

## **Towards a New Abolition**

preached by the Rev. Colin Bossen at the Unitarian Universalist Society of Cleveland  
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I had a friend in high school who was a talented drug dealer. He set-up business in a pizza shop where he worked as an assistant manager. His genius was in recruiting the delivery drivers to his trade.

The drivers did double duty. They worked for the pizzeria delivering pizzas and for my friend delivering drugs. When someone wanted drugs all they had to do was pick up the phone, call the restaurant, and say the right series of code words. Thirty minutes later a driver would show up with a pizza and a baggy filled with their drug of choice. If my friend was the only manager on duty his customers could even get drugs, usually marijuana or magic mushrooms, baked into their pizzas.

My friend did brisk business. We lived in a college town and a pizzeria that delivered pizza and pot, or whatever else, was popular. So popular, in fact, that in the six months my friend ran his scheme the pizza shop did the best business it had done in years.

But all good things must come to an end. Inevitably, the word got out and an undercover cop busted my friend. My friend, however, did not go to jail. His father, a university professor, hired a good attorney. As a result, my friend, though just a few weeks shy of his eighteenth birthday, was tried as a juvenile, given community service and told to clean up his act.

My friend was lucky. He was white and from a middle class and connected family. He was a Boy Scout and active in a church youth group. He was able to provide numerous character witnesses at his trial who testified that he was a good kid who was simply going through a phase.

This was ironic. My friend was something of a teenage criminal mastermind. He may have been going through a phase but it was a long one. Before becoming a drug dealer he had run a breaking and entering ring for several months. After his arrest he continued to deal drugs for almost a year. He moved up the supply chain and only dealt to people he personally knew. It was not until he got into financial trouble with the Detroit mob that he finally cleaned up his act.

Then he earned his G.E.D. and went to community college. While in community college he had a brief but successful career as a Democratic Party operative. He managed the election campaigns of two prominent state politicians, one of whom went onto become a United States Senator. After a few years he was able to transfer to a prestigious university and attend graduate school. Today he is a successful young professional, married with two kids and a mortgage.

If my friend had been poor and a person of color his story would not have had a happy ending. The criminal justice system treats the poor and people of color differently than it treats white people higher up on the economic ladder. White youth are more likely than youth of color to use and sell drugs yet it is African American youth who are imprisoned at unprecedented and disproportionate rates.

The current controversy over New York's stop and frisk policy, a practice that is not limited to that city, illustrates the injustice of the system. Police in New York only this week shot to death eighteen year-old Ramarley Graham in his own home. He was killed after the police chased him into the bathroom. His alleged crime, trying to flush a small amount of marijuana down the toilet.

Nicholas Peart, another African American youth in New York City, recently penned an editorial in the New York Times about his experience of harassment by the N.Y.P.D. In it he describes being stopped and frisked three times in the last five years. This in a country where the Bill of Rights supposedly protects us from unreasonably search and seizure.

It makes me sick to my stomach when I compare what has happened to Graham and continues to happen to young men like Peart to what happened to my friend. If, as the theologian Reinhold Neibuhr asserted, justice is what love looks like in public then it can be certain that the power structures in our society loves young white men like my friend more than it loves young men of color like Graham and Peart. As inheritors of a religious tradition that proclaimed, in the words of early universalist Benjamin Rush, "God's universal love for all his creatures" we should be outraged by such unequal love. And we should resolve to do something about it.

Stop and frisk and the police murder of young men like Graham is only the latest phase in the perpetuation of this country's racial caste system. This phase is embodied in the War on Drugs and the criminalization of undocumented immigration. It marks the third era in legalized brutal discrimination against people of color, particularly African Americans and Latinos. First there was slavery. Then there was Jim Crow. And now there is our racist criminal justice system, which legal scholar Michelle Alexander has described in her provocative book of the same title as the New Jim Crow. She writes:

What has changed since the collapse of Jim Crow has less to do with the basic structure of our society than with the language we use to justify it. In the era of colorblindness, it is no longer permissible to use race, explicitly, as justification for discrimination, exclusion, and social contempt. So we don't. Rather than rely on race, we use our criminal justice system to label people of color "criminals" and then engage in all the practices we supposedly left behind.

Let's conduct a thought experiment to make Alexander's point. I want you to sit quietly for a moment and visualize a criminal. If you are anything like 95% of Americans the image of an African American male will have come into your mind. When people in our society talk about crime so often they are, consciously or not, using a code word for race. We do not, after all, usually have public conversations about the "white crime" problem. Yet it is not uncommon at all to hear about the epidemic of black crime.

Contemporary rhetoric around law and order has its roots in the anti-civil rights white supremacist Southern state governments of 1950s. Segregationists like George Wallace argued that the civil disobedience tactics used by activists like Martin Luther King, Jr. led to a break down of law and order and depicted direct actions like sit-ins as criminal activity. Richard Nixon used law and order language as part of his 1968 Southern Strategy where he deliberately engaged in race baiting to win the Presidency.

The start of the drug war under President Reagan can be seen as an extension of earlier law and order campaigns. Reagan's drug war dramatically increased the punishment for drug possession and trafficking and the funding for drug law enforcement. It also disproportionately targeted poor communities of color. The most notorious example of this is the difference in sentencing for possession of powdered and crack cocaine. Until last year possession of as little as 5 grams of crack could lead to a felony charge while possession of 500 grams of powdered cocaine was necessary for one. Powdered cocaine is used most by middle and upper class whites, crack is found more in poor neighborhoods.

Disproportionate sentencing, coupled with targeted enforcement of drug laws in poor neighborhoods, as witnessed by such policies as stop and frisk, means that communities of color have been the hardest hit by the drug war. Over the last thirty years the prison population has mushroomed from 300,000 to 2 million. The increase is largely the result of drug convictions.

This country now has the highest rate of incarceration in the world. We put a larger percentage of our population in prison than China or Iran. But it is the racial dimension to mass incarceration that is most troubling. We imprison more of our racial and ethnic minorities than any other country. As Alexander writes, "The United States imprisons a larger percentage of its black population than South Africa did at the height of apartheid." In urban neighborhoods like Hough and East Cleveland as many as three out of four young black men can expect to spend time in prison.

The imprisonment of such a high number of people of color is only part of the New Jim Crow. It extends beyond the prison walls, and even beyond the actions of the police, to what has been called the period of invisible punishment. Convicted felons are discriminated against in almost all areas of their lives. They are denied employment, housing and education. In many cases they are ineligible for public benefits like food stamps. In many states they are denied the right to vote.

The disenfranchisement of felons has led to the widespread disenfranchisement of African Americans. It can be argued that primary cause of Al Gore's loss to George Bush in Florida in the 2000 election was a result of that state's denial of the vote to ex-felons. If Florida's 600,000 ex-felons had been able to vote most of them almost certainly would have voted for the Democratic candidate and he would have easily won, rather than narrowly lost, the state and the Presidency.

The disenfranchisement of ex-felons is such that there are more African Americans disenfranchised today than there were in 1870, the year that the Fifteenth Amendment was ratified. The Fifteenth Amendment prohibits laws that explicitly deny the right to vote on the basis of race.

Such patterns strongly suggest that America's racial caste system remains in place today despite the Civil Rights movement and the abolition of slavery. Even in these troubled economic times, it continues to be true in many communities that if you are white and upper class you are fine but if you are poor and Black or Latino you are... Well, I will let you complete that sentence.

This month the theme we are focusing on for worship is resilience. In my mind resilience is closely linked to survival and in turn resistance. People need to develop resilience to survive and in order to survive we have to resist. This is true whether what we are surviving is injustice or illness. If we are sick our bodies only get better when our immune systems resist invading antibodies. As a society things only improve when we resist injustice.

Injustice in any part of society has a way of impacting all of us. The resources used to enforce the New Jim Crow and fight crime are resources that are not being used for education, mass transportation, employment programs or fair housing. More than forty years ago Martin Luther King, Jr. said that the bombs dropped in Vietnam also detonated in America's cities. Today our criminal justice system is like a bomb that has been let off inside of them. It leaves devastation in its wake in the form of broken families, unemployment and economic underdevelopment. How can a family be whole if some of its members are in prison? How can people find jobs when ex-felons are discriminated against in hiring practices? How communities be developed when resources go to build more prisons?

It was Eugene Debs who said, "while there is a lower class, I am in it, and while there is a criminal element I am of it, and while there is a soul in prison, I am not free." Perhaps he had this dynamic in mind. Injustice has a way of distorting our whole society. And gross longstanding injustice brings with it social instability. Research published in the Economist magazine, and elsewhere, last winter suggested that the leading indicator of social unrest was the percentage of the population under the age of twenty-five that was unemployed. The higher the percentage the greater chance of social unrest. The connection between the New Jim Crow and high unemployment among urban youth of color is undeniable. That this will lead to social unrest and resistance is probable. Perhaps this why James Baldwin wrote,

If we... the relatively conscious white and the relatively conscious blacks... do not falter in our duty now, we may be able, handful that we are, to end the racial nightmare, and achieve our country, and change the history of the world. If we do not now dare everything, the fulfillment of that prophecy, re-created from the Bible in song by a slave, is upon us: God gave Noah the rainbow sign, No more water, the fire next time!

We Unitarian Universalists are proud of our religious ancestors, and it was not all of them, who stood against previous systems of racial oppression. We celebrate the abolitionists who rose from our midst, like Theodore Parker, who helped arm John Brown and harbored fugitive slaves, and Lydia Maria Child, who penned one of the first books denouncing slavery. We lift up the memories of our civil rights martyrs James Reeb and Viola Liuzzo, both murdered in Selma, and the work they and others from our faith did to end Jim Crow.

If we are to be worthy of such legacies then we need to stand against the reincarnation of racial oppression that has taken place within our criminal justice system. We must recognize that the work of those who came before us remains incomplete and, as it says in our hymnal, "What they dreamed be ours to do."

This work is manifold but I suspect that it loosely follows the old labor rubric of education, organization and emancipation. We have to educate ourselves to know what is wrong with society and then we have organize with others to fix it. Only then will we witness an end to injustice.

In the coming months there will be opportunities for us to engage in this work within and outside of our congregation. In autumn we will be running an adult religious education curriculum entitled "Building the World We Dream About" that focuses on how to transform Unitarian Universalist congregations like ours into justice centered multiracial communities. Later this month many of us

will be joining with our partner congregations in Greater Cleveland Congregations to participate in an accountability forum for candidates for the Cuyahoga County Prosecutor. During the forum we will collectively urge them to commit to policies that will lessen the unjust impact of the criminal justice system on poor communities of color. Chief among the policies that we will be calling for is an end to overcharging, the practice where prosecutors load up charges on defendants so that they will plead guilty of lesser crimes, which they may or may not have committed, to avoid the prospect of harsh mandatory sentences.

The work of justice is long and slow. It is not always satisfying. Frequently it is frustrating. Many times it does not bring immediate results. But it is only through the slow and patient work of educating and organizing that we can hope to achieve a modicum of justice in our society.

It can help to imagine our distant goal, which now may seem impossible, and remember that each step we take brings us a little closer to it. To the people who struggled against slavery it was all but unimaginable that they would end it. To the people who struggled against Jim Crow it was all but unimaginable that they could overturn it. And in our generation it is all but unimaginable that we can transform the criminal justice system and end the New Jim Crow.

But imagine with me if we did. Imagine if all of those who are unjustly imprisoned were set free. Imagine if, like my friend, they were given second chances. Imagine if we built schools instead of prisons. Imagine if instead of the drug war we offered drug treatment. Imagine...

Let us imagine and in doing so let us each take a small step to make it so.

Amen and Blessed Be.