

Blackness in America and the Presumption of Innocence: How the American Police and Mass Media Poisoned Everything

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Abstract

In American history, the 'Black body' has been commodified both during the slavery era and in the contemporary period whereby the private management of prisons has partly resulted to mass Black incarceration. The abolition of slavery some 150 years ago is still fairly recent compared to the 400 years it was practiced: thus some of the heinous treatments by slave owners were carried over into the criminal justice system, causing the police, jury, judges, etc., to treat Black people unequally and unfairly compared to their White counterparts. From the 'proceedings of the rebellious negroes' in the slavery era to the racialized media coverages of police brutality against Black people, Black protests, treatment of criminal suspects, etc., the American mass media have been identified as playing a major role in the maintenance of the deep racist structures that perpetuate mass Black incarceration. This paper links up some historical practices against Black people with the contemporary racist practices in order to show that slavery is still functionally alive in America and manifests concretely through the justice system: this paper aims at amplifying the ongoing debates toward obliterating the remnants of slavery in America.

Keywords: Black People; Racism; Presumption of Innocence; Mass Media; Police Brutality; Prison; Protests.

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1. Introduction

The American criminal justice system is arguably afflicted with a chronic racism that perpetuates a systemic oppression of Black people.¹ Given the uncomfortable historical records that underscore the systemic racism, the paper investigates whether there have been any visible attempts by the mass media and scholars to blur out or delink the current political and economic status of Black people in America from the 400 years or more of systemic oppression: the deep structures of racism that took centuries to crystallize still undoubtedly reverberate even though it is over 150 years since the official abolition of slavery in America. The essence of this paper is to encourage a sincere dialogue and acknowledgement of the historical significance and linkages of the contemporary police brutality of Black people in America with the inhuman practices that were inflicted on them during the slavery era.²

Toward achieving this aim, the paper is quite direct in addressing the issues: in the first part it investigates how the Black body became a profitable commodity whether in the original slavery context or in the observable trend of mass incarceration of Black people in America's privatized prison and bail-bond corporations: it argues that the central goal of profit for these corporations trickles down to corrupt the American criminal justice system.³ In support of Eric Williams' unpopular thesis which links abolition to the dwindled size of profit that slave trade eventually generated, the paper debunks the narrative which credits the abolition of slavery in the global West to the religious and altruistic movements that were championed by William Wilberforce: the paper promotes the abolition narrative that finds support in Marxism, i.e., the eradication of slavery was the byproduct of fierce class struggles between the enslaved people and their owners.⁴

The paper traces the major slave uprisings and their significances, including how the mass media in part two of this paper, spread fears and falsehood about slaves and their activities which helped to drive sales of newspapers: they reported what White people who owned the slaves as well as real estate property considered very important, a practice that still underlines their coverage of Black activities in America. Comparisons are made between the print mass media in the era of slavery and the slave owners on the one hand,

1. See: Hurwitz and Peffley, 2010: 457.

2. See: Thompson, 1987: 90.

3. See: Appleman, 2018: 582-607.

4. See: Marx, 1967: 361.

and the contemporary mass media, the police and rich property owners in America on the other hand. Part three is the conclusion and proposes how the stereotypical Black image could be repaired on television.

1.2. Commodification of Black Bodies in America

The aggressive search for capital caused early European adventurers to arrive the shores of Africa in the 15th century.¹ The Portuguese were the first to arrive in 1471 in the West African region where they sourced for gold and food condiments that were relatively scarce in Europe. Some western historians reported that the search and acquisition of capital by the European adventurers were in the context of trade, the latter having furnished some items, such as liquor, mirror, combs, etc., in exchange for the natural and human resources that were taken: this paper challenges the accuracy of such historical narratives, and agrees more with the perspective of Eric Williams in his book titled *Capitalism and Slavery*, which links slavery to the western industrial economy.² Two decades after the initial arrival of the Portuguese in Africa, Columbus and his men allegedly discovered America in 1492.³

The vast expanse of land in America was being cultivated with cash crops, especially sugarcane which was in extremely high demand and required a cheap and energetic labour force to thrive.⁴ The labor supply composing of the indentured White servants from Europe and the Native Americans became insufficient to cater for the surging demand of the cash crops.⁵ Moreover, the European indentured servants were very vulnerable to the environmental deadly diseases such as chicken pox and malaria: Africans were thus thought to be more resistant to these diseases owing to their tropical positionality as well as familiarity with farming. The need for cheap labor in order to sustain the wide scale sugarcane farming and other cash crops in America led to the kidnapping of Africans for 400 years, typically described as 'trade' in the western historical literature.⁶

The kidnapped victims' ability to work for long hours in the plantation underlined the motive for their kidnapping, thus the preferred human species were the young, big and muscular Africans who could both withstand the environmental and man-made hardships during the long and tortuous sea

1. See: Fernández-Armesto, 2015: 177.

2. See: Williams, 1944: 11.

3. See: Fernández-Armesto, 2015: 187.

4. See: Fernández-Armesto, 2015: 178.

5. See: Manning, 1990: 30.

6. See: Fage, 1969: 393.

voyages as well as in the plantations.¹ The targeting of able-bodied Africans was later to be negatively used against them by the American police who largely see Black people as big, threatening, possessing monstrous strength and thus needing to be physically restrained with excessive force.² As Felton Perry similarly argued, the brutality that underscored the 400 years of kidnapping was underreported,³ perhaps aimed precisely at dimming the sight of the full problem of slavery that still reverberates in America. In sharp disagreement with John Thornton, the paper argues the unlikelihood of African family members in the context of Slave Trade, voluntarily reducing their loved ones to objects of trade in the absence of any compelling armed forces.⁴ Thus, being that the so called 'trade' was kidnapping in the real sense of it, the processes must have been characterized of wrongful and forceful arrests, resistance by the oppressed and counter resistance through brutality and sometimes killing of the victims during the Middle Passage: a script that continues to play out between the contemporary American police and some Black people being wrongfully arrested for onward incarceration in private prisons.

The slave owners engaged in different machinations towards ensuring that the enslaved Africans did not generate any meaningful resistance against their oppression. For example, long hours of work in the slave plantations were mandated and moments of visible idleness or rest attracted severe punishments. Similarly, a noticeable fall in a slave's productivity was punished: this ensured that high productivity was self-enforcing even though it ultimately overworked and pushed the slaves above their limits, sometimes leading to death by exhaustion in the field. To maintain the lucrative status quo of using slaves as machines, the slaves were deliberately not taught to read and write in English: for slaves who served inside the houses of their owners or shared immediate spaces with them due to the nature of their services, such as cooking, cleaning, security, etc., the lack of knowledge to read and write delayed their ability to understand and process the documents they came across while cleaning their owners' rooms, eavesdropping their conversations, or being asked to personally deliver such documents to other slave masters.⁵

1. See: Nuun and Wantchekon, 2011: 3225.

2. See: Adamson, 2016: 228.

3. See: Perry, 2009: 30.

4. See: Thornton, 1992: 7.

5. See: Perry, 2009: 5.

The enslaved Black people came from different parts of Africa, and their cultural and language diversity,¹ coupled with the heightened surveillance deepened this collective disability to plan and execute any meaningful revolutions. It took more than 200 years between the first batch of slaves that arrived in America and the Stono Rebellion in 1739, which was the first impactful revolution of the enslaved people, thus paving way for the other uprisings such as the New York City Conspiracy of 1741, Gabriel's Conspiracy of 1800, etc. For the slaves, the denial of the opportunity to formally learn the English language upon arrival resulted to a period of 200 years of delay in executing their first revolution: during this period of delay the culture of enslavement and oppression was already deeply seated and made it further difficult for the slaves to dismantle.²

2.3. The abolition of slavery: a product of idealism or class struggles?

In the American history with slavery, the various major uprisings were the Stono Rebellion of 1739, New York City Conspiracy of 1741, Gabriel's Conspiracy of 1800, German Coast Uprising of 1811, Nat Turner's Rebellion of 1831. It is reasonable to assert that once the Stono Rebellion set the ball rolling, the enslaved Black people were further emboldened to experiment with agitations and protests for an additional period of 90 years before emancipation: i.e., about three human generations who observed the fierce class struggles between themselves and their oppressors. Britain was also at the vanguard of Slave Trade owing to its maritime power which enhanced the dominance of its Royal African Company in the transatlantic trade, enabling it to secure about 28.1% of the total trade.³ It was reported that the consumption of sugar in Britain had risen astronomically due to change in diet among the British people and the popularity of processed foods, such as jam, chocolate beverages, soda, etc., thus making sugar one fifth of Britain's total imports in the 18th century. The increased demand for sugar and the surging number of sugar processing mills caused a rise in the demand for cast iron gears, levers, and axles and other implements required to increase turnovers. The experiments with iron levers and the construction of sugar mills in Europe provided the training and skills that eventually resulted to the Industrial Revolution starting from 1760.

Slavery was unarguably the workhorse of America, particularly the southern part. The 13 colonies founded as British Colonies in 1607 felt oppressed and

1. See: Nuun and Wantchekon, 2011: 3229.

2. See: Perry, 2009: 5.

3. See: Eltis, 2001: 20.

over-taxed under the British rule, and thus fought for independence which materialized in 1776, giving birth to the United States. Thirty-six years after the Declaration of Independence, the relationship between Britain and America had worsened and matured into the War of 1812, ending in 1815. Britain abolished Slave Trade in 1807 via the Slave Trade Act, and slavery in 1833 via the Slavery Abolition Act: these abolition efforts enabled it to boldly criticize America as well as launch campaigns against the use of slave labor which it felt was largely responsible for America's economic success. Internally, America suffered consequences of the division and animosity between the North and South: the latter's proximity to the Atlantic coast and use of slave labor to cultivate cash crops gave it enormous financial power which was not similarly available to the Northern counterpart.

According to the official government census, the population of the United States as at 1860 was 31,443,321 people, and about 23,000,000 of them were in the 22 northern states, while about 9,000,000 resided in the 11 southern states that later seceded following the American Civil War between 1861-1865.¹ Given the bigger population of the North, it became obvious why Abraham Lincoln who ran on pro-abolition manifestoes, precisely to destroy the economic workhorse of the South, received an overwhelming northern support. Also, the emancipation message was very attractive to the enslaved Black people and many of them were able to successfully cross over to the northern part to join the Army: this helped to boost the overall military strength that defeated the seceding South during the Civil War. By 1865, following the end of the Civil War, slavery was formally abolished in America via the Thirteenth Amendment.

Thus, while biased historians often paint the emancipation of the enslaved Black people as being majorly a product of western idealism and altruism, it is submitted that the forces generated in the various slave uprisings,² and the differing economic interests between the South (America) and Britain on the one hand, and southern and northern parts of America on the other hand, fueled the emancipation struggles. Similarly, the Industrial Revolution that started in 1760 was very instrumental in the emancipation of the enslaved Black people: machines became evidently more productive in carrying out the tasks which previously required intensive human labour. In deference to Eric Williams'

1. See: US Census Bureau, 1860. Available at: <https://www.census.gov/programs-surveys/decennial-census/decade/decennial-publications.1860.html>

2. See: Hart, 2002: 16 - 47.

thesis, the use of machines invariably lowered the demand for slaves in large numbers: this consequently made the hunt and expeditions on the High Sea largely unprofitable.¹

2. Racist Media Converged and the Effects on Black People in America

2.1. 'The Proceedings of the Rebellious Negroes'

The series of revolutions by the enslaved Black people, i.e., between the Stono Rebellion and Nat Turner were the deep writings on the wall that unsettled the minds of the slave owners: they became increasingly aware that enslavement was no longer sustainable especially after Haiti gained independence in 1804 due to slave revolt.² The mass media cashed into the growing fear and tension that were generated by these slave rebellions, by reporting extensively on slave activities which served as a means of warning White people in advance or helping them interpret the probability of future revolutions. Television was only invented in 1927, and before then, newspapers and other print materials were used to report the activities of slaves, which were usually negative. As David Copeland reported: for over 150 years, i.e., between 1619 and 1775, there were about 80 weekly or biweekly newspapers that circulated the colonies where people were enslaved.³ Since the enslaved Black people in America were deprived of any concepts of human rights until 1865, images of Black people in the newspapers did not elicit any concern about a potential abuse of their rights but instead signaled the existence of some critical danger on the lives of White people: e.g., a runaway slave or one who killed their master or anyone in the master's household while making an escape.⁴

As the fear regarding slave uprisings grew more intense, reports on their activities became weekly and no longer on biweekly or triweekly basis. As Copeland examined, 'The Proceedings of the Rebellious Negroes' was a weekly newspaper that monitored and reported on slave activities: thus between 1690–775, more than 47 planned or executed slave uprisings were reported alongside numerous crimes alleged to have been committed by the enslaved Black people.⁵ Many of these reports were based on second hand information or reports and the growing fear became good business for the mass media: slave owners became increasingly concerned about their own lives as

1. See: Williams, 1944: 11.

2. See: Davis, 2006: 158.

3. See: Copeland, 1997: 280.

4. See: Morrison, 1987: 183.

5. See: Copeland, 1997: 127, 280.

well as the potential loss of their precious labor force if the uprisings were to be allowed to gain serious momentum and thus materialize.¹ Needless to say, the various major uprisings had received extensive coverage in colonial newspapers, and the major consequence on the key planners of the uprisings was often a death sentence, executed in very wicked styles to appease the offended White Americans.² The dates of the uprisings are also indicative of the level of suffering inflicted on the enslaved people as well as the high degree of force or countermeasures put in place after each successful revolution towards preventing or delaying the next one.

For instance, there was barely a three-year gap between the Stono Rebellion in 1739 and the New York City Conspiracy of 1741: the latter was extensively reported for more than 6 months in the newspapers, leading to the execution of 17 slaves and severe punishment of several hundreds of them.³ After the 1741 New York City Conspiracy, the highly deterrent capital punishment was able to temporarily subdue further major agitations: it took another 59 to 70 years before the Gabriel Conspiracy of 1800 and the German Coast Uprising of 1811 could respectively be attempted by newer generations of the enslaved Black people: and a further period of 20 years passed before the Nat Turner's Rebellion of 1831. The dates between one uprising and another go to show the limited resources on the part of the slaves in their planning and execution, and the brutal nature of the countermeasures by the slave owners, often fueled by the mass media via their negative reporting about the slaves.

2.2. Loitering Laws and the Culture of Unconscious Dialing of 911 Against Black People

Integral in the harsh nature of the treatments meted on slaves was the severe restriction of movement: they were not to move beyond an authorized space without a prior permission from their owners. Slaves in addition to working in the plantations, were also used to run errands in delivering letters from one master to another: this was perhaps one of the reasons for refusing to formally educate them so as to obviate the possibility of reading and accurately interpreting the letters they were given to deliver. However, following the major uprisings, sight of Black people, especially Black men strongly evoked many negative feelings and interpretations from White Americans at that time: Black men walking on the streets were not exclusively interpreted as

1. See: Adamson, 2016: 220.

2. See: Copeland, 1997: 128.

3. See: Desrochers, 2013: 186.

messengers, but as potential planners of conspiracies against White people, or attempting to flee North in search of freedom.

The mass media was also littered with news about Black people ambushing and fatally attacking White people, attempted or actual murder of slave owners and their families, and such news of crime which helped to drive newspaper sales.¹ In the South, this rising fear generated numerous laws and policies towards addressing the fear on potential conspiracies of the slaves: laws on loitering, gathering, and curfew were enacted and strictly enforced.² Similarly, slave owners and their White employees were required to conduct regular checks at nights in the slave quarters to ensure early detection of runaway slaves or those who left after work to perhaps congregate at night to plan conspiracies and uprisings. Thus, restricting slave gathering or any opportunity to communicate to other slaves was seriously banned: slaves were hardly allowed to stand idle for some minutes or talk to one another during the hours of work; and in New York for example and many states in the South, there were statutes that banned the congregation of more than three slaves, and from leaving their slave quarters after 9:00pm: violation was always punished severely to serve as deterrence.³

Between the abolition of slavery in 1865 and the discovery of television in 1927, i.e., a period of 62 years, the print media continued to exclusively report on Black activities with racist undertones. Functionally, the fate of Black people was arguably not too different between 1865 (the Thirteenth Amendment) and 1964 (the Civil Rights Movement), mainly due to the denial of the right to own land after the abolition: economically, this returned them to the position of slavery since they needed to go back to their former masters for jobs under equivalent conditions as were in the era of slavery. The ensuing hopelessness and poverty arising from their denial of land and capital meant that some of them must have been pressured to engage in all sorts of vices as necessities for survival. Thus, the mass media's generic onslaught on the character and image of Black people vis-à-vis crimes went almost unchallenged for another period of 100 years from emancipation in 1865 to the Civil Rights movement in 1964: the centuries of smearing the Black image and associating it with heinous crimes resulted to the majoritarian culture of seeing 'Blackness' as a metaphor for crime, poverty, violence, etc., which has yielded racist titles such as 'thugs', 'crooks', etc.

1. See: Adamson, 2016: 221.

2. See: Adamson, 2016: 222.

3. See: Adamson, 2016: 22.

The historical links above help appreciate why the sight of Black men in some neighborhoods in America still generally evoke a sense of fear and discomfort from White supremacists, prompting them to unconsciously dial 911 to report their terrifying discovery of a Black person even when the latter was doing a harmless activity such as barbecuing, walking, eating in a restaurant, etc.¹ From past incidents, such calls on Black people, like the type that caused the killing of Trayvon Martin by George Zimmerman, typically result into wrongful arrests, resistance, and instantaneous shooting of the Black victim. Evidently, in such circumstance, there is a subconscious interpretation about guilt that denies a Black person a benefit of the doubt of being a person of good character: he is seen mainly as one who was loitering and planning to do evil in the community, reechoing the fierce class struggles and the ensuing fear that existed during the peak of slave uprisings in the seventeenth century.

As hinted above, the 100 years' period between 1865 and 1964 in America did not yield any visible progress in the Black struggles for at least two reasons: first, was due to the large absence of Television during the 100 years' period, which disabled many good spirited people from seeing the horrific treatments against the Blacks: the incidents were largely isolated or unheard of to be able to spark off mass protests: thus, only a few benevolent White people at this period could speak sympathetically against the systemic oppression of Black people. Second, the lack of formal education prior to 1865 and the poor quality of education that was offered to Black people afterward in breach of the Equal Protection Clause, which *Plessy v Ferguson*² reinforced in 1896, initially produced Black people who could barely read and write. Yet, this initial humble encounter with education offered the platform for future generations whose struggles yielded the 1954 decision in *Brown v Board of Education of Topeka*,³ thus paving way for the emergence of better educated Black people such as Malcolm X, Martin Luther King, John Lewis, and other key participants in the Civil Rights movement.

2.3. The Negative Exaggeration of Black People's Strength

The profit motive in slavery and the end goal of using slaves as workhorses in the American farms entailed that very healthy and strong-looking slaves who could survive the terror of the Middle Passage as well as work long hours in the plantations were generally purchased.⁴ Slave owners also introduced

1. See: McNamara, 2019: 339.

2. See: *Plessy v Ferguson* (1898) 163 U.S. 537.

3. See: *Brown v Board of Education of Topeka* (1954) 347 U.S. 483.

4. See: Allain, 2007: 345.

similar forced breeding techniques used in animal husbandry towards producing viable slave stocks: controlled/forced breeding enabled them to obtain the type of human species that were required for strenuous activities. The passage of the Slave Act of 1807 by the British Parliament and the eventual restriction of slave importation into America, caused the concept of controlled slave breeding to gain momentum: the American cotton and other cash crops were booming and needed a lot of slave manpower. In the 400 years of slavery, it could reasonably be said on the basis of Darwinism that the enslaved Black people gained physical resilience and developed bigger muscular attributes which they genetically passed on to their offspring to aid their survival in the slave plantations.

Another crucial point to note refers to the fact that the offspring of the slaves inherited their parents' enslavement status. Enslaved Black children were not given any meaningful privilege to enjoy their childhood: they worked as adults since the concepts of human rights or prohibition of child labor in particular were nonexistent in their case. After the abolition, Black people could only immediately fit into job roles that required physical strength because they lacked education and had only experimented with physical jobs in the past 400 years. This could explain why the Black people in America dominate the National Football League (NFL) which is notorious for being a highly physical and dangerous sport. The big muscles and the generally big body frames of the teenage Black NFL players are helpful in understanding why Black boys in America are typically seen as menacing adults. For many White Americans especially those living in White suburban areas where encounter with non-White people is rare, watching NFL matches appears to be the only frequent avenue of seeing Black teenagers whose strength and ability in the games are generally portrayed as extraordinary. As hinted above, characterizing Black boys as men is a product of stereotypical racism and the racialized media coverage in America: for the police and mass media, it appears that all Black boys are functionally men. The consequences of this equation manifest in two ugly ways in the context of criminal allegations against Black teenagers or even men.

2.4. Treating Black Teens as Men; Black Protests as 'Riots'

It appears that the American police generally see Black teenagers or men as dangerous and menacing, needing to be seriously and urgently subdued with deadly force in order to prevent them from unleashing mayhem. It does seem the police largely see it as pointless or dangerous to attempt to restrain them: this perhaps explains why the American police is quick to draw their weapons or shoot down Black men in their custody, or the common practice of calling

for backup for the slightest or nonexistent threat which eventually sees several police officers wrestling down a single Black individual and putting him on a deadly chokehold as was used on Eric Garner in 2014. In many of the police killings of Black people, it was realized that several bullets, sometimes more than ten rounds were shot at the vital body areas of the deceased Black victims.

Emptying more than ten rounds on the chest or other critical areas of the body is indicative of the high level of hate or fear which the killer-police was experiencing at the relevant time: this is often expressed in the defense that the police person was at the relevant time 'fearing for his life'. The 'fearing for life' defense could have been a reasonable one if the police wishing to restrain a Black person shot them at their legs: in fact, there have been concerns why the American police do not bother to target the legs of their Black victims especially in those instances such as the shootings of Walter Scott and Rayshard Brooks where the deceased were running away from their police or in Michael Brown's case where he was some fair distance away from Wilson, or Philando Castile who was sitting in his car with his wife and child when he was shot within a few seconds after he was stopped for a routine traffic check.

In August 2014, Darren Wilson fatally shot Michael Brown after emptying about twelve rounds, six of which struck Brown at the front body area. Irrespective of the ensuing protests and the charged atmosphere during the Grand Jury inquiries, Wilson's account of what happened was racist and confirms the forgoing discourse in large part: Wilson remarked that Brown's face looked like a demon and while he shot at him, Brown approached forcefully regardless, as though to suggest that the bullets striking his body were rather pissing him off.¹ In all of the key police brutality incidents against Black people that were randomly stopped and frisked, the police had emptied too many rounds as though these were hard criminals breaking away from a maximum security prison. Apart from shooting, the large number of policemen that often tackle and restrain a Black person corroborate the forgoing: for instance, in May 2020, George Floyd was strangled to death by Derek Chauvin who kneeled heavily at the back of Floyd's neck for nearly nine minutes.² Chauvin was aided by his other colleagues who helped in pinning Floyd on the tarmac even though they had handcuffed and laid him flat on the tarmac, and could not have reasonably believed that Floyd was still capable of causing any harm to them.

1. See: Adamson, 2016: 229.

2. The SUN, '*I can't breathe*': fatal arrest of unarmed black man, George Floyd, where cop kneels on his neck (27 May 2020), <https://www.youtube.com/watch?v=YOWzc0xRlx8&bpctr=1605946790>

Second, the mass media and White supremacists in America also treat Black boys as men; a treatment they fail to give to White boys. For example, in 1944, George Stinney, a 14-year old Black boy was accused of killing two White girls and dumping their bodies in a ditch in South Carolina. No benefit of the doubt was given to a 14-year-old about the improbability of his ability to commit such a heinous crime: for the American criminal justice system, he was considered a full adult with the requisite abilities to kill two people and dump their bodies into a ditch: he was summarily tried, found guilty and executed by electrocution: he was exonerated post mortem in 2014 by Judge Carmen Mullen in South Carolina. In 2015, Kalief Browder, a 15-year old was arrested for allegedly stealing a backpack in New York City, and was consequently detained for 3 years in a maximum security jail: after he was released without being tried, he had sustained huge psychological damage which caused him to commit suicide. There have been many instances where Black boys of adolescent age were tried as adults instead of as juveniles: for instance, in 2015, Dayonn Davis was 15 years old when he was arrested for allegedly stealing a pair of shoes in Georgia. He was charged as an adult even though he was 15 at the time of allegedly committing the offence: he was found guilty and sentenced to 5 years in prison.

These cases are just a tip of the iceberg: there are several of such cases where Black boys have been treated as men by the American criminal justice system. In all these cases, the mass media have racialized the coverage, strongly suggesting that the Black suspects were adults who knew exactly what they were doing and who were deserving of their death or prison sentences. Even though Michael Brown was only 18 years old when he was killed by Darren Wilson, he was largely described as a grown man whose body frame was menacing and dangerous to Wilson, who had described Brown as a monster and demon. The American mass media tend to make it a point of duty toward assassinating the character of any Black deceased victim by leaving the extant issues to discuss about the victim's past records. After Trayvon Martin was fatally shot by George Zimmerman, the mass media embarked on a character assassination of Trayvon, showing pictures of him to suggest that he was a bad person and even stating that he was once suspended in school and played truancies a few times. When Rayshard Brooks was shot at the back by Garrett Rolfe in Atlanta three weeks after Floyd was killed, the media in addition to telling many irrelevant stories about Brooks' life, told the world that he had also engaged in domestic violence. This type of media treatment was not unique to Mr. Brooks: after Floyd was horrifically killed by Mr. Derek, the media flooded viewers with Floyd's past criminal records.

The red-herring and irrelevant pieces of information are old tricks to derail attention from the particular heinous act of an accused police officer, by forcing viewers to rethink about the presumed innocence of the victim and how the police must have truly feared for their lives in the event. To further establish that a Black deceased victim was likely deserving of their death, the word 'thug' has been used in describing most Black victims of police brutality during the post shooting narratives: the style of hair, dressing, body size, etc., of Black people have been demonized and characterized as being thuggish. Mike Huckabee, former Arkansas governor and a presidential candidate in the 2016 presidential race described Michael Brown as a thug,¹ and as Geraldo Rivera for Fox News put it, 'those who dress as thugs would normally be treated as such'.² Collectively, Black protesters protesting on streets against police brutality are usually described as thugs and looters, a designation that precedes the use of deadly force to quell their peaceful protests.

In the aftermath of Brown's killing and the obvious injustices that surrounded his death, protesters had taken to the streets in Ferguson to register their anger and displeasure: the mass media focused mainly on the disruptions and the occasional incidents of burnings and looting of shops which could have been undertaken by people who wanted the Black protests to be re-characterized as lootings undertaken by thugs. In American newspapers owned largely by White Americans who command about 80% of the American wealth, the pictures of Ferguson in flames featured in front pages, enough to suggest to the readers that the protesters were rioters and looters bent on bringing down America and could therefore not be protesting in good faith: this thus justifies the excessive use of force to quell their activities which have been unilaterally characterized as riots, uprisings, or disturbances. Similarly, television stations featured the flames and used voice-overs to narrate the incidents in a way that delegitimized the protests and the underlying reasons for engaging in them.

Barely six years after the horrendous events in the summer of 2014 in Ferguson, a similar script played out in Minneapolis where Derek Chauvin had killed George Floyd by strangulation. As expected, protesters came out in good numbers to protest the unaddressed systemic injustices which Floyd's death

1. See: Alexandra Jaffe, *Huckabee: Michael Brown Acted Like a 'Thug'*, CNN (Dec. 3, 2014), <https://edition.cnn.com/2014/12/03/politics/ferguson-mike-huckabee-michael-brown-shooting-thug/index.html>

2. Fox News, *Geraldo: 'You Dress Like a Thug, People Are Going to Treat You Like a Thug. . .I Stand By That'*, YouTube (Nov. 24, 2014), <https://www.youtube.com/watch?v=P3uLDq6dE1A>

epitomized. Even though Floyd's death was witnessed live by the entire world as it happened, the Hennepin County Medical Examiners' Autopsy Report strongly suggested that the cause of Floyd's death was largely unlinked to Chauvin's kneeling at the back of his neck.¹ The autopsy report also stated that Floyd tested positive for Covid-19: the autopsy report alongside the media assassination of Floyd's character by digging up his irrelevant past were perhaps calculated to precisely influence the Grand Jury and the American people, many of whom were waiting to use racialized media narrative as counter to what the sympathizers of Floyd might say.

The mass media's major focus on property destruction in Minneapolis instead of the underlying causes of the destructions shows what is more important to the majoritarian America – the preference of property over Black lives. Black people already know this: thus whether in the major slave uprisings or the BlackLivesMatter protests against police brutality, the destruction of the majoritarian property following heinous acts against Black lives has often been one reliable avenue to air grievances and it is the fear of the potential damage of property, usually estimated to worth billions of dollars that force the majoritarian population to enact reforms that might assuage the oppressed Black people. For instance, even though it is already known that the highly energized protests against Floyd's death resulted into a 7% increase in the democratic party voter registration in the November 2020 presidential elections,² it is likely that Joe Biden's choice of Kamala Harris (a Black woman) in August 2020 as his Vice Presidential running mate might have been positively fine-tuned by the Minneapolis protests in June 2020.

2.5. Treating White Adult Criminal Suspects as Mentally Disturbed Kids; White Protests as Free Expression

In contrast to the forgoing discussion, the American mass media tend to adopt a different type of treatment or narrative when a White teenager or even adult has been suspected to commit a crime. In 2015, Dylann Roof, 21 years old at the time, walked into a Black church in Charleston, South Carolina and murdered nine Black worshippers with a deadly weapon. Even though Mr. Roof was obviously an adult at the time he shot the worshippers, the policemen that arrested him treated him kindly by refusing to tackle him roughly, and by

1. See: Hennepin County Medical Examiner's Office Report (26 May 2020): Available at: <https://www.hennepin.us/-/media/hennepinus/residents/public-safety/documents/floyd-autopsy-6-3-20.pdf>

2. See: Taylor Ardrey, *There's been a huge spike in Democratic voter registration in the epicenter of Black Lives Matter protests*, Business Insider (August 12, 2020), <https://www.insider.com/democratic-voter-registration-increase-minnesota-black-lives-matter-protest-2020-8>

purchasing him a piece of hamburger to eat, and some water to drink. Roof was carefully handled even though his offence and the circumstances surrounding the commission were horrendous and hardly required any court trial to ascertain that it was murder. Yet, the mass media described Mr. Roof as a truly 'sweet kid' who hardly knew the consequences of his actions: he was said to have been mentally disturbed, an introvert who hardly kept friends and basically acted alone owing largely due to his alleged deteriorated mental health.¹ In his post murder media coverage, no allusion of Mr. Roof's negative past records were dug up and discussed, neither was his case generalized as White boys' problem. Instead the mass media suggested his exoneration and sent signals to the Grand Jury, who unfortunately could not manipulate the case since the outcome of Roof's action was already self-evident. A fraction of this type of treatment afforded to Dylann Roof even though in an obvious murder case was not extended to the 14-year old George Stinney in the same South Carolina.

The Dylann Roof type of treatment was also given to Sebastian Arzadon who was 22 at the time he was being arrested by the Lawrenceburg Police Department for a suspected double murder offence: the two murdered victims were Black. Mr. Arzadon was not shot in the process or tackled roughly and choked on the neck during arrest: instead he was carefully arrested and allowed to sit while a team of attentive paramedics dressed up his wounds, and a White police officer fed him water from a bottle. Interestingly, Mr. Arzadon's arrest and treatment occurred a day after the horrendous killing of Floyd for a suspected offence of forging a \$20 bill: thus the ways both incidents were handled by the media and police are concrete pieces of evidence regarding the racialized media coverage and police brutality that have robbed Black people the constitutional right of presumption of innocence.

Dayonn Davis case has been previously stated: he was charged and tried as an adult even though he was only 15 years old at the time of arrest. Thus being a Black boy, the American criminal justice system treated him as an adult male and handed him a prison sentence for stealing a pair of shoes. However, in October 2020, Caitlyn Pye, a 17-year-old White girl in Georgia was found guilty of a criminal attempt to commit murder following repeated attempts to commit murder with a deadly weapon at a Black church. In addition to her

1. See: Oliver Laughland et al., *Charleston Killings Leave US Reckoning with Race and Guns amid 'Broken Peace'* The Guardian (18 June, 2015), <https://www.theguardian.com/world/2015/jun/18/charleston-south-carolina-church-shooting-race-gun-violence>

attempts, she had made shirts in honor of Dylann Roof and made notes on how to carry out the murder. Regardless of the nature of her offence, she was sentenced to about 4 years in a juvenile facility where she would remain until she is 21 years old.¹

The above incidents and the way they were reported by the mass media have already formed a pattern: When a Black person is the victim of crime, the media's coverage is racist, involving a character assassination of the victim to suggest that his death was deserved. If the killer happens to be a police officer, the media report incidents to show that the police officer's life was materially in danger at the relevant time mainly because the Black victim was a thug and had a menacing size or appearance. If a Black person is suspected to have committed an offence, the media report it with some exaggerations to ensure that jury members do not tamper justice with mercy: e.g., in Tremaine Wilbourn's case, the court following the jury's recommendation had awarded Tremaine a life sentence as well as 38 years after life.² If a White adult is suspected to have committed an offence, the media basically treat them as sweet kids or those who lacked mental capacity at the time of committing the offence, goading the jury to exonerate or tamper justice with mercy on grounds of the accused mental incapacity.

The mass media and the police seem to work hand in hand to ensure that the above types of narratives are regularly used depending on the race of a criminal suspect. In cases of police brutality, the police chiefs and other key officials use press conferences which are basically monologues to convey the 'official' positions of what happened and the media will simply regurgitate the official positions to the millions of television viewers who will become influenced by the official positions, which always tend to exonerate the accused police officers even before the matters are considered by a grand jury and court.³ In America, there is no law that bans jury members from watching media coverage of police brutality killings that might come to them for a decision. And since 80 % of jury members are White people, the police official positions and the racialized media

1. See: Haven Orecchio-Egresitz, *A 17-year-old White Supremacist Apologized for Her Plot to Attack a Black Georgia Church and was Sentenced to Juvenile Detention* Business Insider (23 October 2020),

<https://www.businessinsider.in/international/news/a-17-year-old-white-supremacist-apologized-for-her-plot-to-attack-a-black-georgia-church-and-was-sentenced-to-juvenile-detention/articleshow/78833398.cms>

2. See: Linda Moore, 'Tremaine Wilbourn Gets 38 Years Added to Life Sentence in Slaying of MPD Officer Sean Bolton' *Commercial Appeal* (17 December 2018).

3. See: Adamson, 2016: 212 - 215.

coverage could trigger any conscious or subconscious biases that eventually lead to the 99% acquittal rate of White police officers accused of extra judicial killings of Black people.¹

As earlier stated, the first and second amendments to the American constitution came into force before 1865, which was the year Black people in America officially came into contact with concepts of human rights. Because Black people were not imagined by the agitators of the first and second amendment rights, these rights are hardly afforded to them: i.e., the right to free expression (including protests) and the right to bear arms. Black people exercising their first amendment right through protests are largely seen as riots and uprisings which were highly suppressed with deadly arms in the slavery era. Also, seeking to enjoy the second amendment right, i.e., the right to bear arms have been one of the principal reasons police shoot Black people whom they see as thugs intending to use the weapons for bad goals. In traffic stops, police have shot many Black motorists who were attempting to bring out their car license papers from their car glove boxes: the American police seemed to have interpreted such acts undertaken in fulfilment of their instructions as attempts of the Black victim to draw out their weapons: this enabled the police to claim that they feared for their lives at the time of firing the deadly shots.

In America, the fears generated from Black protests or from Black people's possession of firearms in exercise of the first and second amendment rights are nonexistent when White people are exercising these same rights through protests or openly brandishing assault weapons in public. Since Donald Trump's presidency, a group of White supremacists, known as Ku Klux Klan has regularly protested against policies seeking to equalize races in America; they chanted racial slurs and paraded Nazi flags. They were seen largely as exercising their first amendment right: President Donald Trump described them as 'very fine people'. Similarly, when they possessed and brandished firearms in public while protesting against social distance measures in Michigan, Donald Trump persuade the governor of the state to treat the protesters kindly, citing their frustration and anger about the policy measures occasioned by the Covid-19 pandemic as the root causes for their protests.

1. See: Lee, 2015: 843 - 847.

3. Conclusion: Repairing the Black Image on Television

Television was nonexistent during the slavery era: the enslaved Black people were also used to entertain their owners through literary performances: e.g., fighting, boxing, nude performances, singing, dancing, acting as clowns, cooking, etc. Following the abolition of slavery, many television shows emerged to primarily entertain the American White audience by recreating familiar stereotypical scenes. These television shows as Timothy Havens elaborately captured, functionally depicted Black people as slaves: they acted the traditional roles that matched their low status during the slavery period.¹ Commercial television networks exist to primarily make profit through advertisements which thrive on a large number of viewership and ratings. Since White people in America constitute about 76.4 % of the total population and own about 80% of the American wealth, profit-oriented television networks defer to the majoritarian interests with little concern about whether their shows are morally or ethically questionable:² repairing the Black image on television can thus be meaningfully achieved if producers of television show or movies desist from recasting the negative stereotypes that help perpetuate the systemic oppression of Black people.

Following the abolition of slavery, minstrel performances emerged in the 19th and 20th centuries to fill the void: White actors entertaining White audiences wore blackfaces to perform racist roles that were predominantly reserved for Black people in the slavery context. This artificial recreation of the negative aspects of Blackness as an important recipe in the entertainment of White America is indicative of the heightened level of dependency on Black entertainment in satisfying certain urges, which gained taproots from the 400 years of slavery. Thus, producers of television show and movies in America have been featuring racist representations of Blackness to satisfy their White audience, and these negative depictions tend to normalize the racist treatments meted against Black people by the criminal justice system.

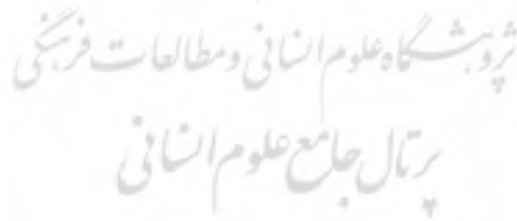
Similarly, Black women were largely used as cooks, cleaners, sex slaves, etc., during the slavery period: choices of their clothing and dressings were greatly controlled by their White mistresses who ensured their unattractiveness to their slave masters. Many television shows in the 19th and 20th centuries heavily featured Black women into domestic roles including as helpless single mothers

1. See: Havens, 2013: 9.

2. See: Havens, 2013: 3.

whose needs and wishes were not supposed to be met: in sum, these depictions could have unfathomable psychological effects on Black girls who gradually embrace the limitations featured against Black women on television.¹

In sum, this paper has argued that starting from sometime in the 15th century, Black people were kidnapped from Africa for reasons motivated by profit-making.² This profit motive spans across labour and entertainment and continues to define economic and political transactions in America, with Black people being used as raw materials. Arguably, the abolition of slavery only led to the reorganization of some slavery practices which in effect, still perpetuate the commodification of Black bodies in America: e.g., the partial privatization of the American prisons, bail-bonds, biased jury members and courts, television shows and movies featuring racist stereotypes, etc., are all reorganization of slavery in America. The paper's optimism rests on the belief that the abolition of slavery was mainly occasioned by class struggles as opposed to idealism: in that case, the present class struggles between Black and White America epitomized in police brutality and the ensuing BlackLivesMatter protests are certainly effective means of obliterating the remnants of slavery in America.



1. See: Havens, 2013: 30.

2. See: Curtin, 1969: 77.

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