

PROTECTING OUR CHILDREN:
LESSONS FOR THE 21ST CENTURY

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- **Keynote Address** -

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Who is protecting the children? Who will protect our children? The answers to these questions are more pressing today than many years in the recent past for all children, and they are extremely important for African American children.

In the past one may have made the argument that the churches are protecting the children, but the recent scandals in the Roman Catholic Church exposed decades of cover-ups by church leaders of priests who were abusing boys and girls. In the past the Catholic Church did not protect the children. What can we expect in the future from the Catholic Church, or other denominations where church leaders cover-up various forms of child abuse by clergy and other church officials?

What about the government? Is the government protecting children today? Will the government protect children in the future? The evidence is disheartening. We know now that the obesity epidemic plaguing American children has been aided and abetted by the failure of government officials to regulate those who are marketing food to our children. The corporations have been allowed to make all kinds of unsubstantiated

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claims about their food products, and have been given free rein to market them directly to our children. The obesity epidemic among American children, and among African American children in particular, can be traced directly to the fast food industry and the fact that the government failed to protect our children from corporate greed and exploitation in the past. Can we expect that the government will protect our children in the future?¹

Whereas the government's failure to regulate the food industry, leading to the exploitation of our children by corporate capitalists, was a crime of *omission*, there is abundant historical evidence and accumulating contemporary data that the government has engaged in the exploitation of our children and thus is also guilty of crimes of *commission*. The historical research by Wilma King, Thomas Webber, Marie Jenkins Schwartz, and others have documented the conditions for children under slavery and we know that all aspects of the slave regime were regulated by the local, state, and federal governments.² Through the work of Walter Johnson, Steven Deyle, Daina Berry, and others, who have documented the workings of the domestic slave trade through the early 1860s, we know that children were as victimized by the buying and selling of human property as were adult men and women.³

In his recently published book, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*, Douglass A. Blackmon documents to role of the local, state, and federal government in perpetuating a system of forced labor that in effect "re-enslaved" thousands of southern black men (and some black women). Over that period records reveal that the unjust incarceration of up to 200,000 black men reflected "the collective effect of the decisions by hundreds of state and local county

governments during the last part of this period to sell blacks to commercial interests” (p. 6). Blackmon points out that “by 1900, the South’s judicial system had been wholly reconfigured to make one of its primary purposes the coercion of African Americans to comply with the social customs and labor demands of whites” (p. 7). And even more importantly, “revenues from this neo-slavery poured the equivalent of tens of millions of dollars into the treasuries of AL, MS, LA, GA, FL, TX, NC, and SC – where more than 75 percent of the black population in the U.S. lived” (p. 8).⁴ (This historical evidence should be added to the documentation for the larger case for reparations for African American.⁵)

Now you might be asking: Were black children also victimized by the exploitative convict lease system promoted by southern governments? The answer is yes, and on a regular basis. Blackmon reports that he found a letter in the National Archives dated 31 July 1903 and addressed to Pres. Theodore Roosevelt from Carrie Kinsey of Bainbridge, GA. Her brother was abducted earlier that year and sold to a plantation. “They wont let me have him...He has done nothing for them to have him in chains, so I write to you for help.”⁶ James Robinson at the time of his abduction was 14 years old. Carrie Kinsey’s letter was filed by the Justice Department and there is no record of any further action. Interspersed throughout *Slavery by Another Name* are accounts of children falling victim of the government-sanctioned system of forced labor. But the still untold story is the impact on the lives of black children when their fathers became caught up in the system of neo-slavery instituted in the South between the Civil War and the 1940s.

This serves as a perfect segue into the functioning of the judicial system and prison system in the 21st century. As at the beginning of the 20th century, the local, state

and federal governments are not merely failing to protect the children, but government officials are engaged in practices that are meant to criminalize the black male population as a way to enrich capitalist corporations – an activity with many historical precedents. But one important difference between the activities at the beginning of the 20th century and the beginning of the 21st is that black politicians and government officials not only participate in the sanctioning of these practices, they aggrandize themselves financially through their support for and by the prison-industrial complex.

This is “leapt year” and on 29 February 2008, the *New York Times* published a report on an extremely distressing situation. “For the first time in the nation’s history, more than one in 100 American adults are behind bars. There are 1.6 million in state and federal prisons, and another 723,000 in local jails.” This report from the Pew Center for the States also announced that, “the U.S. imprisons more people than any other nation in the world. China is second with 1.5 million behind bars. The gap is even wider in percentage terms.” In comparison, Germany incarcerates about 93 people out of every 100,000; and the U.S. is about *eight times* that figure: 750 out of 100,000. What is even more strange and startling is that it was also reported that violent crimes fell by 25 percent over the last 20 years: in 1987, the rate was 612.5 per 100,000 people; in 2007 it was 464 per 100,000.⁷

Well, how do we explain this? It is the vast increase in the number of drug arrests following the passage of the draconian drug laws in the 1980s and 1990s. In 1980, there were 581,000 drug-related arrests; in 2006 the number was 1.89 million; 4 out of every 10 for marijuana possession. This pattern helps account for the racial disparities in incarceration rates. The Sentencing Project, Human Rights Watch, and other groups have

documented the disparities in the rates at which blacks and whites are arrested and imprisoned for drug offenses, despite roughly equal rates of illegal drug use. The New York Civil Liberties Union reported that between 1980 and 2003 in New York City, black youths were arrested at three times the rate of whites for marijuana possession.⁸ The Sentencing Project also reports that African Americans represent about 13 percent of the monthly drug users, but they represent 35 percent of the arrests, 55 percent of the convictions, and 74 percent of those sentenced to prison for drug possession. African American men in 15 states were imprisoned on drug charges at rates ranging from 20 to 57 times those of white men.⁹ As a result, one out of every 15 black men are in prison, and for those between the ages 20 to 24, the rate is one in nine. And increasingly, black women are also targeted by the prison-industrial complex so that one out of every 18 black women born in 2006 can expect to go to prison in her lifetime, while for white women the expected rate is one in every 108; and whereas one out of 355 white women between ages 35 and 38 were behind bars in 2007, the rate for black women was one in 100. This high incarceration rate means that on any given day, one out of every 14 black children has at least one parent in prison.¹⁰

The drug laws that were put into effect, and the harsh sentencing rules, are not merely the result of politicians wanting to demonstrate that they are “tough on crime,” but also are a reflection of the way the U.S. political system currently operates. Thus wealthy lobbyists for the private prison industry not only participated in the writing of these new drug laws and contributed heavily to both Democratic and Republican politicians’ campaigns, they also lobby to make sure that there are no changes in these laws that would stem the flow of prisoners into these private prisons. Therefore, African

Americans organized to change drug sentencing laws, and thus decrease the numbers of our children being incarcerated by the thousands for “victimless” crimes, would have to compete against the resources and influence of the private prison industry for support among politicians. In other words, we could move beyond moral indignation and outraged rhetoric to mass marches and public protests, but we would still have to raise the “filthy lucre” to pad the pockets of the politicians and their political campaigns to affect any type of legislative changes.¹¹

This makes even more problematic the “public school to prison pipeline.” In 2004 The Sentencing Project issued a report by Marc Mauer and Ryan Scott King, entitled ““Schools and Prisons: Fifty Years after *Brown v. Board of Education*.”¹² The report not only documented the vast increase in the number of African Americans imprisoned between 1954 (98,000) and 2002 (884,500), but it also described how “school zone drug laws” and “zero tolerance” school policies have contributed to the high rates of incarceration for black youth. With the laws calling for increased penalties for drug crimes (selling drugs) near schools, this disproportionately affects urban African American and Latino youth. The zero tolerance school policies that result in automatic suspension or expulsion not only contribute to the increasingly higher dropout rates, but also increase the likelihood that black youths will become involved in the juvenile and criminal (in)justice system. Mauer and King report that according to the Department of Education, 35 percent of African American youth and 20 percent of Hispanic children in grades 7-12 are expelled or suspended during their school careers.

The Annie E. Casey Foundation released its latest “Kids Count” report in June 2008, and reported that the juvenile justice system doles out harsher punishments to

African American and Hispanic youths, “locks up thousands of children for relatively minor offenses, and ultimately makes them more dangerous.” Although black youths commit slightly more violent crime, the same amount of property crime, and *less* drug crime,

African Americans are arrested at dramatically higher rates than white youth for all types of crime, and once arrested, they are more likely to be detained; more likely to be formally charged in juvenile court, more likely to be placed into a locked correctional facility, less likely to receive probation, and once adjudicated more likely to be waived to adult court, and more likely to be incarcerated in an adult prison... Whereas African Americans comprise 16 percent of the total juvenile population nationwide, 38 percent of youth in juvenile correctional institutions, and 58 percent of youth sentenced to prison, are African Americans.¹³

Therefore, there is massive evidence not only that the government is failing to protect children in general, and children of color in particular, but also that the government allows, and even participates in, the exploitation of our children; and the juvenile and criminal (in)justice system promotes policies and practices that criminalize our children disproportionately. Given these circumstances, the task of intervention on behalf of African American children would appear to be enormous, and thus ISAAC certainly has its work cut out for it. But in addition to these external forces, policies, and practices targeting our children for exploitation, there are also internal factors within African American families, neighborhoods, communities, and schools that need to be addressed if ISAAC is to have the impact I believe it can and must have. According to Northwestern University’s Center for Labor Studies, in 2008 the U.S. reached another milestone - the majority of births to women under 30 – 50.4 percent – were out of wedlock. In 1960 that figure was 6 percent. However, two often quoted figures are the

proportion of African American children growing up in single parent households; 65 percent in 2006-07; and 35 percent of black children growing up in poverty.¹⁴

Therefore, if we are to be about the business of “protecting our children,” then our first priority should be to assist those black children growing up in poor, single parent households. The circumstances for these children have been the subject of intense debate over the last few years, sometimes producing more heat than light. We know that the three major reasons why fathers are absent from their children’s lives are unemployment, divorce, and incarceration.¹⁵ Therefore, the proposed legislative solution being bantered about for dealing with the problem of fatherless black youth – new and stricter enforcement of child support laws – would help primarily those single parent families created by divorce or legal separation. That would be a step in the right direction, but it certainly will not solve the problem.

The recent dust-up caused by Jesse Jackson’s off-camera (and off color) comments about Barack Obama’s statements to black audiences exposes merely the tip of a much larger iceberg that is dividing African American communities. Obama has stated that he would “co-sponsor a bill, with Senator Evan Bayh, Democrat of Indiana,” to deal with “the epidemic of absentee fathers. If passed, the legislation would increase enforcement of child support payments and strengthen services for domestic violence.”¹⁶ While there are data indicating that African American women are deprived of child support payments at higher rates than white or Hispanic women, the question remains: How much would Obama’s proposed legislation help poor black children growing up in single parent households?

At the same time, the divisions within African American communities over the causes and solutions to this problem are much deeper, and hopefully ISAAC can lead in the dialogue on how best to bridge these divides. There are both class divisions and generational divisions that need to be addressed. Harvard's Orlando Patterson and Henry Louis Gates, Jr. lead the chorus emphasizing "class divisions" among African Americans.¹⁷ Patterson has written several books and numerous articles emphasizing class divisions in African American communities, as has Shelby Steele, John McWhorter, Stephen Carter, and Skip Gates. However, for a thorough and devastating critique of the shoddy research and inconsistent and inaccurate arguments found in the books produced by these black neo-conservatives, I recommend you consult the new book by Houston A. Baker, Jr., *Betrayal: How Black Intellectuals Have Abandoned the Ideals of the Civil Rights Era* (2008). Baker makes it clear that color and class divisions have existed in African American communities since the 18th century, but what has changed is the arrival on the scene of a highly publicized group of black public intellectuals who have turned their backs on the "black majority" and thus have betrayed the legacy of Dr. Martin Luther King, Jr. Dr. King not only championed the causes of the black and the poor, but he was also willing to die in the struggle to provide for their equal opportunity and treatment in a society committed to white supremacy and economic exploitation of the poor and working class.¹⁸

The generational divide within African American communities has only recently begun to be addressed, and here ISAAC could make many important contributions to the development of *solidarity* among African Americans committed to protecting our children in the 21st century. When Barack Obama criticizes the epidemic of absentee

fathers in black households with children, he is not speaking as a disinterested political observer. He is speaking as a victim. “I know the toll it took on me, not having a father in the house,” Senator Obama revealed. “The hole in your heart when you don’t have a male figure in the home who can guide you and lead you. So I resolved many years ago that it was my obligation to break the cycle – that if I could be anything in life, I would be a good father to my children.”¹⁹

Thus, I believe Rev. Jackson (who should be the last one to voice a criticism of someone condemning child abandonment and children being raised by a single parent) is dead wrong in suggesting that Obama’s speeches on this subject are examples of him “talking down to black people.” In fact, had Rev. Jackson taken the time to listen, he would have found that one of the major themes in the lyrics of Hip Hop and Rap artists over the last generation has echoed the exact same sentiment stated by Senator Obama. What did I do to drive away the man who is my father? Why did he abandon me? Are we not justified in our anger at the black males in the older generation because they abandoned us and forced us to make our way in the world without positive male guidance and support?²⁰

Thus, there is no doubt that protecting our children in the 21st century should be one of the most important objectives of African American parents, educators, social workers, and other professions, social and political leaders, and researchers. And we must organize in *solidarity* around that objective (there never was and never will be *unity* on *any* issue in black *or* white communities). But we must protect our children against the internal and external forces that increase their vulnerability and the likelihood that they will fall victim to the exploitative practices of multinational corporations, working in

cahoots with government officials and politicians (both black and white). We must vigorously oppose policies and practices in public schools that increase the likelihood that our children will fall victim to the juvenile and criminal (in)justice system, and support and provide alternatives in the form of various types of “supplemental education,” particularly for poor children being raised in single parent households.²¹ And we must bridge the generational divides within African American communities. We must organize town and community meetings, aimed particularly at single mothers and fatherless youth, to not merely empathize with their plights, but to help explain that they are not the cause of their predicament, and to make them aware of the resources that ISAAC and other community agencies are making available to help them overcome the obstacles to individual achievement and personal fulfillment.²²

There are very few people, regardless of their social background, class status, or political persuasion, who would disagree with the goal of protecting our children against external and internal forces that seek to exploit them. It is upon that basis that ISAAC can create the common ground – build the solidarity – among broad-based institutions and organizations in the society to pursue that goal. And most importantly, those working with ISAAC should be willing to sacrifice for the sake of protecting our children, and I will start the ball rolling by donating the entire honorarium and most of my expenses to furthering the ISAAC’s goals. I hope others will do the same.

NOTES

¹ Eric Schlosser, *Fast Food Nation* (New York, 2001); Marion Nestle, *Food Politics: How the Food Industry Influences Health and Nutrition* (Berkeley, CA, 2007); “Child Obesity Rate Levels Off,” *Time Magazine*, 27 May 2008. The article makes it clear that although this latest study makes it appear that the increase has leveled off, “there is no evidence that the problem isn’t still getting worse.” See also, “It’s Not Just Genetics,” *Time Magazine*, 12 June 2008.

² Thomas Webber, *Deep Like the Rivers: Education in the Slave Quarter Community* (New York, 1979); Wilma King, *Stolen Childhood: Slave Youth in Nineteenth Century America* (Bloomington, IN, 1998); and *African American Childhoods: Historical Perspectives from Slavery to Civil Rights* (New York, 2005); Marie Jenkins Schwartz, *Born in Bondage: Growing Up Enslaved in the Antebellum South* (Cambridge, MA, 2000).

³ Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA, 2001); Steven Deyle, *Carry Me Back: The Domestic Slave Trade in American Life* (New York, 2006); Daina Berry, “‘In Pressing Need of Cash’: Gender, Skill, and Family Persistence in the Domestic Slave Trade,” *The Journal of African American History* 92 (Winter 2007): 22-36.

⁴ Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York, 2008), 6-8.

⁵ For detailed historical background of the reparations movement among African Americans historically, see Mary Frances Berry, *My Face Is Black Is True: Callie House and the Struggle for Ex-Slave Reparations* (New York, 2005).

⁶ *Ibid.*, 8-9.

⁷ *New York Times*, 29 February 2008, A-14.

⁸ *Ibid.*, 10 May 2008; Editorial, “Racial Inequity and Drug Arrests.”

⁹ James Bell, “Correcting the System of Unequal Justice,” in *The Covenant with Black America*, ed. Tavis Smiley (Chicago: Third World Press, 2006), 53; The Sentencing Project, “Young Black Americans and the Criminal Justice System, Five Years Later: Report Summary” April 2001; www.sentencingproject.org/pdfs; <http://www.sentencingproject.org/NewsDetails.aspx?NewsID=639>.

¹⁰ Marc Mauer and Ryan Scott King, “Schools and Prisons: Fifty Years after Brown v. Board of Education”; The Sentencing Project: www.sentencingproject.org/Admin/Documents/publications/rd_brownvboard.pdf

¹¹ Silja Talvi, “Follow the Prison Money Trail: Private Prison Companies Invest Millions in Elections,” *In These Times*, 4 September 2006; www.inthesetimes.com/article/2797/; PBS NOW: Report on Private Prison Industry – Lobbying for Extended Sentencing.

¹² Mauer and King, “Schools and Prisons.”

¹³ Annie E. Casey Foundation, 2008 KIDS COUNT DATA BOOK, 12-15; www.aecf.org/; http://www.kidscount.org/datacenter/db_pdf_08.jsp

¹⁴ *Ibid.*; Bob Herbert, “A Dubious Milestone,” *New York Times*, 21 June 2008, A-27.

¹⁵ Charles V. Willie and Richard J. Reddick, *A New Look at Black Families*, Fifth Edition, (Walnut Creek, CA, 2003), 69-78.

¹⁶ *New York Times*, 16 June 2008, A-15.

¹⁷ Orlando Patterson, *The Ordeal of Integration: Anger and Resentment in America’s Racial Crisis* (New York, 1987); *Rituals of Blood: Consequences of Slavery in Two American Centuries* (New York, 1999); Henry Louis Gates, Jr., *Colored People: A Memoir* (New York, 1994); and Editorial: “Forty Acres and a Gap in Wealth,” *New York Times* 18 November 2007.

¹⁸ Houston A. Baker, Jr., *Betrayal: How Black Intellectuals Have Abandoned the Ideals of the Civil Rights Era* (New York, 2008).

¹⁹ *New York Times*, 16 June 2008.

²⁰ “Special Issue; The History of Hip Hop,” *The Journal of African American History* 90 (Summer 2005): 187-323.

²¹ Edmund Gordon, Beatrice Bridglall, and Aundra Saa Meroe, eds. *Supplemental Education: The Hidden Curriculum of High Academic Achievement* (Lanham, MD, 2005); Herve Varenne, Edmund Gordon, and

Linda Lin, eds., *Theoretical Perspectives on Comprehensive Education: The Way Forward* (Lewiston, NY forthcoming).

²² For detailed information on how black communities throughout the United States organized their collective resources, collective “cultural capital,” to support public and private schools for children and adults, see V.P. Franklin and Carter Julian Savage, eds., *Cultural Capital and Black Education: African American Communities and the Funding of Black Schooling, 1865 to the Present* (Greenwich, CT, 2004).