

# Race and Justice in 21st century America

The Case of the Ferguson Shooting

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### **Abstract**

This thesis will examine the issue of racial discrimination towards African-Americans in the United States of America (USA) in the twenty-first century via an analysis of race relations in Ferguson, Missouri. In this thesis it will try to answer the question of why the shooting of a black man, Michael Brown, in Ferguson, in August 2014, had such a large impact on the African-American community and on race relations in the USA in general. The controversial circumstances of the shooting and its aftermath caused massive demonstrations, received extensive media coverage in the USA and abroad, and sparked an intense debate about law enforcement's relationship with African Americans, and the police's use of force nationwide. By examining this issue, the thesis will investigate the issue of race and justice in twenty-first century America

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and discuss the progress made since the civil rights movement in the 1950s and 1960s

in terms of African-Americans’ rights and their relationship with the judicial system.

The thesis will commence by explaining the circumstances surrounding the shooting

in

Ferguson. It will then be followed with the reactions and perspectives of both liberals

and conservatives regarding to the Ferguson shooting in order to highlight race-

related divisions within the U.S. Then, the thesis will address the question of why the

public and media reaction to the shooting was so vocal and strong. Other race- related

controversies will be briefly discussed in order to access how and why the Ferguson

shooting stands out. Following this, the thesis will discuss the lessons learned from

this issue and the efforts the U.S. justice system is making and the challenges it

continues to face since the Ferguson shooting. This thesis will utilize a balanced

variety of sources and views by using books, magazine articles, internet articles,

online news articles and sources from organizations such as the National Association

for the Advancement of Colored People (NAACP), Department of Justice Report:

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Investigation of the Ferguson Police Department, and Human Rights Watch (HRW)

and others. In conclusion, this thesis will, based on the research’s findings, present

some possible propositions to avoid future race-related confrontations and will make

proposals to combat racial discrimination in the USA.

## **Chapter 1**

### **1.1 Racism in the USA**

Racism is discrimination based on race and the thought that one racial group has superior physical or mental abilities to others. It is based on the attitudes of one or more people based on the supposed superiority of one group to the supposed inferiority of another (Oxforddictionaries.com). Since the beginning of colonization (in North America, from 1607), the USA had largely been controlled by religiously and ethnically diverse whites. Major racially and ethnically related controversies included slavery, the Indian Wars, Native American reservations, segregation, residential schools for Native Americans, and internment camps. The most profound cases of racism in the USA have been felt by Native Americans, Asians, African

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Americans, Mexican Americans, and Muslims (Downing, 2005:122).

As it determined what kind of a nation the U.S.A would be, the American Civil War (1861-1865), which began as a test of whether states could leave the Union of States,

had a major influence on the issue of race and race- related controversies. On January 1<sup>st</sup>, 1863, President Abraham Lincoln, using his war powers as commander in chief, issued the Emancipation Proclamation that freed the slaves in the rebel-held areas of the country (Allain, 2012:117). The post-Civil War USA had a certain degree of black participation in its political life. For example, Hiram Rhodes Revels was the first African-American to serve in the United States Senate and Joseph Hayne Rainey was the first African-American to serve in the United States House of Representatives, the second black person to serve in the United States Congress, and the first black presiding officer of the United States House of Representatives (Boundless.com, 2015). The Reconstruction era (1863-1873) was ultimately frustrating for African-Americans, and the restoration of white supremacy, including the rise of

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racist organizations such as the Ku Klux Klan, spread in the South by 1877.

Following that, resistance to the lingering racism and discrimination in America that

began during the slavery era would lead to the civil rights movement of the 1960s,

which would achieve the greatest political and social gains for blacks since

Reconstruction. Many popular representations of the movement are centered on the

leadership and philosophy of Martin Luther King, Jr.,

who won the 1964 Nobel Peace Prize for his role in the movement (Williams,

1987:502).

Even though racism became less of an issue compared to the 1800s or the 1900s, there

are still many cases today in which U.S. society is divided based on race. According

to everyday news and social networks such as Twitter and Facebook in the U.S.,

racial politics remains a major phenomenon. Racism continues to be reflected in

socioeconomic inequality, and has taken on more modern, indirect forms of

expression. Racial stratification continues to occur in employment, housing, education,

lending, and government (BBC News, 2005). In the view of the U.S. Human Rights

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Network, a network of U.S. civil rights and human rights organizations,

"Discrimination permeates all aspects of life in the United States, and extends to all

communities of color" (Human Rights Watch, 2014). While the nature of the views

held by average Americans has changed considerably over the past several decades,

critics have found that large sections of Americans confess to holding discriminatory

viewpoints (ABC News, 2011). This leaves us with the question, why and under what

circumstances do African-Americans feel racism in the twenty-first century?

While a fair amount of progress was made in the succeeding decades of the civil

rights movements through middle class advancement and public employment, black

poverty and lack of education has not got any better in the context of

deindustrialization. Tens of thousands of factories have moved abroad and left

America since 2001, and with that millions of manufacturing jobs have been lost in

the same time period (Maddison, 2005:40). Because of a lack of education, as well as

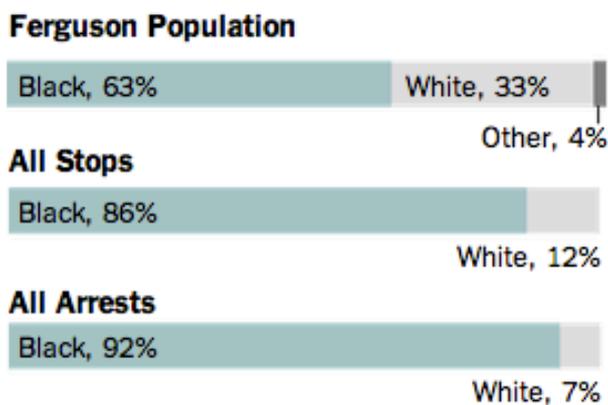
poverty, prejudice, discrimination, and institutional racism (public government bodies'

racism, private business corporations' racism and universities' racism, for example as

for job-hunting, it is twice hard for black college graduates to find job, than white

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college graduates, on average a black man gets searched at a traffic stop three times more than whites, etc.). Discrimination starts from the preschool years of an African-American child. According to National Public Radio (public radio network of the U.S., which offers extended high-quality news and cultural programming to hundreds of local public radio stations), black preschoolers are far more likely to be suspended than white children. Black children make up eighteen percent of the pre-school population, but represent almost half of all out-of-school suspensions. Black youths arrested for drug possession are forty-eight times more likely to wind up in prison than white youths arrested for the same crime under the same circumstances (NPR, 2014).



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(Graph 1. Source: Sociology Tool Box 2014, Racism and the Police: The Shooting of Michael Brown in Ferguson.)

The statistics remain the same today, but many people are unaware of how constant racism has been throughout the years.

### **1.2. The Case of the Shooting in Ferguson in August, 2014**

The shooting in Ferguson was an example of what some believed (after security video it clearly was not racial profiling) was the result of racism or racial profiling (a form of discrimination by which law enforcement uses a person’s race or cultural background as the primary reason to suspect that the individual has broken the law (Racerelations.about.com, 2014). This incident brought massive attention from both liberals and conservatives, and the main focus of this thesis is the shooting of Michael Brown, an unarmed black teenager, who was shot and killed on August 9, 2014, by Darren Wilson, a white police officer, in Ferguson, a suburb of St. Louis, in Missouri.

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(Map 1. Source: Ferguson City Data 2015, Map of Ferguson, Missouri in the USA. )

The shooting prompted protests that roiled the area for weeks. On November 24<sup>th</sup> 2014, the St. Louis County prosecutor announced that a grand jury decided not to indict Mr.

Wilson. The announcement set off another wave of protests (BBC News, 2014). The whole incident began with Brown spending the summer in the neighborhood with his grandmother. Family members say he was a recent graduate of nearby Normandy High School and was going to begin classes at Vatterott College on Mondays. Brown and a friend were walking to Harris' house, his mother and grandmother said, when a Ferguson police officer confronted them (CNN, 2014). And this is where the stories

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part ways. One side says the teenager was surrendering, his hands in the air to show he was unarmed, when the officer opened fire. But also there was a video taken by a witness showing Brown robbing a shop and after that, authorities counter that Brown attacked the officer in his car and tried to take his gun when he stopped him. The St. Louis suburb of 21,000 was wracked by violence as protesters fired up over the eighteen-year-old's shooting faced off with police. Although there were reports that some demonstrations were peaceful, protesters held up their hands, as Brown reportedly did, shouting “Hands up, don’t shoot” and others demanded a fair inquiry. There were also reports of fires, looting, vandalism and attacks on police officers (CNN, 2014). The grand jury, made up of nine whites and three blacks, had been meeting to consider

evidence in the case since August 20. The decision not to indict Mr. Wilson angered people who had gathered outside the Ferguson Police Department. Buildings were set on fire, and looting was reported in several businesses. The protests against the police pitted black community against a nearly all-white police force. Of the 53 commissioned officers in the Ferguson Police Department, four are black. Along with

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peaceful protests, there was looting and violent unrest following the original shooting

(Huffington Post, 2014). The protesters were angered not only about the Michael

Brown shooting but also by the predominantly white law enforcement officers and the

general use of force by the police in Missouri in the years before the shooting.

The Criminal Section of the Department of Justice Civil Rights Division, the United

States Attorney’s Office for the Eastern District of Missouri, and the Federal Bureau

of Investigation (FBI) afterwards, on August 11<sup>th</sup>, 2014, opened a criminal

investigation, into whether the shooting violated federal law. The Department has

determined that the evidence did not support charging a violation of federal law. In

addition it promised to

further investigate the shooting of Michael Brown. Federal authorities reviewed all

kind of crime scene evidence: medical reports and autopsy reports, Wilson’s

personnel records, audio and video recordings and internet postings. FBI agents, St.

Louis County Police Department (SLCPD) detectives, and federal prosecutors and

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prosecutors from the St. Louis County Prosecutor’s Office (county prosecutors) cooperated to interview more than 100 purported eyewitnesses and other people claiming to have relevant information. Authorities collected cellular phone data, searched social media sites and tracked down every lead from witnesses, community members and tip lines in an effort to investigate every possible source of information (Department of Justice Report, 2015). Following that, in March 2015, the U.S. Justice department announced that they had discovered numerous cases of police misconduct against people in Ferguson, by discriminating against African-Americans and applying racial stereotypes (Department of Justice Report, 2015).

The symbol of perceived injustice against young black males, Michael Brown's death

became another element that reminded the U.S. that racism still exists and even if it was not a race related incident, it showed people how brutal its consequences can get.

Events in Ferguson, reminded America that it slowly needs to confront the issue of race, and it becomes quite clear that race still matters in America. Although the police

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and the grand jury referred to the shooting as non-racial issue, most of the African-American community in Ferguson viewed it as a racially-inspired case. The next chapter of this thesis will examine the reactions of liberals and conservatives to the shooting in order to highlight race- related divisions within the U.S.

## **Chapter 2**

### **Reactions and Perspectives of Liberals and Conservatives**

The shooting of Michael Brown in Ferguson, Missouri brought attention from people not only from Missouri, but from all over the world. For a considerable length of time

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it was a top news story. In Missouri, people took actions by protesting, spreading the word on social media, and sometimes in violent ways by attacking police officers and rioting in the streets. Tensions were extremely high for some time after the grand jury decision on November 24. In the U.S., many people are divided into liberal and conservative camps by their political, economic and social views. The perspectives of liberals and conservatives is important in this case of the Ferguson shooting because they reflect not only opposing views between black and white Americans but within U.S. society in general. Liberals and conservatives voices and opinions have influence in shaping attitudes to race in the U.S. They have their own opinions on the shooting, about whether it was racist or not, about whether the police officer who shot Michael Brown made the right decision or not, about whether the police department abused its power against African-Americans, and whether the grand jury decision was fair or not?

The President of the U.S., Barack Obama, criticized the violence surrounding the protests, but said, “We need to recognize that the situation in Ferguson speaks to

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broader challenges that we still face as a nation." (BBC News, 2014). He affirmed that the shooting and the atmosphere surrounding it reflected a distrust that exists between law enforcement and communities of color (Pew Research Center, 2014).

Following the Ferguson shooting liberals and conservatives expressed their opinion about what had happened. The meaning of the term 'conservative' or 'liberal' is different in different contexts: on social issues, conservatives oppose gay marriage, abortion, believe in personal responsibility, believe that everyone should be admitted to schools and hired for jobs based on their ability and it is unfair to use race as a factor in the selection process. They often believe that some people are racist individuals in the U.S., but that the society as a whole is not. As for liberals, they generally support the right of gay people to get married and women's right to choose to have an abortion, as ruled by the U.S. Supreme Court, believe in government action to achieve equal opportunity and equality for all. Their basic opinion on racism is that minorities are lacking the same education and employment opportunities as whites.

Compared to conservatives, liberals

think that the U.S. still is a racist society (studentsnewsdaily, 2012).

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## **2.1. Conservatives Perspectives**

In Ferguson, following the shooting, in contrast to conservatives, liberals, raised some serious questions about race and the Ferguson shooting as well as other issues such as the police use of force against African-Americans. On the other hand conservatives took a much different view, about half of them said race was getting more attention than it deserved. Even before the Justice Department report came, there were divisions between liberals and conservatives in terms of their levels of confidence in the results of Ferguson investigations (NY Times, 2015). About 76% of liberals expressed not too much or no confidence at all, while 52% of conservatives said they had confidence in whatever investigations would follow (Pew Research Center, 2014). This showed deep divisions within the U.S. in terms of belief and trust in the police and the legal system.

But why would conservatives selectively choose parts of the Ferguson incident and its

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outcomes? On the political news blog RedState, Leon Wolf who is an influential conservative writer stated that what happened in Ferguson has become an issue of "ideological tribalism", where liberals are against the city's police and conservatives are on the side of law enforcement. Leon Wolf's analysis of the Ferguson report, which was very controversial and brought up by many conservative and liberal media, says that many liberals ignored the Justice Department's findings that there was no valid evidence of Michael Brown holding up his hands when police officer Darren Wilson shot him, and many conservatives ignored the report on racial bias in the city's police and courts (RedState, 2015).

## **2.2. Liberals Perspectives**

Liberals were outraged by the shooting itself and took its decision to symbolize the greater injustice within Ferguson and of the American criminal justice department.

Much of the commentary was dominated by liberal outrage over what some see as racial injustice (BBC News, 2014). According to BBC News and New York Times magazine,

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by using the Ferguson shooting, liberals are starting a “libertarian moment” to start criticizing the police, law enforcement agencies and the Grand Jury. The left wing media, mostly liberals, first reported that Michael Brown was raising his hands during the incident saying “Hands up, Don’t Shoot”. But soon after that a Washington Post columnist admitted lying and said that Michael Brown was not actually raising his hands during the shooting at all. However many liberals did not want to admit that there was a lie in the article. Cases like this prove that there are also divisions within the liberal media. On the other hand, conservatives agreed that black victims of the riots, for example, whose businesses were destroyed, were “good” people. But besides that, the conservative media describes black citizens of Ferguson as “thugs”, “animals” and “savages” (theamericanconservative, 2014). Basically they are referring to citizens as bad people who got what they deserved. And if you see a group of people as bad, some might find it difficult not to punish them. Many conservatives blame black people in Ferguson more than the police and the local government. The reality is that the conservative media needs the whole incident and its’ coverage by media to be about race far more than the liberal media, because in the conservative mind,

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racism against

African-Americans doesn't exist anymore.

It is clear that the whole incident in Ferguson divided the nation not only along racial lines but on political lines too. According to Washington Post, 63 percent of conservatives approved of the decision not to charge Officer Darren Wilson in Michael Brown's death, while just 29 percent of liberals agreed. Not all people in the U.S. are either conservative or liberal, and every U.S. citizen has the right to form their own opinion regarding the situation in Ferguson regardless of their race or political belief. Regardless, citizens want to ensure that the police force acts with justice, equality and in the best for community, but unfortunately for some time the community in Ferguson has not experienced that. In the next chapter the thesis will bring up some previous race-related controversies in order to address the difference between them and the Ferguson incident and why has this particular case become the reason of this much chaos.

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### **Chapter 3**

#### **How and Why the Ferguson Shooting Stands out**

The shooting of Michael Brown in Ferguson garnered lots of attention from the citizens of Ferguson and abroad. Even though there were many African-American-related police use of force incidents in the past decade, the Ferguson case created a reaction that had not been seen since the beating of Rodney King in 1991. So what was so unique about the circumstances of this case that brought citizens to react and protest with so much anger?

The Kerner Commission in 1968, was a National Advisory Commission on Civil Disorders report, which studied black community rioting in the late sixties, when riots ruined parts of U.S. cities such as Detroit, Los Angeles, and Newark in the 1960s.

This is still a very important resource for the Ferguson case and the issue of

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African-American riots because it was if history was repeating itself. The research of the Kerner Commission came to the conclusion that the main reason for black riots and protests is

the police use of force against people. Most of those who join the protests have personally experienced violence or discrimination from the police. The Commission almost predicted what would happen 40 years later in Ferguson, it says “The Commission believes there is a grave danger that some communities may resort to the indiscriminate and excessive use of force. The harmful effects of overreaction are incalculable” (Kerner Commission Report, 1968). In Ferguson, African-Americans have always had complaints about police misconduct. There were numerous African-Americans in Ferguson who told the media about their past experiences with police mistreatment. For example being stopped by the police for no apparent reason, calling police for help but getting arrested instead, one person being charged for damaging government property by getting his blood on a police officer’s uniforms while being beaten up by the police and so forth (Newsweek, 2015). These are just a few examples of mistreatment in Ferguson. In addition the circumstances of the

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shooting was a key point of this whole incident. Many locals think that Michael Brown was not only unarmed, but that he had his hands raised and was surrendering at the time of the shooting. It is shocking to know that a lot of them are convinced that a white police

officer shot a black unarmed teenager six times even though he was surrendering.

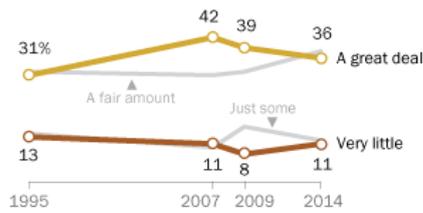
That means they thought that it would not be surprising if he really did, as they have experienced or witnessed police mistreatment before and therefore do not trust the police at all.

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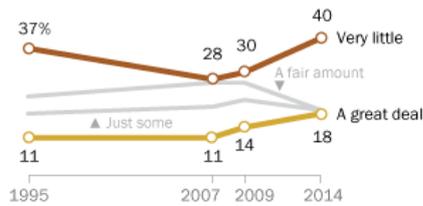
**Whites, Blacks Consistently Hold Different Views of Police Use of Excessive Force**

*How much confidence do you have in police officers in your community to not use excessive force on suspects?*

**Whites**



**Blacks**



(Graph 2. Source: NBC Wall Street Journal survey, Pew Research Center, 2014)

This distrust of the police did not come out of nowhere. Not only in Ferguson, Missouri, but the U.S. has had countless incidents surrounding this theme of the mistreatment of

African-Americans by police officers for as long as the country itself existed. One of the infamous examples of police mistreatment was the case of Rodney King in Los Angeles, California, in 1991. There was a videotape that went viral taken by a

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bystander that captured five officers pummeling Rodney King with batons over fifty times as he was lying on the ground outside his car. The video immediately created outrage, but anger expanded when the officers who beat Rodney King were discharged as innocent by a jury the following year. It was followed by three days of violent riots during which at least 53 people died. The police officers in that case were ultimately held accountable, when federal prosecutors took up the case, after which four officers were convicted of wrong doing (Linder, 2001). Even though justice was not served in the courts, it allowed people to understand that visual evidence is undeniable and the community will decide for itself if there is an actual misjudgment. In the case of Ferguson, social media was the tool to share video/photo footages and exchange opinions on the incident.

In 2014 the fact that everything you need to know from the news to the latest trends is on the internet and that social media plays an influential part in young people's lives in the U.S., contributed a great deal to the public's reaction to Michael Brown's death.

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Since 1991, smartphones and computers have certainly been part of our daily lives and news spreads today faster than ever before. The Justice Department Report says that before the shooting, Michael Brown and his friend stole from a store nearby the place of shooting. Officer Darren Wilson said that he realized that they matched the robbery suspects' descriptions, so he backed up his cruiser and blocked them. First, Michael Brown stopped and as his friend was getting arrested he attempted to grab Wilson's gun but failed to do so and as he started to run away, Darren Wilson started to shoot. Michael Brown stopped and turned to face the officer, then started moving towards him as Darren Wilson shot him to death two times in the head and four times in the body (Justice Department Report, 2015). On the social media, people started telling lies that Michael Brown was completely innocent, that he did not resist the police officers at all and had his hands raised and telling not to shoot (the hashtag “Hands up, Don't shoot” had gone viral after the incident on social media). As this kind of misunderstanding had spread on social media, the case has become more shocking and because people

believed them, the reactions were far worse than expected. Anti-police brutality

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websites immediately took action to encourage communities to protest and after the Grand Jury decision, the riots and protests began as quickly as possible (Huffington Post, 2014).

The protests in Ferguson have also exposed to America the extreme militarization of police forces that has only grown since past incidents of police shootings and brutality. Racism in the criminal justice system also persists, both overtly, and implicitly, more white Americans than ever, believe that the criminal justice system is no longer just on their side. Americans are more divided about the circumstances surrounding Michael Brown's death than they were about Rodney King's beating. Americans twenty years ago and Americans today are both evenly divided over the question of whether the federal government sincerely pays attention to African-Americans until they become violent and riot or not. Surprisingly however, people today are much more likely to believe rioting “will make whites less sympathetic to black problems” than they were

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before. 65% agree and 15% disagree with that statement today, compared to 1992 when 48% agreed and 44% disagreed (Huffington Post, 2014).

Since the Rodney King incident, the killings of Eric Garner (choked to death while being arrested by police officer in Staten Island, New York City, afterwards whose words “I Can’t Breathe” became a key word for the protests), John Crawford (shot to death by police officer in Beavercreek, Ohio) and Michael Brown have all been captured on video in the past year. But none of the police officers who killed them were found guilty. Even though many people have smartphones which can record videos easily, judges and police still often say that there is not plenty of evidence to prove African-American males innocence. For this reason, communities often riot, turn to violence, threaten policemen’s lives and properties so that the media turns to them and the incident is a top news story which captures everyone’s attention. This often makes the policymakers and the Justice Department feel more pressure in terms of about their decision-making and findings. But what makes the Michael Brown case stand out was

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the reaction of local citizens, everything that recently has been on the minds of the African-American citizens’ of Ferguson’s and that had been bothering them for a long time just exploded with the incident, and the circumstances surrounding the incident.

The circumstances of the incidents left people questioning if the shooting was really a legitimate or an excessive use of police force. Could a policeman really have shot an 18-year-old six times when he was unarmed? As it was mentioned in the thesis earlier, African-Americans in Ferguson have been excluded almost completely from positions of power. Minority distrust of the police is likely when few police officers are from minority groups. Therefore as the Kerner Commission says, there should be more policemen of different ethnicities and in higher positions to prevent violence or misunderstandings. The result of all these factors have lead to riots and violence, not just the simple case of shooting of Michael Brown. His death and its aftermath left people all over the world with a lot to think about, left the U.S. government with lessons to learn and the Justice Department improvements to make.

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## **Chapter 4**

### **Lessons Learned from Ferguson**

Even now in the 21<sup>st</sup> century, police shootings and the mistreatment of African-Americans is unfortunately not an uncommon event in the U.S. These injustices lead to protests, violent riots and goes nationwide. Just like in the case of Ferguson, even in New York there were protests held after the incident. In August, September, October of 2014 the media was dominated with stories about the Ferguson riots and the death of Michael Brown. Regardless of whether the public viewed the protestors as right or wrong or whether this case was racist or not, the U.S. and the world were following the news. Questions flew all over the internet and television about how long the rioting would last, about what would happen to Darren Wilson, the police officer who shot Michael Brown, and about the victims of the protests and so forth. There were three violent waves of protests, first during two weeks in August after the shooting, the second one in November which lasted one week after the Grand Jury decision and the third, which lasted two days after the anniversary of the shooting.

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The shooting itself was a kind of wakeup call for the people who were fighting for African-Americans rights and against the police use of force against them regardless if Michael Brown was guilty or not. People often think that the civil rights movement was in the past and talk about it as if it is over. But Ferguson reminded them that the struggle for racial justice still continues. Of course it is not as obvious and unfair as it was, but many African-Americans struggle to overcome racial barriers every day. That includes, of course, police-community relations, where there has been a huge lack of trust of the police by citizens. Now as the protests have calmed down a lot, it left a big impact on the police of Ferguson to reeducate its officers and hire more African-American officers or else the same thing can happen anytime. Also there was a lot of focus on the failure of authorities to abide by the National Incident Management System (NIMS), according to Department of Justice Report, which should have emphasized integrating intelligence, was failing having a better communication center that could share information during the protests (Department of Justice Report, 2015). Due to the lack of clear direction, more than 50 police officers

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were injured during the protests. The use of police force during the protests was also criticized.

Ferguson officials blamed the media for creating a chaos nationwide. There were various versions of the story was floating around the media, depending on who they were talking to. Most of the protest was based on some witness statements that had Brown raising his arms to surrender while Wilson shot him. But evidence shown to the grand jury indicated Michael Brown to turn back to attack Officer Wilson after initially running away. In an interview, Officer Wilson said he feared for his life, so he continued to fire his weapon until the threat was neutralized (ABC News, 2014). Social media also had, no doubt, taken a big part on the whole incident. During the protests, social media has been not only the reason everyone in the country could follow the news, but more young people now were aware of history of racism and problems they were facing now. When it comes to social media, even the Justice Department recognizes that Twitter, Facebook and other sites can generate worldwide attention to a local event. It also asks that law enforcement react quickly to social media, but doesn't explain what, they should react to. There were people who were

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spreading false information on social media about the shooting, telling untrue and made up stories, attacking each other on internet forums. This certainly contributed to the protests and left many other people

feeling furious and disappointed about the whole situation.

There were also opinions of a lot of people towards police officer Darren Wilson, that he should have had a body camera that a lot of police in the U.S. wears. If he had the body camera on, there would not be this much of a chaos and misunderstanding. But not everyone agrees that all officers should wear body cameras. The American Civil Liberties Union has cited privacy concerns and worry about the price, body camera models cost at least \$500 each. But National Urban League, which is a civil rights organization that advocates on behalf of African-Americans(iamempowered.com, 2015), President Marc Morial said more body cameras will help protect not just the public, but also police (L.Kalleberg, 2014). For example, even though Brown did actually rob a store before he encountered Officer Wilson, Wilson says that he did not

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stop or shoot him because of the robbery. A body camera could have easily proved this.

At the center of the incident were the Ferguson Fire Department (FFD) and Christian

Hospital EMS (CHEMS), when riots broke out on the afternoon of August 9<sup>th</sup> and then on the night of November 24<sup>th</sup> after the Grand Jury announcement was made.

One of the biggest lessons learned was the need for unified command between law enforcement, fire and Emergency Medical Services (EMS). It was the Ferguson Police Department's jurisdiction, but because of its large size and the size of the incident, the St. Louis County Police Department assumed overall command. The consequences of riots were shocking, buildings were burning when firefighters could not go in and in other cases EMS victims waited or were thrown in privately owned vehicles and taken to the police command post several blocks from the rioting. The largest challenge during the November 24<sup>th</sup>, was that the number of rioters easily outnumbered the police officers and it seemed like the police did not expect this large

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number of rioters (EMSWorld, 2015).

Beyond Ferguson, the case underscored the need for some major changes in the criminal justice system and expanded prohibitions against racial profiling. The White House and

Congress have begun examinations of Department of Defense (DOJ), Department of Homeland Security (DHS), and DOJ programs that transfer excess military equipment and weapons to police departments for counterterrorism and drug interdiction purposes (Department of Defense Report, 2014). It is definitely important to defeat counterterrorism, but policies that divide communities, put citizens' lives in danger and in fear, and violate human rights undermine the U.S.'s core values and security.

Tragic events in Ferguson provide a teachable moment for the U.S. and an urgent opportunity to discuss and address racial divergences in society and in the criminal justice system. Even though the U.S. has made lot of changes in recent years, including the election of the first African-American president, it is important to

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acknowledge and confront systemic structures that maintain signs of discrimination,

dehumanization and stereotyping. When issues of race arise, some might think why it

would be a racial issue, because they think it has already ended in the 1960s and

1970s. Although the Civil

Rights Movement made many gains, racism and the fight against it still continues.

Recently, after in Ferguson, the hashtags like “Black Lives Matter”, “Hands Up,

Don’t Shoot” and “Ferguson Taught Me” are in trend on social media to share their

opinions on the whole incident, police brutality during the riots and issues of racism

nationwide (NAACP, 2015). Following Michael Brown’s death, there still were

killings of unarmed African-Americans around the country, which fueled additional

protests against the police’s use of force. Since Michael Browns death in August 2014

until August 2015, there were 14 unarmed teens and at least 1000 Americans killed by

the police, innocent or not (Washingtonpost, 2015), including Eric Garner who was

choked to death by the police, Trayvon Martin who was shot not by the police, but

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neighborhood watch coordinator, Tamir Rice who was only 12 years old and shot to death because he was using a gun which appeared to be a toy. These cases arguably have attracted greater attention because of the Ferguson issue. The next chapter will be the conclusion, summary of the examination of the Michael Brown case, and race-related issue in the U.S. The thesis will try to provide some possible ideas how the U.S. could change its law enforcement and improve relations of African-Americans with police.

### **Conclusion**

#### **Reflections, and Proposals for Improved Race Relations’**

This thesis examined the shooting of Michael Brown in Ferguson in August 2014, the consequences of which are still felt today in the USA. The case has arguably served as a wakeup call for Americans to sincerely appreciate the seriousness of race and justice in their country. Since the civil rights movements in the 1950s and 1960s there has been a lot of progress made in terms of African-American rights and their relationship with the judicial system. Examples include the right to vote and the right to be free

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from discrimination in employment, housing, and public accommodation although problems still exist. Due to these major changes many people did not want to think of police violence and miscarriages of justice as racist issues. However, the findings of the Department of Justice Report in March, 2015, show that racism was undeniable and that the citizens of Ferguson have had enough and wanted it to stop. Organizations such as “Black Lives Matter” are actively inviting people to fight against racism nationwide.

The greatest impact after the Michael Brown’s death has been the continuing raising of

awareness, and the mobilization of African-Americans and other minority groups who have been feeling mistreated and violated by the police when it comes to police justice, to being targeted and profiled by the police. By sharing their experiences on social media to let the nation know about the struggle they are going through and gather people to make an anti-racist anti-police-violence movements which are not

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just about African-Americans, but all the races. There are still remaining questions about whether police officers involved in shootings should be indicted for murder, or whether the police authorities will continue to try to justify policing tactics and actions. The Justice Department Report regarding the city of Ferguson noted that police officers were not only punished when they did not write enough traffic tickets, but that there were lots of other examples of systemic racial bias in Ferguson. The Department of Justice and law enforcement agencies need to urgently enact reforms and changes. Examples include giving body cameras to police officers nationwide, fair and balanced issuing of parking tickets and other traffic related fines and efforts to prevent miscommunication between the police, community groups, media and social media. These are arguably necessary before the tragic death of unarmed teens and innocent men or the unfair blaming of an innocent police officer and unwarranted protests and possible street violence.

While there is still hope that Ferguson case might encourage reform and a change in attitudes about race, there still remains an on-going debate by scholars of the modern civil-rights movement as to whether the movement over forty years ago produced

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meaningful change in the lives of most African-Americans today. There is little reason to think that levels of black poverty, unemployment and educational disparities will improve noticeably in Ferguson. Of course, Michael Brown's death and protests in Ferguson provided an opportunity albeit tragic, for Americans to discuss and address widespread racial disparities in their society and in the criminal justice system. Media outlets, journalists, and activists have all been proposing lists of changes and reforms, such as dealing with the societal problems like poverty, education and poor housing. It will change the US's ethnically diverse society and most likely change its point of view to minority groups. The questions remains however if these changes can take place in the near future.

The US has been dealing with an increasing number of high-profile race-related problems and a rise in anti-Muslim sentiment since 9/11 and more recently with the ISIS attack in Paris in November 2015. This more volatile security situation arguably has complicated police relations with ethnic minorities in the USA as well as efforts

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to make required changes and reforms to law enforcement agencies and their practices.

The transformation of the USA to become a society with a rich array of racial and ethnic minorities needs it to have a strong and fair legal system to keep all of them together as a nation. There is a famous quote by James Baldwin (an African-American novelist and writer) from an essay that he published in 1966, "The law is meant to be my servant and not my master, still less my torturer and my murderer" (The Nation, 2015). It was a highly mentioned quote during the protests in Ferguson and is, perhaps, the most valuable lesson of all. While the law itself awaits greater changes, more and more innocent people's lives will remain in danger. The USA remains to be the most powerful country in the world, and needs to be the symbol of freedom in every single part, while it needs to show the rest of the world why it is a nation of freedom, it has a responsibility to set the good example.

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## 日本語概要

本論文は、21世紀にアメリカ合衆国（USA）のファーガソン（ミズーリ）での人種関係の分析を通してアフリカ系アメリカ人の人種差別問題について調べる。本論文の注目が2014年8月に武器無所持の状態で警察官に銃撃され殺された、ファーガソン在住の黒人男性マイケル・ブラウンとその後の影響についてである。それがアフリカ系アメリカ人のコミュニティ上で、又は大方の米

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国の人種関係に関して大きな影響を及ぼしたと結論づけることが本論文の目的である。銃撃とその余波の論争の的となる状況、そして、警察の実力行使の問題は大規模なデモを引き起こし、広範囲なメディア報道は米国だけではなく全世界から注目を浴び、法の執行の関係についてのアフリカ系アメリカ人との激しい議論を起こさせた。現在の米国は世界でもっとも有力と言われている大国である。だがしかし、米国が多くの人種の市民を受け入れるにつれ、移民問題、人種問題などの色んな問題が未だに存在している。特に本論文が注目するのはアフリカ系アメリカ人に対しての人種差別、警察不祥事などについて調べる。この問題を調べることによって 21 世紀のアメリカで人種と正義の問題を調査し、アフリカ系アメリカ人の権利と司法制度との彼らの関係に関して 1950 年代と 1960 年代に市民権運動以来なされる進展を議論する。ファーガソンでの銃撃を取り巻く状況を説明する前に、米国でのアフリカ系アメリカ人に対しての人種差別の歴史に遡る。植民地化の時代から米国は色んな移民が共存する国だったがその頂点に立つにはやはり白人だった。アフリカ系アメリカ人が奴隷制度から逃れるまで、そしてその後も長い苦勞の経歴があった。そして本論文の主要な議題であるファーガソンでの銃撃について論じる。事件は 2014 年 8 月 9 日にミズーリ州のファーガソンにて起きた。銃撃された黒人男性はまだ未成年者であり、武器も所持していなかった。目撃者やメディアは、彼はただ友人と歩道を歩いていた所に白人警察官がきて銃撃し、殺害されたといっているが、司法省の調べによるとマイケルブラウンは殺害される前に近所のコンビニエンスストアで万引きをしてその同伴していた友人と歩いていた所を警察官が来て止められたが、その場から逃走しようとし、又警察官の銃を奪おうとしたとのことだった。しかし裁判の結果大陪審が銃撃した白人警察官のダーレンヴィルソンを無罪と判断

し、その後メディアやアフリカ系アメリカ人のコミュニティがそれを信じようとせず、これはただの人種差別であると反論し、デモなどを起こし、ファーガソンで大変大騒ぎになった。又彼らは大量の賠償を起こした。今まで人種差別問題、そして黒人と警察官の問題が多々あったのに、なぜ今回の問題がこれほどの注目され、そしてアメリカ人からの批判を受けたのか。これを理解するためには、米国の中での人種関連の境界に焦点を当て、ファーガソンでの銃撃に関して自由主義者と保守党の反応と展望をについても調べる必要がある。この場合、自由主義者の展望と保守党は重要である。なぜなら彼らの意見は白人

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と黒人だけでなく米国社会全体の反対や賛成意見を反響するからである。今回の事件の結果については自由主義者の人々が、人種についてのいくらかの重大な質問を起こして、事件について保守党よりも心配されていた。今回の事件がもっとも目立ち反響が多かった理由の一つは間違いなく、SNSの影響が重大であったためであると思われる。21世紀になった現在は全てのニュースがインターネット上で見ることができる。ニュースが広まるのが歴代で最速になった現代人にとっては意見を自由に交換する場所が SNS になり、それにより、アフリカ系アメリカ人のコミュニティも多くの人を集め、すぐに行動を起こした。又はファーガソンでの現在まで起きた警察不祥事、警察の過剰防衛の使用、黒人だけに対する差別例が酷過ぎたため今回の事件の際に、警察、そして司法法律への怒りが収まらなくなりこのような暴力的で多くの人を巻き込んだデモや抗議に及んだと思われる。マイケルブラウンの殺害は人種差別的な問題ではなかったと司法省の報告(Department of Justice Report)にあったが、それを信じられない国民は、警察そして司法法律への信用がほとんど無くなっていたことが今回の事件で判明した。その信用を回復させるためには、これからの米国の司法法律はどのように変わるべきか、又はこの問題から学ばれる教訓と米国司法制度が行っている努力、又それらがファーガソン銃撃以来直面し続けている挑戦について議論する。まず、司法省と執行機関法がより早く改革を法律にする必要がある。例えば警察官には監視カメラを設置することによって武器を持ってない未成年者や罪のない男性の死亡、または罪のない警官とその警官に対するの不当な抗議を非難するなどから、ありうる限りの悲劇や暴力行為を避けることができる。交通違反では罰金、警察の間で伝達不良を防ぐこと、コミュニティ・グループ、メディアとソーシャルメディアとの関係やコミュニケーション

をよくすることによっても事態がよくなるのではないかと思われる。マイケルブラウンの死後、最も大きな影響は、黒人と警察官の認識をより頻繁に行うことと、警察裁判所判事に関しては警察によって虐待され冒瀆されていたアフリカ系アメリカ人と他の少数民族に対する認識を変えていくことである。米国の事例に世界中が学ぶべきであるが、まだまだ進化を遂げなければいけない所が多くあるのが現在の米国の課題である。