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THE IMPACT OF THE SLOGAN I CAN'T BREATHE ON THE BLACK LIVES MATTER MOVEMENT: THE ERIC GARNER CASE

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Abstract

The research reports the death of Eric Garner and explores his circumstances and environment. The goal is to analyze the context with a focus on Eric's killing by the police, as well as how the case developed and gained public outcry. From this initial investigation, it works with the Black Lives Matter movement, its origin, organization and objectives. It analyses the various outlines that Eric's case has taken over the years and his contribution to the movement, with emphasis on police brutality and its progress over the last few years. Finally, it explores this context of death and protest through Philip Zimbardo's total situation theory. The method is the hypothetical-deductive through bibliographic research, documentary collection and analysis. The initial hypothesis points to the existence of four key elements regarding the Garner case that were fundamental to the growth of the BLM movement: the filming of the police interaction, its diffusion through social media, the death of the victim, and the history of racism in the country. It concludes by attributing to these four elements a powerful impact on the survival and reach of the Black Lives Matter movement.

Keywords: Daniel Pantaleo. Eric Garner. I Can't Breathe. Excessive use of force. Black Lives Matter.

Resumo

A pesquisa trata da morte de Eric Garner e explora suas circunstâncias e ambiente. Objetiva-se analisar o contexto com foco no assassinato de Eric pela polícia, além de como o caso progrediu e ganhou clamor público. A partir desta investigação inicial, trabalha-se com o movimento Black Lives Matter, sua origem, organização e objetivos. Analisa-se os vários contornos que o caso de Eric tomou ao longo dos anos e sua contribuição para o movimento, com ênfase na brutalidade policial e sua progressão nos últimos anos. Finalmente, explora-se esse contexto de morte e protesto por meio da teoria da situação total de Philip Zimbardo. O método é o hipotético-dedutivo por pesquisa bibliográfica, coleta e análise documental. A hipótese inicial aponta para a existência de quatro elementos-chave em relação ao caso de Garner que foram fundamentais para o crescimento do movimento BLM: a filmagem da interação policial, a sua difusão nas redes sociais, a morte da vítima, e a história de racismo no país. Conclui-se atribuindo a esses quatro elementos um poderoso impacto na sobrevivência e alcance do movimento Black Lives Matter.

Palavras chave: Daniel Pantaleo. Eric Garner. Eu Não Consigo Respirar. Uso excessivo da força. Vidas Negras Importam.

INTRODUCTION

I Can't Breathe were the last words of Eric Garner, an asphyxiating black person surrounded by the police on a New York sidewalk in 2014. These words instantly rose as a symbol of opposition to the excessive use of State force. His eleven pleas became a hymn of protest and social mobilization. The research is on the various outlines of the Eric Garner case and his contribution to the Black Lives Matter (BLM) movement, active since 2013.

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The method is the hypothetical-deductive. The initial aim is to trace the historical context from Garner's death and the elements that intensify its social influence until today. It follows the different contours of the slogan *I Can't Breathe* and its impact on the BLM movement. It also follows police brutality in the United States (US) and its progress over the last few years.

The initial hypothesis includes the existence of four main elements linked to Eric's case that corroborate the growth of the BLM movement, namely: a) the filming of the police interaction; b) its dissemination through social media; c) the death of the victim; and d) the history of segregation in the US between white and black people.

The research follows a collect and analysis of documental and bibliographical material. The first and second sections of the article cement an outline of the facts of Eric's case and the progress of the Black Lives Matter movement, with emphasis on police brutality. In the third, it examines and links the impact of the video, the victim's death, the mass dissemination of the event and the historical racism of the country to Philip Zimbardo's (2015) total situation theory.

In 2020, there were many violent protests in the US in the name of George Floyd's death. This article does not address this event, but the previous causes that gave rise to such a peak of contemporary violence and massive protesting.

THE ERIC GARNER CASE

On July 17, 2014, New York police received a call regarding the existence of a man, Eric Garner, selling loose cigarettes in the Staten Island neighborhood, a crime for which he had already been arrested and twice that same year. When two police officers arrived at the scene, Eric denied that he had committed any crime, saying he had suffered from police abuse for a long time and that it had to end. Then, the police proceeded to arrest him (BAKER *et al*., 2015; SOUTHALL, 2019).

It was at this point that police officer Daniel Pantaleo strangled the suspect, trapping his neck and shoulder. Both fell to the ground and the blow persisted even after Garner repeated three times that he was unable to breathe. The strangulation relaxed, while the weight of the other police officers (others who arrived at the scene) on the victim's body and the pressure of his head against the ground remained compressed on the sidewalk. There were eleven pleas of *I Can't Breathe* before the death, words that would become a critical point in the Black Lives Matter movement in the debate about the excessive use of police force (SOUTHALL, 2019; WINSTON, 2019).

The blow lasted 20 seconds. None of the officers attempted any initiatives of cardiorespiratory resuscitation. When the emergency medical staff of Richmond University Medical Center arrived, there

was no oxygen equipment with them. Instead of starting the resuscitation procedure, the team asked the victim to wake up. A neighbor, Taisha Allen, filmed the arrival of the ambulance, constituting the first video (ALEXANDER, 2017; BAKER *et al*., 2015; CROTHERS, 2019).

The victim was pronounced dead in the hospital. The officers involved reported that a man named Eric Garner had died during an attempted arrest, citing a nominal witness, Taisha Allen, who saw them put Garner on the floor by the arms. Subsequently, the alleged witness denied the reports. There was no mention of the use of force or even the use of the strangulation technique. Then, the next morning, the police and the public woke up to a second video, this one clearly showing what happened. The victim's friend, Ramsey Orta, who was with her at the scene, filmed the whole fact on his cell phone (BAKER *et al*., 2015; BENNER, 2019; MORALES *et al*., 2019).

Then, there were calls for the resignation of the police officers who participated in the event, as well as their criminal indictments, both for excessive use of force and negligence (BENNER, 2019). Matt Taibbi (2017), in his work *I can't breathe: a killing on Bay Street*, provides several examples that contribute to the normality that is falsifying police reports and inventing witnesses to corroborate stories, this being the first line of defense in police protection against the errors and excesses of daily life, very common in the work practice.

The video shows Garner telling the police to leave him alone and asking for the intimidation to stop. When a police officer tried to handcuff him and he withdrew his hand, Pantaleo acted on his back. Eric's death was only one amid a succession of black people's deaths in predominantly poor communities. His murder, in collusion with a number of others, gave rise to the *I Can't Breathe* movement, mainly channeled by the video, which guaranteed the veracity of the events. Social networks at the same time provided a mechanism for rapid dissemination of information (SOUTHALL, 2019). "The hashtag #icantbreathe was created in 2014 after the killing of Eric Garner." (MACI, 2018, p. 22).

After the video broadcast and the following protests, three institutions began investigating the case simultaneously. The Office of Internal Affairs was investigating whether police protocols were followed; the Staten Island Prosecutor's Office analyzed whether any crimes were committed and began to present evidence to a panel of judges; and, finally, the Federal Court investigated and collected evidence to find out if a police officer violated federal laws (BENNER, 2019).

Each of the events generated more protest mobilization across the country, gaining international support. In large part, they were peaceful protests. Disrupted traffic, protesters carrying fake coffins with the names of the victims killed by police and people sitting on the floor in important, high-traffic locations represented the wave of protests (ALEXANDER, 2017; LAUGHLAND *et al*., 2014).

There were many arrests. Two were the main hymns sung by the protesters: *I Can't Breathe*, and *Who are you protecting?* Protests ranged from 700 people on some days to more than 3,000 on others, occurring mostly in New York, Chicago, Manhattan and Washington (LAUGHLAND *et al*., 2014).

In the Michael Brown case in Ferguson, there was no possibility of proving whether the police officer who killed him spoke the truth about the suspect having resisted, which would lead the victim to be shot 12 times until her death. In the Garner case, however, there was no debate: the video made it clear there was no resistance. Protesters sang *I Can't Breathe* and extolled the coat of arms through social networks like Facebook and Twitter. Four words that represented the fight against the death of a black, poor and unarmed man before the police force (YEE, 2014).

Police practices have been in use for decades, generating mistrust of poor communities towards them. Garner's death, however, sparked protests in a year that has become the most intense since the 1960 civil rights search movement. The video channeled this reaction, reporting police violence against poor communities and proving fraud in police reports (GLENZA; LAUGHLAND, 2015). Kobe Bryant, LeBron James and other famous NBA players came to their games with *I Can't Breathe* printed T-shirts, but emphasizing that their positions were not anti-racist, but in favor of justice in a broad sense (PINCUS, 2014).

The initial punishment of Pantaleo and Sergeant Kizzy Adonis by the Police Department resulted in administrative functions, lost weapons and badges. In 2015, the victim's family received nearly $ 6 million in a settlement, after in December 2014 a panel of judges refused to accept the crime against the police. Shortly after that decision, there was a killing ambush upon two police officers unconnected with the case (MORALES *et al*., 2019; SOUTHALL, 2019).

Only in July 2019 did the Justice Department conclude that none of the police officers involved would answer for federal charges. The reason was that there was insufficient evidence to prove the three essential elements for the process, namely: a) whether the police officer strangled the victim; b) whether the use of strangulation on an unarmed man who was potentially committing a minor offense was justified; c) whether the police intended to kill the victim (MORALES *et al*., 2019).

The feeling of injustice in the absence of criminal punishment by police officers dominated social media. "Twitter was flooded with the hashtag #icantbreathe, with more than 16,000 tweets; and more than 70,000 tweets with the hashtag #EricGarner, soon after the sentence was issued. What is more, the hashtag #CrimingWhileWhite spread rapidly" (MACI, 2018, p. 22), conveying the idea among African-Americans that if people are white they may commit any crimes and get away with it.

The last time the federal government indicted a New York police officer for excessive use of force was in 1998, when there was a trial and conviction of the police officer Francis X. Livoti for

strangling Anthony Baez to death. The vast majority of police officers who kill civilians are never charged, and of the few charged, the majority is not convicted (BENNER, 2019; SMITH, 2019). The second section of the article presents the empirical evidence for this proposition.

The New York police, after five years of administrative work, dismissed Pantaleo, but if they had only administratively disciplined him, the public would never know. The New York law enforcement officers' files are secret, so there is little public confidence in this police force. Mayor Bill de Blasio made significant efforts not to disclose the names of the other officers who participated in the operation, but their names are Dhanan Saminath, Mark Ramos, Justin D'Amico and Craig Furlani (BAKER *et al*., 2015; BARRETT, 2019; SOUTHALL, 2019).

Senior police officials also said they fired Pantaleo, but it was an extremely difficult decision as his conduct was justified as acceptable under the label that sometimes police officers must decide quickly. After the police officer's career was over, many organizations criticized the dismissal, saying that the police force would start doing their jobs shyly, contributing to the increase in crime rates (BARRETT, 2019).

The technique used by Pantaleo was banned in 1993 by the Police Department, a consequence of the increase in the number of civilian deaths from its practice. The strangulation technique is widely used due to the lack of training police officers receive. Thus, provided with only minimal training, when in the field they tend to disarm or contain a suspect through improvised actions, which contribute to the execution of effective, but prohibited techniques, therefore generating preventable deaths (SOUTHALL, 2019; WINSTON, 2019).

Before the decision not to apply any federal laws, exempting the police from any illicit connection with Eric's death, Daniel's defense attorney granted an interview, where he elaborated on the police interaction with the victim. He stated the victim was morbidly obese and had respiratory, heart and diabetic problems, which caused the death, while there was no use of the strangulation technique, but another one instead, that of the seat belt, which is taught at the Police Academy (MORALES *et al*., 2019).

Another reasoning used by the lawyer was that the victim was a *ticktack time bomb* that resisted arrest, while the police carried properly with the approach. The catalyst for the protests was the position of the doctor who examined Garner's death. He pointed to the occurrence of a homicide caused by strangulation and compression of the chest by overlapping load (MORALES *et al*., 2019; SOUTHALL, 2019).

After Eric's death, the Police Department spent more than $ 35 million to train its officers so they would not use the strangulation technique. However, its use is continuous and rarely result in

punishment. Garner's death is the corollary of a crime-fighting strategy carried out by the police and local governments. The objective is to reduce the number of crimes, and this occurs with a focus on petty crimes, considered the gateway to heinous crimes. Poorer communities tend to suffer more from this initiative (SOUTHALL, 2019).

The strategy is commonly called *Broken Windows*, referring to that even a window breaker must be punished so that other criminals see the punishment example and the effectiveness of the punitive system, thus do not infringe any laws. The same place where Eric died had already had 98 arrests and 655 complaints to the reporting numbers that year, thus being a key point of criminal actions (BAKER *et al*., 2015).

The *Broken Windows* logic aims at suppressing minor crimes with the purpose of creating a favorable environment so that the most heinous ones do not occur. In this view, a voracious criminal, such as a murderer or a rapist, would not feel comfortable breaking the law in a given environment when it was devoid of the most superficial elements of illegality, such as graffiti on the walls or even small illegal street sales (KELLING; COLES, 1997).

Fixing broken Windows: restoring order and reducing crime in our communities is a classic work by George L. Kelling and Catherine M. Coles (1997). Its book cover contain a child's slingshot, illustrating how their theory works: even the use of a slingshot by a child to break a window legitimizes repression, this in order as to make the environment exemplary and prevent future and more complex crimes. Such is the reasoning of the punishment for prevention rationality. It works as a lead mechanism towards aggressive police strategies applied mostly upon poor communities.

THE BLACK LIVES MATTER CONTEXT

In 2012, the New York police, after chasing the unarmed teenager Ramarley Graham into his home, shot and killed him. After the indictment of the police officer, the judge acquitted him alleging procedural errors. A few weeks later, a vigilante in Florida killed the unarmed Trayvon Martin, while the judges acquitted his attacker, George Zimmerman (BENNER, 2019; HAAG; SOUTHALL, 2017).

Thus, after the deaths of black people by the police with a hiatus of a few days, a favorable field for civil organization was established. It was from then on the Black Lives Matter movement was born, with still incipient organization and operation, and with few defined purposes (BENNER, 2019; HAAG; SOUTHALL, 2017).

The movement's objectives were general and the dissemination of ideas was restricted. The objective was to oppose the murder of black and poor people who were victims of a racist system. The

first members and founders of the movement are Patrisse Khan-Cullors, Alicia Garza and Opal Tometi. There was not much to connect them, but only a feeling of injustice and helplessness before an organized and vigorous system (KHAN-CULLORS *et al*., 2020).

Police murders of unarmed black people and subsequent non-indictments or even acquittals are part of US history, but what has changed recently has been the initiative of the video recording of police interactions. From there, the successive killings and mysterious deaths became concrete and visible to the public. The certainties guaranteed by video and audio recordings took shape and progressively intensified the movement's activities (BENNER, 2019).

Racial segregation is a founding element of the country. The divergences involving blacks and whites has been present for some time. The creation of the movement was a response to a time when it was no longer possible to ignore the implications of events, but it intensified only after Michael Brown and Eric Garner's deaths. They were no longer mere abstract rumors, but unavoidable recordings. Strong protests would only happen after the middle of 2014 (BENNER, 2019; WHEELER, 2015).

Fifteen months after Trayvon Martin's death came the acquittal of George Zimmerman. Soon after, Eric Garner's fatal police strangulation occurred in New York. Three weeks later, Michael Brown's fatal shooting in Ferguson, which finally broke out in a furious wave of protests in several cities of the country. Their deaths have reinvigorated the BLM movement and demands for police accountability in the case of the death of black people. The appeal of *I Can't Breathe* became a revered anthem in protests that would sweep the world (MORALES *et al*., 2019; WHEELER, 2015; SOUTHALL, 2019; ALEXANDER, 2017).

In November 2014, the police killed Akai Gurley and Tamir Rice with a few days from one murder to the next. The deaths then seemed to create a pattern formed with many other killings, as if the targets were black people and this done without any accountability for police action (BENNER, 2019; LEE; PARK, 2018).

There is data capable of questioning this pattern. The New York Times launched a survey completed in 2018, within which it analyzes the deaths of 15 black people and what happened to their police killers. The cases varied between 2014 and 2016. Of the 15 cases, six police officers were dismissed, eight were indicted, eleven cases ended in agreement, and three of them were convicted. Most of the time, police shots are legally justified in their fear for his own life or that of others, which makes criminal convictions unusual. Agreements, on the other hand, are much more frequent (LEE; PARK, 2018).

The BLM movement can be divided into what it was originally designed to be and what it has become. The key episode for the movement's creation was the death of Trayvon Martin, while for its

development, the deaths of Eric Garner and Michael Brown. In 2013, the main objective was to create an organizational mechanism for black victims of police and civil violence. However, after consolidating this objective and with the rise of the movement, which had gained international influence, new ends were determined, such as LGBT rights, social justice and opposing immigrant violence. The continued activity of police brutality towards poor black communities was what motivated the movement to remain united (KHAN-CULLORS *et al*., 2020).

After the Zimmerman acquittal, the creation of the hashtag *#blacklivesmatter* symbolized the foundation of the movement and the start of a crusade for police accountability for the deaths of black people. With each recorded deaths of blacks by the police, the movement became more alive and present in society. The recording mechanism represented an indisputable evidence of unjustified police brutality (THOMPSON; SAMUELS, 2016).

Without a central leader, the movement had a strong impact, transcending the sphere of social media and entering people's daily lives. After the death of Eric Garner and Michael Brown in August 2014, the movement grew, intermediating the dissemination of video recordings of police shootings that routinely take place and whose views have gone viral (THOMPSON; SAMUELS, 2016).

In the two years since Garner's death, there has been dozens of BLM protests in many cities across the country, in addition to high international impact (ALTER, 2016; THE ASSOCIATED PRESS, 2016; THAROOR, 2016; FANTZ; VISSER, 2016; ALJAZEERA, 2016). It created a new generation of black activists, with thousands taking their protests to the streets, and the hashtag #*icantbreathe* used more than 27 million times by January 2017. The protests were unpredictable, forming out of casual encounters between friends who, when dealing with social injustices, started movements against police's excesses. From incipient protests, the movement became an organized institution (LOWERY, 2017).

The use Social media, such as Twitter, Facebook and Tumblr was a dissemination and organization mechanism for the protests. Simple hashtags quickly spread and mobilized unknown people with concrete purposes. In March 2016, the hashtag #*blacklivesmatter* had already been used more than 12 million times, the third largest among all social causes related, while the first, #*ferguson*, with 27 million hashtags, is linked to the movement (LOWERY, 2017).

The rapid diffusion of information through social media is a new element in the transmission of ideas and social organization. Unlike the past, the age of technology contributes significantly to the publicity of events, thoughts and conflicts. A simple Twitter hashtag is enough to mobilize people from different regions and quickly. This is the importance of a well-established slogan, such as the *I Can't Breathe*, for it propagates people towards a cause

In July 2016, after a Black Lives Matter protest in Baton Rouge, a new protest took place in the city of Dallas, Texas, with twelve police officers and five died. Amid that happened, in another part of the country, the police killed Alton Sterling and Philando Castile. The analysis of the videos was essential for the organization of a protest with high spirits. Concomitantly, cities like Atlanta, Phoenix, San Francisco, among others, had their own protests (THOMPSON; SAMUELS, 2016).

In the same month, the BLM movement consolidated itself internationally with protests that brought together hundreds of people in London, Berlin, Amsterdam and the Netherlands. They followed the deaths of Sterling, in Louisiana, and Castile, in Minnesota. Two shootings, two videos and two black persons dead. In the same week, Micah Xavier Johnson killed many police officers in Dallas. In the US, there were many arrests in that time: 309 people only during these events amid clashes between police and protesters (MCKENZIE, 2016).

In August, protests reached Britain, Canada and France, where protest organizers called for an end to the country's activities as a way to symbolize opposition to police brutality, racial disparities in prisons, convictions and ill treatment of detained immigrants, as well as the crescendo of hate crimes. From here, there are new elements composing the mobilizing object of the BLM organization (CHAN, 2016).

The protests were generally peaceful, but powerful. On some occasions, the protesters connected each other with tubes, holding each other's arms, and the police had to use special equipment to cut the instruments in order to pass by them. The biggest protests occurred on the dates of Garner's death anniversary (CHAN, 2016).

Since 2014, more than two dozen states have had laws on police brutality. In 2016, there were many achievements, such as the reform on how to monitor police behavior, which occurred through the inclusion of body cameras to collect data. The following empirical material corroborates this victory, showing results regarding the impact on the number of deaths (THOMPSON; SAMUELS, 2016).

The parameters of excesses in the use of police force are composed of the following aspects: shots against unarmed civilians; asphyxiation against civilians already immobilized; home invasion without clear justification or court order; threat with a firearm against civilians who do not present a potential risk etc. Many cases of police brutality do not lead to death and therefore are not qualified as concrete brutality.

The numbers of deaths from excessive use of force by the police are high in the country, mainly involving black people. The primary means of database projects are the Fatal Encounters (BURGHART, 2017), the Washington Post's Every Fatal Shooting Report (TATE *et al*., 2020) and the Mapping Police

Violence (SINYANGWE *et al*., 2020). They jointly secure, through empirical instruments and collection of statistical data, that blacks are a minority in the US, but a majority murdered by the police.

The aforementioned databases work in the US in the following way: they start their work of collecting information in a specific year. From the year 2000 for some, 2013 or 2015 for others, and they fill in a series of data up to the current period, constantly updating the material. The data divide themselves by graphs with date of the fact, name of the victim, age, gender, race, state, and reference source. With that, statistics are formed, such as the one that concludes only 1% of the police were indicted for having killed people in the exercise of their duties, this within the period of 2013-2019. Another concludes that there were only 27 days in 2019 when the police did not kill anyone (SINYANGWE *et al*., 2020).

In the Washington Post study (TATE *et al*., 2020), which occurred within the 2015-2020 period, the results indicate a constant in the number and circumstances of deaths, as well as the demographic element concerning the victims. This means that regardless of the specific deadly events that happen in the country and shock the world, the annual number of shots and deaths by the police remains very close, around a thousand per year. This could mean the body cameras and alternative methods for suppressing police brutality have largely failed, but it is not the case as population's number keep rising, while deaths stagnate.

In 2013, 1,111 people were killed by the police; in 2014, 1,059; in 2015, 1,103; in 2016, 1,071; in 2017, 1,095; in 2018, 1,143; and finally in 2019, 1,099 people were killed. Of the total, 95% of deaths occurred during the police officer's work period. It may seem that the impact of the protests and the alleged victories of the BLM movement do not exist, but the factor of population increase changes the outcome (SINYANGWE *et al*., 2020).

Population growth in the country, which has been declining since 1998, also has an impact on the data. The population grows less than in previous years, but its numbers still increase (COUNTRYMETERS, 2020) and, with this, it represents a prominent variable on the data of deaths by police officers. If the population level grows and the data remain largely stagnant, it is necessary to recognize social forces acting against the death of victims of police action, as a moral reflection and organization effect provided by the BLM movement.

To understand the context of the US society in the period, one must examine the general reaction of people and the media when a Pepsi commercial in April 2017 indirectly diminished the merits of the protests. Soda commercials tend not to contain traces of controversy in order to sensitize the largest number of people in a spirit of unity, but the commercial starring model Kendall Jenner, following this rule, has failed, being taken off the air in just one day of transmission (D'ADDARIO, 2017).

It was a moment of hostility between police force and protesters, not only in the country, but internationally. The commercial had protesters and police officers interacting among a rising tension that would soon be broken by the happiness and euphoria of a supermodel who walked up to an officer and handed him a can of soda, which he accepted. The friendly atmosphere proposed did not exist at that time. People who protested were at great risk, they were common, and the majority were black and poor (D'ADDARIO, 2017).

There were many apologies on behalf of the company. The commercial unintentionally softened the image of protesting and its symbolic character. The strong adverse reaction to the commercial showed how far the Black Lives Matter movement and the momentum of the protests took US society in terms of reflection and critical evaluation (D'ADDARIO, 2017).

FOUR ELEMENTS THROUGH PHILIP ZIMBARDO'S TOTAL SITUATION THEORY

The empirical experiments of Zimbardo (2015) with the *Stanford Prison*, Stanley Milgram (1983) with the *Electrocuted Man*, and Walter Mischel (2016) with the *Marshmallow Test* significantly support the idea of a total situation. Their respective studies investigate the influence of circumstances, situations and social stimuli on the way of thinking, acting and communicating in society. Their perspectives are that different combinations of social stimuli motivate social mobilization and action.

Zimbardo (2015) did not create the idea behind the total situation, but merely adapted it to a larger field than the original. The rationality is of Erving Goffman's (2019) authorship, whose aim was of investigating closed institutions and their capacity to stimulate and change people. This is why he uses the expression *total institution*. Zimbardo (2015), on the other hand, worked in order to analyze open situations. For this reason, he makes use of the term *total situation*.

During the US invasion of Iraq in 2003, there was a discovery of attack on human rights, which included torture, death and rape of detainees from the Abu Ghraib prison by US military personnel. Initially, the use of violence aimed at obtaining information, but after a while, they started to seek fun in its practices. The authorities labeled the incident as an isolated case, that is, they were naturally bad individuals who acted accordingly. Zimbardo (2015) explains the case through his total situation theory.

The total situation concept means that circumstances are favorable to motivate the action or inaction of those who are under its effects. Abu Ghraib prison was an extremely dangerous environment, either because of internal revolts under the leadership of detainees, who easily obtained weapons, or because of external attacks, with bombing and sniping. There was no sewage system, while there was

need to ration the water, the food was of poor quality, the smell was terrible and the leadership was negligent and uncertain (ZIMBARDO, 2015).

These are all elements that contribute towards the perversion of the US guards and the use of torture upon the inmates. They stimulated the people in charge, that is, the military, in a bad way, changing their behavior. Thus, all the circumstances surrounding the inhabitants of Abu Ghraib prison were conducive to turning its residents into terrible people. Here the total situation works as a system that puts pressure on groups and makes them prone to tear each other apart (ZIMBARDO, 2015). The Garner case did something different to society, as it motivated social mobilization and civil action.

Through an extensive quote of Arthur Schopenhauer (2012), it is possible to delineate the true meaning of a total situation. The author's example, through an analogy with water and the forces that govern and modulate it, make precise the idea of how people can be stimulated in different ways and, as a corollary, become something else entirely:

> [...] we must imagine a man who, being, for example, on the street, said to himself: "It's six o'clock; my workday is over. I will therefore be able to stroll or go to the casino; I will also be able to go up to the tower to admire the sunset. Alternatively, go to the theater, or visit this or that friend; and I will also be able to go out to the outskirts of the city and launch myself into the vastness of the universe for never coming back. All this depends only on me. I have complete and absolute freedom to act as I please; however, I will not do anything as I have said, on the contrary, *not less voluntarily* I am going home with my wife". All of this is as if the water had said "I can wave wildly in vast waves (certainly: when the sea is stormy!) - I can meander with precipitating jumps, devastating everything in my path (yes, in a stream jump). - I can fall into a tumult of foam (naturally, in a cascade). - I can rise in the air, free as lightning (no doubt, in the squeak of a spring). - I can finally evaporate and disappear (perfectly: in the heat 100 °C). - however I don't do any of that and I remain quiet, clear and vague, in the mirror of a lake". (SCHOPENHAUER, 2012, p. 71).

In this narrated case (SCHOPENHAUER, 2012), the water suffers from the situation in which it finds itself, and not before. Then, from the conditioning forces of its environment, the water becomes solid, gaseous, hot, cold, faster etc. In the same rationality, Abu Ghraib's military only became torturers and murderers due to the harmful environment that fomented such arbitrary behavior. In the same way as different forms of stimulus can intervene and transform the water into something else, leading it to one or another state, so too the groups of society change in accord to the stimuli around them.

The stimuli are the base of the total situation theory, as they secure motivation and behavior change. The total situation proposes there are elements that create a circumstantial force field around groups in society. This means that people are more prone to think and act in a certain way as long as these circumstances persuade them (ZIMBARDO, 2015). Now, when seeking to understand Eric's case and its impact on the Black Lives Matter movement, it is fundamental to secure these key elements of stimulus.

The conditioning elements are: a) the recording of the police interaction, making the content of the event unquestionable; b) its massive dissemination through social media with the symbol of *I Can't Breathe*, the victim's last words, ensuring publicity; c) the death of the victim, representing an extreme punitive excess; d) the historic racism in the US, expanding the issue.

The first one is the video. Such recording makes the punitive excess on the part of the police unquestionable towards an individual who transgressed the law in a minimum sense, who was morbidly obese and unarmed. Therefore, he did not represent a threat at all and died on the spot. The second element is the dissemination through social media. The video, channeled by the symbolic expression *I Can't Breathe*, spread quickly through social networks, causing people's reaction to a vivid injustice.

Third, the death of the victim. Many cases that end up with an abused victim, but alive, do not gain much public publicity. The death of Eric Garner represents an extreme in the punitive system, but also produces a sentiment of complete brutality from a strong organization against one weak individual. Fourth and last, the feeling of US society, which contributed to its reaction. As segregation between whites and blacks is a historic event whose legacy is still present today, the reaction generated by watching the video of a black person killed by whites contributed towards feelings of exclusion and anger.

In this way, the total situation worked as a conditioning mechanism. It amalgamated these four aspects and induced society onto collective reflection and action. "People are both the product of different environments and the producers of the environments they encounter." (ZIMBARDO, 2015, p. 447). Most of the time, people are agents capable of influencing the course of events, as well as shaping destinations and mobilizing interests.

This mean that these four elements, together, amplified over society, which, in adherence to the feeling of revolt provided, set in motion its own mobilizing forces. They formed a stimulus that had repercussions both nationally and internationally, although "the power ... is not in the stimulus itself, but in how it is evaluated mentally: the way of thinking about the stimulus changes the effect of the stimulus on the way of feeling and acting." (MISCHEL, 2016, p. 37).

Thus, if there is no filming during a police interaction, the brutalizing of an individual will not generate the same social impact when compared to its contrary. Without fast diffusion of information, as through social networks, again, there is an inferior influence on society. The same applies to a victim that does not die during a conflict or the absence of a contextual history related to racism. Eric's case had all four elements mentioned, contributing to the spread of aggressive feelings, significantly affecting the Black Lives Matter movement, and society itself.

FINAL REMARKS

Eric Garner asphyxiated to death while he was supposedly selling loose cigarettes on a sidewalk. The police officers covered the case in their reports with false information. The next day, a video footage with the entire event surfaced on social media. Even so, there was no conviction. The victim's last words, *I Can't Breathe*, became a symbol of resistance, consolidating the Black Lives Matter movement.

Even before Garner, social media had been building narratives and spreading the brutalities experienced largely by black and poor people. Sometimes, the image that stays is that the rules of society life only apply to them, and not to the police. If the legal institutions failed to serve the victim's interests, the public immediately knew that it was an irrefutable arbitrariness.

The four elements together stimulated and conditioned society in such a way as to suggest immediate and incisive action. The so-called total situation by Zimbardo (2015) propelled the people towards a conjoined fight against an institutionalized enemy. This fight is still happening today, with even bigger death numbers on both sides.

The police, being knowledgeable about the laws, tend to have privileges compared to the common person. Thus, when police excesses are committed it is easier to acquire protection from sanctions. Fearing the police is much more impactful than it seems, because fear takes the form of vulnerability. It is a fear of needing immediate help and having no one else to turn yourself to. The movement's demand to compel the police force to use video and audio recorders on their chest alone is frightening. The message that this necessary demand evokes is that, if nobody watches the ones that are supposed to protect the people, then they may become people's greatest tormentors.

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