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Riot- The End of Violent Protests in New York -Final Draft

It had been a quiet summer. But then on a Thursday afternoon in mid July the story broke. Cops had arrested a man on Staten Island for selling loose cigarettes—an offense he had been arrested for multiple times before. But this time he resisted. In fact, he told cops, “It stops today.” Officers wrestled the 400-pound man to the ground, with one cop putting him in a chokehold, a move that had been banned by the NYPD in 1993. The man was asthmatic. He told cops, “I can’t breathe, I can’t breathe.” His body appeared to convulse. Then he lay on the ground, motionless. The cop, Daniel Pantaleo, was White. The victim, Eric Garner, was Black. The incident had occurred in the confines of 120th precinct in Staten Island. And video of the confrontation was captured on a phone by a bystander, Ramsey Orta. The New York Daily News published Orta’s cell phone video online. The story was followed by every news organization in the city. New Yorkers took to the streets. They held protests for weeks.

In New York City, following Garner’s case, protests and rallies were sustained for months and reached new heights in the aftermath of the Grand Jury’s decision to not indict the cop, Daniel Pantaleo, for his actions that day. Protesters marched and held “die-ins” throughout the city, halting traffic and disrupting public places to get their message heard. For the most part it was peaceful. But what happened to Eric Garner would have incited a very different response in New York City in a different time. There was a time when New Yorkers wouldn’t just protest. They would riot.

Those riots seem incapable of happening in today’s New York.

Why riots have not swept through the streets of New York since the late 1960s is a question with many interwoven answers. Historian Michael B. Katz of the University of Pennsylvania tried to answer that question more broadly in his 2012 book called “Why Don’t American Cities Burn?” He writes, “Civil violence— burning, looting, sniping at police—actions aimed largely at symbols and agents of exclusion and exploitation, remain part of urban history, not live possibilities in the urban present.” Katz began to question the lack of rioting in the U.S.—or what he prefers to call ‘civil violence’—after serving as a jury foreman on a case in Philadelphia where one middle-aged Black man killed another in the street over an argument about five dollars. Katz was perplexed as to how this and so many other acts of criminal violence could happen in a neighborhood whose residents, in his opinion, could instead collectively act together to challenge forces of oppression that made five dollars something worth fighting over.

What Katz found was that three main factors—what he termed as “the ecology of power, the management of marginalization, and the incorporation and control of immigrants” resulted in the absence of civil violence in American cities in the post-civil-rights era in the United States.

The ecology of power, as Katz states, changed in cities after the 1970s when the Great Migration—when millions of southern Blacks moved to northern cities during the first half of the twentieth century—was completed. Katz writes, “Boundary challenges receded, the ecology of urban power was rearranged. Whites left central cities for suburbs where they found ways to erect new and effective borders, and many cities became majority or near-majority minority.” The boundary challenges Katz refers to, occurred during the 1950s to 1970s when Blacks were moving to areas of cities like Harlem that were once dominated by a White—albeit poor, immigrant White—population. He notes that against this history, the riots in Los Angeles in the early 1990s stand out because they once again showed what can happen when tensions between races occupying the same space—between Blacks and Asians in that case—erupt in civil violence.

Katz writes that in other American cities, like New York, the majority-minority flexed its muscle with certain political victories—mainly the election of minority Mayors in dozens of large cities across the U.S. from the 1960s through the 1990s. In 1990 the first Black Mayor of New York City, David Dinkins, was elected. But ironically, riots in Brooklyn are often cited as a main reason contributing to his loss of reelection.

Political power also increased as police departments in American cities began to hire minority Police Chiefs, Katz states—although not in New York—after the 1960s. The New York Police Department, however, as in many other cities, did begin to hire minorities onto the force in larger numbers. Together, the power of the vote and increased representation in important civic departments gave Blacks and other minorities less reason to vent their grievances in other, nonconformist ways. Katz writes, “Limited though it is, African American urban political power exceeds that available to residents of Third World shantytowns or Parisian banlieus.”

Although Blacks and other minorities might have gained some political power after the 1960s in New York and other American cities, they were not, by any means, no longer marginalized. But their marginalized position was “managed,” Katz writes, through effective “selective incorporation, mimetic reform, indirect rule, consumption, and repression and surveillance. Together, they set in motion a process of depoliticization that undercuts the capacity for collective action,” Katz writes.

The “selective incorporation” Katz refers to most notably includes the increased participation of Blacks and other minorities in public sector jobs. Even though many cities experienced financial hardships in the post-civil-rights-era—certainly New York did with the financial crisis of the 1970s—at the same time the percent of minorities working in the public sector increased, in part, by government-sponsored or supported initiatives like affirmative action. Katz writes, “Nonetheless, these limited ladders of mobility proved crucial, fracturing African American communities along lines of class and gender (women fared far better than men) and eroding the potential for collective protest by holding out the promise of

economic and occupational achievement and spreading a modest prosperity more widely than ever before.”

In a similar vein, “mimetic reform,” reform that was purely representational and superficial, manipulated public institutions to manage civil unrest in local communities. Using an example from historian Ira Katznelson’s portrayal of Mayor John Lindsay’s administration’s handling of public dissent over government control of city schools, Katz characterized Mayor Lindsay’s creation of the Neighborhood Action Program and the District School Board in the late 1960s as examples of “mimetic reform.” These kinds of reforms were, “measures that respond to insurgent demands without devolving real power or redistributing significant resources” Katz writes.

The control over the majority-minority was not just handled by the public sector, but the private sector as well, Katz writes, through increased and widespread consumer culture. America’s obsession with consumerism exploded in the 1950s with the conspicuous consumption that was a result and response to the austerity of the war years. But that story is more the story of White suburban Americans. Katz writes, “In the 1960s, corporate America discovered the newly urbanized black consumer.” He states that by the end of the twentieth century Blacks were spending nearly as much on non-durable goods as were their White counterparts. “The result was the blossoming of consumer debt and bankruptcy— which reached previously unimagined heights— rather than mobilization expressed through politics or collective violence,” Katz writes.

It’s hard to quantify how the role of consumerism on a national level affected diminished counterculture and “civil violence” locally. But one national trend with local consequences was increased policing. Katz found that local governments increased defense spending in the post-civil-rights era. He writes, “Like the federal government, in the aftermath of the 1960s civil violence, they also ramped up spending. Local spending on police protection leapt from \$ 2,001 million in 1965 to \$ 3,803 million in 1970 and \$ 6,813 million in 1975. By 1995, it had reached \$58,768 million.” New York City’s response to increased violence and crime also included a change in police tactics beginning with the now famously known “broken windows” policing, or more euphemistically, “quality of life enforcement”—the idea that policing minor crimes and violations will prevent further, more serious crimes from occurring. This kind of repression, Katz argues, is part of the reason people who feel targeted by this kind of policing would not participate in civil violence against those in power. He writes, “many black men, evading warrants or just fearful of potential arrest, avoid the institutions and agents of the state, thereby eliminating themselves from participation in political action.”

Repression and control by way of police, government, and also the private sector, has devolved neighborhoods and communities whose residents once expressed themselves through “civil violence” into places where “criminal violence” is now the norm, Katz contends. Reflecting on the case he deliberated on as a juror

in a Philadelphia courthouse, he writes, “The fatal encounter between Herbert Manes and Shorty— two black men in a bleak, impoverished urban neighborhood— has become the archetype of violence in America’s cities, not collective violence against perceived injustice or organized political protest.”

It’s difficult to understand that the environment for collective violence, civil violence, or riots, what term you choose to use, has dissipated so drastically in New York because it is an action that has a deep history in the city. Riots began in developing neighborhoods of New York in the first half of the twentieth century. The Harlem race riots in 1935 were the first of its kind. New York had certainly seen race riots before. Going back centuries earlier, there was the slave revolt of 1712 and the draft riots of 1863. But the Harlem race riots of 1935 was the first time where the Black community in New York responded with force to what they believed was the killing of a person of color in their community at the hands of a white perpetrator.

On March 19, 1935, a 16-year-old black Puerto Rican teenager named Lino Rivera was caught shoplifting a penknife from an S.H. Kress store on Harlem’s 125th Street. Rivera and the shop owner had an altercation and the shop owner called the police. But when the police arrived the shop owner asked that the young Rivera not be arrested. A crowd had gathered on the sidewalk outside his store and they were growing restless as rumors that the boy had been beaten began to make rounds. The police obliged and let Rivera go. Rivera exited out a back door, out of sight to the crowd. The rumors continued to fly—and now the crowd unknowingly believed Rivera had been killed.

As afternoon turned to evening the crowd began to grow and became more organized. Picketers arrived and leaflets, many written with incorrect information, began to be distributed. One demonstrator then threw a rock into the glass window of the shop sparking the fuse that erupted in two days of looting of white-owned shops throughout Harlem.

Peace wasn’t restored to the neighborhood until late in the second day of rioting. More than 100 Black people had been arrested, another 100 injured and 3 killed.

In response to the riots, and at the behest of Black leaders, the Mayor of New York City at that time, the formidable Fiorello LaGuardia, assigned a commission to study the socioeconomic conditions of the people in Harlem, but the commission’s resulting report did little to exact reforms. Like most social reports that came before or after, it was no “How the Other Half Lives” by Jacob Riis. There was no change. All of the segregation, discrimination and inequality that festered in the Black communities in New York in the 1930s continued to brew. With no systematic change to the underlying social structures, a riot was due to erupt again. And it did, less than a decade later, in 1943.

On August 1st of that year, a Black American soldier was shot by a White police officer in Harlem. The soldier interfered when the police officer attempted to arrest a Black woman in the neighborhood for disorderly conduct. The soldier was wounded, but as had been the case eight years earlier with Lino Rivera, the rumor in the neighborhood was that the Black soldier had been killed. Harlem exploded again.

For two days stores were looted and Black rioters clashed with the city's White police force. Order was restored when Mayor LaGuardia called in 8,000 soldiers of the New York State Guard and enforced a 10:30 p.m. curfew on Harlem residents. He also banned liquor sales in the neighborhood.

In the end 500 people were arrested, 100 of them were women, 500 people were injured and five people were killed in the Harlem riots of 1943. There was an estimated cost of five million dollars in damages.

LaGuardia had been quick to state that the events on those two summer nights in Harlem were not race riots. The mayor and his administration wanted to distance the riots in Harlem from the race riots that happened in Detroit just two months prior. His police commissioner, Lewis J. Valentine, went even further and stated that gangs of "hoodlums" from Southern cities had been sent to New York to "cause trouble." Valentine's far-fetched explanation was reported in the New York Times, but the publication also took the administration to task for not acting on the commission's report that had been done in response to the Harlem riots of 1935. In fact, the Times noted, much of the report had not even been published.

The Harlem race riots of 1943 proved as ineffective as those in 1935 in making issues of equality a concern to those in power. As New York City spiraled downward into the social and economic crisis of the 1960s and 1970s, Black communities in Harlem, and elsewhere in Bedford-Stuyvesant, Brooklyn, continued to disproportionately bear the brunt of New York's socioeconomic collapse. New York's fiscal crisis, which contributed to fewer city services and escalating crime rates, and the larger context of a national civil rights movement, all contributed to the race riots that would heat up, lower to a simmer, then rise and boil over time and again in the decades to come.

It was nearly 20 years before the next race riot took the streets of Harlem. On July 18, 1964 a 15-year-old black teenager named James Powell had been shot and killed by a White NYPD Lieutenant named Thomas Gilligan on Manhattan's Upper East Side. Gilligan was off-duty but was near the scene when Powell had reportedly followed a superintendent named James Lynch into one of his local buildings. Lynch had sprayed a group of young Black boys with a water hose because they were loitering in front of his buildings. There were conflicting reports, but Powell and Gilligan had an altercation at the building and Powell reportedly cut Gilligan on his arm with a knife. Then Gilligan shot Powell dead.

Two days after Powell's death, riots ensued in Harlem again. But this time riots also erupted in Brooklyn's Bedford-Stuyvesant. The riots continued for five days. More than 100 were injured, hundreds more arrested, and one death was reported. But The New York Times poignantly noted that these riots had grown out of a peaceful rally near 125th street and 7th avenue.

"There was impatience with the heat, and anger over the shooting of a 15-year-old Negro boy by an off-duty white police lieutenant in Yorkville two days before. But the crowd was not unruly, nor was there any air of violence," wrote Paul L. Montgomery of the Times.

Within hours the night had changed. *"The first shots were fired at 10:30, at 125th Street and Lenox Avenue. A youth hurled a bottle of flaming gasoline at a Squad car, and a sheet of flame spread on the street. A patrolman was burned, and his four companions emptied their revolvers into the night air,"* Montgomery witnessed.

The visual of a youth rioter launching a molotov cocktail at police is hard to imagine in today's New York. The fire bombs were used in the Ferguson protests. But in a city that has devolved into arresting youths for littering their metro cards, one might ask, what would that kind of city's police force do to punish a flame thrower?

Racial tensions continued to plague the city and beginning in the late 1980s the events that exposed racial divides occurred more frequently. The incident at Howard Beach in 1986 in which a Black man was beaten to death in an assault by a group of White men in Queens, was followed three years later by the killing of a 16-year-old Black teen named Yusuf Hawkins who was shot by a white teen in Bensonhurst, Brooklyn. In two years more time, the Crown Heights section of Brooklyn erupted in riots after an accident where a Jewish driver struck and killed a Black child with his car. Emergency responders at the scene had ignored the critically injured Black child and instead attended to the Jewish driver.

But something had also shifted in that time—something had changed in the way that New Yorkers reacted not just to racial divides, but to racial tensions in relation to police-community interactions. While incidences of perceived police brutality had caused major riots in 1935, 1943 and 1964, similar incidences drew far less violent demonstrations in the 1990s till now. It wasn't that there were less incidences of unarmed young Black men being shot and killed by white police officers. From 1999 to 2012 there were three such cases in New York City that garnered major media attention. Amadou Diallo in 1999, Sean Bell in 2006, and Ramarley Graham in 2012. In the rallies for Eric Garner these names of past cases had been invoked time and again by activists. But these past cases, as had been the case during the summer of Eric Garner, didn't erupt in violence or chaos. They didn't incite a riot.

Back last summer, within a month the protests that had followed the Garner case were overcome by the news out of Ferguson, Missouri. In their media advisories, activists in New York began to bill their Garner rallies as “solidarity rallies” with the people of Ferguson. On an evening in late August a group of activists had drawn a medium-sized crowd, no more than 100 people down to lower Manhattan in front of NYPD headquarters.

The protesters held signs that read, "The police are the criminals, not our youth," and "Jail killer cops," while chanting, "enough is enough," and "no justice, no peace, no racist police."

The group blocked traffic as they marched from NYPD headquarters to the gates of City Hall with a police escort. On their march to City Hall they held their hands in the air, yelling "hands up, don't shoot," a rally cry that had grown out of Ferguson.

Former Councilmember Charles Barron, a regular character at the Garner protests over the summer, spoke to the crowd in a fiery tone. *"I want to give a warning to Bill de Blasio, Mayor de Blasio, a warning to police commissioner Bratton-- Ferguson today, New York tomorrow! When you don't listen to our peaceful demonstration, the explosion is next."*

Barron defended the protesters in Ferguson, saying, *"These young people are not gonna get the credit they deserve. They're gonna call them thugs. They're gonna call them outta control. They're gonna call them every name. But I say I thank god for those young people that have the courage and the heart to say, 'I had enough.' An eye for an eye, a tooth for a tooth, a life for a life. Our people have had enough."*

The explosion Barron warned of never came. Even after the Grand Jury failed to indict Officer Daniel Pantaleo in early December, the demonstrations that followed for weeks in New York remained peaceful.

Activists used social media to organize mass “die-ins” in public places throughout the city. On a Sunday evening in early December, hundreds of protesters gathered in Union Square and then marched north up Park Avenue to Grand Central terminal. A motorcade of cops escorted the protesters as they marched in the streets, weaving through city traffic, and cops in riot gear blocked the entrance to the tunnel at 33rd Street and Park Avenue. They held signs that read, "Black lives matter," and "This is resistance."

Once in Grand Central they marched in a circle around the iconic clock at the center of the terminal, chanting, "Eric Garner, Michael Brown, shut it down, shut it down," and "How do spell racist, NYPD". They held a “die-in” where they laid on the floor for seven minutes in silence to represent the seven minutes Eric Garner laid on the street without receiving medical attention.

Then protesters exited Grand Central and marched to Herald Square. They stormed through the front entrance of Macy's off Broadway and 34th street. On the first floor of the store they sat down in an aisle of the makeup department. A leader of the group said to the crowd, "We won't break anything, but we won't buy anything." While they held another sit in, customers took pictures, and some employees put up their hands in solidarity.

From Herald Square they marched to the Times Square Toys R Us, chanting "no justice, no Christmas." Protesters filled the bottom floor, the toy gun area, chanting, "No, don't shoot."

Down the street to the Times Square Disney Store, protesters raced up the escalator to the second floor and put their sign that read "Black Lives Matter" in front of Cinderella's White Castle. A leader of the group told the crowd, "If Tamar Rice can't have a Christmas, then neither will we. And neither will you. This is how the police stole Christmas." Then they sat down for seven minutes with their hands grasped around their necks while lilting Disney music played in the silence. They left the store chanting "while you're buying, kids are dying."

During this of series "die-ins" the protesters would spend about 20 minutes in each store and many more that night. Customers continued to shop. The police would stay outside the stores, no one told the protesters to leave. They left on their own account.