# THE VOICE

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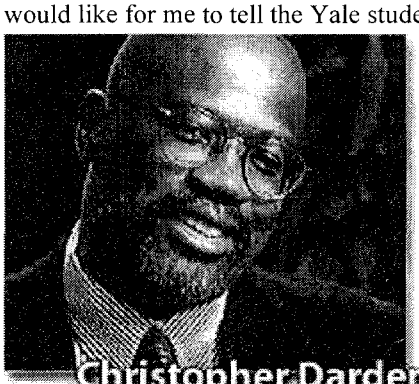
# Christopher Darden:
## On Prosecution & Life As a Professor

BY JAMES PERKINS &
CHRISTOPHER TITCOMBE

Christopher Darden, famed prosecutor in the infamous O. J. Simpson trial, came to campus February 18 as the recipient of the first annual Legal Excellence Award, which was presented by the Medical and Legal Minority Initiative.

Darden, now a professor at Southwestern College of Law, didn't have much to say about the Simpson trial. Rather, he began his dialogue with words of encouragement.

"I asked my students at Southwestern what they would like for me to tell the Yale students,



Christopher Darden

and they said, 'Be happy that they're not at Southwestern.'"

Darden also noted, that Yalies should recognize the immense opportunities presented to them, noting that, "As a kid growing I could only dream of going to a school like Yale, and you kids are living that dream."

Professor Darden expressed his desire for more students to go on to be prosecutors. He outlined the importance of the prosecutor as the one individual who has more power than the judge, and the ability to help shape our society. Prosecutors have the capability to give a kid a second chance, charge someone as a minor, and

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# *DEADLY FORCE: Minorities and the Urban War on Crime*

BY ADAM MARSHALL

It's a question of fear and bias, some say. Others insist that police officers are merely protecting the communities they serve. In today's cities, law enforcement officials are under fire for firing their guns. Street cops are shooting more people, more often, and critics insist that race and ethnicity play a major role in the use of deadly force. America's urban "war on crime" has triumphed on a statistical level – but were those victories purchased at the expense of minority communities?

**Cities and their War on Crime**

Backed by the federal government and many unions, including the Fraternal Order of Police, mayors across the nation proclaimed a war on crime when the crack cocaine epidemic reached its height in the late 1980s. Many cities, including New Haven, developed new methods to bring officers into the communities they served, broadening coverage areas and establishing links with citizens. Community policing, highly visible neighborhood patrols and zero tolerance became the buzzwords of the day. As violent crime statistics went down, however, demographers noted a disturbing trend – a stunning rise in the number of police shootings across the nation. In urban areas, blacks and Hispanics were disproportionately affected.



The use of excessive force was brought to the nation's attention in 1992, when black

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## Jewels *(cont. from page 3)*

helping me, I questioned her about whether or not she saw me. Was I invisible? I was unaware that pen placement trumped customer service. Perhaps I was the specific customer that led to her prioritization. In fact, she was prompt in ringing me up only when a line had formed and she was pressured to expedite the process. With this incident leaving me slightly bitter, I walked out of the store, displacing my anger with the satisfaction of my newly acquired item. This gratification was short lived...

At dinner, the hostess was oblivious to my presence, not to mention its African-American male accompaniment. When we finally got her attention, she attempted to place us in a booth in the back, right next to the kitchen. Voicing our dissatisfaction with our "back of the bus" status, we placed ourselves in a more agreeable seating arrangement. We had no napkins, no cutlery, no water, no nothing. We received service only when we repeatedly demanded it. Poor execution of waiter duties is one possible explanation, but the same waiters who ignored me nearly broke their necks to attend to their white patrons. This dichotomy of social interaction between races led me, following my waiter's example, to ignore his tip.

The silences of racism are equally as strong as unabashed expression. To top off my encounters with social resistance to my racialized presence, while strolling down Newbury Street ( a rather posh and 'chi-chi' area of Boston) I faced physical blows upon my person. I was excessively jostled by two white men walking toward me. Hailing from Manhattan, this was not a rare experience. We've all done a little pushing and shoving. However, I wasn't obstructing his path. Not even close. He had managed to see right through me. My subsequent obscenities and the like received little more than a quick glance as to who was hollering. With no sign of recognition, he proceeded in stride. I had been deemed invisible.

What does it feel like being a problem? I have neither a voice nor physical space, yet I am considered a burden. All problems have a solution. Historically, ignorance has been that remedy. (Un)Fortunately, by ignoring "them," "they" will not simply disappear. "When they approach me they see only my surroundings, themselves, or figments of their imagination--indeed, everything and anything except me"(See Ellison, Invisible Man). I am not invisible. Rather, competition over scarce resources coupled with socialized Jim Crow has conveniently created a society blind to a minority's presence. Socialized racism is watering the seeds for social revolution. You don't have to see me; I see myself in your eyes. Hence, I'm going to **take** a piece of your pie - since you won't make room for me at your table.


# *Is Integration an Abandoned Dream?*

BY ZACH KAUFMAN

Jackie Robinson was one of the best players ever in the game of baseball. He was a symbol of excellence and achievement. He was also a symbol of America moving towards a more racially integrated society, for Jackie Robinson was the first African-American to play in the major leagues (in 1947 he signed onto the Brooklyn Dodgers) and he was the first African-American to be inducted (1962) into the National Baseball Hall of Fame.

Not many people still question the value of integration in athletics, the workplace, public transportation, public accommodations, or most other spheres of society. However, recently, there has been an increase in debate over the principle of integration in the field of public education.

A surprising amount of whites and blacks, alike, are abandoning a focus on integration as a means of achieving racial equality in an educational context. In the white community, more than 80% of parents oppose overt efforts to desegregate (according to a 1998 Public Agenda, a non-profit, non-partisan research group survey). In the African-American community, only 8% consider integration a primary concern (according to a 1996 Wall Street Journal/NBC poll). This opposition to or abandonment of

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**W.E.B. DuBois**

politics in order to concentrate on gaining industrial wealth. DuBois disagreed. He believed that only through education could blacks gain status, and that Washington's ideas promoted black submission to whites. DuBois' greatest achievements were centered in his writings. He wrote many books and essays expressing his beliefs about racial assimilation, cooperation, and the use of education to end prejudice including The Souls of Black Folk and Suppression of the African Slave Trade. The Souls of Black Folk was a very popular analysis of the conflicts blacks were subjected to in society.

Another of DuBois' great achievements was of the formation of the National Association for the Advancement of Colored People (NAACP), which he founded along with a number of other black and white leaders who shared his beliefs in 1909. He served as director of publicity from 1919-1934. He was also a consultant to the United Nations and edited his magazine, Crisis, from 1910-1932.
source:(http://www.msu.edu/course/mc/112/1920s/Garvey-Dubois/biography.htm)

**Marian Anderson**

followed by tours of Sweden, Finland, and Denmark. "That first trip to the Scandinavian countries was an encouragement and incentive. It made me realize that the time and energy invested in seeking to become an artist were worth while, and that what I had dared to aspire to was not impossible."

Marian Anderson returned to Scandinavia in 1933 to perform twenty concerts over a two-year period. Other tours followed in 1936, 1949, and the 1950s. In 1949 she was decorated by the Finnish government and in 1952 received from King Gustav of Sweden his government's "Litteris et Artibus" medal. In the first decades of the twentieth century spirituals became a standard part of the repertory for concert artists and were popularized by African American performers, among them Roland Hayes who was, according to the singer herself, Marian Anderson's "inspiration." Ms. Anderson's vast collection of spirituals, in both published and manuscript form, testifies to the central role they played in her development as a concert artist.

Following the tradition established by Roland Hayes and other African American singers who preceded her on the concert stage, Marian Anderson concluded each of her recitals with a group of spirituals in arrangements that often came to be recognized as "classic." That many reported being moved to tears by her renditions of these works is one of the more striking aspects of their reception history. "In her, the spiritual takes on entirely new joy," one critic remarked, while another commented that her performances of spirituals catch "as possibly no one else can their simplicity of pure belief and deep emotion." Concert-goers will readily recognize that the inclusion of spirituals on recital programs is a tradition that continues today with succeeding generations of African American vocalists, such as Jessye Norman, William Warfield, and Kathleen Battle.
source:(http://www.library.upenn.edu/special/gallery/anderson/spirit.html)

## Abandoned Dream *(cont. from page 5)*

integration is increasing across the African-American ideological spectrum. These people include United States Supreme Court Justice Clarence Thomas and black nationalists, such as Conrad Worrill, chair of the National Black United Front. Even within the National Association for the Advancement of Colored People (NAACP), the organization largely responsible for the 1954 *Brown v. Board of Education* school-desegregation decision, there is internal disagreement over whether integration should continue to be a policy of the NAACP. Although the national leaders of the NAACP, such as former chairwoman of the board of directors Myrlie Evers-Williams and NAACP president Kweise Mfume continue to support integration, many local and state NAACP leaders are not as committed to the principle. At least two NAACP branch presidents were fired for their differing views on school integration. Kenneth Jenkins, the former president of the NAACP's Yonkers, N.Y., chapter, and Robert Robinson, the former president of the NAACP's Bergen County, NJ, chapter, were fired by the national office for saying that they and their community were more interested in quality schooling than integrated schooling. Harold Cotton, the current president of the Greensboro, N.C. chapter of the NAACP, is also willing to accept the Greensboro Mayor's proposal for higher school quality over integration.
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## Abandoned Dream *(cont. from page 9)*

The reality is that mandatory integration has not worked as its original proponents anticipated. Immediately after *Brown* was passed, school districts refused to institute its calls for integration. There were violent reactions against blacks and overall resistance to the desegregation ruling. It took federal marshals sent by President Eisenhower to Little Rock, Arkansas to facilitate serious change. And, even since, integration has been difficult to achieve. Although throughout the 1960s and 1970s schools grew steadily more integrated, by 1964, a decade after *Brown*, only less than 2% of formerly segregated school districts had experienced any desegregation. Still, now, due to minority population concentrations and other issues, many public schools remain segregated. Furthermore, some people think that integration itself has created problems. According to Derrick Bell, "[l]ow academic performance and large numbers of disciplinary and expulsion cases are only two of the predictable outcomes in integrated schools where the racial subordination of blacks is reasserted in, if anything, a more damaging form."

Not only is the goal of integration often disputed, but so are the means to that end. Busing, an oft cited and employed remedy to facilitate integration, has been critically scrutinized. The 1971 Supreme Court case of *Swann v. Charlotte-Mecklenburg Board of Education* held that a local community may use "forced busing" of children to correct school segregation caused by residential patterns. However, many believe that this remedy actually causes more harm than good. First, many believe that busing hurts people because of the actual physical transportation. As Harvard University Law Professor John Hart Ely observes, "[c]hildren can be hurt by busing, not simply by the inconvenience of the transportation process itself, but also by the transition from a school environment in which they have grown secure to strange surroundings in which they were likely to find themselves in a racial minority for the first time." Second, many people believe that minorities suffer psychologically because of busing. Black self-help advocates such as United States Supreme Court Justice Clarence Thomas contend that it is demeaning to suggest that black students can achieve a quality education only in largely white schools. Third, many, like Dennis C. Hayes, general counsel for the NAACP, point to the fact that busing is inherently unfair because the burden of busing, as a remedy, falls unfairly and unequally on African-Americans.

In the era of *Brown*, integration had been seen as a means to an end – a way of bringing about fair treatment of blacks in society. Now, as times have changed, some are considering new problem-solving solutions. In their view, the money spent on school busing could better be spent on improving the quality of local area schools. Other people focus on a search for solutions in such ideas as school choice and vouchers. One idea that is gaining popularity is that of all-male African-American schools, such as those in Detroit. These special schools are controlled by African-American boards and have Afrocentric curricula, Black male role-models as teachers, futuristic lessons in preparation for 21st century careers, emphasis on male responsibility, and individualized counseling. However, though popular among many black communities, these institutions raise new problems. For example, there is the issue of gender discrimination: why should young African-American girls not have access to these opportunities as well? Many opponents of these institutions are disturbed by the racial and gender separation that they impose and worry about the counter-productive messages that are sent to the very young men these institutions purport to help.

Despite all of the negative perspectives towards integration and recommendations to replace integration, we must not forget why the Supreme Court ruled in favor of integration. In overruling the "separate but equal" doctrine of *Plessy v. Ferguson* (1896), at least in the realm of education, the Supreme Court held in *Brown v. Board of Education* that "in the field of public education, 'separate but equal' has no place. Separate educational facilities are inherently unequal." Chief Justice Earl Warren elaborated on this conclusion, reasoning that segregation imposed dire psychological consequences on people. In reference to minorities, Chief Justice Warren notes, "[t]o separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." The struggle for integration has produced some very positive developments in society. Thanks to the Civil Rights Movement and its proposed solutions, such as mandatory integration, many more people now believe that the different races are equal – thus achieving

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??? MONTHLY POLL ????

## Is Your Future Spouse a Yalie?

**YES** - reply to:
christopher.titcombe@yale.edu

**OR**

**NO** - reply to:
james.perkins@yale.edu

## Abandoned Dream *(cont. from page 10)*

an important goal in changing public perception of fellow humans.

Still, no one denies that integration is difficult. Most American cities' demographics suggest that it is impossible to achieve racial balance in inner-city-classrooms because the districts are overwhelming African-American. White flight from urban areas to the suburbs, high unemployment, an increase in crime and drugs, police brutality, and hate crimes in inner-cities are all problems which have contributed to this effect.

**WHAT NOW?**

Early education is perhaps the most important aspect of society. It is a training ground for humanity: not only is it the arena in which young Americans are taught the principles of the various academic disciplines, but it is a testing ground on the proper ways to associate within society. Basically, school is where, in the words of Henry David Thoreau, our youths "learn to live." To have any perspectives absent throughout this process would be a disservice to our children and dangerous for the future. Different kinds of people necessarily possess these differing viewpoints. It is for this reason, perhaps more than any else, that integration in education is so important.

Many people criticize *Brown II* (1955) for not being more specific when it stated that integration should be instituted with "all deliberate speed." However, even some of the remedies, such as busing, which we thought might be effective, have turned out to create many problems of their own.

While integration and other efforts to achieve racial equality may not have been as effective as one would have hoped, they are a noble step in the right direction and, after we learn from their mistakes, perhaps we can craft even better solutions. If laws do not work to help society, that may not at all be the fault of the laws. Laws alone cannot bring about sound morality. But, they can and do serve as an important guide for our society. And, in regards to the overall goal of mandatory integration, a fair and equal treatment of all persons, these laws try to teach society a more sound morality with respect to the fair treatment of neighbors and strangers.

Racial tensions remain one of the worst problems in America. No amount of legislation or lawsuits can alter personal biases or racial stereotyping. Black and white Americans still live in rigidly segregated worlds but, perhaps, when they choose to live together more, then such problems such as de jure or de facto segregated schooling will solve themselves.

Until then, though, we must ask ourselves: Despite the difficulties, should we continue to strive for integration?

In remembrance of the oppressed minorities of the past, I say yes. For the building of a society which needs to be enriched and influenced by the perspectives of all, I say yes. For the benefit of all of the children who have yet to be born, I say yes. In remembrance of Jackie, I say yes.