

Learning from Ferguson: Policing, Race, and Class in American Politics

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In 2015, Americans learned that public authorities in Ferguson, Missouri had imposed a “predatory system of government” on poor black citizens (US Department of Justice [DOJ] 2015). Police repression and harassment stood at the center of this system, operating as coercive tools to extract revenues for the municipality. Ferguson residents, primarily poor and black, were targeted, arrested, and summonsed on civil-ordinance violations, assessed prohibitive fines and fees, and subjected to jail if they failed to pay (DOJ 2015). Initial monetary penalties served as the gateway for an elaborate and lucrative poverty trap for citizens, who became mired cycles of perpetual debt and payment and mounting entanglements with police and courts.

Ferguson officials were masterful in their repression and pilfering—generating an average of three arrest warrants per household and revenues to cover one fifth of the municipal budget—but they were hardly alone. It soon became clear that local governments around the country were also singling out poor black and Latino residents as suspect populations and subjecting them to similar projects of “extractive policing” and “government seizure” (Harris 2016; Katzenstein and Waller 2015).

As a popular uprising emerged, journalists quickly added to the damning revelations of the DOJ report and explored their significance. By contrast, many scholars in our field of political science appeared to be caught off guard, as if events had pushed them onto unfamiliar empirical and conceptual terrain. Indeed, the American politics subfield appeared to be ill-prepared for Ferguson in a manner reminiscent of its fumbled responses Hurricane Katrina a decade before and social injustices throughout the decades since the waves of urban rioting and protest in the 1960s (Frymer, Strolovitch, and Warren 2006). After decades of focus on electoral-representative politics, primarily at the national level, it seemed the subfield did not have much on the “intellectual rack” that could be used to make sense of predatory local governance, explain its sources, and specify its empirical operations. The governmental practices journalists and protesters thrust into the spotlight were deeply at odds with democratic ideals, and equally distant from the subfield’s prevailing models of US politics and citizenship.

Political scientists had important things to say about Ferguson, of course. In op-eds and prominent blogs (e.g., *The Washington Post’s* *Monkey Cage*), they explained how Ferguson’s electoral system design diminished voter knowledge and turnout and produced a city council far whiter than its majority-black population. They reflected on the cavernous racial divide in public attitudes toward the criminal justice system and offered thoughtful commentaries on the protesters’ use of social media to solve collective action problems (see, e.g., Schaffner et al. 2014; Tucker 2014).

As important as these contributions were, their focus was a telling indicator of our subfield’s longstanding preoccupations with electoral-representative processes, citizen opinion and participation, politics within and among branches of national government, and policy struggles among organized interest groups (for contrasts, see e.g., Allen and Cohen 2015; Harris 2014). In the American Politics subfield today, liberal-democratic models frame most discussions of civic and political inequalities. Within this frame, citizen involvement with government typically appears to be an unalloyed good: More is better than less. Those who engage government enjoy greater political voice, at the expense of the less involved. Policy influence accrues to “repeat players” who have intimate ties with officials, while more detached citizens are ignored by officialdom. Those more fully incorporated into the welfare state enjoy investments, benefits, supports, and opportunities denied to those who are excluded and underserved.

This perspective offers a valuable foundation for analysis and critique, as can be seen in the many powerful studies of inequality that students of U.S. politics have produced in recent decades—studies that deserve to be applauded. We know far more today than we did just a few decades ago about how subordinate groups are marginalized and how at times such groups overcome these exclusions by drawing on group consciousness and coalition partners. As it has illuminated what we

might call the liberal-democratic “face” of the state, however, we argue that mainstream research on US politics has largely ignored a second face of the American state that is at least as significant in the political lives of communities like Ferguson: the activities of governing institutions and officials that exercise social control and encompass various modes of coercion, containment, repression, surveillance, regulation, predation, discipline, and violence. Few citizens desire more attention from this second face of the state and, once its operations are brought into fuller view, the concept of exclusion (or lesser incorporation) begins to appear inadequate as a basis for think about political positioning and governance at the bottom of the American political order.

The subfield, we contend, has been diverted from serious political analysis of policing and related criminal justice operations by its steady focus on national contests over electoral and policy outcomes. In the process, it has produced a decidedly incomplete portrait of political life in what we will call race–class subjugated (RCS) communities.¹ The political subordination of Ferguson and other RCS communities reflects more than just government inattention or a lack of political voice. It is *actively produced* through modes of governance – frequently entwined with policing – that stigmatize, repress, and ultimately turn government into an invasive, surveillant authority to be avoided (Brayne 2014; Goffman 2015; Lerman and Weaver 2014; Cohen 2010). The inferior political positions of RCS communities flow, in many respects, from *too much* government engagement in the forms of supervision, interference, and predation. Indeed, many youth in RCS communities today believe “that the system is not only closed to them but out to get them” (Cohen 2010, 151). “People suffer,” as Dorothy Roberts (2012, 1479) rightly notes, “not only because the government has abandoned them but also because punitive policies make their lives more difficult.”

The one-sided emphasis of our subfield’s mainstream is striking, in part, because it is such an aberration within the broader study of politics and society. In sociology, history, and law, we find vibrant traditions of research on social control and repressive, regulatory state practices in RCS communities. And *within* the subfield of US politics, a wide range of feminist scholars and critical race theorists have placed the state’s active construction and control of subordinated groups at the center of their analyses of American governance. Yet, the mainstream of the American politics subfield—its intellectual “center of gravity,” the “canon” taught to PhD students, its most celebrated and discussed studies—has continued to frame most of its inquiries around the liberal-democratic face of American politics, largely and unreflexively ignoring the role of the police.

Thus, the powerful political questions about police authority, state projects of social control, and daily encounters with local governance recently raised by protesters and the DOJ report were difficult for our subfield to answer because, for the most part, they fell outside of our chosen field of

¹ We use the term race-class subjugated communities throughout this paper to call attention to the interweaving of race and class relations, especially as they concern the state’s second face. Race and class are intersecting social structures and productive social forces that defy efforts to classify people neatly on the basis of subjective identity, socioeconomic status, or possessions. We intend for the term RCS to trouble the tidy analytic opposition of race and class variables that prevails in much American politics research and to avoid the tendency to reduce race and class to discrete sets of labels. By using this term, instead of discussing poor communities or minority communities as distinct, we encourage attention to the crucial interplay of race and class in the lives of the racialized poor. The recognition that policed communities are co-produced by race and class may be obvious to some, but in most of the scholarship in our subfield, the tendency to treat race and class as distinct variables continues. RCS communities are positioned at the intersection of race and class systems, and these two dimensions of power relations remain thoroughly entwined in experiences of civic ostracism, social and political oppression, economic marginalization, and state-led governance. Through use of the verb “subjugated,” we also intend for the term “RCS” to foreground an important assumption: race and class are conceived here in terms of power and political relations that are actively produced by human agents and organized, in part at least, by the state; they are not mere classifications of possessed (and therefore apolitical) traits. For more discussion of prevailing conceptions of race and class in the U.S. politics subfield, see Soss and Weaver, Taskforce Report.

view. Despite an abiding focus on state-citizen relations, most of the subfield's leading journals had published almost nothing in recent decades on the most salient state-citizen encounters for residents of RCS communities – including those with police, jails, courts, bail offices, housing authorities, and the gamut of other street-level bureaucracies that encircle the poor. Almost a decade ago, Marie Gottschalk (2008) took the subfield to task for ignoring the political significance of a rising carceral state that was “hiding in plain sight.” More recently, in the midst of ongoing protests over police violence, the flagship journal *Perspectives on Politics* reinforced this intervention with a superb special issue on policing, criminal justice, and politics (Isaac 2015).²

In the main, however, our subfield has yet to heed the call. As a result, it continues to offer a distorted portrait of democracy and government in America, and a deeply incomplete view of how politics and power operate in RCS communities. It misses critical explanations for why so many people in communities like Ferguson find it so difficult to resist the control and exploitation of police authorities, and ignores the experiences and grievances that stand at the heart of political uprisings such as Black Lives Matter. Marginalization in electoral-representative politics *both reflects and enables* the practices of subjugation that we associate with the state's “second face.” Thus, to understand either “face” adequately, the field must subject both to sustained analysis.

Toward that end, we seek in this review essay to renew, invigorate, and advance recent calls to focus greater scholarly attention on the political operations and significance of policing and criminal justice institutions in the United States. In what follows, we hope to convince students of US politics that the important research our subfield pursues on the first face of the American state should be complemented by more systematic attention to its second face. Our intention is not just to call for a more “complete” analysis of U.S. politics that includes more attention to the second face of the state. Rather, we suggest that on topics that already receive sustained attention in our subfield, scholarship suffers from substantial distortions that cannot be addressed in the absence of a more balanced approach to the “two faces of the state.” At this moment in our subfield's development, analysis of each will improve to the extent that it is informed by analysis of the other.

The vast literature on policing and criminal justice in the United States presents questions and opportunities for the American politics subfield that are far too diverse to cover in a single review essay. In recent years, scholars have produced foundational studies of the historical evolution of police power crossnationally (Whitman 2003; Lacey 2008); the expansion, militarization, and professionalization of urban policing (Hinton 2016; Forman, Jr. forthcoming); the political development of the carceral state at the national and state (and sometimes city) levels (Fortner 2015; Murakawa 2014; Gottschalk 2006; Simon 2007; Miller 2008; Dagan and Teles 2016; Barker 2009; Lynch 2010; Garland 2001; Wacquant 2009; Perkinson 2010); the growing infrastructure of immigration policing (Gottschalk 2015, ch. 10); the role of felony convictions in civic marginalization, disenfranchisement, and the erosion of social capital (Dilts 2014; Ewald 2002; Brown-Dean 2007; Hull 2006; Uggen and Manza 2008; Burch 2013; Lerman 2013; Owens and Smith 2012); political discourses of crime, policing, and punishment (Beckett 1997; Lynch 2010; Barker 2009; Schoenfeld 2011; Provine 2007; Meier 1994); the activities of police and carceral personnel as political interest groups (Miller 2008; Page 2011); the implications of mass incarceration for economic stratification, group inequality, mobility, and community well-being (Western 2006; Pettit 2012; Clear 2009; Wakefield and Wildeman 2014); and a host of related issues. By necessity,

² Other political scientists have also made this point; for example, Michael Walzer in the pages of *Dissent*: “But there isn't anything like the same critical literature on police work as there is on war. Just war theory has become a minor academic industry in the United States, the theory of just policing not yet.” <https://www.dissentmagazine.org/blog/france-us-uk-air-strikes-isis-just-war-theory>

the essay that follows cuts a relatively narrow path through these sprawling literatures. By choice, we organize our essay around the critical issues of race, class, and subjugation raised by “the Ferguson moment” and the #BlackLivesMatter movement.

We begin by exploring the dramatic shift in policing that expanded, deepened, and routinized police involvement in the daily lives of RCS communities – in their schools, their streets, their homes, and beyond – and that invigorated their role as urban problem-solvers. Second, we take a closer look at the blind spots within our field vis-à-vis the role of the police, clarifying how and why prevailing approaches have focused so little on the social control functions of the state and the relationship between police-led governance and dynamics of political marginalization and oppression. We draw special attention to the interweaving of police with the welfare state, which together play pivotal roles in the operations of state power, governance, citizenship, and politics in RCS communities. Finally, we argue that police practices serve as class-calibrated race-making institutions and, thus, are productive forces shaping structural positions, social identities, and political resistance in RCS communities. Significant *political* outcomes – many that preoccupy American political scientists today as well as many that do not – are produced, in part, through governing practices that are deeply entwined with policing and the carceral state.

THE EXPANSION OF POLICING AND RECONSTITUTION OF POLICE POWER

“As the central representative of the state in inner-city communities,” James Forman, Jr. argues, “what the police do (and what they teach by what they do) has implications beyond policing” (2004, 2). As we will see, it is an observation that echoes a long line of scholars, public officials, activists, and community members. Thus, it is of small political importance that in recent decades, important shifts in power, authority, and capacity have transformed policing in RCS communities and, as we describe later in this essay, reconstructed race and class themselves.

In the decades between the Kerner Commission report (1968) and the DOJ’s Ferguson report (2015), government authorities refashioned the policing of RCS communities. Among the many important developments of this era – too many to survey in this essay – two stand out as key conditions for the broader shift. First, after years of stagnant budgets and little growth, “law and order” political agendas put new muscle behind policing operations throughout the nation. Local police agencies received a powerful influx of federal resources (alongside rising subnational investments) and became the target of new federal agendas and modes of administrative support. Federal financial resources underwrote new policing initiatives throughout the 1970s and 1980s, many of which were promoted and guided by the Law Enforcement Assistance Administration (LEAA, see Gordon 1990; Hinton 2016; Weaver 2012; Feeley and Sarat 1980; Gray and Williams 1980; Gest 2001). Acting amid a rising victim’s rights movement, racialized political campaigns against urban “disorder,” and a backlash against court decisions that seemed to have handcuffed the police, the LEAA played a key role in developing new local programs such as STRESS (Stop the Robberies, Enjoy Safe Streets) in Detroit and CRASH (Community Resources Against Street Hoodlums) in Los Angeles. Through LEAA grants, and later through Byrne, JAG, and COPS funding, federal resources flowed to local police with virtually no categorical restraints on how they should be spent. Police spending at all levels of government grew precipitously after 1965 and then never dipped, sucking up ever-larger slices of municipal budgets (Weaver 2012). American cities spent \$82 per citizen on police in 1951; today, they spend \$286 (Epp 2016). On the heels of one of our nation’s most dramatic challenges to police power, police capacities to stop, arrest, detain, investigate, and deploy force grew handsomely: “The growth in police capacity and authority is

especially striking in the wake of the political upheaval of the 1960s, which, to put it simply, deeply challenged police power...” (Epp 2016, 37).

Second, as “law and order” political campaigns begat presidential declarations of a “war on crime” and a “war on drugs,” public intellectuals supplied powerful new frameworks and justifications for more aggressive policing. As coffers for police spending swelled, political scientist James Q. Wilson and criminologist George Kelling (1982) outlined perhaps the most influential of these new ideas, a philosophy and practice of social control that changed the logic of policing and drove a thoroughgoing expansion of the role, authority, and capacities of the state’s domestic security force. Called “broken windows,” Wilson and Kelling’s argument was that police should move aggressively against small-stuff infractions, no matter how peripheral to public safety they seemed. If left unchecked, even the smallest degradations of public order (metaphorically, “broken windows”) would encourage social disarray and violence, the logic went, as community members would perceive disorder as a sign that the law could be flagrantly abused. Thus, police were directed to crack down on small “quality-of-life” offenses like fare skipping, jaywalking, trespass, panhandling, and public intoxication in their patrols. Civil order violations and misdemeanor offenses rose quickly and became a far more frequent gateway to criminal adjudication as arrested individuals frequently pled guilty to smalltime infractions to avoid sitting in jail (Beckett and Herbert 2009; Natapoff 2012). Rather than arising from conditions of structural violence traceable to the broader society (as “root causes” arguments had held in the 1960s), crime appeared in this theory to emanate from visible social decay in RCS communities themselves. Figuratively speaking, it was the windows community members had broken and failed to repair that now conveyed and fomented disrespect and disregard for the law.

As this new theory of crime took root, public authorities poured their expanded policing resources into a suite of new techniques such as zero tolerance policing, “command and control” operations, order maintenance, “hot spots” policing, saturation policing, and interventions based on the SARA (Scanning, Analysis, Response, and Assessment) model, all of which gave rise to a higher volume of lower quality arrests and convictions. Thus, as new policing models proliferated in the 1980s, 1990s, and 2000s – trumpeted through a string of tactical campaigns titled “Operation” such and such – the core preoccupation of policing consolidated around the elimination of disorder and the regulatory enforcement of codes against disordered people and places. Efforts to address underlying community problems through social investment took a backseat as policing strategies and petty arrests took pride of place. In theory, broken-windows policing promised to improve community relations: As officers on the beat engaged the “small stuff” more intensively, they would get to know residents and better understand their lives and concerns; they would gain social understanding and build social trust; and slowly they would enlist the community more effectively in the co-production of safety (Herbert 2006). In practice, “broken windows” became a broad warrant for expansions of state authority and controlling interventions into the lives of RCS communities.

As broken windows and related programs became primary strategies for urban governance and development – as well as the management of social problems and the nexus of race, class, and criminalization – their logic rapidly spread from the nation’s largest metropolises to even the smallest hamlets and towns. Operations like the Safer Cities Initiative in Los Angeles and the mass expulsion of the poor from public spaces in Seattle found their counterparts in the mass drug arrests in Tulia, Texas. What began as “nine pages of opinions by two social scientists in a magazine of cultural and literary commentary” grew into the core policing and urban strategy of the next few decades (Herzing 2016, 267). The terrain was welcoming. Decades of neoliberal disinvestment and policy retrenchment intersected with searing racialized poverty on segregated residential landscapes to create cities “characterized by polarized zones of affluence and abandonment” (Lipsitz 2016, 130). RCS communities played a prominent symbolic and political role in this process: In potent

new storylines that recycled very old American narratives, they were portrayed as wellsprings of “underclass” disorder and danger, threatening to the broader society, and treated accordingly. Government officials, mass media, and public intellectuals fashioned powerful gendered figures of underclass deviance and threat: the masculine gang thug and superpredator who would be undeterred by all but the tough new policing interventions alongside the feminine welfare queen and drug-addicted mother of “crack babies” who called out for more intensive policing of bodies as well as communities.

The new policing discourses depicted RCS communities not as containing citizens facing social barriers or victims needing protection from slum landlord predation, violence, and misaligned service provision but as potentially (or likely, or already) criminal targets in need of surveillance. More police were on foot under “community policing” but their remit was to “target areas, find suspicious individuals, question them until they consent to search, and get lucky by finding something on them” (activist quoted in Michell, Attoh, and Staeheli 2016, 251-2). The new policing ramped up the most controlling elements of the old, with police powers more organized to treat RCS communities “solely as threats and objects of intervention” (Forman, Jr. 2004, 3). As it became more widely adopted, this approach became a new kind of “common sense” – “natural, necessary, and inevitable” to urban life (Lipsitz 2016, 135). Confiscations of property, profligate citations for misdemeanors (Kohler-Hausmann 2013; Natapoff 2012), experiences of being forced to “kiss the pavement” or stand spread-eagled against the hood of a patrol car, the ‘hidden curriculum’ teaching that one must never be without identification (Meares and Justice 2014). These and a host of more banal but degrading and marginalizing experiences – such as home becoming a place of insecurity recast as one’s “last known address” (Goffman 2015) – were to the new generation what the Jim Crow rituals had been to the generation before (Alexander 2010).

As policing began to pivot towards violations of order, it became a “robust supplement” to incarceration (Camp and Hetherington 2016, 3). On virtually every measure one could conceive, from arrest rates to use of force, the authority and reach of policing expanded. In New York City, for example, police stops of pedestrians increased from 90,000 to just under 700,000 from 2002 to 2011; low-level summonses expanded from 160,000 in the early 1990s to 650,000 in 2005; and since 2002, New York City police have made 350,000 misdemeanor arrests for small amounts of marijuana (Vitale and Jefferson 2016, 165; see also Kohler-Hausmann 2013; Natapoff 2012). The Big Apple was hardly alone. Cities across the country adopted tougher stances in policing and made greater use of vertical patrols and surveillance in public housing, trespass arrests, gang injunctions, loitering ordinances, and SWAT deployments.

The invigorated policing strategies targeted specific communities and, within these communities, even singled out particular neighborhood blocks (Fagan, Gelman, and Kiss 2012). Yet scores of studies revealed troubling evidence: High-volume stops and low-level arrests were weakly correlated with crime but showed a strong connection to race, poverty, and place (Fagan et al. 2009; Ayres and Borowsky n.d.; Harcourt 2005). Blacks were far more likely to be stopped, frisked, and questioned but *less* likely to produce evidence of criminal wrongdoing; a majority of stops were for things like “furtive movements” or “being in a high crime area” and most did not lead to an arrest or summons (Lerman and Weaver 2014a). Selection for enforcement based on discretionary street-level judgment began to displace evidence of criminal activity as a guide and justification for police-citizen encounters. Thus, many scholars began to criticize urban policing as a project of disciplining poor and disordered communities and for targeting people not because they were serious criminals but because they were precarious and powerless: policing based on “their status as people *with problems* but *without property*” (Lipsitz 2016, 127). More and more, policing and carceral systems seemed to assign criminality “based on race and social vulnerability rather than individual fault” and resemble “a practice of social control in search of a justification” (Natapoff 2012, 1365, 1368). Field research

revealed the racial grammar of policing beneath the numerical upsurge: Phrases such as “gorillas in the mist” (meant to convey blacks in a white neighborhood) or NHI (no human involved), for example, could easily be heard and recorded over police transponders in Los Angeles (Goff 2016).

The new policing strategies did not stand apart, as an isolated feature of urban governance. Rather, they stood at the center of a broader “trend to use crime-control metaphors and material resources to solve non-criminal, everyday social problems” (Rios 2011, 20; Simon 2007; Wacquant 2009; Goffman 2015). Decades of institutional expansion in policing (Weaver 2012; Hinton 2016; Gordon 1990) intersected with efforts to tighten social control in other areas through integration with the criminal justice system— longer spells of confinement and pretrial detention, growing prison terms for technical parole violations, policing and prosecutorial models of child support enforcement, more muscular immigration policing and deportations, the expansion of “school resource officers” patrolling school hallways (Shedd 2015), and “third-party policing” (Desmond and Valdez 2012).

As policing spread across social space, it was bolstered, not just by federal funds and other forms of support, but also by landmark legal decisions, such as *Terry v. Ohio* and *Whren v. United States*, that freed police to more aggressively pursue stop-and-frisk and pretextual stops. From this advantageous position, police were able to make effective use of an ever-thickening web of new criminal codes and civil ordinances that criminalized ordinary behaviors – from sagging pants to spitting to cursing in public – and defined them as threats to public order. The growth of such codes has received too little study, but their significance was put on tragic display in the police killing of Michael Brown in Ferguson, where a “manner of walking” law criminalized the very gait of RCS populations (DOJ 2015). “Taken together,” Beckett and Herbert (2009, 11) conclude, “these techniques represent a dramatic extension of the state’s authority and surveillance capacity throughout the urban landscape. The punitive city of twenty-first century America is one in which an increasing number of acts are regulated and criminalized; the state’s ability to search, detain, regulate, and monitor is expanded; and a system of invisible yet highly consequential gates and barriers increasingly constrains the movement of some urbanites in public space.” By the early years of the 21st century, police had become a normal presence in sites ranging from mental health agencies to hospital emergency rooms to schools to welfare offices (Stuart 2016). Police came to operate as more than just safety officers in these spaces; they were increasingly expected to act as urban problem-solvers, bringing in those they deem to be in need of engagement, collaborating with social service agents, and handling a broadening array of social problems on their own (Lyons 1999; Miller 2001).

Thus, a confluence of developments in politics, policy, culture, and institutions worked to expand and routinize police activity in the daily lives of RCS communities. Public spaces became police-saturated spaces. The mere act of stepping out to the street or into a school became sufficient to make interactions with officers of the state an expected (though unwanted and, in many cases, evaded) occurrence. Police officers were now expected to be proactive rather than merely responsive, seeking out the *possibility* of crime and, one step further removed, the social conditions that might prove to be fertile soil for threats to public safety. In contrast to middle-class white communities, police in RCS communities visually and dramatically asserted control of the streets (Moskos 2008); arrests for things like talking back to police or not “moving on” are a common method of displaying authority in RCS communities (Brunson 2007). The new regime “creat[ed] hundreds of thousands of additional contacts between police and the policed” (Vitale and Jefferson 2016, 160).

Moreover, as policing became a more central mechanism of social regulation in RCS communities, it operated in ways deeply reminiscent of earlier eras of “urban renewal” (disparaged as “Negro removal”). Under the guise of reclaiming spaces from social disorder and promoting

urban development, police advanced the gentrification of urban neighborhoods and serviced race and class-based residential segregation. Today, police are used to dislodge urban residents who don't move quickly enough out of buildings targeted for demolition (Ritchie 2012, 8). They are deployed to "banish" the poor from city parks and other public spaces. They enforce gang injunctions and arrest "out of place" individuals to protect white city spaces and preserve the boundaries that delineate them. Collaborating with landlords, police encourage the use of nuisance property violations to evict black victims of domestic violence (Desmond and Valdez 2012). Guided by new policies and fiscal pressures, police extract resources from RCS communities and deliver them to state and municipal governments through asset forfeiture, misdemeanor fines, bail, court fees, and LFOs (legal financial obligations, see e.g., Harris 2016; Alexander 2010; Katzenstein and Waller 2015).

Yet as America's massive "policing state" emerged at century's end, political scientists rarely acknowledged its growing importance as a political force, a significant transformation of the American state, or as a site of day-to-day political life in its own right. Even as theories of police legitimacy, police power, and democratic policing were taking off in the legal field, scholars of American politics stood on the sidelines (Tyler 2006; Fagan and Meares 2008; Fagan, Meares, and Tyler 2011; Loader 2000; Sklansky 2007). It is to this development that we now turn.

GOVERNANCE, CITIZENSHIP, AND THE AMERICAN POLITY

In the late 1960s, James Q. Wilson observed: "Because police practices have a considerable effect on the lives of many citizens... one might suppose that politics... would determine the prevailing police style" (1968, 227). Indeed, one might suppose that *students* of politics would devote considerable attention to policing as both a political force and a political consequence. In some subfields of political science, this supposition would be correct. Yet despite the dramatic rise of mass incarceration and order-maintenance policing in the years since Wilson wrote these lines, few in the American politics subfield have taken up the challenge. Indeed, even as political scientists have worked to "bring the state back in" and conceive of state power more broadly (Evans, Rueschemeyer, and Skocpol 1985; Morgan and Orloff 2016), the powers and practices of policing received paltry attention in the study of American political life. There have been notable exceptions, of course. Political scientists such as James Q. Wilson (1968, 1975), Stuart Scheingold (1992), and John DiIulio (1987) penned classic volumes on the politics of law, crime, and punishment; the governance of prisons; and the policing dimensions of state-citizen relations. But these books were published many years ago, and their subject matter never took root in the heart of the subfield. Surveying the American politics subfield in 2008, Marie Gottschalk used her title to convey her conclusion: It was as if the carceral state was "Hiding in Plain Sight."

As agents of governance, "the police" are often assumed to affect only a marginal (and misbehaving) subset of the population, different from "ordinary citizens" and distant from the powerful actors who matter most in U.S. politics. As state institutions in the U.S., police agencies tend to be ignored as technical sites of implementation, carrying out necessary but apolitical administrative functions. Generally speaking, police and prisons have been less interesting to our subfield than overtly "political" government institutions that register citizen *preferences* and organize competition and bargaining among political *interests*. In the empirical study of American citizenship, studies of political behavior and public opinion continue to focus overwhelmingly on "first-face" electoral-representative questions, while giving scant attention to citizens' lived experiences of the "second face" of state governance and social control. Thus, while criminal justice policy receives occasional attention in the literatures on how and why Americans vary in their policy preferences

and whether those preferences align with legislative outcomes, little attention is given to how police, court, and prison practices matter for governance and citizenship in America. Indeed, among those of us who study policing and criminal justice in this manner, many share the experience of being told at one time or another that our topic is “not really political science.” But how can this be?

First, consider the central roles that policing and carceral practices play in governance. Together, they make up a critical component of what Michael Mann and Sidney Tarrow term the state’s “infrastructural power” (1987; 2015). Police institutions hold near-monopoly control over issues of crime management and public safety in America and, among public bureaucracies, they enjoy comparatively generous budgetary support and insulation from oversight. On the street, police officers exercise a level of personal discretion that is rare in the bureaucratic world, both in its scope and in its extension to the violent taking of life. Thus, if one’s aim is to understand state powers to govern citizens, regulate their behaviors, revoke their freedoms, redefine their civic standing, and impose violence on them – and if one considers such practices relevant to an adequate understanding of U.S. politics – it is essential to confront the decisions police agencies and officers make about which neighborhoods to patrol, where to invest resources, whom to stop and question, when to make an arrest, which behaviors to deem threats to public safety, and when the mission of law enforcement justifies the deployment of deadly force. To ignore such things, we suggest, is necessarily to distort one’s understanding of the nature and evolution of governance in the United States, especially as it relates to RCS communities.

Second, consider the significance of criminal justice encounters as *political experiences* of government. As street-level bureaucratic representatives (Lipsky 1980), police operate as one of the most visible and proximate instantiations of state power in many citizens’ lives. In RCS communities, police stops and criminal custody have become normal and expected experiences of government (Lerman and Weaver 2014; Roberts 2004; Western 2006). Police, courts, parole agencies, and prisons are among the most familiar state-led institutions (Fernández-Kelly 2015). Indeed, in our separate studies of political citizenship, interviewees have looked, not to City Hall, Congress, or political parties, but rather to their direct experiences with police, jails and prisons, welfare offices, courts, and reentry agencies as they sought to ground their explanations of how government works, what political life is like for them, and how they understand their own political identities (Lerman and Weaver 2014; Soss 2000). “That’s the *only* government I know,” one interviewee said, after remarking on his interactions with criminal justice authorities (Lerman and Weaver 2014).

Third, consider the significance of police institutions as sites of political agency for citizens. It would be a grave mistake to imagine that criminal justice authorities and RCS relate to each other as agents (police) and objects (residents) in a one-directional relationship of control and domination. To the contrary, police agencies (like welfare offices and schools) often provide sites where people with few conventional political resources claim a share of state resources and services, seek protection against threats to their safety, resist social domination, and demand representation and community control (Soss 2000, 26–59; Fortner 2015; Bell 2016). Thus, in RCS communities, police figure as recurrent targets for citizens’ political agency: Residents turn to the police in an effort to *mobilize* state powers on their behalf, and they target police equally when they rise up to *contest* state powers over their lives.

To note all of this is to suggest that policing should serve as a critical entry point for efforts to improve our subfield’s accounts of how governance, citizenship, and political agency operate in the American polity. But it is also a way to underscore the risks of one-sidedness in efforts to portray the relationship between RCS communities and government. RCS communities simultaneously bear the burdens of governmental “under-attention” and “over-attention.” They are subject to state failures to provide security from violence and deprivation (see e.g., Miller 2016;

Leovy 2015; Kennedy 1997; Fortner 2015; Muhammad 2010) and subject to state projects of repression and discipline that work to sustain subjugation; see e.g., Taylor 2016; Roberts 2004). “Poor black neighborhoods see too little of the kinds of policing and criminal punishment that do the most good,” the late legal scholar William Stuntz argues, “and too much of the kinds that do the most harm” (Stuntz 2011, 5). It is hardly surprising that substantial political agency in RCS communities is directed toward each. Yet all these features of contemporary American politics remain hidden in a subfield whose primary surveys of American citizens (e.g., the American National Election Study) and best surveys of black and Latino/a politics have not included even a single recurring question on citizens’ experiences in relations to criminal justice systems (cf. Cohen 2010 and Detroit Area Study and National Survey of American Life).

To the extent that race and class organize the American political order, it is fundamentally the *policing* of race and class that “[holds] this precarious system together” (Kelley 2016, 22). Indeed, leading black intellectuals wrote about this subject with passion, frequency, and deep insight throughout the twentieth century. As black political agendas and civil rights campaigns demanded security from police-perpetrated violence and challenged police agencies’ failure to protect communities from other sources of violence, these same themes coursed through black sermons, memoirs, journalism, and poetry (e.g. Audre Lorde’s *Power* as well as Langston Hughes’ *Third Degree*). In the past as today, black writers campaigned to “say her name,” listing out the victims of police violence.

Leading black intellectuals frequently described the police not as safeguards of democratic rights or personal safety but as “armed guardians” and chief instruments of state oppression. They wondered aloud how a “system bent upon our ultimate destruction” continued to be perceived as a democracy (Eldridge Cleaver 2014; Audre Lorde 2008). In *The Philadelphia Negro* (1899), W. E. B. Du Bois described his neighborhood in the Seventh Ward by recalling, “police were our government, and philanthropy dropped in with periodic advice.” In 1966, writing four decades before “stop-question-and-frisk” came under attack and at the very moment mainstream intellectuals roundly celebrated the end of the prison, James Baldwin wrote of how his Harlem community was “forbidden the very air,” as blacks were kept indoors through police stops after the *Terry* ruling and Nixon’s “no-knock” policy. The civic consequences of these experiences were highlighted by one early black sociologist, writing after Du Bois but before Baldwin, who noted: “Too often the policeman’s club is the only instrument of the law with which the Negro comes into contact. This engenders in him a distrust and resentful attitude toward all public authorities and law officers” (quoted in Muhammad 2010, 251).

Intellectuals coming out of more radical traditions of black political thought were also keenly attuned to police authority in shaping the politics, resentments, and relationships to authority in the “dark ghettos.” Malcolm X, for example, described the view from RCS communities: “Our people in this particular society live in a police state. A black man in America lives in a police state. He doesn’t live in any democracy. He lives in a police state. That’s what it is, that’s what Harlem is” (X and Breitman 1965). Eldridge Cleaver in *Soul on Ice* described the police as central to the political and racial order (1968, 156-8): “The police patrol the city, cordon off communities, blockade neighborhoods, invade homes, search for that which is hidden.... The policeman... will have the last word. Everywhere the whites are fighting to prolong their status, to retard the erosion of their position. In America, when everything else fails, they call out the police.” It is no accident, from this perspective, that the prison emerged as a pivotal location for the black freedom struggle and antiracist movements in the twentieth century’s middle decades (Berger 2014).

And yet with important exceptions, such themes have received little attention in the area of American politics scholarship best positioned to examine them – Race and Ethnic Politics (or REP). As REP scholarship has grown in sophistication, stature, and influence, its many superb studies have

focused primarily on the same “first face” dimensions of politics as the subfield as a whole. Electoral-representative themes have stood at the fore – producing, for example, vibrant literatures on public opinion, electoral behavior, and representation in legislative and bureaucratic settings – as questions of social control and policing (broadly construed) have seldom been explored (for excellent reviews, see e.g., Hutchings and Valentino 2004; Lee 2008).

Like REP scholarship, historically oriented studies of American political development (APD), which have been more attuned to state capacity and power, racial orders, and various “institutionalisms,” would also be enlivened by greater attention to police powers, structures, and modes of political agency. Political scientists have long characterized the American state as fragmented, out of sight, private, associational, weak, submerged, and delegated – terms that convey displaced power and diminished capacity. Yet as Charles Epp, Marie Gottschalk, William Novak, and others have argued, such terms falter as historical descriptions if one considers the nation’s police forces (Epp 2016; Gottschalk 2006; Novak 2008). Indeed, Epp (2016, 16) suggests that when one surveys their hierarchical operations, generous and direct funding, insulation from oversight, and specialized knowledge, “this profile fits nearly perfectly the classic European model of a state against which the U.S. is usually contrasted” (Epp 2016, 11).

It is here in the area of APD, in fact, that one can find some of the best evidence for how attention to policing and the carceral state can instigate exciting new intellectual advances. Marie Gottschalk (2008) was a first mover in pointing to the remarkable carceral transformation in the American state, first in the *Prison and the Gallows* and later in the very pages of this journal, where she reminded our subfield that one of its founders, Alexis de Tocqueville, came first to the United States to observe its penal institutions. She rightly argued that correctional growth has begun to “fundamentally alter how key social and political institutions operate and pervert what it means to be a citizen in the United States” (2012, 364). Contemplating how the American state now “governs through crime,” Jonathan Simon (2007) concludes that criminalization has fundamentally “transformed American democracy.” Lisa Miller (2008), Nicola Lacey (2008), and Vanessa Barker (2009) show how political-institutional explanations can explain why the US government invested so heavily in governance through punitive laws and institutions. A number of additional studies have explored how the political development of policing and the carceral state help explain patterns of political marginalization and incorporation in RCS communities, as well as black anti-crime activism and protests against police violence (Burch 2013; Fortner 2015; Lerman 2013; Lerman and Weaver 2014; Miller 2008; Murakawa 2014; Owens 2008; Soss, Fording, and Schram 2011; Weaver and Lerman 2010).

Thus, against a backdrop of spiraling incarceration and renewed protests, recent developments in policing and incarceration have begun to receive significant attention from a small but growing cadre of APD scholars. For RCS communities, however, the rise of mass incarceration and militarized policing since the 1970s is a relatively recent chapter in a longstanding experience of governance by police and penal authorities. Though journalistic accounts tend to emphasize the Ferguson moment as a state of emergency or newly unfolding crisis, scholars (mostly outside political science) have pointed to Ferguson as a reflection of longstanding dynamics of policing and resistance in the American history of state social control. As Robin Kelly (2016, 19) reminds us: “Our parents, grandparents, and great-grandparents experienced ‘no tolerance’ policing long before that term was in vogue. Many African Americans were arrested for not yielding the sidewalk to whites, for lacking a job (vagrancy), using profanity in public, spitting, loitering, violating segregation ordinances, ‘reckless eyeballing,’ and other absurdities.” Police victims like the grandmother Eleanor Bumpurs in the Bronx and Eula Mae Love in and Allene Richardson in Detroit were protested by earlier generations, much as the deaths of Michael Brown and Sandra Bland are today. The criminal

regulation of space once operated through sundown and vagrancy laws, and operates today through police enforcement of a host of banishment-centered municipal codes (Beckett and Herbert 2010).

Throughout American history, police actions in RCS communities have both reflected and instantiated prevailing racial and class orders. Police have been leading perpetrators of state violence in RCS communities and played critical roles in aiding and protecting private (white, property-owning) citizens who perpetrated violent acts designed to subjugate and control these communities. Police worked to protect the economic interests that white elites and state officials shared in a ready supply of exploitable black labor, and terrorized blacks who crossed de facto racial boundaries above and below Mason-Dixon Line. Time and again in American history, police and the local criminal justice apparatus operated to enforce racial norms of docility and deference, preserve the ballot from black voice, defend white public spaces and white residential neighborhoods, protect vigilante mobs, repress black labor agitation, suppress dissent, and undermine racial and social justice movement leaders (Blackmon 2008; Oshinsky 1996).

By giving so little attention to policing, past and present, the American politics subfield has not only missed critical dimensions of U.S. politics, it has produced distorted understandings of some of its most frequently studied topics. Consider scholarship on the U.S. welfare state, which provides a particularly salient example that illuminates the broader whole. Research on the welfare state has a considerable footprint in our subfield, but one that is characterized by an important asymmetry: political scientists typically present the US welfare state as *less generous* than its counterparts in other Western democracies and study the forces that explain this outcome of “first face” politics (see e.g., Huber and Stephens 2001; Skocpol 1992, 1995). Far less attention is given to the comparatively large role that US welfare programs—with their rich histories of labor enforcement, “man-in-the-house” rules, midnight raids, and agendas to promote “Americanization,” sexual restraint, and marriage—have played in the social control of RCS communities (see e.g., Abramovitz 1988; Gordon 1994; Katz 1996; Piven and Cloward 1993; Ward 2005; Smith 2007). A key feature of this imbalance – and source of analytic distortion in understanding the American welfare state – has been a lack of attention to how welfare systems in the U.S. have develop and operate *together with* criminal justices apparatuses as instruments of social control.

In RCS communities today, police, courts, and welfare agencies work alongside one another as interconnected authorities and instruments of governance (Wacquant 2009; Soss, Fording and Schram 2011). The densely woven fabric of social control encompasses a host of “collaborative practices and shared information systems between welfare offices and various branches of the criminal justice system” (Gustafson 2011, 2). Core functions of social provision—such as housing, employment, physical and mental health, and education—are carried out on a large scale by agencies of the carceral state (Stuart 2014; Wacquant 2009). (In fact, prisons are now the largest public providers of mental-health services in the United States.) In agencies such as Child Protective Services, the pursuit of child-welfare goals blends seamlessly into the policing and prosecution of criminal negligence and abuse (Roberts 2012). In traditional means-tested welfare programs, officials employ criminal logics of “penalty for violation” to discipline clients and aggressively investigate and prosecute cases of welfare fraud as criminal felonies (Gustafson 2011).

When we ignore such material and symbolic interconnections, we misspecify the structure and functioning of the American welfare state and—equally important—occlude how low-income minority citizens experience surveillance, monitoring, coercion, work extraction, and confinement across the range of institutions that encircle their communities. Outside political science, scholars have been more attentive to such connections across different sites of state action, describing how the “punitive arm of the state” has “percolated itself into traditionally nurturing institutions like the family and the community center” as well as social-service spaces throughout government (Rios 2006, 49; see

also Beckett and Herbert 2009; Fernandez-Kelly 2015; Gustafson 2011; Roberts 2012; Simon 2007; Soss, Fording, and Schram 2011; Stuart 2011; Wacquant 2009).

Welfare officials increasingly cooperate with “sting operations” and other policing endeavors (Gustafson 2011), as “police and probation officers [become more] involved in non-criminal-justice matters at school and in the community” (Rios 2011, 57). “Problems that were once handled by teachers, principles, and parents are now remanded to juvenile and criminal courts and the police” (Kelley 2016, 30), and police are increasingly called upon to serve as “mental health facilitators, school disciplinarians, public housing managers, and guards against park trespassing” (Camp and Hetherington 2016, 4).

Such interconnections are, in fact, not so new. The welfare and carceral capacities of the American state developed alongside one another and have always been entwined. Throughout the twentieth century, for example, labor-regulation strategies designed to ensure work compliance in RCS communities operated through a division of labor between welfare and criminal justice authorities. In the Jim Crow South, welfare officials facilitated the exploitation of black workers by applying “employable mother” rules, using vague eligibility rules to deny benefits, inspecting homes for moral violations, or simply shuttering the welfare office when hands were needed in the fields (Piven and Cloward 1971/1933). Police worked alongside these efforts, securing compliance with the sharecropping system by using vagrancy laws to arrest blacks deemed to be “in idleness” – and frequently sending them into the exploitative labor arrangements of the penal system, in which chain gangs and convict-leasing programs were widespread (Mancini 1996).

These social-control functions were hardly restricted to the South or to the sphere of work. In a recent discussion of poverty governance in urban “main stem” districts, for example, sociologist Forrest Stuart (2014) emphasizes how social reformers from the 1880s to the 1930s developed “two-pronged tactics” of social control, deploying assistance and rehabilitation on one side and penal incapacitation on the other. Noting “the nineteenth-century police role developed via a symbiotic relationship with private welfare organizations” (Marquis 1992), Stuart (2014, 4-6) highlighted several key dimensions of integrated practice, as follows:

Police were either formally charged with or quickly assumed the burden of not only controlling crime, but also overseeing a plethora of social welfare services (Monkkonen 1981, 1982). This included taking censuses, regulating health standards, providing ambulances, and giving overnight lodging in police stations; functions that provided broad and amorphous powers to deeply intervene into the daily lives of the urban poor....[Social welfare] organizations used their political influence at the state and city levels to draft ordinances prohibiting vagrancy, loitering, begging, and drunkenness...[and then] demanded that police departments behave much like surrogate organization employees. Most notably, the COS [Charity Organization Society] enlisted the police to investigate the homes of anyone receiving relief, draw up central registers of the poor, and report back to COS officials as to whether or not a recipient should continue receiving aid....They enlisted the police to discover child abuse and neglect, as well as assist in locating and returning lost children....This coupling was unmistakable for its targets.

TRANSFORMING RACE, CLASS, AND CITIZENSHIP

More than just tools of social control and sites of political agency, police and criminal justice institutions are also *productive forces* in social and political life – organized fields in which political actors define what race, class, gender, and citizenship mean in American life and how they operate together as social structures. To date, however, scholarly debates have focused more on the ways

psychological biases related to race might influence policing policies and practices than on the reverse: how policing itself may “re-create and enforce the country’s racial divide” (Epp, Maynard-Moody, and Haider-Markel 2014, 3). In the American politics subfield, race and class are typically analyzed as *influences* on politics rather than as creations of politics in their own right. Race, in particular, is addressed most often as an existing element of cultural or psychological orientations, an exogenous factor in the politics under study, even if acknowledged as a social and historical construct. By contrast, race is seldom analyzed in our subfield as a social structure that organizes concrete relations based on terms that are, in the first instance, *politically* produced, renewed, and transformed. As a result, we know a great deal about how white Americans’ attitudes toward policing and punishment respond to experimental racial cues and reflect racial stereotypes and resentments. A wealth of studies show how stereotypic ideas about race, class, and criminality circulate in media representations, electoral campaigns, and policy rationales and how they operate as overt or implicit biases in the citizenry and among public officials (Entman and Rojecki 2001; Gilliam and Iyengar 2000; Mendelberg 2001; Peffley and Hurwitz 2010). Yet our subfield has little to say about how policing and criminal justice construct race and class themselves.

In this section, we direct students of American politics toward important works (mostly outside our subfield) that illuminate police and criminal justice apparatuses as *race-making institutions* (Lipsitz 1998). In this scholarly tradition, the material and symbolic boundaries of race, class, and citizenship are not natural givens or exogenous forces in political life (Omi and Winant 1994; Emirbayer & Desmond 2015). Rather, political actors construct and reconstruct race as they use institutions to divide populations, define the terms of their relations, and subject them to different modes of governance (Brubaker 2004; Loveman 2014; Somers 2008). RCS neighborhoods, from this perspective, are not simply places where political events may occur. They are actively and socially made as “raced” and “classed” places, built over time through government policies and public investment decisions that organize housing, education, welfare, and policing, that segregate and stigmatize some while elevating and insulating others, that deploy power in various forms to shape understandings of groups and “their places” that eventually come to seem natural, given, and legitimate (Gordon and Hayward 2016; Hayward 2013; Massey and Denton 1993).

As police practices delineate racialized spaces and constrain movement (Beckett and Herbert 2010; Capers 2009; Shabazz 2015; Meehan and Ponder 2002; Boyles 2015), they also shape material conditions within these spaces in ways that define and give meaning to durable “classification[s] of social status” (Pager 2013, 267; Western 2006). Routine surveillance and punishment convey the civic significance of being poor and black, symbolically marking RCS communities as suspect and in need of oversight and contrasting them against “law-abiding” citizens who need protection from threatening elements in RCS communities (Cacho 2012; Wacquant 2009). Police encounters in public spaces function as daily rituals indicating who is suspicious, who can be trusted with freedoms, and who deserves the benefits afforded to citizens in full standing. The physical infrastructure of surveillance (e.g., CCTVs and police substations) and the governing practices that saturate RCS communities (e.g., police frisks, arrests, body searches, confiscations of property, identity checks, police sweeps, and SWAT raids) do more than just advance the instrumental goals of crime management and social control. “Surveillance... serves as a ‘generative’ force, one that defines who is an insider and who is an outsider” (Parenti 2003, 9). Policing creates potent images of the “state assigning worth” (Capers 2011, 24) and, in this manner, “offers Americans race- and class-based lessons on who is a citizen deserving of fairness and justice and who constitutes a group of dangerous others deserving of severe punishment, monitoring, and virtual branding” (Justice and Meares 2014, 162). As people pass by a police stop, they see Black people confronted by state authorities, shrouded in suspicion, subjected to searches for damning evidence, and approached

warily as imminent threats – all of which “shapes the meaning of race in an ongoing way” (Epp, et al. 2014, 24).

The informal grammar supplied by these rituals finds its counterpart in more formal systems of social knowledge generated by criminal justice institutions in the form of “public facts” (Gusfield 1981). Through quantification, tools like gang databases bring scientific legitimacy to suspicions that the modal black or Latino youth is connected to criminal networks. In Denver, for example, more than half of young minority boys are in the database and 47 percent of adolescent or young adult black males in Los Angeles county were in the database in the early 1990s identified simply on the “basis of appearance: baggy pants, red or blue clothes” (Parenti 2003, 176). Arrest reports and records based on biased street-level decisions that depend heavily on racial stereotypes, the use of pretextual or “racial incongruity” stops (i.e. stopping people who are “out of place” racially; see Capers 2009; Meehan and Ponder 2002; Boyles 2015), the selective criminalization of substances, and the targeted policing of RCS neighborhoods all construct bodies of numerical knowledge that provide misleading testimony to the public, suggesting that suspicions of black criminality are reasonable and objectively warranted much as the tabulation of census counts of “Negro” prisoners and convicts did in the past (Muhammad 2010). Even in a city where white buyers prevail in open-air drug markets, police focus almost exclusively on netting busts in black drug markets and sometimes even refuse a bust presented in a white area (Beckett, Nyrop, Pfingst 2006).

And as the DOJ’s Ferguson Report (2015) made plain, such practices are frequently accompanied by derogatory discourses among police officers that denigrate and stigmatize on the basis of race, class, gender, and sexuality – with racist terms circulating even when police are responding to black and brown victims of violence. In an expansive ethnography of an anti-crime squad in the *banlieues* of France, Didier Fassin (2013) describes how police created a novel category of French citizen, “bastards,” to designate members of RCS communities – just as American police freely refer to young black men as “thugs” or “hoodlums.” “To call young working-class people, most of them of minority origin, ‘bastards,’” he argues, “is to bring into existence a biological category of infra-citizen, which is to be especially mistrusted, and in relation to which specific practices become legitimate” (2013, 99).

In these and other ways, police and criminal justice practices operate informally and formally as a form of “racecraft,” defining racial boundaries and imposing reputations on the spaces and social groups they define (Fields and Fields 2014). The policing and carceral apparatuses of the state “invest [race] with meaning” (Capers 2009, 53) and operate as class-specific, spatially targeted race-making institutions (Hayward 2013; James 1994; Lipsitz 1998; Omi and Winant 2014; Rios 2011). The political, social, and economic consequences for individuals and communities are profound.

Arrests and criminal records confer inferior civic status and impose social stigma, which work together to legitimate institutional exclusions, focus suspicion and surveillance, and authorize private practices of discrimination (Dilts 2014; Pager 2013; Wacquant 2009; Ewald). Branded as “criminals,” individuals experience limited access to a range of social, political, and economic goods – from jobs, professional licensing, and even school opportunities to social welfare benefits and voting (Wacquant 2005, 2009; Pager 2007; Rios 2011; Dilts 2014; Natapoff 2012). In Baltimore, for example, people convicted of minor misdemeanors – from loitering to public drunkenness to vandalism or violating curfew – cannot live in public housing for 18 months, while in New York City a noncriminal violation such as disorderly conduct can result in housing eviction for two years (Natapoff 2012). More informally, some schools routinely push out justice-involved boys who are the victims of violent attacks, accusing them of truancy and using the absences to expel them (Rios 2011). In this manner, governmental race-making reverberates through a host of public and private domains, supplying a “negative credential” for institutional and social gatekeepers. Nominally targeted at convicted individuals, such provisions work more broadly to “cast a shadow of

criminality across the black population.”³ Indeed, the court-imposed mark of a criminal record also “makes race” in a more literal sense by raising the likelihood that observers will perceive an individual as Black (Saperstein and Penner 2010; Eberhardt et al. 2007).

In all these regards, contemporary police practices draw power from the past as they mold the raced and classed polity in the present, working through the legacies of earlier (and, in some cases, now-discredited) instruments that segregated RCS communities and designated them suspect. The criminalization of blackness, as Muhammad’s (2010) impressive account reminds us, was perfected in the Progressive era when ideas and statistical knowledge about black criminality rose in tandem with (and legitimated) new practices of racial subjugation, violence, isolation, and state neglect. As they became culturally wedded to blackness, images of criminality sustained racial subordination as effectively as subjugation based on race *per se*. And with the slave master’s lash silenced, “the penal excess of the lynching spectacle said things that a modernized legal process could not....It reestablished the correlative status of the troublesome black man, which was as nothing, with no rights, no protectors, no personal dignity, and no human worth” (Garland 2005, 817; Francis 2014, 29-58).

As people and places coded as black or brown come to signify criminality, criminal stigma becomes a wellspring of racial stigma that envelops individuals regardless of their actual transgressions or adherence to rules. Blacks (and differently, Latinos) are “saddled with a provisional status” until their law-abidingness (or legal status) can be proved, whereas whiteness “denotes civility, law-abidingness, and trustworthiness” (Anderson 2012, 80; see also Fassin 2013; Rios 2011). The pervasive equation of blackness and criminality can be seen in research on “shooter” games, where individuals must decide quickly who is wielding a weapon and whom to “take out” (Kang 2005 for a review of the studies in this area), work in psychology showing that the state’s biggest punishment – death – is given to blacks that had more stereotypically black features and whose cases were described with references to apes (Goff et al. 2008), and in studies revealing that after a person experiences an arrest, survey interviewers are more likely to perceive them as black (Saperstein and Penner 2010). It can be seen in how recall from memory tends to fail or work more slowly when Americans are confronted with information that contradicts the black-cum-predator stereotype (Kang 2005). It is powerfully on display in studies showing that RCS neighborhoods tend to be perceived as “bad places” that “ordinary Americans” should avoid, even after controlling for differences in actual crime rates and other objective conditions alone (Sampson 2012; Quillian and Pager 2001).

As criminal justice practices shape perceptions in the broader society, they have equally momentous effects on consciousness within RCS communities. For people who live in police-saturated neighborhoods, day-to-day experiences of policing foster new conceptions of identity and practices of social valuation, such as the delineation and labeling of “decent” and “law-breaking” neighborhood residents (Anderson 1999; Lerman and Weaver 2014; Fassin 2013 “between honest people and hoodlums” 105). In the process, encounters with police socialize individuals into and out of political life, teach lessons about citizenship and government authority, and insinuate themselves into prevailing patterns of collective consciousness (Lerman and Weaver 2014).

In this sense, criminal justice practices function as a “hidden curriculum,” conveying lessons contrary to the liberal-democratic conception of criminal justice as egalitarian, procedurally fair, and just (Justice and Meares 2014). The emotional force of minority youths’ first experiences of the

³ “By marking large numbers of young men with an official record of criminality,” Devah Pager (2013, 258) explains, “the criminal justice system... serves to formalize and legitimate long-standing assumptions about blackness and crime.”

police baptizes them, in a way, supplying a visceral and lasting memory of the state exerting power over their bodies. The legal scholar Devon Carbado (2005), drawing on his own experience, calls it a “racial naturalization”; Jerome Miller describes it as a normalized “puberty rite”:

For African-American youths in particular, the experience of arrest and jailing seems to have become something of a puberty rite, a transition to manhood...and turns into an internal psychological struggle over whether to meekly assume or to aggressively reject the identity the ritual demands – an ambiguous puberty rite of disrespect and symbolic castration – from ‘assuming the position’...shackled ...confined in crowded ‘tanks’ or holding cells ...having a price set on one’s head as bail ...The ‘secrets’ of the experience are shared with peers and adult males, the majority of whom have been subjected to the same rites. The experience in this sense touches archetypal memories... (Miller 1996, 99-100).

Such visceral experiences with police are retold and become elements of collective memory of RCS communities, “the seedbed for historical consciousness—a kind of socially and politically charged remembering through which people transform experiences of pain into collective narratives” (Ralph 2013, 112). Stories of police brutality or unfairness are passed through family and friendship networks, the routines of black comedians, rap lyrics, and black media and “passed down through generations like heirlooms” (Russell-Brown 2004, 66).

These sorts of social knowledge combine with saturation policing to shape individual behaviors and community relations in a variety of ways. Numerous studies indicate that people in RCS communities must regularly perform a careful management of body and words to avoid aggravating police contacts – and sometimes actively cultivate habits of “unpredictability” to avoid police encounters (Goffman 2014; Fassin 2013). “Negotiating the script,” as Capers (2011) puts it, is “a full-time endeavor” in which subjects perform citizenship-diminishing practices, such as consenting to unlawful searches and limiting travel through white neighborhoods (Capers 2011; Goffman 2014; see also Capers 2009). The performances become “analogous to a trial” where, in effect, members of RCS communities must “take the stand” to demonstrate their law-abidingness before ever going to court. In performing the script—for example, by not asserting rights of due process—the individual is actually “assuming the position of a second-class citizen, or three-fifths of a citizen, or a denizen, or an at-will citizen allowed autonomy only at the discretion of the law officer” (Capers 2011, 28). The civic rituals of policing can function at times as sites of resistance – as we discuss below – but ethnographic studies stress how they work more routinely as sites where black youth are forced to take up submissive postures and demonstrate their understanding that, constitutionality aside, police can ask, search, and do as they please (Fassin 2013). In this way, police act as messengers for the rules of a racialized class system, teaching people in RCS communities what to wear and how to comport themselves, which public spaces to avoid, and what kinds of actions are forbidden to them (Goffman 2015).

Recognizing that these experiences are not minor aggravations but rather a “genuine physical education through which the individual interiorizes his social position,” scholars in sociology and law have been attuned to how experiences of social control foster identity and social relations (Fassin 2013, 92). Victor Rios (2006), an urban ethnographer, describes how RCS youth in the juvenile system in Oakland develop identity through criminalization processes in schools, detention centers, police encounters, and even the neighborhood community center. Imagined and treated as thugs and deviants, youth “developed identities that they often wished they could renounce” and often compensated by striving to be powerful and dignified—embracing being “hard” as a failure-prone mode of resistance to authority figures (Rios 2006, 44).

The ethnographic work in this area has produced a rich portrait of a heavily policed younger generation as they navigate what Miller (1996) calls the “transition to manhood.” Yet this phrase also underscores a key bias and weakness of the field: the limited attention given to experiences of poor women of color. In leading ethnographies in this area, women sometimes appear as enlisted participants in the social control of men (Goffman 2014; Rios 2011). Women are conceived as indirect “secondary” targets of state social control and efforts to seize the resources of poor mothers and spouses attached to incarcerated men (Comfort 2007; Katzenstein and Waller 2015) or, in other studies, are counterposed to men in a gendered conception of the state’s left hand (e.g., the welfare regulation of women) and right hand (e.g., the carceral regulation of men; see Wacquant 2009). In stark contrast to the historical or ethnographic literature on imprisonment, which features more encompassing portrayals of how women’s relations with the state are transformed by prison (Comfort 2007; Haley 2016; Hicks 2010; Gross 2006; LeFlouria 2015; Haney 2010; McCorkel 2013), contemporary studies of policing have largely silenced or sidelined women of color (for a critique, see Crenshaw 2012).

There are compelling exceptions to this tendency, which should point the way toward a less distorted field of study in which women and girls figure more prominently in their own right and gender analysis is applied more routinely and productively to the policing of RCS communities. Lynne Haney’s (2010) celebrated comparative ethnography of “alternative” prisons’ efforts to regulate and transform women offers a leading example, as does Dorothy Roberts’ (2012) incisive analysis of how women of color’s bodies and relationships are policed through the child welfare system. Beth Ritchie’s (2012) study illuminates how black women deal with male violence, state criminalization and victimization, and marginalization within the feminist anti-violence movement. Monica Bell’s (2015) study of how black women develop “situational trust” of the police, using them to negotiate challenging social and institutional relations, provides a powerful complement to studies of how women of color experience eviction and neglect of domestic violence through “third party policing” (Desmond and Valdez 2012). The potential for policing in RCS neighborhoods to render women more vulnerable to male violence figures as a recurring theme in many of these works (Websdale 2001). Conversely, poor women of color who experience male violence find themselves positioned in ways that raise their chances of being “sanctioned by state agencies for the harm they endured” (Ritchie 2012, 112).

For students of American politics, civic and political education stands out today as a particularly critical and promising area for engagement with policing – a process that one of us (Weaver) has described as the construction of “custodial citizenship.” For many years, legal scholars have developed concepts such as legal cynicism and police legitimacy to analyze how police practices themselves could shape orientations towards the law, legal institutions, and related state authorities (Fagan, Meares, and Tyler 2011; Tyler 2006). More recently, political scientists Amy Lerman and Vesla Weaver (2014) have explored how interactions with police and other justice authorities strengthen racial learning, diminish faith in the American Dream, reduce individuals’ senses of their equal worth, exacerbate perceptions of individual and group discrimination, and cultivate “serious misgivings about the extent of equality.” In *Pulled Over*, Charles Epp, Steven Maynard-Moody, and Donald Haider-Markel show how investigatory police stops “construct and reconstruct the meaning of rights, citizenship, and race” (2014, xvi). Unlike stops that respond to driving violations, *investigatory stops* detain people simply to investigate them further – to see what they’re up to, who they are, where they are going and why – and target blacks far more frequently than whites. Those who have grown accustomed to them develop “shared knowledge” about how state authorities judge not what they do, but rather who they are, ultimately learning “that they are not regarded as full and equal members of society” but “subjected to arbitrary surveillance” (2014, 2, 16).

As police powers advance marginalizing and controlling forms of racial socialization, they also play a role in fostering insurgent forms of political resistance. Social movements that target systemic abuses of police powers (Taylor 2016) find their counterpart in everyday practices designed to obstruct policing – practices that are often dismissed as personal (rather than political) defiance but which Cohen rightly theorizes as “lived opposition” (Goffman 2015; Rios 2011; Cohen 2004). These aspects of policing and racial socialization – aspects that work *toward* political agency – tend to receive very little analytic attention due to the prevailing tendency to view RCS communities in terms of political deficits (e.g., lacking in organization, resources, efficacy, etc.) rather than as resourceful, creative, and deliberate political actors. In reality, RCS communities regularly engage in collective opposition to policing abuses in their neighborhoods, to processes of criminalization, and to systematic racial injustices in the legal system. Contemporary examples range from the #BlackLivesMatter movement to “no snitch” campaigns (refusing to speak to police or serve as witnesses) to collectively “nullifying” convictions in drug cases (Butler 1995; Rios 2011) to removing “bad actors” from office through electoral participation. The various modes political agency are interwoven as outgrowths of and responses to the policing of RCS communities.

Thus, young black Chicagoans’ successful electoral effort of to unseat the county prosecutor, Anita Alvarez, after her delay in indicting the officer who gunned down Laquan McDonald (Harcourt 2016) should be analyzed and understood, for example, alongside Victor Rios’s (2011, 41) analysis of how youth in his study developed “resistant identities” to contest their criminalization and sought to subvert police interference by “blocking off their streets with stolen cars and concrete slabs so police cars were unable to access them.” Conventional patterns of engagement in electoral-representative politics can be improved by attending, for example, to how Skid Row residents in Los Angeles leveraged their extensive involuntary contacts with police to become “copwise”, creatively appropriating the tactics and methods of the police to protect their community against state projects of displacement through the Safer Cities Initiative (Stuart 2016, ch.5). Through their novel “Community Watch” effort to follow and document police behavior and “reverse police,” Skid Row residents developed collective strategies of resistance to repressive policing, resulting in a legal injunction against the routine confiscation of their property by police. At the same time, they reframed and destigmatized their neighborhood’s reputation and legitimized their right to “define and govern Skid Row.” The bottom-up actions of residents – catalyzed by and developed through interactions with police – shifted power dynamics within a deeply stigmatized urban area, allowing residents to exert greater control in their relations with police and government.

CONCLUSION

In 2015, Attorney General Loretta Lynch observed that in communities like Ferguson, police often represent the “only face of government that [residents] see” (Du Bois 1968; United States 1968; Lynch 2015). Our subfield has long disregarded analysis of the police as an important site of state power, state-citizen interaction, and state capacity. This framing of US politics is rooted in a partial and highly salutary view of the American state, a view that places its active contributions to repression, subjugation, and social control under erasure. Working within such a framework, we argue, scholars inevitably will be hobbled in our efforts to understand the political lives of RCS communities. Greater attention to what we call the state’s “second face” is essential for our subfield to develop more analytically and politically powerful accounts of political inequality and marginalization in RCS communities—and equally essential if we are to comprehend the wellsprings of political agency, resistance, and solidarity that emerge in response. In 2014, Ferguson made the limits of such a view readily apparent and efforts to address it politically urgent.

Ferguson posed important and troubling questions to our subfield, as Katrina, Watts, and similar flashpoints of racialized inequality had previously done many times. Building on the insights of many scholars before us, we argue that our subfield should expand its analysis of American politics to include greater attention to the state's second face and must work to build a less distorted account of American politics that reflects—as more than an anomaly or unfortunate exception—the political lives of RCS communities. The second face of state-led governance actively produces citizenship, social inequalities, and the structured patterns of the political order through its practices of social control. In an era of mass incarceration, paternalist welfare, and “broken-windows” policing, when “the power of the US government to regulate, study, order, discipline, and punish its citizens...has never been greater” (Novak 2008, 760) it is unacceptable for the mainstream of our subfield to continue excluding these dimensions of politics and government. By expanding our field of vision in the ways we describe, scholars can generate significant new insights into the American state and US politics in the twenty-first century.

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