



THE AHMAUD ARBERY VERDICT AND VICTORY: NOTES ON ITS MESSAGE AND MEANING

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DR. MAULANA KARENGA

OUR WAITING FOR AND FINALLY HEARING the verdict in the trial of the three murderers of Ahmaud Arbery, like that with George Floyd, compelled us to ride a roller coaster of mixed emotions, from relief and rejoicing to reflection and recommitment, and always, whether evident or just below the surface, a righteous anger and sadness at the evil and injustice committed. First, we felt relieved that it didn't go the other way as so many other similar trials have gone against accountability, justice and us. Then, we rightfully rejoiced for a hard-won victory, well-deserved and long overdue.

Somewhere in the midst of it all, we paused and reflected on the meaning of this important, but single trial, single verdict and single victory in our overall struggle for racial and social justice. And it is at this point, our reflection unavoidably led us to our recommitment to continue and intensify the struggle, to keep the faith, to hold the line, and never to leave the battlefield until the struggle is won. Indeed, centuries of serious and sustained struggle have taught us to greatly value the essential teaching of Nana Amilcar Cabral that we should "mask no difficulties; tell no lies; and claim no easy victories."

So, we come to this place of relief, rejoicing, reflection and recommitment, sharing again the great loss and grief of a mother and father for their son and of other family members and friends, righteously angry at the continuing injustice in the country as a whole and vowing to press forward relentlessly and regardless to end it. And we, of necessity, meditate on the meaning and message in life, work and struggle this verdict and victory have for us. For even a single victory is a contribution to our overall struggle and holds important lessons for us in the way we live our lives, do our work, and wage our struggles.

First, as always, let us give praise to our people, who demonstrated, lobbied, confronted and pressured the system every week since the murder, keeping the issue in front of the city, country and the world. For we know with Nana Frederick Douglass, "Without struggle, there is

no progress. Power concedes nothing without demand. It never did and never will." We give due praise also to Ahmaud's mother, Mrs. Wanda Cooper-Jones, his father, Mr. Marcus Arbery, and other family members, and all those activists and activist organizations and institutions, the lawyers, ministers and everyday people who continued the struggle, kept the faith and held the line in pursuit of *accountability* and *justice*.

To rightfully appreciate the verdict and victory and benefit from the lessons of struggle, we must also make a clear distinction between *accountability* and *justice*. For the verdict was one of accountability, not justice in its essential sense. Sometimes, we call accountability *procedural justice* as distinct from *substantive justice*. For it is holding persons accountable, i.e., holding them responsible through established procedures and processes. But we know procedures and processes can be and are often racist and wrong and virtually always in the interest of the system itself which also can be and is unjust and oppressive as well as its controllers. In such a system, we are asked to wait until the process plays out and whatever the results, it is called justice. For justice here is not about the outcome, but about procedure and process.

However, substantive justice is not simply about processes and procedures or the result of a single trial, verdict or victory. It is *a condition of society* in which it ensures that persons and peoples receive their rightful due as human beings. Substantive justice, both racial and social justice, requires respect for the equal dignity and rights of persons and peoples; equality of treatment and of real access to the necessities of life and opportunities; equity in diversity; effective participation in public life; and rightful relations with the environment. The evidence and outcome of these conditions will be expressed in persons and peoples having the capacity to live lives of dignity, well-being and flourishing and to pursue their concepts of the good in relations of mutual respect, mutual caring, shared interests, ongoing cooperation, and sustained attentiveness to the well-being of the world.

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It is this societal and world inclusiveness of the principle and practice of justice that enables us to see that the trial of these three racist murderers was not simply to hold them accountable, but also a definitive example of American society on trial itself. Indeed, it is the American system that produced and nurtured them and the sick racist mindset that millions of other White Americans share, nurture and support openly or undercover. As Haji Malcolm X taught, it is not a city, county or state alone, but the U.S. government that has determined how this system was founded and functions, especially against us. As he says, "It is the government itself, the government of America that is responsible for the oppression, exploitation and degradation of Black people in this country." And it is morally imperative that we hold it accountable in our quest for justice through righteous and relentless struggle.

Also, if we are to rightfully appreciate and learn the lessons of our struggles, we must always resist the system's self-congratulatory narrative that this and other victories we win in struggle are examples of how well the system works. We are told that a nearly all-White jury (11 Whites and 1 Black) came through and demonstrated their appreciation for justice, etc., etc. But this hides the fact that having a virtually all-White jury, intentionally discriminatory, in a city of 60% Black and in a county 27% Black, is an injustice in itself.

Also, we are constantly told that the system works in spite of its flaws. But for whom does it work? If it had worked for Ahmaud Arbery, there would have been no vigilantes, no death-hunt and cold-blooded killing, no cover up, and no need to wait, hoping and praying for a break in the established racist patterns and practices so that at least accountability could be achieved. Moreover, we would not need to cater to an essentially White

jury, concerned that we not mention race and make them uncomfortable and exonerate their White compatriots.

Indeed, the prosecutor should have been able to argue the savage racist reality of the murder. For it was not murder in general, nor was Ahmaud Arbery an accidental victim. He was an intended target, a chosen prey, targeted as a Black man, hunted down, cutoff and cornered as he jogged, and killed coldly by vicious racist predators. But the prosecutor felt she could only briefly mention race after the defense raised it, falling on all four to sow and stoke racist fear and hatred, using even the length and alleged status of Ahmaud's toenails as a source of racist indictment of him for "unforgiveable Blackness." So, we must not let the system hijack the victory, claiming it proves the system works; that Whites on a good day can be kind and considerate and we must forever depend on their episodic kindness rather than on a just system.

Finally, we are compelled to remember that in the context of systemic racism, it is not the system that willingly and normally does justice or holds accountable police, vigilantes and other violators of Black rights and takers of Black lives. On the contrary, it is our people in struggle and alliance that compel and create the context for both accountability and eventual justice in an expansive sense. Indeed, it is the teaching of Nana A. Philip Randolph, that "Freedom is never granted; it is won. Justice is never given, it is extracted." For it is an ongoing struggle to bring, increase and sustain good in the world, as the *Odu Ifa* teaches. And to realize this, Nana Fannie Lou Hamer teaches us, "We've got to fight every step of the way."▲

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