

The George Zimmerman Trial

All Writings by Jelani Cobb, *The New Yorker*

1. Sixteen Months Later: George Zimmerman's Trial Begins

It's been sixteen months since an encounter between Trayvon Martin and George Zimmerman left the former mortally wounded on the rain-soaked ground of Sanford, Florida, and placed the latter on a circuitous path to the defendant's table at the Seminole County Courthouse, where jury selection for his trial began Monday. During that time, we've witnessed the hooded sweatshirt transform from a utilitarian garment into a statement of political solidarity; we've become aware of the hazy shades of innocence created by Stand Your Ground laws in Florida and beyond. We've seen cable news parse audio of Zimmerman's 911 call to determine what he had said about Martin before getting out of his car to confront him. The faces of Martin's parents, dignified though grief-stricken, have become familiar to us, as has that of Robert Zimmerman, George's look-alike sibling and chief defender in the media. But more than anything we have come to understand context.

It's possible – no, reasonable – to look at Martin's death as the opening scene in a four-act drama centering on American gun culture. The subsequent scenes were set in Aurora, Colorado; Oak Creek, Wisconsin; and Newtown, Connecticut.

If we've been hesitant to recognize Martin as part of that procession of slain bystanders, it's because the public sympathies here are muddied. More than in any of the other instances, people quietly, perhaps ashamedly – or not – can find it easier to imagine themselves in Zimmerman's shoes than those of James Holmes, Wade Michael Page, or Adam Lanza. How else to explain the impressive sums proffered by supporters via Zimmerman's Web site? Or the nauseating popularity of Trayvon Martin shooting targets last spring? Not all unarmed citizens facing down armed men are created equal. Where Newtown, the tragic climax to a season of violence, caused deep self-reflection on the presumed bonds between weaponry and liberty and the unchallenged authority of the National Rifle Association, the Martin-Zimmerman incident prompted far less pondering about these questions. Context matters.

This week, the prosecution will try to narrow down a prospective pool of five hundred people to a set of jurors and alternates who can imagine themselves in Martin's position, while the defense will attempt to empanel a jury of people who might sympathize with a man fearing for his life despite the sidearm within reach. (It's an ironic moment when the prosecution might reasonably favor potential jurors who've been racially profiled by police.) Statistical palm-reading and lawyerly gut instincts will yield preemptory strikes on both sides until a few handfuls of citizens are left to ponder evidence that can be distilled to a single question: Under what circumstances is it permissible to shoot an unarmed citizen whom you have pursued against the advice of law enforcement?

That the judge has ruled out any evidence regarding Martin's alleged use of marijuana or proclivity for fisticuffs is significant. In the weeks following Zimmerman's arrest, the already-febrile imaginations of Internet conspiracy jockeys were arguing that Martin was far from the baby-faced tween we've seen repeatedly but rather a six-foot, hundred-and-ninety-pound, facially-tatted thug apparent. (The image used as evidence turned out to be that of the very much alive rapper The Game.) The presumption – unspoken but very much relevant – was that a heavily muscled black man walking down the street is not as innocent as a group of religious worshippers in their temple, or moviegoers taking in a summer blockbuster. Robert Zimmerman (George's brother) implied as much when, following the horrid murder of a thirteen-month-old child, he tweeted a picture of the alleged assailant alongside that of Martin, with the message: "A picture speaks a thousand words. Any questions?" He went on to state that actions like the murder of a toddler were a rationale for thinking of blacks as "risky."

That doctrine of collective guilt and epidermal suspicion is what makes this case different than the others. George Zimmerman is on trial but so is a set of durable fears about black men in this society. For that reason and others, it's difficult to separate the context of this trial from that of other similar debates – most pointedly, the legal battles over the NYPD's stop-and-frisk policies. At the heart of both these issues are questions regarding who is suspicious, when the intervention of authorities is justified, and the extent to which one segment of the public is willing to accept the forfeiture of civil liberties in another one. Yet, if 2012 should have taught us anything, it's that none of us can be hermetically sealed off from these questions. The Second Amendment fundamentalism that makes incidents like the Martin shooting possible also makes ones like Newtown inevitable.

We know, or ought to know, that in moments when civil rights and civil liberties find themselves in conflict, absolutism is the enemy of resolution. In the coming weeks, there will be a great deal spoken about the contexts in which Trayvon Martin and George Zimmerman encountered each other, but no matter how the legal stagecraft plays out, there will not be catharsis for the rest of us. A jury will render a verdict and, in place of closure, a new concern will emerge. This drama will be restaged with an entirely new cast but a sickeningly familiar plot.

2. George Zimmerman's Trial Begins, With a Knock-Knock Joke

The case of Trayvon Martin and George Zimmerman has always combined tragedy and oddity. Perhaps it's fitting, then, that on Monday, when both the prosecution and defense offered their opening statements in the first real day of Zimmerman's trial, the courtroom seemed to be teetering between the two, always in danger of falling into outright absurdity. The day was defined by a cluster of f-bombs, a contention that Martin used a sidewalk as a weapon, a heavy-lidded defendant, and a knock-knock joke.

It began with the prosecutor John Guy, whose first words to the jury were "Good morning. '****ing punks. These *****es always get away.' Those were the words in that grown man's mouth as he followed a seventeen-year-old boy." To illustrate Zimmerman's mentality as he exited his car in pursuit of Martin, Guy repeated those words: "****ing punks." Twice. Three times. (This may or may not have driven home his point to the jury, but it did ensure that, for those watching on television, the sixteen-month wait for opening arguments would be delayed by five more seconds.) Guy augmented cuss words with adjectives, describing a "rainy, Sunday, Sanford night" when Zimmerman left Martin "face down, laboring with his last breaths."

By contrast, Don West, Zimmerman's defense counsel, started with a tale about his own upbringing that drew an objection from the prosecution, which the presiding judge, Debra Nelson, sustained. Thus rerouted, West tried a novel opening approach. After telling the jury not to hold his own humor against his client, he offered them this:

Knock-knock.

Who's there?

George Zimmerman.

George Zimmerman who?

Ah, good. You're on the jury.

West apologized for the gag later, but told the courtroom he suspected the problem was in the delivery – not in the fact that he'd just told a knock-knock joke about a murder trial. (If you have to preface a joke by asking a jury not to hold it against your client, perhaps it's a joke that ought not be told.) By the end of his comments, he'd advanced the intriguing legal theory that a man walking down the street is not unarmed if that street is

paved. Though Martin was not actually holding a weapon, West argued, he might as well have had a brick in his hand, given his alleged slamming of Zimmerman's head on the sidewalk.

It would be wrong to cite the defense alone for its indelicacy. HLN (formerly known as CNN Headline News), which broadcast the arguments in their entirety, promoted its coverage with a macabre commercial including a 911 call made by a neighbor in which haunting screams are punctuated by a gunshot; the image in the ad is a single figure clad in a hooded sweatshirt. Another promo featured something of a reenactment for anyone (perhaps the members of the jury in West's joke?) unaware of what happened in Sanford, Florida, in February of last year. Add in the network's frequent pauses for color commentary, and its coverage amounted to something of *juris interruptus*.

But there was more to the first day of the trial than its strangeness. On Monday, we learned that the now-famous Skittles that Martin had purchased in the 7-Eleven shortly before his encounter with Zimmerman were not for himself but for a twelve-year-old friend with whom he'd been playing video games; that the medical examiner was struck by the thinness of his frame – five feet eleven, a hundred and fifty-eight pounds – leaving the jurors to ponder the kind of wreckage a bullet fired at close range does to a frame that insubstantial; that Zimmerman's impassive demeanor after the incident was consistent with a man who, in his attorney's phrasing, had “just had his butt beat.”

While the prosecution was economical in laying out its arguments, Zimmerman's defense meandered through a more than two-hour statement that included narrative detours, tangents, and at least one instance of diagramming a crude sketch of two men fighting with the words “red-shirt, bottom, black-shirt top.” (The idea, presumably, was to illustrate the subordinate position of Zimmerman, but it was less than clear.) As the opening statement ran into its third hour, Judge Nelson finally stopped the defense to offer pointers about what belongs in an opening argument and what should be saved for closing.

That exhaustive approach, on a day in which any defendant could reasonably be expected to be suffering the effects of a sleepless night, took its toll: at times, Zimmerman appeared on the verge of dozing off. But his attorneys did at least get their key points in, disputing the claim that Zimmerman pursued Martin against the advice of the police, arguing that Martin confronted him by asking “What are you following me for?” instead of just going home, and painting for the jury a portrait of a man who was being beaten to semi-consciousness and who fired in desperate self-defense.

But the proceedings never entirely managed to escape the sideshow atmosphere that they have engendered. Toward the end of the day, there was a dispute over whether Tracy Martin, Trayvon's father, should be banned from the courtroom for allegedly calling a Zimmerman supporter a “*****er” outside a court restroom. The exchange insured that the proceedings were profane and absurd in equal measure, which, in this case, is probably a more apt combination than anyone would like to admit.

3. Rachel Jeantel on Trial

As much as anything else in the saga of race, fear, and firearms that is the death of Trayvon Martin and the murder trial of George Zimmerman, the testimony of Rachel Jeantel, a nineteen-year-old rising high-school senior sometimes described as Martin's girlfriend, served as a kind of Rorschach test. When you look at the prosecution's star witness, a young woman, dark-skinned and overweight, her eyes signaling exasperation, what do you see?

Social-media commentary on Jeantel began nearly as soon as she began to testify. Crass assessments of her weight, looks, and intelligence from some white observers competed with a cocktail of vicarious shame, embarrassment, and disdain from some black ones. If the trial has become a referendum on racial attitudes, Jeantel's testimony served as a reminder that none of us have the moral high ground. Of the

abundant ironies that this case has generated, perhaps the most telling are the commonalities that emerged while she was in the courtroom: it brings out the worst in all of us.

The two days that Jeantel spent on the stand – she began testifying Wednesday afternoon and finished Thursday afternoon – were often difficult to watch, and only partly because of the details she gave about the final moments of Martin’s life. Her appearance, diction, size, and intelligence were an unspoken but all-encompassing part of the proceedings. She wandered verbally sometimes, struggled to articulate what she was thinking. When the defense attorney Don West handed her a transcript of her own testimony and asked her to read part of it back, there was a lacerating silence. She pored over the page, but never actually recited the words. Thursday morning, she confessed to literacy difficulties, and to having needed assistance in writing a letter to Martin’s mother that’s been entered into evidence.

She was alternately soft-spoken and sharp, grief-stricken and defiant, convincing and contradictory. (It was not always clear whether West was cross-examining her or vice versa.) It was possible to look at Jeantel, who was on the phone with Martin when the conflict with Zimmerman began, as an earnest young person confused and traumatized by the near-witnessing of a friend’s death – or as a reluctant, irritable witness whose admitted untruths shatter any hope that her version of events could be believed. Or both.

Jeantel, who met Martin in second grade, admitted to lying about why she didn’t attend his wake. She’d told people she had to go to the hospital; now, she told the court, it was that she simply couldn’t bear to see his body. “You got to understand,” she said, “I’m the last person who spoke to him alive.” She’d skewed her retelling of events at other times as well, alternately because she seemed overwhelmed by the situation and to spare Martin’s family pain. She confessed that she’d given an inaccurate deposition to the family’s attorney because she didn’t want to talk about Martin; she gave the deposition over the phone, hiding in a closet.

When she returned to the stand Thursday morning, her demeanor was more subdued. Her wearied responses now included the word “sir”; her adversarial tone was replaced by resigned compliance. West took a different approach to his cross-examining, repeating her responses in a kind of verbal captioning that went on so long the judge ordered him to stop and simply question her. Later, the prosecution highlighted the fact she speaks Spanish and Haitian Creole in addition to English, a tacit admission that Jeantel’s credibility was not the only thing being questioned. Her intelligence was, too.

At one point, West devoted a line of questioning to the nature of the relationship between Jeantel and Martin – whether or not she was his “girlfriend,” if there was another young woman in Martin’s life, and why the two exchanged hundreds of text messages. This may have been an attempt to discredit her, but at a certain point it started to look too much like an older man just quizzing a teen girl about her sex life. Her time on the stand began to seem like a scene wisely cut out of the movie “Precious.”

The prosecution had opened this case with a nearly concussive series of cuss words meant to convey what George Zimmerman thought as he confronted Trayvon Martin: “****ing punks, ****ing punks, ****ing punks.” Thursday, we learned what – if Jeantel is to be believed – Martin thought of Zimmerman in the moments before he was fatally shot: “creepy-*** cracker.”

In Jeantel’s retelling of the night Martin was killed, he’d seemed fearful of the man following him around the subdivision and grew increasingly concerned that he was being followed, though he refused her suggestion that he run for safety. He momentarily thought he’d lost Zimmerman, she said, only to sigh, minutes later, “n***** is still following me” – a statement that would seem confusing were it not for the epithet’s modern tendency to cameo as a pronoun.

There are some things about Jeantel that are not hard to believe: that she remains profoundly affected by her friend’s violent death; that she, as much as anyone in the courtroom, was aware of the presumptions

that accompany imperfect grammar, race, and obesity; that her initial reluctance and antagonism toward the entire undertaking were products of this awareness. Whether this jury will grade on a curve because a person's grief roils just beneath the surface, because motive for lying might seem understandable, is – like so much about this case – unknown.

4. The Zimmerman Trial, Day Ten: Stand Whose Ground?

By the time Tracy Martin, Trayvon Martin's father, arrived on the stand on day ten of the George Zimmerman trial, he had already been cast in unanticipated roles – grieving father, reluctant agitator, courtroom stoic – though none of that dimmed the discomfort of his latest turn: witness for the defense. His appearance proved to be the sharpest twist on Monday, a day that had already seen a witness compare the screams from Zimmerman's fight with Trayvon with those of American soldiers during the Tet Offensive, and a live-action mixed-martial-arts tutorial featuring the lead defense counsel. It takes a certain kind of nerve to summon the father of the deceased as part of an effort to exonerate the man who killed him; it requires something greater than poise to endure being summoned. Toward the end of the cross-examination, the prosecutor asked Martin why he'd repeatedly listened to a 911 call in which the gunshot that killed Trayvon could be heard. His reply was jarring: "I was trying to understand why he got out of his car and chased my son."

It's doubtful that he was completely without answers. The knowledge that you can inspire fear in the most inadvertent of ways, that there is a protean set of descriptions that you always fit, is axiomatic of the black male experience in this country. This is knowledge fathers pass to sons just as sure as explaining how to tie a Windsor knot. The more salient question, the one that forms part of the core of this case – though it is unlikely to be posed, and certain not to be resolved in the Seminole County courthouse – is this: Is it ever possible for a white person to be suspicious?

There's already been any number of indelible moments in this central Florida courtroom. Last week featured a scene out of King Solomon's court, in which both the mother of the deceased and the mother of the defendant claimed it was her son's voice screaming for help just before the shot punctuates the 911 call. A procession of witnesses testified about seeing one man atop another and striking him, though they couldn't agree on the attacker. Their visual vagueness was matched by another theme – the common, enduring horror at realizing there was a man lying dead in the grass. Yet more than the conflicting testimony over who screamed for help, more than the question of which man was on top, this case is about a defendant's presumed innocence and a dead man's presumed guilt.

While speculation about the trial has centered on whether or not Zimmerman will take the stand, Trayvon Martin, in a real sense, already has. In a creeping set of rulings, Judge Debra Nelson decided to allow discussion of the traces of marijuana that were found in Martin's system during his autopsy. The contours of the defense, like a great deal of the discussion of this case, are shot through with an antiquated brand of rape-think. What was he wearing? Was he high or drunk? Why was he out at night? Beneath these questions is a calcified skepticism toward Martin's innocence that all but blurts out "He was asking for it."

Amid their frustratingly uneven presentation, Assistant State Attorney Bernie de la Rionda and the rest of the prosecution have pegged their second-degree murder charges largely on the idea that Martin was losing the fight on February 26th of last year, that he shouted for help, and that Zimmerman, a vigilante would-be cop, shot and killed him anyway. In plotting their route to conviction, they necessarily bypass another set of questions. What if he wasn't losing the fight? What if Zimmerman is the one who called for help? What if Martin did swing first? And, most crucially, is an unarmed black teenager ever entitled to stand his ground?

The answers to these questions have bearing that is more social than legal, but they're inescapable in understanding how we got here in the first place and what this trial ultimately means. George Zimmerman got out of his car that night as an amateur deputy and protector of the Retreat at Twin Lakes gated community. Trayvon Martin was a visitor to that community. Nowhere in Zimmerman's initial emergency call does he broach the idea that Martin might belong there, that he might actually be someone who warranted protection, too. Instead, there is the snap judgment that the teenager is one of the "****ing punks" who "always get away" – a judgment that Zimmerman's supporters and the Sanford Police Department either co-signed or deemed reasonable enough to absolve him of responsibility for what ensued.

What remains frustratingly marginal in this discussion is the point Martin's friend Rachel Jeantel raised in her testimony – that Martin himself was afraid, that a black person might assess a man following him in a car and on foot as a threat, never mind that he might have seen Zimmerman's weapon and suspected his life was in danger. The defense paid a great deal of attention to the implications of Martin referring to Zimmerman as a "creepy-*** cracker," but, to the extent that we think about the epithet, we're concerned with the wrong C-word. Imagine George Zimmerman being followed at night, in the rain, by an armed, unknown black man and you have an encounter that far exceeds the minimal definition of "creepy." Indeed, you have a circumstance in which anyone would reasonably fear for his life. Add a twist in which that black man fires a shot that ends a person's life, and it's hard to imagine him going home after a brief police interview, as Zimmerman did.

De la Rionda's team is charged with prosecuting a crime, not a set of social attitudes that facilitate it. But whatever its legal merits, the prosecution's approach has left intact the suspicion that Florida's proactive self-defense laws are color-coded, intended for people in fearsome encounters with blacks, not blacks in fearsome encounters.

5. Zimmerman, Everyman

In his first days on trial, George Zimmerman offered a new twist on an old truism: if tragedy plus time yields comedy, his demeanor suggested that those ingredients might also yield lethargy. By the end of the first week, he'd had an uptick from drowsy to sober, and, with the exception of a brief smile while his former professor testified, sobriety has remained his bearing throughout. Observers have pondered the meaning of his substantial weight gain – whether its cause is the defense's strategy to present their client as a cherubic, hapless neighborhood watchman, or simply stress. Given Zimmerman's decision not to testify before his defense rested its case on Wednesday afternoon, that speculation takes on a new dimension. Zimmerman the man may remain as much an enigma as the events of the night in question. The fixation with his girth, his inattentiveness, and his over-all presentation pointed to a truth: we long ago recognized that Trayvon Martin was deeply symbolic, but, for a good number of people, Zimmerman is, too. And whatever the verdict, it will be followed by an outpouring of support for the defendant.

On one level, it appears that focusing on George Zimmerman in a discussion of crime and profiling is as useless as believing that Paula Deen's utterance of the word "n*****" is a barometer of the state of labor relations: the concerns are far broader and deeper than the public faces momentarily associated with them. The NRA's success in passing proactive self-defense laws like Florida's Stand Your Ground is tied to a decades-long concern with crime that is only marginally tethered to the threat it actually poses. A nation doesn't generate the largest prison population in the world by making assessments based solely on reason instead of emotion. But in other ways, Zimmerman's fate, and the status he has achieved among those who support him, says something about this particular moment.

Last winter, George Zimmerman saw a hoodie-clad black male cutting through a subdivision in the rain, and registered him as a threat. There are many white people who do not think of themselves as racist who can imagine themselves drawing the same conclusion. From this perspective, blandishments about

Trayvon Martin's right to move through that neighborhood unmolested are only so much political correctness. And as a result, Zimmerman becomes a sympathetic figure, a man who did what anyone would do under the circumstances – a man whose cause can generate hundreds of thousands of dollars in donations. There's a made-for-TV quality to the narrative attached to him: pudgy man joins a boxing gym, sheds upwards of sixty pounds, and diligently patrols a besieged neighborhood. Save for his bad credit, he might've been a police officer in Prince William County, Virginia – but, in the wake of a housing collapse, who would hold such a thing against him? That Zimmerman now reportedly wears a disguise and body armor in public completes his sacrificial mythology.

In a 2012 study, some fifty-six percent of Americans were found to hold what the Associated Press terms implicit “anti-black sentiments,” an increase of seven percentage points in four years. Fifty-one percent of respondents in the same study “express[ed] explicit anti-black attitudes.” At the same time, fifty-six percent of the public believes that the rate of crimes committed with guns has gone up over the past twenty years, when in fact the firearm homicide rate dropped by forty-nine percent from 1993 to 2010, and the rate of non-fatal violent crimes that involved a gun fell by seventy-two percent. Thus the assumption among his defenders that Zimmerman was, at worst, wrong for all the right reasons.

We live in an era in which the protocol for addressing even the most severely bigoted behavior very often includes a conditional apology to the offender – a declaration that he has made a terrible error, but is, of course, in no way racist – and, eventually, an outpouring of support for the fallible transgressor, victim of the media and the “race-hustlers.” We grade racism on the severest of curves, and virtually no one qualifies. This apparent contradiction – the prevalence of racist attitudes, the disavowal of actual racism – is key to understanding the way Zimmerman has been received. His actions are understandable, even reasonable, because it doesn't take a racist to believe black males equal danger. To bridge the gap between those assumptions and the objective fact of Martin as an unarmed teen on a snack run, it's been necessary for Zimmerman's defenders – legal and otherwise – to assassinate a dead teenager's character, to turn him from a slight seventeen-year-old into a rapper in his thirties with facial tattoos. Traces of weed, a few vile tweets, and a suspension from school don't usually get you menace-to-society status, but for some Zimmerman diehards, it's close enough to round up.

An increasingly loud din originating in the conspiratorial right wing, but by no means confined to it, has begun warning of impending race riots should Zimmerman be acquitted. This is only partly about tensions stemming from a high-profile trial – it's also about a segment of America that feels threatened. That the defense seemingly deployed every known synonym for “weak” in describing their client only makes him resonate even more with people already fearful of crime and worried about angry black mobs taking to the streets. In fairness, Broward County sheriffs have proactively begun meeting with community leaders and clergy to plan post-verdict strategies for keeping the peace. But riots tend to happen when people expect one thing and get another, and, at this point, a Zimmerman acquittal would shock no one.

The same study showing the preponderance of anti-black attitudes indicated that fifty-two percent of whites expressed anti-Hispanic sentiments, and fifty-seven percent had implicit anti-Hispanic attitudes – which makes the events unfolding in the Seminole County courtroom all the more compelling. Zimmerman's mother is Hispanic, from Peru, and his father is white. The officer who arrested Zimmerman listed him as white; the jail's intake officers amended that to “white Hispanic.” Zimmerman is not often mentioned or thought of as a person of color, but in the crime-paranoid and immigrant-hostile climate we live in, it's not hard to imagine a person with his skin color being profiled for reasons not entirely distinct from the ones that first brought Martin to his attention.

For the moment, Zimmerman exists in a sort of racial penumbra. He'll retain that status for as long as he's thought of as a Charles Bronson figure for people who are or believe themselves besieged by crime, people who know well the resentments that come in tandem with fear. Circumstances like this trial inspire any

number of actions, but self-reflection isn't one of them. Whatever the troubling rationales for Zimmerman's behavior, they'll remain subsumed by the drama in the courtroom and the inevitable tide of recrimination in the wake of the verdict, whatever it is. Each side will take up their defensive positions, but, no matter what happens, we'll still find ourselves witness to an undeclared war on crime and our own fears, one led by private citizens and in which a seventeen-year-old became collateral damage.

6. What the Zimmerman Trial Was About

A three-week long legal spectacle involving life-size human cutouts, a block of concrete, a forensic dummy, and a poorly considered knock-knock joke can be distilled down to two statements from the trial's closing arguments: the prosecutor Bernie de la Rionda telling the jury that Trayvon Martin was dead because Zimmerman had profiled him as a criminal, and Mark O'Mara, one of George Zimmerman's defense attorneys, saying that Trayvon Martin, unfortunately, fit the description of people arrested for burglaries in the retreat at Twin Lakes. The State of Florida vs. George Zimmerman is about many things: what constitutes self-defense, the echoing consequences of an increasingly armed public, the enduring and toxic way that race stains the most basic interactions. But, most fundamentally, it's about what we've decided to do with our fear.

Before the trial began, Judge Deborah Nelson forbid use of the term "racial profiling" in the courtroom. At first, it seemed that the order would insure that throughout the trial race would be addressed the same way it was outside her courtroom – that is, by talking around it. Instead, it meant that by the closing arguments it was easier to recognize that race is just part of the problem. The logic of profiling itself is on trial.

Without a racial element the trial would never have happened. Not just because George Zimmerman, like so many others, probably wouldn't have registered a white teenager as a criminal threat but also because a brew of vicarious grief, common experience, and the history of race in this country is what drove the crowds to don hoodies and gather around the country. It's not simply that if President Obama had a son he'd look like Trayvon – it's that millions of us have sons, brothers, and cousins who already do.

By degrees, we've accepted profiling as a central aspect of American life. Last month, I listened to Heather MacDonald, of the Manhattan Institute, argue that, though the NYPD's stop-and-frisk policy may be inconvenient for the many law-abiding black and Latino men it targets, it is ultimately necessary to make business owners feel safe. Surveillance has become a fact of life for unknown numbers of Muslims in this country. Our recent debates about the NSA and the hazily expanding parameters of its surveillance programs center around this same question of profiling. If the majority of the public supports electronic eavesdropping, it's because of the assumption that profiling will exclude them from suspicion. For anyone who's known what it means to "fit the description," the calculation is not nearly so simple.

There's bad mathematics at the heart of this – a conflation of correlations and causations, gut instincts codified as public policy. To the extent that race factors into this equation, it's in the way we selectively absolve, the way that no sum of actions by certain people quite reaches the bar of suspicion, the way that it becomes deceptively easy to surrender the civil liberties of others.

None of this could come up in closing arguments, yet it also seems certain that without understanding this idea we'll reenact this drama at some future date under slightly different circumstances, but with a common pool of suspicions still present beneath the surface.

Throughout the sixteen-month-long saga that has led to a jury in Sanford, Florida deliberating the fate of George Zimmerman, Trayvon Martin's parents, Sybrina Fulton and Tracy Martin, repeatedly said that this case was not about race. That's partly true. But it's also true that we live in an era where we understand security as the yield of broadening suspicions, and that at our safest almost all of us are Trayvon Martin to someone else.

7. George Zimmerman, Not Guilty: Blood on the Leaves

The not-guilty verdict in the George Zimmerman trial came down moments after I left a screening of *Fruitvale Station*, a film about the police-shooting death of Oscar Grant four years ago in Oakland. Much of the audience sat quietly sobbing as the closing credits rolled, moved by the narrative of a young black man, unarmed and senselessly gone. Words were not needed to express a common understanding: to Zimmerman, Trayvon Martin, the seventeen-year-old he shot, fit the description; for black America, the circumstances of his death did.

The familiarity dulled the sharp edges of the tragedy. The decision the six jurors reached on Saturday evening will inspire anger, frustration, and despair, but little surprise, and this is the most deeply saddening aspect of the entire affair. From the outset – throughout the forty-four days it took for there to be an arrest, and then in the sixteen months it took for the case to come to trial – there was a nagging suspicion that it would culminate in disappointment. Call this historical profiling.

The most damning element here is not that George Zimmerman was found not guilty: it's the bitter knowledge that Trayvon Martin was found guilty. During his cross examination of Martin's mother, Sybrina Fulton, the defense attorney Mark O'Mara asked if she was avoiding the idea that her son had done something to cause his own death. During closing arguments, the defense informed the jury that Martin was armed because he weaponized a sidewalk and used it to bludgeon Zimmerman. During his post-verdict press conference, O'Mara said that, were his client black, he would never have been charged. At the defense's table, and in the precincts far beyond it where donors have stepped forward to contribute funds to underwrite their efforts, there is a sense that Zimmerman was the victim.

O'Mara's statement echoed a criticism that began circulating long before Martin and Zimmerman encountered each other. Thousands of black boys die at the hands of other African Americans each year, but the black community, it holds, is concerned only when those deaths are caused by whites. It's an appealing argument, and widespread, but it's simplistic and obtuse. It's a belief most easily held when you've not witnessed peace rallies and makeshift memorials, when you've turned a blind eye to grassroots organizations like the Interrupters in Chicago, who are working valiantly to stem the tide of violence in that city. It is the thinking of people who've never wondered why African Americans disproportionately support strict gun-control legislation. The added quotient of outrage in cases like this one stems not from the belief that a white murderer is somehow worse than a black one but from the knowledge that race determines whether fear, history, and public sentiment offer that killer a usable alibi.

The thousands who gathered last spring in New York, in St. Louis, in Philadelphia, in Miami, and in Washington, D.C., to demand Zimmerman's arrest shared a narrative and an understanding of the past's grip on the present. Long before the horrifying images of Martin lying prone and lifeless in the grass ever made their way to Gawker, he'd already begun inspiring references to the line about "blood on the leaves" from Billie Holiday's "Strange Fruit." Those crowds were the response of people who understand that history is interred in the shallowest of graves.

Yet the problem is not that this case marks a low point in this country's racial history – it's that, after two centuries of common history, we're still obligated to chart high points and low ones. To be black at times like this is to see current events on a real-time ticker, a Dow Jones average measuring the quality of one's citizenship. Trayvon Martin's death is an American tragedy, but it will mainly be understood as an African-American one. That it occurred in a country that elected and reelected a black President doesn't diminish the despair this verdict inspires, it intensifies it. The fact that such a thing can happen at a moment of unparalleled political empowerment tells us that events like these are a hard, unchanging element of our landscape.

We can understand the verdict to mean validation for the idea that the actions Zimmerman took that night were those of a reasonable man, that the conclusions he drew were sound, and that a black teenager

can be considered armed any time he is walking down a paved street. We can take from this trial the knowledge that a grieving family was capable of displaying inestimable reserves of grace. Following the verdict, Sybrina Fulton posted a benediction to Twitter: “Lord during my darkest hour I lean on you. You are all that I have. At the end of the day, GOD is still in control.” The Twitter account of Tracy Martin, Trayvon’s father, features an image of him holding Trayvon as a toddler, a birthday hat perched on the boy’s head. At the trial, they sat through a grim procession of autopsy photos and audio of the gunshot that ended their son’s life. No matter the verdict, their simple pursuit of justice meant amplifying the trauma of their loss by some unknowable exponent.

There’s fear that the verdict will embolden vigilantes, but that need not be the concern: history has already done that. You don’t have to recall specifics of everything that has transpired in Florida over the past two hundred years to recognize this. The details of Rosewood, the black town terrorized and burned to the ground in 1923, and of Groveland and the black men falsely accused of rape and murdered there in 1949, can remain obscure and retain sway over our present concerns. Names – like Claude Neal, lynched in 1934, and Harry and Harriette Moore, NAACP organizers in Mims County, killed by a firebomb in 1951 – can be overlooked. What cannot be forgotten, however, is that there were no consequences for those actions.

Perhaps history does not repeat itself exactly, but it is certainly prone to extended paraphrases. Long before the jury announced its decision, many people had seen what the outcome would be, had known that it would be a strange echo of the words Zimmerman uttered that rainy night in central Florida: they always get away.