los Angeles. In the wake of this holocaust, in which more than 30 lives have been lost and which still rages in some parts of the Los Angeles area, various and

> sundry so-called explanation and excuses have been offered by experts in the fields of law enforcement, sociology, psychology, psychiatry, urban affairs, and economics . . . Regardless of how learned the expert or how scholarly the presentation; I, for one, cannot comprehend how poverty, slum conditions, unemployment, cultural or economic need, or alleged discrimination—as deplorable as they are—can be justification for lawlessness and rioting. I, for one, Mr. president, have yet to be given an acceptable excuse for taking the law into one's own hands. In our country under the American system of government, there is no such excuse.[3]

Framing his call through the eyes of a horrified white national body approaching the visceral horizon of a subaltern "holocaust," Senator White's rhetoric arouses the affective structures of white "innocence" and "vulnerability" in the most direct and explicit of ways. Such statements lay bare the moral and cultural scripts informing a period that Dylan Rodríguez calls White Reconstruction.[4] Influenced by Barry Goldwater's presidential campaign in 1964, this ongoing period of racial reconstruction ushered in a populist embrace of law-and-order which framed urban insurrections and the growing presence of Black, Third World, and Indigenous liberation movements through the imagery of a defenseless white nation under siege. In this symbolic context, tropes such as "public safety" and "civic security" became touchstones through which mainstream white society could realize its collective identity in the midst of a looming Black and Brown "urban threat." It is here, at this critical juncture, that we see the most dramatic acceleration in the *contemporary* prison regime's cultural and institutional consolidation, as well as a fatal galvanization of the FBI/CIA counterintelligence apparatus.[5]

Yet we must also consider the often overlooked centrality of *liberal technologies of gendered-racial criminalization* within the institutionality of white-supremacist counterrevolution. As prison studies scholar Naomi Murakawa argues, white (and Black) liberal activists, politicians, and cultural workers during this period often interpreted Black revolt as the pathological cultural, psychological, and familial outgrowth of white "racial prejudice."[6] From this premise, any account of (counter)revolutionary processes in the United States that does not account for the presence of multiple and competing technologies of criminalization risks obscuring how authoritarian state dominion is impelled through a *white-supremacist law-and-order circuit*. Two ends bind this circuit together. While one end is comprised of reactionary elements interested in punishment and retribution, the other encompasses a shifting assemblage of liberal critics and tepid penal reformers whose political blunders inevitably sustain (if not refine, or at times *reinvent*) racially formed technologies of policing, criminalization, and incarceration from epoch to epoch. Emanating from the latter wing of the law-and-order circuit, we find an assortment of moral and political discourses indelibly marked by this pathologizing strategy of counterinsurgency.

As a point of cultural reference, we might turn to an editorial in the corporate liberal Time Magazine, published just days after the uprising. Titled "The Negro After Watts," the editorial declares:

> But more than ever, after the overriding duty of thinking of all human beings as individuals, the United States must look upon Negroes as divided into two groups: a prospering level, committed to integration and possessed of a stake in society; and a slum level, mired in deepening ignorance, immorality, and irresponsibility, and growingly enamored of a chauvinistic, equal-but-separate kind of segregation. This schizophrenia visibly affects Negro leadership. Understandable compassion for the poor leads even the most moderate leaders to play down Negro duties, play up white guilt; the extremists of Negro hatred get by unchided.[7]

Such were the parameters of an emergent postracialist idiom of anti-Black criminalization, formalized *not* by white conservatives masking racist statecraft with colorblind rhetoric, but through the ideological apparatuses of a burgeoning Establishment Left.

Returning to the archive of South Central insurgency, we can acknowledge that the white-supremacist state's self-endorsed paternal oversight and co-optation qua benevolent proctorship of the "civil rights struggle" entailed a simultaneous condemnation and patronizing elevation of the "responsible" (read: pacifist and male) Black Civil Rights activist: "Every responsible civil rights leader has recognized from the start that law was the foundation of the struggle for genuine equality in voting, education, housing, employment, and access to public accommodations . . . *It is that the rights of the Negro and every other American depend on respect for the law.* No free society can survive, much less perfect itself, without a full acceptance of the president's thesis that 'neither old wrongs nor new fears can ever justify arson or murder'" (Sen. Irwin); "In my opinion, Dr. King and other recognized leaders of this Nation's civil rights movement *are obligated to help quell these insurrections* which are the inevitable result of pyramiding violations of the law which have been occurring in scores of previous demonstrations" (Sen. Hansen).[8] Such persistent assignments of "responsibility" to the figure of the Black (male) Civil Rights Leader thread throughout the official record of the insurrection, and suggest the presence of an overwhelming desire on behalf of liberal officials to delineate "acceptable" from "unacceptable" Black politicality.

This resonates similarly to what Saidiya Hartman's describes as the replacement of the whip and chains with the "tethers of guilty conscience" following the nominal abolition of racial chattel slavery.[9] What Hartman is referencing here is the transfer of particular violent and terroristic structures of guilt, blame, and servility into the post-Emancipation era through the proliferation of liberal contractual-obligation based relationships. Albeit different epochs, the narratives on the Watts

uprising emanating from reformist blocs are marked by the strategic embrace of contractual obligation as a requisite measure for successful Black inclusion into the domain of "legitimate" politics. Only antiracist mobilizations operating within the parameters of the mainstream legal process constitute forms of political action capable of achieving successful integration. Those who participate in militant or insurrectionary forms of dissent are excluded from this tentatively privileged space.

Another prominent articulation of the reformist policing process can be recalled in the statements of white liberal Senator Jacob Javits. In the days following the uprising, he remarks:

> I speak today because perhaps the greatest injury suffered in the riots was the serious blow to the remarkable record of the civil rights movement—a record of order and nonviolence in the face of substantial, unbearable provocation—which has brought so much dignity, so much patriotism, and so much support to the movement.[10]

Again, it is the overwhelming concern for orderly and non-violent sectors of the Black movement that, in the last instance, serves to debase and criminalize undisciplined and "incorrigible" tendencies emanating from the underside of American civil society. However, behind the veil of his postracist patriotic cantor, the liberal Senator's emphasis on "healing" Black injury carries affective freight with historical precedent. As Asma Abbas reminds us, capitalist nation-states have historically used the discourse of wounding/healing and suffering/saving to preserve their status as sovereign entities and retain their monopoly on the legitimate use of violence.[11] She further notes how state discourses predicated on the victim-subject's perspective, "whether in hearing their voices, forcing them to speak, or speaking for them," are only humored so long as it serves to complete the *savior-subject's* knowledge, its worldview, its understanding of justice. As we see in the statements of Senator Javits and his colleagues, such benevolent narrative-strategies accumulate incredible political gravity for the reformist policing process.

To be clear, I am not dismissing Black injury, suffering, or any other variable that signifies the experience of anti-Black racial, sexual, or class violence with this critique. I also am not claiming that the circumstances driving collective revolt are anything to embellish or take lightly. What I intend to do is shift analytic priority to the techniques that antiracist reformers deploy to 1.) make sense of racial subjection and 2.) define "appropriate" Black politicality, in order to frame popular conceptions of revolt on their own assumptive premises. What we see in these statements circulating in the late-1960s, then, is *not* the mobilization of a benevolent platform of "empowerment" emerging just prior to unprecedented white racist backlash, but the emergence of a complex technology of racial crisis management, which actually *spearheaded* the era's counterrevolutionary processes. Black injury, as a discursive

object, in this case, becomes an indispensible resource for a white-supremacist state in crisis.

Reformist policing should thus be conceptualized as a multifaceted appendage of authoritarian state power that commonly mobilizes through a language at times indistinguishable from the organic grammars of "resistance." What we need to be questioning in periods of crisis and upheaval are not merely the actions of reactionary elements. In the post-Civil Rights era, it is the liberal reformist policing process that consolidates state hegemony and dramatically augments the trajectory of political and cultural movement. If we recall June Jordan's words in the epigraph: to "defuse and to deform the motivating truth of critical human response to pain," is, indeed, an exclusive function of liberal antiracist reform within the institutionality of white-supremacist counterrevolution.

Published just two years after the Watts uprising, another useful case in point can be found in the widely read Report of the National Advisory Commission on Civil Disorders (RNACCD).[12] Setting the stage for the commission's investigation, we see an unparalleled rehearsal of white-liberal compassion toward the "Negro"-turned-"racial ghetto"-problem:

> Our nation is moving toward two societies, one black, one white—separate and unequal. Reaction to last summer's disorders has quickened the movement and deepened the division . . . This deepening racial division is not inevitable. The movement apart can be reversed . . . To pursue our present course will involve the continuing polarization of the American community and, ultimately, the destruction of basic democratic values. The alternative is not blind repression or capitulation to lawlessness. It is the realization of common opportunities for all within a single society . . . It is time now to turn with all the purpose at our command to the major unfinished business of this nation. It is time to adopt strategies for action that will produce quick and visible progress. It is time to make good the promises of American democracy to all citizens—urban and rural, white and black, Spanish-surname, American Indian, and every minority group.

After performing the ethically correct gesture of acknowledging white racism as the most significant factor in establishing what it terms the "racial ghetto," the commission schematically outlines a set of theories as to why Black people were in revolt:

> The culture of poverty that results from unemployment and family breakup generates a system of ruthless, exploitative relationships within the ghetto. Prostitution, dope addiction, and crime create an environmental "jungle" characterized by personal insecurity and tension. *Children growing up under such conditions are likely participants in civil disorder* . . . As a result of slavery and long periods of unemployment, the Negro family structure had become matriarchal; the males played

> a secondary and marginal family role—one which offered little compensation for their hard and unrewarding labor. Above all, segregation denied Negroes access to good jobs and the opportunity to leave the ghetto. For them, the future seemed to lead only to a dead end. (Italics added)

Throughout the first several pages of the Report, we see a perverse, criminalizing expression of liberal moral panic proliferated through the "bad faith" heralding of legible Black suffering. This hyper-representation of a pathological suffering imposed by the "ghetto environment"—an alleged precursor to "blind repression" and "lawlessness"—situates the state's paternal duty of Black uplift as the solution to the country's devolution into chaos. It is through this appropriation and redeployment of legible Black suffering that the "vital needs of the nation" become easily conflated with the "unfinished business" of extending "the promises of American democracy to all citizens." However, this conception of pathological suffering is not only appropriated by the state in the abstract. The discourse of Black pathology completely saturates the nominative properties of those bodies proliferating in revolt. Throughout the Report, the Black insurrectionist is actually written as a body *totally outerdetermined by forces beyond its own will*.

The zealous reframing of insurrectionary or "criminal" tendencies as the result of the "Negro family structure" is a clear expression of the interrelated matrices of anti-Black racism, heteropatriarchy, and capitalism.[13] Such frameworks displace the burden of an entire set of societal problems onto the Black Female vis-à-vis the assumed sanctity of the white-patriarchal family. The absent presence of the (white) heteronormative nuclear family governs the scant representations of Black women and families in the report through the rhetoric of failure, with Black women becoming the principal source of an allegedly "incorrigible" population. This brief moment of hyper-visibility for the "failed" Black Female allows for the entire regime of Black pathology to unfold.

Studied, debated, poked and prodded, the Black insurrectionist becomes the centerpiece of an entire "compassionate" regime girded by the desire to secure (white) American futurity. Foreshadowed by the alleged "failures" of the Black Female, the insurgent figure is frozen in time and space by the so-called "culture of poverty." Discursive clusters such as "long periods of unemployment," the female-headed "family structure," "prostitution," "dope addiction," "crime," "personal insecurity and tension," "ruthless, exploitative relationships in the ghetto," and above all "slavery," all appear to coalesce around the insurgent figure to signify the pathological conditions of insurrectionary resistance. What a demystified reading of the "dead end" of the culture of poverty reveals, is how the very strategies deployed by liberals to identify the "causes" of Black subjection and civic mutiny are actually the very tools rescripting Black flesh as inherently outerdetermined subjectivity. These

circulating tropes of the Black insurrectionist are thus further naturalized in the public discourse as expressions of pathological existence. The National Advisory Commission's diagnoses of the culture of Black urban space must be understood as one example, among many others, in which the reformist policing process generates novel policing technologies that *sustain* rather than ameliorate historical regimes of anti-Black violence. Our next move is to understand how such subtle maneuvers of counterinsurgency warfare are ongoing, if not amplified, in the immediate political present.

ENDNOTES:

1. 89th Congressional Record 1st sess. (1965): Sen. Nix. No. 150, A4627, my italics.
2. Ibid, Sen. Ichord. No. 150, 19986; Sen. Hansen. No. 150, 8; Sen. Jordan. No. 150, 20407; Martin. No. 150, A4627, italics added.
3. Ibid, Sen. White. No. 150, 19760.
4. Dylan Rodrígíuez. Forced Passages: Imprisoned Radical Intellectuals and the US Prison Regime. Minneapolis: University of Minnesota Press, 2006. Also see "Goldwater's Left Hand: Post-raciality and the Roots of the Post-Racial Racist State." Cultural Dynamics 26:1 (2014).
5. Ward Churchill and Jim Vander Wall. Agents of Repression: the FBI's Secret War against the Black Panther Party and the American Indian Movement. Boston: South End Press, 1988.
6. Naomi Murakawa. The First Civil Right: How Liberals Built Prison America. New York: Oxford University Press, 2014.
7. Editorial. "The Negro After Watts" Time Magazine (August 27, 1965)
8. 89th Congressional Record 1st sess. (1965): Sen. Irwin. No. 150, A4855; Sen. Hansen. No. 150, 19758, italics added.
9. Saidiya V. Hartman. Scenes of Subjection: Terror, Slavery, and Self-making in Nineteenth-century America. New York: Oxford University Press, 1997.
10. 89th Congressional Record 1st sess. (1965): Sen. Javits. No. 150, 19842.
11. Asma Abbas. Liberalism and Human Suffering: Materialist Reflections on Politics, Ethics, and Aesthetics. New York: Palgrave Macmillan, 2010.
12. Report of the National Advisory Commission on Civil Disorder. New York: Bantam Books, 1968. (All italicized text in the quoted passages are added.)
13. See Angela Y. Davis's Women, Race, Class. New York: Vintage Books, 1983, as well as Hortense Spiller's "Mama's Baby, Papa's Maybe: An American Grammar Book." *diacritics* (1987): 65-81. For an analysis of the gendered construction of the Black insurgent see Joy James' "Framing the Panther: Assata Shakur and Black Female Agency." In Want to Start a Revolution?, edited by Dayo Gore, Jeanne Theoharis, & Komozi Woodward, 138-160. New York: New York University Press, 2009. Also see Kara Keeling's "'We'll Just Have to Get Guns and Be Men": The Cinematic Appearance of Black Revolutionary Women." In The Witch's Flight: The Cinematic, the Black Femme, and the Image of Common Sense, 68-94. Durham; London: Duke University Press, 2007.