

## Introduction

### The Rise of Black Lives Matter

In early 2012, George Zimmerman, a Hispanic twenty-eight-year-old, shot Trayvon Martin, a black seventeen-year-old. Martin had been staying in Sanford, Florida, at his father's fiancée's home. After calling the police on the evening of February 26 and being advised to let the police handle it, Zimmerman—part of the local neighborhood watch—chased Martin. There was a violent encounter between them, and Zimmerman shot Martin. When the police arrived seconds later, Martin was face down on the grass and unresponsive.

The local prosecutor initially declined to press charges; Zimmerman's weapon was legal and registered, and Florida is a “stand your ground” state that made self-defense in the face of grave bodily harm not a crime. For about a week and a half, the story remained a local one. When Martin's family hired an attorney and began to call for further investigation into his death, the story went national in mid-March. State Attorney Angela Corey issued a probable cause arrest warrant in April 2012, charging Zimmerman with second-degree murder. Zimmerman's trial began in June 2013 and concluded in July with a verdict of not guilty.<sup>1</sup>

Shortly thereafter, in response to the failure of law to hold Zimmerman accountable for Martin's death, Black Lives Matter (BLM) coalesced as a local movement. The movement became national in scope and visibility after a white police officer shot and killed a young African American, Mike Brown, in the summer of 2014 in Ferguson, Missouri. Black people—often

unarmed—have disproportionately been killed by police (e.g., Tamir Rice, Freddie Gray, Eric Garner, and Philando Castile, among others). BLM seeks to make visible the disparate numbers of violent black deaths, whether committed by white citizens or by police officers, but it focuses particularly on police/state violence against black bodies.

The claim embodied in the name Black Lives Matter is both simple and profound. A movement at once contemporary but part of a long lineage of radical black thought (as argued by Chris Lebron<sup>2</sup>), it asserts what should be fundamental in a democratic polity—that all lives *should* matter. But this normative, inclusive aspiration has been obstructed by our racially exclusive democracy: what Joel Olson calls “white democracy.”<sup>3</sup> The phrase “All Lives Matter” quickly arose in response as a pushback against the particularized effort to attend to the disproportionate effects of police violence on *black* lives.<sup>4</sup> The events that led to the formation and emergence of BLM illuminate a series of important questions about the relationship between death and politics. What leads us to respond politically to the deaths of some citizens and not others? What can we learn about how mourning and politics are related if we consider the context and details of particular cases alongside the aspirational and normative claims of democratic theory? In general, what are the possibilities and limitations of mobilizing mourning to call for and ground political change?

While BLM is the most contemporary example of such a movement or political response to the deaths of everyday people, BLM is not the first American movement that sought to transform mourning into political change; nor will it be the last. At watershed moments throughout American political history, deaths of everyday people have mobilized the living to call for political change, and that change nudged the polity closer to our democratic aspirations. But not all mournable moments move us toward justice or democratic inclusion; some lead us toward injustice or exclusion. Calls for change that draw on death as their justification can lead to varied results, ranging from targeted, state-sponsored vengeance to expansions of the boundaries of belonging to include formerly rejected persons as part of the nation. The inability to state with certainty, in advance, the outcome of any mournable moment is why this book is necessary. For example, as I finish writing this paragraph in May 2020, it is impossible to know whether the United States or other countries will respond to the coronavirus pandemic of 2020 with a sense of shared fate that moves us to increase the social safety net or with a turn toward a more individualistic free-for-all. This book examines four mournable moments (with brief reflections on the current pandemic in the Afterword) with the hope of identifying the outlines of a process of democratic mourning. While private mourning is a universal experience, the political mourning analyzed here is different. Political mourning oc-

curs when political actors—citizens or elites—invoke the deaths of everyday citizens to argue for political change.

### Why Do Some Deaths Matter Politically?

Black Lives Matter is one of many examples of a particular death or series of deaths moving the political needle. But one might argue that the goals and actions of the movement inspired a white backlash that has led to the installation of a new vision of Americanness in the form of President Donald Trump. Surely that was not the intention of the organizers—citizens who demanded institutional and political change to eradicate the disproportionate killing of black men by police. And yet that is what happened. So *how* did this happen?

To more fully explain how particular deaths shape political outcomes, I focus on how political identity and political responsibility intersect. For now, however, I simply want to highlight that there is a relationship between these two concepts. If we perceive a harm to those we identify as belonging to a political “us,” we are more likely to respond to that harm and to mourn the losses of those we perceive as “ours.”

There are numerous examples of this disparity in contemporary politics. One recent set of examples of this juxtaposition were terrorist attacks in Paris and Beirut in 2015. On November 12, 2015, a double suicide bombing occurred in a Beirut shopping district at a busy hour, killing 43 people. The next day, a coordinated series of attacks ripped through Paris as individuals opened fire in a stadium and concert venue and then spilled out into the streets, randomly killing those found there. These attacks killed 130 people. The Islamic State (ISIS) claimed responsibility for both attacks. But the world responded very differently to the events in Beirut than it did to the events in Paris. Anne Barnard, in the *New York Times*, offered a synopsis of the different responses to these attacks by those around the world:

Monuments around the world lit up in the colors of the French flag; presidential speeches touted the need to defend “shared values”; Facebook offered users a one-click option to overlay their profile pictures with the French tricolor, a service not offered for the Lebanese flag. On Friday the social media giant even activated Safety Check, a feature usually reserved for natural disasters that lets people alert loved ones that they are unhurt; they had not activated it the day before for Beirut.<sup>5</sup>

One might argue that it was the mere number of individuals killed by the attacks that led to the different responses. And yet if that was the case,

Americans would have responded with more sympathy and concern to the earthquake in Haiti in 2010 (more than two hundred thousand deaths) than they did to Hurricane Katrina in 2005 (about two thousand deaths). Instead, it seems more plausible to suggest that the majority of Americans identify more strongly with residents of Paris and New Orleans than they do with residents of Beirut or Port-au-Prince. This stronger sense of identification with the residents of Paris and New Orleans leads to a more robust sense of responsibility for their well-being: its strongest expression is a sense that our fates are linked, while a weaker expression would be a sense that we owe some assistance.<sup>6</sup> It makes sense that Americans would respond more robustly to events within our own country. But if that is the case, why the outpouring of sympathy for Paris and not Beirut? The explanation, I suggest, is that conceptions of identity strongly affect our ability to register the losses of others as politically salient and thus as a site of responsibility, both within and across political borders. The majority of Americans identify more directly with (white) French citizens than with (nonwhite) Lebanese citizens and thus experience French losses as more our own.

In Chapter 1, I more fully explicate the political theoretical aspects of responsibility and identity that ground my claims. Let me here offer a brief sketch of why these concepts are central. I begin with identity. This account is consistent with Amartya Sen's and Martha Nussbaum's capabilities approach and assumes that a state should seek to enable flourishing and the good life for all its citizens.<sup>7</sup> It also assumes that equality is a central value of democracy. As David McIvor argues in *Mourning in America*, recognition of others *as citizens* (not subjects or mere denizens) in a shared democratic project requires that we attend to unequally borne losses and burdens.<sup>8</sup> Similarly, Juliet Hooker argues that political solidarity—"reciprocal relations of trust and obligation established between members of a political community that are necessary in order for long-term egalitarian political projects to flourish"—is crucial to democratic life, but has been obstructed by racial cleavages.<sup>9</sup> Clearly, in America today we do not yet live in a world where losses are randomly distributed. Some lives are accorded protection and safety, while other lives are more precarious (to use Judith Butler's language<sup>10</sup>). The divisions between protected and vulnerable often align with identity categories such as race, gender, nationality, sexuality, or disability. A central component of the case studies that follow is a consideration of how identity categories, with a particular focus on race, shape whose losses are visible and how the boundaries of who counts as part of the dominant "we" can be shifted after moments of loss. Thus, the first theoretical concept that weaves throughout this text is identity. How do political-identity categories shape the political response to moments of loss? Can we see changes in the construction of those categories after the loss and the political response?

When, how, and why do the borders between insider and outsider shift? I argue that moments of visible death are often moments of identity transformation in profoundly political ways, moments when the “we” in “We the People” may contract or expand. In the wake of tragic deaths, we often do identity differently.

In the United States, one of the central identity categories is race; this work is thus focused on how racial boundaries enabled political mourning and then shifted after these moments. All four case studies centrally consider constructions of racial identity as a core component of Americanness (though there is, to a lesser degree, some discussion of gender). Following critical race theorists, I am persuaded that white domination is a core feature of American political life at individual and institutional levels. As a result, the grievous harms and disproportionate deaths and losses of people of color rarely receive the attention paid to similar losses experienced by white people.<sup>11</sup> Black Lives Matter is an example of political pushback against this invisibility of the losses experienced by people of color. Furthermore, the taken-for-granted, often invisible suffering of everyday people—for example, workers in unsafe factories or young black men—may be exposed by visible, sudden, yet entirely predictable events. The events I consider here all involve some shift in identity categories; in some instances a formerly excluded racial group is now included in the category of American as a result of tragic events, while in other cases a formerly included group is excluded. In sum, identity categories (in this instance, racial categories) fundamentally shape the possibility and practices of political mourning after tragedies and can, in turn, be transformed by the responses to that mourning.

The second central concept is responsibility. In an ideal democracy, we bear and recognize responsibility to one another to ensure flourishing (or in the more standoffish version of liberal democracy, to ensure that all have an equal opportunity to flourish). In turn, we act with the conviction that others bear some similar responsibility toward us. We trust that the system is not rigged against us; if it is shown to be rigged against us, we turn to the law for redress afterward or to the political process to change future conditions. But the legal responsibility sought after a particular event is not the same as political responsibility; legal responsibility is necessary but not sufficient. When, after tragic events, law fails to locate and hold persons or entities accountable, those of us left behind are primed to articulate an expanded, more proactive sense of political responsibility for conditions in the future rather than one limited to redress for events in the past. That is, this new sense of responsibility is not limited to an individual’s responsibility for the tragic event itself, but can be expanded to include responsibility for the conditions that enabled that event. Thus, the understanding of responsibility

I discuss is greater than law or legal responsibility; nonetheless, in the four case studies included here, law's failure plays a considerable role in illuminating failures of democratic politics and political institutions.

An example might help. The White Star Line did not include enough lifeboats on the RMS *Titanic* because the lifeboats cluttered the decks of the opulent ship and the builders were confident the ship was unsinkable. White Star acted according to law when it included fewer lifeboats and life jackets than necessary should the ship need to be wholly abandoned. After the *Titanic* sank on its maiden voyage, survivors or relatives of the dead sought damages but obtained the barest minimum of payments; the law sided with the haves rather than the have-nots.<sup>12</sup> White Star was not in any legal way responsible for the accident. However, political inquiries on both sides of the Atlantic determined that while human error (particularly focusing on the failure of the nearby *Californian* to come to the *Titanic*'s rescue) and corporate hubris certainly played a role in the tragedy, safety features such as the lack of lifeboats and life jackets were the more fundamental factor. Thus, while White Star had complied with the law, the law itself was inadequate to ensure safety for all passengers; the problem was a *political* failure to enact law rather than a failure to enforce it. Thus, representatives in both the United Kingdom and the United States updated codes to ensure that passenger ships in the future should include enough lifeboats and life jackets for all passengers. Here, individual responsibility—conceived through individual legal guilt or corporate responsibility for damages—was shown to be inadequate in a political sense. Legislators were thus moved to expand responsibility not only to include violations of the law in the past but to take up collective responsibility for the law's present inadequacies by making new and better law that sought to ensure no such tragedy occurred in the future. They changed the laws because political responsibility—by creating laws that bound a political community—is prior to and more expansive than legal responsibility.

This work is grounded in political theory and thus pulls from some of the norms and literature that define this subfield. Drawing inspiration from Sheldon Wolin, I take political theory to include a shared set of questions, a shared and inherited vocabulary, and a tradition of inquiry that provides a rich historical trajectory while also focusing our inquiry on politics, dedicating us to “to becom[ing] wiser about political things.”<sup>13</sup> Here, I offer an immersive overview of three historical events and one evolving contemporary example, viewed through the lens of a processual theory of political mourning, in an effort to show how these events generated particular meanings. Wolin argues that political theorists take facts seriously, but that when theorists add conceptual analysis to factual descriptions, they render “political facts significant.”<sup>14</sup> New meanings or interpretations are generated

through this marriage of empirical and theoretical analysis, as the concepts help us identify connections between seemingly disparate events. Wolin suggests that political theorists “draw connections between political phenomena; they impart some order to what might otherwise appear to be a hopeless chaos of activities; they mediate between us and the political world we seek to render intelligible; they create an area of determinate awareness and thus help to separate the relevant phenomena from the irrelevant.”<sup>15</sup> Given the complicated contexts and aftermaths of a death, my hope is that the conceptual analysis of events I offer here helps separate relevant from irrelevant phenomena.

But as a piece of scholarship about *politics*, this work draws on a broad array of literatures that consider the significance of death in politics, ranging from American political development to trauma studies to sociology to policy work. As a result of this blend, fellow political theorists may find the political theory portions less than satisfying; political theory often focuses heavily on textual analysis and engagement. While that practice of interpretation is a valuable one, I have purposefully limited the kind of exegesis and extended textual analysis that often defines political theory to foreground how political theoretical concepts can help us make sense of political life. Thus, although this is a theoretically oriented work, it is grounded in the contexts and practices that shape particular events, seeking to bring together the tools of political theory with political practice. I trace how the concepts of identity and responsibility shape political mourning by looking in depth at the public responses to and political outcomes enabled by actual deaths. Individuals died, and their deaths were held up as justifications to call for specific kinds of political change. I believe that it is only by putting political theory and actual politics together that we can make sense of why there are different responses to similar events and how mourning can become politically significant.

At the end of the first chapter, I provide a processual theory of political mourning that seeks to trace how some deaths served as the basis for calls for political change. This process is then tracked through the examples that serve as the body of the work. The model of political mourning I lay out attends to both the creativity, freedom, and actions of individual agents and the glacial inertia of institutions and political processes, while including context as a crucial component of the story. For now, however, I offer this brief summary of the model that is more fully explained in the next chapter. First, there is a context—here, I am particularly focused on conceptions of identity and responsibility—that precedes the death event. Generally, there has been a public discussion of whether this group of people count as “us,” whether they are “real” Americans. Without this larger context within which particular deaths occur, it is difficult if not impossible to understand

the reactions of journalists, legislators, and citizens. Thus, to make sense of claims that any particular death is politically significant, we must attend to conditions prior to the event itself. Second, there is a highly visible death or deaths and a considerable public response. In general, the loss is widely known and receives considerable media attention. Third, agents—whether the bereaved or political elites, often both—elevate the deaths to mobilize support for specific, concrete, political change. These called-for political responses can be diverse. The third component, then, seeks to account for how individual actors—whether they are elites, loved ones, or activists—draw on a visible death to call for particular changes. Often, depending on whether the dead are seen *as citizens*, mourners are also calling on the wider polity to think differently about those who died, calling for us to see them as part of the “we” in “We the People.” (To recall the example of Black Lives Matter, the call is for all Americans to *act as if black lives mattered*.) Fourth, the law tries but fails to hold any individual(s) responsible, exposing the impossibility of addressing political responsibility via legal means given a context of structural injustice or oppression. The fourth component, then, exposes how we conceptualize responsibility, demonstrates the incomplete nature of legal responsibility, and considers how and why collective political responsibility is assigned, rejected, or accepted. Fifth is an examination of whether political change has occurred. In the first three case studies examined in the book, some political change occurs; in the fourth, Black Lives Matter, I suggest that while a Deweyan public has formed, its demands have not yet become institutionalized (if anything, its demands have led to a considerable backlash against its stated goals).<sup>16</sup> To summarize, then, the five components of a process of political mourning are context, visibility, agents, responsibility, and political change.

I trace how this process plays out in four examples, which form the main body of this work. The first is the Triangle Fire of 1911; the second is Emmett Till’s 1955 lynching; the third is the attacks of September 11, 2001; and the fourth is the ongoing struggle of the Black Lives Matter movement. These events occur in different places and eras, and the death count ranges from one to thousands. Further, the outcomes of the events differ radically. And yet in these examples, a similar process unfolds—contested identities, a highly visible deadly event that is widely publicized, agents calling for political change in the name of the dead, failed efforts to locate legal responsibility, and then political action. Identity and responsibility intersect in this process. We act in the names of those we identify with because we feel some sort of political responsibility toward them and ourselves—toward the body politic that enables the flourishing and protection of our own individual bodies.



To be clear, although the work presented here marries the empirical and the theoretical, I am not necessarily making causal claims. While I use events as my site of analysis, the analysis draws heavily from normative theory to highlight the possibilities and limitations of political mourning, with a focus on how various pieces fit in historical cases. Deaths can powerfully move us, but they can move us in undemocratic and unjust directions. What I seek to understand is how democratic mourning has been realized or short-circuited by the combination of context and actors, as well as conceptions of identity and responsibility. For example, a death that is not particularly unusual may become politically significant if it happens after a prior priming event. Likewise, a death that might be politically significant may be removed from the public domain when the loved ones of the deceased request privacy rather than acting in political ways. The murder of twenty-year-old Mollie Tibbetts in 2018 exemplifies both these traits. After Donald Trump's entry into the Republican field of presidential candidates in 2015 with the language of Mexicans as criminals, drug dealers, and rapists, Tibbetts's murder by a Mexican national without proper U.S. documentation led many Americans to call for further restrictions on immigration and increased punishment for those in the United States without proper documents. In this sense, a death that otherwise would be unremarkable *became* political by virtue of the context and prior events.<sup>17</sup> The response by Tibbetts's father, however, was a request to leave the family alone. He wrote, "Please leave us out of your debate. Allow us to grieve in privacy and with dignity."<sup>18</sup> The context made her death prime material for political mourning, but her father refused to use her death for political ends. The democratic end to which her death might have been effectively directed was gender-based violence rather than anti-immigrant xenophobia. But the commonality of young women being killed by young men makes it difficult for these deaths to serve as catalysts for political change.

As John Seery writes in *Political Theory for Mortals*, "Death figures importantly . . . in the canon of Western political thought."<sup>19</sup> This book takes that claim seriously, while also arguing that death figures importantly in actual politics, too. When we, as individuals, lose someone who matters to us, we are forced to pause and consider who we are after losing that person; we may reevaluate our purpose, our identity, our place in the world, and our values. While it is relatively easy to grasp this on a personal level, I argue here that political communities often engage in a similar kind of post-loss reflection about who we are and what we owe one another *politically*. I further argue that this reflection can enable political action that responds to the loss in explicitly political ways—sometimes in ways that newly recognize or expand the boundaries of our collective responsibility for justice and

sometimes in ways that do not. It is the central claim of this book that the deaths of everyday citizens, at particular moments and in the wake of a contingent process by which these deaths are made political, can move the living to political action. These actions can extend beyond ethical or legal obligation by taking up new definitions of responsibility on the basis of reshaped boundaries of belonging. Sometimes, though not often, these deaths can lead us to act not only politically but democratically and justly. Further, the book asserts that to more fully understand how we have acted in such ways in the past helps us imagine the possibilities and limitations of using death to motivate political action. My hope is that this book helps provide the tools necessary to approach mourning politically.