#TakeAKnee: An American Genealogy

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Bachelor of Arts in English and Religious Studies, University of Virginia, 2017

A Thesis presented to the Graduate Faculty of the University of Virginia in Candidacy for the Degree of Master of Arts

Department of Religious Studies

University of Virginia
May, 2018

> *Honesty impels me to admit that such a stand will require willingness to suffer and sacrifice. So don't despair if you are condemned and persecuted for righteousness' sake. Whenever you take a stand for truth and justice, you are liable to scorn. Often you will be called an impractical idealist or a dangerous radical. Sometimes it might mean going to jail. It might even mean physical death. But if physical death is the price some must pay to free their children from a permanent life of psychological death, then nothing could be more Christian.*
>
> Martin Luther King, Jr.[1]

In August 2016 San Francisco 49ers quarterback Colin Kaepernick began sitting for the national anthem during the NFL's preseason. His protest went unnoticed for the first two games as he was wearing plainclothes on the bench, but on August 26, 2016, after the third game, he was approached by media wondering why he had remained seated:

> 'I am not going to stand up to show pride in a flag for a country that oppresses black people and people of color,' Kaepernick told NFL Media in an exclusive interview after the game. 'To me, this is bigger than football and it would be selfish on my part to look the other way. There are bodies in the street and people getting paid leave and getting away with murder.' […] 'This is not something that I am going to run by anybody,' he said. 'I am not looking for approval. I have to stand up for people that are oppressed. ... If they take football away, my endorsements from me, I know that I stood up for what is right.' (Wyche)

His act of silent, nonviolent protest against police brutality drew near immediate attention and, with that attention, extensive criticism. His message, despite its clarity, was mangled and appropriated by those who opposed it, many of whom found his action to be so disrespectful of the flag and the military as to completely overwhelm his stated cause. Conversely, many activists

[1] *Testament of Hope*, 10.

and even some other players picked up the mantle, and even went as far as to laud him as the next Muhammad Ali. Colin Kaepernick's action, its context, and the controversy and control that swelled up around it locates it as the inheritor of two American genealogies: one of nonviolent protest and civil disobedience in the style of Martin Luther King, Jr. and Muhammad Ali, and one of neoliberalism and the navigation of subjecthood under the practical applications of such an ideology. Colin Kaepernick's act of protest mediated the neoliberal self and its myths and the legacy of black protest.

Kaepernick has been maligned as disrespectful by his opponents and held up as the next Muhammad Ali by his proponents with each side of the debate reading his actions according to the ferocity of the other side. While paying attention to both arguments, this paper seeks to articulate and analyze Colin Kaepernick's position in the intersections of neoliberal governmentality and subjecthood, and a non-violent movement with explicit historical roots stretching back at least two generations and whose influences reach back even farther, but furthermore, it seeks to illuminate a fundamental misunderstanding of Kaepernick's position within this intersection. He is neither a disrespectful distraction nor the next Muhammad Ali. Instead, he is a participant in an inherited legacy of King, one that has been molded by hegemonic discourses to exclude the more radical aspects of King's activism. This legacy requires protest to be non-violent, immaterial, and individual/istic as well as having goals that do not fundamentally challenge or undermine certain accepted discourses, like those of individual choice and achievement, especially across racial lines. It is from within a neoliberal governmentality that places explicit restrictions on Kaepernick's body, his individuality, and his blackness, and it is according to the rules of that organization that he protested. Thus, Kaepernick's non-violent action demonstrates what direct non-violent resistance looks like in the

21st century, as well as the careful curation necessary for a black man with privilege and power to be able to use that exposure for justice. But ultimately, it exposes how easily the discourses and myths controlling acceptable protest can be turned against Kaepernick's commodified body to undermine him in a manner insidious enough as to only be visible under careful scrutiny.

He leveraged the economic and social power available to him in the NFL to imbue economic power in organizations that support the causes he cares about, understanding that nonviolent protest requires sacrifice. However, it seems the kind of sacrifice that can participate in meaningful change in our contemporary moment is the forfeiture of one's earning power, as the forfeiture of black life has remained so frequent as to be some kind of grotesque normal; as Kaepernick himself stated, "people are getting paid leave and getting away with murder." Kaepernick's use of the platform of the NFL exposes one of the last public squares as far from the apolitical space it seeks to project—instead exposing it as a place of carefully cultivated subjects that are dictated and constructed by the organization that profits from them and whose viewers are willing participants.

Section 1 will chart a brief history of Kaepernick's protest while he still played for the NFL. Then, in order to show his negotiation of the space between acceptable neoliberal subject and advocate for racial justice, in section 2 neoliberalism will be defined and it be will be shown that the NFL's style of interaction and control of its players, as well as the subjectivity it instills in its fans, is a kind of neoliberal governmentality within the larger enculturation of neoliberalism into American culture. Necessary to the function of the NFL is an extreme level of control over player's bodies, and many of those mechanisms of control are explicitly racialized in an organization whose players are majority black, while ownership, management, and coaching is overwhelmingly white. This relationship to players of color both holds them up as

examples of black capitalistic achievement that does the work of erasing racial inequality, and allows for their swift delegitimization once they are no longer profitable.

Then, in section 3, Colin Kaepernick will be explicitly linked to the two activists in whose lineages he is directly participating, those of Martin Luther King, Jr. and Muhammad Ali. Discussion of these activists will demonstrate how their histories have been distorted as they have been carried forward, and furthermore, how Kaepernick's symbolic activism inherits those distortions, and why, despite so much of the commentary surrounding #TakeAKnee, his protest is not that of Muhammad Ali. This is important as naming him Muhammad Ali's inheritor conceals the careful neoliberal negotiations of Kaepernick's position.

In section 4, this paper will turn to some of the criticism Kaepernick has received as the NFL has colluded to shut him out, despite his acquiescence to a type of protest that could be seen as properly neoliberal in its parameters. Emilie Townes and her concept of the "fantastic hegemonic imagination" will help to interrogate the rumors and knowledges generated to delegitimize Kaepernick so that he could be removed.

Finally, section 5 will look at how, despite the good he has done, the dialogues he has inspired, and the notoriety he has received, his protest points to a neoliberality that has so deeply penetrated our culture as to be almost invisible. He is not just an athlete who used his platform to generate conversation; he is a commodity whose ability to make money is dependent upon his acquiescence to certain standards that, ultimately, are the same standards by which he was pushed out. Yet, it was his platform as an athlete that garnered his protest the visibility necessary to generate conversation.

While Kaepernick's direct action did not expose him to the risk of violence that King was so acutely aware of or demand quite as much as Ali's did, it did negotiate the commonly held

beliefs of what "good protest" is, the necessity of capital to make a movement in late capitalism, and the seeming necessity of the symbolic figurehead around which to rally (Kent Babb, *"The Making of Colin Kaepernick).* Furthermore, it exposed the myth of the free neoliberal subject, especially within the NFL, and the complicated terrain of taking a stand in a hostile environment.

1. "There are bodies in the street"—An Introduction to #TakeAKnee

It was in the fourth game of the preseason that Colin Kaepernick began to kneel during the national anthem, a gesture which has come to represent far more than Kaepernick knew or intended and has found solidarity across teams, sports, and even generations of athletes and allies. Of course, that solidarity did not come without a price—the protest has become a major source of controversy since it began in August 2016, and has even seemingly cost the former Super Bowl quarterback the job toward which he had spent so many years of his life working.

Although this was not the first hint of Kaepernick's commitment to social justice, its public presence was a fairly recent phenomenon; he expressed outrage and grief on social media a few months before his protest began, most notably posting on Instagram with the caption, "This is what lynchings look like in 2016!" after the shooting death of Alton Sterling in Baton Rouge, Louisiana that summer. A day later he wrote "We are under attack! It's as clear as day!" alongside the video of the death of Philando Castile taken by Castile's girlfriend Diamond Reynolds, who sat in the passenger seat as Castile was shot and then bled out. A few weeks after that he wrote, "Apparently this is what our system calls justice," in response to the Baltimore officers who were responsible for the death of Freddie Gray having all charges against them dropped. It was clear from the very beginning exactly what his protest was about, that he "couldn't see another 'hashtag Sandra Bland,' 'hashtag Tamir Rice,' 'hashtag Walter Scott,'

'hashtag Eric Garner. […] The list goes on and on. At what point do we do something about it?" (Babb).[2]

Colin Kaepernick's development as an activist was a deliberate and cultivated process in which he worked to educate himself about blackness, its history, and its dangers. Kaepernick is black, as that is how he identifies himself and how the world sees him, but he is also a biracial man who was raised by white parents in an overwhelmingly white California suburb. His proximity to whiteness was matched with a distance from blackness that, while it did not protect him from racism, would have affected his knowledge of the many facets of American blackness. When he went to college at the University of Nevada he began the process of re-socialization, joining the traditionally black fraternity Kappa Alpha Psi and trying to learn from the experiences of black teammates who had led lives much different than his own. Tyler Lantrip, a former University of Nevada quarterback and Kaepernick's roommate on trips, remarked of his experiences of Kaepernick at that time that, "You could just kind of see him working through that identity and feeling compelled to relate" (Babb).

After transitioning from college to the NFL he continued to educate himself and was often seen reading about, "colonialism, black empowerment, and feminism," or seeking knowledge through other mediums including auditing a Berkeley course over the summer of 2016 (Babb). Ameer Hasan Loggins, UC Berkeley academic and former Bay Area hip-hop icon, spoke of Kaepernick's commitment to learning in GQ's November 2017 "Citizen of the Year" feature:

> Colin is just a learned person. If you really sit and talk to him, he is a seeker of knowledge. One time I just happened to mention, 'Yo, I teach class at Berkeley,' and he

[2]The fully written out "hashtag" was in the original transcript.

> was like, 'I'm gonna come through.' I was like, 'Yeah, all right.' And he did. He did so in a way that showed me a lot about his character. He didn't just come through like, 'I'm Colin Kaepernick.' He had his little notebook, he had his pencil, he was taking notes, he was participating, he was reading the texts. He was on time to every class, making that trip from San Jose. (GQ)

Kaepernick audited this class the same summer his protest against police violence began. While police violence against people of color has been the norm since the birth of the modern police force, the compounding affects of social media made a barrage of brutality highly visible for the first time since, perhaps, Rodney King. And it was in this atmosphere during the summer of 2016 that Kaepernick's continued pursuit of education and his inability to remain silent came to a head.

Kaepernick began to be the subject of criticism for what some saw as the disrespectful nature of his protest after the third game of the 2016 preseason. At this point in his protest he was sitting on the bench during the national anthem, which inspired Nate Boyer, a former Green Beret and Seattle Seahawks player to pen an open letter to Kaepernick that was published by Sports Illustrated. In the letter Boyer expresses sympathy with what Kaepernick was doing, even as he juxtaposed it with his own experiences with the anthem and the NFL, and with his deployment to Darfur where he "wanted to fight for what those people didn't have there: Freedom" (Boyer, "An open letter to Colin Kaepernick, from a Green Beret-turned-long snapper"). Boyer's letter continues:

> I am in no way political, but I'm proud that we have an African-American president, and that I got to serve under him. Overcoming racism at home is a slow process, and we still have a long way to go, but most of us are trying. That's what sets us

> apart from so many other places. In this country, no matter who you are, where you come from, what color you are, you can try. […]
>
> I'm not judging you for standing up for what you believe in. It's your inalienable right. What you are doing takes a lot of courage, and I'd be lying if I said I knew what it was like to walk around in your shoes. I've never had to deal with prejudice because of the color of my skin, and for me to say I can relate to what you've gone through is as ignorant as someone who's never been in a combat zone telling me they understand what it's like to go to war. […]
>
> There are already plenty people fighting fire with fire, and it's just not helping anyone or anything. So I'm just going to keep listening, with an open mind.
>
> I look forward to the day you're inspired to once again stand during our national anthem. I'll be standing right there next to you. Keep on trying … De Oppresso Liber. (Boyer)

After the publication of the letter, Kaepernick reached out to Boyer in order to negotiate a style of protest that would be more respectful to those who took offense at Kaepernick's sitting. Nate Boyer later described the compromise they worked toward in the meeting:

> We sorta came to a middle ground where he would take a knee alongside his teammates. Soldiers take a knee in front of a fallen brother's grave, you know, to show respect. When we're on a patrol, you know, and we go into a security halt, we take a knee, and we pull security. […] It's still a demonstration. You're still saying something but, people take a knee to pray. So for me it was a common ground, at least, to start. (Boyer qtd. by Brinson)

September 2 was the first time Kaepernick would protest by taking a knee, a decision he came to after engaging with Boyer, to whom he reached out to in order to be as *respectful as possible* while still engaging in nonviolent direct action. This fact, however, did not change how many fans, NFL management, and even President Donald Trump characterized his protest—as disrespecting the flag, the military, and the country they both represent. This overshadowed and then replaced police brutality as the issue at the center of the controversy for many white, conservative fans, which make up a majority of the NFL's base (Gabler). One conservative commentator characterized responses to the controversy thusly:

> If you want an idea of how this is going over, observe fans booing the Patriots players who kneeled for the anthem. Or observe that NASCAR immediately announced it would fire any driver or crew member who kneels for the anthem. They know that for their audience patriotism is non-negotiable, and it would be death for their sport to let faddish protests start up there. (Tracinski)

This has been the most significant source of pushback against the protest, even more so than pro-police sentiment, although pro-police and pro-patriotism sentiments dovetail quite well. In some spaces it has hijacked Kaepernick's message completely. This is far from shocking, however; neoliberalism as a system of structuring the social necessitates that social and identity based issues are rewritten to obscure those elements from view.

2. "individuals like this"—Neoliberalism and Racial Control in the NFL

In his 2009 article "Neoliberalism, Governmentality, and Ethics" Trent H. Hamann characterized neoliberalism as a system that:

> [S]trives to ensure that individuals are compelled to assume market-based values in *all* of their judgments and practices in order to amass sufficient quantities of "human capital" and thereby become "entrepreneurs of themselves". Neoliberal *homo oeconomicus* is a free and autonomous "atom" of self-interest who is fully responsible for navigating the social realm using rational choice and cost-benefit calculation *to the express exclusion* of all other values and interests. Those who fail to thrive under such social conditions have no one and nothing to blame but themselves. (38)

Under societally instituted and instantiated neoliberalism, the individual is located as the fundamental unit of freedom, responsibility, and choice within a system that subsumes the social to economic rationale. The resources and opportunities that one is given access to according to a combination of privileges afforded by whiteness, maleness, and/or economic status, are reconstituted as "human capital" and as such are disassociated from the stipulations that determine who has access to them, such as race, class, and gender.

In her essay "Neoliberalism and the End of Liberal Democracy" from the collection *Edgework*, Wendy Brown asserts that neoliberalism is a constructivist project that does not assume the ontological givenness of the type of rationality it requires; "[it] carries a social analysis that, when deployed as a form of governmentality, reaches from the soul of the citizen-subject to education policy to practices of empire," functioning as deeply embedded structure for the conditioning and disciplining of subjects (Brown, 41). She continues that, while classical liberalism articulated distinctions between individual moral, associational, and economic actions,

> neoliberalism normatively constructs and interpellates individuals as entrepreneurial actors in every sphere of life. It figures individuals as rational, calculating creatures whose moral autonomy is measured by their capacity for "self-care"—the ability to

> provide for their own needs and service their own ambitions. In making the individual fully responsible for her- or himself, neoliberalism equates moral responsibility with rational action; it erases the discrepancy between economic and moral behavior by configuring morality entirely as a matter of rational deliberation about costs, benefits, and consequences. But in so doing, it carries responsibility for the self to new heights: the rationally calculating individual bears full responsibility for the consequences of his or her action no matter how severe the constraints on this action—for example, lack of skills, education, and child care in a period of high unemployment and limited welfare benefits. Correspondingly, a "mismanaged life," the neoliberal appellation for failure to navigate impediments to prosperity, becomes a new mode of depoliticizing social and economic powers and at the same time reduces political citizenship to an unprecedented degree of passivity and political complacency. The model neoliberal citizen is one who strategizes for her- or himself among various social, political, and economic options, not one who strives with others to alter or organize these options. (39)

This reimagining of the individual as a free and autonomous entrepreneur of the self has repositioned what had previously been the social as an amalgamation of issues of self-governance. Social issues that are demonstrated products of historical inequalities and exacerbated by the imposition of market values into all aspects of life are divorced from any sort of collective responsibility or historical context, and instead seen as individual failures of a "mismanaged life."

In a greater sense, neoliberalism has resulted in the commodification of public goods, as well as the collapse or inversion of the public/private divide exemplified by reduced regulation of corporations and a seemingly inexhaustible trust in them to self-regulate and be regulated by

market forces, the privatization of resources, the commodification of the human body, and the collapse of the social safety net.[3] This has not resulted in a system that distributes resources to equal citizens according to merit, but instead has created narratives of deservingness that have made most of the detrimental developments all but invisible to the white neoliberal subject, despite its disastrous effects on the middle and working classes and the impoverished of all races.

Emilie Townes highlights one such narrative in her book *Womanist Ethics and the Cultural Production of Evil* (2006) when she speaks of how the stereotypes of the Black Matriarch and the Welfare Queen have functioned to resituate the burdens of poverty onto the black women who, according to these stereotypes, emasculate the men in their lives and have children in order to collect increasing welfare checks. These "degrading images tell us that poverty is an aberration of the grand narrative of progress and success that fuels much of our culture or that it is an end produced by the poor themselves—they have simply brought this on themselves" (Townes, 126). These narratives attempt to obscure the structural causes of the cycles of poverty so that the programs that support the most vulnerable can be cut. Furthermore, they employ what Dana-Ain Davis calls muted racism and racializing, which are tools of racism that rewrite the structural disadvantages of blackness, an identity-based bias, onto the private sphere. "Muted racializing involves a practice of indexing, or coding: that is, using words or phrases that are not explicitly, but are implicitly racially disparaging," such as the Welfare Queen (Davis, 349). Hamann elaborates that:

> While the various discourses of "ownership" and the like have promoted the populist ideals of choice, freedom, autonomy, and individualism, the reality is that individuals worldwide are more and more subject to the frequently harsh, unpredictable, and

[3] This list is far from exhaustive.

> unforgiving demands of market forces and the kinds of impersonal judgments that evaluate them in terms of a cost-benefit calculus of economic risk, financial burden, productivity, efficiency, and expedience. (41)

A calculated outcome of the imposition of narratives of individual responsibility and equality is what has come to be known as colorblindness or race blindness. After the Civil Rights Movement garnered black Americans equal protection under the law, gradually the discourses shifted such that racism became a strictly personal moral issue as opposed to a structural one, and acknowledging race itself became an iteration of racism. Joseph Darda illuminates this phenomenon, noting that,

> the Reagan and Bush administrations recast this notion [that racial injustice could be cured through the elimination of prejudices and the fostering of sentimental pathways in the minds of white America] as the need to eliminate racial reference altogether. Race itself became racism. This thinking relies on the fetishization of free trade and open markets that the emergent market-political rationale of neoliberalism managed to graph onto processes of racialization. (199)

Darda further supports this assertion with the example of a 1986 address given by President Ronald Reagan in which he opposes quotas by manipulating the words of Martin Luther King, Jr., saying,

> We are committed to a society in which all men and women have equal opportunities to succeed, and so we oppose the use of quotas. We want a color-blind society. A society that, in the words of Dr. King, judges people not by the color of their skin, but by the content of their character.[4]

[4] Qtd. in Darda, 217.

Davis also critiques the turn to colorblindness as a neoliberal rejection of the relevance of identity. Instead, "[a] free market ideology in the United States endows and embraces both race-blindness and a post-Black framing as correctives to historically articulated racial exclusions and subordinations" (Davis, 349). As in the case of the Welfare Queen, explicit invocation of race disappears into racially coded language, stereotypes, or deflections. Townes further comments on colorblindness which, she says, "springs from the assertion that we are all the same under the skin and that failures to live into this sameness and achieve it is the fault of colored peoples" (Townes, 69). Race itself and acknowledging it as the line along which inequality often develops becomes a taboo alongside pointed personal racism. Davis points out that this rejection of race and identity allows for the reproduction and flourishing of white privilege and the white supremacy it supports, allowing for a pseudo non-racial vacuum in which racializing and racism have neither victims nor perpetrators (Davis, 354).

> Under neoliberal racism the relevance of the raced subject, racial identity and racism is subsumed under the auspices of meritocracy. For in a neoliberal society, individuals are supposedly freed from identity and operate under the limiting assumption that hard work will be rewarded if the game is played according to the rules. Consequently, any impediments to success are attributed to personal flaws. This attribution affirms notions of neutrality and silences claims of racializing and racism. (350)

Racialization is subsumed into neoliberal myths of the self and those who use it to their benefit are able to profit from its imposed invisibility.

While neoliberalism is primarily seen as a system of economic governance, it has been demonstrated that this governance extends far outside the realm of the markets. It can thus be shown that the NFL in its all-encompassing regulation of the bodies and conduct of its players

and the subjectivities of its fans through market-based values, practices, and discourses, exercises a form of neoliberal governmentality. As Hamann defines it, "[g]overnmentality is not a matter of a dominant force having direct control over the conduct of individuals; rather, it is a matter of trying to determine the conditions within or out of which individuals are able to freely conduct themselves" (Hamann, 55). The NFL has long attempted to control black masculinity, and, as Peter Benson demonstrated in his 2017 article "Big Football: Corporate Social Responsibility and the Culture and Color of Injury in America's Most Popular Sport," the League has often been quite successful in instrumentalizing those controlled masculinities to its benefit:

> [T]he NFL proclaims social responsibility while perpetuating conscription, extracting labor and value from conditions of socioeconomic and racial marginalization. And strategic public relations inure a devoted fan base to football's complicity in helping to reproduce the problems and privileges of America's racial order. (307)

Football is a sport with stark racial divides between the nearly 70% black "work force", over 80% white fan base, and 88% and 97% white male head coaches and majority owners respectively (Chalabi). Controlling and packaging black masculinity has been an important part of managing these divides and appeasing white middle and upper class audiences.[5] By reducing players to statistics, drafting and trading bodies, and often specifically guiding black men in impoverished communities toward the NFL from childhood, the League reproduces detrimental stereotypes about the physicality of the black body as a force to be reckoned with.[6] Black men

[5] A 2007 Experian Simmons survey concluded that the NFL fan base is not only 83% white to 9.5% African American, but also that Americans who earn more than $250,000 in annual household income are 29% more likely to call themselves an NFL fan compared to the average American.

[6] In Benson's article he outlines how the NFL's PR campaign includes instituting football programs in underprivileged schools, thereby creating a pipeline in which children are provided with opportunities for potential social and financial advancement at the expense of their health whereas more affluent children are not ransomed in the same way.

make up only 2.5% of the nation's undergraduate population, but 56% of college football rosters. Providing these mostly black players for the consumption of audiences lends credence to ideas that somehow black men are better at football because of inherent characteristics about their bodies, characters, and inability to feel pain (Cunningham, "Please don't fine me again!!!!!"). Furthermore, though the NFL has had issues with violence among both black and white players, controversies surrounding that violence have been specifically racialized:

> The extensive publicity accorded to black athletes in recent decades has played a significant role in public thinking about race and crime by merging the black athlete and the black criminal into a single threatening figure in two ways: first, by dramatizing two physically black male types [the highly physicalized criminal type and the infantile, conspicuous type] that are often presumed to be both culturally and biologically deviant; and second, by putting the violent or otherwise deviant social behavior of black athletes on constant public display so as to reinforce the idea of the black male's characterological instability.[7]

These discourses surrounding black athletes ultimately pave the way for a benevolent seeming NFL to rescue these men from themselves and their contexts. One example of such positioning is the NFL's Pink campaign, which arose as a response to what was seen as the propensity of players to criminality. By draping black men in pink and spotlighting community service in family-friendly ads, the league surrounds its players with neoliberal ideals of citizenship. The ads support a "a white, middle-class, nationally sanctioned womanhood" and diagram a "post-welfare" model of normative black manhood that juxtaposes itself against pathological, criminal blackness and is defined by "good character," family values, volunteerism,

[7] John Hoberman, *Darwin's Athletes*, 209 qtd. Cunningham 41.

and mentorship (King, *Pink Ribbons, Inc)*. "The message is that all Black men are essentially bad boys but that some can become 'good guys' if tamed and controlled by White men" (Ferber, "The Construction of Black Masculinity," 20-21) This narrative is only furthered by stringent guidelines governing dress and sportsmanship. "[M]ost of the rules stipulate uniformity and attempt to make Black athletes' appearance as palatable as possible for the middle and upper middle class ranks that fill league coffers," especially through delimiting touchdown celebrations and other instances of individual showmanship (Cunningham, 44). Controlling all aspects of black masculinity and presentation while producing a domesticated masculinity for the consumption of a fan base that has, often, little to no contact with blackness outside of pop-culture forums, is a clear example of the neoliberal commodification of the body for profit within a white supremacist system. And it is from under the control of a system that de-politicizes and provides black masculinity as a product for consumption that Colin Kaepernick decided to take a knee.

Perhaps the most threatening aspect of Kaepernick's protest to the NFL is the way in which he has refused to adhere to the matrix of intelligibility governing acceptable selfhoods within the League.

> The football business produces the intensities and subjectivities of spectatorship and fandom and through strategic public relations, it additionally organizes a certain affective and cognitive anti-politics, a depoliticized way of conceptualizing and experiencing football that reflects a wider "matrix of intelligibility" framing what is normal and legible with regard to race, gender, and precarity in the United States. (Benson, 309)

Kaepernick's proximity to whiteness has afforded him social and economic privileges that would, in many instances, resituate someone's sympathies along those lines. Furthermore, Kaepernick is one of relatively few black quarterbacks in the league, further privileging him in this space. Black players were historically barred from playing quarterback long after the integration of football (Reid). Presumably, Kaepernick's proximity to whiteness and its privileges should have rendered him easier to manage, but instead he has resisted control in such a way as to confound and subvert neoliberal and racialized discourses the League has covertly produced and flourished under, and has done so from the highly visible position of quarterback. This resistance and the controversy it sparked made Kaepernick divisive to a fan base who had come to rely on an anti-racial as opposed to an anti-racist space, and thus paved the way for him to be swiftly pushed out.

3. "on behalf of the people"—Legacies of Activism and the Neoliberal Moment

It was as a good neoliberal subject himself that Kaepernick began protesting. He had accrued the human capital necessary to both carry him to the NFL, and to have not necessarily relied upon that for his education and livelihood. A middle class kid raised by white parents in a white suburb, his proximity to whiteness meant he was in need of less controlling discourses than other players and made him a perfect example of black capitalistic achievement to support. Of course, he did undergo controversy early in his NFL career for his tattoos, but not much else. He had presumably come in pre-tamed.

Even the act of kneeling could be classified as within neoliberal parameters for what makes legitimate protest.[8] He acted alone, did not organize other players, did not disrupt

[8] Although he began by sitting, the movement was built around kneeling and therefore I will base my analysis around that action.

gameplay or demand anything from the NFL, and offered no specific program for change. He even renegotiated his protest to be perceived as more respectful when pressed by Nate Boyer, whose suggestion that Kaepernick kneel was meant to tie him to a tradition of military service and the humility of prayer. Most importantly in terms of legitimating discourses around protest, he acted nonviolently in the apparent tradition of Martin Luther King, Jr., the Civil Rights Movement, and other sports protest such as that of Muhammad Ali.

Muhammad Ali, whom Colin Kaepernick directly cited as an influence, famously sacrificed his earning potential, as well as risking a potential prison sentence, when he protested the draft in 1966 and was subsequently banned from boxing. Because of Ali's use of his platform to vocally oppose white supremacy, and because of his refusal to fight in the Vietnam War no matter what it cost his career, he has long been hailed as an icon of black pride and countercultural justice movements. In March 1967, one month before Ali's scheduled military induction, he explained why he would not be enlisting:

> Why should they ask me to put on a uniform and go ten thousand miles from home and drop bombs and bullets on brown people in Vietnam while so-called Negro people in Louisville are treated like dogs and denied simple human rights?
>
> No, I am not going ten thousand miles from home to help murder and burn another poor nation simply to continue the domination of white slave masters of the darker people the world over. This is the day when such evils must come to an end. I have been warned that to take such a stand would put my prestige in jeopardy and could cause me to lose millions of dollars which should accrue to me as the champion.

> But I have said it once and I will say it again. The real enemy of my people is right here. I will not disgrace my religion, my people or myself by becoming a tool to enslave those who are fighting for their own justice, freedom and equality…
>
> If I thought the war was going to bring freedom and equality to 22 million of my people they wouldn't have to draft me, I'd join tomorrow. But I either have to obey the laws of the land or the laws of Allah. I have nothing to lose by standing up for my beliefs. So I'll go to jail. We've been in jail for four hundred years. (Muhammad Ali, 1967)

There are quite a few resonances between what Ali said and how Kaepernick has talked about his own protest, both in language and theme:[9]

> I am not going to stand up to show pride in a flag for a country that oppresses black people and people of color. […] I'm going to continue to stand with the people that are being oppressed. To me this is something that has to change. When there's significant change and I feel like that flag represents what it's supposed to represent, this country is representing people the way that it's supposed to, I'll stand.
>
> At the end of the day the flag is just a piece of cloth and I am not going to value a piece of cloth over people's lives. That's just not something I can't do, it's not something I feel morally right doing and my character won't allow me to do that.
>
> I think there's a lot of consequences that come along with this. There's a lot of people that don't want to have this conversation. They're scared they might lose their job. Or they might not get the endorsements. They might not to be treated the same way. Those are things I'm prepared to handle. Things that other people might not be ready for.

[9] What follows is an amalgamation of statements that Kaepernick has given regarding his protest. I have brought them here together from different statements given at different times in order to demonstrate his similarities to Ali. While this is ahistorical in nature, I believe I am still accurately characterizing his thinking.

> It's just a matter of where you're at in your life. Where your mind's at. At this point, I've been blessed to be able to get this far and have the privilege of being able to be in the NFL, making the kind of money I make and enjoy luxuries like that. I can't look in the mirror and see people dying on the street that should have the same opportunities that I've had. And say 'You know what? I can live with myself.' Because I can't if I just watch. (Kaepernick qtd. in Biderman

In December of 2017, Kaepernick said of Ali in a statement posted on Instagram: "He in many ways laid the foundation of what I saw as the zenith of athlete-activism and perfecting the utilization of your platform as an athlete to force conversations about how America was not living up to what America professes to be."[10] Kaepernick has not only linked himself to Ali, but has also been linked to him by many others, most famously by both Sports Illustrated, who presented him with the SI Muhammad Ali award, and GQ, who specifically evoked Ali when they photographed Kaepernick for the Citizen of the Year issue, which also quoted activists who had called him the next Muhammad Ali. Many of the photos in the spread were taken in Harlem among local kids, aesthetically connecting Kaepernick to the time Ali spent training in Harlem while unable to compete as well as styling him like a member of the Black Panther Party on the cover. Kaepernick has evoked Ali in his refusal to be discouraged from his protest, appealing to the oppressed and aligning himself explicitly with those for whom he stands, while maintaining that it is not *for himself* that he protests, appealing to his character, demonstrating a fearlessness in the face of the loss of his career and potential earnings, and in refusing to acquiesce to a nationalistic symbolism many would hold above brown and black lives.

[10] Instagram, December 6, 2017

However, there are also many ways that he is not like Muhammad Ali. His rhetoric is far gentler, far less indicting of the systems of oppression that create the conditions and instances of police brutality he is protesting, and more individually centered. Kaepernick is also extremely dissimilar from Ali in his activism. Ali's activism was to *specifically remove* himself from a system he saw materially oppressing brown and black people globally by refusing the draft. This sought to demonstrate not only the brutality faced by black American but also to critique American Imperialism and Exceptionalism as creating the conditions for oppression at home and abroad. This decision came with the explicit knowledge that he would be unable to compete, would be stripped of his existing title, and would be facing the probability of jail time. Furthermore, as a member of the Nation of Islam, he had an explicitly antagonistic relationship to structures of white supremacy in all facets of public and private life.

Kaepernick, conversely, did not specifically remove himself from any structures of oppression. He did not *quit* playing football, a sport in which upper middle class white people watch predominantly black players endure near constant injuries that result in the debilitating neurodegenerative CTE, nor did he pressure anyone to make serious change with his protest. His act of protest was meant only to generate conversation. He even adjusted the physicality of his protest in order *not* to be seen as anti-military or anti-flag, at the urging of a white, neoliberally conditioned Nate Boyer who saw his military service as bringing freedom to those who did not have it. Those, like GQ, who have Kaepernick image Ali as he trained in Harlem running among children during the period in which he was unable to compete further ignore the privilege with which he began, or see the fact that he was pushed out of football as part of the protest itself. They even manage to overlook a difference as fundamental as a ban vs. a collective decision not to sign Kaepernick. Ali trained in Harlem while appealing his arrest to the Supreme Court with

no way of knowing whether he would be legally allowed to put that training to use. Kaepernick continues to train today, while hoping that those who froze him out will change their minds. Ultimately, situating Kaepernick as the next Muhammad Ali lends him an activist credibility that is not necessarily reflected in his own act of protest and thus sets the new standard for athlete activism where Kaepernick left it. It also fundamentally ignores the delimited position from which Kaepernick's activism arose and how that structured all that came afterward.

This does not discredit his protest nor does it mean to erase the work he has done through his charitable giving and support of children of color with the Know Your Rights camps, it does not even seek to exemplify Muhammad Ali as an exemplar of "correct" activism, but it does mark Kaepernick as a loose inheritor of Ali, at most. Instead, it is perhaps more useful to understand him as an inheritor of a defanged legacy of King.

Since the end of the Civil Rights Movement and the death of Dr. Martin Luther King, Jr., the narrative of nonviolent protest has steadily been co-opted by dominant powers as a way of controlling internal dissenters and the way their actions are perceived. Joseph Darda begins his analysis of the novel *Dreamers* with the observation that, "Martin Luther King Jr. is invoked indiscriminately today. His name and image can be found everywhere and yet rarely with any context or complexity" (Darda, 199). The novel fictionalizes what King's career could have looked like had he not been assassinated and connects the politics of the 1960s with those of the 1990s and the Rodney King riots. It is from the position of the concatenation of these two cultural moments that Darda analyzes the co-optation of King's legacy by a neoliberal hegemony. George H. W. Bush, he notes, spoke of the response to the acquittal of the officers who had beaten Rodney King thusly:

> What we saw last night and the night before in Los Angeles is not about civil rights. It's not about the great cause of equality that all Americans must uphold. It's not a message of protest. It's been the brutality of a mob, pure and simple. And let me assure you: I will use whatever force is necessary to restore order. (qtd. in Darda, 198)

Bush's move to contrast the events of August 1992 with civil rights seeks to situate the movement for civil rights as a symbol of unity rather than a demand for change, and as such allows him to deem what can be seen as a similar demand as not *protest* but *the brutality of a mob, pure and simple.* His attempt to control the legacy of the civil rights movement while delineating what is and is not protest instantiates the point that both I and Darda seek to illuminate: "In issues of racial conflict and protest in the United States, particular cultural representations of King are the standards against which a demonstration is judged" (199). By distancing Rodney King backlash from Martin Luther King's legacy, a new legacy was produced; one that positions King as a legitimate and legitimated actor, that affirms only a single facet of his activism, and one by which it is far easier to control those who seek meaningful change. Darda continues that,

> During the 1990s, the 1963 March on Washington and [the] "I Have a Dream" speech came to stand for King in the public's understanding of his life. A public speaking career that included hundreds of addresses ranging in subject from the politics of the African American church to the Vietnam War to unionization gets compressed down into a single concept: that people should be judged according to their character, not their skin color. (200)

This is an erasure of the full breadth of King's politics in favor of a vision that is far easier for a (racial) neoliberal hegemony to both laud and instrumentalize as a method of controlling dissent. This functions to produce a blueprint of what legitimate protest can be. Darda notes that the state does not desire to "eliminate" or "discredit" King, but instead to retain and proliferate his image as a post-hoc founding father. In this characterization, he becomes a representation of the successful attainment of equality in the United States through the progress of the state and deracialization, at the urging of a non-violent movement. King's legacy is often capped at 1965, marking the end of what historian Jacquelyn Dowd Hall calls the "Short Civil Rights Movement." This rewriting of the movement begins with Brown v. Board of Education, and culminates with the "I Have a Dream Speech" and the passage of the Voting Rights Act (Hall, 1237). This telling centers on sharply dressed students, Rosa Parks, and King fighting the clearly defined Southern Racists with the passage of legal protections by the state as the natural and triumphant solution to injustice. Forgotten in this narrative is the King whose desire for justice stretched far beyond such solutions as could be offered by legal protections and judgment according to the content of one's character.

What was seen as radical during King's life, such that he had to make the case *for* nonviolence, has now become the standard by which a protest is judged.[11] Violence, no matter how it began or who instigated it, is used to undermine the message of a protest to the point of non-viability. This is especially true of protests around issues that affect predominantly people of color or that are attended by them. Often protests in black-majority spaces or with black-majority attendance in which violence occurs are deemed riots and media coverage centers upon crimes

[11] "We had to make it clear that nonviolent resistance is not a method of cowardice. It does resist. It is not a method of stagnant passivity and deadening complacency. The nonviolent resister is just as opposed to the evil that he is standing against as the violent resister but he resists without violence. This method is nonaggressive physically but strongly aggressive spiritually." (Martin Luther King Jr., "The Power of Nonviolence")

committed during the protests, sensationalizing and muddling the narratives such that the violence is as memorable as the initial cause for protest, if not more so.[12]

Furthermore, Kaepernick's action was immaterial and individual in a way that fits neoliberal parameters for legitimate protest. The act of kneeling is not associated with any recognizable larger movements and it was a non-violent and individual action. The parameters for legitimate non-violent action have confined it to the immaterial as a means of controlling protest narratives. However, King's nonviolent resistance was always material as it was explicitly goal-oriented, often directly pressured the institutions it targeted through civil disobedience, and always necessitated putting one's body on the line, of which King was acutely aware:

> A fourth point that characterizes nonviolent resistance is a willingness to accept suffering without retaliation, to accept blows from the opponent without striking back. 'Rivers of blood may have to flow before we gain our freedom, but it must be our blood,' Gandhi said to his countrymen. The nonviolent resister is willing to accept violence if necessary, but never to inflict it. He does not seek to dodge jail. If going to jail is necessary, he enters it 'as a bridegroom enters the bride's chamber.' ("An Experiment in Love")

There are several lines along which Kaepernick and King could be compared. King's desire for racial reconciliation is mirrored in Kaepernick's desire to open up a discourse and reach a common ground, as is a deeply held sense of justice and injustice. King recognizes

[12] Another, more recent example of this phenomenon is Baltimore's 2015 "Freddie Gray Riots" in which after six days of nonviolent demonstrations, a small number of people behaving destructively redirected the narrative, and a journalist with visible press credentials was beaten by police and briefly detained. Another would be the all too prescient comment by Donald Trump after the Charlottesville White Supremacist demonstration (also referred to as a riot) in which he equated the antagonistic violence of the demonstrators to the sometimes violent protection of anti-fascist counter protestors. This could even be extended to the misinformation that proliferated around Hurricane Katrina that included accusations of looting.

antagonism while refraining from being antagonistic when addressing the citizens of Montgomery. He locates:

> the tension in [the] city [as] not between white people and Negro people. The tension is, at bottom, between justice and injustice, between the forces of light and the forces of darkness. And if there is a victory, it will be a victory not merely for fifty thousand Negroes, but a victory for justice and the forces of light. We are out to defeat injustice and not white persons who may be unjust. ("An Experiment in Love")

Similarly, when speaking of the racial dissonance in contemporary America, even while locating his protest as predominantly opposing police brutality, Kaepernick's commentary is not antagonistic but similarly aimed at justice as a part of a greater system:

> People don't realize what's really going on in this country. There are a lot of things that are going on that are unjust. People aren't being held accountable for. And that's something that needs to change. That's something that this country stands for freedom, liberty and justice for all. And it's not happening for all right now. (Kaepernick qtd. by Biderman)

In a second point of comparison, it can be seen here that they share a desire for reconciliation and shared discourse once the "opponent" is made aware of the injustice. King describes this while laying out the larger program of nonviolent resistance:

> A second basic fact that characterizes nonviolence is that it does not seek to defeat or humiliate the opponent but he realizes that these are not ends themselves; they are merely means to awaken a sense of moral shame in the opponent. The end is redemption and reconciliation. ("An Experiment in Love")

When Kaepernick was questioned on whether or not his protest would unify or divide his team, he too turned toward reconciliation and engagement,

> It's something that can unify this team. It's something that can unify this country. If we have these real conversations that are uncomfortable for a lot of people. If we have these conversations, there's a better understanding of where both sides are coming from. And if we reach common ground, and can understand what everybody's going through, we can really affect change. And make sure that everyone is treated equally and has the same freedom. (Kaepernick qtd. by Biderman)

Even in these points of comparison, a clear line can be drawn between the reality of King and the mediated non-violent action of Kaepernick. Where King sought not to antagonize, Kaepernick becomes almost gentle, attempting to bring everyone into the fold of freedom. He seeks not to awaken a sense of moral shame, but to see where both sides are coming from and what everyone is going through. There is no talk of an opponent at all, or the systems that sanction those who get away with murder, only that injustice is happening and we all need to talk to each other. Talking is an immaterial solution to a material problem, and while it certainly couldn't hurt, it is far from the solution King sought and even farther still from Ali's fiery rhetoric. Though Kaepernick's protest was non-violent and opposed a system of white supremacist violence, Kaepernick is largely an inheritor of the transmitted legacy of King as opposed to a direct legacy of King. This legacy still retains some of the poignancy and urgency of King's work, but without the explicit programs for change or challenges to white supremacy; it's the I Have a Dream speech but not the Poor People's Campaign.

King, unlike Kaepernick, was not a lone actor at the head of a movement but a speaker and organizer who was deeply integrated into a greater organizational structure that was waging

a broad campaign of nonviolence, despite the way he has come to be situated in the intervening years. While Colin Kaepernick's protest has been picked up by other players, he never attempted to organize his protest into a greater demonstration or as a part of a larger network of activist groups. He was always a lone actor with incredibly deep pockets and a much more palatable request, yet it does seem that Kaepernick is a *necessary* inheritor of King's legacy mediated for the neoliberal moment. There are different parameters for action now, and the only analog for the broad and deeply infrastructural Civil Rights Movement is the diffuse and pluralistic Black Lives Matter movement. It is within the neoliberal system and as a neoliberal subject that Kaepernick has shaped his protest and it is with those stipulations that he is participating in King's legacy. Where once a movement could be built upon a willingness of black people to put their bodies on the line for their freedom, and whose willingness to do so exposed the ubiquity of white violence against them to a public that had, willfully or otherwise, remained in the dark, now we watch black people die on our social media feeds and it is a grotesque normality, or we hear the protests or people of color discredited and dismissed as the brutality of a mob, pure and simple. When the death of a black child like Tamir Rice does not arouse the country in the way that photographs of dogs attacking children in The Children's Crusade did, there is not much more that can be sacrificed.

So, it is as the inheritor of this legacy that Kaepernick must instead leverage his position as a good neoliberal subject to subvert the anti-politics of that position. In our moment the type of sacrifice necessary to make a movement seems to be the sacrifice of capital, earned and potential, in order to empower organizations that do have the infrastructure to support the people for whom Kaepernick is kneeling. As David Harvey has argued, the project of neoliberalism is primarily a political effort to reassert the class power of capital, and capital is, thus, the only real

leverage Kaepernick has (Harvey, 2005). Subsequently, capital was what was taken from him when he spoke out.

Kaepernick was pushed out of the NFL because he is a black man talking about the social issue of systemic racial violence, a reality which he was supposed to obscure as a model black neoliberal subject. But because of his careful adherence to what would have otherwise been a neoliberally rewritten standard for non-violent action, and because of his refusal to let go of his blackness in exchange for the economic privilege and visibility afforded him by the NFL, they needed other narratives in order to push him out. These narratives and the method of control they support are part of what Emilie Townes has called the "fantastic hegemonic imagination," which is necessary to the construction and dissemination of the sort of misinformation that allows for colorblindness and the redirects eyes from the social and racial to the personal and economic. It is from within the fantastic hegemonic imagination, which is a metaphor for the conglomeration of generally accepted knowledges that function to obscure how the American people, and especially people of color, are being squeezed by economic policies and empire, that the misinformation Kaepernick has fallen prey to are substantiated.

4. "how they try to delegitimize it"—Undermining Colin Kaepernick

It is not only participation in the legacy of King, nor his imaging of Muhammad Ali that connect Kaepernick to a legacy of American nonviolent resistance, it is also the constant attempts to undermine and delegitimize his work even by those to whom we look for moral guidance. It was in response to disparaging comments by Supreme Court Justice Ruth Bader Ginsberg on the protest that Kaepernick remarked:

> It is disappointing to hear a Supreme Court justice call a protest against injustices and oppression 'stupid, dumb' in reference to players doing that. I was reading an article and it refers to white critique of black protests and how they try to delegitimize it by calling it 'idiotic, dumb, stupid,' things of that nature, so they can sidestep the real issue. As I was reading that I saw more and more truth how this has been approached by people in power and white people in power in particular. (Almond)

While Ruth Bader Ginsberg later specified that when asked about the protest she was not adequately aware of it to speak, her criticism was far from the most scathing and farther still from the most insidious. Since the protest began, the commentary that sought to oppose it has hit a wide range of registers, from misconstrual of his message to insulting his character. The commentaries that have been the most insidious are those that have sought to delegitimize him and his protest through an epistemology of redirection. This system of knowledge production that has sought to redirect the discourse has come from many sides and responded to different developments, but has one delegitimizing goal.

Womanist Ethicist Emilie Townes would describe these lies, myths, and distractions as part of what she calls the fantastic hegemonic imagination, which she describes thusly:

> The fantastic hegemonic imagination traffics in peoples' lives that are caricatured or pillaged so that the imagination that creates the fantastic can control the world in its own image. This imagination conjures up worlds and their social structures that are not based on supernatural events and phantasms, but on the ordinariness of evil. It is this imagination, I argue, that helps to hold systematic, structural evil in place. The fantastic hegemonic imagination uses a politicized sense of history and memory to create and shape its worldview. It sets in motion whirlwinds of images used in the cultural

> production of evil. These images have an enormous impact on how we understand the world, as well as others and ourselves in that world. (Townes, 21)

Townes' concepts are useful here because they can speak to the function of the misinformation around Kaepernick's protest, the necessity of the stereotypes and controlled narratives instrumentalized by the NFL, and the ease with which opponents acquiesced to these produced narratives. Townes' concept of the cultural production of evil shows how hegemony relies on stereotypes and the narratives that support them to justify itself, and that these lies become a part of the fantastic hegemonic imagination. In *Womanist Ethics* Townes excavates archetypal stereotypes of black womanhood for the difficult and racially charged truths that they obscure. The types that she examines were all used in one way or another to obscure or justify the realities of racist violence in the U.S. The misinformation deployed against Colin Kaepernick is not *racialized knowledge* so much as it is an attempt to de-racialize Kaepernick's blackballing. As has been pointed out by Davis and fleshed out by Townes, under neoliberal racism the raced subject and racism is overwritten by the auspices of meritocracy and thus the only people accountable for the "failures" of people of color, in this case Kaepernick's failure to be signed, are the individuals at hand. This muted racialization functions by attempting to discredit those who say Kaepernick was pushed out because of racism and restructure the discussion thusly.

A good deal of the attention that Kaepernick's protest has garnered the NFL from many of its fans, and arguably its most important fan bloc, has not been supportive. His protest has inspired boycotts on both sides, and his assertion of his black identity and the decison to align himself with a cause that specifically affects people of color has undermined the NFL's system of governance, as he is no longer adhering to an acceptable type of individuality for a black man in a privileged, but commodified, position and has necessitated his removal. Despite Colin

Kaepernick's status as a free individual, "[a]pparently, individuality is only sufficient when it is on the leagues' terms and to their sole benefit" (Cunningham, 49).

Hamann helpfully notes that,

> One of the significant developments in contemporary life that might fall under the heading of "neoliberalism" can be recognized through the various ways that the traditional distinctions between the public and the private on the one had, and the political and the personal on the other have been gradually blurred, reversed, or removed altogether. (39)

Whereas the feminist adage "the personal is political" sought to illuminate the structures of power acting upon women in their everyday lives, this neoliberal turn instead seeks to undermine the political where it does not benefit the market, making it personal, and to elevate the personal to commodity wherever money can be made. This dynamic has played out over and over again as Kaepernick has been grilled about his protest and as commentators have tried to cobble together reasons to dismiss it. In his August 28, 2016 media session one reporter asked Kaepernick, "Do you personally feel oppressed?" He replied:

> There have been situations where I feel like I've been ill-treated, yes. This stand wasn't for me. This stand wasn't because I feel like I'm being put down in any kind of way. This is because I'm seeing things happen to people that don't have a voice, people that don't have a platform to talk and have their voices heard, and effect change. So I'm in the position where I can do that and I'm going to do that for people that can't. (Kaepernick qtd. Biderman)

Despite this pivot away from his personal experience back to the social phenomena, the interviewer asks not long after, "In your mind have you been pulled over unjustly or had bad experiences?" and again after that "Do you fear for your safety on the road?" (Biderman). It is quite obvious that the interviewer's insistence on returning to the personal demonstrates a degree of dissonance between what Kaepernick is saying and what the reporters are able to hear. Furthermore, in continually emphasizing Kaepernick's affective experience the reporters present left little to no room for a larger narrative outside of personal experience. Then, in an ironic twist, after spending the interview trying to keep the aggressively wandering focus of the reporters on the issues, Kaepernick is asked, "Any concern that the focus is on you and not the issues?" (Biderman). There is an anxiety around Kaepernick's refusal to paint his protest as *personal* instead of *social*. It is the individual, not the social, that is subject to neoliberalism while the social all but disappears. Haman explains that under neoliberalism, "social inequality is rendered invisible *as social* phenomena to the extent that each individual's social condition is judged as nothing other than the effect of his or her own choice and investments. The neoliberal subject is *fully* responsible for caring for him or herself" (Hamann, 44).

"Within this context race lacks substance because in order to operate effectively, neoliberalism rejects identity" (Davis, 349). Kaepernick's protest *must* grow from personal experience because it cannot be recognized as a social reality, and if it comes from his personal experience then it is not, necessarily, a social reality. This negation of the social reality casts Kaepernick as using his platform to air some sort of personal grievance, to which Townes would demand, "We must ask why is it that the ones who have for decades, if not centuries, practiced hegemony with precision are never guilty of collapsing reality into their own image?" (54). If, however, conversely this protest does not arise out of his personal experience, if, instead he is

kneeling for those who did not have the privilege he possesses, then he asserts an obligation to the social that implicates everyone watching him kneel. This cannot be tolerated in a system that thrives upon maintaining an “a-political” space and that needs particular racial discourses and neoliberal myths of individuality in order to maintain that space, nor was it well received by the fans whose subjectification by neoliberal hegemony specifically disallows this sort of obligation.

Thus, Kaepernick’s experience must be personal, or it must be undermined as such. It is in line with this argument and reasoning that many have come to see Kaepernick not as having earned his money but as profiting off the very Americans his is accusing of racist violence (Levitz), which would not be the case if he had followed "significant cultural rule: Do what the rest of the team does, do what the league tells you to” (Prescod-Weinstein). Townes points out that, under conditions of domination certain individuals of oppressed groups will prosper, but that their prosperity will never threaten the framework of society. "It only creates an austere marginal space that can lull many of us into a false but oh-so-deadly consciousness that contours our imaginations”—sports, and specifically the NFL, is a perfect example of this marginal space (Townes, 20). It is within this space that black men are raised up as tokens of black capitalistic achievement, proving the rule of equality among neoliberal subjects, but when athletes use this platform to bring attention to causes that do not reify that rule it is often easier to believe theories that support hegemony’s false consciousness than it is to confront its falseness.

Other delegitimizing knowledges produced in this system have used different strategies to undermine Kaepernick. Kansas City Chiefs owner Clark Hunt was quoted on November 6, 2016 as saying "I do think the right thing is for all the players and coaches on the sideline to stand during the national anthem and pay the respect that our flag and the people who have given their life for it deserve,” changing the focus of “right” and “wrong” from those who are subject

to police violence to the unifying symbols of neoliberal nationalism found in the military and the flag (Paylor). Of course the unity generated by the replacement of police brutality with national symbols does not bring people together because an insincere unity generated by sleight of hand, "will always benefit those who have the power and leisure to enforce and ignore differences." Townes continues that, "[u]nity as a teleological goal can be dangerous and life-defeating, for it can overwhelm and neglect equality" (Townes, 146). Unity, in this vein, is meant to specifically distract from the equality being called for. Shifting the focus to the unifying symbols of nationalism was, in fact, extremely effective in doing so and was made even more effective by the pushback on Kaepernick by President Donald Trump. His comments at a September 2017 rally for Luther Strange that Kaepernick was disrespecting the flag and the military, and that they should, "get that son of a bitch off the field" prompted a social media wave of messages of support for the First Amendment right to protest, many of which were from veterans (Trump qtd. by Graham). This wave, however, created an alternate unity that further obscured the reason for the protest, thus doing the work of subsuming a social issue, that of police brutality, to that of an individual one, Kaepernick's right to protest. While this was worse for the NFL, as this sort of reframing makes Kaepernick's protest more legitimate, it still managed to bury Kaepernick's desire to draw attention to the social and racial issue of police brutality under a separate and more palatable issue: anti-Trump sentiment (Madu).

On January 29, long after the 49ers had been freed of their obligations to Kaepernick, University of Michigan Jim Harbaugh attacked those who said Kaepernick is getting blackballed as "intellectually lazy" as the situation was far more nuanced than that (Boren, "John Harbaugh"). The next day he and Chip Kelly, who was the 49ers head coach for the 2016-17 season, called Kaepernick a hero and a special person from a safe distance (SI Wire). It is easy to

imagine that lauding Kaepernick between seasons would make it seem that separating from him was not the result of pressure from superiors regarding his protest, but because he *chose* to become a "free agent." This vague endorsement allowed them to cover themselves against those enraged by Kaepernick's unemployment as well as those who wanted to see him gone, while distancing the NFL from allegations of collusion.

"Choice" came up again on January 31, when Kaepernick's vegan diet was cited by MSNBC as a concern for those thinking of signing him (Holloway). This functioned to further instantiate bodily control while simultaneously painting this issue as one of personal choice. Kaepernick choosing to become a vegan demonstrates that he is weaker and less masculine than he had previously been, that he is no longer adhering to the carefully cultivated masculinity of the NFL, and that his choices thus led him to undermine his own potential. As Hamann points out, "he is his *own* capital, his *own* producer, and the source of his *own* earnings. Even in terms of consumption […] the neoliberal *Homo economicus* is recognized as a producer of his *own* satisfaction" (Hamann, 53). This biopolitical control masked by neoliberal choice politics evaluates Kaepernick's commodified body while taking away his seemingly mythical, neoliberal right to control his life. This, again, would leave Townes unsurprised, as "[m]ost of us [black people in the United States] are barely in control of our lives and we have almost no control over our commodified bodies" (45). Kaepernick, as the possessor of a body that is not only commodified, but is the commodity itself, and that stands at the center of the neoliberal myth of achievement and equality would have almost no control at all. Ultimately, this is the sticking point of Kaepernick's position and protest. It is his success in living up to the standards of neoliberal identity that makes his body valuable, and it is the value of his body that afforded him the platform of NFL, but this value is undermined when he attempts to define his own

identity. This is as true of those men for which the rules governing touchdown celebration as it is for Kaepernick, the difference is that those men asserted identities defined by blackness but that did not politically align them with other people of color. Kaepernick asserts the blackness of his identity and associates himself with a social cause that not only acknowledges the racism that he, a black man pre-groomed for white consumption and a token of equality, is meant to obscure, but that asserts that racism in not a private issue, that it has nothing to do with hearts and minds but that it is baked into our system of governance.

On November 30, 2017 it came out that the NFL offered Eric Reid, a teammate of Kaepernick's on the 49ers who has been one of his most steadfast supporters and who has continued to protest into the 2017 season, $100 million in donations to social justice organizations if he would end the protest (Stahl). That money, however, was not to come from the NFL's coffers but from the funds for breast cancer awareness and "Salute to Service," thereby intensifying the antagonism between still protesting players and those who found their protests to be disrespectful. This antagonism is easily summed up by a quote from Pittsburgh Steelers offensive lineman Alejandro Villanueva who spoke of the reality of racial violence in the U.S., stipulating that:

> I don't know if the most effective way is to sit down when the National Anthem of a country that has provided you freedom and is providing you $60 million a year is the best way to do it, when there are black minorities that are dying in Iraq and Afghanistan that are protecting our freedom for less than $20,000 a year. (Villanueva qtd. in Flaherty)

Locating the conflict in an antagonism between players and military servicemen that cannot be separated from the protest itself is a conflict that Hamann would see as harkening to "the disappearance of the public square and an increase in the political disenfranchisement of

citizens" (Hamann, 59). Furthermore, it begs the question: what *is* the most effective way to protest police brutality from Kaepernick's position? Despite Kaepernick's careful negotiation of his protest, a public, non-violent symbolic action and private donations, despite the care he used in picking his language, never indicting anyone or any system directly, despite shying from the public eye over the course of his protest, despite the inherently respectful, even prayerful nature of kneeling, in short, despite his adherence to the parameters of protest that have been cast in the image of King while erasing his most radical qualities, his protest is unacceptable.

Throughout the protest certain football personalities and reporters have voiced their suspicions that the NFL is colluding against Kaepernick, who filed a lawsuit against the NFL for collusion in October 2017. But even when commenting on such an injustice, fellow white player Aaron Rodgers concluded, "I'm gonna stand because that's the way I feel about the flag—but I'm also 100 percent supportive of my teammates or any fellow players who are choosing not to. *They have a battle for racial equality*. That's what they're trying to get a conversation started around" (Rogers qtd. in Stites).[13] Even in expressing his support for the cause he is able to distance himself from the social phenomena of white supremacy that he is complicit in. Those who argue, as Townes does, that "we need each other to understand the worlds we have created and are creating," see the dissonance necessary to recognize a systemic issue in the society of which you are a part as somehow separate from you. She points to the invisibility and neutrality of whiteness which, "has enabled many White folks to remain unengaged with their own socialization process that is ongoing and has tempted many into ahistorical mindsets afloat in a sea of illusions springing from materially ungrounded imagination that has and can move swiftly from stereotype to structural oppression" (Townes, 65). "White status is the unmarked success

[13] Emphasis my own.

of neoliberalism. It is the privilege of whiteness that accepts and encourages the deflection of racism, racializing, and the absence of a racial analysis, and that institutionalizes a hierarchy in which whiteness sits at the top" and can remain fundamentally disengaged from racial(ized) struggles (Davis, 356).

Sympathy, support, and even empathy are not the same as experience, and with the sort of materially ungrounded imagination whiteness allows for, there is more than enough dissonance to make this sort of claim. This dissonance is what allows for players like Kaepernick to get pushed out as solidarity is fundamentally antithetical to neoliberal hegemony and the materially ungrounded imaginations it allows for. Without solidarity there is little hope for the mutual understanding advocated for by both Kaepernick and Townes. Without solidarity there is no Martin Luther King, Jr. Without solidarity there is no movement.

As these narratives unfold there are moments of clarity: former NBA player Mahmoud Abdul-Rauf relates his own experience of protest against racial violence and the NBA's retaliation in the '90s and concludes:

> It's a process of just trying to weed you out. […] They begin to try to put you in vulnerable positions. […] Then they sit you more. Then what it looks like is, well, the guy just doesn't have it anymore, so we trade him. [They try] to set you up to fail and so when they get rid of you, they can blame it on that as opposed to, it was really because he took these positions. They don't want these type of examples to spread, so they've got to make an example of individuals like this. (qtd. in Boren, "Mahmoud Abdul-Rauf Weighs In on Colin Kaepernick")

But, what this web of rumors, misinformation, and even outright lies corroborates Wendy Brown's assertion that "[i]n a neoliberal world, there is no criterion of truth and virtue except what works in the market" (*Neoliberalism and Everyday Life*, 27). And while the rumor mills were working overtime to produce knowledge, fans, news outlets, and President Donald Trump himself were standing firmly behind the preferred narrative of the fantastic hegemonic imagination, that Kaepernick's protest was aimed at the military, the flag, and the national anthem, and thus increased hate and promoted disunity.

The institutionalized and systemic racism that Colin Kaepernick sought to draw attention to poses a threat to neoliberal order. Racism is a system predicated upon the existence of superior and inferior racial groups, and although the ideology of the country no longer recognizes that as a reality and has, instead, rewritten racism as making any reference to race at all, the history of racism and racialization is inseparable from the history of this country. Its invisibility is necessary to its function, which is why Townes starts from the myths of that support and instantiate this racism, revealing them as such, in order to deconstruct their cultural evil. The social reality that because of this history blackness puts one at increased risk for harm and negative life outcomes, especially at the hands of the state (or, in our case, the nexus of the state and the NFL as a governmentality) cannot be acknowledged under a neoliberal system that sees all subjects as "free" and "equal" and all outcomes as dependent upon personal choices. Therefore, the social, racial, dimension of the problem must be overwritten with the symbols of nationalism. This move was quickly able to obscure and rewrite the realities of Kaepernick's message because it does not challenge the discourses of equality that have so infiltrated white American consciousness, but more specifically to our problem, those imposed by the NFL to distract from structural imbalances within its own ranks.

The military as a symbol does the work of unity because it instrumentalizes the bodies of recruits, many of whom are lower middle and working class, to advance the state while appearing as opportunity to gain human capital.[14] Furthermore, casting veterans as a group of heroes who have sacrificed willingly for this country structures the discourse such that challenging the way the state has used military force is disrespectful to these heroes. These narratives of "heroes" work to isolate veterans from the greater population and use them as a monolithic symbol that can then be easily deployed in cases such as these. This was rendered very clear when President Trump began to speak out against Kaepernick's protest. Eric Levitz analyzed this phenomenon for New York Magazine in September of 2017:

> President Trump and his allies are fiercely defensive of a specific brand of football politics: one that insists that American soldiers never lose their lives in ill-conceived and unjust wars of choice, but *only* in defense of "our freedoms"; that posits reverence for the armed forces and the symbols of the American state as *the* unifying foundations of U.S. civil society; that imagines all of our nation's fallen soldiers as a monolithic group of *Über*-patriots, all of whom would be more offended by an NFL player's failure to stand for the national anthem than by the routine, legally sanctioned murder of unarmed African-Americans by the government they gave their lives for[.] (Levitz)[15]

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[14] The Washington Post reported on a study from the National Priorities Project looking recruiting data in 2008, saying: "The study also found that the number of "high quality" recruits -- those with both a high school diploma and a score in the upper half on the military's qualification test -- has dropped more than 15 percent from 2004 to 2007. After linking the recruiting data to Zip codes and median incomes, it found that low- and middle-income families are supplying far more Army recruits than families with incomes greater than $60,000 a year.
"Once again, we're staring at the painful story of young people with fewer options bearing the greatest burden," said Greg Speeter, the project's executive director."

[15] Furthermore, the "our freedoms" discourse has been employed by many, including former teammate Alex Boone, who in August of 2016 was quoted by Sports Illustrated as having said, "That flag obviously gives [Kaepernick] the right to do whatever he wants," said Boone, now a member of the Minnesota Vikings. "I understand it. At the same time, you should have some [expletive] respect for people who served, especially people that lost their life to protect our freedom."

Veterans then find themselves, "facing a 'thank you for your service' culture that avoids grappling with the issue of how we as a nation use military force. The desire to disproportionately weight veterans' opinions on this, or any, issue reflects a broader trend of ceding them moral authority, in exchange for ignorance and detachment from the wars they have been asked to fight" (Schafer). And if the military is so close to the heart of the American polity, then the militarization of the police force can easily dovetail with the culture of American militarism and benefit from its discourses.

This discourse is more useful to the NFL than correcting it would be for several reasons. Firstly, acknowledging systemic racism outside of the NFL would bring into view those forces at play within it. Colin Kaepernick's proximity to whiteness should have proved the rule neoliberal ideology sought to instantiate but, instead, he associated himself with the social and the black. This move rendered the social visible within a system that, founded upon the keystone ideals of a neoliberal citizenry, *needed* that dimension to remain invisible in order to continue business as usual—recruiting and controlling young black men. Secondly, the function of the military in the NFL is twofold: if the military is the unifying foundation of U.S. civil society, invoking and supporting it resubstantiates the NFL as a place of unity and family values, which is fundamental to its subectivization of its fans and control of its players as well as its market share. And the military, furthermore, functions similarly to the NFL in its production of knowledge regarding its workforce. If, as was mentioned before, the military instrumentalizes the bodies of recruits to advance the state while appearing as opportunity to gain human capital, then the NFL does the same through its PR campaign.[16] Benson points out that one of the NFL's forms of social activism is the provision of football programs to underprivileged schools. By

[16] In a 2011 Pew Survey, 77% of military recruits listed educational benefits as a reason for enlisting.

providing sports to at-risk children the NFL seems to be investing in the community when, in reality, they are creating a pipeline in which poor and minority children can then be weeded out and funneled to the NFL as adults. Instead of providing actual opportunity without stipulations, these marginalized and often economically disadvantaged children are exposed to the constant and continued risk of concussive and subconcussive brain trauma and then, if they are good enough, delivered to the NFL. These black players are far more likely to be linemen than quarterbacks, who, subsequently, are far more likely to be white than black (Reid). Relegating black players to the very dangerous position of linemen reifies racialized violence not only in the greater structure of the league but within the gameplay itself (McManus and Reid).

It is in this way that the NFL and the state are parallel; both profiting off a brand of racism as old as white colonization of the North American continent, both using neoliberal discourses and symbolic unity to hide the function of that racism in the contemporary system, and both threatened by someone who could prove the rule they are seeking to instantiate—all subjects are free and equal—through his tokenism refusing to acquiesce into that created narrative.[17] It is as the center of the nexus of neoliberalism, oppression, and obfuscation that Kaepernick points out, "There's a lot of racism disguised as patriotism in this country. And people don't like to address that. And they don't like to address what the root of this protest is" (Kaepernick qtd. in Zirin).

[17] It is worth noting here that there is a long and documented history of black veterans experiencing both symbolic and physical violence after returning home from their military service, and that Kaepernick has addressed this in past statements including in the August 28 media session (Biderman): "I have great respect for the men and women that have fought for this country. I have family, I have friends that have gone and fought for this country. And they fight for freedom, they fight for the people, they fight for liberty and justice, for everyone. That's not happening. People are dying in vain because this country isn't holding their end of the bargain up, as far as giving freedom and justice, liberty to everybody. That's something that's not happening. I've seen videos, I've seen circumstances where men and women that have been in the military have come back and been treated unjustly by the country they have fought for, and have been murdered by the country they fought for, on our land. That's not right."

In taking a knee during a celebration of nationalism Kaepernick implicates all participants (spectators, players, management, and the public external to the NFL) in a system that, contrary to its discourses, is far from meritocratic and equitable. Taking a knee invites the consideration that we are all implicated in the violence that has exploded onto the national stage, even those who would identify themselves as allies to the cause and who would use that allyship to distance themselves from responsibility; those who do not see themselves as policing blackness to death. Kaepernick's symbolic kneeling implicates viewers in the violence they have remained wilfully ignorant to while juxtaposing it against the violence done to black bodies in the game itself. His act of nonviolence contrasts starkly with the system of policing the black body, whether it is practiced by law enforcement or the NFL.

Another useful comparison, here, is to look at another Christian football player who drew attention to himself in 2011 and 2012 through kneeling on the field, Tim Tebow. Tim Tebow, like Kaepernick, is a vocal Christian whose values propelled his demonstrations. Although Tebow garnered a great deal of both positive and negative attention for kneeling in prayer—given the moniker "Tebowing"— the two Christian men have been received by the same group of people in radically different ways. Of course the elements of respectability politics in their reception run deep—for instance one way that Tebow showed his faith was by writing verses on his eye black, while Kaepernick "is festooned with religious tattoos, including depictions of scrolls, a cross, praying hands, angels defeating demons, terms like "To God be the Glory," "Heaven Sent," "God will guide me," Psalm 18:39 and Psalm 27:3," they have made similar statements about the force and drive of their faith, if not its practical application (Frost).[18]

[18] Frost, *The Washington Post*, September 24, 2017. "Kaepernick has said, 'My faith is the basis from where my game comes from. I've been very blessed to have the talent to play the game that I do and be successful at it. I think God guides me through every day and helps me take the right steps and has helped me to get to where I'm at. When I step on the field, I always say a prayer, say I am thankful to be able to wake up that morning and go out there and

Tebow's demonstration was a protest, of sorts, against the movement away from traditional Christian American values. When asked what needs to change in America at a Texas Easter service in 2012 he told Celebration Church pastor Joe Champion, "First and foremost is what this country was based on: one nation under God. The more that we can get back to that [sic]" (AP). A worshiper in attendance said of Tebow, "I'm a fan of any pro athlete who stands up for his faith. We're thrilled to be part of this. It's not about football. Whatever gets more people over to the cross, I'm in favor of" (AP). And yet, Tebow's kneeling was not perceived as a public demonstration in the vein of Kaepernick's, but as doing something private in front of others—a public expression of a private faith. While it is made obvious by the comment of the attendant of that Easter service that Tebow's prayer did symbolic work, the perceived content of his symbol was a private religious feeling that is an acceptable nationalism. Tebow was the darling of Christians, mocked by non-Christians, and still controversial, but he was not maligned by those with power. He was essentially allowed to carry on until he tired himself out. In a recent article featured on the Christian News site CBN, Dan Gainor with the Media Research Center compared Tebow and Kaepernick,

> The first example that comes to mind is the other NFL player who liked to kneel. That's Tim Tebow. The media skewered him, the NFL didn't support him, ESPN went after him...the press was all after him. And basically, he got chased out of football. Then you flip it around to Colin Kaepernick...his protest is, of course, the opposite side. He, of course, is protesting about politics and is notable because he is in support of Fidel Castro and he wore the socks that were the 'cops are pigs' socks. And naturally, the media love it. (Wise)

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try to glorify the Lord with what I do on the field. I think if you go out and try to do that, no matter what you do on the field, you can be happy about what you did.'"

What this analysis neglects to explicate is that Tebow was pushed out of football because he did not have the skill set to continue as a quarterback at that level. Despite a promising college career, he did not continue to develop his skills and had the lowest rate of pass completion in the league, whereas Kaepernick "threw for more than 2,000 yards in just 12 games" in the 2016 season, around 500 more yards than Tebow's 2011 season (AP). Tebow was pushed out of football because of his game-play, whereas game-play was a lie used to distract both from Kaepernick's protest itself, and the protest as a reason for his black balling. Tebow left the NFL and signed with the Mets. Kaepernick, despite also having been a talented baseball player as well, instead continues to train regularly for the job he has been refused, demonstrating both his perseverance in the face of adversity, and that his unemployment has never had a single thing to do with his skill.

For Tebow, prayer was an act of private faith in a public space. Prayer circles have been a part of NFL culture since the 1990s and so the act of kneeling in prayer had been normalized, it was his choice of when and where to kneel that got him noticed. He did not spark protests and boycotts, just articles and SNL skits. It did not get him pushed out of football because it did not challenge any status quo, only rendered a little clearer how close neoliberal individualism and nationalistic Christianity truly are. Ultimately he linked himself to the only social collective that is acceptable, but whose individualism and normativity render invisible: White Christians. When Kaepernick kneeled, kneeling itself was attacked as a sign of disrespect. It was as if prayer was forgotten, despite Nate Boyer's comments on kneeling—that it was respectful; people kneel to pray. Images of Dr. Martin Luther King, Jr. kneeling were circulated in support of Kaepernick, but even MLK cannot legitimate Kaepernick's kneeling because its legitimacy is already voided

by his blackness and his assertion of the social (Rhodan). Angela Denker, a former sports writer and current pastor, wrote this of those white Christians most offended by Kaepernick's protest, many of which were fervent supporters of Tebow,

> You're thinking: Dammit.
>
> I can't even watch football on Sunday anymore and drink a beer without being reminded that something is wrong in America.
>
> You want Kaepernick to go away, to stand up and salute the flag and shut up because we can tolerate abuse of other human beings but we cannot tolerate being disrupted when we want to pretend that everything is okay. […]
>
> This is about Kaepernick refusing to play his role. Stay in his lane. […]
>
> It's not about what Kaepernick said or didn't say. It's about him making a powerful statement that doesn't require words: a statement rooted in an African American Christian tradition built on nonviolent resistance.
>
> The vitriol directed toward Kaepernick, even by NFL executives, comes as much from fear as it does from genuine dislike. If Kaepernick really was a harmless, crazy, dumb gadfly, the execs wouldn't care. They'd sign him up, as they've signed up criminals and abusers and even murderers in the NFL's past.
>
> No, this is different. This is about a deep fear of what Kaepernick has tapped into: a shaking of America's Christian roots and a question about who owns the narrative of Jesus: white evangelical Christian culture or African American liberation movements? (Denker)

When Tebow kneeled it was an affirmation of the normative: white, male, Christian. It was an affirmation of the status quo and it cost him almost nothing. When Kaepernick kneeled it was a call to consciousness if not at first a call to action. Furthermore, it drew a line between two types of American Christianity. One can be coopted into American neoliberal ideology and the other cannot be coopted as easily. Michael Frost characterized the split as one of public concern and private concern:

> [I]t feels as though the church is separating into two versions, one that values personal piety, gentleness, respect for cultural mores, and an emphasis on moral issues like abortion and homosexuality, and another that values social justice, community development, racial reconciliation, and political activism.
>
> One version is kneeling in private prayer. The other is kneeling in public protest.
>
> One is concerned with private sins like abortion. The other is concerned with public sins like racial discrimination.
>
> One preaches a gospel of personal salvation. The other preaches a gospel of political and social transformation.
>
> One is reading the Epistles of Paul. The other is reading the Minor Prophets. (Frost)

While this may well be reductive, it locates a problem that Townes and Martin Luther King, Jr. were both concerned with; the subsumption of social sin into personal piety. When personal piety is instrumentalized to cover social sin, or weaponized against those suffering the most underneath its crushing weight, then it supports the neoliberality that Kaepernick's personal demonstration of faith and politics began to undermine.

Social sin and antiracism ‘‘require historical memory, recalling the conditions of racial degradation and relating contemporary to historical and local to global conditions. . . ,

[neoliberal] antiracialism suggests forgetting, getting over, moving on, wiping away the terms of reference.'' [19] Kaepernick's act of kneeling was meant to draw attention to institutional police violence and though it did not carry within it calls for specific reforms or actions, it was not without heft. It demonstrated Kaepernick's personal commitment not to forget, get over, move on from, or wipe away the terms of reference even as those commenting on it tried to undermine him. In this analysis, Colin Kaepernick's protest has been linked to a type of action that is, technically, condoned by neoliberalism because it does not carry social or political reforms within it. These types of action are more gesture than anything else—a demonstration of a personal commitment in which the symbol refers back to itself. Tebow prays because he is a good Christian and his prayer doesn't require you to look outside of the stadium. Kaepernick's symbol, however, was effusive and its surplus of meaning was not delimited by the parameters of his request. His symbol carried within it the terms of reference and the historical memories that "disrupt the neoliberal comfort zone constructed around what counts as racism and who gets to name it" (Davis). Kaepernick used his platform and his celebrity to point to violence that subjects conditioned by neoliberalism and insulated by its support of white supremacy *could not see*, and the repercussions of that decision illustrated the muted racism and racialization that Davis spoke of, as well as the rewriting of the social significance of race.

Colin Kaepernick in his symbolic work has implicated the nation as a collective, if not a unified one. This is a forced reckoning that directly opposes the NFL subjectification of the family (and the myth of unity that comes with it) as the center of football fandom. Changing the discourse to that of respect for the flag is a way of using the carefully constructed narratives of fandom upon which the NFL's symbolism rests, narratives that have been legitimated within the

[19] Goldberg, 2009 qtd. in Enck-Wanzer, 28.

closed system of subjectification and subjectivation, as a means of refusing a reality that implicates the individual in the suffering of others. Because the neoliberal subject is constituted as responsible for oneself, and subjectified as thoroughly autonomous and free, those who have failed within the larger frame of neoliberalism as culture, or who have disengaged from the acceptable processes of subjectivation within that culture, are seen as having failed morally and individually (Hamann, 44). Wendy Brown characterizes the model neoliberal citizen within this dissociative ideal:

> The model neoliberal citizen is one who strategizes for her- or himself among various social, political, and economic options, not one who strives with others to alter or organize these options. A fully realized neoliberal citizenry would be the opposite of public-minded; indeed, it would barely exist as a public. The body politic ceases to be a body but is rather a group of individual entrepreneurs and consumers… (*Edgework*, 43)

Colin Kaepernick threatens this citizen in his symbolic (and explicit) linking of himself to a greater community of people of color who are suffering not individually but collectively. He, as someone who effectively moved through the world "individually," and whose protest is in and of itself individual, then situating himself as part of a public-minded citizenry challenges the discourses and ideologies necessary to the continuation of the NFL's nationalistic myth of unity. If Colin Kaepernick, someone who until that point had participated in the myth-making by virtue of his accrued human capital and the white-safe and white-relatable narrative of his life, aligns himself with the black men who have died in the street, then he renders clear a social phenomenon that neoliberalism has sought to erase as social, instead positioning it as an individual issue in an attempt to mute it altogether. For Townes, "[e]xploring evil as a cultural production highlights the systematic construction of truncated narratives designed to support and

perpetuate structural inequities and forms of social oppression," and this cycle can be seen again and again in efforts to delegitimize Kaepernick as a player, in order never to have to look at the realities he sought to draw attention to.

5. "I know my rights."—Concluding Remarks

While much of Kaepernick's protest could be seen as immaterial, his act of mediating neoliberal subjecthood and protest was made effective by his leveraging of his own economic power to beget economic power in the causes he supports. It was quite early on in the protest that he announced the "Million Dollar Pledge" which stated his intention to donate $100,000 a month for ten months, plus the funds from his jersey sales which continue to sell even while he is unsigned, to charities doing work to support communities of color (Wagoner). Furthermore, he started his own project, the Know Your Rights Camps, which teach kids about their political agency and how to safely engage with police to the best of their abilities. He has emerged as a champion for the causes he threw himself behind and has inspired many and renewed the hope of many more. His activism has done work, both material and symbolic, and his sacrifice did not go unnoticed.

Even so, it is worth nothing that his activism has garnered him an incredible amount of attention and praise in comparison to the level of work it has done. It took about a year and a half of protest without a specific goal other than sparking discourse to get him honored in the name of Muhammad Ali, as the Citizen of the Year, and as the symbolic figurehead for nonviolence in 2017. This recognition was bolstered by the NFL's attempt to cut off that head. While the length and type of activism he has engaged in should not undermine his impact, it does point to the reality of the neoliberal subject as a deeply enculturated part of American culture. For example,

the announcement of the SI Muhammad Ali award began:

> In the last 16 months, Kaepernick's truth has been twisted, distorted and used for political gain. It has cost him at least a year of his NFL career and the income that should have come with it. But still, it is his truth. He has not wavered from it. He does not regret speaking it. He has caused millions of people to examine it. And, quietly, he has donated nearly a million dollars to support it. (Rosenberg)

What is interesting about this quote is that, even as it seeks to honor him, it cannot divorce itself from neoliberal discourse in the characterization of Kaepernick's protest as *his truth*. Even in honoring him he is the possessor of a personal truth, an individual truth that he had to defend and champion. Even in honoring his work the social reality cannot be acknowledged as real in and of itself, but only in relation to his ownership of it.

Those who situate Kaepernick as the next Muhammad Ali have fundamentally misunderstood the difference in the two mens' positions. Ali was similarly locked out of his sport at his prime, but similarities do not equate them as activists. Kaepernick's position gave him the platform necessary for his protest to be impactful, but it also delimited the actions he could take. From within the parameters of the neoliberal subject, and the even stricter parameters of a body commodified by the NFL, Kaepernick leveraged his privilege. From within that space he subverted those very parameters by demonstrating that, in fact, there is no acceptable neoliberal protest for a black man on whom white men rely for profit. Nor is there acceptable neoliberal protest that demands that the social aspects of our shared world be interrogated. It is from the inherited legacy of King that Kaepernick fashioned a careful and respectful protest, but the swift beheading of his movement demonstrates the level of control that affords over dissenting black bodies.

Given that, perhaps the first question is this investigation raises is: can the depth and fullness of the non-violence of the Civil Rights Movement be rescued from the "short" Civil Rights Movement that sought to replace it?[20] Or perhaps, does it even need to be rescued in order for effective non-violent protest to occur? These are questions this paper demands be asked, but cannot itself answer. For Townes, dismantling the cultural production of evil necessitates conversation and connection of the sort Kaepernick advocates,

> In short, we need each other to help us understand the worlds we have created and are creating. This assumes a positive value for interdependence and dialogue. This invitation to growth, as it were, admits that we are a complex of historical interactions on a cosmic playing field. Further, dialogue signals this connectedness as we seek to hear and understand our lives within the profundity of creation. This helps us recognize that ideas (knowledge) cannot be detached from the individuals who create and share them. It is to return to the importance of context. (114)

Kaepernick's protest sought to demonstrate the ubiquity of police brutality, that even he, an otherwise extremely privileged person could not look away from what was happening to people who looked just like him. Townes would applaud his invitation to growth, to dialogue, and to mutual understanding. Pulling apart the cultural production of evil, however, takes more than that. It demands the constant vigilance to read beyond the narratives given for the reasons they were put into place. Kaepernick has done this at certain moments—specifically with his comments regarding Justice Ginsburg—and his activism continues in other ways, but the speed with which he was pushed out of the NFL is indicative of how difficult this task is and how threatening even slight deviations from controlled narratives are to those who profit from those

[20] Referenced above

narratives. Colin Kaepernick, who had lived as close to the neoliberal ideal as anyone could, had to radically educate himself in order to be taken seriously, and performed an extremely conservative and limited protest still lost everything he had earned. If this is the state of affairs, it is questionable whether effective protest in the heritage of past generations is truly possible, or if the discourses that set strict parameters of protest have succeeded. Darda reflects that,

> [t]he cultural memory of Martin Luther King Jr. cannot be reclaimed per se, but it can be problematized and reintroduced through more critical forms of reflection and remembrance; it can entail more than the misinterpretation of a single speech. This clear-eyed cultural remembering can detach King from the colorblindness his name is used to endorse and instead emphasize the unfinished nature of his life's work. (205)

It is in the vein of Darda's desire to distance King from colorblindness, in the critical spirit of Townes, and keeping in mind the unfinished work of the activists in whose legacies we participate, those whose legacies we hope to recover, and an eye toward the alternatives we have yet to uncover that we must be constantly vigilant in our resistance, whatever it may look like.

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