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Contested Legitimacy in Ferguson

Nine Hours on
Canfield Drive

Joshua Bloom

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CAMBRIDGE
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University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,
New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781009074865

DOI: [10.1017/9781009075091](https://doi.org/10.1017/9781009075091)

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First published 2022

A catalogue record for this publication is available from the British Library.

ISBN 978-1-009-07486-5 Paperback

ISSN 2633-3570 (online)

ISSN 2633-3562 (print)

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Elements in Contentious Politics

DOI: 10.1017/9781009075091
First published online: January 2022

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Abstract: At noon on August 9, 2014 when Michael Brown was killed on Canfield Drive in Ferguson, there was little protest. But by 9 pm, dozens were nonviolently defying police armed with military style weapons, armored vehicles, helicopters, and snarling dogs. The structural situation alone cannot account for the emergence of insurgency in Ferguson. To explain mobilization, I advance a theory of Contested Legitimacy. The stakes of each action by insurgents, authorities, and third parties for mobilization concern regulatory repression. Actions that undercut the validity of repression encourage mobilization. Video, photo, and textual data make it possible to unpack the complex interactive process of mobilization. Given longstanding grievances concerning racist policing in Ferguson, reclaiming the site where Michael Brown was killed on Canfield Drive as a memorial provided means to challenge unjust police authority. When police responded as accustomed – disproportionately, callous, and indiscriminate – their actions galvanized local Black support for activists.

Keywords: Mobilization, Repression, Social Movements, Micro Interaction, Ferguson, Black Lives Matter, Contested Legitimacy, Insurgent Practice, Anti-racism

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ISBNs: 9781009074865 (PB), 9781009075091 (OC)
ISSNs: 2633-3570 (online), 2633-3562 (print)

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1 Introduction

At noon on August 9, 2014, Michael Brown was shot and killed by police officer Darren Wilson on the 2900 block of Canfield Drive in Ferguson, Missouri. Neighbors and passersby gathered. Initially there was no protest. People were coming to see what was happening, and some were grieving. But by 9 p.m., the situation had changed. Dozens of insurgents blocked Canfield Drive with their bodies, defying police orders to disperse. Outnumbered by the police, confronted with snarling police dogs, military-style weapons, helicopters, screaming sirens, and an armored truck, insurgents stood their ground, raising hands in the air, chanting, “We Are Michael Brown!”

<https://vine.co/v/mvtmjvzell>

The intense and sustained insurgency that developed in Ferguson made business as usual impossible there for most of a year.

The extent of insurgent mobilization that emerged in Ferguson at the time was exceptional. It followed a period of relative quiescence of Black Freedom Struggle – what scholars have called the “doldrums” (Taylor and Rupp 1987; Oliver et al. 2019). Large-scale mobilization in protest of police killings of Black people became much more common after the eruption of insurgency in Ferguson. Much subsequent mobilization explicitly referenced Ferguson (Taylor 2016).

Conversely, while the eruption of insurgency was unusual at the time, the police killing of Michael Brown was not. Subsequent analysis revealed an ongoing tragedy: in the United States police kill about 300 Black people a year. Proportional to the population, that is more than three times the rate at which police kill White people. And Black people killed by police are disproportionately unarmed; for example 30 percent of Black people killed by police in the United States in 2015 were unarmed compared with only 19 percent of White people killed by police. (Martin and Kposowa 2019; Buehler 2017; Bor 2018; Sinyangwe et al. 2020)

So why did insurgency quickly escalate in Ferguson following the killing of Michael Brown?

Several structural conditions were important for the emergence of insurgency in Ferguson. Some have pointed to the election of Barack Obama as the first Black president and heightened expectations for redress of the colorblind racism that shapes Black lives in the United States – especially poor and working-class Black lives (Taylor 2016). Others have pointed to the Jim Crow-like character of political arrangements in Ferguson. In August 2014, more than two-thirds of Ferguson residents were Black, but almost all of the elected officials in Ferguson, including the mayor, five out of six council

members, and six out of seven school board members, as well as the chief of police and fifty out of fifty-three police officers were White (NYT 2014). During presidential elections, the proportion of Black voter turnout had exceeded the proportion of White voter turnout in Ferguson, but local party machines ran almost all White candidates, and few Blacks voted in local-only elections. Further, Ferguson police engaged in predatory ticketing and racist policing (Department of Justice 2015). The widespread availability of video cameras on smartphones and the advent of social media were essential to the spread of protest (Freelon et al. 2016; Carney 2016). And surely the growing national conversation about structural racism and the complicity of the criminal justice system – not least the earlier launch of the #BlackLivesMatter hashtag by Alicia Garza, Patrisse Cullors, and Opal Tometi – shaped the way that potential activists and allies responded to events (Ransby 2018).

But while such prior conditions may be necessary to explain the emergence of insurgency in Ferguson, they are not sufficient. Remember the hundreds of other Black people killed by police around the country in the days, weeks, and years leading up to August 9, 2014. From 2013 to 2019, police killed thirty-six Black people in the greater Ferguson/St. Louis Metropolitan area alone (Sinyangwe et al. 2020). Many unarmed Black people were killed by police in places with similar racial politics as Ferguson. Why did insurgency rapidly emerge following the killing of Michael Brown?¹

It is a premise of this study that there was nothing in the macro-structural context, nor the locally institutionalized situation in Ferguson, nor even in the details of the killing of Michael Brown itself, that assured the eruption of widespread insurgency in Ferguson on August 9, 2014. At 12:05 p.m., as neighbors and passersby gathered near the site of the killing to see what was happening, and some to grieve, it was not yet determined that nine hours later, dozens of insurgents would be facing off with police in defiance of orders to disperse. Instead, the intervening actions of insurgents, authorities, and third parties were crucial to this outcome. What was at stake in those intervening actions? In other words, how and to what extent did the actions by insurgents, authorities, and third parties, from noon to 9 p.m. on August 9, 2014, contribute to the mobilization of insurgency in Ferguson?

This Element has two main aims. The first is to provide a rigorous explanation of how the micro-interactions between insurgents, authorities, and third parties – during the nine hours after Michael Brown was killed – contributed to

¹ Of course the emergence of insurgency on August 9, 2014 did not determine the sustenance of insurgency for much of the following year. But the initial sequence of events made it infinitely more likely by 9 p.m. that serious insurgent challenge would continue for at least a few more days than the situation as it stood a few minutes after Michael Brown was killed.

the emergence of insurgency in Ferguson. For at least thirty years, most social scientists have agreed that innumerable small-scale and historically specific social processes, at once material and ideational, powerfully shape social structures, even as they are shaped by them (Giddens 1984; Sewell 1992; Bourdieu 1990). This is true especially in events – such as the Ferguson insurgency – which mobilize in specific locales, and yet have far-reaching transformative effects. Thus implicated in any explanation of the influence of individual actions on the emergence of insurgency in Ferguson is the fundamental question: how do people make history?

Until recently, it was impossible to systematically study the ways that people's myriad small-scale interactions shape the emergence of insurgency, for two reasons: data and theory. At the most basic level, the data just was not available. Participant observers usually were not present on the ground when insurgency erupted. In the unusual cases when a participant observer was present, a single observer could only capture one small window on to what people were doing and thinking. Documentary evidence, including video, concerning the emergence of most historical insurgencies is sparse. And retrospective interviews cannot accurately document the emergence of insurgency, and the transformation of perspectives and relations they entail, because memories are shaped by intervening events. As discussed below, the proliferation of accessible video data and real-time commentary captured on smart phones and broadcast on social media have changed this, making the kind of granular analysis of the emergence of insurgency I develop here possible for the first time.

The second aim of this Element is to theorize the effects of micro-interactions on the mobilization of insurgency more generally. Social movement theory has not yet caught up with the newly available data. Classic political process and resource mobilization theories provide powerful tools for thinking about the ways that structural political opportunities and existing social movement organizations set the stage for insurgency to emerge. But at noon on Canfield Drive on August 9, 2014, with the structural political opportunities and existing social movement organizations in place, those theories provide little leverage to explain how the specific actions of insurgents, authorities, and third parties over the following nine hours influenced the trajectories of insurgent mobilization. Prevailing social movement theory is poorly suited to unpacking the effects of micro-interactions on mobilization.

In this study, as I examine the emergence of insurgent mobilization in Ferguson, I seek to theorize the effects of each action by insurgents, police, and third parties on its development. Toward this end, I draw conceptual resources from theories of legitimacy and race. While classic political sociology

deeply engaged theories of legitimacy, social movement theory has largely neglected it – for good reasons, which I discuss below. To the detriment of movement scholarship, social movement theory has also largely neglected race (Bracey 2016). Insurgent practice theory (Bloom 2014; Bloom 2015; Bloom and Martin 2016; Bloom 2020), described in Chapter 4 below, theorizes the ways in which insurgent mobilization depends on the dynamic interaction between what insurgents do and the broader political situation. Insurgent practice theory provides the foundation upon which I elaborate a series of propositions drawing conceptual resources from theories of legitimacy and accounting for structural racism. I argue that the fate of insurgency, and thus the persistence of racist institutions, hinges on a contest over the legitimacy of repressive action.

Institutionalized patterns of social practice shape how insurgents, authorities, and third parties understand the actions of others, and how they respond. At noon on August 9, 2014, when Michael Brown was killed, various insurgents, authorities, and third parties in Ferguson held different perspectives on race, justice, and policing. But these individuals also all shared practical understandings of their own respective roles, relations, and modes of interaction. These prevailing practices generally excluded direct and explicit collective defiance of the police. By the time Michael Brown was killed, many Black residents of Ferguson already saw Ferguson police as racist, and did not approve of their customary policing practices. But they also recognized police as the *de facto* enforcers of the law, and generally complied with their authority as such.

What the analysis shows is that in the face of challenge from insurgents, the efficacy of police repressive action depended on the quiescence of third parties. When local Black people – who were neither authorities, nor direct participants in the insurgency themselves – challenged repressive action by police, it encouraged participation in the insurgency. When third parties stood aside, insurgency abated in the face of repression. Thus the effects of each action by insurgents and police, either fomenting or quelling the insurgency, were mediated by allied response.

In this Element I attempt to rigorously explain the micro-dynamics of emergence of insurgency in Ferguson, and explicitly theorize what I found. Looking toward the future, the theory and method advanced here are also intended to take preliminary steps to lay the groundwork for a predictive method of social movement analysis. Activists are always trying to assess the dynamics of their situation. On the ground, antiracist activists are constantly making predictions about the outcomes of potential action. What is at stake in any interaction? What kinds of practices will build influence and following? In the long run, my ambition is to illuminate not only how repression works – but how

antiracist activists can more effectively build influence. Eventually I hope that developing and making available this predictive science of the micro-dynamics of insurgency will contribute to the dismantling of White supremacist structures.

That said, the aims of the Element are quite modest otherwise. I do not attempt to provide a definitive overarching explanation of the causes of the Ferguson uprising nor of its effects. Economic, political, and all manner of social processes at scales much larger and slower than the micro-interactions for nine hours on Canfield Drive influenced the emergence of insurgency in Ferguson.² And countless actions by countless actors in the subsequent days impacted the long-term trajectory of insurgency. As I am laying a foundation for real-time predictive analysis, I have sought to restrict my analysis to data that was publicly available on August 9, 2014. Many activists and scholars have already published aspects of explanations that reach well beyond the temporal and processual scope of this Element, and many more such analyses are in progress.

The argument proceeds as follows. In Chapter 2, I present the research design, detailing the data used and sampling methods, and explicate my method of analysis. In Chapter 3 I present the substantive analysis of the micro-dynamics of the emergence of insurgency over the nine hours on Canfield Drive following the killing of Michael Brown. The substantive analysis is illustrated with links to videos and photos of the events discussed posted on social media. In Chapter 4, I theorize the micro-dynamics of contested legitimacy I have found in Ferguson. Drawing on theories of legitimacy and race, I build on insurgent practice theory to advance six propositions concerning the micro-dynamics of the emergence of insurgency, illustrated with examples from the preceding analysis. Finally, in Chapter 5, I draw lessons for antiracist activists.

2 Data Collection and Narrative Construction

I began this project aware of widely held grievances among local Black people with customary policing in Ferguson (Bloom and Frampton 2020; Department of Justice 2015). Informed by insurgent practice theory and my related previous studies (Bloom 2014; Bloom 2015; Bloom and Martin 2016; Bloom 2020), this Element seeks to understand how specific actions by insurgents, authorities, and third parties affected the efficacy of police repression, and its subsequent effects on the escalation of insurgency in Ferguson. This process should be visible in granular data on the interactive dynamics from the first hours of insurgency.

² In this Element, I take these larger and slower processes – as they were present at noon on August 9, 2014 – as given and exogenous.

The historically unprecedented richness of data makes it possible to unpack in detail the process through which specific actions by insurgents, police, and third parties influenced mobilization over these nine hours on Canfield Drive in Ferguson on August 9, 2014. In addition to news media coverage, many participants in the events in Ferguson that day video-recorded events as they unfolded and posted their recordings online. Moment-to-moment coverage makes it possible to review in detail thousands of interactions between insurgents, officials, and third-party actors at multiple locations from a variety of vantages throughout the day. No one person can be in multiple places at a given time, and generally news media only provide sporadic coverage. So in previous eras, it was never possible to access the extent of fine-grained coverage of interactions I was able to access – largely from videos posted on social media.

Beyond descriptive information concerning participant actions, social media data also provided two other kinds of information that were invaluable to my analysis. First, social media data allowed me to trace the social networks through which some subsets of activists and third parties were connected. How and when did specific individuals learn about events on Canfield Drive? Through whom? Who were they in communication with about these events? At what junctures did they decide to participate? And in what ways?

Second, social media data makes it possible to “get inside people’s heads.” Interpretive social sciences, including most forms of ethnography and historical narrative, approach social explanation by interpreting the understandings and meaning-making process of the actors involved. Customarily, these interpretations are inferred from the actions, including speech actions, of the social actors observed. But because participants reflexively narrate events to outside audiences on social media, often in real time, social media data provides additional access into the meaning-making processes of the actors, and how they change over time and in response to specific actions on the ground. Social media postings must be critically interpreted. Postings are performances for an audience and should not be mistaken for raw access to people’s thoughts. But social media postings do provide a kind of moment-by-moment record about the reactions of countless ordinary people participating in events as they unfolded that was never available to study in previous eras. Similarly, social media provides access to the real-time reactions of a wide range of third parties, both those on the ground where the events are unfolding, locally in the greater Ferguson area, and those observing events unfolding on social media from afar.

The first challenge was to develop a highly detailed description of the sequence of events as they unfolded in Ferguson. Who did what, how, when, and where? In the sea of social media evidence, the precise timing and location of events is not always obvious and sometimes takes considerable effort to

identify. Time stamps on the posting of video or photographic evidence of an action delimits the latest possible time an action could have occurred. But there can sometimes be considerable lag between an action and the posting of evidence. Especially when an action is sparsely discussed on social media, great care must be taken in inferring what time an action happened. The more attention an action garnered, the easier it is to identify the specific time the action occurred because for actions that garnered wide attention, many postings can be found with video or photographic evidence on the action, and often much of this evidence is posted almost immediately. To identify the location of an action, the satellite view and street view in Google Maps proved illuminating. By adjusting the precise location and perspective in the streetview on Google Maps, and comparing it carefully to photographic and video evidence, it is possible to pinpoint the precise location of various important interactions throughout the day. Textual clues, such as street names and signage on buildings, also facilitate the identification of locations. Using the satellite view in Google Maps, it is possible to situate pinpointed locations in geographical relation to one another. Thus the sequence of events can be traced through both time and space.

I used all the data available from August 9, 2014, to get the detailed sequence of events right. While I used data from a large range of sources, including newspapers, television, Facebook, Instagram, and Vine, the majority of the most illuminating data I found came from Twitter. Twitter data proved especially useful for a number of reasons – perhaps most importantly the fact that many of the locals in Ferguson that day were using it. But the character of Twitter also – as a public, on-the-record, archived, time-stamped, and searchable dissemination of real-time recording of and commentary on events, often with photos and video attached – made Twitter data especially illuminating.

Once I had adequately described a specific action by police, activists, or third parties, I sought to discover reactions by various individuals to these actions. I was especially interested in the reactions by people on site where the action was taking place. I also investigated reactions by other people in the area, people connected to those on site through social media networks, and those beyond. As I started to identify some of the key individuals who were monitoring events on the ground and posting reports on social media, I was able to trace the chronological activities and reports of these individuals in detail. The networks of key individuals often also led to discovery of other key individuals. While I may not have analyzed every one of the thousands of relevant social media posts, my intention was to reach saturation where additional data would not provide additional salient information. I believe I came close to saturation for these nine hours. As the analysis progressed, I was able to find fewer and fewer pieces

of evidence that had significant implications for narrative construction. Toward the end, dozens of hours of searching yielded no meaningful insights. I believe it would be hard for anyone to discover facts from August 9, 2014 that would significantly challenge the sequence I have constructed.³

In addition to striving for “saturation” in constructing this narrative (i.e. assuring inclusion of relevant information), I also sought to achieve “salience.” Which data, drawn from millions of social media posts and other sources, warranted inclusion? To construct a detailed narrative sequence of events, I used a process-tracing approach to begin probing the role of each action in the mobilization process. In process tracing, the analyst acts like a detective, using the available data to test a variety of substantive hypotheses linking hypothesized causes, and outcomes (Beach and Pedersen 2013; Bennett 2010; Collier 2011; George and Bennett 2005: chap. 10; Mahoney 2012). Rather than “one and done,” I developed and refined my narrative iteratively (Abbott 2004: 15–26; Becker 1998: 172–207; and Ragin 1987: 164–71; Timmermans and Tavory 2012.) My aim was to develop a salient and saturated narrative – one that included all the relevant actions that would allow me to reason through the contribution of each action to the emergence of insurgency in Ferguson.

Unlike textual news data, or one-time observation, social media data preserves detailed visual and audible evidence from the scene that can be repeatedly revisited over the course of analysis. Inevitably, evidentiary or logical problems would emerge that would force me to revise my narrative. Iteratively, over time, I developed a narrative that I believe accounted accurately and coherently for all the evidence available.

The overarching research process has involved an extensive back-and-forth between theoretical development and empirical analysis. Informed by past studies and insurgent practice theory (Bloom 2014; Bloom 2015; Bloom and Martin 2016; Bloom 2020), I began the analysis with the substantive theory that the interactions between insurgent practice, police repressive action, and third-party resistance were crucial to the emergence of mobilization in Ferguson. I expected, specifically, that brutal policing institutionalized to protect White rule in predominantly Black Ferguson, in the context of a growing national discussion of the New Jim Crow and the structural racism of customary policing, was vulnerable to relatively standard nonviolent civil disobedience. But I did not know whether, to what extent, or in what manner that was true.

³ It is worth qualifying that by this I mean facts *available* on August 9, 2014. As described below, the narrative was originally constructed as part of a retrodictive analysis, and hewed to facts available on August 9, 2014, mostly social media postings from that day. Data drawn from later studies, including, for example, interviews with police about developments that day, would undoubtedly shift the narrative account to some degree.

Over the course of analyzing my data, I developed the narrative analysis. Then, with the evidence and preliminary analysis in hand, I revisited and refined my theory, elaborating the theory of contested legitimacy presented in Chapter 4.

The motor of theory development is thus what Stinchcombe has called “deep analogy”:

[As] conceptual profundity depends on the deep building of analogies from one case to another, we are likely to find good theory in exactly the opposite place from where we have been taught to expect it. For it is likely to be those scholars who attempt to give a causal interpretation of a particular case who will be led to penetrate the deeper analogies between cases (1978: 21–2).

3 Nine Hours on Canfield Drive

Preliminary Protest

At just before noon⁴ on Saturday, August 9, 2014, Michael Brown and Dorian Johnson sauntered down Canfield Drive in the Canfield Green apartment complex in Ferguson, Missouri. Canfield is a residential street and was not crowded. But it is the main road through the complex, and people were out, both in cars and on foot. It was seventy-five degrees and overcast in Ferguson.⁵ Brown was eighteen, and about to enter a new phase in his life. He had struggled to complete high school, and finished his last credits a week earlier in summer school. Brown was scheduled to enroll in Vatterott, the local technical college, that coming Monday to learn to repair refrigerators and install furnaces, so earning the diploma had been necessary.⁶

<https://bloximages.newyork1.vip.townnews.com/stltoday.com/content/tncms/assets/v3/editorial/c/e5/ce5ba308-ed68-5322-b826-87c8077d1476/5464cbb26ac2d.image.jpg?resize=331,282>

Johnson was a few years older, and lived with his girlfriend and their daughter.

⁴ Times presented in text are local St. Louis time. Many times are calculated making inferences by crossreferencing timestamps of postings covering specific actions. Most of the Twitter timestamps are Pacific time. For local time in St. Louis, add two hours. However, the time zone is not always consistent, and depends on computer settings. To find an exact time for any given post, use the “data-time” found in the post’s source code, as explained here: <https://thinkmorebetterer.wordpress.com/2015/08/28/twitter-and-timezones/>. Regardless of the time posted, sometimes posts are not at the same time as an action. Therefore, I was careful in making inferences about the time of events, rather than blindly pulling timestamps from Twitter to specify time of day of an action.

⁵ Weather data from www.wunderground.com/history/daily/KSTL/date/2014-8-9 (accessed on August 31, 2018) and inferred from videos. Many people wore short sleeves. Note an umbrella in French image of armored vehicle.

⁶ Wesley Lowery and Todd Frankel, “Mike Brown Notched a Hard-Fought Victory Just Days before He Was Shot: A Diploma,” *Washington Post*, August 12, 2014. A call to Vatterott on August 31, 2018 confirmed that a high school diploma or GED is required for enrollment in the HVAC program in Missouri.

Michael Brown, Activist

Held supportively by two young men, surrounded by press, Dorian Johnson recounted the sequence of events. According to Johnson, a police car pulled up, and the officer swore at Brown and Johnson, demanding that they “get the F on the sidewalk.” Brown responded calmly but defiantly, telling the officer they were “not but a minute away from [their] destination and would shortly be out of the street.” A small crowd, including long-time St. Louis activist Anthony Shahid, stood by listening (Fox 20140809d Dorian Johnson).

Johnson recounted these actions to the gathered onlookers and television cameras in a matter-of-fact manner, as if they were not unusual, and it should be obvious why he and Brown did what they did. Yet the story expresses open defiance of the law and an officer of the law. Brown and Johnson were participating in a very minor rebellion by walking down the middle of the street in the first place. This can hardly be considered an insurgent practice as they were advancing no transcendent claim. Perhaps it was an expression of young adult malaise. Or maybe it was muddy on the sidewalk. But when Officer Darren Wilson ordered the duo out of the street, and they refused, that defiance was weightier. Here was an officer of the state, armed and charged with enforcing the law, with the full coercive power of the United States behind him, and by Johnson’s telling, the young men calmly refused to comply. Regardless of Brown’s precise intention, his statement to the officer and continued defiance – walking down the middle of the road – constituted direct, active, and civil disobedience: a minor act contesting the legitimacy of the regulatory action of the officer who swore at them and ordered them out of the street.

Crucial in Johnson’s account is the fact that the officer did not talk with the young men respectfully, but instead swore at them disrespectfully in ordering them to get out of the street. Johnson specifically says the officer ordered them to “get the F on the sidewalk.” This construction is revealing because by using the letter “F” instead of “fuck,” Johnson is not only communicating to his listeners that he found the treatment by the officer disrespectful, but also he is taking the moral high ground by not repeating the officer’s vulgarity.

Here, the two young men holding Johnson as he speaks constitute supportive third parties. They were not involved in the initial confrontation, so they are not insurgents. But they are clearly taking sides. The larger young man to Johnson’s left looks angry but calm as he steadily glares at the reporters, his right hand firmly supporting Johnson’s left shoulder. The young man to Johnson’s right stands slightly behind and angled toward Johnson. He looks agitated, his jaw set, and his breathing is heavy as his eyes shift between Johnson and the

reporters. These young men were not with Brown and Johnson when they were confronted by the police. They were not yelled at by the officer, and they were not shot at. But they have come to Johnson's side, ready to stand in support (Fox 20140809d Dorian Johnson).

Further, the tone of Johnson's recounting of the police killing of Michael Brown, the presence of activist Anthony Shahid, and the way the young men embrace Johnson as he tells the story, all suggest that Johnson is not alone in his perspective. The interview begins to reveal a background situation in which there was significant ongoing polarization between the nearly-all-White police force, and young Black people in Ferguson. Johnson's matter-of-fact recounting of defiance – and the countenance of the two young men holding Johnson – suggests that they all view customary policing in Ferguson as unjust. If Johnson believed police generally treated people properly, or that his audience might think so, he would not have portrayed his defiance as so commonplace. Nor would the two young men have received the account of defiance as commonplace if they viewed customary policing in Ferguson as proper. Even in this first data from the scene, there is evidence that customary policing of Black people in Ferguson has systematically generated grievances.

The Handling of Michael Brown

In the moments following this defiance, Officer Darren Wilson shot and killed Michael Brown.

There are no accessible video recordings of the murder. But the police handling of the crime scene is well documented. Shortly after Michael Brown was killed, about a dozen cars from the Ferguson Police Department arrived at the scene. Ferguson officers dressed in their navy-blue uniforms closed down the street and sectioned off a large area around Brown's body with crime-scene tape (TDiddy 20140809a). The clouds parted,⁷ and the authorities left Brown's body lying in the sun in the middle of the street uncovered. Blood ran down the street from Brown's head and body (PoliticalAnt 20140809a). People began to gather, and some complained that no ambulance had been called (TDiddy 20140809a). Once police decided to cover Brown's body, the sheet they used still left the top of his bleeding head and his feet exposed (FreezeCurl 20140809a). The authorities left Brown's body lying there for hours.

As Michael Brown's body lay in the street, several dozen people, virtually all Black, gathered outside the police tape. Inside the police lines, White officers in uniform and a technician milled around stiffly and deliberately.⁸ Some members

⁷ Sharp shadows can be seen in various videos, e.g. Fox 20140809c.

⁸ These are my own phenotypical assessments of race based on video evidence.

of the crowd appeared troubled and concerned. A few complained. Cell phone video captured bystanders talking about the injustice of the situation. In a heavy tone, with the video camera on his phone showing Michael Brown's body bleeding in the middle of the street, one man narrates the scene to a friend: "They say he had his hands up and everything." The friend asks, "They trying to get at him?" In other words, did the police premeditate the murder of Michael Brown? The first man replies, "I don't know, I wasn't out here. I just heard the gunshots." After some time, the first man, clearly upset, declares that the police are "some lousy mother fuckers They've just got him laying in the street, dead as a mother fucker. They've just got him laying here." The friend declares, "This is fucking unreal." A woman screams, "Where is the ambulance?" (TDiddy 20140809a: 3:45).

<https://youtu.be/x4iokoqfenk?t=225>

The police decision to leave Michael Brown's body bleeding in the street appeared to many bystanders at the time to reflect a callousness, an indifference toward Brown's humanity, and a lack of empathy toward the feelings of family and neighbors. Some commentators later likened it to a public lynching – a public display of how defiant Black people will be handled.

Michael Brown's body bleeding in the street surrounded by police tape drew the attention of locals and the media, and provided a physical focal point for the gathering of an angry crowd. All else being equal, if Michael Brown's body was not left in the street and had been quickly taken away by an ambulance, it is hard to imagine so many people gathering in anger so quickly.

As the body bled in the street, Domo – a young man from the neighborhood – tweeted: "maaaaannn that shit crazy bruh everybody out there pissed" (Domo 20140809a). Alex, in the crowd outside the police tape, tweeted that the police were acting like bullies because they are the kids that got picked on in school when they were growing up (Alex 20140809a). Another young man from the neighborhood, Slikk, tweets that the police are "hella fuckin dirty" (Slikk 20140809a).

A young woman from Canfield shared a photo of Michael Brown's body bleeding in the street with the caption "How in the hell do you shot [sic] an unarmed teenager???? Somebody please tell me!!!" Michael Brown's cousin shared a photo of him vibrant and alive. Toya, a local young woman, tweeted the two photos together with the comment "My heart so heavy for this young man," and lots of others chimed in, and several hundred retweeted it (Toya 20140809a).

The police left Michael Brown's body lying in the street for hours. Viewing the image of Michael Brown's body left bleeding in the street was the way many people first heard about the case. Many local Black people commented on social

media. Shawty tweeted: “They had that body laying out in the ground for . . . hrs. Like, why?” (Elzie 20140809 L). MrRe wrote: “Had that child laid out there like fucking roadkill . . .” Liberienne added: “They did not cover his dead body. He lay there, decomposing” (Elzie 20140809 m,n).

Preliminary Protests

Soon after Michael Brown was killed, his family members began to arrive at the scene, gathering with other onlookers outside the police tape. Brown’s step-father arrived not long after noon and his aunt arrived, apparently coming from work, wearing scrubs, and began calling others (TDiddy 20140809a).

About an hour later, Brown’s mother Lezley McSpadden arrived. The crowd became quiet. As McSpadden went to talk with police, about a dozen people, mostly middle-aged women, converged around her. Several people in the neighborhood had told McSpadden that a teenager was killed, and that they thought it was her son. At this point, most of Michael Brown’s body was covered with a sheet. Police had not identified the body and refused to allow McSpadden to see it. McSpadden talked with police and asked if they wouldn’t let her see the body, to at least please identify it. She told them about specific tattoos that her son had on his body and other identifying information. The police promised to get back to her (Reblop 20140809b).

A video shows McSpadden talking quietly with a police officer at the police tape near the site of the shooting. The officer tells her to “settle down.” McSpadden gets angry and yells, “Settle down?!,” throwing her water bottle on the ground. “This mother fucker shot my baby, he’s dead. Settle down?!? Kiss my ass!! That’s what you do. Tell me to settle the fuck down!” She storms away and much of the crowd follows her, including local activist Darren Seals, and Michael Brown’s frizzy-haired cousin, Sabrina Webb, who is intentional about standing protectively between McSpadden and police (FroggieLegs 20140809a).

<https://www.youtube.com/watch?v=voeknd-cdra>

Police never did get back to McSpadden with an identification. Only later was she able to confirm that it was her son, Michael Brown, who was killed, when a young woman from the neighborhood showed her photos she had taken on her phone of his body lying on the ground before police covered him with a sheet (Reblop 20140809b).

Here, McSpadden is acting out of grief. But she is also clearly aware of the public nature of her actions. She is cognizant of the people watching her, and the consequences of her actions in getting justice for her son, and she subtly but surely attunes her actions. Notice how, when she is initially talking with the

police officer, she has the water bottle in her hand. The officer makes comments that are upsetting to her, but she does not blindly or instantaneously react. Instead, she intentionally steps back from the officer and turns to the side first, both ensuring that she won't hit the officer when she throws down the water bottle, and displaying her confrontation more fully to the gathered crowd. She wants her actions to be supportable, and she wants witnesses.

The crowd that followed McSpadden after she yelled at the officer is more than support for her grief. This is a fight, and the crowd is taking her side, Michael Brown's side. Following McSpadden after she yells and curses at police is a sign of support. The people who follow her were not involved in the initial confrontation; they are third parties to the initial conflict, and could have stayed uninvolved. By following McSpadden, members of the crowd are taking sides – standing with McSpadden in support. By their actions, they are clearly indicating that they view the police actions as unjust.

Upset with the police handling of Michael Brown, shortly after McSpadden confronts the police, a group including many of those that followed her as she walked away from the police initiates preliminary protests. McSpadden sits on the ground crying, as two women comfort her. About twenty protesters gather around McSpadden. Led by Sabrina Webb – Michael Brown's cousin who protected McSpadden earlier – with Anthony Shahid on hand, they begin to protest nonviolently, chanting “No Justice, No Peace!” (KMOV 20140809a: 2:50). The protesters are clearly trying to project a public message. They face a television camera as they make their protest. With their chant, the protesters are pointedly suggesting that the killing of Michael Brown was unjust, and that the injustice must be rectified. They are also suggesting that they intend to make business as usual impossible if such rectification is not forthcoming. But they are also pointedly nonviolent. Protesters raise their hands, adopting the sign of surrender that early witnesses claimed Michael Brown was making when he was killed. And at this early phase, the protesters are also tentative. The tone of the chant is angry, but tentative. The protesters aren't sure how their actions will be received. A young man in the front dances self-consciously to the chant, like one of the first batch of dancers warming up the dancefloor at a party.

Following these preliminary protests, the insurgency would soon escalate.

Rose Petal Memorial

Police left Michael Brown's body bleeding in the street and tensions continued to rise. In response to the preliminary protests and rising anger in the crowd, police called for reinforcements. Officers began showing up at the scene with military-style weapons. Rather than quelling resentment, this display of force

further stoked anger among some in the crowd. At 2:14 p.m. Emanuel posted a picture of a police officer with a military-style rifle (Eman 20140809 h). His friend Slikk replied, “nigga they Finna ride on the boys for that shit ! Prepare yourself for a riot” (Slikk 20140809b). In other words, Slikk believes people from the neighborhood were upset with the police action and considering attacking the police in response. A little later he posted, “Really Finna be a north county riot, and I will participate, I’m Finna walk to west florissant” (Slikk 20140809 c). These young people weren’t directly involved in the initial confrontation between Michael Brown and the police officer. They also weren’t involved in the initial nonviolent protests. But they clearly felt the killing of Michael Brown was unjustified. Many were also upset that the police left Michael Brown’s body bleeding in the street. Some suspected the police were attempting to manipulate data from the crime scene to falsely exculpate Darren Wilson. Police responding to the anger of the crowd with military-style weapons intensified these feelings. Some were considering taking violent insurgent action in response. At about 2:15 p.m. Emanuel reported hearing gunshots (Eman 20140809i). And police also reported that someone had fired shots nearby (KMOV 20140809a: 3:30).

Clear the Area

At around 3 p.m., the police called in additional police from nearby jurisdictions to forcibly clear the area of the Canfield Green apartment complex. Police claimed that they could not control the crowds, so they had to clear the area to process the crime scene. The Ferguson police chief, Thomas Jackson, explained to Channel 4 News, “We needed to make sure that the crime scene was safe. That is why we called for the additional officers so that we could safely, without conflict, move everyone back far enough” (KMOV 20140809a: 3:30). Later that afternoon, Jackson told the *St. Louis Post Dispatch* that as soon as he heard about the killing of Michael Brown, he called Jon Belmar, the chief of the St. Louis County police, and turned over the investigation to him. He also explained that Ferguson police had difficulty controlling the crowd. “We had some issues here with crowd control. We had a hostile crowd” (SLPD 20140809a). Both Jackson’s initial decision to turn control of the investigation over to the St. Louis County Police, and his later decision to call for reinforcements to clear the area near the crime scene illustrate his assessment that the situation was beyond the capacity of the Ferguson police to manage.

A small White minority in Ferguson was holding on to political power and funding the government with predatory ticketing. As Conrod tweeted that day, “Go to traffic court in Ferguson. Everyone w/a ticket is Black. We don’t make

up the whole population. They target us. They go where we live” (Conrod 20140809a). An almost all White police force sought to control the sizeable Black majority. Outside the tape on Canfield Drive, police control was unraveling. Chief Jackson called for reinforcements.

Canfield Green apartment complex’s eighteen two-story multi-unit apartment buildings are comprised of one- and two-bedroom apartments housing predominantly Black low-income and working-class residents. The buildings are surrounded by open space – mostly grass and parking lots. Michael Brown was killed on the 2900 block of Canfield Drive, which is the main street, and the only throughway in or out of the complex (Google Maps 20140809a).

To clear the area of Canfield Green apartment complex, Ferguson police called in more than sixty reinforcements from a wide range of jurisdictions. They used police dogs to chase people off the streets and out of the open spaces. Many officers used semi-automatic military-style rifles to clear the area. They wore bulletproof vests. Armored vehicles were also called in and stationed nearby at West Florissant (KMOV 20140809a: 3:20; Fox 20140809a: 2:05, 2:33).

<https://www.youtube.com/embed/fchmxckn0c4?start=202&end=212>

Some residents and friends escaped inside. People who lived in the neighborhood were told that the area was on lockdown, and they had to remain inside. Emanuel wrote: “Just got told to stay inside” (Eman 20140809 j).

Police were determined to keep Michael Brown’s body lying in the street, apparently because they wanted to collect evidence that could be used to exonerate the officer who killed him. The growing crowd was increasingly unified in its anger at police handling of Michael Brown’s body and the circulating testimony about the killing. When challenged, police responded with force, asserting control over the area using dogs and military-style weapons. Given that the Ferguson police were overwhelmed and incapable of managing the situation without support from the county and other police jurisdictions, the effects of someone firing a gun nearby should also not be overlooked. The police action to clear the area responded repressively to insurgent challenge, both the preliminary protests and the shots fired. It appears that the police command believed it was necessary to clear the area in order to collect the evidence they wanted.

There is no doubt that the structural situation – not least the ongoing strain of police efforts to defend predatory minority White rule in Ferguson and long-standing grievances against racist police violence – made the situation quite polarized and there were no easy solutions for the police when challenged. But the sweeping strong-arm response they chose – to clear the area with dogs and military-style weapons – was only one possible response, and it was consequential.

People gathered near Michael Brown’s body who did not escape inside, including Lezley McSpadden and other family members, were forced out of

the apartment complex. Michael Brown's body remained, lying the middle of the street. Police then sealed the area.

Canfield Drive runs west from the Canfield Green apartments ending at a T junction with West Florissant Avenue, a major road, and the police set up their blockade at that intersection. This is about a third of a mile from the site of the shooting.⁹

<https://www.google.com/maps/dir/w+florissant+ave+&+canfield+dr,+ferguson,+mo+63136/38.7383375,-90.2736533/@38.7378245,-90.2764359,658m/data=!3m1!1e3!4m9!4m8!1m5!1m1!1s0x87df498a5f515c7d:0xe86c358ea268ba9c!2m2!1d-90.2784267!2d38.7381145!1m0!3e2>

Initially, about a dozen police cars parked on Canfield Drive near West Florissant Avenue, and police stationed several community-relations-oriented officers at the line to communicate with residents and keep them out of the area. But the pressure increased as residents wanting to get home were kept out, and perhaps some of those forced out wanted to return. Dozens of residents were soon spread out facing the officers, wanting to get home. The exchange between residents and officers soon became agitated. Some people started shouting (Davidson 20140809b).

As the situation became heated, police used tape to demarcate the boundary beyond which people would not be allowed to pass toward Canfield Green apartments, about 100 feet east of the intersection on Canfield. They tied the tape to the red post of the awning of the abandoned restaurant on the northeast corner, the original home of Red's BBQ. Police stationed an officer next to the post so people couldn't slip between the post and the building. They tied the other end of the tape to the iron fence encompassing the parking lot of the one-story brick office building on the southeast corner. Police reinforcements were called from multiple jurisdictions, and they arrived wearing a variety of uniforms, some light blue, some beige, some navy. Officers were stationed to blockade the area, lined up across Canfield Drive in a double row behind the tape. The vast majority of officers were White, but there were a few Black officers as well, who police stationed in a clump together front and center

⁹ (Google Maps 20140809f): I can tell the location because in various footage of this police blockade, you can see the sign above the restaurant "Red's BBQ" and the original Red's BBQ was at 9300 W. Florissant at Canfield Drive. And it is across the street from the Public Storage facility. I don't know whether the police actively pushed people the full half-mile out here. Instead, they may have set up this blockade at the same time that they forced people to clear the area away from Michael Brown's body. But many of the people initially gathered at the crime scene relocated outside the police blockade, including Brown's mom and stepfather. See references for protests at this corner for specific visual evidence, which was checked against Google Maps' street-level view for confirmation.

(French 20140809 c; Holland 20140809 c; TheObamaDiary 20140809a).¹⁰ Residents outside the blockade were prohibited from going home while the blockade was in effect (SLPD 20140809a; Holland 20140809d).

<https://twitter.com/antoniofrench/status/498250224784379904>

Police called in several armored vehicles and stationed them at the intersection of Canfield Drive and West Florissant Avenue further fortifying the blockade (Holland 20140809b; French 20140809a; Fox 20140809a: 1:55).

Outside the Blockade

Once pushed out of the neighborhood, about 200 people gathered outside the police blockade. By clearing the neighborhood, and setting up a blockade, the police action indiscriminately affected lots of people. Some of these people had stood outside the police tape on Canfield drive and expressed concern about the killing of Michael Brown. Others had simply looked to see what was going on. Yet others weren't even near the police tape when police cleared Canfield Green, and some were not in the complex at all. But – regardless of their own individual actions – all were now being confronted by armed police wielding military-style equipment. Thus one way that the police repressive action helped mobilize collective resistance was by clearing everyone from the neighborhood by force, and blockading them out. In a sense, the police directly organized a collective resistance by forcibly herding people together outside the blockade. Conversely, people who were at home in the complex were locked in – forced to stay there. Locals commented on the effects of the indiscriminate police repressive actions on uninvolved neighbors. Van tweeted: “Y’all not getting the fact that they showed up in riot gear with assault rifles and ARE NOT ALLOWING ANYONE TO LEAVE.”(Vandalyzm 20140809a).

The police repressive actions drew additional local Black third parties to get involved, including friends and family members of those at Canfield Green. One person who was drawn in was St. Louis rap artist Tef Poe. Tef Poe’s mother and younger brother were directly affected by the lockdown and called him about it. Tef Poe posted on Twitter “My brother just confirmed cops are on the scene in full riot gear at least 200 police with M 16’s” (Poe 20140809a). “So let’s get this straight kill a kid for stealing from Quick Trip and show up with more guns ?” (Poe 20140809b). “My mother jus called and said the police have completely taken control of the neighbor[hood] in an attempt to subdue angry citizens” (Poe 20140809 c). “Basically martial law is taking place in Ferguson all perimeters blocked coming and going . . . National and international friends Help!!!” (Poe

¹⁰ 9300 West Florissant Avenue at the corner of Canfield Drive. See also Google Maps street view for context.

20140809d). People with large twitter followings took up the call (e.g. Jones 20140809a). Upset with the police action, Poe was among those who drove out to the scene (Poe 20140809e,f). Without the blockade, there wouldn't have been a scene for him to drive to.

One of the people who heard about the killing after the neighborhood had been cleared and people were locked outside the blockade was Johnetta "Neta" Elzie, a St. Louis local who had a significant presence on local Black Twitter. Elzie lived about fifteen minutes from Canfield Green apartments, but her aunt and cousin lived there (Elzie 20140809a,b).

Elzie first heard about the killing after people had been pushed outside the blockade, and tweeted that she was upset by the picture of Michael Brown's body laying in the street (Elzie 20140809 c,d). In their discussion over Twitter, Elzie and her friends emphasize the militarized character of repressive police action. Elzie tweeted that police were carrying military-style weapons. A friend replied "Jesus are you serious???" Elzie confirmed, and then elaborated: "SWAT + 200/300 police?! Ferguson not even big enough for all that" (Elzie 20140809 g,h). Elzie retweeted a photo of the police armored vehicle near the blockade, and another friend replied in disbelief (Elzie 20140809i). Elzie compared the situation to the war in Gaza (Elzie 20140809 j).

As images of the militarized police action spread, local Black people tried to make sense of what they were seeing. Many explained the police actions as expressions of institutional racism, reflective of the customary and racist treatment of Black people. Discussions among Elzie and her friends are illustrative. NotBeezy wrote: "I cannot recall ONE incident in my lifetime where i saw a police officer and felt safe or protected." AlexDon responded: "Ever" (Elzie 20140809o). Airln wrote: "People are literally afraid of us, as if we are animals It's baffling" (Elzie 20140809p). Elzie pointed out the historical irony of White people being afraid of Black people: it's like we're "the ones to be afraid of, like we're the ones who hung/burned/castrated ppl & took pics smiling next to the bodies Like we're the ones who raped and mutilated men, women and children Like we're the ones who kidnapped and stole HUMANS for centuries and sold them Black people aren't the ones. Be afraid of your got damn selves white folks." (Elzie 20140809q,r,s,t). BookofJonah wrote: "Just being black is reason enough, ANYTHING we do is reason enough to kill us" (Elzie 20140809 u). Civil wrote: "Shit isn't safe out here for us. None of us. Woman, man, child" (Elzie 20140809 v). Elzie concurred: "Can't even walk down the street" (Elzie 20140809 w). Crown despaired: "As a father of 2 little black boys how am I supposed to sleep at night?" (Elzie 20140809x). Upset about the situation, Elzie and several of her friends eventually drove down to Canfield "for black people" (Elzie 20140809y,z,aa).

Following the police action to clear the Canfield Apartments, in the crowd gathering outside the blockade, many people felt that the police were unjustified in their actions. As police with heavy gear, including an armored vehicle, arrived outside the blockade, people took out their phones to video-record the police actions (Noble 20140809b). Some felt the community would have to take the situation into their own hands to get justice. One man in his late twenties told a friend on video: “Ain’t no justice out here, it is just us! We gotta start standing together out here, or we gonna keep losing” (Kapeli 20140809a).

A number of people with stature in the Black community in the greater Ferguson area heard about the developments, and quickly got involved. Tammie Holland, a long-time St. Louis radio host, heard about the shooting about the time Canfield was being cleared by police, and reached out on social media to ask her followers what was happening (Holland 20140809e, a). She drove out to the blockade and started posting information. Much of her coverage emphasized the heavy-handed police presence. She tweeted: “The police presence in Ferguson right now is unreal! This is horrific! A young man’s life was taken by force for no good reason” (Holland 20140809 f). She tweeted a photo of the police armored vehicle (Holland 20140809b).

Black St. Louis Alderman Antonio French heard about the police actions, drove to Ferguson, and arrived at the blockade about 6 p.m. French had a twitter following, and his picture of an armored police vehicle outside the blockade was retweeted hundreds of times. Responses to Antonio French’s tweet of the armored vehicle show how the threatening police response amplified the racist policing frame. Some commentators strongly identify with the protesters as Black people: “Then they wonder why in the fuck we thugs . . .”; “Because we are enemy combatants.” Other commentators suggest that the police actions are expressions of institutional racism: “This is the real danger in the black communities. Where do people go for protection from thug cops?”; “Funny how they didn’t bring out this hardware when the T-Partiers where protecting the Bundy Ranch”; “Is this Circa South Africa 1982 or is it America 2014?” (representative same-day comments on image of armored vehicle, French 20140809a).

A young local Black woman named Kelsy was among those whose attention was caught by French’s image of the police armored vehicle. She retweeted the image with the note “omg.” Then, she retweeted images of police with dogs and shotguns, and the note “UNBELIEVABLE.” And another picture of armored truck. “i wanna cry so bad,” she commented . . . “is this MY city? these pics and photos look like their from the 1960s.” After a while her surprise and sadness turned to anger. Addressing the police she tweeted: “YOU ARE IN OUR NEIGHBORHOOD STARTING SHIT. GET. OUT” (Kelsy 20140809b-f).

<https://twitter.com/antoniofrench/status/498248648699150336>

Longstanding grievances against racist policing motivated the insurgent actions and allied actions discussed here. But these grievances did not motivate action alone. One of the most important causes of escalation was the militarized repressive action by police. Counterfactually, the angry crowd yelling at police would not have developed on West Florissant Avenue and Canfield Drive if police had not cleared the area by force and blockaded people out of the neighborhood. Police response to this challenge was to further fortify the blockade with additional officers and armored vehicles.

As evidenced in online discussions among local Black people, and video footage of conversations on the ground, police actions to clear the area and fortify the blockade elicited widespread anger among local Black people. These repressive actions were seen not only disproportionate to any challenge the police were facing, but also indiscriminate – broadly affecting many residents who were just trying to go about their day.

News Shifts Frame

Early mainstream media coverage of the killing of Michael Brown and the community-police interactions following were heavily influenced by the police perspective. As Antonio French, Johnetta Elzie, and other local Black people began covering the events on social media, they directly and effectively challenged mainstream coverage.

The story from the *St. Louis Post Dispatch* was initially headlined “Fatal Shooting by Ferguson Police Prompts Mob Reaction.” While community members cleared from Canfield Green gathered outside the blockade, French retweeted the *Dispatch* story with a critique of the headline: “‘Mob’? You could also use the word ‘community’” (French 20140809ac). *Fox2* initially headlined its story “Man Shot, Killed in Ferguson Apartment Complex.” Elzie retweeted the story criticizing the headline: “Look how you’re poorly reporting this story 17 years old is not a man, that’s someone’s child If he was a 17 year old white person, your headline would be ‘teenager slain’ or ‘youth murdered in the street’ but because he was black, at 17 years old he’s a ‘man’ according to the media trying to spin the story” (Elzie 20140809ab,ac,ad). As the critiques picked up a following online, both media outlets quickly responded, revising their headlines, calling Michael Brown a “teenager” rather than a “man,” and removing the term “mob” (SLPD 20140809b; Fox 20140809a).¹¹

¹¹ Revised headlines here: (SLPD 20140809b; Fox 20140809a). Notice how the hyperlink in the Fox article differs from the revised title.

Prayer Circle

Brittany Noble, a Black reporter for a local TV station, arrived while the crowd was gathered outside the police blockade. Her initial coverage, posted to her social media accounts, documented the overwhelming presence of police and their armored vehicles, commenting “Never seen anything like this before.” Others responded appreciatively to her reporting. For example, eclecticdestiny commented: “Only reporter getting the truth.” Rayblinkie said: “Be the voice for everyone right now get this injustice out on the news, spread it throughout social media do as many interviews as you can.” Jlrphotodesign commented: “You’re doing a great job ma’am . . .” Sun_nie concurred: “Thank you so much for your hard work . . . it is appreciated all over stl” (Noble 20140809 c,d,e).

Apparently, none of the reporters on site up to that point had bothered to speak with Michael Brown’s mother Lezley McSpadden. Noble interviewed McSpadden, who spoke poignantly in her grief. “You don’t do a dog like that!” McSpadden declared, questioning why the police shot her son so many times, and why lethal force was necessary in the first place (Noble 20140809 f).

<https://www.instagram.com/p/rfvkc-sq95/>

The attention of third parties with some institutional standing facilitated the development of collective action. A small crowd gathered around McSpadden as Brittany Noble interviewed her for TV. A local minister joined the group. Once the interview was completed, the reverend led the people standing around McSpadden in prayer (Noble 20140809 g). Sabrina Webb now stepped in to help organize. More people gathered around McSpadden and the reverend.

The influx of police vehicles had shut down the intersection of West Florissant Avenue at Canfield Drive. Police parked an armored vehicle in the intersection and stationed an armed sentry on the roof to monitor protesters. Initially, police tape forbade people from congregating in the intersection (Kapeli 20140809a). And people stayed out of the street (Noble 20140809b,c). But as the group around Lezley McSpadden expanded, and filled out into a prayer circle, it claimed the street, occupying the intersection of West Florissant Avenue and Canfield Drive. Someone gave McSpadden a bouquet of roses. People passed out candles, making a vigil in honor of Michael Brown. By this time, a number of television cameras were on scene recording the activities for local news. Many members of the crowd also video recorded the activities on their cell phones (Noble 20140809e,h; French 20140809aa; KMOV 20140809a 0:36).

Police were on hand, but they allowed protesters to defy the law by claiming the street. While the vigil implicitly protested the killing of Michael Brown, it was also mourning. With third parties on-hand who had not been involved in

protest activities on Canfield Drive clearly supportive – including many of the participants and the reverend leading the prayer circle – and video cameras rolling, the police decided not to interfere. Lots of people, more than fifty in all, including old people and small children, seeing that police were not going to intervene, joined the vigil (Noble 20140809e,h; French 20140809aa; KMOV 20140809a 0:36).

<https://www.instagram.com/p/rfxzjcsqyu/>

Escalating Protest

After the vigil finished, the blockade remained. The earlier police actions had galvanized the crowd. A variety of supportive third parties had been activated, and protesters were emboldened. So protesters took nonviolent action to another level. Large-scale confrontational protest began in earnest at this juncture outside the blockade. The crowd was almost exclusively Black, and diverse in age and gender. People gathered right in front of the double line of police at the blockade. A heavysset man in his late twenties wearing a white t-shirt with a colorful emblem led one of the chants. As he paced he called in a powerful baritone “What do we want?” The crowd responded “Justice!” “When do we want it?” “Now!” A young woman in skinny jeans and a bikini string grey tank-top swung her hips and her dangly earrings to rhythm. A boy, about ten years old, on a BMX bike stared at the police and gesticulated for emphasis: “When do we want it?” “Now!” Protesters were clearly aware of the broader optics of their actions, demonstrating for a broader audience they imagined would appreciate their actions. Many of the protesters video-recorded their confrontation with police (Holland 20140809 c).

<https://www.instagram.com/p/rfyd1hlp87/>

As the police stood, unmoving, blocking the protestors from entering Canfield drive, the protests grew more heated. Police didn’t move to arrest the protestors, but the blockade provided a focal point for the people’s anger. The chants grew louder and louder. A few protesters sat right under the tape in front of police blockade. Some of the protesters chanted directly in the faces of police officers (French 20140809 c; TheObamaDiary 20140809a; 3ChicPolitico 20140809a; Thorsen and Giegerich, SLPD 20140809).

A tall woman in a white shirt shouted, “Who is going to police the police?” A number of people in the crowd nodded. Darren Seals spoke up to the crowd, adding a Black power perspective. “Divide and conquer. They done conquered us and its 500 years after they landed. All this marching and protesting ain’t going to do shit . . . We going to march again tomorrow with a picket sign and protest. Fuck that. And the Black [police officers]?! Y’all should be ashamed of

yourselves. I don't even want to look at y'all." One young woman started taking down the names of the officers to post online (Davidson 20140809 c). Michael Brown's step father, Louis Head, strode up and down the police line at the blockade protesting with a sign that read "Ferguson police just executed my unarmed son!!!"¹² showing the sign to police. Many from the crowd cheered him on. Some got more heated and yelled and cursed at the police (Ash 20140809a).

National Discussion

Initially, there was no national coverage of the story. But as local Black leaders got involved, national activists who were involved in organizing against police violence against Black people picked up the story and spread the news on social media more broadly. Michael Skolnik, a member of the board of the Trayvon Martin Foundation heard about the story on social media while people were protesting outside the police blockade, and he retweeted a photo of Michael Brown's step-father outside the blockade to his many followers nationally (Skolnik 20140809a). Thousands retweeted it. Skolnik began closely following the story, and reporting it to his twitter audience, emphasizing that Michael Brown was unarmed when he was "shot (10 times) and killed" by police. Already involved in the Trayvon Martin and Eric Garner campaigns, Skolnik actively promulgated the racial frame, tweeting, for example: "How many unarmed black teenagers will be killed in America?" (Skolnik 20140809b).

Thousands responded to Skolnik's tweets. Many commented on the character of police action after killing Brown. Some emphasized the callous character of police action. Cat wrote: "Couldn't they even show some respect for the corpse of someone's beloved grandson? Are we just meat?" (PoliticalCat 20140809a). Others emphasized the racist character of the threatening police response to nonviolent protest, drawing analogies to the Civil Rights Movement. Vickie627 wrote: "dogs? Is this Selma Alabama Revisited?" (Vickie 20140809a). CohibaSmkr wrote: "Police Dogs? What's next . . . are they going to bring out the fire hoses and Sheriff Bull Connor" (Cohiba 20140809a).

Reclaiming Canfield

After about five-and-a-half hours, authorities removed Michael Brown's body from Canfield Drive (Elzie 20140809 k).¹³ Just before 7 p.m., seven hours after

¹² Some early postings of the photo of Head holding the sign: (Nate 20140809a; Holland 20140809a; Russell 20140809a; Poe 20140809g)

¹³ Some retrospective news accounts claimed the body was removed after about four hours, but provided no credible evidence. The earliest twitter evidence I found on the timing of removal was a posting by @BudLightVillian including a photo they took out their window of Michael

Michael Brown was killed, police took down the blockade near the corner of West Florissant Avenue and allowed people to reenter Canfield Drive and the Canfield Green apartment complex (French 20140809d-s).

With the blockade removed, hundreds of people flooded back down Canfield Drive into the Canfield Green apartment complex, toward where Michael Brown was killed (Carson 20140809a). When Lezley McSpadden, Michael Brown's mother, arrived at the spot in the center of Canfield Drive where her son was killed, many gathered around her. The people gathering included not only residents of Canfield Drive and their friends and family, but a variety of people who had heard about the police actions during the blockade, and driven down. Among these were a number of local leaders, such as radio personality Tammie Holland, council member Antonio French, and state senator Maria Chappelle-Nadal (Holland 20140809 g; French 20140809 t; Chappelle-N 20140809a).

Initially, when she heard about the killing of Michael Brown, Chappelle-Nadal, the Missouri state senator for district 14, which includes Ferguson, saw the killing of Michael Brown as part of an ongoing pattern of police violence against Black boys. Rather than out of the ordinary, she saw the killing as a common occurrence (Chappelle-N 20140809b,c,d). But following the blockade and sustained confrontations between protesters and police, Chappelle-Nadal decided to go to Canfield Drive herself. She arrived before sundown to catch the end of the rose petal memorial (Chappelle-N 20140809a).

Those gathering reclaimed Canfield Drive as their own. Someone parked a moped cross-wise in the middle of the street half-a-block away and stood indicating that traffic could not go through. Virtually all of the people gathered at the rose petal memorial were Black, and a large majority young – teenagers and young adults in their twenties. There were a few middle-aged women in the inner circle around McSpadden. To McSpadden's right, Michael Brown's cousin Sabrina Webb made calls on her cell. Louis Head held McSpadden as she ceremoniously scattered rose petals onto the pavement where her son was killed. A young activist, Darren Seals, with his long hair back and a baseball cap knelt down and touched the ground where Michael Brown had died. Projecting a mix of mourning and protest, participants in the rose petal memorial were clearly cognizant of a broader audience for their actions. Many video-recorded the event on their smart phones, or took photos (Thorsen and Giegerich 20140809b; SLPD 20140809 c; Chappelle-N 20140809a; Holland 20140809 g; Poe 20140809 h). Some participants reached out on social media for others to come out to the site where Michael Brown was killed for a candlelight vigil (French 20140809ad;

Brown's body being loaded into a Black SUV. @BudLightVillian claimed Brown's body was being removed at the time of posting, about 5:30 p.m.

Chuckey 20140809a). Someone tied a teddy bear to a nearby lamppost. Mourners lit candles (French 20140809 t). A young girl cried, “This has got to stop! He was on his knees” (Chappelle-N 20140809e).

<https://bloximages.newyork1.vip.townnews.com/stltoday.com/content/tncms/assets/v3/editorial/d/fd/dfdd7d93-6a00-53c5-ba83-43f3ec2c4df5/53ee62ee0f80e.image.jpg>

A series of interactions between activists, police, and third parties generated and shaped the rose petal memorial. Amplifying the callousness of the earlier police decision to leave Michael Brown’s body bleeding in the street for hours, police actions to clear the area of the Canfield Green apartments, forcibly herding people outside the blockade, brought people together and galvanized protest. The group that gathered for the rose petal memorial at the site where Michael Brown died walked there together directly from the blockade. The earlier repressive actions by police drew support not only from neighbors, but from local Black people who did not live in Canfield Green or have any earlier relationship with Michael Brown’s family. These people included influential outsiders like radio host Tammie Holland, assembly member Antonio French, state senator Maria Chappelle-Nadal, rapper Tef Poe, and online networker Johnetta Elzie. Participants in the rose petal memorial were well aware of the broader optics of police action, and were emboldened by third-party support. At the very site where the police had ordered Michael Brown to get out of the street hours earlier, participants in the rose petal memorial gathered – blocking the street in violation of the law. Replicating and extending the dynamic of the earlier prayer circle, the tenor of the event was mournful. But taking over the street and actively blocking traffic was both illegal, and territorial. The memorial reclaimed Canfield Drive from the police who had earlier forcibly expelled the community members. Initially, police stayed away and did not interfere with the mourners or construction of the memorial.

Concerning events that would unfold next, perhaps the most important aspect of the rose petal memorial was the powerful way it manifested grieving as an act of defiance.

We Are Michael Brown!

While the memorial was made of simple materials quickly assembled – some rose petals and candles – its symbolism was weighty. Michael Brown’s mother constructed the memorial on the ground where Michael Brown was shot by police, who had left his body there bleeding for hours. Police had claimed the territory as their own. They had cordoned off the area, preventing family members from getting near the body, and cleared residents from the blocks surrounding the site of death with dogs and military-style weapons so they could

do what they wanted undisturbed. The memorial reclaimed the territory for the community and sought to reclaim the human dignity of Michael Brown.

As with the earlier prayer circle outside the blockade which also seized control of the street, the rose petal memorial garnered broad support, and the police did not try to interfere. This indicated a breakdown in police control of the site, and insurgents stepped in to fill the void. After Lezley McSpadden left, people continued to mill around the memorial site, talking in small groups. At about 8 p.m.,¹⁴ a person affiliated with the New Black Panther Party (NBPP) began speaking to people in the area. He wore a Malcolm X t-shirt, with a big X on the back, and a covering over his hair. Several comrades from the local NBPP were on hand, dressed in military fatigues, and cheering him on. “We cannot keep allowing this to happen!” he proclaimed. “No sir!” someone from the crowd responded. The speaker continued: “Ferguson? Klu Klux Klan. That’s who that is!” “Right!” and “Right on!” a few members of the crowd responded. The speaker strode back and forth in the middle of the street near the rose petal memorial, working the crowd. As he continued preaching, members of the crowd started to shout out, getting more agitated. “This is when you turn the fuck up!” someone yelled. Onika, also an affiliate of the NBPP and who was filming the situation, yelled: “First Trayvon Martin, Michael Brown, who next!” The speaker went on: “We the people, we got power! We keep giving these crackers our money, staying in their complexes, and we can’t get no justice! No respect!” The crowd was getting more unified and angrier, cheering and shouting. Local activist Darren Seals showed up and greeted the NBPP members. Onika called out, “Where the thugs at? Where the street tribes at when we need you?” A large man in a red shirt and maroon cap stood in the middle of the street shouting and gesticulating angrily “It’s going to happen tonight! Not tomorrow!” (Onika 20140809a).

At about 8:20 p.m., someone set fire to a dumpster on Copper Creek Ct around the corner from where Michael Brown was killed – one of the side streets in the Canfield Green apartment complex (Noble 20140809i; Noble 20140809a; Chappelle-N 20140809 f; Connor 20140809a).¹⁵ Several fire

¹⁴ You can tell the time of the video because the sun is going down. Sundown in St. Louis on that day was 8:02 p.m. The sun is out in the start of the video. But at various points, it appears to be getting close to the horizon. And by the end of the three-minute video, some cars have turned on headlights and the sun appears to be starting to drop below the horizon.

¹⁵ For the exact location of the dumpster, compare the footage from Noble 20140809i to Google Maps 20140809h. The dumpster set on fire is on Copper Creek Court, north of Canfield Drive near the intersection of Coppercreek Road. Copper Creek Court intersects Canfield Drive just east of where Michael Brown was killed, and the dumpster set on fire is on the east side of the street. Responding Fire trucks could have accessed the dumpster without passing the memorial on Canfield Drive either by coming from the east onto Copper Creek Court, or by circling around on Coppercreek Road from where it intersects Canfield Drive to the west. It is also possible that

engines and lots of police soon arrived. Police mounted armed guards on top of the fire trucks (French 20140809ae,af). Police were not able to find anyone involved in starting the fire.

Meanwhile, on Canfield Drive at the site Michael Brown was killed, someone tied a stuffed monkey toy to the lamppost on the North side of Canfield Drive just east of the rose petal memorial. A small group of young Black women maintained vigil at the rose petal memorial (French 20140809 t). By this point, many people were out on Canfield Drive, sprinkled up and down the street in small clusters (Noble 20140809 j). About 8:30 p.m., a single police car from the nearby Kinloch jurisdiction came through the back, eastern side of the apartment complex, from the direction of the dumpster fire, down Canfield Drive, and tried to pass the memorial. The young women holding vigil refused to get out of the way, and stood protectively over the vigil. The people milling on either side of Canfield Drive, where Michael Brown had been killed, drew closer. Others walked over. A couple of groups of young men started to edge into the street. People in the street started chanting, “No Justice, No Peace!”¹⁶

<https://twitter.com/antoniofrench/status/498280730070622209>

Steadfastly nonviolent, the young women were clearly defying the law by blocking the street. This is the very same place a police officer confronted – and subsequently killed – Michael Brown earlier for walking in the middle of the street. This is the area from which police forcibly cleared all the residents, family, friends, and onlookers. Many of the people gathered on the sidewalk also appeared angry with the police, and supportive of the young women who reclaimed the site where Michael Brown was killed, standing resolutely at the memorial, blocking the street.

At first, when a few insurgents blocked the police car, dozens of bystanders were reticent to risk the potential repercussions of blocking the street themselves. But as time passed, and the officer stayed in the car, others started coming into the street to join the young women confronting the police. Still no backup arrived. People started yelling at the police officer and moving closer to the car. Rather than trying to clear the street alone, or waiting for backup, the

the fire trucks came up Canfield Drive without being blocked. From French 20140809ae,af, it looks like the firetrucks drove in from Canfield. After filming the dumpster on fire, but before the escalating confrontation with police, Brittany Noble leaves from Copper Creek Court traveling west on Canfield Drive past the memorial, and has no trouble passing.

¹⁶ The exact location of this confrontation at the site of Brown’s killing can be seen by the toy monkey tied to the lamppost at the very left of the frame. Antonio French posted his photo of this scene only two minutes after he posted the photo of young women holding vigil at the rose petal memorial. He took the photo from the same, north side of the street, only several hundred feet to the west, toward West Florissant Avenue. Among the young women blocking the car are some recognizable as having earlier held vigil including one young woman with long tight braids, a white t-shirt, and a red baseball cap (French 20140809f; Google Maps 20140809b).

police officer put the car in reverse, and started to edge back down Canfield Drive (French 20140809ag; Chappelle-N 20140809 g). More people came into the street and some started to yell angrily. The police car slowly backed up about 200 feet. The NBPP-affiliated speaker from earlier with the Malcolm X shirt and the head wrap stood near the front facing the police car. The police officer slowly made a three-point-turn and drove back east on Canfield Drive, the way they had come. Some of the protesters, a mix of ages and genders, followed the car as it left, some shouting at the officer. The large man in the red shirt and maroon cap exclaimed, "That's right, get the fuck out!"¹⁷

<https://vine.co/v/mvtpbdwevhv>

For several minutes, a hundred or so people from the neighborhood converged, milling around the area of the rose petal memorial, many talking quietly in small clusters. Some stood in the middle of the street near where Michael Brown was killed, but many more stood on the sidewalk and the adjacent grassy areas. It was just after 8:30 p.m., and fully dark by this time. Someone parked their car protectively on the westbound side of Canfield Drive, with their headlights on, pointing east to illuminate and protect the rose petal memorial from traffic. A few other cars had pulled up with their lights on in the adjacent side lots off Canfield Drive and one or two had pulled up onto the side of the road. A slow stream of traffic continued to drive east on Canfield Drive, drivers respectfully easing their way around the rose petal memorial (Davidson 20140809a).

Then, within minutes of the patrol car being turned back, sirens could be heard racing east up Canfield Drive from West Florissant Avenue. "Here come the police," someone announced. The flashing red and blue strobe and glaring white high beams and spotlights of a caravan of police vehicles flooded the area. A couple of the slow-moving eastbound cars driven by civilians cautiously edged over, partially onto the sidewalk, to get out of the way. A young man walked concernedly into the westbound lane near where Michael Brown was killed toward the oncoming police with his arm outstretched protectively, delineating the boundary of the memorial so the police racing east wouldn't run it over (Davidson 20140809a).

Many dozens of police vehicles flooded into the site. Some people on the sidewalk recited the local jurisdictions that had sent them as they came:

¹⁷ (French 20140809g; Google Maps 20140809g): From the Google Maps street view, you can see that the protesters follow the car east, several hundred feet down Canfield Drive away from West Florissant Avenue, just past the easternmost intersection of Caddiefield Road. This is actually the dead-end portion marked Caddiefield Road with a street sign in the 2012 Google image, which, by 2019, had been removed along with a large tree. This is thus the third, easternmost intersection of Caddiefield Road with Canfield Drive, the first two, more westerly intersections of Caddiefield Road forming a circuit south from Canfield Drive around two buildings.

“Jennings, Kinloch, County, Ferguson . . .”(Davidson 20140809a). Perhaps two hundred officers from multiple jurisdictions had come. The line of responding police vehicles packed Canfield Drive bumper to bumper, their lights flashing, more than a quarter of a mile down toward West Florissant Avenue and out of sight around the bend.

The line of police vehicles pushed about 150 feet past the place where Michael Brown was killed, apparently trying to get to the crowd that had turned back the Kinloch Car. The police had driven over the rose petal memorial Michael Brown’s Mother constructed, crushing it. The crush of police cars remained parked on top of the rose petal memorial, lights flashing, sirens wailing. Police helicopters circled above, shining spotlights on the scene below (French 20140809ah,ai).¹⁸

<https://vine.co/v/mvtpefmmxvb>

Sabrina Webb stepped back into the street to confront the police, facing into the headlights. She was calm and determined, but in the swing of her arms, the sway of her step, as she looked west on Canfield Drive at the line of police cars that had driven over the memorial for Michael Brown she had helped create, you can glimpse the heartbreak she felt (French 20140809ah).

Several officers rushed east into the area on foot. One of the police SUVs pulled up, just past the memorial, jerking to an abrupt halt right in front of the lamppost with the stuffed toy monkey tied to it, emitting a ratcheting sound as the driver yanked on the emergency break. The doors flew open and officers popped out. From the front passage side came a very large White policeman swinging a military-style rifle and marching determinedly toward the east where the insurgents had turned back the Kinloch car. The scene was chaotic. Many more people on the streets nearby converged. Others came out of their houses. Someone started shouting “Klu Klux Klan!” (Davidson 20140809a).

Dozens of young people began to cluster together walking from the east where they had turned back the Kinloch car down the street toward the police. News photographer David Carson from the *St. Louis Post Dispatch* stood by, flashing photographs. Some of the young people raised their fists in the air as they marched toward the officers. Others raised cell phones making video recordings of the scene. Several members of the NBPP can be seen in the

¹⁸ You can tell that the police line pushed through the memorial protest and the specific location it stopped by comparing Antonio French’s footage to the street view on (Google Maps 20140809c). French (20140809ah,ai), having just come from following the crowd that turned around the Kinloch car, was filming from about 150 feet east of the memorial site on Canfield, which is about where the police line stopped. For simultaneous footage at the site of the memorial, see Davidson 20140809a. Here is a picture Antonio French took of the crushed memorial about half an hour later once the police left (French 20140809p). Tef Poe comments live on the police crushing the memorial here: (Poe 20140809i: 1:20).

crowd. A small cluster of police officers, who were on foot in the street with guns out, retreated back toward their parked vehicles. One officer walked backwards facing the crowd, gun out, protecting the back of his fellow officers as they retreated. A couple dozen of young people followed, converging near the memorial, into the high beams from the long train of police vehicles (Davidson 20140809a).

The callousness of the police action galvanized a new level of resistance. While it is impossible to gage the specific emotional reaction to the crushing of the rose petal memorial for each individual on the scene, beyond body language and the widespread yelling at police, we can get a sense of how members of the crowd felt from early twitter responses to Antonio French's post of a photo of the crushed memorial. Thespin tweeted: "Can't even have a memorial for this murdered child without #FergusonPolice destroying it. Disgusting" (Thespinster 20140809a). Lisa repounded: "Heartless!!" (Lisa 20140809a). D asked: "Did his mother not just leave some of those? ... no words" (Macdonald 20140809a). Sara wrote: "Oh Lord have mercy" (Holmes 20140809a). Ashleigh posted a broken heart emoji (Ashleigh 20140809a).

To many, police crushing the rose petal memorial appeared to demonstrate a lack of respect for Michael Brown's humanity. Tezzy pointedly characterized the police action as "Disrespectful" (Tezzy 20140809a). Mstrmnd agreed: "Blatant DISRESPECT" (Mstrmnd 20140809a). R said "Not OK" (R 20140809a). Marcus called "foul" (Marcus 20140809a). Ant stated: "That's coldblooded" (Allen 20140809a). Cheryl declared: "ATROCITY in our own back yard!!" (Morin 20140809a). Allen insisted: "we putting double out there tomorrow!" (Gates 20140809a). X concluded: "fuck the cops man" (X 20140809a).

Many people in the crowd shouted at police. Residents flooded out of their apartments and the surrounding area to see what was going on. The crowd overwhelmingly supported the protesters, and were upset by the callous action of the police. Heartened by the crowd, more people stepped into the street to confront the police at the spot where Michael Brown was killed.¹⁹ A woman in the crowd yelled "Badge Numbers!!!" The police backed up to their vehicles, guns out. Dozens of young people converged. An activist somewhere in the crowd began shouting "Put your hands up! Put your hands up! Put your hands up!" And dozens of the young activists in the street raised their hands as Michael Brown reportedly had in surrender in the moments before he was

¹⁹ The specific location of this main confrontation can be readily identified by the stuffed monkey toy tied to the lamppost on the North side of Canfield Drive just east of the rose petal memorial. It is clear in this photo from the *St. Louis Post Dispatch*: (SLPD 20140809d). Compare this view from (Google Maps 20140809d). As the police confront protesters here, the cars to the left are parked on top of the rose-petal memorial. See Antonio French's earlier photo for comparative location (French 20140809t).

killed. The wall of young activists was facing off with armed police in the glare of their headlights, hands empty, arms raised. Someone yelled, “Nobody done nothing!” (Davidson 20140908a).

With their cars parked on top of the rose petal memorial, as sirens wailed and helicopters circled overhead, the police again responded with the threat of violence, attempting to clear protesters from the street. As they had earlier, police brandished assault rifles as they confronted nonviolent protesters. Using snarling dogs, police attempted to force protesters out of the street and back onto the sidewalk (SLPD 20140809d,e; French 20140809 h). The police helicopter continued to circle overhead shining a spotlight on the crowd (French 20140809 L).

<https://bloximages.newyork1.vip.townnews.com/stltoday.com/content/tncms/assets/v3/editorial/d/f6/df6b1a76-2ed4-5376-b7dd-5cdceeb68876/54071ee9d0ab6.image.jpg>

But now things were different. Earlier, when police cleared Canfield Drive, each and every one of the unorganized collection of individuals had assessed the situation, and complied with police orders – either returning to their apartments, or vacating the area and moving outside the police blockade about half a mile away at West Florissant Avenue. Doubtless many had wanted to resist the police. Indeed, a few had chanted protests. But now, many refused to comply. The indiscriminate herding of people outside the blockade helped directly organize mass resistance. As did the callous and threatening action by police throughout the afternoon. The effects can be seen in responses to these later efforts by police to clear nonviolent protesters from Canfield Drive. Most of the people actually blocking the road appear to be young people from the apartment complex. But many third parties – including older residents of the complex, young people not participating in direct action, local political leaders, others who didn’t live in the complex but came to see what was going on for themselves, and many others over social media – were appalled at the police threat of violence against the nonviolent protesters.

<https://bloximages.newyork1.vip.townnews.com/stltoday.com/content/tncms/assets/v3/editorial/8/0a/80a4d87e-ef80-5741-88d1-d61a4cc375ba/53e6e2bb6d660.image.jpg>

Antonio French tweeted video and photos of the police with dogs confronting nonviolent protesters (French 20140809 h,m,n,o). Hundreds retweeted them. Elzie, on her way to the scene, retweeted the photos, commenting: “You can’t even mourn the loss! Look at the police dogs” (Elzie 20140809ae). Les, a Black St. Louis native tweeted: “Looking a little like déjà vu for some of our grandparents” (Les 20140809a). Now on site, Tef Poe tweeted: “Police showed up in MASSIVE force ..this is the exact location where #michaelbrown was gunned down” (Poe 20140809 j,k). He posted a video of the scene on Facebook. His friend in the video repeatedly shouted that the police were a gang. Amidst

the dizzying sea of police, and milling Black residents, he looked into the camera and narrated “North County St. Louis is a fucking police state right now” (Poe 20140809i,l). Watching the police storm Canfield Drive, state senator Chappelle-Nadal noted the racial dynamic to the police action, drawing an analogy to the recent police killing of Eric Garner in New York (Chappelle-N 20140809 h).

Brenna quickly found a historical photo from the Civil Rights Movement that looked a lot like Antonio French’s photo of the police with dogs confronting protesters on Canfield Drive, and tweeted the two images side-by-side with the caption: “Someone please remind me what year it is again? #ferguson” (Muncy 20140809a). Her tweet was retweeted more than 6,000 times. While there were no television cameras on site, news spread both locally around the Ferguson area,²⁰ and globally, with many commenting in real time about the character of the police response. Barbara wrote, acerbically, “Response to grieving community. Wow.” (Reid 20140809a). Relly wrote “fucking disgusting” (Relly 20140809a). Ken wrote “THIS IS SHAMEFUL AND WRONG” (Ken 20140809a). The images of threatening police repressive action amplified the racist policing frame. Tea noted: “Times change police DONT” (Tea 20140809a). Big added: “ain’t shit changed” (Big 20140809a). Mia mused that in Ferguson, the year was “1964 apparently” (Mia 20140809a). Slack tweeted: “AmeriKKKa” (Slack 20140809a). Zek noted: “Racism is still alive” (Zek 20140809a). Sharee concluded: “don’t matter the year . . . It’s up to us” (Sharee 20140809a).

The police action made some people on the scene angry, and some wanted to respond with violence. Poe reported: “This is the spot where Michael Brown was murdered by the Ferguson police . . . police officers swarmed this area guns assault rifles and dogs . . . They drove their vehicles over the rose petals and candles and nearly incited a riot.”²¹ Commenting on Poe’s Instagram post, BLKs commented: “Jus passed thru myself..ppl talmbout throwing cocktails at cop cars,” which is to say people on Canfield Drive were talking about attacking the police (Poe 20140809 m).

<https://www.instagram.com/p/rgiyowirna/>

Whereas earlier, police had succeeded in clearing the area, now, rather than intimidating people, callous and threatening repressive action by police galvanized resistance. The protesters did not leave. Facing hundreds of heavily armed police, a couple dozen nonviolent protesters refused to get out of the street. Unlike earlier, they no longer felt alone. Hundreds of

²⁰ For example, through retweets of social media postings made on site (Flocka 20140809a; Law 20140809a).

²¹ Typos corrected here (Poe 20140809k,j).

people on the sidewalk supported them, from elected officials, to community elders enraged with police action, to angry young people ready and willing to get violent.

<https://twitter.com/antoniofrench/status/498284334806495233>

And as the protesters were well aware, dozens of these third parties had their cell phone video cameras rolling: the world was watching. Sabrina Webb walked through the crowd, monitoring the situation. The overwhelming tenor of the crowd was support for the protesters (French 20140809 k,l,m,n,o,r; Poe 20140809 m)

In their treatment of Black mourners and nonviolent protesters, the almost exclusively White police force was putting their institutional racism on display. Facing the glare of the police cars, snarling dogs, and police armed with assault rifles, the protesters defied police orders to get out of the street. Instead, they raised their hands in surrender – like witnesses said Michael Brown had when he was killed blocking traffic at that same spot earlier in the day. Raising their hands in defiance, protesters made an analogy, implying that the police treatment of them was unjust, like the police killing of Michael Brown had been earlier. Someone began to chant, “We Are Michael Brown,” and the rest joined in: “We Are Michael Brown! We Are Michael Brown! We Are Michael Brown! We Are Michael Brown!” (French 20140809 k,l,m,n,o,r; Poe 20140809 m).²²

<https://vine.co/v/mvtmjvizell>

The police recognized the limits of their power. While hundreds of police from multiple jurisdictions had responded to protesters blocking the street at the site of the memorial – and they had tried to use the threat of assault weapons and

²² This is the same spot in the same sequence at a slightly different time: (SLPD 20140809e). Note the relaxed young man with short cropped hair, a white t-shirt, and gray sweatpants in the center of both that image and this one: (SLPD 20140809d). And the location is the same, it is just a different photo angle: (Google Maps 20140809e). The police dogs are gone, and it looks like the police car is trying to get through, so this may be when the police are about to leave. Antonio French posted numerous real-time updates, which are invaluable to constructing a specific sequence of events. It is misleading that – whereas he posted most of the footage of this conflict in real time between 8:32 p.m. and 8:51 p.m. – he didn’t post video footage of the culmination of the resistance, and protesters chanting “We Are Michael Brown” until almost an hour later at 9:50 p.m. That same minute, he also posted footage of the police leaving. And he also posted footage of the protest a six-minute drive away at the police station on South Florissant Avenue. We can infer that he posted the footage of this culmination later when he reviewed his footage. The fact that this protest was part of the same sequence of confrontation is confirmed by comparing the photo of the scene he posted at 8:51 p.m. (French 20140809m,n,o) with the culminating video clip (French 20140809r). The angle, many of the individuals, and their actions are the same. For example, note the young man with the gray t-shirt raising his hands in the center of the photo also standing in a similar position in the video. Further, at 9:02 p.m., French posted a photo of the crushed rose petal memorial, which had been covered by police vehicles earlier. So police had left by 9:02 p.m. And at 9:34 p.m., French mentioned the police having left retrospectively (French 20140809aj), which further demonstrates that the video of the culminating protest was posted retroactively.

dogs to clear the street – after less than thirty minutes, they came to the same realization as the nonviolent protesters.²³ Many of the hundreds of third-party observers in the crowd were against them. Police decision-makers may have also glimpsed that public opinion regionally and nationally was turning against their strong-arm response to mourners and nonviolent resistance. And some circumstantial evidence suggests police decision-makers may have also gotten pushback from state political leaders regarding their handling of events in Ferguson.²⁴

Precise calculations aside, police decision-makers understood that arresting the protesters, or trying to follow through on the threat of violence, would not quell the protests. It would only further inflame the situation. The protesters were obviously breaking the law by blocking the street at the site where Michael Brown was killed. But the police did not have on hand, and could not marshal, the necessary support to control the situation.²⁵ So the police packed up their weapons and dogs, turned around their cars, and left. People on the sidelines cheered and clapped (French 20140809s,q).

<https://vine.co/v/mvtm6am9lvu>

²³ During this thirty minutes, some protesters sat down in the street in front of the police vehicles. Many chanted “No Justice, No Peace!” (Davidson 20140809e). Behind the scenes, a young woman from the neighborhood who apparently is a friend of Michael Brown weaves between people on the sidewalk videorecording. You can hear the overwhelm in her voice. “This is the movement! Everybody everywhere. Everybody everywhere. You got dogs. They here for Mike. Everybody everywhere. This is not a game. Polices everywhere. Everybody everywhere. Just for Mike. Polices everywhere. Even the man recording. This is the movement. All down Canfield Drive its blocked off. Polices, and angry African Americans” (Davidson 20140809f)

²⁴ It is possible that the police decision-makers on the ground were in communication with statewide political leaders, and that statewide political leaders were concerned about how things were developing, and specifically suggested that police pull back. The only public commentary from a statewide political leader on August 9, 2014 I found came from Republican Lt. Governor Peter Kinder (Governor Jay Nixon was a Democrat). At 9:33 p.m., about half an hour after police retreated on Canfield Drive, Kinder tweeted: “In mid-MO tonight, hearing the sad news. Confident the fatal shooting in will be probed by higher authorities incl STL County, US DOJ” (Kinder 02140809a). Suggesting that the St. Louis County and especially Obama and Holder’s Department of Justice should investigate seems quite striking, coming from a Republican statewide elected official. It acknowledges that local authorities may have violated civil rights and that local investigations into the case may be corrupt. While this circumstantial evidence is only suggestive, it does seem compatible with the hypothesis that Kinder was privy to discussions about the damaging implications of the images of police conduct flowing from Ferguson that day. The timing of the statement, shortly after police retreated on Canfield Drive, suggests that police decision-makers might have been responding in part to concern from statewide political leaders.

²⁵ Some of the potential effects of arresting the nonviolent protesters blocking Canfield Drive at the site of the memorial that police decision-makers may have considered include: further inflaming antagonism from the third-party onlookers; escalation of nonviolent protest; violent attacks against police and property locally; increase in regional and national critique of police action.

4 Contested Legitimacy

After Officer Darren Wilson shot Michael Brown on Canfield Drive in Ferguson at about noon on Saturday, August 9, 2014, many responses by local Black people remained possible. Even quiescence remained within the realm of possibility. Had an ambulance quickly arrived to take Michael Brown to the hospital, and, when Brown was pronounced dead, had the police and district attorney quickly identified Darren Wilson as the killer, and credibly projected an effort to hold him accountable for his actions, the insurgency might have stopped before it truly started. It was also quite possible for activists to have organized protests that yielded little following. Or there could have been the rapid eruption of property destruction quickly and effectively repressed. Each of these outcomes has followed many times in similar situations in various cities in recent years.

The situation in every city and town and the details of every killing are different; and both the situation in Ferguson and the details of the killing of Michael Brown were undoubtedly crucial in shaping the mobilization that followed. But alone, these factors did not determine the outcome nine hours later. The subsequent actions by insurgents, authorities, and third parties were consequential.

The narrative analysis presented above cannot produce a fully sufficient explanation of the developments over those nine hours. Looking only at events on the street that day, it is not possible to account for many factors, not least, the consequential national and complex local histories of racist policing and organized Black resistance. But narrative analysis of the evidence from that day illuminates other necessary causes of the emergence of insurgency in Ferguson, unpacking key micro-dynamics by which the specific outcomes did occur. The analysis provides a rigorous, and falsifiable, explanation for the effects of insurgent, authority, and third party action over the course of those nine hours on Canfield Drive.

It also offers the kind of deep dive into the complexities of a case which, as Stinchcombe has argued, often provides fertile ground for theory development. As discussed in the Introduction, I began this project with the sense, derived from previous studies and insurgent practice theory, that viewing the mobilization process as a contestation of the legitimacy of police action would illuminate the stakes of actions by insurgents, authorities, and third parties. In the present chapter, I begin by engaging classic theories of legitimacy and identifying their limitations for this project. Then, I turn to conceptual resources from more promising lines of theorizing about legitimacy, and race. In the main body of the chapter, based on the substantive analysis above, I build on these materials to

elaborate a theory of contested legitimacy, outlining a new approach to understanding the stakes of individual action in the escalation of mobilization.

The Promise of Legitimacy Theory

A long line of theorists, from Plato (1935 [c. 390 BC]) through Machiavelli (2008 [c. 1513]) to today (Buchanan 2002), have advanced theories of legitimacy to explain political stability (Zelditch 2001). Rousseau (2002 [1762]) famously argued that stable social order rests on consent, which in turn depends on the legitimacy of government. Along these lines, classical political sociologists such as Linz (1978) proposed that voluntary loyalty – and especially “compliance by those who lose” – is necessary to political stability, whereas rational self-interest and personal preference are insufficient to achieve political stability (Zelditch 2001: 37). Numerous studies show that people sometimes comply when it is not in their instrumental personal interest to do so, and sometimes refuse to comply despite great personal costs (Tyler 2006: 23). Theories of legitimacy thus have obvious implications for explaining social movements and contentious politics, for if legitimacy generates the consent of the ruled, then rebellion and the failure of consent must depend on the breakdown of legitimacy.

The Limits of Classic, Parsonian Legitimacy Theory

But while classical political sociology engaged deeply with legitimacy theory (see e.g. Bendix 1964, 1978; Lipset 1959, 1963; Linz 1978), legitimacy never became a central concept in the field of social movements.²⁶ There is a good reason for this. The classic conception of legitimacy, à la Rousseau, as brought into contemporary sociology by Talcott Parsons, is too aggregate, monolithic, and homogeneous. This makes the *Parsonian* “consensus” view of legitimacy antithetical to the main project of post-Civil Rights Movement scholarship on social movements, which seeks to explain challenges to the established social order under otherwise stable political regimes (see Buechler 2016). Building on Rousseau, Parsons (1960) advanced a functionalist and highly aggregate theory of legitimacy. Parsons imagined shared social values as the consensual basis of institutional patterns: “An institutional pattern . . . is legitimized in terms of the underlying values of the social system” (Parsons 1960: 197 and chap. 5). In Parson’s theory of legitimacy: “(a) acceptance of a social order is voluntary; (b) consent is based on belief in (as distinct from instrumental orientation to) norms

²⁶ Important recent work by Eric Schoon at OSU and collaborators (including Asal et al. 2019; Schoon 2014, 2015, 2016; Schoon & Duxbury 2019; Schoon et al. 2020) is an obvious recent exception.

and values; (c) rulers and the ruled alike share the same norms, values, and beliefs; (d) . . . consensus [makes] norms and values ‘right,’ hence ‘legitimate’; and (e) a social or political order is stable if and only if it is legitimate.”²⁷ From such a theoretical vantage, under the relatively stable US political regime, movements like the Civil Rights Movement, industrial unionism, and second-wave feminism – let alone Act Up, the Black Panther Party, Earth First, Antifa, Occupy!, The Women’s March, or Black Lives Matter – are inexplicable.

The Promise of Disaggregated Validity Approaches to Legitimacy

In the 1960s and 70s, some social scientists drew on Weber’s concept of validity to develop a second, more promising line of theorizing about legitimacy. First of all, this approach to legitimacy is highly disaggregated, viewing legitimacy as inhering in specific social institutions, rather than the polity as a whole. It recognizes attribution of the legitimacy of specific institutions as varying across individuals and social groups; rather than asking whether a regime is legitimate, this school asks which institutions are considered legitimate by whom. Second, this theorization of legitimacy fundamentally depends on the concept of *validity*. An institution is considered “valid” if people generally will act *as if* participation in that institution is consensual. As opposed to the Parsonian belief in a normative consensus, from this vantage, different people have divergent ethical perspectives. But everyone more or less understands what is expected of them. These shared and binding institutional understandings are considered “valid” and are enforced by a system of social controls.

Zelditch (2001) locates the origins of this second line of theorizing about legitimacy in Weber’s validity theory of legitimacy. The concept of legitimacy is fundamental to Weber’s social and economic theory (1978). Weber uses legitimacy as a foundational concept throughout a range of his theorizing concerning: social order (pp. 31–38); organization (pp. 54–56); domination (pp. 212–301, 941–55, 1158–372), social norms and law (pp. 311–38); authority (pp. 1111–57); and politics (pp. 901–40). In contrast to the monolithic consensus view advanced by Parsons, Weber makes a fundamental distinction between “belief in the validity of an order” on the one hand, and a claim for the “authority of ethical norms” on the other (Weber 1978: 36). Zelditch summarizes Weber’s validity theory of legitimacy as follows: “A valid social order exists as a cognitive object of orientation – that is, [individuals] know that it observably governs the behavior of others, that others act as if they believe in it even if the individual himself or herself does not A valid social order is ‘binding’ at the individual level; it is embedded in a system of social controls. From the point of

²⁷ Parsons summarized in Zelditch 2001: 41.

view of the individual actor, others can be expected to support valid norms, values, beliefs, practices, and procedures if they are violated. Hence, although it is external to them, the behavior of individuals becomes oriented to the existence of a normative order” (Weber summarized in [Zelditch 2001](#): 44).

[Berger and Luckman \(1966\)](#) advance this line, theorizing how social order is structured across time and place as peoples norms, values, and beliefs are “objectified,” becoming “what ‘is’ rather than the opinions of particular individuals.”²⁸ Drawing on Berger and Luckman and a validity theory of legitimacy, Meyer’s New Institutionalism ([Meyer and Rowan 1977](#); [Meyer and Hannan 1979](#); [Meyer et al. 1997](#); [Strang and Meyer 1993](#)) is built on the legitimacy theory of valid institutions enabling and constraining action independent of personal preference or relational demands. “Taken for granted” categories organize people’s individual norms, values, and beliefs. Legitimate behavior is isomorphic with institutionalized category beliefs. Legitimacy channels behavior by shaping how social actors can achieve their goals “in the same way that a system of roads channels how one gets from here to there.” Legitimacy also regulates behavior as survival may depend on appearing to comply with institutional norms. Building on the “validity” school of legitimacy theory, Meyer assumes that “actors do not and do not need to internalize norms, values, and beliefs, they merely do (in public) whatever others expect them to do.”²⁹

[Dornbusch and Scott \(1975\)](#) draw out the distinction between “validity” at the group level, and “propriety,” the individual belief in personally held norms. People often understand regulatory social institutions to be valid – widely understood and enforced socially – and yet not proper according to their personal ethics.

Across several disciplines in recent decades, scholars have continued to build on validity theories of legitimacy (see [Johnson, Dowd, and Ridgeway 2006](#) for a review). From the validity perspective, compliance with valid social institutions does not require personal acceptance. Instead, valid institutions regulate practice, producing compliance even despite widespread grievances. “The appearance that . . . practices are generally valid – that they are accepted by others – is especially important for actors’ continued compliance with them and even more important than actors’ personal sense that the practices are proper A consequence of these legitimating forces is the suppression of reactions by individuals who feel themselves improperly treated” ([Johnson, Dowd, and Ridgeway 2006](#): 67).

²⁸ Berger and Luckman summarized in [Zelditch 2001](#): 44.

²⁹ Meyer’s new institutional view of legitimacy summarized in [Zelditch 2001](#): 48–49.

Overwhelming Force

While the crux of legitimacy theory is to explain aspects of political consent not motivated by short-term instrumental calculations, the implications of Weber's validity approach – when carried out to its logical conclusion – challenge any facile view of normative consensus. In an influential extension of Weber's validity theory of legitimacy, [Stinchcombe \(1968\)](#) argues that, when arrested, people don't willingly assent to the police. Instead, compliance depends on an estimation of how other people will act, and in particular, on an assessment of the ubiquity of support for the regulatory institutions. People generally comply with the police because – even though they might successfully challenge a single police officer – if you defy a police officer, a bunch of other police will come for backup. This power, in turns, depends on responses of other power holders in the broader judicial system:

A policeman . . . has power to jail a man who objects to the degree that, when he has difficulty taking him to jail, other policemen or the governor and the National Guard regard the arrest as legitimate The reason a policeman's authority comes to an end if the man is not indicted or is not convicted is that the policeman can no longer call on anyone to back him up when the man wants to leave jail. In fact, the man himself can call on the power of the state to force the policeman to let him go. The "authority" of the policeman thus consists of the probability that his action will be backed up by other concentrations of power, and it is limited because the conditions under which others will back him up are limited An exercise of . . . authority would not be possible against people who object unless certain other strategic centers of power recognize the right as legitimate ([Stinchcombe 1968](#): 160).

Racist Policing, Legitimacy, and Double Consciousness

To elaborate a theory of contested legitimacy capable of explaining the emergence of insurgency in Ferguson requires accounting for structural racism. Insurgents in Ferguson did not respond to individual or eccentric local grievances. Instead, they responded to – and explicitly understood their insurgency as seeking to transcend – racist policing.

A school of criminology, notably the work of psychologist Tom [Tyler \(1988, 2003, 2004, 2005, 2006\)](#), has long studied the racial dynamics of policing from the perspective of a Rousseau/Parsons-type legitimacy theory. In a large study of policing in Chicago, Tyler shows that people do not react to the police in purely short-term instrumental ways in regard to what benefits them personally in a given situation. Instead, he argues that "people react to social experiences in terms of the fairness of the outcomes they receive . . . and the fairness of the

procedures by which those outcomes are arrived at.” (2006b: 162) Tyler argues that because people fundamentally care about being treated fairly, implementing procedural justice in policing will bolster their legitimacy, and secure compliance (2006b 168–69).

This approach has become quite influential – especially since the Ferguson uprising. Not only is the approach influential academically, cited tens of thousands of times,³⁰ but Tyler also gives invited talks to police officials and national policy makers about procedural justice.³¹

The limits of Tyler’s procedural justice are poignantly revealed in Forrest Stuart’s immersive and insightful study of “therapeutic policing” in Skid Row, where Los Angeles sends many of its most destitute (2016). Stuart breaks down the facile contrast with punitive policing. Stuart shows that – over the course of near-constant stops for everything from sitting on the sidewalk to standing in line for breakfast – police proffer the alternatives of submission to managed living or jail. Police understand themselves as distributing “tough love” social justice to those in need. While the policed certainly recognize that police actions are backed by overwhelming force, and prefer “tough love” to prison and so comply, they overwhelmingly reject the notion that there is anything proper or just about their treatment.

In a similar vein, Victor Rios and collaborators (2020) develop a devastating refutation of Tyler, on which I build. In a study of policing of gang-associated Latinos, Rios et al. show that courtesy policing is used as a tool situationally by police. Procedural justice and trust building are incorporated into a varied repertoire of police methods. But ultimately, police rely on coercion to enforce their authority. “Under legitimacy policing, the techniques of trust-building become folded into the exercise of submission to police authority” (71). Procedural justice provides “a thin pretext: a velvet glove sheathing an iron fist” (72).

Tyler’s evidence and analysis make a convincing case that people navigate social situations – including interactions with the police – based on deeper and more stable expectations about how the social order works rather than short-term instrumental interests. But Tyler adheres to a Rousseau/Parsons-type theory of legitimacy, failing to recognize the difference between validity and propriety. People may prefer “fair” procedures. But they comply with prevailing institutions despite fundamental underlying grievances because prevailing institutions are systematically enforced by overwhelming coercive power. The oppressed understand full well that power holders view the prevailing institutions as legitimate, making them difficult to challenge. While procedural

³⁰ Based on Google Scholar. *Why People Obey the Law* alone had been cited 9,845 times by June 16, 2020.

³¹ www.youtube.com/watch?v=5e_8N805Tts.

fairness is preferred to rogue abuse, no amount procedural transparency and consistency can ameliorate fundamental grievances with oppressive institutions.

In particular, Tyler's approach obscures the structural character of racism, and the role of police in reproducing it. By assuming that "valid" and agreed procedures are fair, Tyler denies the possibility that Black people are systematically disadvantaged by the customary actions of the police. Police who are consistent and follow rational procedures may obtain more voluntary compliance. But this doesn't change the fact that they are enforcing status quo social arrangements and relations of power which systematically disadvantage Black people. Similarly, if an officer politely and "fairly" places someone under arrest in the course of that person trying to feed their family, that person is likely to comply, not least because they understand Stinchcombe's point that the full coercive apparatus of the state stands behind the arresting officer. But that does not mean the person arrested views the arrest as justified. Based on a shallow conception of justice, Tyler's proposals to reform policing are like putting a band aid on a gaping wound.

Under structural racism (Bonilla-Silva 1997, 2001, 2006), many prevailing institutions systematically advantage Whites. People generally comply with these racist institutions of necessity – they are how the world works. Yet racist institutions are oppressive (i.e. antagonistic to the material interests of Black people, or other people of color). Despite compliance, many people view these racist institutions as unjust. When people comply with prevailing institutions that they view as unjust, they chafe at those institutions. Systematic compliance under duress with unjust institutions produces shared grievances: widely held interests in institutional transformation.

Compliance under duress with prevailing institutions is dispositional and not reducible to short-term instrumental reason. While many antiracists comply with racist institutions, as Tyler's evidence suggests such compliance is not generally motivated by short-term instrumental calculation. Instead, many Black and other antiracists comply with the system systematically because they know that is how things work and they don't have good, institutionalized alternatives. People develop stable roles in relation to established institutions and make short-term decisions with reference to those ongoing roles. Compliance with prevailing institutions, including racist ones, is developed under duress gradually and in an overarching fashion, rather than relinquished willfully in an instrumental way in each discrete instance.

This tension creates the grounds for "double consciousness" (Du Bois 2008 [1903]). In *The Souls of Black Folk*, Du Bois famously describes double consciousness as the state of living as a Black person in the United States:

The Negro is a sort of seventh son, born with a veil, and gifted with second-sight in this American world, – a world which yields him no true self-consciousness, but only lets him see himself through the revelation of the other world. It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness, – an American, a Negro, two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder. (Du Bois 2008 [1903]: 2)

As Du Bois describes, racist institutions give rise to the bifurcation of perspective: “two warring ideals in one dark body.” The world is seen by Black people through both White eyes (the “valid”) and Black eyes (the “proper” or ethical). In other words, just like everyone else, Black people living in America know and understand the compliance expected of them by dominant institutions, and to some extent the values and perspectives that shape these institutions. But Du Bois argues that Black people are not fully subsumed under the oppressor's perspective. Living behind the veil, Black people are “gifted with second-sight,” a direct understanding of the injustice of the social institutions that daily deny their humanity.

Accounting for structural racism and double consciousness is essential to explaining antiracist insurgency. In the late twentieth century, the study of the Civil Rights Movement proved foundational to social movement theory as scholars sought to theorize contentious politics while rejecting class reductionism (Buechler 2016). But movement theory has generally not taken race seriously, and to great disadvantage (Bracey 2016). As Omi and Winant (2014) argue, race is a fundamental axis of social life which, through analogy, participates in structuring other forms of belonging, exclusion, privilege, oppression, domination, and subordination. It is not that other forms of oppression, such as class exploitation or misogyny, can be reduced to racism – not at all. But structural racism systematically constitutes a gaping chasm between prevailing institutions and justice for large segments of the population. Not least, many Black people consider customary policing of their communities fundamentally unjust. Accounting for this persistent institutionalized cleavage makes the dynamics of antiracist insurgency explicable. By analogy, it may also help illuminate the dynamics of liberation struggle generally.

Contested Legitimacy

The long-developed theoretical distinction between the collective and institutionalized aspects of legitimacy, called “validity,” and the subjective ethical aspects of legitimacy, called “propriety,” is important and illuminating. But

these terms understate the degree of oppression imposed by racist institutions, and the degree of coercive threat required to secure compliance under duress. Thus in the theorization of contested legitimacy that follows, I often refer to “prevailing” institutions in lieu of “valid” ones,³² and “injustice” in lieu of “impropriety.” These stronger terms are intended to signify the same distinction between “validity” and “propriety” as traditionally theorized and explicated above, but to lend an emotional valence more appropriate to the actual experience of racist policing.

More broadly, compliance under duress and the centrality of repression in this discussion of legitimacy may seem antithetical. After all, legitimacy is that ‘special something’ that transcends fear and coercion and short-term material interests in explaining the stability of rule (Tyler 2006; Zelditch 2001). Legitimacy is generally understood as inhering outside of coercion, what Gramsci (1971) called “consent” of the ruled. The thing is, as elaborated above, there is a tremendous gap between “propriety” and “validity.” There are always wide-ranging institutionalized collective grievances in a society. In many cases, compliance with institutions is yielded under duress.

Fanon provides an anticolonial perspective on this chasm between propriety and validity. Fanon argues that state power operates in two distinct ways in different regions and for different constituencies.

The colonial world is a world cut in two In capitalist societies the educational system, . . . the structure of moral reflexes handed down from father to son, . . . and the affection which springs from harmonious relations and good behavior . . . serve to create around the exploited person an atmosphere of submission and of inhibition which lightens the task of policing considerably In the colonial countries, on the contrary, the policeman and the soldier, by their immediate presence and their frequent and direct action maintain contact with the native and advise him by means of rifle butts and napalm The agents of government speak the language of pure force (Fanon 1963: 38).

Gramsci theorizes similar dual forms of rule, “coercion” and “consent,” as operating simultaneously within advanced capitalist society (1971: chap. “State and Civil Society”).

When it comes to institutions such as prisons, those imprisoned tend to reject not only that the institution is justified, but its validity. Validity implies the pretense of consent. But there is little pretense, among prisoners in most prisons, that they consent. Compliance under duress is naked in prisons as it was under

³² The Gramscian (1971) term “hegemonic” is also apt here in lieu of “valid,” and carries an appropriate emotional valence, but I do not use it in this text because using too many different terms for the same concept could add confusion rather than clarity.

colonialism. And to a lesser degree, this is true also for customary policing of Black people. This is why, when I do use the term, I often place quotes around “validity” – to indicate that with institutions such as policing in Ferguson, compliance not only is often offered under duress and without consent, but sometimes there is no pretense of consent either.

If compliance with police is often achieved through brute force, then why bother with a theory of legitimacy? Because the power of police depends not only on the consent and perspectives of the policed, but of other social actors.

Legitimacy is a subjective assessment, not an objective condition. Countering the lack of consent by those subject to repressive institutions such as prisons or racist policing, many individuals – and notably powerholders such as judges and legislators – perceive such prevailing institutions as justified and thus legitimate. In this sense, *legitimacy* is the subjective individual perception that prevailing institutions are justified. Despite its subjective character, legitimacy is consequential. Police action must remain legitimate in the eyes of these other power holders to maintain the capacity to draw on the overwhelming coercive capacity of the state.

What distinguishes enforcement of institutions widely viewed as legitimate from less conventional applications of coercion is the overwhelming support for and expectation of compliance. People sometimes do disruptively challenge such prevailing institutions. But in most such cases, authorities can wield near limitless repressive force in defense of the institutions challenged. Usually, the use of repressive force by authorities to restore established routines will not be met by significant third-party resistance. From the vantage of the policed, the difference between compliance with prevailing institutions and other kinds of acquiescence to coercive power is that in the former, individuals accept the institutionalized social relations as the way things are and have built their lives around these institutions.

Grievances

Insurgents seek to transcend institutionalized collective grievances. As McCarthy and Zald recognized long ago (1977), grievances are ubiquitous. But they usually don't generate rebellion. Grievances are a necessary but insufficient cause of insurgent mobilization. Theories of legitimacy suggest a relatively simple and precise conception of grievances that is a little different than classical resource-based definitions.³³ In short, in the language of legitimacy, grievances are the gap between “validity” and “propriety” (i.e. between compliance and consent). An individual who sees the way things are as unjust

³³ E.g. “preferences for collective goods that have not been provided to a sufficient extent” (Opp 1988: 853).

has a grievance. But a grievance does not, in itself, change how things are done. Many institutions are sustained despite grievances against them.

Grievances can motivate challenges to prevailing institutions. But an eccentric individual grievance will not motivate many people to participate in an insurgent movement. Generally, insurgent movements are motivated by institutionalized collective grievances. When prevailing institutions – customarily practiced – work against the interests of large numbers of people, this creates a gap between the way things are done and what many people view as justified. That gap between the way things work in practice, and widely and systematically held views of what is ethical, constitutes an institutionalized collective grievance.³⁴ For example, many local Black people in Ferguson saw customary policing there as racist and unjust (Bloom and Frampton 2020). This constitutes an institutionalized collective grievance.

Insurgent Practices

Institutionalized collective grievances can motivate insurgent practice against institutions viewed as unjust. Sometimes, aggrieved individuals or collectivities work within institutionalized channels to redress their grievances. But in other historical situations, aggrieved individuals or collectivities seek to work outside of institutional channels to redress their grievances. In some historical situations, disruption or defiance of established institutions can provide a source of power to transform institutional arrangements (Piven 2020).

Indeed, in most historical situations, it is possible for people to wield immediate influence unavailable to them through institutionalized channels by participating in practices that involve tactical disruption of established institutions, such as blocking the street. I conceptualize such cultural routines as *insurgent practices*: historically specific forms of action and rhetoric that promise transcendence of specific oppressive conditions by challenging institutionalized arrangements (see Bloom 2015: 395). Insurgent practices are different than “strategy” in the sense of a deliberate plan of action. “Strategy” implies an individual or a small group of people consciously constructing a plan of action for use in a specific situation. My concern here is with flesh and blood action itself rather than plans about the action.

³⁴ This concept of “institutionalized collective grievance” is closely related to the concept of “political cleavage” (Bloom 2014; Bloom 2015). As the current study seeks to recover insights concerning legitimacy theory to elaborate insurgent practice theory, and this conceptual discussion concerning the validity/propriety gap and institutionalized collective grievances adds some measure of clarity, I use the term “institutionalized collective grievance” here. The precise relation between “institutionalized collective grievances” here and “political cleavages” (Bloom 2015), and the degree to which they are synonymous, warrants further exploration.

Insurgent practices also differ from tactics. The “tactics” of a given insurgent practice are comprised of specific forms of action that disrupt specific targeted institutions. But insurgent practices are broader than “tactics,” entailing not only tactics – or forms of action – but also specific claims (Bloom 2014; Bloom 2015; Bloom 2020). Beyond immediate disruptive action in a given situation, insurgent practices advance a transformative regulatory claim, either explicitly stated or implied by the disruptive action. People participate in insurgent practices for the expressed or implied reason of challenging the validity of an established institution.

Unlike most common crime, such as petty theft, insurgent practice is not oriented toward short-term personal instrumental interests. Insurgent practice makes claims for how things ought to be. Insurgent practices challenge the legitimacy of established institutions. While entailing risk, the violation itself usually promises little short-term individual gain. Generally, people who participate in insurgent practices are motivated by an interest in transforming institutions they view as unjust. People view prevailing institutions as unjust when the way that things are is not how they believe they ought to be (i.e. when there is a gap between “validity” and propriety – conceptualized earlier as a grievance). In short, insurgent practice is motivated by grievances.

This relationship is illustrated in Figure 1, below, by the arrow from “Grievances” to “Insurgent Practice.”

This relationship can be seen from the first protests on Canfield Drive. For example, shortly after McSpadden confronts the police outside the tape, a small group of protesters challenge police handling of the situation and begin to chant about the injustice of police action. Their actions promise no personal short-term gain. Instead, they are trying to change police practices they view as unjust.

Containment

Under standard conditions, such insurgent challenge to prevailing institutions is impossible to sustain. If there were no limits on the power of disruption, insurgency would escalate all the time as ubiquitous grievances motivated defiance and disruption. But under stable states, and stable institutional arrangements, that is not the case. Following what Davenport has called the “law of coercive responsiveness” (2007), a wide range of studies have shown that almost universally, the more disruptively insurgents act, the more repressive action authorities will take against them to quell insurgency. This ubiquitous relationship is depicted in Figure 1 with the solid arrow from insurgent practice to repressive action, and the dashed arrow (indicating an inverse effect) from repressive action to insurgent practice.



Figure 1 Containment

Under standard conditions, people comply with prevailing institutions and rarely challenge them despite their grievances. Many power holders view the prevailing institutions as legitimate. There may be many people who do not view such institutions as proper or legitimate. But recognizing the coercive power aligned to defend those institutions, they usually comply. People know that if they do defy or disrupt prevailing institutions, they will be quickly and effectively repressed. This is the understanding elaborated by [Stinchcombe \(1968\)](#) and described earlier, in the section “[Overwhelming Force](#).” It is not just the police on hand who will arrest people. The overwhelming coercive force of the state, as well as the customary cooperation of many nonstate actors who view the status quo as legitimate, are aligned and ready to step in to enforce the prevailing order where needed. In most situations, the array of forces aligned to protect the prevailing social arrangements are overwhelming. So when grievances do lead an individual to acts of insurgent defiance, that insurgent action is quickly repressed, the grievances contained, and that is the end of the story. This likely prospect of rapid and effective repression provides tremendous deterrence and makes serious insurgency relatively rare in stable societies.

The standard situation of *containment* of grievances and insurgent challenge is depicted in [Figure 1](#) by the absence of countervailing force to challenge repressive action by authorities. In the context of widespread grievances, containment inheres in the balance of power. The more established powers view an institution as legitimate, the more fully coercive power is aligned to defend it against insurgent challenge. Unchallenged repression of insurgent practice despite widespread grievances is indicative that would-be potential

allies of insurgents expect powerful social actors to view the prevailing institutional arrangements as legitimate, and to forcibly defend them.

For example, consider the response when police initially take action to clear the area in the Canfield Green apartment complex. Many people are upset with this action. Some are concerned about what the police will do with Michael Brown's body and the forensic evidence. Others simply feel it is their neighborhood, and they should not be forced out. Some are specifically angry with the police use of dogs and military-style weapons. At that early juncture, there are many more residents on the street than police. Yet everyone complies with the police orders to clear the area. They recognize that, standing behind the police on hand, and their order to disperse, lies the overwhelming coercive force of the state.

Insurgent Mobilization

Despite the general efficacy of overwhelming repressive action by authorities, sustained insurgent movements occasionally emerge. One of the key insights of insurgent practice theory is that such waves of insurgent mobilization tend to develop around relatively coherent sets of insurgent practice. That is to say that waves of insurgency in a given place and time tend to defy or disrupt similar institutions, advancing similar claims through similar forms of action. Insurgent mobilization can thus be understood as the escalating participation in and the proliferation of a set of insurgent practices (Bloom 2014; Bloom 2015; Bloom and Martin 2016; Bloom 2020). For example, on Canfield Drive on August 9, 2014, insurgents responded to the police killing of an unarmed Black person. They asserted the value and human dignity of the victim. They made claims about the structural racism of policing, demanding justice for the deceased. And their actions included nonviolently blocking streets to advance these claims. Similar practices were widely emulated, not only in subsequent days in Ferguson, but in cities across the country as part of a growing wave of "Black Lives Matter" mobilizations in the Movement for Black Lives. These practices are quite different than previous waves of Black liberation struggle, such as the bodily integration of interstate bussing and claims for full participation in citizenship rights in the Freedom Rides; or the revolutionary claims coupled with armed self-defense and community service advanced by the Black Panther Party.

Broad participation in a wave of insurgent mobilization is motivated by institutionalized collective grievances. Eccentric individual grievances are not enough. This is neither to suggest that all insurgents participating in a wave of insurgency share identical motives, nor that narrow concerns alone motivate

their participation. The opposite is true – diverse concerns and perspectives can motivate participation in an insurgency. But despite variations, the challenge to a specific institution in a specific wave of insurgency requires shared grievances concerning the specific institution challenged. Extensive insurgent mobilization challenging a specific institution requires that many people view that institution as unjust.

The problem is, as argued above, widespread institutionalized collective grievances – while necessary for insurgent movements – abound and are insufficient to generate insurgency. Movement scholars have long recognized this (e.g. [McCarthy and Zald 1977](#)). Legitimacy structures social life despite grievances. And in most circumstances, taken-for-granted social arrangements, what [Bourdieu \(1990\)](#) calls *doxa*, shape social practice overriding other interests.

So how is insurgent mobilization possible?

The formative studies of insurgent practice ([Bloom 2014](#); [Bloom 2015](#); [Bloom and Martin 2016](#); [Bloom 2020](#)) show that allied resistance to repression is the key to sustaining insurgent mobilization. Allied resistance is action by allies of an insurgency that challenges repressive action taken by authorities against insurgents. I previously theorized the role of allied resistance as follows:

As [Gramsci \(1971\)](#) theorized, insurgencies disrupt unstable political equilibria, forcing influential political actors to take repressive action and/or make concessions in an effort to preserve their more fundamental interests. Repressive action is not the natural, or unilateral, expression of monolithic ruling interests. Rather it is part of an ongoing contest over the shape of the future between interests differentially institutionalized in past struggle. “The life of the State is conceived of as a continuous process of formation and superseding of unstable equilibria” ([Gramsci 1971](#): 182). Weberian institutional statisticians have shown this broadly holds. While states participate in “rulemaking, backed up by some organized physical force” exercised over a territory, a state is not homogeneous, but rather a historically constituted and “differentiated set of institutions” ([Mann 1993](#): 55). Rather than unitary and systemic, states are messy, and contradictory, embodying the outcomes of past struggles. Not only do states maintain and police historically specific social relations, but different sets of political actors support distinct standards of legitimacy ([Gramsci 1971](#): pt. 2; [Mann 1993](#): chap. 3). Because the state is composed of and influenced by different and often competing constituencies (see [Gramsci 1971](#): “war of position”), repressive action by authorities is contested. Constituencies whose interests are affected in different ways by the same repressive action will respond differently to that repressive action. Thus the cleavages between political constituencies shape the effects of repression. In some situations, repressive action by authorities will face resistance from broad constituencies, bolstering insurgents’ causes. Allied

interventions can counteract authorities' use of coercive power. (Bloom 2020: 203)

More fully accounting for legitimacy helps to elaborate this theory.

Institutionalized collective grievances precede any mobilization. Before anyone takes action, many potential insurgents already deem prevailing institutions unjust. But in most circumstances, such challenges are contained. As there is no force to counter-balance repression by authorities in most situations, most insurgent challenges are effectively repressed, and insurgency rarely sustains mobilization. But in some situations, allies undercut the validity of the target institutions, making it possible to sustain insurgent mobilization. Allies do this by countering the overwhelming repressive force aligned to defend the institutions challenged. Unlike normal conditions of containment, in these situations allies break the ubiquitous support of established institutions, and take a stand against repressive action used by authorities to defend them. This kind of strong allied support can be seen at the end of the sequence August 9 on Canfield Drive when a couple dozen insurgents refuse police orders to clear the street, and hundreds of neighbors and community members gather nearby shouting at police to stand down. The hundreds gathered nearby shouting at police constituted allied resistance.

As depicted in [Figure 2](#), allied resistance can contribute to insurgent mobilization in two ways.

First, allied resistance to repression can contribute to insurgent mobilization by encouraging participation in insurgent practice in the face of repression. This effect is depicted in [Figure 2](#) by the curved arrow from "Allied Resistance" to "Insurgent Practice." In such circumstances, allies encourage participation in an insurgent practice by threatening the validity of the institutions challenged. Wide opposition to the repressive action demonstrates that the institution challenged is not widely viewed as legitimate. It demonstrates that the insurgents are not alone in their struggle. It reveals that the capacity of authorities to repress the insurgent practice is tenuous, and the struggle may be winnable. Thus, allied support emboldens potential insurgents to participate in the insurgency.

For example, once police cleared Canfield Green and erected a blockade at the intersection of Canfield Drive and West Florissant Avenue, local Black support grew to challenge police action. As some yelled at and confronted the police, the crowd was overwhelmingly supportive. And viewing footage of the armored vehicles, military-style weapons, and dogs used by police, many local Black people stopped what they were doing and came down to the blockade. These people included some influential local figures such as assembly member

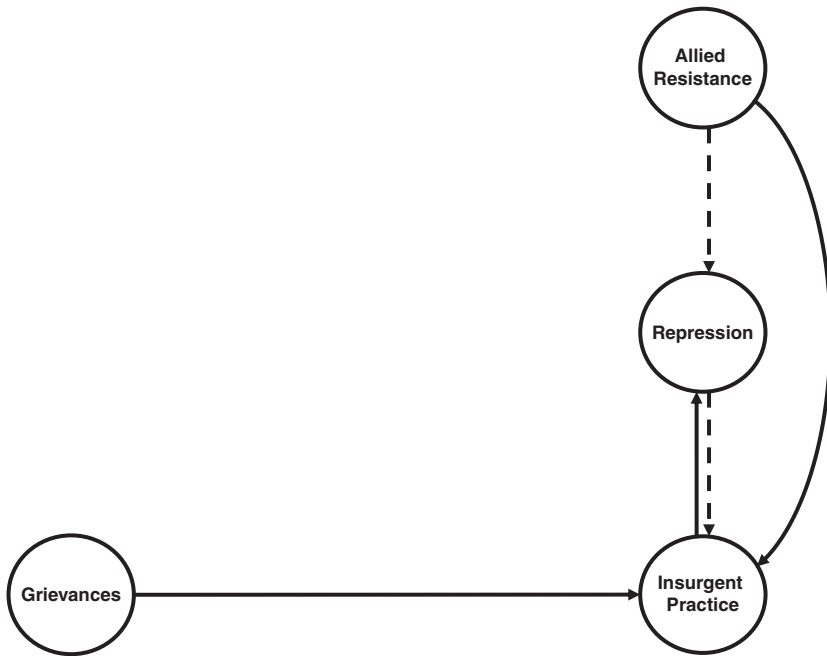


Figure 2 Insurgent Mobilization

Antonio French, radio personality Tammie Holland, a minister, and supportive TV reporter Brittany Noble. The attention and support demonstrated that those actively challenging police were not alone. Many viewed the police action as wrong. This support encouraged insurgents, who proceeded to defy the police tape and organize a prayer circle in the middle of the intersection of West Florissant Avenue and Canfield Drive. Insurgents chanted and marched protesting police action at the blockade.

Second, allied resistance to repression can contribute to insurgent mobilization by diminishing the repressive response of authorities. This effect is depicted in [Figure 2](#) by the dashed arrow from “Allied Resistance” to “Repression.” Allied resistance can diminish the repressive response of authorities by making repression costly or dangerous. In some cases, authorities will curb customary repressive action, attempting to forestall allied resistance. When authorities curb repression under such circumstances, it signals the disintegrating validity of the regulatory order, thus encouraging further participation in the insurgency. Potential insurgents recognize that authorities are unable to effectively repress the insurgent practice, and given longstanding grievances against the institution challenged, are encouraged to join.

For example, when insurgents first blocked the Kinloch police car, and the officer stayed in the car, it sent a clear signal to insurgents that the officer felt overwhelmed. Unjust authority was being demonstrably invalidated. The community had reclaimed the site of Michael Brown's killing on Canfield Drive, and this officer, at least, was not attempting to stop their defiance. The assertion of the young women defying police passage, at least for the moment, was standing. This interaction encouraged many more people to step into the street and engage in the insurgent practice, confronting the police car, yelling at the officer, and refusing to let the car pass. The officer, apparently now feeling even more overwhelmed, backed up the car 200 feet, did a three-point turn and left. The crowd was electrified by this sequence, and hundreds converged to the site of the memorial.

Thus strong allied resistance to repression of a specific insurgent practice in a given situation is the crux of escalating insurgent mobilization. Broad acquiescence to repressive action by authorities is the hallmark of containment. So allied resistance undercuts the validity of prevailing institutions and can make an insurgent practice irrepressible. Whether authorities continue attempting to repress the insurgent practice, or curb their customary repressive action, potential insurgents are encouraged to participate. In some such situations, authorities can only break the escalating cycle of insurgency by other means, such as concessions (Bloom 2014; Bloom and Martin 2016).

This leads to the first two propositions:

1. Allied resistance to repression undercuts the validity of institutions challenged by an insurgent practice, encouraging participation in the insurgency.
2. Allied resistance can also diminish repressive action by authorities against an insurgent practice, encouraging participation.

Contested Legitimacy

From this perspective, viewing acts of defiance by insurgents as initiating contests over the *legitimacy* of regulatory action by authorities can illuminate the character and consequences of contentious micro-interactions that ensue when activists use disruption as a source of power from below.

In the theorization I present here, there are three basic kinds of actors involved in the micro-interactions crucial for the development of insurgency. The first are insurgents. Insurgents are individuals participating in a form of insurgent practice that disrupts the status quo as discussed above. To be considered an insurgent here, a person has to actually participate in an insurgent practice directly. It is widespread participation in insurgency that I am seeking

to explain. Simply supporting the insurgents, looking like the insurgents, or sharing the insurgent aims does not qualify someone as an insurgent.

The second set of actors considered here are authorities. To be considered an authority, a person must act in some institutionalized capacity to quell insurgency, usually through repression, but sometimes also through other types of action such as concessions or public appeals. All representatives of the state are not automatically considered salient authorities. Indeed, at times some representatives of the state oppose repressive authorities, and this becomes an important element in the contestation of legitimacy. It is not only the actions of insurgents and authorities that shape insurgency.

The third set of actors, called simply third parties, consists of anyone else who is neither insurgent nor authority. The responses of various kinds of third parties to the actions of insurgents and authorities play a crucial role in the contestation of legitimacy. In the emergence of insurgency in Ferguson on August 9, 2014, as the analysis below shows, it turns out that almost all of the third parties who played a crucial role in the emergence of insurgency were local Black people, although a few others played important roles that first day as well.³⁵

It may seem strange to some readers that I refer to local Black people supporting antiracist Black insurgents as third parties, so I will elaborate the rationale for this residual category at some length. I intentionally use this construction “third party” to illuminate a dynamic largely invisible to common sense, and also quite different from the prevailing perspectives of resource mobilization, Indigenous organization, and identity politics. The resource mobilization (McCarthy and Zald 1977) and Indigenous organization (Morris 1984) perspectives can account for a lot of the mobilization process by showing how people organize support for a particular position or cause. In that sense, local Black people in Ferguson who carry longstanding grievances against customary policing there are hardly third parties to the insurgency as they have a vested interest in changing those practices. But it is also not the case that just because Black people share a long history and many share grievances, that they will all automatically resist repression of a particular antiracist insurgency, let alone participate in it.

³⁵ The term “bystander publics” is sometimes used the way I use the term “third parties.” For example, Williams (2004) emphasizes the aim of movement actors “to strike bystander publics as legitimate” (p. 105). But “bystander publics” are sometimes used, and were initially conceptualized, to refer to those third parties that resist taking sides in a conflict. For example, Turner and Killian write: “The bystander public defines the primary issue as restoration of order and elimination of danger and inconvenience by bringing any end to the conflict. The bystanders slogan is ‘a plague on both your houses!’” (Turner and Killian 1987: 217; See also Gamson 2004).

What I seek to illuminate in this project are the dynamics of sustaining disruptive mobilization in the face of repression. This dynamic is distinguishable from the organizational process of attracting support for a cause generally. My argument is that for insurgent practice to be sustained in the face of repressive action, countervailing force is required. Such countervailing force may or may not be forthcoming from many different kinds of actors. Just because individuals share an identity or grievance with insurgents does not mean that they will provide a countervailing force to repressive action by authorities. Indeed, on August 9, 2014, it was initially only a handful of people who challenged the police action. Others actively supported the insurgents, and this support built slowly over the course of the day. The actions of those who did decide to support the insurgents were consequential and cannot be taken for granted. Indeed, resistance to repression of insurgents by third parties who did not themselves participate in insurgent action is a large part of what must be explained. Usually such support is not forthcoming, even from those who share histories, identities, grievances, and interests with the insurgents.

For challenged institutions widely viewed as improper or unjust, sustained containment depends on overwhelming repressive reinforcement. Thus the key question is whether third parties will passively allow authorities to repress challengers, or whether they will resist such repression. Third parties form the fulcrum over which insurgent challenges either rise or fall. When third parties stand aside in the face of repressive action by authorities as they usually do, despite widespread grievances, insurgencies will fail. But when third parties support insurgents against repressive action by authorities, they actively contest the legitimacy of those specific acts of repression, escalating the insurgency.

Third-party resistance to repression of insurgents can come from many different sources. There are many kinds of third parties who are fundamentally different in social role, grievances, power, and relation to the insurgency. Conceptualizing “third parties” as an expansive residual category – everyone who is neither actively participating in insurgent action nor acting in an institutionalized capacity to repress insurgents – implicitly acknowledges that very different kinds of social actors can provide countervailing force to repression, and for very different reasons. Sometimes, resistance to repression comes from people who closely share identities and grievances with the insurgents. For example, when several young women blocked the sole Kinloch police car from passing the site of the rose petal memorial on Canfield Drive at about 8:30 p.m. on August 9, 2014, support for the young women came from residents of Canfield Green apartment complex and other local Black people standing on the sidewalk and cheering them on.

In other instances, third-party support comes from social actors with very different identities and interests from the insurgents. For example, consider the First Baptist Church siege in Montgomery, Alabama on May 21, 1961. A massive rally was being held there in support of the Freedom Riders. 3,000 people attended, including many children, families, old people, and important Civil Rights leaders including Diane Nash and Martin Luther King, Jr. Klan members and a White supremacist mob surrounded the church, beat up people trying to leave, and lit torches and were moving to burn the building down and kill everyone inside. The Freedom Rides violated Alabama law, and under Jim Crow, death was the standard consequence for challenging racial subordination. Massacre was quite possible. The Alabama authorities declined to intervene. That far in the Civil Rights Movement the Kennedy administration had tried to avoid direct intervention as the White supremacist Dixiecrats were a core constituency. But at that moment, concerned in part with international appearances, and seeking to avoid a massacre under their leadership, the Kennedy administration took action to orchestrate intervention by the National Guard. Thus the Kennedy administration, as a third party, provided allied support, resisting repression of the insurgents.

Because different kinds of third parties resist repressive action against insurgents for different reasons in different historical situations, I conceptualize “third parties” as an expansive residual category. It is worth noting that in any given insurgency, there tends to be continuity in which historically specific third parties resist repression of the insurgents and why. Key turning points in the trajectory of an insurgency tend to form around the shift in support of these crucial third parties.

Thus when either insurgents or authorities act, their influence on the allied resistance of third parties has repercussions for the trajectory of mobilization. Actions by insurgents and authorities that increase allied resistance to repression destabilize the legitimacy of challenged institutions and escalate insurgency. Conversely, actions by insurgents and authorities that diminish allied resistance to repression strengthen the legitimacy of challenged institutions and quell insurgency. The remainder of this section provides a fuller theorization of how such contests over legitimacy work, and in particular of the effects of insurgent and authority action on third parties.

Allied Grievances

Before anyone takes action in a given circumstance, for an insurgent practice to have any prospects of contesting the legitimacy of target institutions, certain elements of the situation as institutionalized must be conducive. In particular,

for allies to consider stepping in to resist the repression of given insurgent practices, those allies must view prevailing institutions as unjust. In other words, much like institutionalized collective grievances motivate people to participate in insurgency, they also motivate allied resistance. Thus ally grievances constitute a pre-condition – a necessary cause – of allied resistance to repression of insurgent practices. The grievances that motivate specific groups of allies may be the same as those that motivate insurgents. But they may also be different. Different sets of allies can be motivated by different grievances.

The vast majority of the allies who physically mobilized on Canfield Drive that day appear to have shared a direct personal experience of and grievance with the customary practices of Ferguson police. But some of the students travelling from St. Louis to Ferguson police station late that evening to oppose the police actions did not. And many of the online supporters who spoke out against the repressive action of the Ferguson police and donated money to the insurgents also did not have direct experience with the Ferguson police. Many held longstanding grievances against police practices in other places. And over the course of the rebellion, some organizations and activists that sought to make common cause with the Ferguson rebels were motivated by diverse aims, from challenging state surveillance (Anonymous), to immigrant rights (NILC), and overthrowing capitalism (RCP).

The institutional pre-condition of allied grievances is illustrated in [Figure 3](#) by the arrow from “Grievances” to “Allied Resistance.” It is worth emphasizing that the institutionalized collective grievances that make allied resistance to repression of an insurgent practice possible tend to be relatively stable, fixed elements of a situation. Certainly some developments – such as concessions – can change allies’ fundamental perspective on an insurgency. But whereas most of the elements discussed next are fluid, affected by iterative interactions, most social actors come to the situation with their own institutionalized perspectives on the propriety of the social arrangements contested. Such dispositions are slow to change.³⁶

A variety of evidence demonstrates that insurgent claims on Canfield Drive spoke to longstanding grievances many local Black people had concerning police. For example NotBeezy tweeted: “I cannot recall ONE incident in my lifetime where i saw a police officer and felt safe or protected” (Elzie 20140809o). BookofJonah responded: “Just being black is reason enough, ANYTHING we do is reason enough to kill us” (Elzie 20140809 u). Civil wrote: “Shit isn’t safe out here for us. None of us. Woman, man, child” (Elzie 20140809 v).

³⁶ In [Bloom \(2015\)](#) I talk about allied grievances as “institutional cleavages” which pit allies against authorities in defense of insurgents.

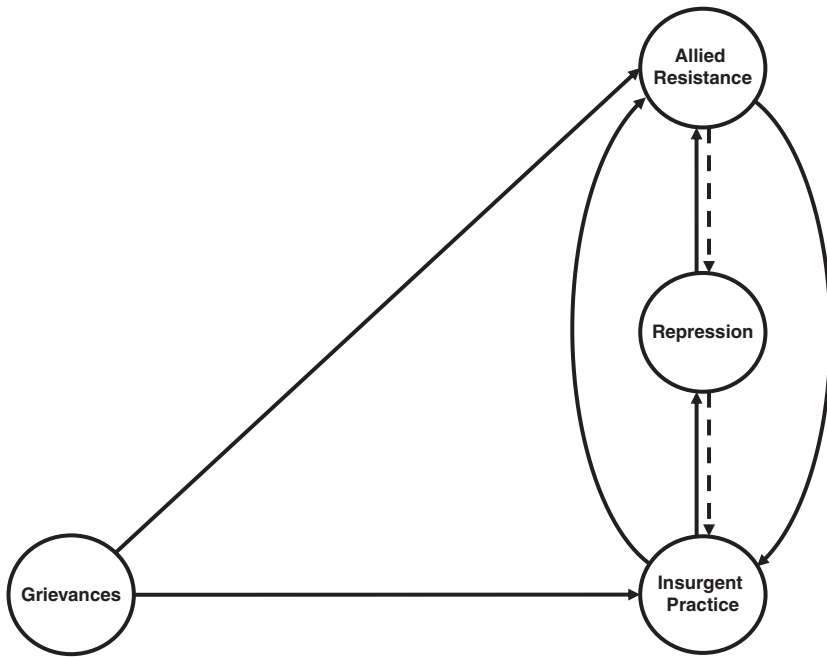


Figure 3 Contested Legitimacy

While ally grievances – i.e. widely held views by non-insurgents of the injustice of established institutions – are necessary causes of sustained insurgent mobilization, they are insufficient. Grievances alone cannot effectively contest prevailing institutions.

Beyond the explanatory reach of structuralist theories, the situation alone is not sufficient to generate insurgency. Instead, effectively contesting the legitimacy of prevailing institutions – and thus sustaining insurgent mobilization – depends on the iterative interactions of insurgents, authorities, and third parties.

The Influence of Insurgent Practice on Allied Resistance

While potential allies have their own grievances, and may view regulatory institutions as unjust, they tend to accommodate prevailing institutions. Prevailing institutions are widely understood as the way things work, so people generally comply. And social actors understand that there are significant sanctions for defiance.

Longstanding allied grievances can be activated when insurgents take disruptive action. But prevailing institutions are hard to challenge. So allied grievances lie dormant. Despite grievances, given the longstanding precedent, most people expect that those institutions will persist. But as insurgents defy

established institutions, it demonstrates that those institutions are vulnerable. This creates a crack in the dam, making it less certain that the pressure of the longstanding grievances will be contained.

In most cases, authorities will contain insurgents through repression, restoring and sometimes even strengthening the institutions contested. But potential allies with longstanding grievances may feel encouraged to act in defense of the insurgents.

The specific character of insurgent practice in a situation has far-reaching effects on the potential for allied resistance. That is to say, whether allied resistance will be forthcoming depends on the character of the insurgent practices repressed (Bloom 2020). The claims made, the institution disrupted, and the form of disruption all hold regulatory implications. Third-party constituencies – neither authorities nor insurgents – become potential allies when the regulatory implications of the insurgent practices align with their own interests.

Potential allies support insurgents for two reasons. First, allies may support the regulatory claims of insurgents or have their own interests in challenging the institutions insurgents disrupt. Repressive action by authorities is regulatory – it reinforces a social order. Potential allies will assess the character of an insurgent practice, and allies are inclined to support insurgent practices that promise to redress their own grievances. Conversely repressive action promises to reinforce contested institutions. Thus allies find repressive action against practices that promise to redress their own grievances threatening. Such repressive acts promise to reinforce the institutions against which potential allies hold grievances. Thus when insurgents disrupt established institutions, contesting their legitimacy, it is like “calling the question.” They force bystanders to take sides. Either the insurgents will be effectively repressed, strengthening the established institutions, or resistance will overwhelm the repressive action, invalidating the institution challenged. That is why repressive action against insurgent practices that challenge ally grievances tend to garner allied resistance. Sometimes, allies will defend insurgents against repression because they share grievances with insurgents even if they disagree with their tactics.

Second, allies may view the *form* of insurgent action as justified despite its disruptive effects on prevailing institutions. That is a reason small differences in the form of disruption can have large implications for allied support. For example, once police removed the blockade and allowed residents back into Canfield Green, insurgents along with Michael Brown’s family blocked off Canfield Drive and constructed the rose petal memorial at the site Michael Brown was killed. The poetry of the rose petal memorial simultaneously

asserted Michael Brown's humanity in the face of the threatening and dehumanizing actions of the police, while also reclaiming community territory from police who had used violence to indiscriminately clear and exclude the very people who lived there. The *form* of the insurgent practice, namely the rose petal memorial, was important.

The powerful appeal of the rose petal memorial is evidenced in the local response when police ran over it. For example, recall when Thespin tweeted: "Can't even have a memorial for this murdered child without #FergusonPolice destroying it. Disgusting" (Thespinster 20140809a). Lisa responded: "Heartless!!" (Lisa 20140809a). D asked: "Did his mother not just leave some of those? . . . no words" (Macdonald 20140809a). Marcus called "foul" (Marcus 20140809a). Ant stated: "That's coldblooded" (Allen 20140809a). And many people in the crowd shouted at police. The rose petal memorial reclaimed control of Canfield Drive for the community, defying the establishment for a shared sense of justice. It did so in a way that drew broad allied support.

These effects are depicted in [Figure 3](#) by the curved arrow from "Insurgent Practice" to "Allied Resistance." This relationship encapsulates the crucial stakes of any insurgent action for sustained mobilization. As depicted earlier in [Figure 1](#), insurgent challenges to prevailing institutions that do not draw allied support are readily repressed. If no one resists repressive action, authorities maintain and even strengthen the institutions that insurgents challenge, despite widespread grievances. The containment of grievances, and the maintenance of prevailing institutions, depicted in [Figure 1](#), is the customary state of the world. What is exceptional is the contested legitimacy depicted in [Figure 3](#) (i.e. sustained insurgent challenge to prevailing institutions). This rests, principally, in the kind of allied resistance to repression a specific form of insurgent practice generates.

In sum, insurgents develop sustained insurgency when they engage in insurgent practices that draw allied support in resistance to repression. Such action contests the legitimacy of the institutions challenged, eroding their validity, and encouraging others to act against them. What is at stake in any insurgent action is the validity of the institution challenged. What is crucial for the escalation of mobilization in any insurgent action is the extent of allied resistance it attracts. The attraction of allied support, in turn, is historically and situationally specific, and depends on the institutions challenged, and the form of disruption.

This leads to the next two propositions:

- 3. Insurgent practices that disrupt or make claims against institutions widely viewed as unjust draw allied support.**
- 4. The more justified the form of insurgent practice in the view of potential allies, the more allied support it will attract, all else being equal.**

The Influence of Repression on Allied Resistance

The other major influence on allied resistance to repression of insurgents is the character of repression. In most situations, as depicted in [Figure 1](#), when authorities take repressive action against insurgents, it works to quell their rebellion (see [Bloom 2020](#) for an overview). Then established institutions are preserved. But this effect is not automatic. Repressive action can sometimes further undercut the validity of established institutions, thus contributing to the escalation of mobilization. Whether repressive action quiets or escalates mobilization, in turn, depends on whether it draws allied resistance. The effect of repression on allied resistance is depicted in [Figure 3](#) by the arrow from “Repression” to “Allied Resistance.”

In a given situation, the character of repressive action by authorities can influence the third-party response. Just because a prevailing institution has been customarily adhered to does not mean that potential allies will necessarily abide by the repression of challengers. Repressive action is regulatory and enacts new standards of legitimacy. So third parties, while not directly targeted, are also affected by repressive action, not just insurgents. Repressive action will especially elicit allied resistance when its regulatory implications threaten third parties. Repressive action which is *disproportionate*, *callous*, or *indiscriminate* threatens third parties in this way, and so tends to draw allied resistance.

Repression that third parties view as *disproportionate* threatens to institutionalize harsh penalties for relatively minor violations. For example, many local Black people, both on the scene, and reacting to events online, came to understand Darren Wilson’s killing of Michael Brown as *disproportionate*. For example, FLOCKA fierce wrote: “I get that stealing is wrong. Running from the police even is still wrong, BUT you’re telling me this was the LAST resort at restraining him . . . You’re tell me this young man was murdered in the street over a misdemeanor theft? Shot TEN times for a MISDEMEANOR if he stole at all . . . Whatever he stole was less than \$500 hell less than \$50. NO I’m not justifying stealing. The force doesn’t match this crime . . . They saying he had his hands up and they shot him once and he fell and the shot him again. I can’t man . . . Man I couldn’t hold back. I’m so hurt . . . after watching that [Instagram] video i started crying. this is truly heartbreaking” (Flocka 20140809 c–j).

Repression that third parties view as *callous* can also draw allied resistance. Even though insurgents are violating locally valid institutions, authorities are still expected to respect standards of decency. Repressive actions by authorities that are callous, disregarding valid standards of decency, can thus also elicit allied resistance. The callousness of police leaving Michael Brown’s body in the street for hours set the tone for interactions throughout the day. If police had recognized the sanctity of Michael Brown’s life, they might have

quickly de-escalated the situation. Instead, they handled Michael Brown in the most *callous* of manners, leaving his body bleeding in the middle of the street. A woman in the street was screaming: “Where is the ambulance?!?” But no ambulance came. Instead, police cordoned off the area around Michael Brown, holding residents at bay. This police action drew many residents and passersby to the scene to see what was happening, and was deeply upsetting to many. MrRe said police were treating Michael Brown like “roadkill,” and Cat asked, “Are we just meat?”

Repression which third parties view as *indiscriminate* can also elicit allied resistance. Indiscriminate repressive action implies that many people are subject to sanction regardless of their actions, and thus is broadly threatening. For example, in order to continue collecting evidence to defend Darren Wilson without disturbance, police cleared the area. Using military-style weapons and police dogs, police from multiple jurisdictions forced residents and others off the street, erecting a blockade a third of a mile to the west at the intersection of West Florissant Avenue. This repressive action was *indiscriminate*. It did not just affect people breaking a law, very few were. It did not just affect people who were protesting legally, only a handful were doing even that. This repressive action by police affected everyone who lived in or was visiting Canfield Green apartment complex – mourning friends and family members, people who were passing by and wanted to know what was happening, people who were in the area but had not even seen the site of the killing, people who were at work and trying to get home to Canfield Green. Faced with complaints, police then reinforced the blockade with a double line of armed officers, parking armored vehicles nearby, and posting sentries on top.

This leads to the fifth proposition:

5. Repressive action against insurgents that third parties view as disproportionate, callous, or indiscriminate will elicit allied resistance.

Two important qualifications are in order here. First, this is not to imply that the brutality of a regulatory regime indicates instability. Some regulatory regimes are simultaneously stable and brutal, as was Jim Crow. But locally institutionalized repressive customs can stand at odds with wider norms. And such differences, when exposed by insurgents, can sometimes draw powerful allied resistance, enabling the escalation of insurgency. While the character of repressive action itself influences the mobilization process, it does not do this independent of insurgent action or broader exposure.

Second, as Morris (1993) powerfully argues, insurgents do not generally *provoke* violence. Insurgents understand that repression can be deadly and do not want to be repressed. Further, authorities are not generally naïve and cannot be readily provoked by insurgents into new and unsupportable kinds of

repressive action. Authorities resort to means of repression that third parties may find disproportionate, callous, and indiscriminate when and because those forms of repression are customary, and authorities rely on those customary forms of coercion in their attempts to maintain the established order.

Balance of Forces

Finally, beyond the specific character of allied grievances, insurgent practice, and repressive action, the responses of third parties to repression can also be shaped by their perceptions of the balance of forces. When insurgents contest the legitimacy of a form of regulatory action and an authority represses them, third parties are forced to pick a side. Once authorities have taken repressive action, third parties have no choice but to decide whether to explicitly support authorities in their repressive response, to implicitly support authorities by staying out of the way, or alternately, to actively support the insurgents against repressive action by the authorities challenged.

One important consideration for third parties is who is likely to prevail. Third parties tend to support the side they think will prevail. Tilly notes that because of “fear of retaliation” and the desire for stability, third parties including other authorities “are much more likely to confirm the decisions of a challenged authority that controls substantial force” (Tilly 1985: 171). But that is not always the case. Which side will others take? Who will prevail? Siding with the losing side can be costly. Thus, when insurgents contest the legitimacy of a specific form of regulatory action, and a specific authority represses them, third parties are forced to interpret whether the repressing authority has overstepped. This is not a purely formalistic, schematic, objective, or simple question. Which side prevails is determined by a complex sequence of interactions between many social actors, each iteratively asking themselves, in part, which side will win in the end. The more insurgents disrupt institutions widely viewed as unjust, and the more that allies support them by resisting repressive action of authorities, the less valid the challenged institutions appear. And thus, the more potential allies are likely to come to the defense of insurgents.

This kind of cascading shift in the balance of forces stands out especially in the culminating sequence on Canfield Drive. The fact that the rose petal memorial stands unchallenged threatens the validity of police repressive action and encourages further agitation, leading to insurgents blocking the Kinloch police car. The quiescence of the Kinloch officer encourages more to step into the street. The retreat of the officer electrifies the crowd and leads to a convergence on the memorial. The anger and strength of the crowd encourages direct defiance of the police attempting to clear the area. Not only do

insurgents see the actions of the police as unjust, they feel the strength of the crowd overwhelming the officers. The police actions are losing their “validity.” As more people yell at the police, others step into the street to join the direct defiance. By the time a few dozen are facing the police dogs and military-style weapons and chanting, “We Are Michael Brown!” there is nothing the police can do. The crowd is unified behind the insurgents.

This leads to my sixth and final proposition:

6. The more the balance of forces appears to threaten the validity of repressive action, the more allies will be drawn to resist repression of the insurgency, and thus the more the insurgency will escalate.

In summary, this theory makes clear what is at stake for insurgent mobilization in the actions taken by insurgents, authorities, and third parties. Does the insurgent practice credibly challenge regulatory institutions that potential allies view as unjust? Does the repressive response promise to elicit widespread resistance such that the insurgent action becomes a credible conduit for change? Do the actions of allies appear to undercut the validity of the repressive response? In deciding what action to take – or not to take – as insurgency emerges, insurgents, authorities, and third parties are continually re-assessing the prospects that the repression will fail and the prevailing order will be transformed.

The six core propositions are summarized in [Table 1](#), below.

None of this is to suggest that broad, macrostructural conditions are unimportant to insurgent mobilization or allied resistance. To the contrary, structural conditions are vitally important. But structural conditions do not have independent

Table 1 Six Key Propositions regarding Contested Legitimacy

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1. Allied resistance to repression undercuts the validity of institutions challenged by an insurgent practice, encouraging participation in the insurgency.
 2. Allied resistance can also diminish repressive action by authorities against an insurgent practice, encouraging participation.
 3. Insurgent practices that disrupt or make claims against institutions widely viewed as unjust draw allied support.
 4. The more justified the form of insurgent practice in the view of potential allies, the more allied support it will attract, all else being equal.
 5. Repressive action against insurgents that third parties view as disproportionate, callous, or indiscriminate will elicit allied resistance.
 6. The more the balance of forces appears to threaten the validity of repressive action, the more allies will be drawn to resist repression of the insurgency, and thus the more the insurgency will escalate.
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effects on insurgent mobilization. Instead, situational effects on mobilization are mediated through institutionalized grievances, and situational micro-interactions of the kinds discussed above. Rather than determining action, conditions shape the effects of action. Structural influences are manifested, and thus become interpretable, through locally and temporally distinct meso-level institutions, and the micro-interactions that play out in relation to them (see also Bloom 2015). That is why structural causes of mobilization are only knowable post-hoc, and attempts to generalize them across time and place fail (Goodwin 2012; Meyer 2004).

Qualifications and Prospects

In concluding this theoretical chapter, in case it is not obvious to readers, it is worthwhile to make explicit that this theoretical chapter *has not proven anything*. Indeed, theory never does, and never can. The logic of inquiry in this Element has been to develop theory based on an immersive analysis and unpacking of a single case. How well this theory applies to other cases, beyond Ferguson – and even beyond those nine hours on Canfield Drive – is a question that will be arbitrated by subsequent studies.

Part of the long-term aim of this project is to help build a predictive science of insurgency. Indeed, the theory advanced here provides a framework for stepping outside the post-hoc analytic approach customary in most social science today, and systematically testing retrodictions concerning microtrajectories of mobilization in Ferguson in subsequent days. In the larger project of which this Element is a part, I systematically develop and assess retrodictions: Based on granular analysis presented above, I use detailed counterfactual analysis to instantiate the six propositions of contested legitimacy. Building upon these instantiations, I then develop retrodictions – i.e. predictions concerning events that happened in the past but concerning which evidence has not been seen – about the forms and extent of insurgent practice, repressive action by authorities, and third-party resistance that I will find in theretofore unseen data from the subsequent day. After the retrodictions from August 9, 2014 were finalized, I lifted the quarantine on data from August 10, and assessed each retrodiction. Many of the retrodictions were well supported by the evidence. Other retrodictions were not supported. Thus assessment of the retrodictions provided an objective evaluation of the analysis. The research proceeds day-by-day from there. Analysis of the dynamics of insurgency each day is used to revise theory, recalibrate instantiation of the theory, and to make new retrodictions about the micro-trajectories of mobilization on subsequent days.

It is not possible to accurately generalize the independent causal impact of categories of action across time and place (Bloom 2020). The impact of actions

by insurgents, authorities, and third parties is all situational. The impact of an action depends on the institutionalized interests of other parties at hand, and the validity of local institutions, which are different across time and place. Further, the impact of an action depends on the sequence of micro-interactions between many actors in which it occurs, including the perceived balance of power by different actors. And these shift moment to moment. What makes retrodiction possible is a coherence in the dynamic by which the insurgent mobilization process develops. Within a given situation, the dynamics should be relatively stable. This means that not only are the local institutions relatively stable, but the grievances of various constituencies are relatively stable. Thus the implicit interests in and reactions by insurgents, authorities, and specific third parties to various kinds of preceding actions should be fairly stable in a given time period and place. So while it is not possible to meaningfully categorize kinds of actions of insurgents, authorities, and third parties and their expected effects trans-historically, it is relatively straightforward to categorize these actions in an unfolding local situation, as instantiations of the general causal dynamics proposed. If the theory is correct, and the instantiations precise, this application should yield accurate predictions about the micro-trajectories of mobilization.

That is the aim of the larger project of which this Element is a part. Should that project succeed, my aim is then to apply similar methods to predictive analysis of other insurgencies in progress in real-time. We do not yet know how any of that will go.

The contribution of this Element, and specifically of this chapter, is to articulate the theoretical framework that will allow for such predictive exploration to proceed.

5 Lessons for Antiracist Activists

Qualifications aside, insights drawn from the substantive analysis of the emergence of insurgency in Ferguson may provide some useful preliminary implications for antiracist activists. The development of insurgency over nine hours on Canfield Drive hinged on a contest over the legitimacy of repressive action. Actions by insurgents, authorities, and third parties that eroded the validity of police repressive action escalated participation in the insurgency.

What does this analysis of events in Ferguson on August 9, 2014 suggest about how antiracist activists might build power from below in different times and places? I see two different implications for different kinds of cities, both of which require more study.

The first concerns cities like Ferguson where police repress Black mourners and protesters in disproportionate, callous, and indiscriminate ways, and where

there are rich networks of local Black leadership and support. Police departments have studied Ferguson, and some have learned to make the pretense of civility following the killing of unarmed Black people until public attention fades.³⁷ But antiracist activists can learn from Ferguson too. The crux of escalating an antiracist insurgency when police kill a Black person is rallying other activists and third parties to join in contesting the legitimacy of police action.

Activists in Ferguson attracted extensive support by targeting and openly defying police authority nonviolently in ways that asserted the humanity of the victim. Erecting memorials and blocking the street where Michael Brown was killed was particularly effective. These insurgent practices contested the legitimacy of police action by defying police authority in a manner that emphasized Michael Brown's humanity, and was not viewed as aggressive by third parties. The rose petal memorial created by Michael Brown's mother, Lezley McSpadden, was especially powerful. The memorial provided a means for family, friends, and neighbors to express their grief. It simultaneously reclaimed the site where Michael Brown died for the community. The official rationale for clearing the neighborhood with military weapons earlier in the day had been for police to obtain control over the site of Michael Brown's death so detectives could have their way with the evidence undisturbed. Not least, the memorial constituted an ongoing site for the contestation of police authority in the middle of Canfield Drive.

Ferguson police repeatedly responded by attempting to repress the mourners and protesters with assault rifles, dogs, helicopters, and armored vehicles. Thus in Ferguson, this form of nonviolent insurgent practice was highly effective at exposing the racist methods and blatant disregard of the humanity of local Black residents to which Ferguson police were accustomed. Dense local social media networks ensured these activist confrontations with police were reported, and garnered support.

While the struggle for justice in Ferguson continues and current results are far from perfect, insurgency there generated a source of power from below, and allowed Black people to achieve much more political power in Ferguson today than before. This includes winning half the seats on the city council, the appointment of a Black police chief and the hiring of many Black police officers, the election of a progressive Black District Attorney, the election of Cori Bush to Congress, and the beginnings of redress of institutionalized racist practices in governance and policing.

³⁷ Similarly, Gillham and Noakes have shown how police developed and refined a new method of protest policing in response to new protest dynamics, what they call "strategic incapacitation," following the WTO protests in Seattle in 1995 (Gillham and Noakes 2007) and Occupy (Gillham et al. 2013).

The power of the insurgent practices in Ferguson responded effectively to the institutionalized police culture of strong-arm policing. Similar movement practices may prove especially effective in other Ferguson-like cities. Authorities who are accustomed to indiscriminate, callous, and threatening treatment of Black people are inclined to continue this behavior. So Ferguson-like insurgent practices promise to expose, isolate, and eventually overcome the racist policing institutionalized in Jim-Crow-like enclaves such as Ferguson. Close study of the dynamics of insurgency over the course of more days in Ferguson, as well as comparative study of mobilization against police violence in other similar cities, is needed to fully assess and confidently extend the scope of this conclusion.

The second implication concerns cities where police are skilled in policing protesters, and know how to appeal for third-party support. There are institutionalized racial disparities in police practices everywhere in the United States today. But in some places, police take pains to support the appearance of civility and race neutrality. When police repress protesters in targeted, respectful, and nonthreatening ways, Ferguson-like practices will not work to expose and transform the underlying racism of police. Police in such situations attempt to avoid escalation by means such as keeping heavily armed police out of public sight and making strenuous efforts to avoid arrests. For example, in Pittsburgh following the killing of seventeen-year-old Antwon Rose by police in June 2018, police allowed protesters to shut down the major highway, the 376, for more than seven hours, kept swat teams nearby but out of sight, and took extensive measures to avoid arrests.³⁸

Yet in general theoretical terms, despite the different tenor of the insurgent dynamic when police act cordially, I expect the challenge for activists is fundamentally the same. For activists to mobilize effective antiracist insurgency in these cities also requires engaging in disruptive practices that draw third-party support in the face of repression. Understanding what is at stake in the iterative insurgent interactions between activists, police, and third parties can help activists find ways of exposing institutional racism in policing. In other words, while the analysis of Ferguson does not specify what kinds of practices would generate an escalating cycle of insurgent challenge in cities where police are trained in protest policing and the pretense of civility, it clarifies the dynamic at stake. It points activists to discovering what kinds of practices would make

³⁸ Based on social media data and firsthand observation. Despite hundreds of thousands of commuters inconvenienced, police waited until the middle of the night to arrest anyone, and only arrested one protester. They only arrested the last protester after convincing every other activist to clear the highway, and ensuring that there was no live coverage of the arrest. Article in progress.

business as usual impossible in that locale, and that when repressed, would effectively catalyze institutionalized collective grievances to draw broad third-party support.

For nonviolent antiracist activists to effectively wield the power of disruption following a police killing minimally requires: (a) making supportable demands that address the issue of racist policing such as demanding an indictment where there is evidence of police wrongdoing; and perhaps most challenging, (b) disrupting targets that third parties view as reasonable. The danger of sustaining disruption of a target that seems too disconnected from the case is that over time, insurgents will lose third-party support. Hypothetically, this appears to be what happened to the activists shutting down Grand Central Station in New York City in response to the killing of Eric Garner. Garner, a Black man, was unarmed and was strangled to death by an arresting officer using an illegal chokehold. In a widely circulated video recording of the incident, Garner repeatedly gasps “I can’t breathe” before losing consciousness. Activists responded, in part, by organizing “die in” protests shutting down foot traffic at Grand Central Station. The police responded relatively civilly, initially allowing the disruption. But as time wore on and third parties tired of the disruption to their daily commute, police politely arrested the protesters. Few third parties were outraged, so the arrests effectively de-escalated the movement.

Conversely, when activists draw broad third-party support for their insurgent action following a police killing, they may win important concessions. The risk in that scenario is that if activists are not prepared with new demands and targets, the concessions can satisfy third parties and undercut the efficacy of the antiracist challenge. Hypothetically, this is what happened in Pittsburgh following the killing of Antwon Rose by Officer Rosfeld. Rose was well networked and well liked. A widely circulated video recording showed Rosfeld shooting him in the back three times as he ran away, unarmed. Police allowing protesters to shut down the major highway for more than seven hours entailed intentional restraint. Police made every effort to avoid arresting nonviolent protesters. After days of widespread insurgent disruption and civil police response, the district attorney indicted Officer Rosfeld. The indictment satisfied many third parties. While insurgents continued trying to disrupt traffic, they attracted little third-party support, and became easy to repress. Then the movement quickly de-escalated. With the pressure off, Rosfeld was eventually “exonerated.”

The sweeping mobilizations following the killing of George Floyd in summer 2020 arguably constituted the most extensive protest wave in US history. Many people are ready to challenge racist policing. Yet few changes have been achieved. And few local insurgencies sustained.

If and when activists develop insurgent practices that effectively contest the legitimacy of racist policing in cities like New York, Los Angeles, Pittsburgh, Minneapolis, and Chicago, lots of people will take up those practices and the insurgency will escalate. In the interim, scholars may be able to quicken the development of these effective antiracist practices through close study of the dynamics of recent mobilizations. Where are the sparks of sustained mobilization in such cities? What kinds of insurgent practice have succeeded in making business as usual impossible for a while? What is the character of police repressive response? Which third parties did turn out in support of insurgents, challenging police repressive action? What institutionalized collective grievances motivated their support? If their support was lost, when and why? What kinds of insurgent claims, targets, and tactics promise to sustain third-party support, and thus insurgent action, in the face of repression? Further research is needed to develop such insights.

Nonviolent defiance effectively contested the legitimacy of racist policing in Ferguson by exposing its disproportionate, callous, and indiscriminate character. But whether police behave callously or politely, the fate of any insurgent challenge to racist policing becomes a contest over the legitimacy of police action.

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Contentious Politics

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