

WHY THE ANTI-POLICE PROTESTS ALL OVER FRANCE?

We can't breathe either

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This hostility to criticism also extends to resisting any external body that could control their actions. Independent authorities such as the National Security Ethics Committee (CNDS), and later the Defender of Rights and the Controller-General for Places of Deprivation of Liberty have had to fight constantly to fulfil their remit, which always ends up being diluted. This is also true of the justice system, which is uncomfortable judging police actions when magistrates depend on them to function day to day. And although feared by police officers, the Inspector-General of the National Police (IGPN) seems much more inclined to punish internal breaches of the rules than pursue external accusations. IGPN commissioner Brigitte Jullien acknowledged that of the 378 cases connected to the gilets jaunes movement they pursued, just two resulted in proposed administrative sanctions (*Envoyé spécial*, France 2, 11 June 2020).

The combination of institutional autonomy and the central role given to the police in the regulation of social order has transformed the relationship between them and the rest of society. Given the difficult situations they encounter professionally (accidents, violence, conflicts, poverty), police officers often develop a pessimistic view of society; a similar response has been identified among firefighters. This is combined with negative images of the people they refer to as their 'clients', a clue to the origins of police racism. A minority of officers are ideologically racist, and there is a tolerance in the force for their opinions and attitudes. But for many, it is the rough daily encounters with people in working-class areas – where a significant number come from ethnic minorities or are migrants – which shape the racist stereotypes that they later apply to whole communities.

Files on a third of the population

For around 30 years, the widening spectrum of police action has also added to the groups they regard with suspicion. There is evidence of this in the TAJ files (a police security database), in which police and gendarmes register suspects, not the convicted, who have 'serious or consistent signs that make it likely that they may have participated as authors or accomplices in the commission of a crime, misdemeanour or class 5 offence' – the files give no indication of the legal proceedings that may follow. In November 2018 there were TAJ files on 18.9 million people in France, nearly 30% of the population, so it's unsurprising that the French police seem the least trusting of their fellow citizens in Europe.⁶

Encouraged by politicians and their own senior officers to see themselves as a last bulwark against chaos, the police now no longer balk at regularly using techniques previously reserved for the most hardened criminals: Cédric Chouviat, a delivery driver, died after being put in a chokehold; Steve Maia Caniço was pushed into the Loire during a police raid, and drowned; Flash-Balls have been used extensively against the gilets jaunes and pension reform protestors; high school students have been humiliated (such as those at Mantes-la-Jolie, made to kneel with their hands behind their heads in December 2018), as have feminists and people detained during the pandemic.

All this undermines the foundations of police authority. The secretary-general of the union Unité SGP Police, Yves Lefebvre, recently regretted chokeholds being 'used more and more because more and more people try to escape police checks' (*Libération*, 8 June 2020). He unwittingly raised a central question: why obey the police? The answer is simple: the degree to which an institution is obeyed is in proportion to its perceived legitimacy. Legitimacy is never a given. As the criminal law sociologist Émile Durkheim explained in 1895, it 'protects the collective feelings of a people at a particular moment in its history'.⁷ It defines a society's moral boundaries by distinguishing a majority of 'honest men' from a minority of 'criminals'.

So the increased delegation to the police of the management of urban order, the movements of migrants, and social and political protests change the relative weight of the groups. Consequently the particular clarity of collective sentiments that Durkheim described gets muddled and the police may cease to appear as guarantors of the general interest and instead become the guardians of a social order that a growing number feel is unjust. The less they are obeyed, the more readily they use force to gain respect, which further deepens public mistrust. And this increases the police's mistrust of citizens, and their desire to expand their security powers.

This produces a profound feeling of suffocation, which police measures under France's lockdown (20.7 million checks and 1.1 million fines between 17 March and 11 May 2020) took to a new peak. Echoing the physical suffocation of George Floyd, this feeling is now expressed in the movement united under the slogan 'We can't breathe!'

⁶ Juha Kääriäinen and Reino Sirén, 'Do the police trust in citizens? European comparisons', *European Journal of Criminology*, vol. 9, no. 3, London, 2012 ⁷ Émile Durkheim, *Les règles de la méthode sociologique* (The Rules of Sociological Method), 1895

GEORGE FLOYD'S DEATH EXPRESSION OF US INEQUALITIES

Being black and poor in Minneapolis

Minnesota, and the city of Minneapolis, embody the racial inequalities in the US, especially in police relationships with a black population whose lives are not valued. There may be limits to how much the killing of George Floyd can change that culture

Richard Keiser | Original text in English



THE STATE OF MINNESOTA sent Eugene McCarthy, Hubert Humphrey, Walter Mondale and Paul Wellstone to the US Senate; the last time it voted for a Republican presidential candidate was in 1972, for Nixon. With this background, the police murder of George Floyd, and subsequent civilian protests and sporadic violence, seem surprising, but for attentive residents of the Twin Cities of Minneapolis and St Paul (the state capital), these convulsive events were not unexpected.

Minnesota ranks among the best states for education levels, happiness, income and community, yet as Governor Tim Walz said after a night of rioting, 'All of those statistics are true if you're white. If you're not, we ranked near the bottom.'¹ Minnesota is 39th of 50 states for the proportion of the black population with a college degree, 45th for employed blacks, and 48th for home-owning blacks. The median white family in Minneapolis earns \$99,500 a year, black families \$28,500. Whites and blacks are separate and unequal.

Minneapolis is typical; racial inequality has grown since the 1970s everywhere in the US. The coronavirus pandemic has reminded us that racial inequality makes blacks more likely to die than whites. However, the virus also took many people from their jobs and schooling and gave them the time to protest night after night. As is typical of riots, protestors, though mostly peaceful, damaged property in the neighbourhoods in which they are imprisoned; atypically, they also vandalised a few bourgeois shopping and dining areas and attacked banks many blocks away.

Guilty of 'driving while black'

Of course, racial inequality manifests in police treatment. US policing is typically a part of city or county government, not part of the state or federal jurisdiction. There has been a long history of police harassment, besides police killings of black men like Jamar Clark and Philando Castile, which both resulted in acquittals of the police.

Although only 40% of Minneapolis residents are people of colour, 74% of all cases of police use of force involve people of colour, and 63% of those cases are force against blacks. A 2018 study by the county Public Defender's office found that three out of four drivers whose cars were searched were black, in a city where blacks are 19% of the population and whites 65%.

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Mayor Jacob Frey

When police also searched the driver, 76% were black and 13% white. Since the police have wide discretion, almost anything can justify them stopping people. Most blacks would say that their skin colour is the source of suspicion and that all they are guilty of is 'driving while black', a phrase heard in every US city. Black distrust of the police has been a constant in the Twin Cities, and black Americans are quick to remind all of the origins of the police in historical slave patrols to recapture escapees.

The police officers' union is now the scapegoat in Minneapolis and mainstream US media. All unions are supposed to protect their members from unjust treatment. But Minneapolis police union

Opposite page At a memorial for George Floyd in Minneapolis, June 2020 **Right** A man speaks with a Minneapolis Police officer at a crime scene, June 2020

president Lt Bob Kroll has won loyal support and re-election by opposing all efforts by Democratic mayors, and the police chiefs they have appointed, to discipline violent officers. Mayor Jacob Frey said, 'For years in Minneapolis, police chiefs and elected officials committed to change have been thwarted by police union protections and laws that severely limit accountability.'² Frey and the previous police chief, Janée Harteau, both blamed the union for blocking removal of bad cops through a union-negotiated arbitration process for complaints against officers that follows decades of precedent assuming officers always act in self-defence or with just cause.

Derek Chauvin, the senior officer who kept his knee on Floyd's neck for almost nine minutes, was a cop for 20 years, had 17 misconduct complaints and was named in a 2007 police brutality lawsuit. Sixteen of those complaints were closed without discipline and details are unavailable to the public under the city-union contract; the remaining complaint resulted in two letters of reprimand.

Of the three officers who stood by and watched Chauvin, two have been on the force for less than a year; the third, Tou Thao, had six complaints filed, five of them closed. He was one of two officers named in a 2017 lawsuit over the beating of a handcuffed prisoner. The city settled this case for \$25,000, but he was protected by the union and never disciplined by the police.

Undermined by the union

Union president Kroll, who shared the stage with Donald Trump at a 2019 rally, believes that the liberal Democrats who run the city have turned their backs on the police by refusing to hire more cops and let them quell urban violence. This, importantly, reflects the besieged attitude of police officers across the US, who distrust liberal Democrats. When previous police chiefs (mayoral appointees, often hired from other cities) have instituted programmes to teach de-escalation tactics or root out unconscious, 'implicit bias' prejudices, the union has resisted such efforts.

When city officials required that police live in the city so that they might empathise with residents, the police successfully lobbied the state legislature to abolish the law; 92% of the MPD now lives outside of the city. Mayor Frey boldly banned warrior-style 'killology' police training in an effort to change the attitude that every black citizen is a threat.

Kroll demonstrated his opposition to de-escalation by offering free training, paid for with union funds, in the programme Frey had cancelled. Kroll said de-escalation would not work with the MPD because 'It's not in their nature. So, you're training them to back away and it's just not a natural – that's where a lot of the stress does come from with the cops is not [having] the ability to grab someone and say, no, step back or you're going to jail, and if need be, by force.'³

Kroll called George Floyd a 'violent criminal' and said the protestors were part of a 'terrorist movement' in Minneapolis. Kroll's rank and file are loyal to him – he ran unopposed in the last union election and has named his successor – because he protects their actions, no matter how brutal or murderous, as do police unions across the US.

Major unions in Minnesota and across the US are sending signals that they will not stand in solidarity with police unions. The police department's complicity with the union, and the fact that the police department elects it, has been overlooked in the rush to place blame. Kroll will soon depart,



but the culture of the police union in Minneapolis and elsewhere will not change until police department recruitment includes assessments of coercive violence, racial bias and empathy.

Move to 'defund the police'

What next? There is a growing movement to 'defund the police' led by activists and the Minneapolis City Council. This undefined slogan might mean diverting money from the police to social service and mental health providers drawn from the community, who would respond to family and community problems. (The MPD would still respond to violent crimes.) Or dissolving the MPD and starting over with a blank slate, which excites some and scares many more.

The University of Minnesota, Minneapolis schools, the Minneapolis Park Board and others have cancelled contracts with the MPD. The police are employed to patrol university athletic events, respond to violence in schools and supervise concerts, and these jobs often supplement their modest average salary of \$60,100. The cancellation of contracts is a degree of action from the establishment that has astounded everybody, but it has not satisfied activists. When the now-expired union contract is renegotiated, officers may accept changes that Kroll blocked, in order to restore their easy extra money.

The state governor has initiated an investigation by the Minnesota Department of Human Rights into allegations of MPD discriminatory practices toward people of colour. Because the state supersedes the city, that department can either order specific changes or take temporary control of the police department and union.

Convictions against the police for killing blacks are extremely rare in the US because black lives still do not matter, which is what the Black Lives Matter movement wants to change. The list of victims will not end with George Floyd, and it goes back far beyond Emmett Till, named by many protestors in Minneapolis.

This is the larger problem in all neoliberal countries, not just in the US. Blacks in the US, immigrants in Europe, indigenous peoples, the homeless: modern capitalism, together with contemporary nationalism, has altered our definitions of citizenship and rights, and created widely accepted categories of disposable people whose lives can be erased by the state.

These groups are defined as being engaged in immoral activities, the homeless who are slothful, the immigrants who fail to learn the language within the first generation, the people of colour who reject the cultural status quo of white supremacy and so defy the social order. Elected leaders will not seek genuine reform of the police or the law to protect groups defined as expendable.

Confirmed as 'disposable'

This is why the video of Chauvin's knee on Floyd's neck still may not be enough to convict him and his accomplices. Any previous 'criminal' activity can place the victim in the criminal category – any drugs found in his system during the autopsy, even insignificant behaviours like selling single cigarettes or using counterfeit money – and confirm him as disposable to the majority of whites in America. The black man with a drug offence (which so many have after the War on Drugs), or unpaid fines due to economic precarity, is presumed to be unworthy, erasable and an insignificant loss. Much will depend on the racial composition of the jury.

But even where police are found guilty, white liberals and conservatives see only a bad apple rather than a rotting barrel, and will go back to trusting the police who do a fine job of protecting the white, middle-class way of life. Minneapolis is no different from New York, Paris, Sydney or Rio.

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¹ Press conference, 31 May 2020 ² Quoted in David K Li, 'State of Minnesota files civil rights charge against Minneapolis Police Department', NBC News, 2 June 2020 ³ Quoted in Ryan Grim and Aida Chávez, 'Minneapolis police union president: "I've been in involved in three shootings myself, and not a one of them has bothered me"', *The Intercept*, 2 June 2020, www.theintercept.com