Charles Mudede

White Knee, Black Neck

What Do the Police Do?

Let's begin with the police. What is it exactly that these armed men and women do for a living? They protect the rights of property ownership. All else follows from this primary objective. Even the eighteenth-century moral philosopher Adam Smith was aware of the key police function. In *The Wealth of Nations*, the first systematic defense of ownership (capitalist) society, he wrote:

> For one very rich man there must be at least five hundred poor, and the affluence of the few supposes the indigence of the many. The affluence of the rich excites the indignation of the poor, who are often both driven by want, and prompted by envy, to invade his possessions. It is only under the shelter of the civil magistrate that the owner of that valuable property, which is acquired by the labour of many years, or perhaps of many successive generations, can sleep a single night in security. He is at all times surrounded by unknown enemies, whom, though he never provoked, he can never appease, and from whose injustice he can be protected only by the powerful arm of the civil magistrate continually held up to chastise it. The acquisition of valuable and extensive property, therefore, necessarily requires the establishment of civil government. Where there is no property, or at least none that exceeds the value of two or three days' labour, civil government is not so necessary.[1]

And there you have it. Smith stated, as plainly as possible (and without even a sense of scandal or embarrassment), that the function of law enforcement in a market-based society is to protect the order of property ownership.[2]

The Penal Population

If we begin with this understanding, that police protect property and their owners, we can expect this to be its primary consequence: those who have very little property in a community are bound to experience a frequency of bad encounters with law enforcement that is much higher than those who have a lot of property. And so it is. What we find in the US, the world's top ownership society for the past hundred years, is a vast jail, prison, and parole system filled with men and women who do not own much of anything. From this fact, which links poverty to the business of policing, we also find an explanation for the overrepresentation of black Americans (who make up about 13 percent of the general population) in the US's state prisons (they make up 40 percent of the penal

CHAZ, June 20, 2020. Photo: Charles Mudede.

population).

The Logic of Ownership Society

After the abolition of slavery in the US, blacks received no compensation from ownership society because they did not lose any property. They were indeed the property that was lost. This outcome, no compensation for slaves, can only make sense in a society that has sacralized property rights. Soon after the Haitian Revolution ended in 1804, for example, the former slaves were forced into debt by their former owners. The black nation had to pay France 90 million francs (or $21 billion USD in today's money). This debt was not repaid until 1947. The Haitian slave revolt, the struggle for freedom, violated a property contract. The same is true of the Emancipation Proclamation of 1863 that freed slaves in the US. This violation of a contract explains, in part, the US's refusal to come anywhere close to adequately compensating black Americans for over 250 years of slavery. What is to be compensated?

To make this manner of reasoning a little more obvious, one only has to consider the reparations to Japanese Americans for internment during much of World War II. The award came late for sure (1988), but it was always politically feasible because many in this group lost property when they were forced to relocate to concentration camps in 1942. Much of this property was never returned after the war. The US government had to finally recognize the racial grievance of the internment because it contained a large number of property grievances. An official apology was offered for the state's brazen racism; and, in recognition of lost property and revenue, $1.6 billion worth of checks were sent to those who had been interned and their heirs.

The Black History of a Bad Check

What we find in the years that followed the Emancipation Proclamation are a series of bad checks sent from the state to black Americans. By 1963, the March on Washington (or the Freedom March) made the then most recent of these bad checks (the postwar Keynesian check that was good for the whites who swelled the middle of the US's social hierarchy) the prime issue of the event. In the words of the march's main speaker, the theologian Martin Luther King, Jr.: "America has given the Negro people a bad check, a check which has come back marked 'insufficient funds.'" It is not an accident that King associated American freedom with American money, which offers the means to own what the police officers are hired to protect: property. "We refuse to believe that the bank of justice is bankrupt," stated King. "We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. And so, we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice."[3] This check has yet to not bounce.

The Punitive Turn

Six years after the March on Washington, the US government began channeling surplus black labor into an expanding prison system. The sociologist Bruce Western described this switch point in his 2006 book *Punishment and Inequality in America* as the US's "punitive turn."[4] Mass incarceration had a definite Keynesian function in the sense that it provided the government with an investment opportunity that would not be opposed by the right, whose economic program was, at the time (the late 1960s and early 1970s), making a return after thirty years in the wilderness. It was understood that the government's demand function could not be aborted at this point. This would have resulted in mass unemployment and a return of the political turbulence that nearly toppled ownership society during the Red Decade (the 1930s). The Keynesian demand function was instead repurposed. Western writes: "Prison construction became an instrument for regional development as small towns lobbied for construction facilities and resisted prison closure." Three decades after the punitive turn, "over a million black children – 9 percent of those under 18 – had a father in jail."[5]

Invisible Men and Women

This massive program of incarceration had another Keynesian function: it made many jobless men and women invisible. We can describe this disappearing act as Keynesian because it helped the government maintain its thirty-year commitment to full employment (the solution to the class conflicts of the Red Decade). A grasp of this development is improved by the recognition of black exclusion from the middle class that ballooned during the course of the long boom (1947 to 1970). What happened to them? Black Americans kept pressing for their check – full employment, job security, health insurance, and high wages – to be cleared. But in the end, the only significant Keynesian program the state granted the descendants of slaves was joblessness in the form of mass incarceration, which, as Bruce Western points out, removed a large amount of unemployment from the books and made full employment possible in a period that experienced a decline in the rate of capital accumulation (the 1970s). Western writes: "Prison and jail inmates are invisible in the official labor statistics that describe the

economic well-being of the population."[6] Western estimates that the jobless rate for blacks in the US would go up by as much as 10 percent if the prison population was included in national accounts.

The Pacification of White Labor

What is poorly understood by most Americans is that the Golden Age of Capitalism (or what the French call Les Trente Glorieuses) was at once a period of full employment and intense labor turbulence. Mainstream history, even on the left (Robert Reich, Nick Hanauer, Paul Krugman, and the like), tends to portray it as a period of peace between labor and capital. Wages were high, as was the rate of capital accumulation. It was a win-win situation that was unwisely destroyed in 1980 by the Volcker Shock, which crushed union power, and the subsequent deregulation of financial markets. But the high wages of the Golden Age were tied to labor/capital contracts that put a lid on radical labor activism and diminished the power of unions. This was the consequence of the Taft–Hartley Act in 1947 and the Treaty of Detroit in 1950. The act and treaty were the two blades of a scissor that worked to cut the sinews of labor's greatest strength: grassroots activism. It also pacified much of white labor.

El Nuevo Rodeo

At this point, let's consider the police officer who used his knee to murder George Floyd. Derek Chauvin's income as a servant for the rights of property apparently did not make ends meet. He moonlighted as a bouncer for a popular Minneapolis Mexican-American music venue called El Nuevo Rodeo. He, as with millions of other middle-class white Americans, earned less than the socially necessary income to maintain a middle-class standard of life. If the Keynesian response to black unemployment was mass incarceration, its response to a white middle-class accustomed to high wages in a period of flat-to-declining real wages was what the sociologist Lisa Adkins calls in her 2019 book *The Time of Money* the "financialization of everyday life."[7] As borrowing fueled middle-class consumption, hard cash, which was harder and harder to obtain, became increasingly valuable. If Officer Chauvin's position was similar to that of millions of Americans in the middle class, then he needed not more credit, but more cash. This difficult state of affairs can be explained by the transference of national deficit spending on the maintenance of a socially approved standard of

Capital Hill Autonomous Zone, June 20, 2020. Photo: Jasmyne Keimig.

American life to the realm of domestic deficit spending. This transference had the advantage of maintaining the Keynesian demand function as government budgets contracted.

The Corner of 38th and Chicago Avenue

And yet, a large section of white America was surprised to see, on Memorial Day, in the middle of a pandemic, the knee of a white police officer choking the life out of a black American man, pinned to a Minneapolis street. It seemed not to make any sense to them. Why would a police officer do such a thing? But if we fix the frame of Adam Smith's understanding of the police function on the incident, little about it will seem that out of place. The black man in question has very little property (he's unemployed at the time of his death; and when employed, he was a bouncer at El Nuevo Rodeo[8] – the lockdown closed the venue). In fact, Floyd, who, like 15 percent of all black males alive today, had spent time in prison, and who also tested positive for Covid-19[9] on April 4, 2020, was accused of having used a fake twenty-dollar bill to buy cigarettes from a store, Cup Foods, on the corner of 38th and Chicago Avenue. This was the beginning of the end for him – the possible loss of twenty dollars and the possession of a packet of cigarettes that he may not have had the right to own.

As for the white man whose knee is on Floyd's neck, he has a job to do: to serve and protect the rights of property ownership. And here (as the knee presses on Floyd's neck), we can draw a conclusion from an insight that Karl Marx made in a number of his books, and which, in a sense, extended Hegel's theory of recognition (the slave sees their value in things). In Marx's view, under a property regime, a society that has sacralized possessions, we find that people have been replaced in importance by things. This means that objects (or commodities) mediate our relations with other humans.[10] This is what being in a commodity society comes down to. The police in such a regime, then, do not serve and protect people, but things.

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1
Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Thomas Nelson, 1843), 297. Available at Google Books https://www.google.com/books/edition/An_Inquiry_Into_the_Nature_and_Causes_of/8k_K8rf2fnUC?hl=en&gbpv=0.

2
The murder of George Floyd on May 25, 2020 ignited Black Lives Matter protests in Seattle on May, 29, 2020. The center of these protests was the intersection of 11th Avenue and East Pine Street, which is a block from Seattle Police Department's East Precinct. After clashing with protesters for a week, the SPD abandoned the East Precinct building. On June 9, 2020, the protestors declared the station and the superblock west of it an autonomous zone. Art has flourished there ever since.

3
Rev. Dr. Martin Luther King, Jr., "I Have a Dream," August 28, 1963.

4
Thomas Piketty writes: "The role of historical research is precisely to demonstrate the existence of alternatives and switch points and to show how choices are conditioned by the political and ideological balance of power among contending groups." Piketty, *Capital and Ideology* (Harvard University Press, 2019), 516.

5
Bruce Western, *Punishment and Inequality in America* (Russell Sage Foundation, 2006), 5.

6
Western, *Punishment and Inequality*, 95.

7
Adkins writes that the "feature of money as a commodity in present-day finance-led capitalism that distinguishes it from previous moments is that it is pervasive. Money as a commodity does not operate as such only in regard to specialist sites or specific kinds of exchanges but is omnipresent in everyday life." Adkins, *The Time of Money* (Stanford University Press, 2018), 63.

8
What to make of this? The live music venue El Nuevo Rodeo, which was destroyed by fire during the second night of demonstrations that followed Floyd's murder on May 25, was located near Minneapolis's Third Police Precinct, which employed Officer Chauvin and which was also destroyed by fire on the second night of the demonstrations. Did Chauvin not know Floyd? How could they have missed each other? Chauvin is said to have spent seventeen years as an off-duty officer for El Nuevo Rodeo. Floyd is said to have also spent a long stretch of time at this business. The owner knew both of them. Did the white officer know he was killing a coworker? Could he not see him as a fellow bouncer at a music venue? Or could he only see a black man, which meant: a man with no property? Indeed, if we were to walk through the mirror of Floyd's murder, we might enter something like that brutal beating scene in Ralph Ellison's *Invisible Man*: "One night I accidentally bumped into a man, and perhaps because of the near darkness he saw me and called me an insulting name. I sprang at him, seizing his coat lapels and demanded that he apologize. He was a tall blonde man, and as my face came close to his he looked insolently out of his blue eyes and cursed me, his breath hot in my face as he struggled. I pulled his chin down upon the crown of my head, butting him as I had seen the West Indians do, and I felt his flesh tear and the blood gush out, and I yelled, 'Apologize! Apologize!' But he continued to curse and struggle, and I butted him again and again until he went down heavily, on his knees, profusely bleeding. I kicked him repeatedly, in a frenzy because he still uttered insults though his lips were frothy with blood. Oh yes, I kicked him! And in my outrage I got out my knife and prepared to slit his throat, right there beneath the lamplight in the deserted street, holding him in the collar with one hand, and opening the knife with my teeth – when it occurred to me that the man had not seen me, actually; that he, as far as he knew, was in the midst of a walking nightmare!" The white man lived and appeared in a newspaper the following day under the caption "mugged." Ellison, *Invisible Man* (Vintage Books, 1995), 4.

9
The Guardian reports that one in two thousand of all black Americans have died from Covid-19. This piece of information reveals the real dangers blacks face in the present sequence of Black Lives Matter protests. On one side: anger, grief, voices must be made public, must be heard; and on the other: this political necessity, which cannot be expressed in a way that meets the safety standards of social distancing, will likely have lethal consequences for the black community. Once again, black America is between the devil and the deep blue sea. See Ed Pilkington, "Black Americans Dying of Covid-19 at Three Times the Rate of White People," *The Guardian*, May 20, 2020 https://www.theguardian.com/world/2020/may/20/black-americans-death-rate-covid-19-coronavirus.

10
When on March 20, Texas's lieutenant governor, Dan Patrick, implored old Americans to sacrifice their lives for the economy, it caused a huge scandal. *Newsweek*'s headline was typical: "GOP Lieutenant Governor Faces Backlash for Saying Grandparents Don't Want to Sacrifice the Economy for Coronavirus Isolation" https://www.newsweek.com/gop-lieutenant-governor-faces-backlash-saying-grandparents-dont-want-sacrifice-economy-1493883. But only a month later, Georgia, Florida, and Texas were reopening their economies despite the pandemic. A few weeks after that, almost all of America had come to terms with Dan Patrick's realism, capitalist realism (there is no alternative). My feeling is that a large part of the present Black Lives Matter protest is charged by the horror of this realization: life (white or black) in America is actually less important than the maintenance of the economy, which is structured to preserve and protect property, things. Those in power thought that Americans would just automatically accept necroeconomics (a term I borrow from Achille Mbembe's necropolitics), despite all of the polling data that clearly showed most Americans were deeply concerned about reopening in the middle of a public health crisis. The compounding of this horror (submit to necroeconomics) with the horror of George Floyd's knee-choked face was enough to send a large part of the US over the deep end. See Charles Mudede, "Re-opening Businesses During a Pandemic Shows We Are Entering the Age of Necro-Economics," *The Stranger*, April 23, 2020 https://www.thestranger.com/slog/2020/04/23/43483552/re-opening-businesses-during-a-pandemic-shows-we-are-entering-the-age-of-necro-economics.