

# Always Already Military: Police, Public Safety, and State Violence

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Police militarization has been much in the limelight in the 2010s thanks to protests over police killings of young Black women and men: Eric Garner, Tamir Rice, Walter Scott, Freddie Gray, Sandra Bland, Akai Gurley, Tony Robinson, Philando Castile, and so many more unacceptable losses. The brutality the police bring to their interactions with protestors or people simply going about their business is striking, and many have interpreted it as the result of a process of militarization, which they strongly condemn.<sup>1</sup> Some presume police militarization to be but “decades” old, harking back to September 11, 2001, that favored pivot-point for so many things, as in “the *security-über-alles* fixation of the 9/11 era is now the driving force.”<sup>2</sup> Others root the issue much earlier, and much of this is rigorous and responsible scholarship documenting undeniable changes in police practice.<sup>3</sup>

While these arguments are sincere and principled, they contain a seed of their own defeat. Militarization is plagued by its “ization” ending, the suffix indicating a process of gradual increase, which imparts a nucleus of evolutionary logic, a linear movement away from an era in which police were *not* military.<sup>4</sup> Harking back to a time when policing was simply civilian, uncorrupted by the technologies of war, the concept of militarization vests a tacit hope that military and civilian spheres could be distinct, and police fully located in the latter.

This hope is cherished in the contemporary United States. US Americans are deeply invested in the *idea* of police as civilian. The very use of the concept of militarization as protest confirms a widespread sense—on the part of responding officials as well as protestors—that military and civilian spheres ought to be demarcated by an inviolate boundary. The depth of this investment and the hollowness of its basis form a provocative tension. What ideological work does the civilian–military distinction do? What other tenets does it anchor? This essay attempts to work through the stakes of the military–civilian split, first with a quick historical–theoretical tour through the concepts of military and civilian, and then with an empirical case, the history of a minor 1960s State Department agency, which reveals the labor involved in maintaining the idea of military–civilian differentiation in the face of its actual vacuity.



## The Military–Civilian Split

There is no logical way to draw a clean line separating military from civilian spheres. The distinction is a vanishing horizon, retreating the closer one approaches. Popularly, it relies on differentia of mission (military attack while police protect), place (the military works abroad and police at home), or intensity (military action is more lethal than police); all fail to capture what police and armed forces actually do. Scholarly definitions tend to posit *military* as associated with war and *civilian* with everything else.<sup>5</sup> Yet war and its preparations affect every facet of national life, even during peacetime.<sup>6</sup> The Geneva Convention section on the protection of civilians does not define *civilian* in the abstract, giving a simple definition of civilians (plural) as noncombatants. War and peace researchers note simply the lack of definition of these terms, or “the negative definition of ‘civilian’: any person who does not belong to a long list of combatants.”<sup>7</sup> Thus do scholars of the military largely accept the integrity of military–civilian distinctions as given.<sup>8</sup> So too do scholars of the police who, one prominent researcher notes, “have been quite comfortable with the military/police dichotomy. . . . Most assume that studying the police and military is a mutually exclusive undertaking.”<sup>9</sup> Researchers of both the military and police, then, end up with working definitions of *civilian* and *military* that veer toward tautology: policing is the work of people called police, while folks in military green are doing military things.<sup>10</sup>

Yet soldiers and police are distinct in neither history nor theory, as many students of both recognize. In the US, policing developed out of the military bodies organized to sustain the institution of slavery. Southern cities developed police first, as early as the 1780s, to contain slaves and maroons. The “paramilitary municipal police force” of the southern city was formed out of the city’s colonial militia, and it is this force that developed into nineteenth-century urban police, formally independent of military corps. Most histories of US police deny this origin point, preferring to cite a nobler ancestor: Sir Robert Peel’s famous 1830s London Metropolitan Police, supposedly drawn from and therefore beholden to its constituency.<sup>11</sup> Recognizing the origins of policing in slavery reveals anti-Black racism and military–police entanglement as twinned conditions of possibility for the formation of US police.

Outside the south, US soldiers and police evolved in similar interrelation. Since the early Republic, when the Navy and Marines formed constabulary forces to combat piracy, banditry, and smuggling, “overlapping police and military tasks” have been routine. The Texas Rangers emerged from irregular forces recruited to target Native Americans, established as a lethal military-model force



in the 1830s, just ahead of northern cities' uniformed, public police. These, too, embraced a military organizational model and chose military commanders for their leaders, as had Peel.<sup>12</sup> Sometimes this has been explicit, as when Theodore Roosevelt was commissioner of the New York City police (1895–97). Roosevelt “made little distinction between military and law-enforcement functions,” contending that “many of the principles . . . which obtain in the army’ applied equally to the administration of a police department.”<sup>13</sup>

In the twentieth century, these blurred lines extended into bodies such as the Border Patrol, created in the 1920s, whose roots in the Texas Rangers confirm its paramilitary character, and whose collaboration with ICE in making Black immigrants “disproportionately vulnerable to deportation” confirm its antiblackness, or the National Guard, military in history and character but often domestic in operation.<sup>14</sup> From the 1930s to the 1960s, police formed paramilitary “red squads” and intelligence units to combat labor unrest, taking over from the private detective agencies that had established such units during the anarchy panic around the 1886 Haymarket affair. (Private police have been partners to their public counterparts in disseminating state violence, and equally oblivious regarding military–civilian lines). Such organizations and practices, examples of profoundly anti-Black military–police convergence on US soil, would subside briefly with 1960s reforms, reinstituted with a literal vengeance in response to the civil rights, Black Power, and antiwar movements.<sup>15</sup>

Police and soldiers have worked together outside of US territory as well. Police swelled US war-fighting capacity regularly. The protracted conflicts of the multicentury Indian Wars were, in some views, “more a prolonged series of police operations than actual wars,” with (once the US took the nation form) the military under the civilian direction of Congress and the Bureau of Indian Affairs, their personnel in many cases then sent to the Spanish-American clashes of 1898.<sup>16</sup> These imperial adventures also drew directly from US police for fighting force, in the long tradition of US police traveling overseas to buttress troop power, control occupied nations, and pursue fugitives.<sup>17</sup> Through the World Wars and into Vietnam, including the case discussed below, US police continued this tradition.<sup>18</sup>

Police in these cases took strategies and tactics *to* theaters of war—the opposite of the trajectory imagined as “militarization.” Even in the case of the Vietnam War, one of the conflicts most blamed for “militarization,” equipment did not just come home from war: weaponry was developed for *both* foreign and domestic use, particularly as the war seemed likely to end, and by companies that had developed in domestic markets. Today, extending the police assistance abroad detailed below, police–military collaborations and exchange



sustain the War on Terror, Abu Ghraib's military police being but one sore thumb of an example, and police as a matter of course train at military bases in sniper skills, SWAT team work, and weapons use.<sup>19</sup>

If US police feel their mission to be the pro-active attack of a "war on crime," it is partly because of this cohabitation.<sup>20</sup> Police and military are often in the same places, pursuing the same goals, applying the same lethal means. This has been particularly intense in the targets of US imperialism such as the Philippines, where US police traveled after 1898 to pacify and occupy, returning "to turn the same lens on America, seeing its ethnic communities not as fellow citizens but as internal colonies requiring coercive controls."<sup>21</sup> Throughout the twentieth century this antagonism was regularly renewed, nourished by figures such as J. Edgar Hoover, director of the FBI from 1924 to 1972, who understood "American police as soldiers locked in combat with 'public enemies.'"<sup>22</sup> As a 1960s' survey confirmed (well before the period most people think of as the era of "militarized" police), in Black areas, police "view[ed] each person on the streets as a potential criminal or enemy."<sup>23</sup> Coevolved police-military activity has not simply targeted people of color but constituted, even driven the process of racialization, from the nation's founding genocide of native people to slavery, war with Mexico, the conquests of 1898, and on, right up to the present tense of mass criminalization.<sup>24</sup> The lesson here is one the overpoliced do not need history to teach: attachment to police is attachment to antiblackness.

The historical boundary-blurring of military and civilian spheres reflects their shared relationship to state power. As Peter Kraska, a prominent police researcher recognizes, "The foundation of military and police power is the same—the state sanctioned capacity to use physical force."<sup>25</sup> Twin vehicles of state violence, police and military rub up against each other in productive friction. "Speculating that the police could be anything but paramilitary denies the existence of the inherent bond—historically, politically, and sociologically—between the police and military," write Kraska and Victor Kappeler.<sup>26</sup> The most sophisticated scholars of the police begin from the understanding that police are "fundamentally political," recalling Carl von Clausewitz's famous definition of war, "politics by other means."<sup>27</sup> This is not an accusation of corruption that calls for reform but an observation about form itself: policing is the quintessential translation of state power. The "always-already-together powers of war and police" explain why the military-civilian distinction, in Anthony Giddens's terms, is vague, "flimsy," "rarely clear-cut," and "usually full of tension," even to the point of no distinction under certain regimes.<sup>28</sup>

These citations confirm that a great number of careful observers recognize the blurriness of military-civilian categories and wrestle with the implications. Yet



the scholarly literature and public conversation alike both still overwhelmingly fall back on the concept of militarization to describe police tactics, technologies, and organization. Something seems to tug even nuanced accounts back to the invocation of militarization as concept. Why does this distinction maintain its purchase? What preserves the logically and historically untenable idea of the military–civilian split and its affiliate concept, militarization?

The answer to this “why?” varies across political and racial spectra.<sup>29</sup> For a conservative and centrist white mainstream, the military–civilian boundary is unproblematic, with transgressions embraced as exceptional and necessary. The Black, brown, and poor hyperpoliced already understand that the police are not civilian, the constant experience of state violence having worn down faith in the democratic character of government, but their eloquent critiques are silenced and sidelined.<sup>30</sup> On the liberal left, “militarization” is an audible, vehement cry of protest, the military–civilian distinction a source of seemingly effective ways to respond to police abuses. It is to this audience that this essay therefore speaks. People in this camp often believe that the shock of militarization—seeing tanks breaking down the doors of modest homes, for example—will move people to action. Perhaps, but action could also be precipitated by decrying police *lethality*, protesting those tanks as part of a stepwise, abolitionist campaign. The problem arrives in insisting that police be “civilian,” reifying the difference between police and military mission, place, and lethality. That distinction, by assuring its believers that only the army attacks, works abroad, and kills enemies, underpins citizens’ consent to be policed. As I elaborate in the conclusion, consent is the foundation of the legitimacy of state violence; to feed it is to be party to Black death.

As for the how—how have people managed to reify the untenable abstractions of civilian and military spheres?—that is a question about history: how has this actually happened? To answer, this essay now moves into the realm of the empirical. Methodologically, it develops a social history of ideas, highlighting one moment in the genealogy of the distinction between military and civilian. The subject is a federal agency that built on and reinforced two centuries of exchange between foreign and domestic killing ventures. Drawing from US federal archives and a newsletter produced privately by the members of this organization after it ended, I show people struggling fiercely to maintain their agency’s civilian image while (or precisely because) their labors discarded the distinction so brazenly. These were not originary authors of the military–civilian distinction, just some of the many people engaged in military–civilian crossovers who regularly strive to deny and obscure them. They are illustrative precisely because they are not exceptional. In their work, their claims about it,



and the institutions they built, the process of defining separate military and civilian spheres emerges vibrantly. The active efforts devoted to differentiating civilian and military spheres alongside the vigorous disregard for any such distinction in the course of this agency's regular labor reveals this basic technic of state power.

### The Office of Public Safety

In 1964, in a jubilant assessment of a course he had recently offered to police in Brazil, a State Department agent named Stanford C. Smith offered a war-time memory: "I always recall getting on the radio to tell the gun crews what they hit while doing forward direction or observing during World War II. It was a boost to their morale and made them feel a sense of accomplishment. The local courses here in Brazil are analogous."<sup>31</sup> Despite the fact that Smith was involved in training Brazilian police, he found in his military service a more relevant point of comparison than anything in his twenty-four years as a state police officer.<sup>32</sup>

Smith was employed by the Office of Public Safety, an agency that rode roughshod over the military–civilian divide in its work training police corps of allied nations. The Office of Public Safety (OPS) was established in 1962 by President John F. Kennedy, building on previous, uncoordinated programs in occupied Japan and postwar hotspots such as Korea, Greece, and Iran. Kennedy placed OPS under the auspices of his new Agency for International Development (USAID), created in 1961 to administer foreign aid. OPS worked intensely in Southeast Asia, principally Vietnam, and then expanded throughout Africa and Latin America, working assiduously until Congress terminated the program in 1974 after reports of torture and political policing. When it folded, OPS had distributed \$200 million in arms and equipment to police forces in forty-seven countries, trained over seventy-five hundred senior officers at its Inter-American Police Academy and other US schools, and sent nearly fifteen hundred advisers overseas to train over one million rank-and-file policemen. Its legacy is disputed, with detractors citing enhanced lethality and political partiality in recipient forces and champions touting accomplishments in professionalization and modernization.<sup>33</sup>

Furious about their agency's demise and the smearing of its reputation, the former employees of OPS found a way to support and communicate with each other, in a circular they published called the *Public Safety Newsletter*. Tiny and internal, based on volunteer labor, the *PSN* is the bedrock of my research. I found it when I began to communicate with former OPS agents, after my



research led me to one person's presence on Facebook. The *PSN* allowed ex-OPS to follow and support each other's progress, and it allows the historian to see something of their lives and thoughts.

The Office of Public Safety played a role in the changes sweeping domestic police forces after Vietnam, so that some critics of the US police, particularly of their "militarization," afford OPS a minor pivotal role. Vietnam and even OPS do deserve causal status in the transformation of US policing during this period. But the changes to which they contributed—the intense growth of the criminal justice system sparked by tough-on-crime politics and anti-communism, funded by the federal government—are less "militarization" than manifestations of the ongoing coevolution of police and military in the mobilization of state violence to forestall social justice and sustain inequality.<sup>34</sup>

OPS is blamed for militarization because of its relationship to counterinsurgency. Counterinsurgency was the strategy developed to respond to guerrilla tactics and implemented by US military and police, together, as early as the Greek civil war of 1944–49. It was the reigning paradigm in the period of OPS's operation, a key reason for its establishment, and the cornerstone of its civilian–military indeterminacy. Counterinsurgency casts military forces in "police-like" roles and brings police to adopt military characteristics, confounding distinctions of mission and place ("citizens at home/enemies abroad").<sup>35</sup> Valuing police work because police constitute an "intimate point of contact between government and citizen," counterinsurgency emphasized intelligence, a facet of policing flushed by constant interchange with the armed forces.<sup>36</sup> A former member of the Joint Chiefs' staff who was closely involved in the implementation of counterinsurgency observed that this practice "broke down the flimsy partition separating civilian and military authority."<sup>37</sup> Counterinsurgency ushered OPS personnel across political borders police are not supposed to cross and courted martial principles that are not supposed to guide them. As the OPS critic Michael Klare charged, OPS employees were responsible for the "functional integration of all indigenous police, paramilitary, and military forces into a unified counterinsurgency effort."<sup>38</sup>

It is true that OPS is intimately related to counterinsurgency, but OPS is only exceptional if counterinsurgency is exceptional. If, instead, counterinsurgency is placed in the long line of police–military crossing in which it belongs, as one of the forms military–civilian mixture took in its day, it springs into focus as a period-specific iteration of such intercourse rather than unique. Indeed, counterinsurgency's prominence as a premier example of militarization highlights the status of exception projected onto visible instances of police–military mixing, particularly those after the US's 1830s formation of uniformed public police



corps. Mixing prior to that point is often dismissed as archaic and “solved” by that institution; examples since are more worrisome but when inflamed as exception, as counterinsurgency is, can be dismissed as aberrations to be corrected in a basically sound, perfectible system.

OPS is a useful object of study, then, not because it facilitated “militarization” but as window onto the exhaustive labor dedicated to producing separate categories of “civilian” and “military” within an organization thoroughly engaged in muddying those lines. It offers us a chance to see, up close, what exactly it means that a body mixes military and civilian elements, in a fine-grained account of all the ways this exceeds simple troops-to-cops importation. It highlights the ways such admixture is accompanied by the retreat to the ramparts, the defense of the categories people well know they are contaminating in practice.

### Mixture in Motion

The Office of Public Safety’s category crisis dates to its creation as a civilian body in a military realm. This paradox, like counterinsurgency itself, responded to geopolitical necessity. As colonial territories worldwide threw off imperial control, Cold War superpowers sought to win their citizens’ hearts and minds. Smaller nations’ sovereignty had to be—or appear to be—respected.<sup>39</sup> Police assistance was tailor-made for this context. Police aid looked better than military intervention, even when replacing troops for precisely the same function. Police were “more acceptable than the army as keepers of order over long periods of time,” the Committee on Police Assistance, OPS’s founding body, noted.<sup>40</sup> Even on occasions when force is required, a USAID official elaborated to the House Foreign Affairs Committee in 1963, when police inflict it, “communist attempts to characterize the application of force by governments as brutality is minimized.”<sup>41</sup> Police aid would even produce “a more favorable image for military forces,” OPS supporters maintained.<sup>42</sup>

Perception was paramount. USAID’s Washington bureau reminded OPS branches to pay “particular attention to promotion of the concept that the police should be *and should be known as* the servants rather than the oppressors of the people.”<sup>43</sup> A document drafted to shape OPS admitted that the US government was not “against violence or revolution, *per se*, as historic agents of change.” People could die, the policy guidelines continued with stunning cynicism, as long as their deaths did not appear to come from foreign hands: “In countering insurgency, the major effort must be indigenous. . . . In internal war it is always better for one national to kill another than for a foreigner—



especially one with a different skin coloration to do so.”<sup>44</sup> The breathtaking racism of this unconcern over nonwhite death—this very clear demonstration that Black and brown lives did not matter—spotlights the racial logics at the heart of state violence, regardless of who inflicts it.

This policy paper, one of the founding documents of OPS, was brutally pragmatic. No democratic principle would stand in the way of the end goal, certainly not trivial academic distinctions (as the authors implicitly characterized them) between military and civilian spheres. Given the nature of “internal warfare,” it reasoned, “deterrence and suppression requires a blend of military and non-military countermeasures and corrective actions.”<sup>45</sup> Pragmatism meant choosing the right tool from the tool kit without regard for sphere.

Consistent with this pragmatism was a focus on cost. Some of the time, the point was simply the bottom line. The chairman of the Joint Chiefs of Staff, promoting OPS, advised, “the United States could repeatedly incur high political and national costs by being forced to redress by military force insurgencies that could have been dealt with more effectively in their earliest form by adequate police capabilities achieved through comparatively small US expenditures.”<sup>46</sup> In this vision of task transfer from military to police, no mission distinction intruded, no sense of police as crime-focused versus the military as bellicose. This was simple expedience—police as prevention, military action as cure—making an ounce of the former amply cost-effective.

Strategists of police assistance regularly acknowledged that civilian and military bodies coincided in other nations. “In many cases, police forces supplement the army’s counter-guerrilla capability with their own paramilitary units.”<sup>47</sup> These forces received US aid despite being thoroughly mixed, “‘paramilitary’ in organization, ‘military’ in equipment, and ‘police’ in mission.”<sup>48</sup> OPS founding documents noted that the US, too, mixed police into its military bodies:

The Department of Defense does not support “police” forces in the common definition of the term. Using the term “police,” however, in its generic sense, to include paramilitary forces such as Gendarmeries, Constabularies, and Civil Guards which perform a police-type function and have as their primary mission the maintenance of internal security, the Department of Defense supports police-type organizations in 6 countries—Panama, Nicaragua, Costa Rica, Iran, the Philippines and South Vietnam.<sup>49</sup>

The recognition of DOD policing alongside the insistence that the nation’s premier military authority did not *really* include police underlines the overlap, and the unease it subtended.

Officials designing OPS well understood that their mandate was to wrap state violence in the sheep’s clothing of civic assistance. They knew that they



had to “preserve the civilian character of the program, rather than associating it with either our military assistance or our clandestine effort [the CIA].”<sup>50</sup> They placed the program in the Department of State rather than Defense (“the Committee believes that this management should be civilian in character”)<sup>51</sup> and made a pointed attempt to hire domestic police, advertising in *Police Chief* magazine and recruiting through the International Association of Chiefs of Police as well as municipal and state forces.<sup>52</sup>

Hiring, unfortunately, was slow, as these police were often unwilling to move abroad, plus federal agents often questioned the capacities of local cops. The recruitment effort thus expanded to include military police, retired military personnel, agents from OPS’s predecessors, and employees of the CIA, FBI, Border Patrol, Treasury Police, and Secret Service.<sup>53</sup> Even those recruits who were state, county, or city police were hybrid in training, many having entered civilian service after stints in the military in World War II or Korea.<sup>54</sup> Political leaders recognized and even boasted of OPS recruits’ “job-related experience in civil law enforcement, military service or private industry.”<sup>55</sup>

OPS was thus a body made up of diverse pieces, and furthermore, of pieces diverse unto themselves, whose agents piled on further layers of experience as they performed their assigned duties. The first director of OPS, Byron Engle, is a good example; he had been director of personnel and training for the Kansas City, Missouri, police department, and then police adviser in Japan after World War II, serving also as an agent for the CIA, an affiliation he never clearly abandoned.<sup>56</sup> Many OPS officers had trained in occupied Japan; many were CIA; many cycled through wartime Korea and Vietnam on their way to peacetime postings.

OPS took its already complex subjects, set them the inherently hybrid tasks of counterinsurgency, exposed them to military training, and placed them in theaters of war governed by military authorities. The material bases on which OPS was founded were literally military bases, namely, Fort Davis in the Panama Canal Zone, home to the command center for Western Hemisphere military operations. There officials set up the Inter-American Police Academy (IAPA), OPS’s main training facility, a short five miles from the School of the Americas (SOA), the infamous college for Latin American military officers.<sup>57</sup> Organization and curricula for the IAPA were designed under the supervision of military officers and in conversation with SOA instructors. IAPA instructors were far from uniformly civilian, including CIA, FBI, Border Patrol, and various armed forces veterans, and they faced classrooms that mixed “military and police officers with ranks that ranged from sergeant to colonel.”<sup>58</sup> The IAPA was a crucible for mixture even as it strived to instruct its agents in the need for separation.



The military presence at the IAPA was cause enough for concern that Congress asked OPS director Engle to clarify. His testimony assured his listeners that the IAPA curriculum “was classified as technical rather than military,” though he admitted that the officer in charge was “in close contact” with SOUTHCOM.<sup>59</sup> A decade later, as opposition to OPS mounted, Engle contended that he had been uncomfortable with the police academy’s location in an army installation. “It made it difficult to convey to police trainees a sense of the separation between police and military,” Engle reported, even claiming that he had moved the academy to Washington to facilitate the teaching of that key distinction.<sup>60</sup> With this revision Engle bypassed his own earlier protestations, not to mention erasing the agency of Panamanians who forced the academy’s relocation by manifesting their sovereignty over the Canal Zone. Engle rolled with the punches, granting earlier concerns as justified in order to insist they had been resolved, spinning to portray his agency as legitimate.

OPS officers confronted this dilemma in their day-to-day routines. They worked alongside military comrades and were assigned to train SWAT-type commando teams.<sup>61</sup> They actively overrode civilian–military divisions when they caused conflict or competition among policing bodies within a single nation, and knew it.<sup>62</sup> Rank-and-file Public Safety advisers were as worried as the leadership about projecting an image of distinct civilian and military spheres, particularly as congressional concern over possible OPS abuses began to rise and public pressures on this question mounted. In congressional hearings, an OPS officer revealed his fellow agents’ disregard for civil–military distinctions as he insisted that US aid had improved foreign police’s “image as a civil, as opposed to military organization,” tripping over his own awkward assertion: “The fact that military officers are assigned to head the various organizations is really aside from that.”<sup>63</sup> The rhetorical and ideological labor of reinforcing civilian–military distinctions was shared across rank.

It was clear to all, then, that OPS was no impartial initiative launched to contain crime but a key player in “internal warfare,” a fully political project. Every observer, friend or foe, grasped that what gave the Public Safety program life and justified its continued existence was its ostensible nonmilitary status. The point is not that OPS *was* military aid but that any attempt to characterize OPS as either military or civilian oversimplifies. The placement of OPS in State rather than Defense, the recruitment of local police, the concern for civilian appearance, and so on, should not be understood as civilian rather than military but as political above all. These actions all show state violence effortlessly transcending civilian and military distinctions even as its agents strained to appear to respect them.



After termination, the ease with which OPS agents moved over to formal military realms shows they had indeed been well prepared for work on the green side of the civilian–military line. They joined the Armed Forces,<sup>64</sup> other hybrid bodies such as the Border Patrol,<sup>65</sup> Defense Attaché Offices (intelligence-gathering military sections of ambassadorial missions),<sup>66</sup> or simply returned to police work, continuing to cross over into formally military realms in the course of their regular professional lives. They completed military-led training programs such as those conducted for sniper or SWAT teams or received weapons from the armed forces such as helicopters or tear gas, which the federal government helped police forces purchase in the 1960s and 1970s.<sup>67</sup>

These Vietnam-era troops-to-cops transfers are some of the practices most decried as instances of police militarization. Yet a different relationship emerges when examined closely. Helicopter use follows financing rather than some military quality inherent to helicopters. Military forces acquired choppers first because military resources, along with private industry, funded development. Police forces acquired them when the US federal government, in the form of the Law Enforcement Assistance Administration, funneled police departments the funds.<sup>68</sup> Tear gas, a different sort of example, was developed over a century ago for police suppression of domestic dissent in France. By World War I tear gas had become military technology, embraced again by police to combat protest immediately following the end of hostilities. In the decades since, it has traveled back and forth between police and military, inspiring the development of other chemical weaponry also passed from uneasy streets to fields of war and back again.<sup>69</sup>

Even the SWAT team, that ostensibly quintessential case of police militarization, reflects military–police collaboration. SWAT team tactics are not military in the classic sense, for they are inappropriate for the battlefield model of war. They are the cornerstone tactics of counterinsurgency, that notorious hybrid. If one side can claim primacy in the origination of counterinsurgency, it is police, since counterinsurgency is what red squads and police department intel units had been doing domestically since the 1920s, if not the 1880s, when post–Paris Commune fears over popular uprisings in the US coalesced around the Haymarket anarchists.<sup>70</sup> Of all the voices raised against SWAT teams as militarization, none consider how much domestic SWAT team development has enhanced the practice of “special forces” in military troops. Reverse flow is not something researchers have given much thought.

Not only is it true that OPS is uniquely situated in relation to counterinsurgency, but everything critics say about the terrible racist lethality of counterinsurgency abroad and in the US (in SWAT teams, surveillance, and lethal



weaponry) is also true. The source, however, is state violence broadly rather than category transgression by police or soldiers. That is, it's not that this stuff isn't bad. It's that it isn't "militarization."

The Office of Public Safety contributed to a set of consequential changes in the nature of policing, mostly by helping police forces boom in the law-and-order era's frenzy of federal monies directed to police. OPS did not spark these changes on its own, nor was it necessarily essential to them; in fact, it may simply have been a bellwether of the political currents that created it and them. What it did not do was militarize the police, even though US police forces after OPS were the recipients of much weaponry and strategy developed for war. Calling this "militarization" requires forgetting all sorts of hybridities and exchanges, including ones in which police are the sending source. There is not even a word for this: military forces are never described as "police-ized" even when they do things that might qualify, such as "peacekeeping," perhaps because military force is understood as more lethal than police force and so the accusation would carry no bite, as Americans tend not to object to death inflicted during war.<sup>71</sup> Yet the exchange between police and military has been regular and generous, with OPS a helpfully visible instance of this history.

## Conclusion

In 1974, striving to rebut allegations of torture, political policing, and CIA cover that were threatening the life of his agency, OPS director Lauren Goin (Engle's successor) contended that OPS work in South Vietnam prisons was "totally in the area of humanitarian aid," a claim he was ultimately unable to sustain to Congress.<sup>72</sup> Years later, Goin still labored to portray OPS as civilian. In a 2002 elegy to Public Safety, he used the term *civil* to modify "police" eight times in seven paragraphs.<sup>73</sup> Goin clearly protests too much, but his excess is helpfully diagnostic. Precisely because OPS so blatantly disregarded the niceties of police-military distinction, Goin and others had to insist so vehemently on its confinement to one side. Goin's 2002 protestations probably reflected his hopes around US aid via police assistance after 9/11 and before the launch of the US assault on Iraq in early 2003, and they remind us of the relevance of OPS's legacy as US police programs abroad continue, helping wage the War on Terror, particularly now as the Movement for Black Lives forces the conversation back to police lethality. Once again, police are denounced for being militarized rather than for their quotidian operations.

The denunciation of militarization unwittingly supports the ideological operations of state violence because of the implicit suggestion that milita-



rized police are a deviation from the norm: just plain police. The notion of a benevolent civilian police corps, fellow-citizens to their public, is an enormously seductive vision, the core of the hope that the capitalist state might be compelled to govern with justice, and it is why, I think, so many critics veer toward recognizing military–civilian indistinction but then slip back to the critique of militarization. People will tolerate significant cognitive dissonance to preserve such a hope. Further, earlier eras featured political environments that seemed to justify that optimism. Such landscapes, however, have been bulldozed, as neoliberalism has absorbed and neutralized the social energy of the late twentieth century. We can no longer afford such illusions.

The chimera of police perfectibility miscasts the nature of police violence, wishing away its everyday racist brutality. The notion that US police respect their subjects as citizen-peers obfuscates the ruthlessness they have never ceased to practice in relation to their favored targets, Black, brown, and poor. Their foundational exclusion constitutes the “us” police are supposed to protect. That constant belies the “ization” in “militarization” that implies a process of evolution away from a purely civilian form, showing the notion of a benign civilian past for the US police to be a mirage. There is only terror in police history, whether the brutal policing of the mid-1960s that sparked riots in some three hundred US cities, the devious secret police of the Red Scare 1920s, the turn-to-the-twentieth-century law enforcement that turned people over to lynch mobs and joined in the circus of their slayings, or slave patrols born of colonial-era militias. There is no moment of pristine civilian purity to which we can dream of return.

I am not arguing that militarization is a panic with no substance behind it. “Militarization” describes something real. Police are unquestionably worse when they have more lethal weapons and tactics, and would be better with less, as seen in countries where police are not armed. Activists must pursue (and they are) stepwise, practical campaigns of abolition to disarm and diminish the police. In those campaigns, we must dispense with the crutch of this concept, for the story implicit in the concept of police militarization protects the categories with which states cordon off their violence from circumspection; it shields the real agent of that violence, the state itself, from critique. More precisely, it prevents critics from seeing how people actually draw the lines that claim legitimacy for some violence.<sup>74</sup> The notion of separate military and civilian spheres is vital to the legitimization of state power.

Further, the acknowledgment of gradations can be a retreat from the real. The heat and light around militarization often conveys the threat that things



could be much worse, are worse in other countries with authoritarian governments or harsher laws. True, we do not live in the worst of all possible worlds. But our world is bad enough. Unacceptable conditions are not around the corner if *X* or *Y* gets worse. From the perspective of the criminalized, we are already in a brutal, unacceptable crisis. To believe in militarization, and therefore in the capacity of democracy, is to gloss over the conditions of the hyperpoliced, to shirk from the recognition, as the historian Kelly Lytle Hernández concludes in her most recent book, that policing in the US is genocidal dispossession.<sup>75</sup>

In counterpart, casting police as ideal in civilian form grants the legitimacy of civilian policing's constitutive other, the military. It tolerates war as long as soldiers wage it—especially elsewhere. Inadvertently, the notion of “police militarization” cedes ground on which to oppose US empire and its military action abroad, while granting police jurisdiction for the violence they inflict at home. These complementary forms of antiblackness reinforce each other in their evolving, changing same.

*Military* and *civilian* are sometimes important categories of experience for people policing or being policed, and as the sociological adage recognizes, when people define situations as real, they are real in their consequences. Yet like racial categories, which people often discuss in similar terms, there are no objects preceding the process of definition. Assertions of the civilian status of policing—whether champions of the police defending their mission, protestors demanding or citizens yearning for the benevolent protector of childhood dreams—do not make that status a fact. Indeed, as in the telling case of the Office of Public Safety, they reveal the opposite, for such assertions are a part of the great effort dedicated to shoring up that myth.

The fiction of separate military and civilian spheres feeds off a fantasy of a civilian past or possible future for US police, and feeds that fantasy in turn. The case of the Office of Public Safety shows the energetic efforts dedicated to cultivating such fictions. In fact, US police and military have always, in fundamental ways, been inseparable. It is the conjoined development of police and military forces that extends the continuum of state killing fields. The lethality of domestic and foreign violence workers evolves together, their labors of mortal containment indebted to each other for material support and ideological justification. Understanding state violence in this way offers a very different sense of the points at which we can and must intervene.