

Book Forum

■ Garrett Felber, *Those Who Know Don't Say: The Nation of Islam, the Black Freedom Movement, and the Carceral State*. Chapel Hill: University of North Carolina Press, 2020.

Courting Dialectics

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Garrett Felber's *Those Who Know Don't Say: The Nation of Islam, the Black Freedom Movement, and the Carceral State* is an indispensable book that situates some of the political concerns of the Nation of Islam within American civil rights and Black freedom struggles. Historically, the coeval consolidation of the "short" civil rights movement (circa 1950s–60s) and the Nation of Islam (NOI) produced significant tensions between Black leaders and movements in the aftermath of Jim Crow legislation in and beyond the American South. By the 1950s, after Harry Truman signed the National Security Act of 1947 and ushered in the professionalization of federal and state law enforcement,¹ Black struggles became as much about legal and economic equality as they were about the protection, safety, and security of communal livelihood against weaponized hate groups and austere law enforcement. Felber's book implies this history around the complex relationship between law enforcement and Black communities, as well as the ensuing disagreements and agonism within Black political movements that propelled the NOI onto America's political and legal stage. The question, then, about how to engage the omnipresence of law enforcement and the concomitant dangers of incarceration and brutality that Black people and traditions endured requires viable answers and strategies. This is especially the case for Black Muslims who were not only subjected to the war on crime, but also the war on terror that preceded the twenty-first-century American crusade (7).

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Central to Felber's argument about the carceral state and its relationship to Black political movements is what he calls the "dialectics of discipline," which "describe the interplay between Muslim responses to state repression and the paradoxical acceleration of the expansion of the carceral state through new technologies of violence" (2). According to Felber, the dialectics of disciplinary practice entail a rearticulation of how the state targeted Black Muslims as dangerous subjects and, as a result, how the NOI organized and redressed these persistent modes of murderous injury, incarceration, and social and political denigration. Felber expertly excavates the nuances and tensions that emerged within the NOI regarding how to find recourse in political and legal institutions such as courthouses and prisons that have historically catalyzed the subjugation of Black communities. He outlines the contours of this history by demonstrating how members of the NOI became political subjects and agents without succumbing to the logic of recognition that it identified in Black political movements principled by nonviolence.

In the third chapter of the book, "Whose Law and What Order?" Felber outlines how the courthouse became the arena through which the NOI redressed police brutality and its institutions. With the consolidation of the Federal Bureau of Investigation and the nascence of other enforcement and intelligence agencies (such as the Central Intelligence Agency and National Security Administration), surveillance became a key technology through which to scrutinize and cast suspicion on the nature of the NOI as a religious group motivated by a terroristic agenda (87). This image of the NOI was not only upheld by law enforcement agencies but also confirmed in televised documentaries such as *The Hate That Hate Produced* (1959) and imbibed by other Black political movements and coalitions like the National Association for the Advancement of Colored People (37–38).

Given the antagonistic images portraying the NOI, law enforcement questioned whether Black Muslims were part of a religious organization and whether they could be afforded or denied their civil rights. To combat the police's suspicion, the NOI and other Black coalitions briefly united under the short-lived Emergency Committee for Unity on Social and Economic Problems. While the Emergency Committee buckled within a year of its formation, Felber examines the preconditions and events that catalyzed its emergence and the questions that were provoked in its wake, such as "What was the role of organizing against police brutality within the broader Black freedom struggle? . . . Were Black communities calling for more policing

or rather for more just policing" (88)? These questions were broached by the NOI given numerous encounters with the police that subsequently led to legal battles played out in courthouses. The NOI approached the faulty arrests, incarceration, and intrusion on Black life as an opportunity to reverse the scrutiny imposed on them and to shed light on the unchecked brutality performed by law enforcement. The NOI's ability to transform the legal arena of the courthouse into a political theater is a key site in which we come to understand the force of Felber's dialectics of discipline.

On one night in 1958, two New York police detectives showed up and eventually forced their way into the duplex that housed Malcolm X, Betty Shabazz, and other members of the NOI. They were met at the door first by Yvonne X Molette and then, when they successfully intruded into the house, by John X Molette, who refused to let them enter. After breaking glass on the door and reaching in to open it, detective Joseph Kiernan shot multiple rounds at John and others in the house. At the time, Betty was pregnant and sought refuge with Minnie Simmons, another resident, who was protecting herself and her baby during the intrusion and gunfire. That night, Betty, Minnie, Yvonne, John, and two other residents were arrested, taken to a local jail, and eventually released on bail.

The NOI refused to be intimidated by these tactics and demonstrated as much during the court hearings. During a fourteen-day court trial, the NOI showed up in numbers, flooding the courthouse with NOI members dressed for the occasion. Malcolm X took to the public pulpit to scrutinize a police force that fires guns at "innocent Black women, children, and babies" (98). The March 1959 trial would be a public display of the kind of discipline and, to use Simone Browne's concept, "dark sousveillance"² that the NOI would exhibit at every court case against one of its members. As Felber outlines, the NOI organized its presence in an "orderly fashion" such that they "brought their own stenographer to record the court proceedings and admitted stacks of evidence" (100). The large presence of the NOI permitted them to control the physical space and spirit of the courthouse. Members of the Fruit of Islam, the unarmed security contingent organized to protect the NOI, were brought in to protect the inner and outer vicinity of the courthouse. The NOI also brought its own photographers. Through these practices and personnel, the NOI "was able to turn these trials into public spectacles, re-centering the issue of police brutality even when Muslims were on trial" (103).

For Felber, the dialectics of discipline is exhibited in the ways the NOI was able to appropriate practices characteristic of a state apparatus that wielded

its equipment to violate and fragment Black communities. The NOI appropriated tactics of police surveillance (photography), legal procedures (sténography), and courtroom security (its own security personnel) precisely to combat the police violence to which they were subjected on a daily basis and which was itself placed on trial in March 1959 in New York and many times over in Los Angeles, Chicago, and other cities.

Successful as these practices may have been for the NOI during this time, I wonder about Felber’s interpretation of the NOI’s political action as appropriative of and antagonistic toward mechanisms of state violence. While Felber does not offer a strict definition of “dialectics” or “dialectical,” he characterizes Black freedom practices as inherently *resisting* the juridical, political, and carceral impositions that Black Muslims in the NOI had to reckon with and combat in order to thrive as Black Muslims. My hesitance, then, attends not to the practices themselves performed inside courthouses, prisons, or other spaces but their conditions of emergence. Placing surveillance or freedom practices within a dialectics of discipline would also mean that they are always already motivated by and responsive to state control and repression and, as such, are always already defined and subsumed by the state. What might it mean to attend to these practices outside of the dialectical structure of oppression and resistance? While responses to police and state violence exhibit the dialectical structure inherent to the disciplined strategies of the NOI, I think there is room to think within Felber’s account of Black Muslim political and legal action as not only responding to and mimicking the state but also resisting intelligibility beyond the framework of state violence. This, I think, would also point to what is at stake for Black Muslims in the NOI who seek political and legal recourse within the very structures that have produced the conditions of their racial subjugation only “to constitute [their] own standpoint”³ outside of these structures.

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Notes

1. See Khalil Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Urban America* (Cambridge, MA: Harvard University Press, 2010).
2. Simone Browne, *Dark Matter: On the Surveillance of Blackness* (Durham, NC: Duke University Press, 2015), 54.
3. Hortense Spillers, “The Idea of Black Culture,” *The New Centennial Review* 6, no.3 (2006): 25.