

Cultural Daily

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Trayvon Martin and the Rhetoric of Justice in America

Kathleen Antonia Tarr · Thursday, July 25th, 2013

Street art images of Trayvon Martin have begin to crop up in American cities, like this example in Downtown LA's Arts District. Photo by Lori Zimmerman.

On Friday, July 19, six days after the not guilty verdict in the George Zimmerman trial, the President spoke. His remarks, titled *President Obama Speaks on Trayvon Martin* on the White House's YouTube Channel, are "a statement about Trayvon Martin and the verdict of the court trial that followed the Florida teenager's death."

President Obama said:

"The reason I actually wanted to come out today is not to take questions, but to speak to an issue ... the issue of the Trayvon Martin ruling. I thought it might be useful for me to expand on my thoughts a little bit."

Rhetoric is the art of argumentation and communication, especially discourse that aims to persuade. President Obama's initial rhetoric was appealing, and he is, as always, exquisite in the art of public speaking. However, as a student and teacher of rhetoric, I immediately began to wonder, "What Trayvon Martin ruling?" Wasn't President Obama referencing the case of the State of Florida versus George Zimmerman? Shouldn't he have said "the Zimmerman ruling"?

While his manner was calm and collected, his wording should immediately put us on guard and cause us to take a forensic approach to his discourse.

The art of persuasion – written or spoken – is as much about what isn't stated as what is. We are all susceptible to persuasion; therefore, when someone's rhetoric beings with a glaring omission, we should remind ourselves to be hypervigilant about what is to come. A speech that clearly begins on shaky foundation is suspect.

President Obama's speech continued with thoughts and prayers to the family of Trayvon Martin. He remarked "on the incredible grace and dignity with which they've dealt with the entire situation." These words are similar to the way attorneys are coached to address juries during a case. I once served as foreperson on a jury in a criminal matter, and I cringed every time the attorneys thanked the jurors ever so profusely for our service; instead of sincerity, I heard rhetorical lessons learned. When trial lawyers are coached on the skills necessary to persuade, they are told, "You need more than logical arguments; a juror's impressions are important. Make jurors like you, and make them believe that you find them valuable. Then they'll be more likely to rule in your favor." As President Obama's speech rained down accolades and sympathy on Trayvon Martin's family, I wondered why he needed us to believe he embraces such appreciation. What, pray tell, is coming? President Obama specifically avoided the legal issues in the Zimmerman case, letting the legal analysts and talking heads take those on. He noted the judge's professionalism, stating that the "prosecution and the defense made their arguments," and concluding that the jurors, having been

properly instructed that reasonable doubt was relevant, rendered a verdict. The President stated not much more than the obvious and did not state that any of these players did their jobs well, but his phrasing set a tone that their parts were appropriately played and not due review. “[O]nce the jury has spoken, that’s how our system works,” he said. Yes, that’s another way to put it.

President Obama continued, “I did want to just talk a little bit about context and how people have responded to [the ruling] and how people are feeling.” How to read this transition: President Obama is about to give a history lesson that will support us maintaining non-violence while we take full responsibility for our feelings. We should be reminded of President Obama’s May 19, 2013, commencement address to graduates of Morehouse College, a traditionally African-American, all-male institution and Dr. Martin Luther King Jr.’s alma mater. On that day, the President stated,

“We know that too many young men in our community continue to make bad choices. I have to confess, sometimes I wrote off my own failings as just another example of the world trying to keep a Black man down. But one of the things you’ve learned over the last four years is that there’s no longer any room for excuses. Whatever hardships you may experience because of your race, they pale in comparison to the hardships previous generations endured – and overcame.”



From the Million Hoodies Union Square protest in New York. Courtesy Wikimedia.

Imagine a young Martin Luther King, Jr. sitting in his graduation gown while someone tells him that too many young Black men make bad choices, and there are no excuses because his hardships pale in comparison to his elders’. Do young Black men make more bad choices than any other race of young men? Is a failing never the result of racial oppression? Is racial oppression never the reason for not overcoming a hardship?

Whether the audience holds a young Martin Luther King, Jr. or a Trayvon Martin, the story ends the same way: he will be shot and killed. That seems quite a hardship to me.

President Obama’s Trayvon Martin speech continued with his own experience with racism. “Trayvon Martin could have been me,” he said. He spoke of being followed in a department store, women clutching their purses in his presence. Since the verdict, the news-cycle has have been flooded with venomous debates about whether race really was a factor in Trayvon Martin’s killing, and President Obama did not specifically connect racial profiling to the Zimmerman case. Again, part of the goal of this speech is to close that case. As he stated: “The jury has spoken.”

Still he added, “Those sets of experiences inform how the African-American community interprets what happened one night in Florida.... [T]hat ends up having an impact in terms of how people interpret the case.” The word “interpret” is used twice, meaning that conclusions about racial profiling in the Zimmerman case are relegated to opinion. At this juncture, the speech reworked the Morehouse College commencement address by endeavoring to validate the feelings of those so threatened by young Black men. “African American young men are disproportionately involved in the criminal justice system” and are “disproportionately both victims and perpetrators of violence.... Black folks do interpret the reasons for that in a historical context,” he continued. The use of the word “folks” for the allegedly monolithic African-American people further sealed the bond, the feeling that he identified with their oppressive experiences and acknowledged racism’s existence in this “post-racial” society. Yet, still: *Folks. Interpret.*

What now had the speech become? Prelude to the failure of the Department of Justice to file federal charges against George Zimmerman? (Three days before President Obama’s speech, more than one million people had signed an NAACP petition urging the DOJ to file charges against Zimmerman for violating Martin’s civil rights). “I know that [Attorney General] Eric Holder is reviewing what happened ... but I think it’s important for people to have some clear expectations

here,” the President stated. Hence, the speech also performed a social purpose, albeit one to dampen social action: President Obama was trying to preclude riots, to calm emotions, so that when the DOJ does not file charges, there will not be any sparks to take flame.

Coming to his close, President Obama proposed solutions: reducing mistrust in the system; examining some state and local laws to see if they encourage confrontations rather than diffuse potential altercations; helping young African-American men feel that they’re a full part of society with pathways and avenues to succeed; and soul-searching.

“I don’t want us to lose sight that things are getting better. Each successive generation seems to be making progress in changing attitudes when it comes to race. It doesn’t mean we’re in a post-racial society.”

“[A]long this long, difficult journey,” President Obama concluded, “we’re becoming a more perfect union — not a perfect union, but a more perfect union.” Again, these words sound like those of a lawyer to a jury. In his speech, we, the American people, became the jury. Like the Trayvon Martin family, we were being praised for the grace and dignity with which we’ve dealt with the entire situation; so that we will rule on our President’s side, so that we will agree with the solutions he has proposed, so that, when the DOJ doesn’t file charges, we will accept it calmly with our foci elsewhere.

What will the verdict be? I think the jury’s still out.

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