

# **Activism, Civil War, & Insurrection**

**#BLM, The NYPD Police Union Strike and Ismaaiyl Brinsley**

Institute For The Study of Insurgent Warfare

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The NYPD police union strike of 2014–15 captured headlines around the USA. Its novelty owed to the perceived irony of law enforcement officers responding to a violent attack not by “cracking down” on crime, but by withdrawing from auxiliary policing functions to find safety in numbers and limited exposure to civilians. Of the 51 law enforcement officers (LEOs) killed 2014,<sup>1</sup> the assassinations of officers Ramos and Liu by Ismaaiyl Brinsley generated a unique response. We will analyze this response in order to illuminate distinctions between activism, crime, and insurgent activity in the context of Empire in the United States today. Of this report’s many weaknesses, the greatest is its inadequacy as any sort of persuasive essay. We do not know very much about Ismaaiyl Brinsley, first of all, and all of what we have learned has been articulated once already by institutions with heavy ideological investments in popular myths and master narratives that firmly segregate principled political agents from sick and subaltern criminals. The radical left, who are familiar with being painted as insane and irrelevant, seem even more eager to pathologize Brinsley than the mainstream news media. In addition to fielding limited information, we acknowledge that our readers almost certainly have a comparatively heavy ideological investment in their analysis of war and policing, and especially in the role of law enforcement as it stands in relation to peoples’ movements, capital, and the state.

For ease of reference, we are informed by Hardt and Negri’s *Empire* and its sequels because they situate war and policing as the ontological foundation of contemporary politics, rather than war as a distinct state of exception to peacetime, or policing as an operation distinct from warfare. As they put it, what “is specific to our [post-modernist] era ... is that war has passed from the final element of the sequences of power-lethal force as a last resort-to the first and primary element, the foundation of politics itself... The constant and coordinated application of violence ... becomes the necessary condition for the functioning of discipline and control:’ While we agree with Hardt and Negri’s assessment that war has “become virtually indistinguishable from police activity;’ it is not our intent to make this argument for them.

An ontology of war encourages us to focus on what little we do know about the material dynamics of conflict surrounding Brinsley’s attack because Brinsley effected a substantial disruption of the constant and coordinated application of violence in an American metropolis. Like occupation troops abroad, who are tasked with everyday securing Western interests in the midst of a hostile general population, police forces in American cities are responsible for applying coordinated violence to deviant or minority populations, either through containment policing, profiling, or more involved operations like slum clearance or-or as it is known nowadays-gentrification.<sup>2</sup>

An ontology of war is accompanied by a transition from inter-national defensive warfare to supra-national global security. This transition supposes that our lives are shaped less by violent efforts to preserve the status quo, and more so by the tendency of warfare to produce our worlds instead of just destroying them. “Both within and outside the nation, then, the proponents of security require more than simply conserving the present order... Security requires rather actively and constantly *shaping the environment through military and/or police activity*. Only an actively shaped world is a secure world:’ We consider Security to be the conceptual opposite of Insurrection. Security supposes determination and predictability whereas Insurrection predicts the absence thereof.

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<sup>1</sup> FBI preliminary numbers. Full report forthcoming fall of 2015

<sup>2</sup> Short Circuit: Toward an Anarchist Approach to Gentrification

Brinsley's attack generated a unique response from the NYPD as a discreet entity, but it resonates more widely as an attack which threatens every Western city's reliance on the everyday activity of municipal police departments to shape and secure their environments for production and capital circulation.

## **ISMAAIYL B RINSLEY**

“The rise of Empire is the end of national conflict, the “enemy” now, whoever he is, can no longer be ideological or national. The enemy now must be understood as a kind of criminal, as someone who represents a threat not to a political system or a nation but to the law ... the “enemy” is simultaneously “banalized” (reduced to an object of routine police repression) and absolutized (as the Enemy, an absolute threat to the ethical order)”

-Antonio Negri and Michael Hardt, *Empire*

On December 23<sup>rd</sup> of 2014, Ferguson Action wrote that “a troubled young man who began his day by attempting to kill his ex-partner, shot two officers and then killed himself has nothing to do with a broad non-violent movement for change” as part of a communique affirming the continuation of movement activities and decrying the police union's attempts to blame the #BLM movement for inspiring the murder of two police officers in NYC. It was signed by 20 movement organizations. Mainstream presses take a similar angle with regard to Ismaaiyl Brinsley, press releases have included reports that the cop killer is alternatively, or consecutively, Muslim (re: an Islamist or terrorist), “mentally-challenged;’ a gang member, a career criminal and suicidal, in attempts to distance him from the #BLM movement and society as a whole. His own family is quoted as describing him as estranged and in need of “help;’ presumably psychosocial support from the justice systems of Ohio and Georgia, where he served time in prison. He is an aberration, construed as a risk to be managed both by self-described “non-violent movements” and the violent authorities they oppose. He is not a part of any movement. He is pathologically deviant from- and dangerous to-a status quo which assimilates progressive nonviolent critique of its institutions into itself.

In spite of this double exclusion, Brinsley's memory has been afforded many words of support and gestures of solidarity, from individuals on social media, from participants in demonstrations, and from copycat killers and imitators, but organizations cannot express support for him, or even publicly reflect on his actions without fear, or assurance, that they would experience retaliation for his attack or future attacks on police. As a result, presses and spokespersons from all sides take care to avoid drawing lines between Brinsley's attack and the #BLM movement. Neither authorities nor movement organizers are willing to acknowledge that Brinsley's actions might have been motivated by the #BLM movement. For the authorities, this is a discursive attempt to discourage copycat cop-killers; For movement organizers, it may be an attempt to maintain the illusion of control over a decentralized movement by refusing to acknowledge that violent attacks can logically follow from nonviolent protest.

Brinsley faces several layers of exclusion and estrangement even after his actions have been condemned as criminal and immoral. First, the mainstream media denies him the opportunity to have acted purposefully by pathologizing his person and ignoring any justifications for his actions.

Second, movement organizers denounce his actions as anti-social and aberrant to progress. Third, the events that he catalyzed are captured by the NYC police union (Police Benevolent Association or PBA) and the media as part of a localized political power struggle between the PBA and New York City Hall, one which is largely irrelevant to the material dynamics of conflict between poor people and the authorities that exist in American cities today. The ISIW's business is to articulate and reflect on those dynamics when they become apparent in American cities as much as in the material dynamics of conflict in the Middle East and North Africa. We believe that the underlying dynamics of conflict between poor communities, State actors, social movements, policing and the prison and military-industrial complexes have become more apparent in the wake of Brinsley's attack in spite of the reluctance of institutions closest to the center of the conflict to acknowledge them.

Movement leaders and the authorities would like us to believe four things: that Brinsley's actions were antithetical to progressive social change; that the ongoing conflict around policing is between social movements and political authorities-most often political figures, and public policy-makers; that Brinsley was anti-social-in its broadest and most consequential ways; and that he exhibited signs of madness which drove him to attack irrationally, that we should (perhaps) sympathize with his afflictions but resist identifying with his subject position.

We are here to take quite-unpopular positions, and ones which are mostly absent from analysis of the Brinsley attack. First, Brinsley's attack effected the most substantial disruption in the coordinated oppression of minority Americans by the authorities in decades. Second, the narrative of social movements coming into conflict with political authorities by way of the police does not accurately describe the dynamics of conflict between poor people and the police. Third, that anti-social behavior should be expected and, to some degree, appreciated as a desperate attempt to throw off the shackles of an oppressive and cannibalizing social body.

Fourth, that Brinsley's so-called madneses, pathologies, and afflictions are anything but unusual and-as such-are more recognizable as an inventory of the daily struggles of many of the subaltern Black men who compose a fair percentage of those who resist the good health and self care of petty-bourgeois hegemony. Our business is not to determine if Brinsley was or was not a part of #BLM, nor to judge his choices as right or wrong. It should be made clear, however, that we consider #BLM to be one part of the dynamics of conflict between people of color and the police, and not vice versa.

## **ATTACK**

“ ... any member of the population could be a guerrilla fighter, and the attack can come from anywhere with unknown means. Guerrillas thus force the dominant military power to live in a state of perpetual paranoia. The dominant power in such an asymmetrical conflict must adopt counterinsurgency strategies that seek not only to defeat the enemy through military means but also to control it with social, political, ideological, and psychological weapons:’

-Hardt and Negri, *Multitude*

What we know about Brinsley's attack is that he argued with his girlfriend or ex-girlfriend earlier that day near Baltimore, and ended the argument by shooting her in the abdomen. He

posted to twitter that he was going to “put wings on pigs” in retaliation for the deaths of Mike Brown and Eric Garner. Then he moved to Brooklyn, NYC, and encouraged two pedestrians to follow him on Twitter. Later that night he fatally attacked two police officers sitting in their patrol car. He left the scene and was found dead in a nearby subway station—the result of a self-inflicted gun shot wound.

His attack was unlike most attacks that result in police fatalities. He was not cornered or confronted by police directly. He did not confront them in any “meaningful” or symbolic way before showing his cards. He did not provide a manifesto or formal communique. He made no serious attempt to evade police capture. His attack was not “organized;” either in concert with a cell, gang, or other coordinated body, nor does there appear to have been substantial planning preceding it. He traveled relatively far from home. He made no demands that we know at the time of this writing. He espoused no ideology that we know of at the time of this writing, except that his actions were in retaliation for the killings of Mike Brown and Eric Garner.<sup>3</sup>

Of course we don’t know any details regarding what life experiences influenced his decision to act that night, and no person or organization that we know of is taking responsibility or offering insight. This may be because those parties most invested in shaping the discourse around reform of police and police impunity have nothing to gain, and a great deal to lose, by sharing any information that contradicts his characterization as a mad belligerent. We suspect that he elected to travel far from home in order to mitigate police retaliation felt by his friends and support people in Baltimore.

It’s unclear if his actions were “suicidal” in the sense of a suicide bombing or frontal assault against the police. It is likely that he did commit suicide, but his announcements on Twitter leave us ambivalent with regard to his intentions. It is unlikely, for example, that he would announce his intentions if he expected to survive, but it is also unlikely that he would encourage pedestrians to follow him on Twitter if he didn’t expect to make at least one more post. One salient possibility is that he expected to escape the scene by blending into subway traffic, but didn’t anticipate that the authorities would be able to freeze the trains as quickly as they were able to.

## RESPONSE

In response to the attack the NYPD and the PBA of NYC have been outspoken and prolific in their communications with the public, but the immediate and ongoing logistical responses from beat cops have been relatively simple. The discursive responses are not to be disregarded but, in this case, as in many cases, discursive production may work to obfuscate the material dynamics of conflict rather than elucidate them. We must understand the public statements of the authorities as operations performed toward a strategic end rather than expressions of genuine sentiment or collective emotion.

First, before the attack, the Baltimore PD was notified by more than one of Brinsley’s Twitter<sup>4</sup> followers of his intentions. The Baltimore PD released a regional advisory and the NYPD issued an APB containing a description of Brinsley and urging officers to take extra precautions until he was apprehended.

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<sup>3</sup> The New York Times: Two Officers, Ambushed, are Killed in Brooklyn. 21 December 2014, pA1 . URL: [www.nytimes.com](http://www.nytimes.com)

<sup>4</sup> Some accounts say Twitter, some say Instagram.

After the attack we know that the NYPD went on “strike” -officers declined to pursue broken windows citations, quality of life infractions, traffic stops, public housing walk-throughs, stop and frisk stops, and other forms of wide-net interpolation and processing of petty crimes, specifically in poor neighborhoods. A more telling component of the strike, however, is that the NYPD refused to respond to any call with fewer than two squad cars each occupied with two officers. This means that the NYPD’s capacity to answer calls of any nature has been cut in half, as LEOs are traveling in heavier concentration to deter further attacks against them by maintaining their ability to call for backup and return fire.

It is possible that the NYPD expected the city to descend into chaos following the announcement of their strike, which would have presented them with incredible leverage over city hall and the general public, but nothing of the sort occurred.<sup>5</sup> Instead, the NYPD responded to the attack the only way that they could, by limiting the vulnerability of the perceived targets (all LEOs) to an unknown and widely distributed threat (people with grievances against the police).

There are at least three things happening here, and their conflation affords us an inadequate analysis for understanding police tactics and insurrection in NYC. If we can sort the responses of LEOs in the aftermath of Brinsley’s attack, we can see more clearly which responses present as the maneuvering of an occupying army, which we will refer to as the NYPD “tactical” response, the political jockeying of the police union, and the infighting between the heavy concentration of law enforcement agencies on the East coast. We are most interested in the tactical response of the NYPD, because it is the tactical response which most directly affects the lived experience of people on the ground, it is the least analyzed, and it is the only arena for speaking directly to the possibility of producing police withdrawal-or retreat-from our lives.

## POLICE AND POLICING

“What is distinctive and new about the claim that politics is the continuation of war is that it refers to power in its normal functioning, everywhere and always, outside and within each society... This war brings death but also, paradoxically, must produce life ... daily life and the normal functioning of power has been permeated with the threat and violence of warfare:’

-Hardt and Negri, *Multitude*

While we are always tempted to dissolve beat cops into an abstract conception of Policing as a category, here we are referring to a police department, the NYPD, and to other municipal police departments as distinct from other law enforcement agencies, military units, parole officers, social workers, psychiatrists, and PEAK teachers. We will situate the NYPD in a context of global security and productive warfare but only after establishing a few things about its organization and orientation.

Regardless of their supposed structural functions or imperatives, the first organizational imperative of any organization-like any organism is to ensure its own survival; its continuity as an organization. The police are no exception; whether we consider LEOs to be civil servants or slave catchers; protectors or oppressors of populations. The responses of police departments

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<sup>5</sup> Police strikes do not result in a descent into chaos. Wikipedia carries a relatively thorough list of police union strikes for further reading under the entry “Police Strike.”

to the murder of police officers are motivated by political conflict only after concerns of self-preservation, shared interests, and objectives have been exhausted.

The strongest predictor of how a police department will react to an attack on an officer is the nature of the threat to their lives. Discursive and political operations follow from material dynamics, not vice versa. A live threat that has not been neutralized, of course, captures the full attention of a police department, and this department's first priority will be to neutralize the threat and, until the threat is neutralized, insulate themselves from attack. While this might sound too obvious for words, police departments have developed the capacity to act with impunity and in their own self-interest as a result of generations of maneuvering and capacity building, often to resist liberal progressive attempts to bring them into the service of minority American people. That the full mobilization of multiple law enforcement bodies toward the elimination of a single threat who is only a threat to police officers and not the public seems normal belies the degree to which police departments have successfully maneuvered themselves into a position of operating with a great deal of autonomy from political authorities. Cops have always traded other people's freedom for pay, and rhetorical attempts to brand them as free men at the service of the American people barely blur Machiavelli's characterization of the mercenaries and auxiliaries who "have no other attraction or reason for keeping the field than a trifle of stipend ... " Their power is amplified by an ontology of war that positions police departments as an integral part of the constructive processes that shape docile subjects in American cities, a responsibility that many municipal police departments resent, as we'll discuss later.

## **THREAT STATUS**

In the case of a live threat, we're reminded in recent years of officer Christopher Dorner (2013), Eric Frein (2014), Christopher Montfort (2009), and James Boulware (2015). All four were in response to attacks perpetrated by individuals with grievances against the police. All four produced manhunts; some produced civilian casualties. All generated enormous expenses, collateral damage, and a substantial disruption of everyday policing for their duration. In Dorner's case the entire LAPD and many proximate law enforcement agencies worked around the clock for over a week to find and eliminate him. Eric Frein's attack was met with at least 1 000 officers for about seven weeks. Boulware captured the full attention of the Dallas police the night of his attack until they ended negotiations by shooting him in the chest. Montfort was shot and paralyzed when he brandished a weapon at officers investigating a lead on his vehicle. Brinsley's attack did not produce a manhunt; he was found dead shortly after his attack.

For a state-sponsored military unit engaged in asymmetrical warfare, exposure does not refer to detachment troupes' exposure to the elements, but to a threat that is mostly unseen, whose survival depends on its ability to choose when and how it is exposed to hostile forces. Guerilla armies hiding in rural regions of northern India or southern Mexico learn to live off of the land and coordinate near constant movement of fire teams and support systems. Urban combatants blend in to civilian life and present as a hostile threat only when the circumstances and terrain are heavily in their favor. Because of the difficulty associated with rooting out and neutralizing every hostile threat within an unfriendly general population, military units engaged in security operations focus on limiting exposure to hostile threats and maximizing force protection: their ability to preserve their fighting potential. All of the police responses used as examples under the

preceding heading of “threat status” increased LEOs exposure to the threat (Dorner, Boulware, Montfort or Frein), but only because the threat was at large. For a military unit involved in asymmetrical warfare, the only thing worse than entering the line of fire is allowing a threat to relocate and strike again.

Manhunts consume inordinate amounts of resources for occupation troops, by measure of money or man-hours they are on another order entirely from the resources deployed against them. A police force must coordinate ground troops with aerial observation, armored vehicles, and intelligence operatives under a central command, as well as solicit leads and tips from the public by offering cash prizes and disrupt patterns of everyday life in affected areas with barricades, checkpoints, walkthroughs, interrogations, and intimidation tactics. Recall that these individuals were not threats to citizens, but rather were expressly committed to harming exclusively police officers.

Another crucial piece of actionable intelligence for the police is whether the threat is isolated to an individual or shared by a group. Dorner, Frein, Montfort, and Boulware, for instance, all acted alone, they were each, individually, the threat at large, and once they were neutralized policing could resume as usual. Like Brinsley, they carried grievances that are shared by many Americans, but they acted alone. The crucial difference between Brinsley and our other examples, is that he referenced Eric Garner and Mike Brown in his social media, and ensured that his actions would be considered as taking sides in a conflict “They take one of ours. Let’s take two of theirs” (emphasis added). In this way, Brinsley’s attack falls into the same category of threat as a revolutionary cell who appeals to a real or imagined population of comrades or sympathizers, except, unlike most rebel communiques, Brinsley’s message was echoed by thousands of people over social media.

Another determining factor is the legibility of the threat, whether motive and impetus can be defined, whether a profile of the assailant can be constructed and analyzed. If a threat can be defined as an individual or an organization, the response to that threat will be against an individual or an organization. When the only intelligence available to the police is the neighborhood in which an attack occurred, responses to police murder find tactical precedent in the play book assigned first to regressive forms of colonial rule, that is that *the colonizer’s retribution is always ten times as severe as the oppressed people’s attack*. For this reason we are compelled to posit that Brinsley may have elected to travel from Baltimore to NYC precisely to mitigate the severity of the retribution that people in his Baltimore neighborhood would face.

When an assailant appears to have attacked as one of a people or community, the police response will be against the culture or community. This dynamic of conflict is ubiquitous in colonies in conflict with their indigenous populations, apartheid states in conflict with oppressed populations, and black neighborhoods in conflict with the police or other white supremacist bodies in the USA. The logic is one of breaking the spirit of populations, to make it by some extension unethical and suicidal for any person or people to attack the occupying force because any attack will return ten-fold the misery and suffering upon the general population.

When a threat is perceived as being endemic to a population or circumstance, many tasks of policing fall to the legislative, technocratic, and political spheres, where politics continue the war by other means. This is not unlike a progressive critique of the drug war and mass incarceration. But we do not mean that legislation, technology, and politics are oppressive to minority groups, we mean that they perform operations to produce docile subjects by continually constructing hierarchies through violent intervention in everyday life. We consider a municipal police department like the NYPD to be performing a function that parallels that of occupation soldiers

engaged in projects of nation-building abroad, in abstract terms: the production of docile bodies and populations out of subjects who are potentially hostile to their assimilation into late capitalist modes of production. The production of docile bodies is far less romantic than the popularized notion of “winning hearts and minds” in the publications of military strategists and think tanks.

Hardt and Negri cherry pick the term “full-spectrum dominance” from the Rand Corporation to describe the tendency of effective counterinsurgency to rely not only on negative techniques like assassination and violent intervention, but “positive” techniques to coercively change the enemy’s behavior. “Counterinsurgency, in other words, must not destroy the environment of insurgency but rather create and control the environment:’ (Multitude, p58) The American metropolis is not an exception to this rule, in fact, it has practiced implementing this rule for generations. What better examples of productive warfare can be found than the construction of the project towers in Chicago and the containment of their residents or the involvement of police advisors in every phase of the contemporary gentrification process? Intensive and careful policing is necessary to protect the investments of the financiers in gentrifying neighborhoods just the same as military intervention is often needed to secure entire regions of the world for resource extraction as well as industrial or agricultural investment.

The components of full spectrum warfare are intended to prevent attacks like Brinsley’s, and for the most part they do. Assassinations of police officers are rare. LEOs are much more likely to die accidentally than in combat with a suspect or assailant. “Unprovoked” attacks on police are even less common. The positioning of various law enforcement agencies and their degrees of exposure produce different-and occasionally conflicting-tactical inclinations. It is enough to note, for now, that the police responses to other attacks on police do not include anything resembling a police strike, even though their perpetrators planned their actions much more carefully than Brinsley apparently did, were better armed, more outspoken, and more dangerous than Brinsley was.

## **ANALYSIS**

This strike is a political maneuver against city hall as well as a tactical maneuver by the NYPD in response to Brinsley’s attack.

Police strikes are not unheard of, but are usually genuine labor disputes with demands for better pay, funding or benefits. One police strike, from Milwaukee in 1981 was in response to the combination of an officer’s murder and the “unsupportive” comments of a city official. Striking officers at that time chose to abandon their posts and close police stations rather than maximize their force protection. Several police strikes in the last few decades have incorporated financial limitations to reasonable force protection in their demands.

Common tactical responses to attacks on the police include grand juries (when the assailant is unknown but some amount of suspect profiling is assumed possible), manhunts (when the assailant is known and at large), cover up (when any press is bad press), task force infiltration and counter-attack (when the assailant is known to be or have been a member of some organization at odds with the police), and the regressive imperial model (grab anyone from the same neighborhood and punish them as though they attacked you). These and other responses are chosen according to the results of an agency’s threat assessment, target assessment, and target vulnerability.

The tactical precedent for the NYPD's response does not come from another American police department, but from American occupying forces in Baghdad, from the Assad regime's forces in Damascus, from any occupying force's imperative to consolidate forces when it is overextended and focus on protecting primary transit corridors and supply routes from disruption by an unfriendly *general population*.

If we reassess what little we know about Brinsley's attack we can see the difficulty facing the NYPD, and the relevance of their tactical response:

**Subject:** Ismaaiyl Brinsley

**Status:** The assailant, Brinsley, is dead of a self-inflicted gun shot wound.

**Organizational Affiliation:** None. However, he expressed solidarity with Eric Garner and Mike Brown, both heavily publicized officer-involved deaths.

**Background:** The assailant's profile is lacking substantially in detail. His family members were distant, his friends hard to find, and several conflicting and unverifiable portraits of the assailant emerged. He served a series of sentences in various corrections and rehabilitation facilities. He may have lived in Brooklyn in his childhood. He chose his victims, apparently, opportunistically.

**Action:** Consolidate police capacity to project force along major thoroughfares. Advise all uniformed officers to minimize exposure to civilians, respond to calls only if a minimum of two cars and four officers are available. Stay alert and keep moving.

Law enforcement agencies follow relatively standardized templates for gathering information and producing intelligence in national security and inter-agency contexts. Agencies are expected to inventory threats, produce threat assessments, target assessments (the targets that LE anticipates the threat will pursue), and target vulnerability (both exposure to a threat and vulnerability to persuasion/coercion). Brinsley's case breaks any sophistication available to templates for intelligence gathering by introducing an unwieldy threat inventory that is not confined to a jurisdiction (remember that Brinsley traveled from Baltimore to NYC). This leaves the NYPD reliant on federal authorities and the authorities of other jurisdictions to warn them of threats to their personnel.

Brinsley's case also breaks a police force's expectation of producing a threat assessment. Brinsley had a record, certainly, but there are millions of people with arrests living in the USA, and they all have reasons to hold grudges against the police. What's more, there are thousands of threats made against the police over social media that are never followed up. In the days following his attack, the FBI reported a "staggering" number of reported posts to social media that were considered direct threats on the lives of law enforcement. There are far too many to follow up on in person, although some agitators have-at great length-earned personal attention.<sup>6</sup>

We have already mentioned that the target assessment, being LEOs in general, is too broad for intelligence purposes. So we can understand the NYPD's response to Brinsley's attack as one which focused exclusively on target vulnerability, in this case the exposure of individual targets (LEOs) as they performed their duties.

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<sup>6</sup> Such as Jeremiah Perez of Colorado Springs who was arrested for threatening to kill LEOs and retired LEOs in retaliation for instances of police brutality in late 2014. [www.thedenverchannel.com](http://www.thedenverchannel.com)

Months before the attack, we know that officers of the NYPD and many police departments across the country lamented their orders to play “hands off” with street demonstrations against police murder. Those orders originated in Homeland Security national protocols generated in response to Occupy Wall Street demonstrations. The Department of Homeland Security, alarmed by the diverse public sympathy generated by spectacular confrontations between police and peaceful demonstrators across America, and especially in NYC, coordinated police attacks on OWS encampments and surveillance of agitators and organizers, while urging police departments to avoid direct confrontation whenever possible.

Even prior to Brinsley, local PDs begrudged their orders to play by those protocols. The emerging #BLM movement is and was directly hostile to them. Official movement organizers and spokespersons espoused relatively reformist demands like better police training and psychological evaluations, participants in #BLM accredited actions were almost as likely to espouse radical and abolitionist stances in place of the party lines. The precedent had also been set for law-abiding demonstrations for the victims of police violence to set the stage for rioting and other large scale civil unrest.

As is often the case in a budding insurgency, ground troops or beat cops sense threats to the dynamics of the conflict they navigate before the authorities that oversee them. The #BLM movement has not led the police to behave badly because it is an ideological threat to policing and white supremacy, but because it is a material one, against their logistical capability to keep their troops safe in hostile territory. OWS threatened police patience with privileged dissent but, like most leftist movements, identified the police first as workers of the 99%, whereas #BLM identifies the police as murderers and white supremacists worthy of direct confrontation.

In short, there is conflict between political bodies that has intensified in the aftermath of Brinsley’s attack, but these conflicts are not defined by a union acting in retribution against its bosses, but a militarized force requesting authorization to put down the only pseudo-organization to whom Brinsley’s attack can be attributed: the #BLM demonstrators. Brinsley has exploited a key discrepancy between the perspective of NYPD occupation soldiers in NYC and the perspective of their nationally-coordinated command. Beat cops know and feel their exposure and have an imperative to scatter the movement, to suppress anti-police messages, the NYPD has an imperative to protect their officers and avoid escalation, and federal authorities are inclined to gather intelligence on movement organizers and draft contingency plans in the event that the #BLM movement continues to grow in number, or change in character.

In the broadest of strokes, the police kill and arrest criminals to control populations. Federal authorities are tasked with responding to threats to national stability and inter-state criminal activity. Federal authorities have developed sophisticated protocols for intervening in social movements (including COINTEL, the Miami Model, and Occupy Doctrine), just as police departments have developed robust strategies for controlling populations (of which profiling and killing unarmed people is one component). It could be argued that much of the logic of global security follows from the tradition of policing poor communities in the USA, not vice versa, as supranational interests take on the practice of intensive policing and occupation around the globe. The deaths of two police officers is not a threat to national stability, but a decentralized movement against police officers might be.

What the police in NYC have sensed before federal authorities, is that this movement is one that is not only fomenting anger against the police, but articulating resistance to their presence as part of a widely distributed culture of resistance to the everyday shock troops of discipline on

the home front of Empire. This happens in spite of movement spokespersons at this time, not because of them. So while Brinsley may have emerged from a blind spot to federal authorities, beat cops sensed the threat to their safety before his attack. The only target available to them is the #BLM movement, but federal orders forbid the police from putting down the movement demonstrations in any of the ways that come naturally to a colonizing force or regressive imperial power.

It is difficult to imagine amidst the stream of spectacular images of repurposed military equipment and assault weapons emerging from police attempts at repressing #BLM demonstrations, but the police have restrained themselves thus far. Chatter from LEOs out of uniform suggests that they would feel safer if the #BLM movement were routed, not tolerated. What we are seeing is not a merciless crackdown on the #BLM movement, but a class of municipal police departments torn between the imperatives of their discreet organizational form (a police department), the imperatives of white supremacist networks, and the demands made of them by Empire: to produce docile bodies out of dangerous classes of poor, oppressed, and dispossessed people. Of course these categories are not distinct, but we must understand that a police department has an imperative to avoid escalation of conflict because the potential for retaliation against the police department includes every officer. Networks of white supremacists (which include LEOs), however, are out of uniform, and perform their attacks anonymously, so patterns of escalation can be asymmetrical and irregular, just like a guerrilla band.

The federal response to Brinsley's attack has not changed dramatically from their response to the #BLM movement in general. On social media, thousands of people have insinuated or made violent threats against the police or explicitly embraced the actions of Ismaaiyl as heroic, timely, and relevant in words as simple as those of Bassem Masri's internet-famous masked comrade: "You call him a terrorist, I call him a motherfucking hero."

The FBI has announced that they are "tracking" these threats to "evaluate the mental soundness" of the individuals who make them. Their presumption is that assassins consist of people who are on the edge with little to lose, and that the likelihood that a given individual will put such threats into practice is assessable through casual questioning or light interrogation. There is no threat profile of an assassin, not even a handful of profiles.

According to the Secret Service, who focus primarily on asset protection (like public figures) and preventative intelligence (like producing threat inventories), assassins and would-be assassins are notoriously impossible to profile. Assassination attempts are usually only thwarted when would-be assassins announce their intentions *and* demonstrate credible evidence that they are following through on their plans. If Brinsley had intended to plan and kill a police chief, perhaps he would have been monitored and stopped, after informants could demonstrate that he had both motive and means to follow through. But Brinsley said himself that any badge will do: "They take one of ours, lets take two of theirs:"

Both sides, cops and organizers, are determined to convince us that Brinsley has nothing to do with the #BLM movement, and they're both obviously wrong. Brinsley did what he did, in part, because he was moved by the sentiments expressed by contemporary movements against police impunity. He saw his actions, to some extent, as partisan soldiery-even if it is not perfectly clear to us whom he considers to be his friends (Black people? Poor Black people? The American people?) it is perfectly clear than he considers all police officers to be enemies. He wanted people to know what he was doing ahead of time, he even told random bystanders to follow him

on Twitter minutes before killing Ramos and Liu; he knew his actions would be celebrated by some, if not all, of those who oppose the police. And they have.

What he might not have known is even more astounding. His actions were as effective as any four bullets in any peoples' movement on record. The NYPD "strike" means that quality of life for thousands of NYC residents immediately improved, and the prison industrial complex was starved of new inmates from within the city's jurisdiction. The Policemen's Benevolent Association (PBA) called for the slowdown allegedly in response to "lack of support" from Washington and City Hall in the Grand Jury proceedings regarding Eric Garner, but came in the immediate aftermath of Brinsley's actions. The PBA's line is that D'Blasio's lack of support encouraged Brinsley to go on the offensive, but Washington and City Hall, clearly, did not inspire Brinsley to kill those officers, but the movement against police impunity did.

The tactical response to Brinsley's attack has been a re-centering of force protection along major thoroughfares to minimize police exposure to civilians and protect everyday transit and commercial interests from significant disruption. That's it; and the opportunity afforded by the absence of uniformed police officers in the daily lives of New Yorkers is one way that an insurgent might measure the effectiveness of Brinsley's attack. The NYPD's withdrawal from their role in producing safe city streets through stop and frisk and broken windows, in particular, handed a profound degree of agency and potential autonomy back to the people of NYC.

The political response to Brinsley's attack is the PBA "strike" and character assassination of Mayor D'Blasio. The strike was intended, ironically, to demonstrate that the police union is above the law. This is not a new police tactic. Many police strikes on record are of police officers striking, and even wildcat striking, in defiance of legislation that precludes any essential public workers from going on strike. We should understand the strike not only as a public demonstration of force, but also as discursive cover for the tactical response to Brinsley's attack.

The third dynamic we wish to point out is between the heavy concentration law enforcement agencies on the East coast. Most of all, that the NYPD is supposed to adopt orders and protocols from federal authorities with regard to national security, including the movement against police murder, even if those orders do not take the safety of everyday officers as their first priority.

The threat of insurgency carries particular attributes that mark it as a unique challenge for any state and/or occupying force. Counterinsurgency (COIN) doctrine is generally produced by western imperial powers abroad, but has become a primary preoccupation of domestic security operations as state powers have come to understand that uneven domestic development has left broad subsets of the population with shared grievances who refute the moral legitimacy of the State. The State recognizes that winning back the population's hearts and minds is an impossible task, but enjoys the depth of economic and social investment of its citizenry into their own oppression as well as the fruits of corporate imperialism abroad. To maintain control, the State instead seeks to distinguish between potential insurgents and the general population not by branding them as traitors, but by determining that those who resist (or who are accused of resisting) are mentally unsound.

The state, however, is not coextensive with its police departments. The NYPD has reacted to Brinsley's attack by establishing greater force protection, while federal authorities would have them maintain business as usual, albeit while on heightened alert. From the NYPD's perspective the loss of two officers to an assassin is an unacceptable loss and demands retaliation. Retaliation, however, would entail circumventing federal advisories and oversight as well as risk inspiring further ambushes against their personnel. Just as the official positions of #BLM organizations

take survival of movement organizations as their first priority, even while individuals affiliated with #BLM make dangerous and inflammatory utterances, so the NYPD must be against the escalation of conflict between demonstrators and the police, even though many police officers are inclined toward an escalation of conflict that would justify greater use of force against demonstrators.

In the past decade, agencies have been advised to shift tactics from traditional information collection ( dragnet collection) to what the Department of Justice is calling “requirements based collection.” Technically, local law enforcement agencies are subject to DOJ protocols, but many police unions are strong enough to effectively disregard DOJ demands. Federal funding is available to local police departments to assist in cybercrimes, surveillance, and coordinated intelligence gathering.

Efforts at coordination, however, appear to fall apart when exposure to hostile threats is as unevenly distributed as it is for beat cops and the #BLM movement. In the context of national security, The NYPD shoulders the dual responsibility of maintaining dragnet intelligence gathering (stop and frisk, traffic stops, running plates, quality of life infractions, etc) while also providing federal authorities with the basic criminal intelligence necessary for any of their requirements based collections to function, while also embodying the only realistic target available to a threat profile like Brinsley’s, whose narrow profile matches the threat of at least thousands of Americans. Hardly the first line of defense, to the threat of insurrection, the police are expendable pawns compared to federal officers out of uniform who enjoy a relatively high degree of insulation from attack.

The promises of the post-9/11 Fusion Centers and Joint Terrorism Task Forces don’t appear to be manifesting evenly for local police departments. While immense resources have been reallocated to police departments, almost twice as many officers were killed in 2014 as 2013, and anger against the police does not appear to be subsiding. Neither do the resources allocated to local PDs seem to be meeting the challenge of protecting local police from threats.

## IMPLICATIONS

“ ... counterinsurgency strategies often focus on ... internal contradictions, trying to keep the different subjects separate and exacerbate their ideological differences in order to prevent a political recomposition. Often, but not always, the attempts to separate the various components of resistance follow the lines of class divisions.”

-Hardt and Negri, *Multitude*

Is #BLM for police reform or for police abolition? This question has been posed countless times in the last year, but its answers come most often with hefty ideological support and little else. In the case of movement leaders this is understandable, as there is an immediate and obvious imperative to appear as benign and law-abiding as possible. For supporters, participants, and affiliates of #BLM accredited actions, however, there is a clear and present danger associated with attempting to answer this question: It doesn’t matter what we think.

Police reform, as a strategic goal, is the establishment of control or leverage over police. Anything short of control is PR. In the case of the Black Panther Party for Self Defense that was called “community control of police” and assumed mostly-segregated black neighborhoods that

were thoroughly organized and relatively autonomous. The Panthers demonstrated this level of organization through their social programs like free meals and educational initiatives. The semi-segregationist line of the BPP was supposed to be part of the party's insulation from being declared an enemy of the state by white America. In any case, the State determined that this "reform" was, in fact, revolutionary in its implications, and founded the Federal Bureau of Investigation to successfully destroy the BPP. The precedent set by the BPP suggests that it will be more difficult to implement community control of police-the only true police reform-than to exorcise them from our lives altogether.

Furthermore, attempting to answer the reform/abolition question invites us to falsely and naively assume that we can demonstrate against police violence without becoming targets of police violence. Attempting to answer this question lets us assume that if we don't demand the abolition of all police departments, that we won't be held responsible for collectively wiggling the lynch-pin of our entire social order. Attempting to answer this question tosses #BLM's efforts into the dustbin of prefigurative politics, where reside those movements whose participants imagined that they could chart a route where there is no map. Attempting to answer this question leaves the leadership of the best-known nationwide anti-police movement arguing ideology at the dinner table while LEOs and white supremacists work through the night to plan how to dismantle the movement as quietly as possible.

Attempting to answer this question distracts from what we can determine about what is actually possible. There are several specters looming on the horizon that present themselves as imminent possibilities considering the dynamics of conflict we have observed thus far. The first is the promise of repression, the state will continue to attempt to manage the #BLM movement in the interest of national stability. The second is civil war-or the escalation of armed conflict between white supremacists (LEOs among them) and demonstrators. And the third is insurrection, or the proliferation of possibility by way of attacking the logistical capacity of police departments and law enforcement agencies to effectively coordinate their application of violence and repression against the #BLM movement.<sup>7</sup>

These are only the abstract possibilities presented to us from historical example, of course. Two of them have ample representation from the state and white supremacists. The state is well versed in repressing Leninist movements, and is experimenting with new forms of repression directed at #BLM as a network enemy like Al Qaida. In the case of civil war, white supremacists have been stockpiling small arms and building networks with fighting potential for generations with a millenarian fascination with the coming "race war." This is mostly harmless and ideologically confused, but materially manifests as preparations to take up arms for the status quo and dominant military powers. The third possibility, the possibility of insurrection, is one whose component parts are less clear.

Interfering with police logistics can take many forms, and interfering with policing as a category invites more opportunity for conceptual back bending than we care to indulge in, here, but

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<sup>7</sup> We do not consider revolution, in a Leninist sense, to be an imminent possibility given the sophistication of the state's instruments for dismantling progressive movements and the severely limited capacity of #BLM organizers to coordinate action or capture the attention of the populations they claim to speak for. Inversely, the rise of fascist political figures like Donald Trump should not be considered revolutionary, but rather an intensification of the repression that is already exercised by state authorities. For more on the relationship between insurrection and revolution, visit the writings of Clauswitz or Schmidt on partisan warfare. They both contend critically with the relationship between nationally unified revolutionary armies and "telluric" partisan forces that are tied to the land.

we believe basically that Hardt and Negri are correct insofar as they call for investigating which conceptual categories of insurrection and revolt are relevant to the end of opening possibilities for liberation.

Ismaaiyl Brinsley's attack has provided useful precedent for understanding the response of police departments to the politicized assassination of their officers. We do not mean to suggest that embracing assassination is the only path to liberation, or even that assassination is necessarily on that path. We do believe, however, that producing police withdrawal is an essential component of developing resistance to global capital, and definitely *the* foundational aim of any movement against police murder. As such, #BLM must seriously consider the effects of various forms of violent attack on LEOs as possible tools in the battle against police violence, or of inspiring or valorizing such attacks as important discursive interventions in master narratives that determine that Brinsley's attack was irrelevant or antithetical to liberation.

This does not mean, necessarily, that public declarations of support for Brinsley are wise, but there are reasonable steps that can be taken toward acknowledging his struggle and sacrifice. Many onlookers, opponents and proponents alike, insinuate that #BLM has invented and owns the rights to resistance to police brutality and police murder. On the contrary, #BLM, like most forms of activism, has taken war and made a sport of it. This is effective insofar as Americans love sports even more than they love war, so even the simulation of conflict is effective at encouraging conflict, but there are important thresholds to activist organizing. The first is that activist organizing in many ways is reliant on the established social order to function effectively-sports have rules, and activism survives insofar as it plays by the rules of legality, of civil disobedience, and of nonviolence-and experience from around the world shows that oppressive rules must be broken in order to produce social change. The second threshold for activism is that activism, as a form of organizing for social change, has such a strong historical tradition of disillusionment and cooptation that most Americans, it would seem, "don't believe in demonstrating" or are otherwise averse to movement organizing. We think it is safe to assume that Brinsley was one of those disillusioned by the promises of activism and other theories of change that draw too heavily on classical revolutionary strategies and their counterparts from the civil rights movement. The war between poor people and the police is not impending, it is ongoing, and #BLM affiliates can be differentiated between those who are at war with the police, and those who are not, based on their willingness to consider whether Ismaaiyl Brinsley was their friend or their enemy; whether his life matters, too.

While there are severe risks associated with publicly proposing violent attacks on the police, it is also a serious tactical error to imagine that police and police sympathizers will ever make meaningful concessions to public opinion or movement pressure. Retaliation and repression have and will continue to occur. There is no feasible way for federal or state authorities to prevent more attacks like Brinsley's, so local police forces and white supremacists will continue to take matters into their own hands, especially if more attacks like Brinsley's occur. #BLM cannot control what people do in its name, but it can investigate the law enforcement tactics and patterns of escalation associated with suppressing their movement in order to make the knowledge of best practices and countermeasures as widely available as possible. Distributing the names, aliases, and appearances of known informants, and making regular and systematic local and federal FOIA requests on behalf of #BLM organizers and to learn about surveillance techniques are both examples of straightforward ways that participants can produce actionable intelligence for the movement.

Developing the capability to monitor the communications of white supremacists, as well, will prove crucial to the ongoing safety of participants in #BLM demonstrations. Public knowledge of armed contingents at demonstrations, carrying openly or concealed, may deter armed attacks on public demonstrations, as well, even if it does little to protect participants outside of demonstrations.

## CONCLUSIONS

“We need to look now from the other side and recognize the logic that determines the genealogy of forms of insurgency and revolt. This logic and this trajectory will help us recognize what are today and will be in the future the most powerful and most desirable organizational forms of rebellion and revolution:”

-Hardt and Negri, *Multitude*

Insurgency is un-formed. It is qualified by a state of exception to the normal functioning of policing. It must be negotiated and discovered in context; it cannot be feigned or simulated. An unanticipated and violent assassination of NYPD personnel has had the effect of loosening control over poor neighborhoods in NYC, and may effect further disruptions in the effective policing of other cities. The #BLM movement’s most powerful contribution to the true fighting potential of poor people of color in the United States may not be the construction of a broad-base non-violent movement for social change, but the sober assessment of what popular and subaltern resistance to police violence already exists, and the strategic articulation and amplification of the communiqués of people like Brinsley as more than reactionary expressions of mental and social illness.

If there is a threat of insurrection associated with the #BLM movement, we do not have reason to believe that it is the threat of a #BLM guerrilla vanguard, or a carefully orchestrated #BLM terrorist attack. It is certainly not the threat of a decentralized network like #BLM building a revolutionary platform and taking state power. We believe, rather, that the insurgent possibility is closely connected to #BLM acknowledging Brinsley’s logic, that he was more than a mad man, that his efforts showed promising results, and that his choice of tactics followed from a long and respected tradition of struggle for Black liberation that could include Robert F. Williams, Malcom X, and anyone who will consider that violent insurrection may follow from the impossibility of peaceful revolution. This is a discursive step to building a militant network to confront the authorities, and to match networks of white supremacists who would defend the status quo and intensify repression of Black and Brown communities. Civil war, of course, is a devastating possibility, but the entire #BLM movement is predicated on the refusal of police departments to value or protect the lives of Black and Brown people. Thus there is a case to be made for attempting to temper the escalation of violent confrontation, but not for delaying the implementation of strategies and tactics that might produce police withdrawal and encouraging the development of militant networks. The options afforded to #BLM and communities of color are to shoulder the burden of police repression indefinitely, or to find ways to put the police on the defensive. Brinsley achieved that, so it is imperative that his tactics and logic be considered for their utility to the ongoing struggle between the police and minority communities today.

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