

COMMENT ON DOUGLAS S. MASSEY'S *GETTING AWAY WITH  
MURDER: SEGREGATION AND VIOLENT CRIME  
IN URBAN AMERICA*

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INTRODUCTION

I am very pleased to comment on Professor Douglas Massey's fine article on segregation and violent crime in America. I have long been an admirer of his work, and I welcome this opportunity to explore his present research on the correlates of homicide patterns and trends. I am especially glad to visit the University of Pennsylvania, my economics and political science undergraduate stomping grounds. Penn can be blamed for launching my career as a scholar of American politics, public management, and, last—and many would say “least”—crime policy.

Over the last few months, I have been doing some thinking, essay writing, op-editorializing, and congressional testifying on crime in America, with a focus on black-on-black, inner-city crime.<sup>1</sup> In conjunction, the question of what, if anything, can be done to prevent or reduce violent crime, in particular homicide, is one that is very much at the center of the work of a dozen leading criminologists whom Professor Joan Petersilia and I have brought together for a multi-year research and writing project at my non-Princeton base of operations, the Brookings Institution, under the hopeful banner “The New Consensus on Crime Policy.”<sup>2</sup>

So it was with great eagerness and enthusiasm that I received and read Professor Massey's article. Needless to say, I was not the

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<sup>1</sup> See John J. DiIulio, Jr., *The Question of Black Crime*, PUB. INTEREST, Fall 1994, at 3; John J. DiIulio, Jr., *White Lies About Black Crime*, PUB. INTEREST, Winter 1995, at 30; John J. DiIulio, Jr., *A Crime Bill That Would Work*, WALL ST. J., Feb. 15, 1995, at A19; John J. DiIulio, Jr., *The Plain, Ugly Truth About Welfare*, WASH. POST, Jan. 15, 1995, at C1; John J. DiIulio, Jr., *Crime in America: Three Ways to Prevent It* (Jan. 20, 1995) (unpublished testimony before the House Comm. on the Judiciary, on file with author); John J. DiIulio, *America's Crime Problem: What Should Washington Do?* (Feb. 14, 1995) (unpublished testimony before the Senate Comm. on the Judiciary).

<sup>2</sup> THE NEW CONSENSUS ON CRIME POLICY (John J. DiIulio, Jr. & Joan R. Petersilia eds., Brookings Institution, forthcoming 1997). The other participants in this project are Professors David Bayley, Alfred Blumstein, Charles Logan, Mark Moore, Ethan Nadelman, Anne Piehl, Peter Reuter, Jerome Skolnick, Michael Tonry, and James Q. Wilson.

least bit disappointed. As I understand it, his theory is that high rates of black crime in America are strongly linked to high rates of black poverty and high levels of black segregation. He arrives at this view primarily by means of a fascinating hypothetical-statistical exercise which enables him to test the validity of several explanatory propositions which have emerged from two rich, and richly relevant, ethnographic studies, one of which was conducted by Penn's own Professor Elijah Anderson.

Professor Massey finds that the "wave of crime in urban black America is not *simply* a product of individual moral failings; it is an *inevitable* outgrowth of social conditions created by the coincidence of racial segregation and high rates of black poverty."<sup>3</sup> He also finds that "poor whites experience significantly lower crime rates by imposing racial segregation, because crime follows poverty" and that "racial segregation provides another benefit to whites in the form of lower taxes."<sup>4</sup> Massey makes reference to "the federal policy initiatives that would need to be undertaken to end the legacy of American Apartheid."<sup>5</sup> Yet his final words are anything but hopeful. Instead he conjures up a vision of the future (or is it more nearly a mirror of the present?) in which urban black communities "continue to deteriorate," and all Americans pay a heavy economic and social price for this shameful "retreat from American democratic ideals."<sup>6</sup> In short, Professor Massey has the dubious distinction of being even more depressing than I am on this subject!

In my view, the only sins committed in his stimulating article are small but significant sins of omission. I do not take issue with the broad outlines of his analysis, least of all his emphasis on the social costs and consequences of concentrating crime, poverty, and other problems in politically powerless pockets of urban America. But with complete fidelity to the empirical research on the subject, statistical as well as field-based, I do think it is possible to arrive at a more highly textured, if only slightly more optimistic, understanding of the inner-city, violent crime problem and how best to address it.

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<sup>3</sup> Douglas S. Massey, *Getting Away with Murder: Segregation and Violent Crime in Urban America*, 143 U. PA. L. REV. 1203, 1223-24 (1995) (emphasis added).

<sup>4</sup> *Id.* at 1227.

<sup>5</sup> *Id.* at 1231.

<sup>6</sup> *Id.* at 1232.

## I. CRIME STATISTICS AND INEVITABILITY

First, let us add to our stock of pertinent facts and figures. Nationally, between 1973 and 1992 victimization rates for most crimes of violence dropped 1.5%.<sup>7</sup> Over the same period, however, the rate of violent victimizations of black males ages twelve to twenty-four increased by about 25%;<sup>8</sup> between 1985 and 1992, the murder rate for black males ages twelve to twenty-two tripled.<sup>9</sup>

Most street crime in America is intraracial. About 84% of single-offender violent crimes committed by blacks are committed against blacks, and some 73% of such crimes committed against whites are committed by whites.<sup>10</sup> This intraracial crime pattern holds with great force on homicide rates as well. National data tell this tale, but let us bring it close to home. In 1994 Philadelphia experienced 433 murders. Blacks composed 39% of the city's population but 78.5% of its murder victims. Only five of the eighty-nine homicide victims under age twenty were white. Twenty-nine kids under age seventeen, most of them black, were killed by gun blasts. The citywide murder rate was 27.6 per 100,000. But in parts of predominantly black North Philadelphia, murder rates ran over 100 per 100,000. In just one North Philadelphia neighborhood, an area known to local police and residents as "the Badlands," fourteen people were murdered.<sup>11</sup>

What, if anything, might have prevented the young black males who committed the homicides that are the subjects of the above statistics from committing such crimes against other blacks? If we take him literally, Professor Massey's answer must be nothing. For where high rates of poverty intersect with extreme concentrations of racial segregation, he tells us such violence is "inevitable."<sup>12</sup> There are at least two sets of reasons why I am disinclined to follow Professor Massey into this bottomless pit. The first set of reasons, about which I will say but a few words for now, are epistemological. Perhaps the finest twentieth-century essay in the English language

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<sup>7</sup> See BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, CRIMINAL VICTIMIZATION IN THE UNITED STATES, 1992, at 4, 8 (1994).

<sup>8</sup> See BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, YOUNG BLACK MALE VICTIMS (Crime Data Brief, Dec. 1994).

<sup>9</sup> See Alfred Blumstein, *Prisons*, in CRIME 387, 412 (James Q. Wilson & Joan R. Petersilia eds., 1995).

<sup>10</sup> See BUREAU OF JUSTICE STATISTICS, *supra* note 7, at 61.

<sup>11</sup> See Don Russell & Bob Warner, *Fairhill: City's Deadliest Turf in '94*, PHILA. DAILY NEWS, Jan. 9, 1995, at 4.

<sup>12</sup> Massey, *supra* note 3, at 1224.

on inevitability as a construct in historical and social inquiry remains Sir Isaiah Berlin's statement, "Historical Inevitability."<sup>13</sup> I recommend this searching, comprehensive essay to everyone, but especially to those who, like Professor Massey, speak in the idiom of analytic determinism one moment (that is, when explaining the causes of high levels of black crime), preach moral responsibility the next (that is, when scolding whites for "American Apartheid"), and never seem aware of the self-contradictions that hover like thick conceptual clouds over the "findings" that flow from any such "analysis."

My second set of reasons are more historical and empirical in character. To begin, I have not researched the matter with any precision, but my general knowledge leads me to wonder how Professor Massey's theory would fare on a trip to the deeply impoverished, highly segregated, but relatively violent-crime-free Southern black communities of the first half of this century. By the same token, is it irrelevant to ask whether his theory is equipped to handle intergroup variance in crime rates such as is suggested by the historical experience of many of America's highly segregated, highly impoverished, yet virtually crime-free Chinatowns?

Likewise, I remain in some doubt on the question whether the objective material circumstances of today's inner-city young black males are incomparably worse than those of their fathers or grandfathers who lived in racially segregated but much less crime-torn places throughout America during the Great Depression and into the 1970s. A report by conservative analyst Robert Rector of the Heritage Foundation indicated that in 1989, 38% of the persons whom the Census Bureau identified as "poor," a large fraction of them black, central-city residents, owned their own homes with a median value of over \$39,000;<sup>14</sup> 62% of "poor" households owned a car;<sup>15</sup> nearly half of all "poor" households had air-conditioning;<sup>16</sup> the average "poor" American had twice as much living space as the average Japanese;<sup>17</sup> and the average consumption of protein, vitamins, and minerals was virtually the same for poor and middle-class children.<sup>18</sup>

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<sup>13</sup> ISAIAH BERLIN, *Historical Inevitability*, in *FOUR ESSAYS ON LIBERTY* 41 (1969).

<sup>14</sup> See Robert Rector et al., *How "Poor" Are America's Poor?*, BACKGROUNDERS (Heritage Found., Wash., D.C.), Sept. 21, 1990, at 1.

<sup>15</sup> See *id.*

<sup>16</sup> See *id.*

<sup>17</sup> See Robert Rector, *How the Poor Really Live: Lessons for Welfare Reform*, BACKGROUNDERS (Heritage Found., Wash., D.C.), Jan. 31, 1992, at 2.

<sup>18</sup> See ROBERT RECTOR, HERITAGE FOUND., LECTURE NO. 410, THE PARADOX OF

Let me be clear that I do not cite these figures in support of the ludicrous notion that America's poverty problem is inconsequential. Together with Dr. Mark Alan Hughes of Public/Private Ventures, with whom I am co-authoring a book about urban crime and poverty, I believe that the "other America" is still very much with us and has its address mainly in predominantly black, high-crime, high-poverty, inner-city neighborhoods.<sup>19</sup> Rather, my point is that Professor Massey's theory should be tested against the possibility that the poverty-segregation nexus that he believes "inevitably" produces violent crime among today's black youth was actually more acute (on the poverty side if not on the segregation side as well) in years past and yet produced nothing in the outer orbit of the stratospheric black-on-black homicide rate that now grips our attention.

One final word along these lines. In 1993 the National Research Council (NRC) documented the historically high rates of homicide in the black population in the United States in comparison to homicide rates in white and other minority populations. The NRC found that, as of 1989, the ratio hovered around seven to one.<sup>20</sup>

I have no reason to doubt those calculations. But there is a danger that analyses such as the ones conducted by the NRC and even Professor Massey may unintentionally cart some people to the false conclusion that only black Americans, or only inner-city black Americans, commit extraordinary numbers of homicides. So let us be reminded that, viewed cross-nationally, American whites are quite a murderous bunch, too. In 1990 the homicide rate for white Americans was 5.6 per 100,000. The number of homicides committed by whites in the U.S. is at least twice as great as the total homicide rate in France (2.4), Germany (1.2), Netherlands (1.4), Spain (2.2), Sweden (2.8), and the United Kingdom (1.1), and sixty percent higher than the Italian rate (3.5).<sup>21</sup>

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POVERTY: HOW WE SPENT \$3.5 TRILLION WITHOUT CHANGING THE POVERTY RATE 3 (1992).

<sup>19</sup> See MARK A. HUGHES & JOHN J. DI IULIO, JR., *THE SAME AMERICA?: DEVISING A MOBILITY STRATEGY TO SAVE THE INNER CITIES* (forthcoming 1997); see also MARK A. HUGHES & JULIE E. STERNBERG, *URBAN INST., THE NEW METROPOLITAN REALITY: WHERE THE RUBBER MEETS THE ROAD IN ANTIPOVERTY POLICY 1-3* (1992).

<sup>20</sup> See NATIONAL RESEARCH COUNCIL, *UNDERSTANDING AND PREVENTING VIOLENCE* 50 (1993).

<sup>21</sup> See James Q. Wilson, *Response to "Crime in America,"* COMMENTARY, Feb. 1995, at 20.

## II. LOOKING BEYOND POVERTY AND SEGREGATION AS CAUSES OF BLACK, INNER-CITY CRIME

Turning briefly to Professor Massey's use of ethnographic insights, I would refer to another 1993 NRC study, the results of which indicated that too many of today's black, inner-city children lack "good role models" and are surrounded by extreme concentrations "of adults who are involved in illegal markets."<sup>22</sup> The study revealed that "[t]he poorest of neighborhoods seem increasingly unable to restrain criminal or deviant behaviors."<sup>23</sup>

High concentrations of poverty? Yes. High degrees of racial segregation? True. But must one merely shoehorn the hard facts about kids becoming criminals between these easier-to-operationalize structural factors? Is it really so clear that these kids-turned-violent-criminals are deprived mainly because they were economically deprived? Or do many of these kids become criminally deprived because they are not loved, not cared for, or not socialized properly by the adults who are most directly responsible for them?

Consider the following suggestive statistics: Seventy-five percent of the most violent incarcerated juveniles are children who were abused by a family member, and about the same fraction witnessed extreme violence early in their lives.<sup>24</sup> Over half of all youth in long-term state juvenile facilities have one or more immediate family members who have been incarcerated.<sup>25</sup> And it is not merely a matter of "bad boys from bad homes." About 47% of female prisoners have at least one immediate family member behind bars, 43% have been physically or sexually abused, and 34% have parents or guardians who abused alcohol or drugs.<sup>26</sup> The ethnographic studies cited by Professor Massey, and others as well, make it clear that young black, inner-city males are prone to attack each other in response to the slightest signs of disrespect.<sup>27</sup> But why? It cannot simply be a matter of rational behavior on mean streets.

<sup>22</sup> NATIONAL RESEARCH COUNCIL, *LOSING GENERATIONS* 5 (1993).

<sup>23</sup> *Id.*

<sup>24</sup> See Ellen Schall, *Principles for Juvenile Detention*, in 2 *FROM CHILDREN TO CITIZENS* 349, 350 (Francis X. Hartmann ed., 1987).

<sup>25</sup> See ALLEN J. BECK ET AL., U.S. DEP'T OF JUSTICE, *SURVEY OF YOUTH IN CUSTODY*, 1987, at 1 (1988).

<sup>26</sup> See TRACY L. SNELL, U.S. DEP'T OF JUSTICE, *WOMEN IN PRISON* 5 (1991).

<sup>27</sup> See MARK FLEISHER, *BEGGARS AND THIEVES: AN ETHNOGRAPHY OF URBAN STREET CRIMINALS* (forthcoming 1995).

Rather, based on my own reading of these studies plus about fifteen years of observations and interviews inside scores of prisons all across the country, I would posit that the hair-trigger mentality, the gang-related behavior, and the murderous violence itself emerge from the same source, namely the simple fact that inner-city teenagers have had few, if any, adults in their lives who gave them unconditional love, taught them right from wrong, and reared them accordingly.

There is a more scientific, if not more scientific or accurate, way to make the same sappy-sounding point. Other things being equal, kids who are not taught to defer gratifications for the sake of future rewards and to have regard for others are more likely than otherwise comparable kids to become deviant, delinquent, or criminal. Most long-term black prisoners who are in their thirties will tell you flat out that they grew up radically present-oriented and radically self-regarding. The future meant nothing to them, because they saw no future. They felt no remorse because they had rarely, if ever, been moved to feel joy at the joy of others or pain at the pain of others. As one such prisoner said to me, "You never think about doing thirty when you don't expect to live to thirty."

### III. PROSPECTS FOR POSITIVE CHANGE: PRACTICAL STRATEGIES AND MORAL ARGUMENTS

Mine is not, however, a counsel of total despair. I accept Professor Massey's basic premise that, if I may phrase it this way, the politics of the problem are perverse and unyielding. Not only do I accept it, but I have lived it as one who has been highly active in the politics of the crime issue at the federal, state, and local levels. Except for three sets of reasons, I see some prospects for positive change, if only at the margins.

First, I reject outright what I take to be Professor Massey's assumption that desegregation is the only path to progress. Poor inner-city blacks are not going to move out. Job-creating businesses are not going to move back in. As urban strategies go, these dispersal and development approaches, respectively, are losers, if not complete nonstarters. Still, as my colleague Dr. Hughes has argued, there is some glimmer of hope in a mobility strategy that would focus on making the inner-city more livable by restoring public order and equipping residents with the job skills and transportation they need to go where the jobs are, mainly, on the

metropolitan periphery.<sup>28</sup> Although there is no magic bullet or panacea, the mobility approach at least provides a potentially politically feasible way of lighting a single candle. The other approaches do nothing but curse the "inevitable" darkness.

Second, putting aside all questions related to penal policy and the fraction of black-on-black homicides that are committed by persons who are on probation, parole, or pretrial release at the time they do the crime, there is yet some hope for community-oriented policing strategies. There is a small mountain of empirical evidence which suggests that community policing can squelch disorders, such as public drunkenness and rowdy teenagers, that often spark serious outbursts of predatory criminality. Professor David Bayley has written the definitive study on the subject.<sup>29</sup> No law enforcement or corrections strategy will reverse the tidal wave of homicidal violence in these neighborhoods. Nevertheless, it is far too soon to abandon the effort, and it is certainly imprudent to concede defeat in deference to the supposed strength of structural forces.

Third, Professor Massey's demographic depiction is accurate as far as it goes, but it does not go far enough. In particular, we need to be reminded that fully three quarters of all metropolitan-area blacks are not living in high-poverty, high-crime places.<sup>30</sup> As Professor Glenn Loury has argued, black Americans, and in particular, black churches, are increasingly ready, willing, and able to address the problems of black crime, the abuse and neglect of black children, and the other major problems of the black inner cities.<sup>31</sup> I have faith that he is right.

I also have faith that the white America that Professor Massey writes off as self-satisfied with the status quo is not quite the undifferentiated, self-seeking, income-tax-maximizing, problem-avoiding lump that he makes it out to be. Make no mistake: white attitudes toward every species of racial issue have hardened.<sup>32</sup> No one who has been awake since November 8, 1994 can believe that

<sup>28</sup> See Mark A. Hughes, *A Mobility Strategy for Improving Opportunities*, 6 HOUSING POL'Y DEBATE 271, 273-84 (1995).

<sup>29</sup> See DAVID H. BAYLEY, *POLICE FOR THE FUTURE* (1994).

<sup>30</sup> See Richard P. Nathan et al., Nelson A. Rockefeller Inst. of Gov't, *Minority Working- and Middle-Class Urban Neighborhoods: Case Studies of Other New Yorks* 3 (Oct. 27, 1994) (unpublished manuscript, on file with the Nelson A. Rockefeller Inst. of Gov't).

<sup>31</sup> See Glenn C. Loury, *Listen to the Black Community*, PUB. INTEREST, Fall 1994, at 33, 33-37 (1994).

<sup>32</sup> See CENTER FOR THE PEOPLE AND THE PRESS, *TIMES-MIRROR CO., THE NEW POLITICAL LANDSCAPE* 30-33 (1994).



America is about to fight another war on poverty from Washington.<sup>33</sup>

Still, ideas matter in American politics, and moral arguments can sometimes move mountains. I am not speaking here about a pseudo-moral appeal to enlightened self-interest. Between now and the year 2000, there will be about 500,000 more males between the ages of fourteen and seventeen than there are today.<sup>34</sup> Every relevant criminological study tells us that six percent of these boys will be responsible for about half the serious crime committed by this cohort—30,000 more killers, rapists, and muggers. A disproportionate number of them will be concentrated in urban areas. The crime problem could “spill over.” Americans living in the suburbs might be made to hear a ticking crime bomb and be moved to act in self-defense. But such action would probably take the form of more out-migration, more alarm systems, more gated communities, and in short, more segregation by race, place, and income.

Instead, I am talking about a frankly and unapologetically moral discourse, including but not limited to a religious one. For example, when a black child who was afraid to walk to and from school has a chalk line drawn around her body on a North Philadelphia street, that is not the city's tragedy, that is not the state's tragedy, it is America's tragedy. When the little Linda Browns of today's urban America can go to the local public school of their choice but every school in their district is violence-ridden, that is America's tragedy. And when inner-city kids who are abused and neglected get bounced from one bureaucracy to the next, one foster home to the next, one misery to the next, that, too, is America's tragedy.

When I made these points in my recent Senate testimony, and when I persisted in connecting them to the need for more neighborhood patrol officers to protect and to serve inner-city citizens, a somewhat exasperated member of the Judiciary Committee chided me. “Political scientist!,” he intoned, “I can't get fifty-one votes for that.” I responded that they “ought to!” He insisted that “They won't!” I repeated that they “ought to!”

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<sup>33</sup> See generally JOHN J. DIJULIO, JR. & DONALD F. KETTL, BROOKINGS INST., FINE PRINT: THE CONTRACT WITH AMERICA, DEVOLUTION, AND THE ADMINISTRATIVE REALITIES OF AMERICAN FEDERALISM (1995) (examining the possible effects of a shift from federal to state or local governmental programs).

<sup>34</sup> See Blumstein, *supra* note 9, at 392-94.

### CONCLUSION

Professor Massey may be correct on all counts, right down to his gloomy conclusion. But even that would furnish no excuse for moral resignation and the treatment of a profound, life-and-death problem of public philosophy as some sort of intellectual puzzle to be solved (or not) on its own academic terms.