

and discretionary power at the conceptual heart of police power, paired with its deep anti-Black orientation and purpose, suggest that such gentleness is never set to last.

What I suspect, then, is that the unruly, democratic appearance of the people out of doors—and the potential for multiracial social democracy that it carries—may require imagining not simply a world with *better* police but one with none at all.

Response to Erin R. Pineda's Review of *Policing Protest: The Post-Democratic State and the Figure of Black Insurrection*

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— Paul A. Passavant

I thank Erin Pineda for her thoughtful and provocative review. Pineda finds compelling my argument that the aggressive security model of protest policing has supplanted negotiated management's more tolerant model for police–protester interactions. My argument points to the dialogic interactions—characteristic of negotiated management—between police and protesters during the occupation of the Wisconsin Capitol in 2011 to show that the security model's forceful approach to demonstrations is not necessary. Protest policing scholars have long recognized the potential within negotiated management for so much management of demonstrations that the people's assemblies become nothing more than a performative aesthetics of consent. I will add that public safety does not require every demonstration to have police presence standing close by.

Where Pineda and I differ is beyond the scope of my study. Pineda contends that “the police power” inherently exceeds limitations or legitimation, and she invites us to imagine a world with no police at all. In the United States, the police powers of the state are the powers to regulate for the health, safety, and welfare of the people. State police powers are limited by the Supremacy Clause and constitutional rights such as those found in the Fourteenth Amendment (U.S. Const. Art. VI; *Loving v. Virginia*, 388 U.S. 1, 7 [1967]). Because neoliberal authoritarianism engenders a crisis of social reproduction, I believe that national and state governments need to do more to promote the people's health, safety,

and welfare—as the COVID pandemic has made especially clear.

With respect to “policing,” there needs to be more policing of corporations' violations of workers' rights, of toxic emissions, of carbon dioxide and methane emissions, and of financial markets. Since 1980, there has been a retraction of policing the “suites” and an intensification of policing the streets (John Hagan, *Who Are the Criminals?*, 2010). This refusal to police the “suites” has resulted in corporate impunity and growing inequalities, producing the crisis of social reproduction.

With respect to “the police,” this poses a dilemma. For 50 years, we have been “governing through crime” (Jonathan Simon, *Governing through Crime*, 2007). We see problems only through the prism of crime, government solutions only in terms of the police, and justice solely as a courtroom conviction. This contributes to the crisis of social reproduction. We must address poverty, education, childcare, addiction, and mental health on their own terms and not through criminalization.

Does this mean we should abolish the police? Here, I am haunted by the attack on Reconstruction to “redeem” white supremacy, whether by ballot or bullet (Ron Chernow, *Grant*, 2017, p. 815). The Ku Klux Klan, White League, and “rifle clubs” functioned as armed wings of the Democratic Party in the South. They wounded or murdered hundreds if not thousands of mostly Black, but also white, supporters of the Republican Party, Republican public officials, public school teachers, or Black people who sought to have their rights respected (W. E. B. Du Bois, *Black Reconstruction*, [1935] 1998). They overthrew municipal governments such as Grant Parish's county seat in Colfax, Louisiana (Eric Foner, *Reconstruction Updated Edition: America's Unfinished Revolution*, 2014, p. 437). Rights such as those protected by the Thirteenth, Fourteenth, and Fifteenth Amendments—to say nothing of ordinary criminal laws—became unenforceable. The lesson I take from Reconstruction is that when interracial democracy dedicated to reconstructing the crisis of social reproduction gains state power, it must expect the possibility of a violent reaction, and it must be capable of defending whatever victories it achieves. In sum, debates over police abolition have deeper roots: Should the state be abandoned, or is the state something to struggle for and use when possible for social good?