

The Ugly Side of “America the Beautiful” from a Young Black Male’s Perspective

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The November 2, 2021, gubernatorial election in Virginia is symbolic of the divisiveness that continues to exist in America between white and black citizens. It serves as evidence of the discriminatory racial patterns that have existed since the days of slavery, and it shows America’s unwillingness to uphold the constitutional rights of black Americans. Through its politics and practices, America continues to exercise a slaveholder’s or overseer’s mentality when dealing with issues concerning the black race.

The election centered on cultural issues: education and the critical race theory, defunding the police and abortion. The election showed that the conservative view, which is anti-black culture, is winning the electoral base. One of the issues during the election was the misconception that critical race theory is going to be introduced and implemented in elementary, middle and high schools in Virginia and other states. Critical race theory centers on the black plight. It shows how black people have been exploited and dehumanized throughout American history and how that has caused social and economic problems that continue to affect the black community. Under critical race theory, civil rights leaders want the truth of America’s racial practices and economics to be taught in schools. However, many conservatives think that this approach is divisive and racist and anti-white America. Because history makes the white man look bad, they believe that it should be kept hidden from students. These people are very critical of the theory. The election boiled down to a black and white issue, and the majority won.

You would think that witnessing the death of George Floyd, a black man, at the hand of law enforcement and learning about the shocking deaths of Breonna Taylor and Aubrey Mohammad, who was intentionally killed because he was jogging in a white neighborhood, would spark policy change and reform of the law enforcement and justice systems. But there has been no real change. Only lip service has been given to the racial problems. Is America too bigoted to see the real problem? There have been a few attempts to implement change, but the majority outweigh the few. Blacks are attempting to gain political power to help solve the racial imbalance in the justice system; however, many politicians and states are trying to limit black political power, which serves as another control mechanism of the overseers.

Many conservatives believe the black community is gaining too much voting power, especially with the Democratic win of President Biden in the state of Georgia, which is usually a red state. So, they are attempting to reduce voting rights by making it harder to vote and even taking away voting rights. This is a reminder of the poll and literacy taxes implemented to stop the black vote in the 50's. It is also a reminder of the Ku Klux Klan, a white extremist group that attempted to stop black voters and carried out black lynching's in early American history. Again, the country has failed to learn its lesson. History repeats itself.

The demonizing of minorities became intrinsic in American society during the 1990's. In fact, black youths were called Super Predators. Since the end of slavery, the American criminal justice system has become the new overseer of the African American community. Historically, an overseer was a person who supervised black slaves on an American plantation. The prison system has become a means for society to supervise and exercise social control over blacks and other minorities.

The Civil War of 1865 freed the slaves, and the Fifteenth Amendment gave African American citizens the right to vote. However, African Americans were often demonized and held responsible by the media, politicians and non-minority citizens for society's ills. As a result, fear of the black man or the "Black Threat" (Crawford) drove social policies such as long-term incarceration. The justice system went from rehabilitation to incarceration. The criminal justice system became the overseer that removed unwanted black citizens from society and placed them into jail cells.

The system shows a stark difference between desirable citizens and those that society believes have nothing to offer. In the past, black adolescents were called predators, and white youths conducting the same activity were deemed harmless, as in "boys will be boys." Thus, the consequences faced by black and white youths in the criminal justice system are quite different. For example, black youths are automatically arrested, jailed and given records for drug usage. They are not given a second chance by the police or the justice system (overseers). They are routinely removed from society and placed in prison/jail for a specified period. This leads to future problems, such as the lack of job opportunities, loss of family ties, and the inability to vote. However, white youths engage in the same activity, commit minor drug offenses, and are given a second chance by police and the legal system (Duncan). Consequently, they avoid criminal arrest records. And, in some cases, in lieu of arrest, their parents are contacted, to address the issues or to pursue rehabilitation efforts. White teens and young adults can continue to function in society and are not hidden away, unlike their black counterparts. The police are allowed to use their discretionary authority to help these kids but rarely help black offenders. With black youths, the strict letter of the law is followed. Statistics show drug enforcement activity is unequal for black and white U.S citizens. More minorities are arrested and charged for

drug usage and distribution than white citizens that engage in the same behavior, especially in respect to low-level drug sales. (Duncan)

The media and politicians point their fingers at black communities by claiming that these communities are the cause of drug crimes. Black kids are portrayed as having no value to society and as easily committing murder, rape, burglary and assaults on people for drugs. Again, the media and policymakers are spreading fear in the white community against the black community. There is no credible evidence to support these statements. In fact, blacks have no real power over the drug trade. They are on the bottom of the totem pole. They distribute only small amounts of drugs; they are not in control of the large revenue stream. The black community is only the scapegoat. In many cases, to appease non-minorities, policymakers use unreasonable remedial actions to control society by placing the blame on the black community. Again, Americans seem to fail to see the real problems of racial suppression and discrimination.

America continues its quest against minorities by using the three strikes rule, which makes it easier to incarcerate minorities for crimes, especially for small crimes. Under the three strikes rule, a person who has been previously convicted of a serious violent felony (murder, rape, robbery with a gun) and has been convicted of a second felony can receive a mandatory sentence of life imprisonment for either a major or minor third felony (Chen). The implementation of a jail sentence of life seems harsh for committing a minor crime. Minor crimes include the use and sale of small quantities of drugs. The three-strike rule makes possible the mass incarceration of young black males for life.

The U.S.. Supreme Court allowed law enforcement to violate search and seizure rules listed in the U.S. Constitution by granting authority for the police to use Terry stops. This

case allowed police officers, in order to safeguard police safety, to circumvent search and seizure provisions guaranteed to citizens under the Fourth Amendment to the Constitution. The police were allowed to “stop and frisk” anyone who looked suspicious (*Terry v. Ohio*). Police used the “stop and frisk” maneuver primarily to search black and Hispanic citizens. However, because of the racial disparity and discrimination, the Terry stop was ruled illegal in 2013, but the damage was done. Minorities no longer trusted the police, because the police seemed to be anti-minority. There is a long history of black Americans’ constitutional rights have been violated--for example, the constitutional right to assemble and protest. Black citizens who exercise their right to protest are demonized because their actions instill fear in others. An example is the Black Lives Matter Movement. Indeed, when white supremacists exercised the same right in Charlottesville, Virginia, they were deemed fine citizens by then President Trump. Blacks have the same protest rights as the supremacists, and the black protest should not create controversy. An extremely important right guaranteed to America citizens is the freedom of speech. Military tactics should not be used or threatened to stop black citizens from protesting. Where is the fairness? Black citizens are not different from the “fine citizens” of the January 6, 2021, insurrection/riot.

America needs to pass an olive branch to the black community. It can start by releasing those who are jailed because of illegal drug activity or the sale of marijuana that is now deemed legal in most states. This will show that America is trying to change and address issues that have a racial tone. Policymakers need to stop demonizing blacks and need to reform law enforcement and the criminal justice system. It is incumbent upon us as citizens to demand that real reform happens and not let history repeat itself. We need to work through

our legislatures to demand fairness regarding black citizens for we cannot withstand another one hundred years of no change without its leading to the possibility of a race war.

In order to correct the criminal justice system, reforms that do not employ racial profiling and that limit police discretion are needed. Also, policies that stop the over policing of black neighborhoods and communities should be imposed. The basis of any arrest should not depend on the color of one's skin. There should also be reforms in the judicial system such as more plea bargains for lesser offenses, reduction of lengthy sentences, the elimination of the three strikes rule. Also, fees and penalties should not be cost prohibitive. Policymakers should stop using minorities as scapegoats and attempt to fix the real problems in America such as the economy and living environments. To be sure, some people do not agree; they believe that all criminals should be punished severely and that people should complete their full sentences. I guess we can agree to disagree.

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