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ECONOMIC JUSTICE: THE MEASURE OF A NATION'S CHARACTER

Rev. Jesse Jackson*

Let me express my thanks for the kind introduction by Professor Raskin with whom I have worked as an activist, and now as an advisor and professor of law. I am delighted at this opportunity to share my thoughts with you on this occasion. I thank Dr. Nicholas Kittrie for his insight and courage in arranging this conference at this most poignant moment in history. There was a time, when, if I had been asked to speak to a group of South Africans about law and order, and justice the American way, white South Africans would immediately have had some sense of confusion.

Because of our twisted orientation, we have looked at black South Africans as if they had only recently understood what it was like to be in a civilized world. Well, we know better now. I share with you a sense of, and a quest for, justice and fairness in South Africa.

In 1963 both Mandela and Dr. Martin Luther King Jr. went to jail. The reason that Mandela remained imprisoned for so long, while Dr. King was released in a relatively short time, was that there was a constitutional struggle already underway in this country. There were legal protections here, which the constitution of South Africa lacked. In spite of these recent protections there is a tremendous parallel between the predicaments of African-Americans and black South Africans.

The South African apartheid laws were modeled after the 1896 *Plessy v. Ferguson*¹ decision in our own country. A group of South Africans came to America in 1948, and spent several months in Alabama studying how the apartheid system would look and work. They also went to Indian reservations to study and observe the workings of the American tribal government system in order to get ideas for the bantustans.

I approach you with a sense of shared concern and humility. In the past week four white policemen who severely beat an African-American

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1. *Plessy v. Ferguson*, 163 U.S. 537 (1896).

were acquitted. At the same time a white South African who had done the same was jailed in South Africa. Racism has the capacity to distort anything. It can distort democracy. Racism can distort religion. It can distort an economy. Racism can distort and disfigure. Racism is untrue scientifically. Racism is disturbing emotionally. Racism is divisive politically. Racism is exploited economically. Racism divides. Racism is intellectual dishonesty. Racism is theologically a sin. It assumes that God made a creative error, and that God should not have affirmed all peoples. The spirit of racism is pervasive, and has the ability to rot and to corrode even the highest and best of theories, leading to hypocrisy that undercuts democracy.

We are reminded that the original Framers of the United States Constitution could not secure ratification of that basic document of the people of the United States until the people amended it with a bill of rights. The gross imbalance was corrected in part by the addition of ten amendments which affirmed the right to the people to freedom of speech and assembly, protection from illegal search and seizure, and other such rights.

I stand before you tonight as a United States Senator,² elected by the citizens of Washington, D.C., without the right to vote in our Senate. Compare this situation to the situation in South Africa, where the people who live in Soweto can vote for their local mayor and counsel, police chief and unions, but cannot vote in Pretoria, cannot vote on matters of policy. In Washington, D.C., we can vote to elect local officials, but we have no rights that Congress is bound to respect. We are under Congressional occupation, and though we represent more people than five states and pay more taxes than ten states, right here in our nation's capital, we do not have the right to vote. This similarity between Soweto and Washington is due in part to another similarity between South Africa and the United States, the South African Senate in Pretoria and the United States Senate in Washington look just alike, all white.³ The same spirit that keeps the Senate all white in South Africa keeps it all white in our own country. We have struggled to claim our rights

2. See *Jackson Touts Tax Protest Plan; Aims to Spur Clinton to Statehood*, WASH. POST, Feb 19, 1993, at D6 (describing Jackson's post and discussing voting powers of residents of Washington, D.C.).

3. Since Jackson's speech, voters in Illinois have elected Carol Moseley Braun (D-Ill.), a black woman, to the United States Senate. See *The New Congress*, WASH. POST, Nov. 5, 1992, at A33 (listing newly-elected members of Congress by sex, ethnicity, and other categories).

even as the United States claimed to stand as a force for justice in the world. For much of our life as a nation, we have stood as hypocrites.

There are dates that stand out in our history. In 1619, Africans who were enslaved, arrived on these shores. That event, though reprehensible, is a source of pride for African-Americans. As one of many ethnic groups in this multi-culture society; we were here as a people before the pilgrims, and therefore all boat people came after our boat. In 1776, an African-American, Crispus Atticus was among the first to die for this nation's freedom. When the Constitution was ratified in 1789, that Constitution, in the name of balance, determined that only white male land-owners had the right to vote. Their women, aunts, wives, mothers and sisters, did not have the right to vote, could not own land. Those of African descent were determined to be just a little higher than the animals, but just a little lower than people, and designated to be three-fifths of a human being.⁴ Africans came to this land unlike immigrants who were fleeing political and economic deprivation and searching for freedom. We were snatched from Africa and sold into this predicament. The Framers of the Constitution, while speaking words that resonated throughout the earth, that all men are created equal, determined that we were three-fifths of a human being and made it operative law for the next 250 years. Not even South Africa's abuses from 1948 to 1992 match these years of codified slavery. In 1857 they agreed that blacks had no rights that whites were bound to respect, and so reduced our measure from three-fifths to zero.⁵ In spite of that, African descendants left the slave plantations and went north in the struggle to preserve the union, with the knowledge that they would die, so that the union might survive and that their descendants might be freed.

Lincoln, great president that he was, looked at Africans and said that if he could send them back to Africa, he would, and that if he could keep them in slavery, he would. The only way he could preserve the union was to emancipate them. This same sense of agony over the humanity of African people led to *Plessy v. Ferguson*⁶ which instituted apartheid in the United States in 1896 thirty-three years after the eman-

4. Article I of the United States Constitution originally provided that Representatives would be apportioned among the states according to the number of free persons, excluding Indians not taxed, and "three fifths [sic] of all other persons," i.e., slaves. U.S. CONST. art. I, § 2, cl. 3, *amended by* U.S. CONST. amend. XIV, § 2.

5. See *Dred Scott v. Sandford*, 60 U.S. 393 (1857) (holding that descendants of slaves were not included under the word "citizen" as used in the Constitution, and that, whether free or enslaved, had no rights not specifically granted them).

6. 163 U.S. 537 (1896).

ipation proclamation, and lasted until 1954 when the legal assumptions in our country were changed by *Brown v. Board of Education*.⁷

I believe that Thomas Jefferson was a man of great moral longings in spite of his duplicitiousness, in spite of his living with Sally Hennings, an African woman who he would not marry, while at the same time he was a master of slaves. Jefferson said that when he looked at slavery on the one hand and thought about God being just on the other, that he trembled for his country.⁸ He recognized that slavery threatened to destroy the character of our country, but was unable to resist the opportunities presented by slavery.

We have struggled to make the promises of our Constitution real, recognizing that it is the character of the people that will make it work. Laws do not make people, people make laws, and people are driven by their character. In 1939, 900 Jews, mostly women and children were heading to America in a ship called the St. Louis. Within eyesight of Miami beach, United States authorities turned the 900 Jews around, saying that there was no more room in our country. Well, there was room for them, there was room in the law for them, there was the slogan inscribed on the Statue of Liberty, "Give me your tired, your poor, your huddled masses." It was racism, anti-semitism that made the United States Government turn the Jews around in the water and send them back to their untimely death. It was anti-semitic, racist and wrong, and beneath the law to send them back to Hitler under those conditions.

Many of you saw young Kristi Yamaguchi skate to glory in the Olympics recently. But let us not forget that while the press was focused on whether or not she would get the same income from commercials as other Olympic athletes, Kristi Yamaguchi's mother was born in an American concentration camp. President Roosevelt had signed executive order 9066,⁹ and in 1942 rounded up 120,000 Japanese men, women, and children, took them from their churches, from their schools, confiscated their property, put them in concentration camps, and suspended all their constitutional rights. In 1942 the most decorated unit in World War II was a fighting unit of Japanese-Americans, men who decoded Japanese radio transmissions. Oh how painful it must have been for sons and fathers to fight and to receive medals of valor and honor

7. *Brown v. Board of Education*, 348 U.S. 886 (1954).

8. See CLAUDE G. BOWERS, *THE YOUNG JEFFERSON: 1743-1789* 299-300 (1945) (describing Jefferson's repugnance for the institution of slavery in eighteenth century America).

9. Exec. Order No. 9066, 7 Fed. Reg. 1407 (1942).

while their wives and mothers and children were ushered off to internment camps back on the mainland.

If it was racist and anti-semitic and wrong to lock the Jews out in 1939, and racist and wrong to lock the Japanese-Americans up in 1942, it is just as racist and wrong to lock the Haitians out in 1992. In spite of the law, there is this character flaw driven by this thing called racism, this thing called skin idolatry, this thing called skin worship, this thing that threatens to wreck the great possibilities of our civilization.

There are two systems of power in our country, the economic free enterprise system on the one hand, and democracy on the other. People may have votes in the democracy, but not in the economy. Those who have economic votes can control those who have only votes in the democracy.

One of my observations when Mandela was released and when expectations of a new South Africa arose, was that a new form of white economic nationalism might emerge. Black South Africans will have the right to vote, but might not have rights to economic justice, economic security, economic growth and economic participation.

In urban America there are extra-legal creations called ghettos or barrios. Black people did not gravitate to a Watts or a Harlem. Real estate agents by calculated design, and protected by law, directed blacks to live in certain areas called ghettos as opposed to suburbs. Ghettos and barrios share certain basic characteristics. One is deprivation, based on race, of the basic resources necessary for gaining economic power. Real estate agents push blacks into ghettos and bankers refuse to lend them money, ensuring geographic isolation, and allowing society to avoid blatant racist language in referring to the ghettos. Instead they use zip codes to identify these groups of people. Police brutality and the ballistics of police are not as vicious as the silent red pens of bankers. Economic exploitation is far more vicious. When the police strike you on the head, you are humiliated and hurt, and perhaps bleeding, but in time, your face will clear up, and the blood will be wiped away, and then there is just the pain and the humiliation of having been hit. But the banker will never get as close to you as will the policeman, remaining aloof while cutting off the flow of capital to large groups of people.

Even when South Africa achieves political freedom and establishes protections against internal economic nationalism, it will be susceptible to this type of economic exploitation. Redlining by bankers is an economic tourniquet. There are no visible injuries, but blood flow is cut, the body becomes numb and eventually dies because of these redlinings. The absence or concentration of blood, economic capital, causes anemia

or clots. One may have pearly white teeth and beautiful facial features, but if the blood flow is restricted, then these attractive features are meaningless. To be healthy there must be a free flow of blood. Black South Africans will have the right to vote, and will have freedom of speech, but they do not have access to this economic blood flow. Neither South Africa nor the United States should be content with merely shedding its apartheid past. We must turn our nations in a new direction by making a bold, irreversible commitment to economic justice. First, because it is morally right to do so, and second, because it is the most fundamental way of abolishing the tragic legacy of institutional racism.

Clearly, urban America and South Africa must do more than remedy political denial through the right to vote. There must be an antidote for economic denial. Anything short of a plan for economic justice and economic fairness leaves political democracy as a rather empty proposition. In our country, we could raise a half trillion dollars through investing 10% of public pension funds in urban programs, and leveraging these funds four or five times, all without raising taxes. This money could be used to fund hundreds of domestic development banks in urban areas victimized by the apartheid mentality. Long term, low-interest loans would be available for development in those zones. Or, through pre-natal care, head-start, daycare, job training, youth development, scholarships, lower tuition, and better teacher pay, the cycle of economic asphyxiation could be broken in about 20 years. Major banks would not be upset by these large slum development banks because they have not been lending in these areas, and thus would not be in competition with the development banks. Furthermore, if bankers view this domestic investment as a means of developing and expanding markets as they have with new European market development, they will see an opportunity to profit and grow, and to rebuild urban America.

Consider the benefits of providing economic opportunities in these urban areas, and consider the costs of failing to provide these opportunities. In Los Angeles, the cost to educate a young student for one year is \$5,000, but the cost to hold the same person in a prison is \$34,000 per year. It costs six or seven times more to jail them than to educate them. There are four times more young black males in American jails than there are in South African jails for the same population. There are more young black males in American jails than there are in American colleges and universities. In New York, tuition at the State University of New York is \$6,000, confinement in Attica penitentiary costs \$60,000 per year. Three of the ten poorest cities in the country are located in Connecticut, which is the richest state per capita. These cities spend

\$4,600 per year on each student, while in Greenwich they spend \$9,800 on each student. Students from Greenwich go to Yale. Students from the poor cities go to meager employment or go to jail. Connecticut is closing schools and laying off teachers to reduce its deficit. But they are building 6,000 new jail cells at a cost of \$85,000 per cell and \$24,000 per year to maintain them. The annual cost of incarceration in Robinson penitentiary is \$36,000. Tuition for Yale is \$18,000. In Connecticut it costs more to go to jail than to go to Yale.

Europe and Japan did not rebuild after the Second World War simply through the right to vote in a democracy. It was through 25 years of economic plans, the Marshall plan, the MacArthur plan, aid, trade, credit, loans, loan guarantees, and reconstruction. We extended fifty-year government secured loans to Europe and Japan at 2% interest. You would have to be a genius to fail with a fifty-year loan at 2%. The proposition was that the right to vote amidst ruins meant virtually nothing. There had to be some plan for economic development. The result of these plans has been economic prosperity for them and creation of new markets for us. Any plan for democracy in South Africa which lacks economic justice will fail.

Germany has made a bold decision that has not yet been made in this country and must be made in South Africa. West Germany has prospered; East Germany has not. With reunification there is wide disparity in economic power in east and west. Germany understands that failure to provide economic justice would lead to contempt and resentment among the people. So Germany decided to invest billions of dollars, through higher taxes, to develop East Germany.

CONCLUSION

A law that can modify behavior is less able to alter attitudes. What we must struggle for in making our respective constitutions real is equal funding for public education. Equal funding for poor and rich alike shows a commitment to make the country sound as a matter of law and principle and attitude. It makes more sense to invest in pre-natal care, head-start and daycare on the front side of life than on jail care and welfare on the back side. A new South Africa must fight for equal funding for education, must fight for universal health care, must demand the right to vote. A new South Africa must be committed to one South Africa, with equal access to economic resources and human rights for everyone.

In our country today, it is tempting to point at the Japanese as the cause of our trouble. Mr. Bush traveled to Japan in an attempt to create

jobs in the United States. But who accompanied the President? Twenty-three all white, male, multi-millionaires above sixty. There were no blacks, hispanics, asians, or females. Japan has succeeded because Japan has reinvested in Japan, whereas we have devoted more of our GNP to producing goods which no one wants to buy, missiles and bombs, than we have spent on children, education, environment, physical infrastructure and civilian research and development combined. Japan educates Japanese children, who go to school eleven months each year. Japan pays teachers what we pay our doctors and lawyers, because they want their most talented people teaching their children. Japan has a \$3 trillion plan to rebuild their infrastructure, and we have a \$3 trillion plan to defend them while they do it. We sent a man to the moon to get some moon rocks. This accomplishment is a source of pride, but nothing of value was created. Compare this accomplishment with the Japanese train which travels 400 miles per hour, and imagine how America would benefit if we had built such a train instead. It would take just eight hours to travel from Washington to Los Angeles. This type of investment in infrastructure creates jobs, and allows us to grow together, rather than looking for someone, or some race, to blame for our economic woes.

The answer to the issues raised here lays in the character of the people. Jesus told of a man who was beaten unmercifully. The story did not focus on who did the beating or why they did it. The story focused on the response of various people to the beating. One man, a minister, a rabbi, a preacher, an institutionalized religion leader, saw the man bleeding, and he rushed across to the other side of the street, to avoid the man, because he had to hurry and pray. A second man, of the same race as the beaten man, also left the man lying on the ground. A third man, a Samaritan, a man of a different race and a different religion, finally aided the man. The Samaritan demonstrated the character that gives us hope. In time, when the law modifies our behavior, we will begin to see people of similar character.

Most of you have followed the events surrounding the trial and acquittal of the four white police officers who beat Rodney King. I recently stood where Rodney King was beaten and was overcome by the fact that it was a white gentleman who saw the beating and filmed it. He was not a policeman. He was not an elected official. He was not a lawyer. He was not a jurist. He was a white citizen who had character. His instinct made him film the beating, his character made him stand up and make the beating public. We would know nothing about the Rodney King beating had not a white gentleman risen above race to the level of

his character. In the riots that followed the acquittal of the police officers, Mr. Denny, a white truck driver, was beaten by some black people. But here too, we saw an example of this character that gives us hope when black Americans saved Mr. Denny's life.

If the cameras had not been rolling, then tonight, Rodney King would be in jail for assaulting police officers. Since 1986, there have been 47,000 cases of police brutality reported to the U.S. Justice Department. Only 15,000 were selected for investigation, less than 300 prosecuted, resulting in less than 100 convictions. What makes Rodney King different is not the beating, but the camera. As we search for hope in all of this, remember that there was a white cameraman that made public the brutality against Rodney King, and that it was black youth, not white police, or demographic politicians, that spared the life of the truck driver.

Our mission here is not to be self-righteous and arrogant, because we cannot afford to be. We must pursue our course in world history by making a new world order based on principles like obeying international law, and self-determination, and human rights, and economic justice, and environmental protection, and continuity, and consistency. The individuals participating in this process should learn from the example of Nelson Mandela upon his release from prison after twenty-seven years. The first hand he touched was not that of his wife or children, but that of his jailor's. Nelson Mandela was willing to, in his heart and mind, negotiate a new world order. The stripes from his prison uniform are now being used to heal and not to hurt. And thus he symbolizes, more than anything, hope in the world today. His example compels us to accept the burden, the struggle through the turmoil to make the human family better, to let us emerge better and never bitter.