

SEVENTEEN

Trayvon Martin and the Tragedy of the New Jim Crow

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INTRODUCTION: THE CRIMINAL AND THE NEW MINSTREL SHOW

The neoliberal myth rests on a ruse of agency. Like slavery, the old Jim Crow erected a racial system into which one was born and could not easily escape. Such a system would have to be collectively dismantled. The post-Civil Rights, deindustrialized 1970s reasserted the age-old American myth of the entrepreneurial self. Laziness causes poverty, we were told, not transnational capitalism. This perpetuation of the myth of the self-made self took yet another turn with the Reagan revolution of the 1980s. As race and resentment transformed Richard Nixon's early 1970s "welfare chiselers" (then assumed white and male) into Reagan's infamous black and female "welfare queens,"¹ the stage was set for a new minstrel show, but this one, as Michelle Alexander tells us, is particularly deceptive because the new public enemy is not just lazy but criminal. By the 1990s, the "welfare queen" became the crack whore and along with her drug dealer emerged a population that no party, no politician, no parent would come to defend. The war on drugs distorts agency, Alexander observes, establishing a new Jim Crow void of empathy. Choosing a life of crime negates compassion. "It is far more convenient to imagine that a majority of young African American men in urban areas freely chose a life of crime than to accept the real possibility that their lives were structured in a way that virtually guaranteed their early admission into a system from which they can never escape."²

Neoliberalism is thus a deceptively bright white fabric of illusions. There is the objective illusion of the entrepreneur—that work and talent drive the system.³ And there is the subjective illusion that each one of us can be an entrepreneur of the self. For black America, the objective and subjective illusion is called post-blackness. It is the romantic illusion that blackness may be a style and a choice but that it need not be a burden—that work and talent drive a system cleared of the old race struggles by the apparent success of the Civil Rights Movement that took on Jim Crow and won. Not all blacks are free of course—one out of four black men are owned or controlled by the criminal justice system. But for the rest, the illusion is tempting. That is to say, good choices and hard work afford the cultural and professional skills to gain insider status, transforming blackness (in the experience of some) into a celebrated style, a fluid identity, and even a choice. Of course, post-blackness, even in this neoliberal fantasy, does not suggest that somehow blackness is not a significant demographic marker of life chances or that racial history is no longer relevant. Post-blackness is not quite so naive as to assert that we live in a post-racial society. Rather it suggests that an African American who carries significant symbolic and real capital in a culture of entrepreneurs is not owned or controlled by this system, but rather is celebrated as a free agent in it. The system, white dominated as it is, offers for the talented and the driven a tempting pass.

Critical race theorists identify this allowance for class to hold the burden of race at bay as a key element of a system that perpetuates neoliberal racism.⁴ In neoliberal racism post-black blackness functions all too nicely with a market-based system that thrives on market niches, and therefore even on diversity. This post-black blackness presents an opportunity for diversity to contribute to our individual and communal wealth while living under the protection of our white security system. Recall that wealth production is the only unchecked value in neoliberalism. Markets of some kind may often serve us well, but neoliberalism seriously weakens and even threatens to disable any other values. Market value trumps all others. States still function but as systems of protection against the only real outsiders, those who are not wealth producers in the market system. But here rests the core cruelty and the central deception behind the bright illusions of the market ideology: neoliberalism is also a system for the production of those outsiders, that is to say those felons now marked for life.

The dramatic rise in the prison population in the late twentieth century reflects not actual increases in crime rates, but a redefinition of serious crime that is intimately linked with black or brown people's everyday lives. What Michelle Alexander calls the criminal label, which is more or less seamlessly hidden behind the white fabric of illusions, is a nightmare that may be more real than the giddy system of finance capital that produced it. Real, that is, if reality is experienced through the human suffer-

ing that lies behind the mythologies of our everyday consciousness. The tragedy of Trayvon Martin unravels the painful illusions of post-blackness as his story brings sadly to the fore the realities of a system that produces the criminal label in ways sometimes masked by words such as choice, agency, drive, and other neoliberal slang. This story begins with what should have been the wrappings of innocence: a kid in a hoodie, a gated community, and some candy.

Let's begin by recalling a few bare facts of the situation: The seventeen-year-old high school student Trayvon Martin was shot dead as a suspect by a local crime-watch volunteer while visiting his father's girlfriend's home in a gated community. Such a community would be a safe place, if any there are, for a teenager who ventures out after dinner to purchase some Skittles and an iced tea at a local convenience store—except for the factor of race. What happened that evening is not yet clear, but we know that the armed crime-watch volunteer phoned a non-emergency dispatcher to report that “this guy looks like he's up to no good,” indicated that he was black, and, when prompted to explain what the suspect was wearing, responded, “a dark hoodie.” Soon this unarmed high school student would be dead. It is in this context that we shall consider and then cautiously cast off the politics of style and the ideology of choice to look instead at the vulnerability of neoliberal citizenship, and thus the price that demands homage to white respectability, as it denies the possibilities of multiracial solidarity in the name of going after the bad guy.

STRIKE 1:

A MUNDANE CHOICE—THE HOODIE WITH THE CRIMINAL LABEL

This hoodie was as much to blame as the shooter for the Florida teenager's death offers Fox News host Geraldo Rivera, who then recommends not wearing the hoodie as a solution, the quick fix, so-to-speak, for the safety of our Latino and black youth.⁵ In fact, the urgency of attaining the safety and status that whiteness lends to white people has long been expressed as a desire to wear certain styles of clothing, but it has rarely worked out all that well. On the contrary, dressing white has often backfired in U.S. history. Consider, for example, that late-nineteenth-century African American women who dressed like “ladies” complete with parasols and other white bourgeois accoutrements of style were viciously attacked by those who aimed to keep them in their place and thus on the outside of respectable society.⁶ So too, after World War I, African American veterans who wore their uniform for too long were targets of violence.⁷ In both cases, African Americans unintentionally inverted social norms by embracing the social norms of respectability and often paid a tragic price. By the second half of the twentieth century, patriotic anxie-

ty that turned on race and ethnicity exacerbated the ambivalence toward young men in particular during World War II. Robin Kelley's analysis of zoot suiters as "race rebels" seems to implicate those who in the later part of the century would wear the hoodie as self-designating suspects primed for trouble.⁸ And yet as Kathy Peiss has recently argued, for the most part teenagers like anyone else do not necessarily aim for any suggestion of defiance in the clothes they wear.⁹

To blame Trayvon Martin's death on his clothing as cynically as Gerardo Rivera did, is, as Charles Blow rifts, in a *New York Times* op-ed piece, like blaming rape on women who wear short skirts.¹⁰ For teenagers in post-black blackness, the hoodie isn't necessarily a sign of defiance or of resistance and certainly not of criminal intent. The hoodie like the rocker's leather jacket and ripped jeans may still offer a nod of defiance, but it is also valued as just another way of adding what Shannon Winnubst describes as neoliberal coolness to our suburbs or our gated communities.¹¹ The hoodie for those teenagers not interested in making a political statement is more often than not a post-black symbol of blackness and a shopping mall aesthetic. Unfortunately, the hoodie can function as a sign of race and of criminality for those who patrol the boundaries of who does and does not belong. This case of mistaken identity is not unlike the earlier instances of African Americans intending to fit into ordinary white-dominated social norms but whose acts were viewed as those of a transgressive intruder.

In a recent review of Touré's *Who's Afraid of Post-Blackness?*, Darryl Pinckney reports that he had a chance to question the British writer Zadie Smith about some previous remarks she made on the rich diversity of black experience; for her this diversity would translate into a celebration of "black ballet dancers and black truck drivers and black presidents. . . . [W]e all sing from our own hymn sheet."¹² Pinckney asks in light of the Trayvon Martin tragedy, "if she still felt that way about the hymn sheet, [and] Smith said maybe it wasn't possible, because there was so much hostility toward black people in the United States. In England, she had thought more about class than race. In the United States, she discovered that someone else can rush in and define you when you least expect it, making your being black part of an idea of blackness far outside yourself" (35). "The price the white American paid for his ticket was to become white," as James Baldwin remarks.¹³ To become post-black does not suffice. Not when trigger-happy neoliberalism is looking for the next crime to be committed.

STRIKE 2:
THE TICKET IN—THE GATED COMMUNITY CASTS ITS
SHADOW AS MASS INCARCERATION

The senseless killing of an innocent black youth stirs up words from Baldwin that continue to reverberate: "You wonder what your role is in this country."¹⁴ As he ponders his impoverished childhood, Baldwin recalls a life of turmoil and his father's primary concern with keeping all of his children alive. But Baldwin's youth was spent precariously in Harlem during the segregations of Jim Crow and the rumblings of what would become the Civil Rights Movement.¹⁵ Trayvon Martin was a successful student at an integrated high school in Florida who nonetheless had been suspended for a trace of marijuana in his backpack when he visited his dad's girlfriend's home. A gated community echoes the long-felt desires for comfort, security, and respectability—what Baldwin would have understood as that elusive ticket in. Yet that ticket in has double resonances in an era of the white security system and diverging genres of enclosures. Indeed, the gated community and the cage prove to serve as another stage for the minstrel show (the show that is America) and the violent brutality it engenders. For the Jim Crow era of Baldwin's youth has given rise to the shadow of the penitentiary and what Michelle Alexander has most forcefully laid out as the racial politics of a new Jim Crow. This one happens out of focus and behind police lines; its target is the criminal, and its apparatus of terror is the criminal justice system.

This new Jim Crow shares some of the same racial dynamic and economic engine of the old Jim Crow, but it is much harder to see because the new caged black man appears less the victim of circumstance and more the cold and indifferent instigator. Recall that the more successful black sharecropper who managed to enjoy the fruits of his labor, perhaps even a taste of political agency, found that Jim Crow recast his "manly bearing" as a threat to white womanhood.¹⁶ The Civil Rights Movement would bring into sharp relief the real terror—the lynching raids of the old Jim Crow. The new Jim Crow operates not through the lynch mob but the supposed colorblind penal system that unleashes its terror around the criminal outsider—the one who has nothing that this system wants. Ironically, he too, deeply involved in the informal economy, evokes the entrepreneurial self—but as the john, the pimp, the sugar daddy, the drug entrepreneur of the underworld of the ghetto and a generation up to no good. The white security system with its gated communities and mandatory sentencing provides a stabilizing apparatus for an economic system that exacerbates inequities that otherwise might provoke social unrest or even violence in the streets. How easy it would be to continue to play along with post-racial racism when only a minority of a minority are caught by the apparatus at any given time. Except that this system continues to slip up. It slipped up when it turned on an innocent teenager,

whose black skin, hoodie, and mundane trip to a convenience store for a little sugar high should not have registered as the profile for an intruder, but whose tragic murder nonetheless sadly bears the traces of the new Jim Crow.

Whites too may find themselves as part of the collateral damage, but the war on drugs and the deindustrialized ghetto has made the cold neoliberal calculation: "Throughout our criminal justice system, as well as in our schools and public spaces, young + black + male is equated with reasonable suspicion, justifying the arrest, interrogation, search and detention of thousands of African Americans every year."¹⁷ By the age of seventeen, such trips to the local convenience store were no doubt routine for Trayvon Martin. Yet the heavy air of racial suspicion not only suspends a high school student three weeks for a trace of marijuana in a backpack but makes a trip for some sweets particularly precarious in the shadow of America's gated communities.

STRIKE 3:
A BOX OF INNOCENCE—CANDY AND/OR A
TRACE OF MARIJUANA

With the doubling of the prison population in the 1980s, the felon label is intimately linked with anxious parenting designed to protect the innocence of our children and nurture in them the virtues of the entrepreneurial self. And yet, how easy it is for our children to strike out. In this new age of containment, just a trace of marijuana or even a box of candy can lead to discarded innocence. To be sure, generations of youth have been labeled suspect for the ways they have walked, talked, and dressed with special attention always paid to those not considered white. But in the 1980s, an important shift takes place that heightens the policing of youth, particularly black and Latino youth. Natasha Zaretsky explains that in the 1970s domestic upheaval and the legacy of foreign policy disasters engendered a sense of "wounded nationalism" and fears that the white family was falling apart. At that time the blame rested on youth deemed narcissistic who also lacked an older generation's work ethic.¹⁸ By the 1990s the younger generation was not simply lazy but now, thanks to the war on drugs, dangerous and one step away from a police record.

Indeed, much of the anxiety over youth emerged with middle-class obsessions over a range of issues such as sugar highs, unsupervised play, violent video games, saggy pants, and even hoodies because bad habits could after all lead to something less than yuppie success.¹⁹ But now in the name of protecting the family, a box of innocence can easily be transformed by the escalating anxieties of the new Jim Crow era of containment. Increasing populations of our black and brown youth, whose innocence has been reimaged as criminal, if they are not shot down in the

streets, are otherwise labeled as felons who then lose their economic and political citizenship in the illustrious war on drugs. This neoliberal war intensifies suspicion to such a degree that, as every parent knows, even the well-managed teenager seemingly protected by the white security system could go awry in the fictive narrative of late capitalism.

The prison label is also built with the help of a gated childhood designed in the hopes that our own children will never cross over to the wrong side of the tracks. Coming of age at the turn of the twenty-first century means that even the most modest of everyday practices and purchases and thus the makings of the entrepreneurial self are tinged with fear and anxiety in which one false move condemns you or your child for *choosing* a life of crime. With mandatory sentencing it does not take more than one or two strikes. Certainly by three strikes, a minor infringement can expel one from the game forever. Meanwhile those of us who have grown up a part of so-called respectable society and decent families are trapped inside our closed communities and unable to find a means to gain empathy for those dismissed as choosing crime instead.

Composing in the shadow of the penitentiary was "the ghetto saint," Tupac Shakur, whose posthumous words continue to challenge the authority of whiteness in the age of mass incarceration, but Tupac understood hard time from the inside.²⁰ As a symbol his image still invokes a prison label that may block empathy and thus not crack the facade of colorblindness. Tupac Shakur teaches us much about our racial hypocrisies, but can he provide us with new symbols to take on our contemporary Jim Crow with its rhetoric of innocence? We know the Klansman's noose of terror is a symbol of the struggles the Civil Rights Movement faced, yet "'It's not racist to be against crime,'" as Alexander quotes John Edgar Wideman, and the victim of our drug wars "almost always wears Willie Horton's face."²¹

CONCLUSION:
TRAYVON MARTIN AND THE TRAGIC INNOCENCE
OF OUR CHILDREN

A new Jim Crow separates us into two more or less distinct populations—the entrepreneur and the criminal, training us to ignore the double consciousness that urges empathy for that part of the self that is other. The disorderly child, the suspicious teenager, the caged man—they are somebody else's children. Among the rest of us are those who are, tentatively, post-black. In her powerful indictment of the continuing legacy of racial injustice, Alexander points out that the old civil rights movement fails to combat the perils of black identity in the wake of the drug wars: "A new civil rights movement cannot be organized around relics of the earlier system of control if it is to address meaningfully the racial realities

of our time. Any racial justice movement, to be successful, must vigorously challenge the public consensus that underlies the *prevailing* system of control. Nooses, racial slurs, and overt bigotry are widely condemned by people across the political spectrum; they are understood to be remnants of the past."²² Against the criminalization of our youth, the hoodie profile, and the drug wars we propose among the symbols of this new era of containment a box of innocence, a gated community, and the tragedy of Trayvon Martin.

Neoliberal racism basks in the light of a form of pretend innocence. This pretend innocence occludes systemic injustices as it moralizes the social divisions between winners and losers. In this pretend moral system some enjoy the cultural and economic benefits of a diverse society under the assumption that their position is well-earned. But in a system that has replaced the social security net and the war against poverty with gated communities and a war against drugs, the outsider is presumed guilty unless proven innocent. If the entrepreneur is the source of value in the free market system, the criminal stands in for its serious lapses. This dynamic of setting up the underclass as our enemies has replaced an older dynamic that targeted the underclass as lazy as a means to mask factory speedups and deindustrialization. The drug wars serve as the social engine for a massive system of criminalization and incarceration as manufacturing jobs have moved overseas leaving urban spaces void of economic opportunities. Sadly as a consequence, even the possession of a trace of marijuana can set the white security system in motion.

Trayvon Martin was as innocent as any all-American high school kid—or recent president—who may or may not have inhaled or felt the need to punch back. Yet one thing followed another for this black youth. School suspension, an innocent high, the implications of a hoodie, and the shadow of a gated community would all tragically reinforce parental fears and an anxious society willing to embrace a neoliberal quest to segregate out the “bad influence.” Trayvon Martin, flourishing in a multi-racial America, was gunned down in the name of protecting innocence—an innocence that still tragically turns on whiteness. The price of the ticket in is much too high.

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NOTES

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EIGHTEEN

"What Are You Doing around Here?"¹

Trayvon Martin and the Logic of Black Guilt

Vanessa Wills

Millions of people observing the events of the Trayvon Martin case as it unfolds have been gripped and disturbed by the violence and injustices committed against Trayvon and by the emblematic nature of these injustices, indicative as they are of a widespread disregard and systematic devaluation of black life in general and of the criminalization of black men in particular. Three questions together form the organizing principle for how we should evaluate this case and set it within its larger social and historical context. These are: "Why do such events happen?," "Who benefits from the fact that they are allowed to happen?," and "How can they be brought to an end?" A full explanation of the factors leading to actions such as those taken by George Zimmerman would require a thorough economic and historical analysis that would quickly become too extensive for the limits of this space. The treatment of the case which I present here is necessarily brief, and focuses upon one key element without which it is impossible to answer these questions and make sense of the events of February 26, 2012, in Sanford, Florida, or of the responses to those events by the Florida legal system, the mainstream media, and sections of the black community. That element is what I call here "the logic of black guilt," a form of thought in which black innocence is an impossibility.

In this chapter, I will address the reasons that Trayvon's case has captured the attention of blacks in the United States, how the logic of black guilt has been historically produced, and what that logic serves to