Origins and Perpetuation of Violence: A History of Police Brutality Explained Through a Tradition of Political Philosophy

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TRIGGER WARNING: The cases of police brutality discussed in this project are disturbing and involve anti-Black, anti-Muslim, and anti-LGBTQIA+ violence. Reading (or rereading) such descriptions could be potentially traumatizing for members of certain ethnic, racial, religious, or identity groups.

PREFACE

The specter of the police pervades and terrorizes communities. More specifically, historically marginalized ethnic, cultural, and identity groups fall victim to arbitrary police profiling and a lack of legislative police accountability against hate crimes. While police brutality and oppression is omnipresent in the United States of America, it exists globally. We aim to amplify and empower the stories of innocent civilians who have suffered and perished under the force of the police. While in America we have access to social media that allows for a greater dissemination of the names and stories of victims through the hashtag #SayTheirNames, countless cases of police violence, racial and religious profiling, and fatalities and torture by law enforcement go unacknowledged and undocumented. We seek to place the narratives of the victims of police brutality above ideological, intellectual, philosophical or pedagogical structures. Their stories are located at the beginning of each page so as to center their experiences of institutionalized violence. Yet we also intend to consider origins of the police in America and internationally through the use of major political philosophy texts. We intend to use the theories and principles established by these authors to inform and engage with the cases that are discussed. Through generating a relationship between police brutality and the work of Hannah Arendt, W.E.B. Du Bois, Frantz Fanon, Gandhi, and Adam Smith, we can analyze and evaluate the current and historical dynamics between police and civilians. They will serve as a framework for recognizing such cases.

SAY THEIR NAMES

I. NAKIEA JACKSON

Kingston, Jamaica / 20 January 2014

It was morning. The dawn air that interlaced the buttercups and Jamaican dogwood may have smelled sweetly with dew and the oily spice of French fries. Nakiea Jackson, a 29-year-old chef, was preparing takeout for the Kingston office of the National Blood Bank. We can imagine him bending over a tray of wings, scrupulously balancing his energy between the drumsticks in a deep fryer and the breading for a new batch. For Nakiea, it was probably like any other day cooking in his family's restaurant. He was contributing his services to an organization that facilitates blood transfusions in order to sustain life and yet his autopsy would reveal that fatal gunshots caused his death. That day, police officers would raid the restaurant and shoot him merely because he "fit a description." Yet that profile was incredibly arbitrary—the only characterization of the wanted person was a man with dreadlocks. The case against the police officer was left inconclusive and effectively deemed inconsequential as a witness was too afraid to testify in such a culture of police tyranny.

Nakiea was the victim of seemingly subhuman brutality. As he fulfilled takeout orders, police raided his private home and shot him before legislative action and a trial could ensue. It prompts the question of not only the type of person who would murder under the pretext of "duty," but of the type of person who would murder an innocent individual before due process. There is a blatant ruthlessness in such a case. It is at odds with what we value in humanity—tolerance, compassion, kindness. At an even more fundamental level, we take for granted that a human life will always be respected by others. This basic dignity was denied to Nakiea by police officers. In claiming to protect communities against so-called criminals and vagrants, police problematically engage with racial, ethnic, and cultural profiling. In doing so, essential bonds of humanity are severed between the police and civilians.

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¹ "Jamaica's Deadly Police: 'We Live in Constant Fear.'"

² "POLICE VIOLENCE around the WORLD."

³ "Jamaica's Deadly Police: 'We Live in Constant Fear."

In The Theory of Moral Sentiments, Adam Smith articulates an underlying principle of human interaction: "fellow-feeling." We understand ourselves relative to the people that we engage with on a daily basis. The concept of "fellow-feeling" is that in desperate and/or emotionally distressing times, humans will be able to relate to each other without any previous contact or personal connection. In other words, all humans possess the capacity to experience their emotional states together which provides the strength needed to overcome certain challenges. Even among an assembly of strangers, Smith states that if someone is in distress and has visibly lost their own propriety, they depend on others to sympathize with them. This generates a hyphenated moment of "fellow-feeling." The majority of people experience a visceral feeling when encountering someone who is suffering or someone who is joyous. To this end, Smith remarks that "Whatever is the passion which arises from any object in the person principally concerned, an analogous emotion springs up, at the thought of his situation, in the breast of every attentive spectator." "Fellow-feeling" is not about intimacy or close connection; rather, it is a strategy for living with others. Empathizing with others is not merely being a good person, it is just being a person at the most basic level. Human interaction becomes irrelevant when it is founded on meaningless and redundant dialogues that fail to penetrate and explore definitionally human psychological, emotional, and behavioral responses. Empathy is not merely a subjective state, but a biological phenomenon evolutionarily hardwired for human experience. Without the capacity to recognize the cognitive and physical conditions of another, we are subjugated to an isolated sphere of being external to society and community. Without critical emotional insight, we are relegated to our own egoistical domains of living. We exist together and yet detached from each other and from our communities. The overarching systems that are structured to govern groups are no longer compelling or applicable to insulated beings and deteriorate with increased emotional incompatibility. Therefore, placing oneself in the position of another's grief serves the larger good.

We can now visualize the stark contrast of the world that Smith proposes and the world in which an innocent man like Nakiea Jackson could be murdered by police merely because he "fit" an overgeneralized profile of a Black man with dreadlocks. This comparison prompts the

⁴ Smith, The Theory of Moral Sentiments, 13.

question of if we can ever actually envision a society in which police officers empathize with unarmed, innocent Black men before they pull a trigger.

Smith also articulates his conception of human conscience. Moral conscience is seemingly abandoned in cases of police violence. Although conscience is conceptualized as a highly individualized entity existing exclusively within oneself, it dictates our societal interaction. According to Smith, paired with every action is an "... an appeal [that] lies from his sentence to a much higher tribunal, to the tribunal of their own consciences, to that of the supposed impartial and well-informed spectator, to that of the man within the breast." Through personifying conscience, Smith encourages people to evaluate their actions, thoughts, and behavior as if looking from an outside perspective. Conscience, for Smith, is a free agent and yet is still produced by forms of social disciplining and privileging. Social norms effectively define the internal conscience, yet conscience also informs and constitutes social institutions and expectations. Thus, if society normalizes racism, prejudice, and police brutality, then the consciences of police officers would not provide the intuition to judge their actions as immoral. By examining the concept of a moral conscience, Smith articulates what "fellow-feeling" demands and what is necessary to produce it. The moral subject is inherently a social person as living within a collective places the individual in a disciplinary setting of constant observation. The officers who murdered Nakiea Jackson seemed to have believed that they could operate external to society, that their actions would not be analyzed or even seen by a moral spectator. Without "fellow-feeling," the members of a community transcend into a state in which adjudication and reparations are not even considered. For Smith, these people are exiled to the mundane world fixated on time and place. Alternatively, people with moral integrity are not troubled by their physical condition and are aware of the necessary scrutiny by others. In doing so, "nothing darkens so much the gloom of adversity as to feel that our misfortunes are the objects, not of the fellow-feeling, but of the contempt and aversion of our brethren."6

In context with human conscience, Smith acknowledges that it is challenging to be both a spectator and an agent, yet this duality of self is critical in order to evaluate the morality of one's

⁵ Smith, The Theory of Moral Sentiments, 150.

⁶ Smith, The Theory of Moral Sentiments, 70.

actions. Often people outsource the motivations or origins of their behaviors onto others in order to justify them as products of the systems and institutions that they live and were raised within. It is unquestionable that we are products of other people and our conscience is shaped by our interactions with them. Somewhat paradoxically, the conscience is one of the most private internal forces and is insulated from the external world. In order to reconcile this inconsistency, we must allow "fellow-feeling" to guide our conscience. The authority of the fabled man within the breast governs our actions and encourages empathy with others. "Fellow-feeling" must be the societal construct that shapes our most intimate standards of conscience. If we allow sympathy to inform our conscience and thus become our highest authority, we can start to construct a more communal and empathetic society.

Lastly, Smith acknowledges that "Neither is it those circumstances only, which create pain or sorrow, that call forth our fellow-feeling. Whatever is the passion which arises from any object in the person principally concerned, an analogous emotion springs up, at the thought of his situation." Thus, whether the emotional state of another is distressed or joyous, the moral subject will still be able to relate with others on the grounds of their humanity. We should not only consider compassion in context with adversity, but as an omnipresent, transhistorical, and trans geographic phenomena. Understanding the feelings of another, whether those are sadness or bliss, is essential for human existence. With this in mind, police violence must be combated with sympathy, sensitivity, and respect.

⁷ Smith, The Theory of Moral Sentiments, 13.

II. ADAMA TRAORÉ

Beaumont-sur-Oise, France / 19 July 2016

Adama was celebrating his 24th birthday with his brother, Bagui, in an impoverished and heavily policed town outside of Paris composed of primarily immigrant families. 8 Yet the night would end in concealed police detainment and brutality. We can imagine the brothers in high spirits until police confront them under the ambiguous pretext of connections to an ongoing case. An evening that should be filled with joyous activities, togetherness, and the general excitement of honoring one more year of life, ended in violence and death. Traoré's case is surrounded by bureaucratic secrecy. His family was only provided cryptic answers about their son after his police detainment. All that was revealed to them was that Adama was dead. They refused to let the family see the body as it was badly beaten and bleeding, yet the autopsy report revealed that Traoré's death was caused by asphyxiation. ¹⁰ The police who had detained Traoré under no conceivable grounds were dismissed, while Bagui and Adama's other brother were sentenced to prison time and fines. 11 France has a significant history of police brutality against refugees and immigrants as evidenced by the November 2020 police raid and tear-gassing of a migrant camp in Paris¹² as well as the accounts in 2014 of physical abuse by police inflicted on African migrants (including children) in Calais. 13 Adama was of Malian descent 14 and from a Muslim family and supposedly matched the profile for an immigrant—a religion and citizenship status that are both highly persecuted and racially profiled by police forces, specifically in France.

The status of the refugee or displaced person is one that has historically faced police scrutiny and prejudice. When one is deprived of a claim to home, they are stripped of the cultural history as well as structured bonds of support that were established in the communities of their origin. In *The Origins of Totalitarianism*, Hannah Arendt asserts that immigrants will always be

⁸ Amrani, Iman, and Angelique Chrisafis. 2017.

⁹ Amrani, Iman, and Angelique Chrisafis. 2017.

¹⁰ Amrani, Iman, and Angelique Chrisafis. 2017.

¹¹ Amrani, Iman, and Angelique Chrisafis. 2017.

¹² "Paris Police in 'Shocking' Clash at Migrant Camp," November 24, 2020.

¹³ "France: Migrants, Asylum Seekers Abused and Destitute." 2015.

¹⁴ "No Justice in France, Either': French Protest Police Killings in U.S. And at Home."

perceived as an incongruous entity in their new host nation, thus reinforcing the "us vs them" mentality. Yet the immigrant's negatively valenced state of abnormality can be actively altered to fit a mold of value. The immigrant is exempted from derogatory status by becoming exceptional or through becoming a criminal. In both cases, aberrancy is positively reappraised.

According to Arendt's formulation, it is better for an immigrant to be a criminal because at least under the justice system they are protected by law: "Since he [the stateless person] was the anomaly for whom the general law did not provide, it was better for him to become an anomaly for which it did provide, that of the criminal." In essence, the invisibility of the refugee is neutralized by the phenomenality of illegal acts. Conversely, the "much more difficult way to rise from an unrecognized anomaly to the status of recognized exception would be to become a genius." Therefore, the immigrant is faced with two alternatives: demonstrating exceptional or criminal abilities.

Adama Traoré's case demonstrates the profiling of immigrants as criminals merely based on broad geographies and neighborhood divisions. Because Traoré was of Malian descent and a Muslim in a majority immigrant area. These identifiers made him a target for accused criminality and persecution. Arendt claims that due to their citizenship status, migrants are often viewed as criminals which paradoxically allows a certain level of legal protection. Traoré's case demonstrates the racist criminalization of Black Muslim immigrants as proposed by Arendt. Although she also articulates that achieving the status of "genius" grants immigrants recognition, this route to social acceptance can be close to impossible with the systemic oppressive forces and barriers to entry that exist for certain identity subsets. Traoré was, like the vast majority of the French population, an average citizen rather than a celebrity, dignitary, or recognized and notoriable figure. Yet one should not have to be a luminary to be awarded equal protection by the law.

Moreover, Arendt defines totalitarian regimes on the basis of their police force. Hitler was only able to initiate such unmitigated violence by producing a constantly monitored police

¹⁵ Arendt, *The Origins of Totalitarianism*, 286.

¹⁶ Arendt, *The Origins of Totalitarianism*, 287.

state by ensuring the omnipresence of SS, or "Protective Echelon" officers. 17 By granting the ultimate power of the law to the police as well as authorizing them to inflict physical force, their presence became a threat against survival. Totalitarian states do not have to eradicate constitutions to produce the political and structural instability that they thrive in; rather, they need to produce the idea that constitutions are ineffectual backdrops or "needless scraps of paper and embarrassing promises." While the constitution is inconsistent, the police, or the so-called "apparatus of coercion" are the one constant force. The peril and intimidation of the police cultivates a volatile ecosystem that is paradoxically normalized as standard. With this structure of instability, law enforcement entities are absolutely critical. Nothing matters in terms of legislation except for what the tyrannical leader proclaimed most recently. Thus, nothing is permanent, but it is always enforced by the unwavering support of the police. There is no juridical authority outside of the apparatus of the machine which is the police force. In fact, "That the Nazis eventually met with so disgracefully little resistance from the police in the countries they occupied, and that they were able to organize terror as much as they did with the assistance of these local police forces, was due at least in part to the powerful position which the police had achieved over the years in their unrestricted and arbitrary domination of stateless and refugees."²⁰ Arendt offers us an origin story for police violence in Western Europe that aligns with the systemic profiling of individuals as stateless persons, and thus as criminals.

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¹⁷ The Editors of Encyclopedia Britannica. 2018. "SS | History & Facts." In Encyclopædia Britannica. https://www.britannica.com/topic/SS.

¹⁸ Arendt, *The Origins of Totalitarianism*, 325.

¹⁹ Arendt, *The Origins of Totalitarianism*, 325.

²⁰ Arendt, *The Origins of Totalitarianism*, 289.

III. GEORGE FLOYD

Minneapolis, Minnesota / 25 May 2020

The emergence of vibrant wildflowers and the augmented chirp of songbirds herald Spring. Among its standard connotations, Spring is known as a time of rebirth and new beginnings ushered by the warm breezes and the sweetness of fresh-cut grass. It is a time that edges close to the joyous plunge into summer; a time of bright anticipation and balmy purple nights. George Floyd, a 46-year-old African American man, probably felt the same pleasant commotion in Minneapolis, Minnesota in late May.²¹ Maybe his six-year-old daughter²² was looking forward to summertime and long days with her friends. Known as a caring father and a diligent and compassionate member of the community,²³ George Floyd likely never expected to have that same spring air cut from his lungs at the hands of a white male police officer. After accusations of handling counterfeit money at a local grocery store, Floyd was confronted and physically restrained.²⁴ Despite being complacent, despite being unarmed, despite pleading over twenty times that he could not breathe, Flord was killed due to asphyxiation under the knee of a police officer.²⁵

Floyd was a victim to a police system that is, as W.E.B. Du Bois formulated in *The Souls of Black Folk*, fully predicated in a slave system and America's history of the enslavement of Black people. Du Bois makes a strong argument that the root of policing in America is interconnected with slavery, specifically in the South. He asserts that the privileged white populations could not confront the liberation of Black people: "the same system has... resulted in the refusal of whole communities to recognize the right of a Negro to change his habitation and to be master of his own fortunes." Thus, the American criminal justice system is an extension and manifestation of the impulse by white former slave owners to subjugate and suppress the

²¹ "The Last 30 Minutes of George Floyd's Life." BBC News, July 16, 2020.

²² "Remembering George Floyd: Devoted Father, 'Gentle Giant."

²³ "Remembering George Floyd: Devoted Father, 'Gentle Giant.'"

²⁴ "The Last 30 Minutes of George Floyd's Life." BBC News, July 16, 2020.

²⁵ "The Last 30 Minutes of George Floyd's Life." BBC News, July 16, 2020.

²⁶ Du Bois, *The Souls of Black Folk*, 104.

Black voice as well as their political agency. In fact, we can evaluate the police force as the remnants of a structure "primarily designed to control slaves." Du Bois asserts that with the complete dominance of slavery, criminalization is somewhat irrelevent. Yet when former slaves and their descendants are emancipated, the issue of alleged legal misconduct becomes a method of effectively reenslaving Black Americans.

Moreover, Du Bois describes how the legal structure of America as well as the foundation of political structures are constructed from enslavement, and in fact, are continuations of enslavement. He acknowledges that specifically in the South, an innocent and unarmed Black individual "is liable to be stopped anywhere on the public highway and made to state his business to the satisfaction of any white interrogator. If he fails to give a suitable answer, or seems too independent or 'sassy,' he may be arrested or summarily driven away."²⁸ Not only does this establish the historical origin of stop and frisk practices among minority communities, but it also informs Floyd's case. Although George Floyd was compliant with police protocol and did not attempt to flee or resist the officers, he was automatically deemed aggressive. This racist assumption is what, in the perspectives of the white officers, justified the brutal, and indeed fatal, physical torture of Floyd.

Du Bois posits that the American criminal justice system will never be able to escape notions of white supremacy as it is embedded in the practice of returning slaves: "the police system of the South was originally designed to keep track of all Negroes, not simply of criminals; and when the Negroes were freed and the whole south was convinced of the impossibility of free negro labor, the first and almost universal device was to use the courts as a means of reenslaving the blacks." Thus, Du Bois offers an acute origin story for the police that is represented today. Floyd was only ever seen through the lens of a colonizer and slave owner. He was never regarded by the American justice system as an independent entity with a community, a family, goals, feelings, and ambitions. Although protection, safety, and justice are supposedly defended by the American police force, they remain idealizations of a system that

²⁷ Du Bois, *The Souls of Black Folk*, 120.

²⁸ Du Bois, *The Souls of Black Folk*, 104.

²⁹ Du Bois, *The Souls of Black Folk*, 121.

generally does not practice among all people. It is critical to understand the objectives that Du Bois asserts the police force was based on such that we can comprehend the current acts of police brutality today. Du Bois presents a genesis of the police in which dehumanizing and disenfranchising Black people was a primary intention. Stripping Black Americans of their autonomy and legal protection through criminalizing them, was designed in an effort to suppress them in prisons and jails nationwide.

The laws that American politicians, civilians, and legislators alike still hold to the highest authority were never intended for Black citizens. They were written with one identity in mind: the heteronormative, cisgendered, property-owning (and oftentimes slave-owning) white man. How can we still abide by the laws that are entrenched in virtually exterminating Black narratives, voices, beliefs, opinions, and demands? Du Bois articulates that Black Americans "look upon law and justice, not as protecting safeguards, but as a source of humiliation and oppression." The systemic brutality and oppression espoused by police against Black people has not been addressed sufficiently. There are no accountability systems in place that regard the police as potential suspects and treat Black Americans as innocent. This history of racial profiling is due to the fact that, as Du Bois asserts, the entire criminal justice system, is structured against Black independence and self-sovereignty.

³⁰ Du Bois, *The Souls of Black Folk*, 119.

IV. RUQAIYA PARVEEN

Muzaffarnagar, Uttar Pradesh, India / 20 December 2019

The Northern Indian state of Uttar Pradesh is known for its splendid and storied history, thousands of years interlaced with rice paddies, the chants of Buddhist monks, and the swirling Yamuna river. No culture is perhaps as dramatically represented as that of Islamic South Asia. In the sprawling magnificence of the Taj Mahal in Agra, India, the legacy of the mighty Mughal Empire persists. Like the intricately carved Persian letters on the white marble of the Taj, a bloody gash on Ruqaiya Parveen's forehead dominates imposingly against her olive skin. On December 20th, 2019, Indian police officers in Muzaffarabad, India, stormed the Parveen household.³¹ The officers ruthlessly beat 73-year-old Hamid Hasan with metal batons, and bludgeoned his wife and granddaughter, Ruqaiya.³² Ruqaiya was hit with such force that her injuries required sixteen forehead stitches. Hasan's grandson and son were dragged from their beds, beaten in the streets, and tortured by the police in their barracks. There has been no investigation into the beatings and alleged torture.³³

The diversity of India and the status of its Muslim minorities has historically been a topic of discussion, yet its prevalence and oftentimes violent intergroup conflict developments were heightened during the 19th and 20th century reign of the British Raj, Partition, and creation of Pakistan. Coupled with the rise of Hindu Nationalists such as Narendra Modi and Yogi Adityanath as well as the rhetoric they espouse, police brutality against Indian Muslims has increased significantly in the last six years. What are the origins of such violence and division, particularly when Muslims and Hindus have peacefully coexisted, in fact in religious syncretism, since the 16th century? In *Hind Swaraj or Indian Home Rule*, Gandhi postulates that the origins of cultural divisions in India lie in two developments: colonization by the British, and the increased technologization and mechanization of transport.

³¹ Ellis-Petersen, Hannah. 2020. "We Are Not Safe': India's Muslims Tell of Wave of Police Brutality."

³² Ellis-Petersen, Hannah. 2020. "We Are Not Safe': India's Muslims Tell of Wave of Police Brutality."

³³ Ellis-Petersen, Hannah. 2020. "We Are Not Safe': India's Muslims Tell of Wave of Police Brutality."

To begin, Gandhi asserts that although India has historically been multicultural, cultural divisions did not inspire violence or aggressive actions – India was a unified population, despite such religious and ideological differences: "We were one nation before they came to India. One thought inspired us. Our mode of life was the same. It was because we were one nation that they were able to establish one kingdom. Subsequently they divided us."³⁴ Thus, Gandhi traces the origins of cultural divisions, such as those present in Indian police brutality, to "them," or the British Raj. It can be assumed that the underpinnings of the discrimination observed in stories such as Ruqaiya's rest in the hands of British Imperialism.

Gandhi's postulation that the British "divided us" is similar to Fanon's understanding of race-based violence in The Wretched of The Earth. Fanon discusses police brutality in a colonial context more directly, and provides a richer understanding of how intracommunal violence was fostered by colonial police brutality. In the chapter "Concerning Violence," Fanon states "Whereas the colonist or police officer can beat the colonized subject day in and day out, insult him and shove him to his knees, it is not uncommon to see the colonized subject draw his knife at the slightest hostile or aggressive look from another colonized subject." Thus, Fanon assesses colonized-on-colonized violence as a byproduct of the trauma and constant aggression of the colonial police, who he describes as "agents" of the colonial regime. ³⁶ For Fanon, colonialism effectively produced a divided world along the vector of race and ideology as evidenced by the religiously-motivated oppression experienced by Indian Muslims. Fanon acutely diagnoses the implications in sourcing the origins of Indian police brutality. According to a thinker like Fanon, the birth of Indian police brutality lies in divisions fueled by, as Fanon and Gandhi would assert, the colonizers and their police force. Such divisions have had lasting effects in the present where the ramifications of colonial police brutality persevere through lingering prejudices and stereotypes among certain people groups. As the product of an apparent ripple effect, colonial structures effectively flourish through post-colonial police brutality. Namely, the Indian police force exerts the same violence on Indian people.

³⁴ Gandhi, *Hind Swaraj or Indian Home Rule*, 42.

³⁵ Fanon, The Wretched of the Earth, 170.

³⁶ Fanon, The Wretched of the Earth, 3-4.

Gandhi then asserts that mechanized modes of transportation such as the train have led to a *realization* of cultural divisions, rather than cultural unity. Gandhi states "It was after the advent of the railways that we began to believe in distinctions, and...it is through the railways that we are beginning to abolish these distinctions." The train is a rhetorically effective mechanism of understanding the long history of Indian partition, specifically the separation of Muslims and Hindus. Although one of the many machines that is said to ease the demands of daily life, the train actually facilitates the segregation of religious groups rather than promoting a nation of religious diversity and affiliation. Gandhi states that before mechanization, simple transport promoted a cultural unity characterized by the tolerance demonstrated by "[learning] one another's languages... there was no aloofness between them." Gandhi understands the origins of such cultural divisions in India as directly derived from British technological and social developments. Yet Gandhi does not assert that a feat of engineering and mechanics is the *cause* of separation, merely a force that facilitated and magnified division already cemented by policing practices and their associated threat of violence.

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³⁷ Gandhi, *Hind Swaraj or Indian Home Rule*, 43.

³⁸ Gandhi, *Hind Swaraj or Indian Home Rule*, 42.

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