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INTRODUCTION

AN ARMED SOCIETY IS A POLICED SOCIETY

In the summer of 2016, Philando Castile—a school cafeteria supervisor, a father, a fiancé, an African American—is driving his family in a suburb of Minneapolis. He is pulled over by police. This is one of millions of interactions that civilians in the United States would have with police in 2016, and it is one of dozens Castile himself has had over the course of his life. As police’s audio-recording just before the stop reveals, Castile is pulled over because the officer believes he fits the description of a robbery suspect.¹

Castile has experienced this kind of stop before. Aware of the rules of engagement when a black man is pulled over by police, he is careful to explain that he is lawfully armed: Castile is a concealed pistol license holder.

Castile understands that his license to carry a firearm is granted on terms shaped by his racial identity. He recognizes that, as an armed African American man, he foremost has to “comply” with police. His mother later recalled that, in a conversation on the very day he was killed, Castile insisted on compliance: “That’s the key thing in order to survive being stopped by the police.” His sister was apprehensive about being armed and black: as she told the press in the aftermath of her brother’s death, “I really don’t even want to carry my gun because I’m afraid they’ll shoot me first and then ask questions later.”²

And Castile strives to comply as he navigates the stop later that evening. Dissecting his movements for the officer, he explains that he is lawfully armed but not reaching for his gun; rather, he clarifies, he is removing his driver’s license and car registration for the officer. But attempting to submit to the law as a legally armed black man, Castile is put in the impossible position—what the former prosecutor Paul

Butler calls the “chokehold”³—in which complying with the law (e.g., reaching for his car registration, as demanded by police) means further submitting to its coercive power (i.e., being framed as an armed—and therefore dangerous—black man). For Castile, there is no space for compliance, no real opportunity to submit without being misrecognized as a violent threat; the officer is already holding Castile at gunpoint. By the time Castile exclaims, “I wasn’t reaching for it [the gun],” Officer Jeronimo Yanez of the Falcon Heights Police Department has already mortally shot him.

Castile’s killer had undergone twenty hours of “Bulletproof Warrior”⁴ training that taught him that police who hesitate on the job could end up losing their lives, and during that stop, he quickly decides to pull the trigger. That decision aligns with an ideology of gun militarism that stipulates black men as not just suspect criminals but dangerous gun wielders—rather than legally armed as Castile was. In the process, Castile’s right to keep and bear arms is done away with—the very right that many Americans, especially American conservatives, hold dear.

Nonetheless, the National Rifle Association (NRA)—despite fashioning itself as the bulwark of gun rights—only timidly speaks out about the case after being pressed by some of its members. Perhaps concerned about appearing antipolice, the organization euphemistically refers to “troubling . . . reports in Minnesota.”⁵ Nevertheless, as the case unfolds, some NRA members demand answers about an apparent racial double standard in defending the gun rights of Americans.

The proliferation of guns disproportionately harms African Americans who are feloniously killed, injured, and traumatized by them at rates that exceed manyfold those of other racial groups in the United States. Is it just a cruel irony of American gun law that, as African Americans turn to the very thing—the gun—that many in American society celebrate as the ultimate protection against violence and the ultimate indicator of full citizenship, they are more likely to be punitively harassed by the state—police stops, arrests, jail time, prison time, probation, and even death—on account of it?

A year later, Castile’s killer is acquitted of all major charges.

On the political right, some, such as the *National Review*, bemoaned the verdict as a “miscarriage of justice.”⁶ Some police chiefs told me that they were deeply troubled by the facts of the case and its outcome. Ultimately, though, it was the political left that defended Castile most loudly. By the time of his death, the Black Lives Matter movement had already become a major political force to spur public debate regarding the undue and unjust killings of people of color.⁷ Though the movement began in the aftermath of the acquittal of the private civilian George Zimmerman in the killing of Trayvon Martin, it soon became focused on the issue of police killings of people of color. Juxtaposed with local law enforcement’s initial decision to release George Zimmerman without arrest, Castile’s death intimated a lethal double standard in law enforcement’s treatment of armed civilians. Castile’s death electrified street protests and public outcry. *The Atlantic* declared Philando Castile, Alton Sterling, and other armed African Americans as “The Second Amendment’s Second-Class Citizens.”⁸ A *New York Times* op-ed, titled “Philando Castile and the Terror of an Ordinary Day,”⁹ implicitly conceded that gun carry was “ordinary” for Americans, even as “black people still struggle to hold on to the ordinary.” Memes proliferated that maintained that arming black people was a surefire way to enact gun control.

The racial politics of guns suddenly, but only momentarily, shifted the liberal left and the conservative right to otherwise uncomfortable sides of the gun debate in the context of Castile’s death. Because of the way race and gun rights intersected in this tragedy, the Castile case had the potential to create strange bedfellows and a different public discourse concerning race, guns, and policing. But ultimately, this did not and could not happen. Why not is the subject of this book.

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Philando Castile was not the only one who tragically died that summer week in 2016. A day before Castile was killed, two officers approached Alton Sterling and pinned him to the floor of a convenience store in Baton Rouge, Louisiana; one of the officers yelled that Sterling had a gun, and Sterling was shot to death. Then, the day after Philando

Castile died, protesters held a Black Lives Matter rally in Dallas, Texas. There, a lone gunman targeted police in a revenge ambush, allegedly in response to the spate of police homicides leading up to that day: five Dallas Police Department officers, including Lorne Ahrens, Michael Krol, Michael Smith, Brent Thompson, and Patricio Zamarripa, were executed while on duty at the protest, protecting the right of the people gathered there to peacefully protest—in this case, peacefully protest the police.

A few days later, I interviewed Chief Raymond (a pseudonym) in a wealthy white hamlet in Northern California. Chief Raymond was exasperated: “I am not sure what can be done. I think we need some kind of divine intervention, like a Mother Teresa.” I responded with my own exasperation at the run-up to the 2016 U.S. presidential election: “So, not Donald Trump or Hillary Clinton?” “No,” he responded, “we need divine intervention. A spiritual fix.”

Chief Raymond was hard to pin down during my hour and a half with him. He was skeptical about top-down government fixes, sardonically mocking his own chosen profession: “We’re the government, and we’re here to help!” In his view, people were “entitled” to own guns. He couldn’t help but believe that when guns are outlawed, only outlaws will have guns: “If you tell people they can’t buy guns, only law-abiding people are not going to buy a gun. I totally sympathize with that. Then the question is, what’s practical?” Guns were practical, it seemed, because guns had always been a part of his life, and so it was difficult for him to imagine life without them—not just for him, but for others, too: “I am totally comfortable with a gun. I have one at home. I lock it up at all times, but I have it at home. And people should be able to have it at home, and they should lock it up.” If people wanted to feel secure, he reasoned, they should be able to have guns, safely stored.

But when I brought up concealed carrying of guns into public, he seemed perplexed: “Carrying, that is a little more problematic. Philosophically . . .” There was an awkwardly long pause, which seemed to be interrupted by the weight of current events. He explained: “I put myself in the position from the perspective of law enforcement: where someone says, ‘I have a gun,’ and the officer says, ‘let me see your hands,’

and the guy reaches for a gun. Like what happened this last week in Minnesota.” He notably didn’t say the name Philando Castile, but we both knew what he was talking about. Then he shifted his frame of reference; he was now the concealed carrier: “I know that if I am stopped, my hands are on the wheel, and my hands are even out of the car if that’s what the officer wants, and I’m doing everything that officer wants me to do. He can even ‘felony’ stop¹⁰ me. Whatever he needs to feel safe.”

His commitment to law and order was steadfast, as was his condemnation of lackluster enforcement. Gun bans for people deemed prohibited possessors, like people with violent felony convictions? “If we stuck to it, it’d be effective! Somehow, people manage to get their guns back—it’s broken, like the courts.” Gun bans for people under domestic violence protection orders? “My sense is that the courts aren’t issuing them enough. They tend to minimize the severity and seriousness of domestic violence.” Outright bans on entire classes of guns, such as so-called assault rifles or magazines that can hold more than ten rounds of ammunition? “It is not effective at all. Once again, we have laws on the books already, but they are not being enforced. And no, those guns [assault rifles] don’t bother me.” Mandatory minimums for gun-involved crimes? “If someone goes away for twenty-five years because of a gun, that’s a deterrent. Sorry if we have to build bigger prisons. Ship them somewhere cheap, like Kansas or Wyoming. Warehouse them. I don’t care.” And he was bewildered by “all of the violence”—even, he admitted, cops “shooting people in the back.” But for Philando Castile and the question of gun carrying, he couldn’t give “a definitive answer except to say, it is extremely difficult to expect police officers to not use deadly force on someone they know to have a gun.”

GUN POLITICS AS THE POLITICS OF THE POLICE

Police are aware that guns are lethal tools that threaten emotional, physical, legal, and financial wreckage. They understand that guns irreversibly kill. They know that their working *and* personal lives are indelibly marked by having so many guns in so many hands. And they

recognize that problems, even high-stakes confrontations, can be—and often should be—solved without recourse to guns.¹¹ These sentiments are sometimes captured by newsmakers as evidence of police’s natural alliance with gun control, as suggested by recent headlines in the *New York Times* (“As states expand gun rights, the police object”), the *Washington Post* (“Houston police chief on gun control: If not now, when?”), *USA Today* (“Gabby Giffords’ gun-control group gets new law enforcement allies”), and elsewhere. From greater gun regulation, police stand to gain safer working conditions, enhanced enforcement tools, and clearer jurisdiction over their mandate as armed enforcers of the law.

The problem, though, with the assertion that police across the United States would be better off without the widespread proliferation of civilian guns is that *police themselves do not buy it*. An expansive Pew survey on police attitudes shows that police support gun rights, and in percentages that outpace the U.S. public.¹² The general public has been split 50–50 on prioritizing gun rights versus gun control, but police favor gun rights over gun control by a ratio of 3:1. Meanwhile, though police widely support gun tracking mechanisms—including expanded background checks—they also oppose outright bans. In stark contrast to the two-thirds support for an assault weapons ban among the general public, less than a third of police support the outlawing of these weapons.

It is easy to imagine how far fewer police and far fewer of *those policed* would be hurt and killed in the course of law enforcement work without guns in the holsters of civilians (or, for that matter, in the holsters of police),¹³ but police nevertheless appear willing to live with the consequences of a widely armed society. How and why do many police embrace expanded gun rights? For whom do they embrace gun rights? And what are the social consequences of this embrace?

We will never know how Chief Raymond would have actually reacted upon stopping a legally armed civilian. What we do know, though, is that he, other police, and the public in general have inherited particular, racialized ideas and expectations about perpetrators and victims, about blameworthiness and innocence, about chaos and social order. None of us created these ideas out of whole cloth, but most of us

have been raised and socialized to believe that they form an indispensable part of the society we live in. And, whether we like it or not, we are charged with navigating these ideas accordingly. To be clear, this is not an indictment of police except to the extent that it is an indictment of all of us; it is a recognition of the ways in which ideas about race constitutively shape our collective understandings of a wide variety of social phenomena, including the boundaries of legitimate violence.

Legitimate violence describes a kind of physical coercion that appears justifiable within the broader society where it takes place. As used in the context of this book, *legitimate violence* is not a normative term that justifies a particular act of violence; rather, it is a term that opens up the questions of *how*, *to what extent*, and *in what contexts do certain acts of violence become justified and thus legitimate*. The sociological approach in this book assumes that things are not simply as they appear to be; they are produced, and reproduced, through specific mechanisms and practices undertaken by real people, often coordinated by the social institutions they inhabit.

There are a number of ways violence can be justified—through law, justice, and authority.¹⁴ Classical sociology—starting with Max Weber¹⁵—has long held up the state as the institution uniquely charged with the prerogative to distinguish between legitimate and illegitimate violence, including violence occurring in the private sphere and enacted by private individuals. In the contemporary context, legitimate violence has included acts perpetrated by police in the name of law and order and by private civilians in the name of defense and protection. The legal and societal norms surrounding legitimate violence, of course, do not always line up: a violent act may be deemed lawful by the state but inspire massive public outcry—as in the case of Philando Castile’s death.

The controversy over designating certain acts of private violence as legitimate is at the heart of contemporary American debates about guns in society, including the proliferation of lawful guns into everyday life (e.g., gun carry), the vetting of individuals wishing to access guns (e.g., background checks), and the appropriate punishments for gun-involved infractions (e.g., enhanced sentencing for gun-involved crime). Roughly

330 million guns are owned by around one-third of American households; at least eighteen million Americans are licensed by their state of residency to carry a gun concealed, and millions more can carry under “permitless regimes”; 72 percent of Americans have shot a gun at least once.¹⁶ White American men are disproportionately likely to own and carry guns and find in them a source of empowerment;¹⁷ African American men also own and carry guns lawfully for protection and empowerment,¹⁸ but they are disproportionately likely to be involved in gun-involved crimes, whether as victims or suspects.¹⁹

Oriented around questions of legitimate violence, this book traces contemporary American gun politics, gun policy, and gun practice across state and society (and back again). It argues that race shapes not only how gun politics unfold but also how public policies regarding guns are mobilized to distinguish between legitimate violence and criminal violence. This distinction has profound consequences for how we live and die by, and how we debate and deliberate about, guns—whether guns on the hips of private civilians or guns in the hands of police.

By attending to racial frames of legitimate violence, this book claims that within the United States, coercive social control is organized by racialized understandings of gun violence. And it shows that, although the contemporary terrain reflects a historical legacy of racial domination in the United States, the racial delineations between *legitimate* versus *illegitimate* violence and between *public* versus *private* legitimate violence are actively reproduced and, at times, resisted.

Accordingly, this book centers on three key brokers that play crucial roles in staking out the boundaries of legitimate violence for private *and* public gun wielders. The first is the NRA. Although the organization is known for its transformation of the cultural and legal landscape of gun rights among private civilians, it has also advocated on behalf of police as professional gun wielders since the early twentieth century. The second is police chiefs. Although they may not be on the front lines of gun law enforcement in the sense of conducting regular stops and searches, they are uniquely and acutely attuned to the complex politics surrounding gun policy by virtue of their accountabil-

ity to their respective agencies, to the politicians who appoint them, and to the broader public on whose behalf they serve. The third is gun board administrators who issue, reject, revoke, and suspend gun carry licenses. Although gun boards exist in only a few states,²⁰ they provide a rare window into understanding how representatives of the state—here again, public law enforcement—broker the boundaries of legitimate violence for private civilians looking to wield legitimate violence in the form of a concealed firearm.

Each of these brokers provides a vital vantage point to unravel “gun talk.” Gun talk refers to the discourses through which we make sense of guns, including criminal guns and lawful guns as well as private civilian guns and police guns. Accordingly, gun talk provides a means of tracing sensibilities regarding the social dynamics of legitimate violence. Who has the capacity for it, and based on what statuses or qualifications? In what contexts? And according to what norms, justifications, or authority?

By studying the NRA, police chiefs, and gun boards, this book examines two brands of “gun talk” that link the politics of guns with the politics of the police: gun militarism and gun populism. I hope to convince the reader that these terms are more useful than the usual terms of the gun debate (i.e., “gun control” and “gun rights”) for understanding the surprising affinities and aversions among those invested in the politics of guns. Under gun militarism, the division between state and society is deepened with regard to legitimate violence, and this chasm is galvanized by racialized imagery of a “bad guy with a gun” to justify aggressive gun law enforcement. In contrast, under gun populism, the boundary between state and society is blurred with regard to legitimate violence, and the putatively color-blind imagery of the “good guy with a gun” is mobilized to justify expanded gun access. Always coexisting, oftentimes complementary, and sometimes dueling,²¹ these two racial frames serve as guideposts in mapping out contemporary gun talk. As such, they clarify the stakes in today’s gun debate. Much more than a disagreement over private gun regulation, the U.S. gun debate is fundamentally a debate about the license for and the limit of legitimate violence—of private civilians as well as of the state.

GUN MILITARISM

Since the 1960s, the war on crime has left urban America pockmarked with busted doors, shattered windows, and broken lives. A variety of government initiatives have deepened ties between the police and the military: local police departments have vied for military equipment; they have sought out training by military experts; they have recruited military veterans to fill their ranks. This transformation has been labeled “police militarization.” As the criminologist Peter Kraska describes, this is “the process whereby civilian *police* increasingly draw from, and pattern themselves around, the tenets of militarism and the military model.”²² What has resulted is a distinctive frame for understanding police-civilian relations in militarized terms, a frame that emphasizes a strong police monopoly on legitimate violence as the preferred mechanism to wage a war on crime. This book calls this frame “gun militarism.”

The “Warrior mindset” is a powerful starting point for understanding gun militarism. As the former law enforcement officer and legal scholar Seth Stoughton writes, this mindset “refers to a deep-bone commitment to survive a bad situation no matter the odds or difficulty, to not give up even when it is mentally and physically easier to do so.”²³ This mindset is what Philando Castile’s killer learned when he attended auxiliary “Bulletproof Warrior” training. According to a *New York Times* summary, the training treats police work as combat, portrays “a world of constant and increased threat to officers,” and encourages officers to fully embrace their prerogative to use force. (As the *New York Times* notes, the course labels as “myth” the notion that “the officer must use the minimal amount of force necessary to affect their lawful law enforcement objectives.”)²⁴ From the perspective of the Warrior, gun regulation becomes a mechanism to disarm the enemy, thereby stacking the odds in the Warrior’s favor.

With the Warrior brand of policing unleashed on urban streets across the United States, black Americans have learned from an early age—from the police who stopped, frisked, questioned, and arrested them as well as from parents and community members who struggled to

protect their lives and their childhood innocence²⁵—that their skin color made them suspicious; their clothing, body language, and words were under protracted surveillance for evidence of presumed criminality; and therefore there was no such thing as an unnecessary precaution in performing black deference to police authority. And although black and brown girls and women are frequently the target of police abuse, sexual assault, and violence and are denied status as deserving victims as compared to their white counterparts,²⁶ the specter of hyperaggressive, hypersexual masculinity became central to suturing criminality to blackness. Black boys and men are disproportionately likely to be stopped, frisked, arrested, incarcerated, and killed by state agents.²⁷

These were all lessons that Philando Castile knew well. As a legally armed black man, Philando Castile should have upset the stereotypes that stipulated black men as criminals (a felony conviction, after all, would have barred him from gun possession, let alone gun carry). Gun militarism nevertheless rendered his life unlivable because it left no room for firearms in the hands of private civilians already racialized as potential criminals. As a racial frame²⁸ used by public actors to define and demarcate the boundaries of public versus private legitimate violence, gun militarism reveals that the U.S. state is invested in a state monopoly on legitimate violence—at least with respect to the specter of racialized criminality.

But this is not the only frame of legitimate violence at stake in the United States.

GUN POPULISM

Millions of Americans carry guns every day. Many of them are stopped by police without incident. That reality raises the question of whether Philando Castile could have been understood differently—not as a threat to the prerogatives of law enforcement but as a collaborator in social order. From the perspective of gun carriers, this was often the purpose of a lawfully carried firearm: to provide a stopgap between those precious moments between a violent crime's commission and the

police's arrival.²⁹ From this perspective, Castile was not a threat to police or public safety; he was an asset. As an armed citizen-protector,³⁰ he was someone willing to use lethal force to save innocent life and, therefore, someone aligned with police in pursuit of public order or, at the very least, public safety. Accordingly, a license to carry *should* have provided a credential of respectability for its carrier.³¹

The notion of police looking to private legitimate violence as an asset rather than a threat may surprise some. It certainly goes against the commonplace presumption that the police are defined by “the gun and the badge,” so to speak. But it is entirely in line with much of the gun talk that the NRA crafts, that police chiefs embrace, and that gun boards enact. And it is also in line with American history.³² The historian Pieter Spierenburg reminds us that “in the United States as a whole and throughout most of its history, the social pressures favoring a monopolization of force have been weak in comparison with those in European national societies.”³³ In a book provocatively titled *The Six-Shooter State*, the political scientist Jonathan Obert argues that private and public forms of legitimate violence have co-constituted and reinforced one another in response to major social upheavals, from industrializing Chicago to the Reconstruction South to Western settlement.³⁴ Even the earliest forms of U.S. state-making—namely, Anglo settler militias who violently pushed the lines of U.S. sovereignty deeper and deeper into Native lands through dispossession and genocide³⁵—often took the form of private initiative in pursuit of public interest. And in the contemporary period, scholars studying phenomena as diverse as a “no rules” weapons fighting groups, borderland militias, and armed citizen patrols find that legitimate violence percolates across state and society, often buttressing state prerogatives in the process.³⁶

We risk sketching out a very incomplete picture of the contours of legitimate violence in the United States if we focus exclusively on gun militarism. The opposite of gun militarism is not merely a *lack* of aggressive policing. Rather, it is a different way of demarcating legitimate violence and of understanding the significance of guns in private possession, which I unravel in this book as “gun populism.”³⁷ Gun populism

helps explain why much of law enforcement supports expanded gun rights; why many police see armed civilians as collaborators in fending off threats; and why the celebration of “good guys with guns” enhances the legitimacy of police and private wielders of violence alike. Under *this* brand of gun talk, armed civilians are not threats but assets to the state, and police, for their part, understand themselves not so much as Warriors who hunt criminals but as Guardians who save victims.

Gun populism is embedded in an alternative, and underappreciated, policy impulse of the war on crime. Since the 1980s, firearms laws involving gun carry (such as “shall-issue” laws) and the defensive use of guns (such as Stand Your Ground) have largely expanded gun access and use. As with “tough on crime” politics that embolden the state to punish criminal offenders, this set of policies champions the rights of law-abiding civilians over those of would-be criminals. However, these policies presume the state’s incapacity to solve the problem of crime for ordinary Americans.³⁸ Unlike gun militarism, which deepens the divide between police and private civilians with respect to legitimate violence, gun populism blurs this line by recognizing certain forms of private violence as legitimate, often in an effort to protect “the people” from threats from below (e.g., political, economic, and cultural threats posed by marginalized groups) and above (e.g., political, economic, and cultural threats posed by elites).

Gun populism often appears alongside color-blind ideals of lawfulness and innocence that nevertheless reflect values, dispositions, and sensibilities associated with whiteness.³⁹ Indeed, the very expectation that one’s gun will be recognized as legitimate is one example of why the legal scholar Cheryl Harris⁴⁰ sees whiteness as a form of property that can compel certain kinds of recognition from legal authorities. While most policing scholarship reduces race to black and brown bodies, gun populism urges us to unpack the relationship among whiteness, legitimate violence, and policing. Despite its naturalized invisibility,⁴¹ whiteness is a contingent social achievement⁴² that does not merely disadvantage some but also “craft[s] advantages”⁴³—for example, the

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