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Race Relations and Law Enforcement

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The following is adapted from a speech delivered on January 30, 2015, at Hillsdale College's Allan P. Kirby, Jr. Center for Constitutional Studies and Citizenship in Washington, D.C., as part of the AWC Family Foundation Lecture Series.

Thomas Sowell once said that some books you write for pleasure, and others you write out of a sense of duty, because there are things to be said—and other people have better sense than to say them. My new book, *Please Stop Helping Us*, falls into that latter category. When I started out as a journalist 20 years ago, I had no expectation of focusing on race-related topics. People like Sowell and Shelby Steele and Walter Williams and a few other independent black thinkers, to my mind at least, had already said what needed to be said, had been saying it for decades, and had been saying it more eloquently than I ever could. But over the years, and with some prodding from those guys, it occurred to me that not enough younger blacks were following in their footsteps. It also occurred to me that many public policies aimed at the black underclass were just as wrongheaded as ever. The fight wasn't over. A new generation of black thinkers needed to explain what's working and what isn't, and why, to a new generation of readers. And the result is this book, which I hope will help to bring more light than heat to the discussion of race.

The book is not an autobiography or a memoir, but I do tell a few stories about growing up black and male in the inner city. And one of the stories involves a trip back home to Buffalo, New York, where I was born and raised. I was visiting my older sister shortly after I had begun working at the *Wall Street Journal*, and I was chatting with her daughter, my niece, who was maybe in the second grade at the time. I was asking her about school, her favorite subjects, that sort of thing, when she stopped me and said, “Uncle Jason, why you talk white?” Then she turned to her little friend who was there and said, “Don’t my uncle sound white? Why he tryin’ to sound so smart?”

She was just teasing, of course. I smiled and they enjoyed a little chuckle at my expense. But what she said stayed with me. I couldn’t help thinking: Here were two young black girls, seven or eight years old, already linking speech patterns to race and intelligence. They already had a rather sophisticated awareness that, as blacks, white-sounding speech was not only to be avoided in their own speech but mocked in the speech of others.

I shouldn’t have been too surprised by this, and I wasn’t. My siblings, along with countless other black friends and relatives, teased me the same way when I was growing up. And other black professionals have told similar stories. What I had forgotten is just how early these attitudes take hold—how soon this counterproductive thinking and behavior begins.

New York City has the largest school

system in America. Eighty percent of black kids in New York public schools are performing below grade level. And a big part of the problem is a black subculture that rejects attitudes and behaviors that are conducive to academic success. Black kids read half as many books and watch twice as much television as their white counterparts, for example. In other words, a big part of the problem is a culture that produces little black girls and boys who are already worried about acting and sounding white by the time they are in second grade.

Another big part of the problem is a reluctance to speak honestly about these cultural shortcomings. Many whites fear being called racists. And many black leaders have a vested interest in blaming black problems primarily on white racism, so that is the narrative they push regardless of the reality. Racism has become an all-purpose explanation for bad black outcomes, be they social or economic. If you disagree and are white,

you’re a bigot. If you disagree and are black, you’re a sell-out.

The shooting death of a young black man by a white police officer in Ferguson, Missouri, last year touched off a national discussion about everything except the aberrant behavior of so many young black men that results in such frequent encounters with police. We talked about racial prejudice, poverty, unemployment, profiling, the tensions between law enforcement and poor black communities, and so forth. Rarely did we hear any discussion of black crime rates.

Homicide is the leading cause of death for young black men in the U.S., and around

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[Latin]: in the first place

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90 percent of the perpetrators are also black. Yet for months we've had protesters nationwide pretending that our morgues are full of young black men because cops are shooting them. Around 98 percent of black shooting deaths do not involve police. In fact, a cop is six times more likely to be shot by someone black than the opposite. The protestors are pushing a false anti-cop narrative, and everyone from the president on down has played along.

Any candid debate on race and criminal justice in this country would have to start with the fact that blacks commit an astoundingly disproportionate number of crimes. Blacks constitute about 13 percent of the population, yet between 1976 and 2005 they committed more than half of all murders in the U.S. The black arrest rate for most offenses—including robbery, aggravated assault, and property crimes—is typically two to three times their representation in the population. So long as blacks are committing such an outsized amount of crime, young black men will be viewed suspiciously and tensions between police and crime-ridden communities will persist. The U.S. criminal justice system, currently headed by a black attorney general who reports to a black president, is a reflection of this reality, not its cause. If we want to change negative perceptions of young black men, we must change the behavior that is driving those perceptions. But pointing this out has become almost taboo. How can we even begin to address problems if we won't discuss them honestly?

"High rates of black violence in the late twentieth century are a matter of historical fact, not bigoted imagination," wrote the late Harvard Law professor William Stuntz. "The trends reached their peak not in the land of Jim Crow but in the more civilized North, and not in the age of segregation but in the decades that saw the rise of civil rights for African Americans—and of African American control of city governments."

The Left wants to blame these outcomes on racial animus and poverty, but back in the 1940s and '50s, when racial discrimination was legal and black poverty was much higher than today, the black crime rate was lower. The Left wants to blame these outcomes on "the system," but blacks have long been part of running that system. Black crime and incarceration rates spiked in the 1970s and '80s in cities such as Cleveland, Detroit, Chicago, and Philadelphia under black mayors and black police chiefs. Some of the most violent cities in the U.S. today are run by blacks.

Some insist that our jails and prisons are teeming with young black men due primarily to racist drug laws, but the reality is that the drug laws are neither racist nor driving the black incarceration rate. It's worth remembering that the harsher penalties for crack cocaine offenses that were passed in the 1980s were supported by most of the Congressional Black Caucus, including Rep. Charles Rangel of Harlem, who at the time headed the House Select Committee on Narcotics Abuse and Control. Crack was destroying black communities and many black political leaders wanted dealers to face longer sentences. In other words, black legislators in Washington led the effort to impose tougher drug laws, a fact often forgotten by critics today.

When these laws passed, even their opponents didn't claim that they were racist. Those charges came later, as the racially disparate impact of the laws became apparent. What's been lost in the discussion is whether these laws leave law-abiding blacks better off. Do you make life in the ghetto harder or easier by sending thugs home sooner rather than later? Liberal elites would have us deny what black ghetto residents know to be the truth. These communities aren't dangerous because of racist cops or judges or sentencing guidelines. They're dangerous mainly due to black criminals preying on black victims.

Nor is the racial disparity in prison inmates explained by the enforcement of drug laws. Blacks are about 37.5 percent of the population in state prisons, which house nearly 90 percent of the nation's inmates. Remove drug offenders from that population and the percentage of black prisoners only drops to 37 percent. What drives black incarceration rates are violent offenses, not drug offenses. Blacks commit violent crimes at seven to ten times the rate that whites do. The fact that their victims tend to be of the same race suggests that young black men in the ghetto live in danger of being shot by each other, not cops. Nor is this a function of blacks being picked on by cops who are "over-policing" certain neighborhoods. Research has long shown that the rate at which blacks are arrested is nearly identical to the rate at which crime victims identify blacks as their assailants. The police are in these communities because that's where the 911 calls originate.

If liberals want to help reverse these crime trends, they would do better to focus less on supposed racial animus and more on ghetto attitudes towards school, work, marriage, and child-rearing. As recently as the early 1960s, two out of three black children were raised in two-parent households. Today, more than 70 percent are not, and the number can reach as high as 80 or 90 percent in our inner cities. For decades, studies have shown that the likelihood of teen pregnancy, drug abuse, dropping out of school and other bad social outcomes increases dramatically when fathers aren't around. One of the most comprehensive studies ever undertaken in this regard concluded that black boys without a father are 68 percent more likely to be incarcerated than those with a father—that overall, the most critical factor affecting the prospect of young males encountering the criminal justice system is the presence of a father in the home. All other factors, including family income, are much less important.

As political scientist James Q. Wilson said, if crime is to a significant degree caused by weak character, if weak character is more likely among children of unmarried mothers, if there are no fathers who will help raise their children, acquire jobs, and protect their neighborhoods, if boys become young men with no preparation for work, if school achievement is regarded as a sign of having sold out—if all these things are true, then the chances of reducing the crime rate among low income blacks anytime soon is slim.

Many on the Left sincerely want to help the black underclass. The problem is that liberals believe bigger government is the best way to help. But having looked at the track record of government policies aimed at helping the black underclass, I'm skeptical.

This year marks the 50th anniversary of President Lyndon Johnson's commencement speech at Howard University. Johnson had signed the Civil Rights Act a year earlier and would sign the Voting Rights Act two months later. And he used the speech to talk about what the government should do next on behalf of blacks. These two laws marked merely the end of the beginning, he said:

That beginning is freedom; and the barriers to that freedom are tumbling down. Freedom is the right to share, share fully and equally, in American society—to vote, to hold a job, to enter a public place, to go to school. . . . But freedom is not enough. . . . You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "you are free to compete with all the others," and still justly believe that you have been completely fair. . . . The next and the more profound stage of the battle for civil rights [is] . . . not just equality as a right and a theory but equality as a fact and equality as a result.

But what if Johnson was mistaken? What if there are limits to what government can do beyond removing barriers to freedom? What if the best that we can hope for from our elected officials are policies that promote equal opportunity? What if public policy makers risk creating more problems and barriers to progress when the goal is equal outcomes?

The civil rights struggles of the mid-20th century exemplified liberalism at its best. The 1964 Civil Rights Act and the 1965 Voting Rights Act outlawed racial discrimination in employment and education and ensured the ability of blacks to register and vote. All Americans can be proud of these accomplishments. But what about the social policy and thinking that arose from the ruins of Jim Crow? Good intentions aside, which efforts have facilitated black advancement, and which efforts have impeded it?

In 1988, right around the 25th anniversary of the Great Society, Harvard sociologist Nathan Glazer published a book called the *The Limits of Social Policy*. Glazer analyzed Great Society programs from the perspective of someone who believed that government action was the best way to improve the lot of blacks. But his assessment humbled him. He concluded that in many ways, the Great Society programs were causing just as many problems as they were solving—that good intentions aren’t enough.

Unlike Nathan Glazer, many policy makers today are still riding high on good intentions. They don’t seem particularly interested in reconsidering what has been tried, even though 50 years into the war on poverty the result isn’t pretty. While gains have been made, significant racial disparities remain in some areas and black retrogression has occurred in others. The black-white poverty gap has widened over the past decade and the black poverty rate is no longer falling. The black-white disparity in

incarceration rates today is larger than it was in 1960. And the black unemployment rate has, on average, been double the white rate for five decades.

Confronted with these statistics, liberals continue to push for more of the same solutions. Last year, President Obama announced yet another federal initiative aimed at helping blacks—an increase in preschool education, even though studies (including those released by his own administration) have shown no significant impacts in education from such programs. He said that he wants to increase reading proficiency and graduation rates for minority students, yet he opposes school voucher programs that are doing both. He continues to call for job-training programs of the sort that study after study has shown to be ineffective.

Fred Siegel, an expert on urban public policy, has written extensively about the liberal flight from evidence and empiricism that began in the 1960s. The Left, wracked by guilt over America’s diabolical treatment of blacks, decided to hold them to different standards of behavior. Blacks, Siegel writes, were invited to enter the larger society on their own terms. Schools, which had helped poor whites, ceased incorporating poor blacks from the South into the mainstream culture. Discipline as a prerequisite for adult success was displaced by the authentic self-expression of the ill-educated. Blacks were not culturally deprived but simply differently-abled—more spontaneous and expressive and so forth. Liberals tried to improve conditions for blacks without passing judgment on antisocial black culture. And this sort of thinking continues to this day. Walter Williams once wrote that he’s glad he grew up in the 1940s and ’50s, before it became fashionable for white people to like black people. He received a more honest assessment of his strengths and weaknesses, he says, than black kids today are likely to receive from white teachers and employers who are more interested in being politically correct.

After George Zimmerman was acquitted in the shooting death of Trayvon Martin, President Obama explained the black response to the verdict this way. Blacks understand, he said, that some of the violence that takes place in poor black neighborhoods is born out of a very violent past in this country, and that the poverty and dysfunction that we see in those communities can be traced to that history. In other words, Obama was doing exactly what the Left has been conditioning blacks to do since the 1960s, which is to blame black pathology on the legacy of slavery and Jim Crow.

This is a dodge. That legacy is not holding down blacks half as much as the legacy of efforts to help. Underprivileged blacks have become playthings for intellectuals and politicians who care more about revelling in their good intentions or winning votes than advocating behaviors and attitudes that have allowed other groups to get ahead. Meanwhile, the civil rights movement has become an industry that does little more than monetize white guilt. Martin Luther King and his contemporaries demanded black self-improvement despite the abundant and overt racism of their day. King's self-styled successors, living in an era when public policy bends over backwards to accommodate blacks, insist that blacks cannot be held responsible for their plight so long as someone, somewhere in white America, is still prejudiced.

The more fundamental problem with these well-meaning liberal efforts is that they have succeeded, tragically, in convincing blacks to see themselves first and foremost as victims. Today there is no greater impediment to black advancement than the self-pitying mindset that permeates black culture. White liberals think they are helping blacks by romanticizing bad behavior.

And black liberals are all too happy to hustle guilty whites.

Blacks ultimately must help themselves. They must develop the same attitudes and behaviors and habits that other groups had to develop to rise in America. And to the extent that a social policy, however well-intentioned, interferes with this self-development, it does more harm than good.

This concept of self-help and self-development is something that black leaders once understood quite well, and at a time when blacks faced infinitely more obstacles than they face today. Asked by whites in 1865 what to do for freed blacks, Frederick Douglass responded: "I have had but one answer from the beginning. Do nothing with us! . . . If the apples will not remain on the tree of their own strength . . . let them fall! . . . And if the Negro cannot stand on his own legs, let him fall also. All I ask is, give him a chance to stand on his own legs!" Douglass was essentially saying, give blacks equal opportunity and then leave them alone.

Booker T. Washington, another late 19th century black leader who had been born a slave, once said that it is important and right that all privileges of the law be granted to blacks, but it is vastly more important that they be prepared for the exercise of these privileges.

Douglass and Washington didn't play down the need for the government to secure equal rights for blacks, and both were optimistic that blacks would get equal rights eventually, although neither man lived to see that day. But both men also understood the limits of government benevolence. Blacks would have to ready

themselves to meet the challenge of being in a position to take advantage of opportunities once equal rights had been secured. The history of 1960s liberal social policies is largely a history of ignoring this wisdom. ■



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