On the Critique of Paramilitarism

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ABSTRACT

This essay considers the ideological work performed by the term "paramilitary." Departing from the fury directed at paramilitary policing in Ferguson, Missouri in 2014, it argues that despite its use to critique the police, the term "paramilitary" functions to legitimize police violence. The notion "paramilitary" frames the shared use of lethal technology by police and military forces in a way that obscures the constancy of exchange between them: as an insistence on the distinction between military and police, the term anchors the legitimacy of both. In three brief sections offering definitions of key terms, histories of police and military overlap in the US, and state theory in relation to police and violence, this essay argues that the prefix "para" works to distinguish, rhetorically, police force from military violence. This argument urges critics of police and other axes of state violence to work actively against the ideological and affective work enabled by the "para" and instead expose the lethal capacity of state violence inflicted at home and abroad.

> What does the *para* do for the *military*? Certainly the *military* isn't doing anything for the *para*.
>
> Brackette Williams (2015)

The *Para* in the *Paramilitary*

In the fall of 2014, police in military combat gear confronted public protest in Ferguson, Missouri, adding insult to the injury of their murder of young Michael Brown. Protestors charged that paramilitary tactics used by police enhanced their lethality and exacerbated the effects of their racism:

> "What struck me as I watched on TV was that I was looking at sniper rifles being pointed during the day at peaceful protesters," said David

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> Goldstick, 38, a former Marine who said that images from clashes Wednesday night impelled him to come out and join the demonstration. "The violence seems to be incited almost exclusively by the police—and *it's not even police, it's a paramilitary force.*" (Chokshi 2014)
>
> St. Louis County is just one of the many municipalities in the U.S. that now commands access to military equipment meant for war. *The paramilitarization of suburban police forces, or the suburbanization of paramilitary police forces*, adds another question to those lingering over Brown's tragic death: Did the police response only make matters worse? (Capps 2014)

> When law enforcement succumbs to feverish paranoia and breaks out its high-powered arsenal, you get a debacle like Ferguson.
>
> The perception among African Americans is that they are more likely to be assaulted by cops than white citizens, and they are right. *To understand why that is true, look at the evolution of police paramilitary units*—often known as Special Weapons and Tactics (SWAT) teams. Between 1980 and 2000, the number of these paramilitary units exploded by 1,400 percent, to the point of absurdity. More than 80 percent of small town law enforcement agencies have SWAT teams; almost 90 percent in larger areas have them. This escalation would make sense if, say, there had been a boom in the number of hostage, sniper or terrorist situations. But America is not Iraq, and these types of incidents are no more common than they were in the 1980s. (Eichenwald 2014)[1]

Comments such as these were commonplace, as fury sought and found its outlets. Clearly protests against paramilitary police channel outrage that is both deep and deeply justified. Yet what do these protests do along the way? Might they keep us unwillingly, unwittingly invested in the idea of *police*? Might they foreclose opportunities for more thoroughgoing critique and abolitionist action?

This essay considers the ideological work performed by the term "paramilitary." It launches from an obvious definitional ambiguity. What makes a given police tactic paramilitary? Often it is simply its use by police. Consider, as example, an article often cited by Ferguson protestors, a *New Yorker* piece in which author Sarah Stillman charged that "thousands of police departments nationwide have recently acquired stun grenades, armored tanks, counterattack vehicles, and other paramilitary equipment" (2013). Nobody would have thought to call grenades, tanks, and armored vehicles anything but military equipment when they were used by US armed forces. Yet when transferred to the hands of the police, somehow, they transform; they become paramilitary. What is this alchemy? Consider another opening example as clue: a discussion

by journalist Alex Kane of police force used against anti-WTO protestors in 1999. Kane noted their "paramilitary tactics," specifying, "Police fired tear gas at protesters, causing all hell to break loose." Is tear gas paramilitary? Tear gas was developed a century ago for police suppression of domestic dissent, by French chemists put to the task. By the First World War it had become military technology, then embraced again by police to combat protest immediately following the end of hostilities; since then, it has fogged front lines and home fronts alike (Feigenbaum 2014).

As the example of tear gas confirms quintessentially, the term "paramilitary" frames the shared use of lethal technology by police and military forces in a way that obscures the constancy of exchange between them. Police as a matter of course use military tactics and equipment; they have done so throughout US history and before. Military struggles have been waged with and fed by the assistance and presence of police, as long as these bodies have co-existed within national or imperial states. The alchemy that transforms military into paramilitary equipment by changing only the category of person who deploys it indexes something both much more shallow and more shatteringly deep: the rhetorical distinction between military and police which anchors the legitimacy of both. The *para* enables—in fact *constitutes*—the rhetorical distinction made to preserve the fiction of distinction between police and military. It is *in itself* that distinction. *Para*, applied to police, contends that police are not already military in the main, offering paramilitary as exception. *Para* confers exceptionality upon its object.

This works on behalf of the concept of military integrity as well. Though this is not the focus of this essay, it is worth noting that when applied to private groups such as vigilantes, *paramilitary* implies that its object is not *really* military. It offers the argument that the groups are not really part of the state, creating deniability for violence the state condones or allows. To call an assassination unit "paramilitary" is to pretend its violence is not the state's fault, or that the state (or state power, or power more broadly) should not and cannot be held accountable for it.

Para thus serves to shield abuses of power from view wherever power and its violence are so brutally exposed as to provoke a potentially challenging response. This is so whether the agents of those abuses are police, military, or other. The deep irony of the term's use *as protest* is the quiescent conclusion it sneaks in, encouraging people to demand only that the state respect the very categories it most wants to respect. Protestors end up advancing a critique not of *police* or *military* or *state* but only of the mixture of police and military or the overflow from state to non-state violence, as if any of these on their own would be just fine.

My argument is not that police and military inflict unacceptable violence even in their pure forms; it is that there are no pure forms. The term *paramilitary* is a tactic put to the task of distinguishing military from policing rhetorically,

when the two are actually formally indistinguishable. The only way to maintain them as different is to embrace the circular banality that policing is the work of people called police, while folks in military green are doing military things. Against that simplification and the alibi it provides to state violence, this essay explores possible distinctions between civilian and military spheres in three modalities: scholarly definitions, US history, and state theory.

I. By Definition

The argument against paramilitary police recognizes a genuine crisis. The charge is that police forces that incorporate techniques, material, and mindsets imported from military contexts inflict more damage on the people who suffer at their hands, who are disproportionately working and poor people of color. It is, further, that if civil police take on the mentality of military personnel, who are engaged in "war" on "enemies," they will treat the subjects they police with terrible finality. Observers thus deplore the compromise of civilian policing which they see as a democratic fundament (NARMIC 1971; Balko 2006; Kraska 2001; Kraska 1996; Kraska and Kappeler 1997; Simon 2001; Dunlap 2001; McCoy 2009; Huggins; Kopel and Blackman 1997; McCulloch 2001; Weber 1999; Cassidy 1997; Wright 1978; Andreas and Price 2001; Rohde 2013; Sherry 1995; Hill and Beger 2009; Maguire and King 2004). This critique preserves a yearning for police to live up to their ideal of benevolent protectorate. It vests this vain hope in the distinction between *military* and *civilian*, the affective pull a powerful diversion from the indeterminacy of its key terms. If we ask, clear-eyed, where *civilian* ends and *military* begins, we find no satisfying answers.

Definitions of "military" and "civilian" tend simply to accept that military means associated with war while civilian is everything else (Neocleous 2010; Loyd 2009). The Geneva Convention section on the protection of civilians, for example, doesn't define *civilian* in the abstract, but gives a simple definition of *civilians* (plural—the people) as non-combatants. War and peace researchers note the lack of definitions of these terms, or "the negative definition of 'civilian': any person who does not belong to a long list of combatants" (Wood 2010, 606; Rone 1994, 394). Scholars of the police have not produced a stable definition either. Criminal justice scholars of police "have been quite comfortable with the military/police dichotomy. … Most assume that studying the police and military is a mutually exclusive undertaking" (Kraska and Kappeler 1997, 2).[2] This is equally true for scholars of the military, who also largely accept the integrity of these distinctions as given (Huntington 1957; Demarest; Hill, Beger, and Zanetti 2007; Scobell and Hammitt 1998).

The attempt to define paramilitary is similarly unhelpful. The prefix "para," literally "beside," simply places its referent somewhere near the nebulous ellipse

of the military sphere. Its function is not clarifying but essentially obfuscatory. No wonder, then, that the term is used for everything from extragovernmental vigilantes who are allowed to operate with seeming impunity (Colombian death squads being the favored illustrative case), to clandestine units fighting wars, to cops with sniper training.[3]

Definitions of paramilitarism often rely on the terms they ought to explain. One well-known and oft-cited example is that of Peter Kraska—"armed forces of the state that have both military capabilities and police powers"—which begs the question, yet again, of what those capabilities and powers might be (qtd. in Hill and Beger 2009, 26). Similarly, in a lively scholarly debate on the question, Tony Jefferson defines paramilitary policing as "the application of (quasi)-military training, equipment, philosophy and organization to questions of policing." He too relies on undefined concepts of military and (civilian) policing. Jefferson goes on to another common step: he eschews definition with a gesture to realism, retreating to that which already exists. His definition, he admits, "is avowedly a profane one based on what is, for me, the contemporary reality of 'actually existing' paramilitary policing" (1993, 374). Working backwards from the object to be defined, Jefferson adopts a circular, "know-it-when-I-see-it" logic.

This sort of fuzziness is quite common among scholars of paramilitarism, even when they claim to take the opposite position. Alice Hills insists in response to Jefferson that one *can* define paramilitary groups; they are "organizations operating an essentially internal security function." Most internal security organizations would protest vehemently if called paramilitary, however: think of the outcry if the US TSA, National Guard, or Border Control were to admit this designation, not to mention the regular police. Even more confusingly, Hills does not directly apply the term to police. "It can also be a description of a style of policing," she admits, "but, if it is, it should be made clear that the term is being used as a metaphor" (1995, 450). Attempting to evade the paradox all these definitions court, Hills ends up adrift in the realm of the poetic.

II. Through History

Many observers are nonetheless willing to posit that police work is civilian by definition. It is because, well, it just is. Or it should be. After all, the indistinction between police and military roles is the problem at the moment, say critics of police paramilitarism today. As one typical charge put it: "the difference between the quasi-military and the civil policeman is that the civil policeman should have no enemies. People may be criminals, they may be violent, but they are not enemies to be destroyed. Once that kind of language gets into the police vocabulary, it begins to change attitudes" (Skolnick and Fyfe 1993,

113, citing John Alderson, *The Listener*). When might this "beginning" have been? Ferguson, in 2014? A dozen years earlier, following September 11, 2001, that favored pivot-point for all things militarized? This fear of a beginning was penned almost ten years prior to that. The "war on drugs" was already old then, within and as an outcropping of the even older, post-WWII "war on crime" (Simon 2007). Thus the situation found in a 1960s survey: in Black areas, police "view each person on the streets as a potential criminal or enemy" (Skolnick and Fyfe 1993, 77). Even that periodization is too recent: the "war on crime" was a handy metaphor for US police in the 1920s (Gollomb 1931; Kuhn 1934, 544; Camp 1934, 217). A pro-police tract from the 1880s shows this metaphor in operation even then:

> Outside and beyond, at their several posts, move … the men who protect life and property, who keep in subjection the army of criminals whose energy is untiring … The policeman, like the trusty sentinel, must go to his post and be prepared to meet all kinds of dangers, but not like the soldier in open battle, with his comrades and the noise and strife cheering him on. He has to encounter the hidden, and stealthy, and desperate foe. (Center for Research on Criminal Justice 1975, 18, citing Augustine Costello, *Our Police Protectors* [NY, 1887], n.p.)[4]

Those populations whom police most fear and struggle to contain, African Americans first among them, have been treated with the Other-directed fury of military enmity throughout US police history. This is the reality suppressed by our constant, over-hopeful reinvestment in the idea of a paternal figure who might actually guarantee our safety in this hardscrabble world.

The properly civilian police, which protests of police paramilitarism longingly project into the past, is a myth. Historically, police and military have constantly coincided. This is unambiguously clear in countries with avowedly paramilitary forces such as gendarmeries or constabularies as their police. Yet even in the US, where policing is officially non-military in form, militias are the historically formal basis of the contemporary police. The conventional history of the US police fails to locate their origins in the military, preferring a story of urban growth and disorder amidst early-nineteenth-century industrialization (Fogelson 1977; Kelling & Moore 1999; Monkkonen 1981; Walker 1977). That tale generally leans on the pleasingly noble example of Sir Robert Peel's London Metropolitan Police, a comfortingly patriarchal corps of benevolent and courteous community servants. Yet even Peel's model, a British observer admitted, "we should now call a 'paramilitary' organization" (Lobe 1975, 17, citing Jeffries 30–31; see also Anderson and Killingray 1992). Theodore Roosevelt claimed Peel as model when he was commissioner of the New York City police, so it is no wonder that he "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" (Holmes 2006, 58–59, his ellipses).

Claiming Peel as ancestor allows historians of the police to avoid the unpleasant fact that the US police developed out of slave patrols. The colonial-era south developed militias specifically to police slaves, and it is these bodies, not the independent northern corps, that deserve the axial position in US police history. By the mid-1780s, Charleston, for example, had a "paramilitary municipal police force primarily to control the city's large concentration of slaves," and other southern cities soon followed suit. These "military-style police forces" (Rousey 1996, 3) were the first major instances of US urban policing, precursors to modern police (Reichel 1988, 51; see also Simmons 1976; Harring 1976, 57; Henry 1968; Hadden 2003; Williams, Jr. 1972; and Wintersmith 1978). Only a good half-century later did police forces formally independent of military corps come to be in this country.

This founding military-civilian hybridity has never been displaced. Since the Revolutionary War, a military police has existed within US armed forces, under various names (Ward 2006). A range of other organizations with "overlapping police and military tasks" have been common since the early republic, when the Navy and Marines formed constabulary forces to combat piracy, banditry, and smuggling (Andreas and Price 2001, 35). Blurred lines extended into twentieth-century organizations such as the Border Patrol (whose roots in the Texas Rangers explain its paramilitary character) or the National Guard, and regular police departments nationwide have frequently collaborated with military officers and long employed military-style organization. Whether they recognize this already-existing organizational structure or not, US police officers frequently express support for military models as templates for regular police departments. From the mid-nineteenth century on, as pioneering policing scholar Egon Bittner showed decades ago, US urban police have embraced a military organizational model, even choosing military commanders for their leaders (Bittner 1970; Andreas and Price 2001, 30; Klare and Kornbluh 1988; Skolnick and Fyfe 1993, 116–17; Dunn 1996, 12–13; Lutz 2002; Wilson 1974; Smith and Ostrom 1973, 30).

Further, police and soldiers have ever worked together abroad, where police have swelled US war-fighting capacity since the nineteenth-century Indian Wars and the Spanish-American skirmishes of 1898. After that conflict, police were sent to form constabularies in the Philippines, Cuba, and other new colonies, which were essentially occupying armies, beginning a tradition of policing as foreign policy that lasts to this day. During the Cold War, foreign police "assistance" was an integral element of military policy, focused on "internal warfare" or counterinsurgency. The Department of Defense hosted police assistance programs until they were shifted over to the Department of State in the 1960s, an explicit attempt to use institutional location to claim

civilian status for police assistance (Huggins 1998; McCoy 2009; Tullis 1999; Schrader 2014; Kramer 2006, 2011; Kohler-Hausmann 2011; Seigel 2018; W. Williams 1980).

The police assistance program out of the State Department was one of the more telling historical iterations of police-military convergence. Operating in the 1960s and '70s, this body, the Office of Public Safety (OPS), sent police trainers abroad to modernize and professionalize allied nations' police—but not for the reasons one might hope. This was no impartial initiative launched to contain common crime but a key player in "internal warfare," a fully political project. OPS was focused on counterinsurgency, valuable precisely because its police focus and façade gave it the ability to claim a position on the civilian side of the military-civilian distinction. It is not that OPS was "really" military aid, but that any attempt to characterize it as either primarily military or essentially civilian oversimplifies. This organization mixed military and civilian elements at every point of its operation: from the police and military officials it selected to populate its initial ranks, to the work it set police to do in theaters of war, and above all in the inherently hybrid tasks of counterinsurgency. It mixed spheres even in the people with whom it did that work, including military, police, constabularies, gendarmeries, and groups that called themselves military and paramilitary police. Yet OPS was obliged to present itself as purely civilian, and eventually the stresses of this position rose to the surface. In 1974, the US Congress terminated the program, accusing it of teaching torture and political policing. The termination of OPS marked its champions' failure to convince Congress that police assistance was the straightforward civilian mission it claimed to be (Schrader 2014; Seigel 2018; Kuzmarov 2012; Tullis 1999; Huggins 1998; Lobe 1975).

In the years that followed, Congress provided exemptions for foreign police assistance projects, while also wearing away the Posse Comitatus Act—the law prohibiting the military from performing civilian policing—by passing a series of laws and policy changes enabling exchange between the military and the police (Balko 2006; Weber 1999). These moves further facilitated the circulation of technological and procedural innovations between contexts overseas—which tended to be military—and domestic policing. In the moment of the Vietnam war, often decried as a particularly raw example of troops-to-cops transfer, 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 (Tullis 1999). Today, municipal police from cities throughout the US integrate and interact with the military as a matter of course when they travel abroad as consultants and trainers (Nadelmann 1993; Huggins 1998; Dunn 1996; Global Policy Forum). We see such collaborations throughout the War on Terror—Abu Ghraib being but one sore thumb of an example—and

domestically where police attend courses held at military bases on sniper skills, SWAT team work, or weapons use. Police-military collaboration during war and the exchange of weapons and tactics is a constant in US history (Huggins 1998; McCoy 2009; Tullis 1999; Schrader 2014; Kramer 2006, 2011; Kohler-Hausmann 2011; Seigel 2018; W. Williams 1980). In endless rounds of exchange, police and military practices journey abroad and return home, cross-fertilizing each other in reciprocal co-constitution.

The constancy of police-military crossing requires us to ask different questions, ones that "paramilitary" as a concept do not easily allow. We should not ask to which body a given object rightly belongs, but how violence, whether unleashed by military or police, can be confronted. This directs us to theoretical questions, all centering around the idea of the state. Discussing the complex process of legitimizing state violence, Joshua Lund points out that states have long franchised out their monopoly on violence (2011). Modern states have operated not only by *letting die*, as Foucault theorized, but also by *letting kill*. This creates a quandary for the question of sovereignty. Does the state's granting of permission to non-state actors to inflict violence give the lie to the monopoly on violence, or should such actors instead be understood as somehow co-extensive with the state (White 2008)? *Para* solves this problem with its neat sidestep. As Lund so aptly puts it, paramilitarism points to the "uneasy place of sovereignty within liberal republics" such as those of the Americas (2011, 66).[5]

III. In Theory

The question of sovereignty Lund raises is truly the critical one. The core of state power reaching back to Max Weber—that famous ability to legitimize violence—is in our sights. Police and military forces, and every point along the slippery continuum they share, are instruments of that ability. As Peter Kraska has observed, "the foundation of military and police power is the same—the state sanctioned capacity to use physical force" (2007, 503).[6] Cops and soldiers are all human-scale purveyors of legitimate violence, the avatars of a single, vital vector. While this is apparent for militaries, it is less obvious for police forces in our time, given the obfuscatory excuse of their relationship to "crime." Yet it is equally true, as scholars of politics and police have phrased in compelling ways. Adam Smith understood police as "the science of government in a broad sense" (qtd. in Farmer 2006, 146). Agamben pulls out the tautology marvelously: "Police is the relationship of a state with itself" (2014). Other thinkers offer helpful images: "every police agent embodies a minute replica of the state … the police are the state's most condensed governing organ" (Seri 2011, 250). State and state capacity are "phenomena of *police*"; "[d]iscourses of governance … are quintessentially discourses of police" (Tomlins 2008, 47, 48,

his emphasis). "As a core component of the state's monopoly on the legitimate means of coercion, police practices epitomize sovereignty in action" (Andreas 2009, 5; see also Hall et al. 1978).

If violence is the core of police work, then, it is because violence also lies at the heart of the state. Weber's famous dictum regarding the monopoly on the legitimate use of physical force identifies violence as the state's defining quality. Violence is also the core of pre-Weberian, Marxist, and Foucauldian as well as other poststructuralist conceptualizations of the state, absent only in some liberal accounts. Charles Tilly notes that political theorists since Machiavelli and Hobbes have "recognized that, whatever else they do, governments organize and, wherever possible, monopolize violence" (1985, 171). Althusser recognized that the power of state violence is *constitutive*, the fuel that makes the state machine-apparatus run (Datta 2011, 223). Ruthie Gilmore articulates the process through which violence becomes power: "the application of *violence*—the cause of premature deaths—*produces* political power in a vicious cycle" (2002, 16). The police actualize this essence of state power, as Egon Bittner recognized with his classic definition of the police as "a mechanism for the distribution of situationally justified force in society," invoking the Weberian definition and locating the police at its crux (1979, 39). Police realize—they *make real*—the core of the power of the state.

No wonder police and military rub up against each other so constantly in history and theory. "Speculating that the police could be anything but paramilitary," agree Kraska and Victor Kappeler, "denies the existence of the inherent bond—historically, politically, and sociologically—between the police and military" (1997, 2; see also Enloe 1980; Bittner 1979; Jefferson 1990; Green 1990). The most sophisticated scholars of the police begin from the understanding that police are "fundamentally political" (Huggins 1998, 4), recalling Clausewitz's famous definition of war, "politics by other means"; they see that the juridical doctrines of war and police are coextensive, "always already together … predicative on one another" (Neocleous 2014, 13). 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. Thus is the military-civilian distinction vague, "flimsy," "rarely clear-cut," and "usually full of tension," even to the point of no distinction under certain regimes, as Anthony Giddens has reasoned (1981, 192, 327; see also Maechling 1988, 31).[7]

Conclusion

The concept of *paramilitarism* imagines the world too simply. It implies clean categories, *military* and *civilian*, which it alone violates. It imagines some primordial moment when policing was civilian and good, but there is no moment of pristine civilian purity to which police forces could dream of return. It

forgets that the instruments of state violence are the products of long histories of exchange between foreign and domestic killing ventures. By casting *police* as ideal in civilian form, it grants the corollary: that war is acceptable as long as soldiers wage it. Protestors who decry paramilitarism cede the grounds on which to oppose military action abroad, while granting police jurisdiction for violence work at home.[8] Protesting paramilitary policing 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.

These effects come through quite clearly in the trio of quotations with which this essay began. Look back at the first of those three to see the distinction between police and "a paramilitary force" used to explain away the *unexceptional* violence of the police ("The violence seems to be incited almost exclusively by the police—and it's not even police, it's a paramilitary force"). The person quoted in the piece, and the *Washington Post* reporter who sanctioned his remark by giving it pride of place, suggest that greater outrage should confront this situation because the police are paramilitary. The same violence from regular police would not be as bad? Further, the speaker seems surprised that police are inciting violence, when that was precisely the problem in Ferguson. The invocation of paramilitarism proves a deft way to refuse the recognition that police regularly act with precisely this brutality. Here, *paramilitary* serves to anchor a denial of the vicious racism of police, historically constant all the way back to antebellum slave patrols. The "peaceful protestors" drawing the "sniper rifles'" scopes further justify police violence when levied against anybody who fails to emit this sheen of innocence. Finally, the speaker's status as soldier ("David Goldstick, 38, a former Marine") burnishes his authority to define the military sphere and therefore its civilian inverse, the distinction reinforcing the legitimacy of both bodies.

The second quotation features a denial of this history as well. It observes that St. Louis County "now" has military equipment, as if police equipment had not always featured such hybridity. The quiet redundancy of "military equipment meant for war" seems an unconscious acknowledgment that much military equipment is meant for peacetime. The emphasis on the suburbs ("the paramilitarization of suburban police forces, or the suburbanization of paramilitary police forces"), which code in the US for "white," attempts to make the threat of police violence matter to those who know they are not its targets. Like protests that posit military violence as acceptable abroad, this piece accepts that the infliction of police violence on urban (read: Black) communities is unsurprising and unlikely to provoke concern. This is a core component of the military-civilian distinction: the refusal to recognize the lethality inflicted on Black people by police so as to sustain the fiction of the absence of state violence at "home."

The final quotation of the opening trio extends this devastating logic. It dates police racism to the 1980s' rise of SWAT teams—the 1980s!—forgetting the basic antagonism that formulated US police in the first place, as well as every wave of protest since (Wagner 2009). It works by comparing the US to Iraq, justifying the use of military force in the foreign spaces of US neoimperial engagement. It also wriggles away from the deep interconnectedness of these two nations after so many years of tangled struggle. If we are talking about overarching sources of control and the race-based function and effects of policing, the US *is* Iraq today; Iraq *is* the US, as the Black vernacular nickname for Chicago, Chiraq, charges in full.

Protests against police paramilitarism are profoundly important ethically and morally, and they have fueled powerful demands for reform. Yet they accept a series of toxic assumptions that sap their ability to achieve justice. This is not at all to suggest that protestors should leave off attempts to denounce the police. On the contrary, police are all the more important targets of protest because policing's pretensions to legitimacy are so vital to their control function. Policing enjoys widespread public opinion that its violence is legitimate since, the story goes, it is directed at an independent phenomenon called "crime." Under contemporary capitalism, state violence needs this legitimacy; it cannot be a naked show of force, for the fictions of democracy require at least some modicum of consent (though some, following Mbembe, would argue that this requirement is diminishing as misery is more blithely inflicted). The liberal republic has had to negotiate this dilemma from the moment it conceded universal suffrage in a compromise with the rising classes of early industrial capitalism. It has had to wield power through consent, or as Gramsci understood, to disguise its coercions as consensual (Hall 1984, 9–11).[9] As observed in *Policing the Crisis,* the still-unsurpassed work of the Birmingham school of Cultural Studies, as class divisions widen in democracies and the working class grows in size, the law must struggle to maintain its appearance of legitimacy (Hall et al. 1978, 192–193). Police accomplish that, as long as people fail to protest their normal, quotidian, unexceptional work.

All this points to a sobering clinch: inasmuch as protesting paramilitary police grants the categories that sustain the fiction of a benevolent state, it reinforces the damage it hopes to curtail.[10] In working for justice at the hands of police, then, let us not protest their paramilitarism. The police have always already been military in essence. They may have grown more deadly, as military forces have as well, in tandem with rising inequality and thanks to technological change. Therein lies the true object of our discontent. Let us work actively against the ideological and affective work enabled by the "para" and instead expose the lethal capacity of state violence inflicted at home *and* abroad,

the better to short-circuit the transnational exchange upon which this mortal containment relies.

Notes

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1. My emphasis in all three citations.

2. This difficulty is related to the problem of defining "police," which I and other scholars treat extensively. See Seigel 2018; Neocleous 2006, 19–20; Neocleous 2000; and Wagner 2009, 5–7.

3. The fact that Colombia now claims to be "post-paramilitary" extends the ideological work this term does for the state into the realm of the ridiculous (see Hristov 2010).

4. For early denunciations of this mixture, see Koistinen 1989; Sherry 1995; Rohde 2013; and Bittner 1970.

5. Lund is willing to work with a definition of "vulgar paramilitarism" (2011, 64), an equivalent to Jefferson's "profane" one (1993, 353).

6. Kraska is not denying the difference, just the notion that it is absolute. He maps it onto an evidently-subjective continuum. In earlier work, he defends the militarization of the police as an "advance" in surveillance capability and greater rationalization of social control (1999).

7. Agreeing, Lobe sees police-military roles as existing along a "spectrum," with divisions ultimately unclear (1975, 34). On the development of this distinction in the classical era of constitution-making (the closest I have found to a definition of "militarism"), see Gillis 1989.

8. Lutz shows the consequences of accepting war as a natural part of national social life in her wonderful *Homefront* (2001).

9. Hall traces earlier social forms, including absolutist and feudal states, as well as stateless societies, in this excellent piece. On Gramsci, see Hall et al. 1978, 203–06. A useful analysis of the production of state hegemony is Jenkins (2014).

10. Here, it is vital to remember the refusals of Karl Polanyi (2001) and Nicolas Poulantzas (1969; 2008) to alienate the political from the economic, and more directly the claim of Tim Mitchell (1999; 1998; 1991) that this distinction is itself a primary strategy of power.

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