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**Black Lives Matter Then and Now**

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The murder of George Floyd illustrates the problem of police brutality and abuse, which have a long history and legacy going back to slavery and the policing of slave plantations with white vigilantes, who were mostly poor lower-class individuals. The modern policing system in the United States originated from the slave patrol intended to recapture runaway slaves. In other words, there exist a historic relationship between policing the American slave plantations and policing the black cities of America today. Police violence is the legacies of slavery, Jim Crow, and American racism. Historically, police violence was rooted in the slave plantation patrollers, where the belief existed that the black man could not control his sexuality, and thus was a threat to white women; therefore, violence had to be used to control the monster within because black lives simply did not matter then and do not matter now. There is a psychological foundation for the justification of slavery in America and the racism that followed.

During slavery, the slave masters had a vested interest in their enslaved Africans, in that, their wealth was based on the exploitation of slave labor. Slavery was a system of forced labor. To make this system work, slaveholders had to keep slaves firmly under control. Some slaveholders used harsh punishments—beating, whipping, branding, and other forms of torture—to maintain that control. After slavery, the white power structure no longer had a vested interest in preserving the well-being of their former human property, but now used Jim Crow and racist laws to maintain a similar relationship with former slaves. The legal structure then turned to the law to maintain blacks in a state of servitude with the purpose of the exploitation of cheap black labor. Using institutionalized racism to maintain what they lost with the emancipation of African Americans. Let us begin this essay with a brief history of this “special” relationship as background for understanding how the slave patrols gave rise to the police patrols.

**The Slave Patrols**

Policing in southern slave-holding states had roots in slave patrols, squadrons made up of white volunteers empowered to use vigilante tactics to enforce laws related to slavery. These vigilantes were self-appointed law enforcers, who located and returned enslaved people who had escaped, and crushed uprisings led by enslaved people and punished enslaved workers found or believed to have violated plantation rules such as leaving the plantation without a written note from a white person saying that one had permission to leave. The first slave patrols arose in South Carolina in the early 1700s. By the time John Adams became the second U.S. president, every slave state had slave patrols. This was the beginning and origin of policing in America. Members of slave patrols could forcefully enter anyone’s home, regardless of their race or ethnicity, based on suspicions that they were sheltering people who had escaped bondage.

The more commonly known precursors to modern law enforcement were centralized municipal police departments that began to form in the early 19th century, beginning in Boston

and soon cropping up in New York City, Albany, Chicago, Philadelphia, and elsewhere. The first police forces were mostly white, male, and more focused on responding to disorder than crime and controlling the black neighborhoods.

Police officers were expected to control the terrifying African Americans, immigrants, and the poor. Police corruption and violence – particularly against vulnerable people – were commonplace during the early 1900s. Through the early 20th century, there were few standards for hiring or training of officers. This situation still exists in the hiring and training of police officers throughout America today. Little education is required to be a cop. For example, one of the police officers, who was fired in the George Floyd episode, the last job he had was flipping burgers at McDonald's. In today's policing there is a lack of adequate training, a lack of nonwhite officers, and the few African Americans who joined police forces are often assigned to black neighborhoods and faced discrimination on the job.

### **Jim Crow Laws**

The purpose of the Jim Crow laws was to segregate and disenfranchise black Americans. The Jim Crow system, which was a racial caste class, was a series of immutable anti-black laws that mainly deprived African Americans the right to suffrage. Jim Crow laws were state and local laws that enforced racial segregation in the Southern United States. But de facto racial segregation also existed in northern states because of restrictive covenant laws preventing blacks from obtaining housing loans and living in white communities. All Jim Crow laws were enacted in the late 19th and early 20th centuries by white Democratic-dominated state legislatures to disenfranchise and remove political and economic gains made by blacks during the Reconstruction period. The Jim Crow laws were enforced until 1965. In practice, Jim Crow laws mandated racial segregation in all public facilities in the former Confederate States of America and other states, starting in the 1870s and 1880s. Jim Crow laws were upheld in 1896 in the case of *Plessy vs. Ferguson*, in which the U.S. Supreme Court laid out its "separate but equal" legal doctrine for facilities for African Americans. Moreover, public education had essentially been segregated since its establishment in the South after the Civil War (1861–65).

Slave patrols formally dissolved after the Civil War ended. But formerly enslaved people saw little relief from racist government policies as they promptly became subject to the Black Codes. The Black Codes sometimes called Black Laws were laws that governed the conduct of African Americans. The best known of them were passed in 1865 and 1866 by Southern states, after the American Civil War, to restrict African Americans' freedom, and to compel them to work for low wages. For the next three years, these new laws specified how, when, and where African Americans could work, and how much they would be paid. They also restricted black voting rights, dictated how and where African Americans could travel, and limited where they could live. The ratification of the 14th Amendment in 1868 quickly made the Black Codes illegal by giving formerly enslaved blacks equal protection of laws through the Constitution. But within two decades, Jim Crow laws aimed at subjugating African Americans and denying their civil rights were enacted across southern and some northern states, replacing the Black Codes.

For about 80 years, Jim Crow laws mandated separate public spaces for blacks and whites, such as schools, libraries, water fountains, and restaurants. The enforcement of such mandatory segregation of public spaces, backed by Jim Crow laws, was part of the police's job. I remember visiting my grandfather Simon in Colfax, Louisiana in 1960, and attending a segregated school, and my grandfather was so fearful that coming from Los Angeles, California that we would violate the social norms and would be subject to police brutality and the KKK. I asked the question "will

not the police protect us?” and he explained that the authorities would punish us because the KKK and the police were the same and that the KKK now do the job of the old slave patrols. My grandfather Simon’s father was born a slave, and my grandfather was born after slavery in the 1870s, and memory of the KKK patrollers were still vivid.

### **The Legacy of Slavery, Jim Crow and Racism**

The murder of George Floyd by a white police officer being pinned down with a knee on his neck as three other officers placed their knees on his body. His death brought back some painful memories from my childhood. I grew up in Aliso Village, an enclave of African Americans in the heart of Boyle Heights area of East Los Angeles, surrounded by the Hispanic community. On the Big Lawn, I saw a young black man named Briggs, who was shot dead on the suspicion that he had committed a crime. His only crime was being Black. While he lied dying on the ground, he was hand cupped. The white officer who murdered him received a promotion. At the Hollenbeck Police Station, every time a police officer killed someone they were promoted as a reward.

I witnessed institutionalized racism, police violence, and brutality almost daily in the housing project of Aliso Village. It was the 1970s, when the police shot and killed Fred Shorts. This incident stayed with me all my life. Fred Shorts was running, and the police officer asked him to stop. He did as the officer commanded. His shirt was open so that the officer could see that he did not have a gun as the officer claimed he did. He purposely was holding his hands open where the officer could see. While he was holding his hands out to the side, the officer took aimed and shot him at point-blank. He [Shorts] then said: “You shot me in the stomach”, he then fell to the ground holding his stomach, and he said: “Please officer call an ambulance because I’m hurting.” As Fred lied dying the police officer walked over and pulled out a throwaway gun from his boot, held it up to the crowd, and said this is why he was shot. Fred Shorts was only sixteen and, as he was dying, cried out for his mother. Seeing George Floyd dying and calling out for his mother brought back these painful memories of Fred Shorts dying on the big lawn without the police calling for an ambulance. Fred died for no reason of his own. The only reason why Fred died was that he was black. My brother Carlos and his friends John Singleton and Rudolph Hudson seeing their friend dying on the ground tried to help him, but they were beaten by the police without any provocation, and then arrested. Their friend Fred Shorts was dead, and his family and the community cried out for justice. But lady justice was blind to the plight of African Americans. Besides the death of Fred Shorts in Aliso Village, there had been a total of twelve other people shot and killed in Aliso Village by members of the Hollenbeck Police Department.

Something had to be done about all these police killings in Aliso Village. I organized a protest calling for justice for Freddie Shorts. On my way to the Hollenbeck Police Station, I was followed by the police and then threatened by them. They told me that fighting for justice for Fred Shorts that I was playing a dangerous game for standing up for him and if I did not stop protesting, I could end up like Fred Shorts. Needless to say, the protest continued. The police department protected them with their internal investigation. In other words, the police oversaw investigating themselves. This amounted to the fox guarding the chicken coop. The problem with policing in Los Angeles was that Chief Parker only recruited from the Deep South, and they brought all their southern bias to Los Angeles. Most officers came from outside the communities they served and as a result, they did not have any vested interest in the communities they were policing. This problem is endemic throughout the United States. One of the important issues is that police departments need to hire and train people from the communities they will be serving.

Over 1,038 African Americans have been shot and killed by the police in the past year. For the past five decades, the federal government has forbidden the use of racist regulations at the state and local level. Yet, people of color are still more likely to be killed by the police than whites. In 2015, according to the *Washington Post*, there were more than 5,000 African American killed by the police. The *Washington Post* tracks the number of Americans killed by the police by race, gender, and other characteristics. The newspaper's database indicates that 229 out of 992 of those who died that way in 2018, 23% of the total, were black, even though African Americans were only about 13% of the American population.

Policing institutional racism of decades and centuries ago still matters because the philosophy of the policing culture has not changed. Most police departments send their cadets to Israel for training. They come back to the U.S. with a similar bias that Israel have toward the Arabs in Palestine. For many African Americans, law enforcement represents a legacy of reinforced inequality in the justice system and resistance to advancement – even under pressure from the civil rights movement and its legacy. In addition, the police disproportionately target black drivers. When a Stanford University research team analyzed data collected between 2011 and 2017 from nearly 100 million traffic stops to look for evidence of systemic racial profiling, they found that black drivers were more likely to be pulled over and to have their cars searched than white drivers. They also found that the percentage of black drivers being stopped by police dropped after dark when a driver's complexion is harder to see from outside the vehicle. From 2002 through to 2013, Michael Bloomberg, the mayor of New York City ended the 'stop-and-frisk' policy, in which police officers stopped and searched millions of Black and Hispanic New Yorkers, who have not committed a crime.

This persistent disparity in policing is disappointing because of progress in other regards. There is a greater understanding within the police that brutality, particularly lethal force, leads to public mistrust, and police forces are becoming more diverse. What's more, college students majoring in criminal justice who plan to become future law enforcement officers now frequently take "diversity in criminal justice" courses. This relatively new curriculum is designed to, among other things, make future police professionals more aware of their own biases and those of others. In my view, what these students learn in these classes will make them more attuned to the communities they serve once they enter the workforce.

Besides, law enforcement officers and leaders are being trained to recognize and minimize their own biases in New York City and other places where people of color are disproportionately stopped by the authorities and arrested. But the persistence of racially biased policing means that unless American policing reckons with its racist slavery and Jim Crow roots, it is likely to keep repeating mistakes of the past. This will hinder police from fully serving and protecting the minority communities because its main purpose has been to protect the rich from the poor and thus maintain the status quo.

Recently there have been numerous incidents of increased police violence against black citizens. Therefore an abbreviated history of police officers killing black people is in order starting with Trayvon Martin, a Black teenager, who was shot dead in 2012 not by a working police officer, but by civilian want-to-be cop George Zimmerman, a volunteer neighborhood watchman. In Los Angeles, Ezell Ford Jr. suffering from mental illness was shot dead by the police in 2014, shortly after the police killing of Michael Brown in Ferguson, Missouri by a white officer. Dontre Hamilton, 31 was fatally shot 14 times by a police officer in a Milwaukee park on July 17, 2014. On August 12, Dante Parker from Victorville, California, a 36-year old father of five died in police custody after being repeatedly stunned by a Taser.

On November 20, 2014, Tanisha Anderson, 37 died after Cleveland officer slammed her head on the pavement. Akai Gurley was killed by police in Brooklyn, New York. He was not armed. On November 22, 2014, Tamir Rice, a 12-year old African American boy, was killed in Cleveland, Ohio by Timothy Loehmann, a 26-year-old police officer. Tamir Rice was carrying a replica toy Airsoft gun; Loehmann shot him almost immediately after arriving on the scene. The standard justification given by the police was that they felt that their life was in danger. In 2014, seventeen-year-old Laquan was holding a knife as he walked down a Chicago street. A black man with a knife was seen as dangerous, even though he was not threatening anyone. He was shot dead on the spot. John Crawford 22 was shot and killed by a police officer. He was holding a toy BB gun at a Walmart in Beavercreek, Ohio. The officers involved were not charged.

On March 6, 2015, Tony Robinson in Madison Wisconsin was shot and killed by police that was responding to reports of someone disrupting traffic. On March 31, 2015, Phillip White in Vineland, New Jersey died while in police custody. In 2015, Redel Jones was shot dead in an alley by the Los Angeles Police, and Kenney Watkins was killed by L.A. police the same year. On April 2, 2015, in Tulsa, Oklahoma was shot and killed by a 73-year-old reserve deputy officer, who mistook his gun for a taser. Also, on April 8, 2015, in North Carolina Walter Scott was shot dead by a police officer for running away from a traffic stop for having a broken taillight. Freddie Gray on April 19, 2015, died of a spinal injury after he was arrested by the Baltimore police.

In 2016, Michelle Shirley who suffered from mental illness was shot to death by Torrance police on March 13. In Louisville Ky., police murdered Breonna Taylor, who was shot times by police officers as she lay in her bed sleeping. They entered her apartment on a no-knock warrant. On Feb 23, Former Glynn County, Ga. Police officer Gregory McMichael helped corner Ahmaud Arbery. Ahmaud Arbery was jogging and three white vigilantes decided that they wanted to make a citizen arrest. He was hit with the truck, chased down, and shot three times with a shotgun. He died on the spot. These three white men felt justified as self-appointed law enforcers without any legal authority to take the life of Ahmaud Arbery. One could argue that this kind of behavior is seen as white privilege. There is a historical continuum connecting this incident to the very first slave patrols.

Botham Jean, like Breonna Taylor, was relaxing in his apartment and was murdered by an off-duty officer, who thought that she was encountering an intruder in her apartment which was on the second floor. After a night of drinking, she had mistaken the third floor for her second-floor apartment and shot through the door killing Botham Jean. This killing of Botham Jean reminded me of an incident in 2018 in Sacramento, California where police chased down Stephon Clark and shot him dead in his grandmother's backyard. They said he had a gun. The officers mistook his cell phone for a gun and that was the reason he was killed.

Before I had completed this essay news of another black death at the hands of white police officers surfaced. Elijah McClain on August 24, 2019 while he was walking home from the store going toward his home encountered police who said he look suspicious. He was choked unconscious and died three days later from a brain injury. As I was trying to get over watching George Floyd die on television. On June 13, 2020 twenty-seven-year-old Rayshard Brooks who was sleeping in his car was shot and killed by white police officers. One can argue that "I can't breathe" movement started with Eric Garner whose only crime was that he was selling cigarettes. There was no excuse for arresting and killing with a deadly chokehold over a few cigarettes.

One must ask the question of what is the price of black lives, and do black lives matter? The straw that broke the camel's back was the murder of George Floyd, which was televised and seen all over the world as the world protested this in justice. Astonishingly, the police chiefs and

the mayors and many law enforcement leaders described it as murder. We watched the officer place his knee on his neck for almost nine minutes as George Floyd begged for his life. Watching this event playing out on television made me sick to my stomach. What I saw was a modern-day lynching. George Floyd's violent death reflects brutal American legacy of racism and Jim Crow-like behavior. As George Floyd lied dying calling for his dead mother brought me back to the 1970s where I witnessed the death of Fred Shorts as he lied dying on the big lawn calling for his mother, he was only sixteen years old. George Floyd's death witnessed by the world, and people were protesting in France, Germany, England, South Africa, Ghana, and Brazil to name a few. The deaths of George Floyd, Jamar Clark, Philando Castile, Trayvon Martin, Ahmaud Arbery, Ezell Ford, and Michael Brown were heard around the world.

The Black Lives Matter movement brought me back to Fred Shorts because his life also mattered. George Floyd's death has given voice to the voiceless. America is now at a crossroads of change. This is a moment that is part of the new civil rights movement. We must take the opportunity to address the American problems of racism and social justice. These black lives matter then and now. How do we address the policing situation in the United States? The system of white supremacy enforced and protected by the American police was not built in a day, and it will not be dismantled in a day because Rome was not built in a day. The question is what are we prepared to do to make the world safer for Black people in America?

Here are some ideas: Policing in the United States needs to be restructured using a new model that reflects the participation of the communities that they served. We need to have a board make up of community leaders who know the needs of their communities. The new model of policing also needs to focus on training and the psychological profile of a potential candidate. The average training an officer receives regarding conflict is two weeks and the five months on the use of arms. Future police officers should be hired from their communities; the police departments should be demilitarized and retrained in how to deescalate; police departments throughout the United States need to police officers.

The departments need to be defunded, and those funds should be made available for community developmental and social programs to address issues of homelessness, mental health, job development, and medical care. Defunding the police does not mean doing away with police departments, but rethinking policing. There should be separate departments dealing with mental illness issues and disabilities. You cannot have police demanding that you follow the verbal command if the person is deaf. Several deaf individuals have been shot and killed for not following a police verbal command. Departments should stop recruiting police officers from the military. Statistics show that they are most likely to use deadly force than others. Police departments need to transition to Public Safety Departments, and they should have training or degrees in sociology.

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