My abiding recollection of being a student at Harvard Law School is the sense of being invisible. I spent three years wandering in a murk of unreality. I observed large, mostly male bodies assert themselves against one another like football players caught in the gauzy mist of intellectual slow motion. I stood my ground amid them, watching them deflect from me, unconsciously, politely, as if I were a pillar in a crowded corridor. Law school was for me like being on another planet, full of alienated creatures with whom I could make little connection. The school created a dense atmosphere that muted my voice to inaudibility. All I could do to communicate my existence was to posit carefully worded messages into hermetically sealed, vacuum-packed blue books, place them on the waves of that foreign sea, and pray that they would be plucked up by some curious seeker and understood.

Perhaps there were others who felt what I felt. Perhaps we were all aliens, all silenced by the dense atmosphere. Thinking that made me feel, ironically, less isolated. It was not merely that I was black and female, but a circumstance external to myself that I, and the collective, could not help internalizing.

When I became a law professor, I found myself on yet another planet: a planet with a sun as strong as a spotlight and an atmo-
sphere so thin that my slightest murmur would travel for miles, skimming from ear to ear to ear, merrily distorting and refracting as it went. Again I comforted myself that my sense of alienation and now-heightened visibility were not inherent to my blackness and my femaleness, but an uncomfortable atmospheric condition afflicting everyone. But at the gyroscopic heart of me, there was and is a deep realization that I have never left the planet earth. I know that my feelings of exaggerated visibility and invisibility are the product of my not being part of the larger cultural picture. I know too that the larger cultural picture is an illusion, albeit a powerful one, concocted from a perceptual consensus to which I am not a party; and that while these perceptions operate as dictators of truth, they are after all merely perceptions.

My best friend from law school is a woman named C. For months now I have been sending her drafts of this book, filled with many shared experiences, and she sends me back comments and her own associations. Occasionally we speak by telephone. One day, after reading the beginning of this chapter, she calls me up and tells me her abiding recollection of law school. “Actually it has nothing to do with law school,” she says.

“I’ll be the judge of that,” I respond.

“Well,” she continues, “it’s about the time I was held at gunpoint by a SWAT team.”

It turns out that during one Christmas vacation C. drove to Florida with two friends. Just outside Miami they stopped at a roadside diner. C. ordered a hamburger and a glass of milk. The milk was sour, and C. asked for another. The waitress ignored her. C. asked twice more and was ignored each time. When the waitress finally brought the bill, C. had been charged for the milk and refused to pay for it. The waitress started to shout at her, and a highway patrolman walked over from where he had been sitting and asked what was going on. C. explained that the milk was sour and that she didn’t want to pay for it. The highway patrolman ordered her to pay and get out. When C. said he was out of his jurisdiction, the patrolman pulled out his gun and pointed it at her.

(“Don’t you think” asks C. when I show her this much of my telling of her story, “that it would help your readers to know that the restaurant was all white and that I’m black?” “Oh, yeah,” I say. “And six feet tall.”)

Now C. is not easily intimidated and, just to prove it, she put her hand on her hip and invited the police officer to go ahead and shoot her, but before he did so he should try to drink the damn glass of milk, and so forth and so on for a few more descriptive rounds. What cut her off was the realization that, suddenly and silently, she and her two friends had been surrounded by eight SWAT team officers, in full guerrilla gear, automatic weapons drawn. Into the pall of her ringing speechlessness, they sent a local black policeman, who offered her twenty dollars and begged her to pay and be gone. C. describes how desperately he was perspiring as he begged and, when she didn’t move, how angry he got—how he accused her of being an outside agitator, that she could come from the North and go back to the North, but that there were those of “us” who had to live here and would pay for her activism.

C. says she doesn’t remember how she got out of there alive or why they finally let her go; she supposes that the black man paid for her. But she does remember returning to the car with her two companions and the three of them crying, sobbing, all the way to Miami. “The damnedest thing about it,” C. said, “was that no one was interested in whether or not I was telling the truth. The glass was sitting there in the middle of all this, with the curdle hanging on the sides, but nobody would taste it because a black woman’s lips had touched it.”

I think of C. a lot when I write, and of her truth-telling glass of sour, separated milk. The curd clinging to the sides; her words curdled in the air. The police with guns drawn, battlelines drawn, the contest over her contestation; the proof of the milk in the glass inadmissible, unaccounted for, unseen. The insolent fact of her
words; defiant presumption as the subject for a war over the invisible. The thing I like best about C. is her insistence always to be exactly wherever she is in the universe. I am thankful she survives the messes she gets herself into.

In the early morning hours of December 20, 1986, three black men left their stalled car on Cross Bay Parkway, in Queens, New York, and went to look for help. They walked into the neighborhood of Howard Beach, entered a pizzeria, ordered pizzas, and sat down to eat. An anonymous caller to the police reported their presence as “black troublemakers”; a patrol car came, found no trouble, and left. After the men had eaten, they left the pizzeria and were immediately surrounded by a group of eight to ten white teenagers who taunted them with racial epithets. The white youths chased the black men a distance of approximately three miles, beating them severely along the way. One of the black men died, struck by a car as he tried to flee across a highway; another suffered permanent blindness in one eye.  

In the heated public controversy that ensued, as much of the attention centered on the community of Howard Beach, where the assault took place, as on the assailants themselves. The chief cause of such attention was a veritable Greek chorus (composed of lawyers for the defendants as well as resident after resident of Howard Beach) repeating and repeating that the mere presence of three black men in that part of town at that time of night was reason enough to drive them out: “They had to be starting trouble”; “We’re a strictly white neighborhood”; “What were they doing here in the first place?” The pinnacle of legitimacy to which these particular questions rose is, to me, the most frightening aspect of this case. When Mayor Ed Koch was asked why he thought the young men were walking around Howard Beach, he dignified the question with the following answer: “I don’t know . . . And neither did the 12 or so people who beat them. Because they didn’t ask them. They didn’t talk to them.” One is left to speculate: if the attackers, those self-appointed gatekeepers, had asked and got an answer like “none of your business,” would they then have been entitled to beat and attack out of public-spirited zeal? And, one wonders further, what explanation would have been sufficient to allow black males continued unmolested passage into the sanctified byways of Howard Beach?

Although the intensely segregationist instincts behind such statements may be evident, it is worth making explicit some of the presuppositions behind them:

Everyone who lives here is white.
No black could live here.
No one here has a black friend.
No white would employ a black here.
No black is permitted to shop here.
No black is ever up to any good.

Moreover, these presuppositions themselves are premised on certain lethal philosophies of life:

Better safe than sorry. “Are we supposed to stand around and do nothing, while these blacks come into our area and rob us?” asked one woman of a reporter, in the wake of the Howard Beach attack. “‘We ain’t racial,’ said 20-year old Michael Habe, who has lived in Howard Beach all his life. ‘We just don’t want to get robbed.’” The hidden implication of such statements is that to be safe is not to be sorry; and to be safe is to be white and to be sorry is to be associated with blacks. Thus safety and sorrow, which are inherently alterable and random, are linked to inalterable essences. The expectation that uncertain conditions are immutable is a formula for frustration, a belief that feeds a sense of powerlessness. The rigid determinism of placing in the disjunctive things that are not in fact is a setup for betrayal by the very nature of reality.
The national repetition that white neighborhoods are safe and blacks bring sorrow is an incantation of powerlessness. And with the upsidedown logic of all irrational incantations, it imports a concept of white safety that necessarily endangers the lives as well as the rights of blacks.

It is also an incantation of innocence and guilt, related to the accusations that affirmative-action programs allow (presumably guilty?) blacks to displace innocent whites. (Although even assuming that “innocent whites” are being displaced by blacks, does that make blacks less innocent in the pursuit of education and jobs?) In fact, in the wake of Howard Beach, police and the press rushed to service the public’s interest in showing what unsavory dispositions the victims had. But the point that gets overlooked in all this is how racial slurs and attacks objectify people: “the incident could have happened to any black person who was there at that time and place. This is the crucial aspect of the Howard Beach affair that is now being muddied in the media. Bringing up Griffith’s [the dead man] alleged involvement in a shooting incident a couple of years ago is another way of saying ‘He was a criminal who deserved it.’” It is thus that a pernicious game of Victim Responsibility was set in motion, itself slide to society’s stereotypes of good and evil.

It does no one much good, however, to make race issues contests for some Holy Grail of innocence. In my own lifetime, segregation and antimiscegenation laws were still on the books in many states. During the lifetimes of my parents and grandparents, and for several hundred years before them, laws were used to prevent blacks from learning to read, write, own property, or vote; blacks were, by constitutional mandate, outlawed from the hopeful, loving expectations that come from being treated as a whole, rather than three-fifths of a person. When every resource of a wealthy nation is put to such destructive ends, it will take more than a few generations to mop up the mess.

We are all inheritors of that legacy, whether new to this world or new to this country, for it survives as powerful and invisibly reinforcing structures of thought, language, and law. Thus generalized notions of innocence and guilt have little place in the struggle for transcendence; there is no blame among the living for the dimensions of this historic crime, this national tragedy. There is, however, responsibility for never forgetting another’s history, for making real the psychic obliteration that does live on as a factor in shaping relations not just between blacks and whites (Mayor Koch asserted, during a trip to Howard Beach intended to promote racial harmony, that “most robberies were committed by blacks”), or between blacks and blacks (the mayor went on, moreover, to reassure his all-white audience that “most of the victims were black, too”), but between whites and whites as well. Whites must take into account how much this history has projected onto blacks all criminality and all of society’s ills. It has become the means for keeping white criminality invisible.

A prejudiced society is better than a violent society. The attempt to split bias from violence has been this society’s most enduring and fatal rationalization. Prejudice does hurt, however, just as absence of it can nourish and shelter. Discrimination can repel and vilify, ostracize and alienate. Any white person who doesn’t believe it should spend a week telling everyone she meets that one of her parents or grandparents was black. I had a friend in college who discovered, having lived her life as a red-haired, gray-eyed white person, that she was one-sixteenth black (may-as-well-be-all-black, in other words). Before my eyes and despite herself, she began to externalize all the unconscious baggage that “black” bore for her, the self-hatred that racism is. She did not think of herself as a racist—nor had I—but she literally wanted to jump out of her skin, shed her flesh, start life over again. She confided that she felt fouled and betrayed. (She also asked me if I had ever felt this way. Her question dredged from some deep corner of my mind the recollection of feeling precisely that when, at the age of three or
so, some white playmates explained that God had mixed mud with the pure clay of life in order to make me.)

In the Vietnamese language, the word 'tôi' (tô) means 'your servant'; there is no 'I' as such. When you talk to someone you establish a relationship. Such a self-concept is a way of experiencing the other, of ritualistically sharing the other's essence and cherishing it. In our culture, seeing and feeling the dimension of harm done by separating self from other requires somewhat more work. Very little in our language or culture encourages looking at others as parts of ourselves. With the imperviously divided symmetry of the marketplace, gains for whites are not felt as gains for blacks, and social costs to blacks are simply not seen as costs to whites. (One of the starkest examples of this has been the disastrous delay in responding to the AIDS epidemic: as long as it was seen to be an affliction of Haitians, Hispanics, Africans, and other marginalized groups such as drug users and homosexuals, its long-term implications were all but ignored.

What complicates this structure of thought insofar as racism is concerned, however, is that the distancing does not stop with the separation of the white self from the black other. In addition, the cultural domination of blacks by whites means that the black self is placed at a distance even from itself, as in my example of blacks being asked to put themselves in the position of the white shopkeepers who scrutinize them. So blacks in a white society are conditioned from infancy to see in themselves only what others, who despise them, see.

It is true that conforming to what others see in us is any child's—black or white—way of becoming socialized. It is what makes children in our society appear so gullible, impressionable, "impolitely" honest, blindly loyal, and charming to the ones they imitate. Yet this conformity also describes a way of being that relinquishes the power of independent ethical choice. Although such a relinquishment can have desirable consequences, it presupposes a fairly homogeneous social context in which values are collectively shared and enforced. (Is it any wonder that western anthropologists and ethnographers, for whom adulthood is manifested by the exercise of individual ethical judgment, are so quick to denounce tribal collective cultures as "childlike").

Our culture, in contrast, does not make all selves or I's the servants of others, but only some. Thus some I's are defined as "your servant," some as "your master." The struggle for the self becomes not a true mirroring of self-in-other, but a hierarchically inspired series of distortions, where some serve without ever being served; some master with no sense of what it is to be mastered; and almost everyone hides from the fact of this vernacular domination by clinging to the legally official definition of an I meaning "your equal."

In such an environment, relinquishing the power of individual ethical judgment to a collective ideal risks psychic violence, an obliteration of the self through domination by an all-powerful other. It is essential at some stage that the self be permitted to retreat into itself and make its own decisions with self-love and self-confidence. What links child abuse, the mistreatment of women, and racism is the massive external intrusion into psyche that dominates powers impose to keep the self from ever fully seeing itself. Since the self's power resides in another, little faith is placed in the true self, in one's own experiential knowledge. It is thus that children's, women's, and blacks' power is actually reduced to the "intuitive" rather than to the real: social life is based primarily on the imaginary. Furthermore, since it is difficult constantly to affirm the congruence of one's own self-imagining with what the other is thinking of the self—and since even that correlative effort is usually kept within limited family, neighborhood, or religious-racial boundaries—encounters cease even to be social, and are merely presumptuous, random, and disconnected.

This peculiarly distancing standpoint allows dramas—particularly racial ones like Howard Beach—to unfold in scenarios weirdly unrelated to the incidents that generated them: at one end
of the spectrum is a laissez-faire response that privatizes the self in order to remain unassailably justified in any and all activities. At the other is a pattern of generalizing particular others into terrifyingly uncontrollable "domains" of public wilderness against whom prescriptive barriers must be built.

The prototypical scenario of the privatized response to issues of racial accountability might be imagined as follows:

Cain: Abel's part of town is tough turf.

Abel: It upsets me when you say that; you have never been to my part of town. As a matter of fact, my part of town is a leading supplier of milk and honey.

Cain: The news that I'm upsetting you is too upsetting for me to handle. You were wrong to tell me of your upset because now I'm terribly upset.

Abel: I felt threatened first. Listen to me. Take your distress as a measure of my own and empathize with it. Don't ask me to recant and apologize in order to carry this conversation further.

What is problematic in this sort of discourse is that the issue of Cain's calling Abel's turf tough gets transformed into a discussion of how Abel challenges that statement. Though there is certainly an obligation to be careful in addressing others, the obligation to protect the feelings of the other gets put above the need to protect one's own; the self becomes subservient to the other, with no reciprocity; and the other becomes a whimsical master. Abel's feelings get deflected in deference to Cain's; and Abel bears the double burden of raising his issue correctly and of being responsible for its impact on Cain should Cain take it wrong. Cain is rendered unaccountable, as long as the deflection continues, for both the care with which he expressed the initial statement and his own response to Abel, because in the end it is all Abel's fault.

Morality and responsiveness thus become split as Abel drowns in responsibility for valuative quality control; and Cain rests on the higher ground of a value-neutral zone. For example, here is more of the encounter between Mayor Koch and the black congregation in Queens: "In discussing the Howard Beach incident, Mr. Koch asked the people in Morning Star Baptist Missionary Church whether, if three white men were walking in Harlem after midnight, 'do you believe they would be absolutely safe?' 'Yes,' the congregation chorused. The Mayor did not think so, but said he was glad they did."18 In reading this account, I had trouble figuring out what the mayor's motivation was in asking such a question. Was he implying that blacks would support racial violence if it occurred in reverse? And if he were implicitly asking for black understanding based on a presumed condoning of black-on-white violence, then wasn't he really asking blacks to understand that white-on-black violence isn't so hard to understand after all? That there is a sympathetic chord to be struck if only blacks would look deeply enough into themselves? If, as the story implies, Koch thought the congregation would say no, what he then would have "shown" (of himself, of institutional posture, if not of the teleological essence of things) is that racism is just human nature after all; that public abolution is simply a matter of pointing a finger and wailing "well, you did it too"; and that death in turf wars isn't racism but part of life.

Caught in conversations like this, blacks as well as whites will feel keenly circumscribed. Perhaps most people never intend to be racist or oppressive or insulting, but by describing zones of vulnerability, by setting up regions of conversational taboo and fences of rigidified politeness, the unintentional exile of individuals as well as races may be quietly accomplished and avoided indefinitely. A strong example of the degree to which racism may be transformed into issues of "courtesy" is the following: when Alan Hendrickse, the leader of the mixed-race chamber of the South African parliament, decided to go swimming at a "whites only" beach, President Botha demanded that he either apologize or resign, or else he would "have no choice but to dissolve the Parlia-
When he started marching in on the beach, he embarrassed me and broke the rules of Parliament... It is a question of procedure.  

Another scenario of the distancing of the self from responsibility for racism is the inventing of some vast wilderness of others (composed, in the context of Howard Beach, of violent seventeen-year-old black males in running shoes and hooded sweatshirts) against which the self must barricade itself. It is this fear of the overwhelming other that animates many of the more vengefully racist comments from Howard Beach: "We're a strictly white neighborhood," Michelle Napolitano said. "They had to be starting trouble."  

Not only do such attitudes set up angry, excluding boundaries, but they imply that the failure to protect and avenge is a bad policy, bad statesmanship, an embarrassment. They raise the stakes to a level beyond that of the unexpressed rage arising from the incident itself, as in the example of Cain and Abel. The need to avenge becomes a separate issue of protocol, of etiquette—not a loss of a piece of the self, which is the real cost of real tragedies, but a loss of self-regard. By "self-regard" I don't mean self-concept, as in self-esteem; I mean, again, that view of the self which is attained when the self steps outside to regard and evaluate the self; in which the self is watched by an imaginary other, a projection of the opinions of real others; in which "I" means "your master," not your servant; in which refusal of the designated other to be dominated is felt as a personal assault. Thus the failure to avenge is treated as a loss of self-regard; it is used as a psychological metaphor for whatever trauma or original assault constituted the real loss to the self. It is more abstract, more illusory, more constructed, more invented—and therefore potentially less powerful than real assault, in that it can with effort be unlearned as a source of vulnerability. This is the real message of the attempt to distinguish between prejudice and violence: names, as in the old sticks-and-stones dirty, or structures of thought, while unde-

ably influential, can be unlearned—or undone—as motivations for future destructive action. But as long as they are not unlearned, the exclusionary power of free-floating emotions make their way into the gestalt of prosecutorial and jury disposition and into what the law sees as a crime, sees as relevant, justified, provoked, or excusable. Laws become described and enforced in the spirit of our prejudices.

The evidentiary rules of legitimating turf war. Here is a description of the arraignment of three of the white teenagers involved in the Howard Beach beatings:

The three defense lawyers also tried to cast doubt on [the prosecutor's] account of the attack. The lawyers questioned why the victims walked all the way to the pizza parlor if, as they said, their mission was to summon help for their car, which broke down three miles away... At the arraignment, the lawyers said the victims passed two all-night gas stations and several other pizza shops before they reached the one they entered... A check yesterday of area restaurants, motels and gas stations listed in the Queens street directory found two eating establishments, a gas station and a motel that all said they were open and had working pay phones on Friday night... A spokesman for the New York Telephone Company, Jim Crosson, said there are six outdoor pay telephones along Cross Bay Boulevard on the way to the pizzeria.

In the first place, lawyers must wonder about the relevance of all this. Does the answer to any of the issues raised by the defense team serve to prove that these black men assaulted, robbed, threatened, or molested these white men? Or even that the white men reasonably feared such a fate? The investigation into how many phone booths to a mile of the course establishes no reason why the white men would fear the black men's presence; its relevance is only to prove that there is no reason a black man should just walk, just wander, around Howard Beach. This is no mere semantic detail: it is central to understanding the real burdensomeness
of proof in such cases. It is this unconscious restructuring of burdens of proof into burdens of white over black that permits people who believe they are not racist to condone and commit crimes of genocidal magnitude. It is easy to generalize all this away as linguistically technical or as society’s sorrow (“I’m so tired of hearing blacks say that society’s done them wrong,” said a student of mine). But these gyrations kill with their razor-toothed presumption; it is we lawyers—who, with doctors, are the modern wizards and medicine people—who must define innocent murderousness as crime.

In addition, investigations into “closer” (really farther—from Howard Beach) alternatives eclipse the possibility of other explanations; they assume that the young black men were not headed for the subway, which in fact was not far from and in the same direction as the pizzeria; they assume that black people (and I have never heard the same public assumption about white people) need documented reasons for excursioning into neighborhoods where they do not live, for venturing beyond the bounds of the zones to which they are supposedly confined.

It is interesting to contrast this implicit requirement of documentation imposed on blacks walking down public streets in Howard Beach with the explicit lack of such a requirement in the contemporaneous public discussions of the murder of Eleanor Bumpurs. In that case, seven white officers burst into the private space of Mrs. Bumpurs’ apartment and, while attempting an illegal eviction, shot and killed her (see Chapter 7). Here the availability of other, less intrusive options was consistently dismissed by lawmakers as presumption and idle hindsight; such rejection of other alternatives dismissed the burden that police officers have to use the least harmful method. In the context of Howard Beach, however, such an analysis implicitly imposes a burden on nonresidents of neighborhoods to stay out unless absolutely necessary; it implies that there is harm in the presence of those who do not “own” something specific there. Both analyses skirt the propriety and necessity of public-sector responsibility; both redefine public accountability in privatized terms. And whether those privatized terms operate to restrict or expand accountability is seemingly dichotomized according to the race of the actors.

Finally, this factualized hypothesizing was part of a news story, which means that the news—or what is purported to be fact—is in fact hypothesis, based on such silent premises as: they should have used the first phone they came to; they should have eaten at the first restaurant they found; they should have gone into a gas station and asked for help; surely they should have had the cash and credit cards to do any of the above or else not travel in strange neighborhoods. In elevating these to relevant issues, the Times only mirrored what was being done in the courtroom.

Privatized innocence and publicized guilt. In his ill-fated trip to the town of Jamaica in Queens, purportedly to soothe tensions, Mayor Koch asked black churchgoers to understand the disgruntlement of residents of Howard Beach about the interracial march, by fourteen hundred protestors, through “their” streets. He asked them how they would feel if fourteen hundred white people took to the streets of Jamaica (a mostly black neighborhood) in such a march.21 This question, from the chief executive of New York City’s laws, accepts a remarkable degree of possessiveness about public streets—possessiveness, furthermore, that is racially and not geographically bounded. Koch was, in effect, pleading for acceptance of the privatization of public space. This is the de facto equivalent of segregation; it is exclusion in the guise of deep-rooted property “interests” and “values.” Lost is the fact that the object of discussion, the street, is public.

Furthermore, the structure of Koch’s question implies that fourteen hundred black people took to the streets of Howard Beach: in fact it was a well-integrated crowd, blacks, browns, and whites, Howard Beach residents and others. Apparently crowds in New York are subject to the unwritten equivalent of Louisiana’s
race statutes (1/72 black blood renders the whole black) or of the Ku Klux Klan's "contamination by association" ("blacks and white-blacks" was how one resident of Forsythe County, the Georgia equivalent of Howard Beach, described an interracial crowd of protestors there). If, on the other hand, Koch were directing attention to the inconvenience, the noise, the pollution of that many people in those small streets, then I am sympathetic. At the same time, I have no problem moving past my sympathy as insignificant in proportion to the emotions that provoked such a spontaneous, peaceful outpouring of rage, sorrow, and pain.

If, however, Koch was simply appealing to the "gut," asking blacks to conjure up the vision of fourteen hundred angry white people descending on a black community, then I would have to say that yes, I would be frightened. It would also conjure up visions of fourteen hundred hooded white people burning crosses, or of fourteen hundred Nazis marching through Skokie, or of fourteen hundred cavalry men riding into an American Indian neighborhood—and yes, that vision would inspire great fear in me of their doing grave harm to the residents. But there is a clear difference. It is important to distinguish mass protests of violence from organized hate groups who openly threaten violence. By failing to distinguish at this level, Mayor Koch effectively manipulated into the hearts of many blacks and whites the specter of unspecified mobs, sweeping through one's home in pursuit of vague and diffusely dangerous ends: from this perspective, his was an appeal to thoughtlessness, to the pseudo-consolation of hunkering down and bunkering up against the approach of the hordes, to a view of the unneighborhooded "public" world as glacially overgeneralized.

Finally, the mayor's comments reveal his ignorance of the degree to which black people have welcomed, endured, and suffered white people marching through their streets on one mission or another: white people have always felt free to cruise through black communities; most black neighborhoods have existed only as long as whites have permitted them to; blacks have been this society's perpetual tenants, sharecroppers, lessees. Blacks went from being owned by others to having everything around them owned by others. In a civilization that values private property above all else, this means a devaluation of person, a removal of blacks not just from the market but from the pseudo-spiritual circle of psychic and civic communion. As illustrated in microcosm by my exclusion from Benetton's, this limbo of disownedness keeps blacks beyond the pale of those who are entitled to receive the survival gifts of commerce, the life, liberty, and happiness whose fruits our culture locates in the marketplace. In this way blacks are analogically positioned exactly as they were during slavery or Jim Crow.

There is also a subtler level to the enactment of this dispossess. Not long ago, when I first moved back to New York after some twenty years, I decided to go on a walking tour of Harlem. The tour, which took place on Easter Sunday, was sponsored by the New York Arts Society and was, with the exception of me, attended exclusively by young white urban-professional real-estate speculators. They were pleasant-faced, with babies strapped to their backs and balloons in their hands, and seemed like very nice people. Halfway through the tour, the guide asked the group if they wanted to "go inside some churches. It'll make the tour a little longer; but we'll probably get to see some services going on..." Easter Sunday in Harlem is quite a show." A casual discussion ensued about the time it might take.

What astonished me was that no one had asked the churches if they wanted to be stared at like living museums. I wondered what would happen if a group of blue-jeaned blacks were to walk uninvited into a synagogue on Passover or St. Anthony's of Padua during high mass—just to peer, not pray. My feeling is that such activity would be seen as disrespectful, at the very least. Yet the aspect of disrespect, intrusion, seemed irrelevant to this well-educated, affable group of people. They reflected my observation with comments like "We just want to look," "No one will mind,"
and "There's no harm intended." As well-intentioned as they were, I was left with the impression that no one existed for them who could not be governed by their intentions. While acknowledging the lack of apparent malice in this behavior, I can't help thinking that it is a liability as much as a luxury to live without interaction. To live so completely impervious to one's own impact on others is a fragile privilege, which over time relies not simply on the willingness but on the inability of others—in this case blacks—to make their displeasure heard.

Reflecting on Howard Beach brought to mind a news story, from my fragmentary grammar-school recollections of the 1960s. A black man working for some civil-rights cause was killed by a white man for racially motivated reasons; the man was stabbed thirty-nine times, which prompted a radio commentator to observe that the point was not just murder but something beyond. I wondered for a long time what it was that would not die, what could not be killed by the fourth, fifth, or even tenth knife blow; what sort of thing would not die with the body but lived on in the mind of the murderer. Perhaps, as psychologists have argued, what the murderer was trying to kill was a part of his own mind's image, a part of himself and not a real other. After all, generally, statistically, and corporeally, blacks as a group are poor, powerless, and a minority. It is in the minds of whites that blacks become large, threatening, powerful, uncontrollable, ubiquitous, and supernatural.

There are societies in which the limits of life and death are defined very differently from our own. For example, in Buddhism and Hinduism, death may occur long before the body ceases to function, and life may, in the proper circumstances, continue for a time after the body is carried to its grave. These non-body-bound, uncompartmentalized ideas recognize the power of spirit, or what we in our secularized society might describe as the dynamism of self-as-reinterpreted-by-the-perceptions-of-others. These ideas comprehend the fact that a part of ourselves is beyond the control of pure physical will and resides in the sanctuary of those around us; a fundamental part of ourselves and of our dignity depends on the uncontrollable, powerful, external observers who make up a society. Surely a part of socialization ought to include a sense of caring responsibility for the images of others that are reposed within us.

Taking the example of the man who was stabbed thirty-nine times out of the context of our compartmentalized legal system, and considering it in the framework of a legal system that would recognize the moral, religious, or psychological, I am moved to see this act as not merely body murder but as spirit murder. Only one form of spirit murder is racism—cultural obliteration, prostitution, abandonment of the elderly and the homeless, and genocide are some of its other guises. One of the reasons I fear what I call spirit murder—disregard for others whose lives qualitatively depend on our regard—is that it produces a system of formalized distortions of thought. It produces social structures centered on fear and hate, a tumorous outlet for feelings elsewhere unexpressed. When Bernhard Goetz shot four black teenagers in a New York subway, J., an acquaintance of mine, said she could "understand his fear because it's a fact that blacks commit most of the crimes." Actually U.S. Bureau of Justice Statistics for 1986 show that whites were arrested for 71.7 percent of all crimes; blacks and all others (including American Indian, Alaskan Native, Asian, and Pacific Islander) account for the remaining 28 percent. Furthermore, there is evidence that "whites commit more crimes, and that white offenders have consistently lower probabilities of arrest, than do either blacks or Mexican-Americans. This is particularly striking for armed robbery and burglary." But, "Controlling for the factors most likely to influence sentencing and parole decisions, the analysis still found that blacks and Hispanics are less
likely to be given probation, more likely to receive prison sentences, more likely to receive longer sentences, and more likely to serve longer time."

What impressed me, beyond the factual inaccuracy of J.'s statement, was the reduction of Goetz's crime to "his fear," which I translate to mean her fear; the four teenage victims became all blacks everywhere; and "most of the crimes" clearly meant, in order for the sentence to make sense, that most blacks commit crimes. (Some have taken issue with my interpretation of J.'s remarks. They point out that what she must have meant was that young black men are arrested and convicted for a disproportionate number of the muggings committed in the New York subway system. Looking past the fact that this is not what she said, and that it is precisely the unframed nature of what she did say that is the source of my concern, I am left wondering what the real point of such a criticism is: should the assumed specificity of reference therefore give white subway riders a license to kill based on the empiricism of "statistical fear"?)

What struck me, further, was that the general white population seems, in the process of devaluing its image of black people, to have blinded itself to the horrors inflicted by white people. One of the clearest examples of this socialized blindness is the degree to which Goetz's victims were relentlessly bestialized by the public and by the media in New York: images of the urban jungle, with young black men filling the role of "wild animals," were favorite journalistic constructions; young white urban professionals were mythologized, usually wrapped in the linguistic apparel of lambs or sheep, as the tender, toothsome prey. A typical example is the front-page story of the New York Post of June 15, 1987, two days before the jury's verdict clearing Goetz of all but illegal gun possession. The article, excoriating the prosecutor's office for even bringing the case, ran under an enormous headline referring to the victims as "predators." The corollary to such imagery is that it is the fate of domesticated white innocents to be slaughtered in meaningless and tragic sacrifice.28 Locked into such a reification, the meaning of any act by the sheep against the wolves can never be seen as violent in its own right, for it is inherently uncharacteristic, brave, irresistibly and triumphantly parabolic. Thus, when prosecutor Gregory Waples cast Goetz as a "hunter" in his final summation, juror Michael Axelrod said that Waples "was insulting my intelligence. There was nothing to justify that sort of summation. Goetz wasn't a hunter."29

Nor do most white people seem to take as crime the dehumanizing cultural images of sterile, mindless white womanhood and expressionless, bored-but-righteous, assembly-line white manhood. (The short stories of Joyce Carol Oates and Raymond Carver often present characters who are prototypes of what I mean by this. They describe people of warmth, compassion, and variety trapped in flat sit-com lives. These people adjust to required expectations, but every now and then the repressed passion flares in sometimes wonderful but more often destructive ways.) I think, though this is hard to prove in any scientific way, that many whites do not expect whites (as compared to blacks) to rape, rob, or kill them (when in fact 54 percent of violent crimes are committed by friends, acquaintances, or relatives of the victims, according to 1987 Bureau of Justice Statistics.) They are surprised when it happens. Perhaps they blind themselves to the warning signals of approaching assault. Some do not even recognize white criminality when it does happen; they apologize for the assailant, think it must have been their fault; they misperceived the other's intent. A tragic example of this is the strangulation death in Central Park of college student Jennifer Levin, the "preppy murder case." If public response is a measure of anything at all, what fueled fascination was the fact that Robert Chambers, the wealthy WASP socialite who killed her, wasn't supposed to be the type of person who robbed, raped, or murdered.
To give another example, in the famous videotape Bernhard Goetz described to police in New Hampshire his intention to inflict as much harm as he could. He detailed his wish to see his victims dead; said if he had it to do over again, he'd do the same or worse; and expressed a retrospective desire to have gouged their eyes out. Yet in finding him not guilty of each of twelve counts of attempted murder, assault, and reckless endangerment, the jury discounted this confession entirely: "We felt he said a lot of things he was unsure about. He had nine days of thinking about what happened and reading newspapers, and combined with the guilt, we felt that he may have gotten confused. His own confusion coupled with his feelings of guilt might have forced him to make statements that were not accurate."^30

This vignette may illustrate better what I mean:

A lone black man was riding in an elevator in a busy downtown department store. The elevator stopped on the third floor, and a crowd of noisy white high school students got on. The black man took out a gun, shot as many of them as he could, before the doors opened on the first floor and the rest fled for their lives. The black man later explained to the police that he could tell from the "body language" of the students, from their "shiny eyes and big smiles," that they wanted to "play with him, like a cat plays with a mouse." Furthermore, the black man explained, one of the youths had tried to panhandle money from him and another asked him "how are you?"

"That's a meaningless thing," he said in his confession, but "in certain circumstances, that can be a real threat." He added that a similar greeting had preceded the vicious beating of his father, a black civil rights lawyer in Mississippi, some time before. His intention, he confessed, was to murder the high school students.

My guess is that, in reading this tragic account, most white Americans would not hesitate to pronounce the severe contextual misapprehensions of the black gunman as a form of insanity. While degrees of sympathy might vary, I suspect that the consensus would be nearly unanimous that he presents a danger to himself and to others, that he should be institutionalized or imprisoned.

But the above story, with minor character alterations, is excerpted from Goetz's videotaped confession. The public overwhelmingly presumed his innocence. Not only was it not proposed in most accounts that he be institutionalized—it was considered a failure of public institutions not to engage in more such punitive activities. This was reflected most blatantly in the fact that Goetz's defense was not that he was insane but that he acted *reasonably* in the circumstances. It is reflected as well in the degree to which the public devoured, ex post facto, stories about the deviant behavior of the victims in this case. The victims' criminal propensities—allegations ranging from rape to robbery—were used not just to discuss whether deadly force should have been used defensively, but to show why the four young men deserved to be the objects of intent to kill. Imagine, moreover, again in the hypothetical case of the black gunman in the elevator, a public inquiry that focused attention on prior racist statements of the white high-schoolers, on their history of drinking and driving, on how they treated their girlfriends, on whether any of them had ever shoplifted and were only in the department store to do so again. Or imagine what might have happened if the black men in the Howard Beach case, even after the first few beatings, had decided to defend themselves by pulling guns and shooting repeatedly, to kill.

And it is reflected in the way in which Goetz became a cited authority and favorite interviewee on the subject of crime in New York: "Criminals," he declared, must realize that being shot is a "risk they are going to have to take."^33 I can think of no better example of the degree to which criminality has become lodged in a concept of the black "other."

If indeed Americans are subject to such emotional devastation, it is no wonder that the urge to act as victimizer is so irresistible, appears to be the only defensible thing to do—it is the
defensive thing to do. It is no wonder that society has created in blacks a class (though not the only class, probably the most visible) of ready-made, prepackaged victims. To discount as much violence as we do must mean that we have a very angry population, suppressing explosive rage. Most white Americans, in urban areas at least, have seen the muttering “lunatic” black person who beats the air with his fists and curses aloud: most people cross the street; they don’t choose him to satisfy their need to know the time of day. Yet for generations, and particularly in the wake of the foaming public response to incidents like Howard Beach, the Goetz shooting, and Forsythe County, that is precisely how white America has looked to many a black American.

There is a doorway on East 13th Street in New York that for months had a huge piece of brown paper taped to it, with the legend “Goetz.” It reminded me of the banners hung in windows for the parades of astronauts and other heroes. In fact, a parade was all the Goetz hoopla lacked to make it into a proper festive event. After delivering their verdict, “defense attorney Nark Baker said the jurors asked for and received Bernhard Goetz’ autograph on their jury certificates.”24 In describing the degree to which subway gunman Bernhard Goetz was made a folk hero, Kenneth Clark has written: “As a society adjusts to, or rewards, its accepted cruelties and continues to deny their consequences, it makes heroes of lawless ‘respectables’ and in so doing develops a selective form of moral indignation and outrage as a basis for the anomaly of a civilization without a conscience.”25

For these reasons I think that we need to elevate spirit murder to the conceptual—if not punitive—level of a capital moral offense.26 We need to see it for the cultural cancer it is, for the spiritual genocide it is wreaking on blacks, in whites, and to the abandoned and abused of all races and ages. We need to eradicate its numbing pathology before it wipes out what precious little humanity we have left. As Timothy Mitchell, pastor of Ebenezer Missionary Baptist Church, observed in 1986: “What happened to Michael Griffith [who was killed in the Howard Beach incident] can happen to any of us . . . The issue is whether we are free to walk around in our city and be seen and accepted and protected as God’s children.”