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## Black, Young, and Endangered

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## Black, Young, and Endangered

*To my unborn son,*

*I would try to shield you from all the hate in the world, but you have to learn. Learning makes you stronger and more conscious of what you can do and what you cannot do. Because of the color of your skin, you don't have the luxury of some of your friends. You have to behave a certain manner. You aren't allowed to play with toy guns in a park, you aren't allowed to complainant a white woman, you aren't allowed to walk with skittles and a beverage while you're wearing a hoodie, and you aren't allowed to gather with a bunch of friends in the park after a certain time. Although these are all things young men do while growing up, you don't have that luxury. I will protect you as much as I can, but I know one day you will outgrow me and make your own decisions. You must remember everything I teach you and be very vigilant when you're in this world without me.*

*Love, Mom*

### **Black Men and Feminist Theory**

Black men and boys deserve equivalent theoretical and political race and gender liberation frameworks from daily physical and emotional violence as women. Feminist theory should more critically consider black men and their struggles. MacKinnon's (1983) structural critiques, for example, also apply to violence experienced by black men. MacKinnon states, "law not only reflects a society in which men rule women; it rules in

a male way: "The phallus means everything that sets itself up as a mirror" (Gagnon, 1980, p. 180). The mirror reflects to society how black men are viewed. All-white juries were picked in both the Emmett Till and George Stinney Jr. murder trials (Tyson, 2017; Johnson et al., 2017). If the jury is mostly white, how will black men and boys receive justice? The accusers mirror the prosecutors and judges. The court system lack diversity when black boys and men are killed. Lacking diversity is lacking in different perspectives and experiences for black boys and men. Only black men and/or boys can articulate to the non-black jury their experiences. By not having diversity, will justice be served? The laws are written and meant to protect white men. For centuries, what the law has done—protect white men with the crimes they have committed—is justified or downplayed due to the color of their skin. White men who commit similar crimes receive a lesser punishment than a black man. Black men are oppressed in the justice system. Most black men are provided a public defender granted by the court, which mirrors the judges and jury. As many black families do not have the means to retain a lawyer, the black man is stuck with an overworked public defender who is unable to give the

attention needed. White men often have the means (personal or familial support) to hire a lawyer to work for them and who cares. With the power white men hold, a white judge and jury will see reflections of themselves and make excuses for the white men, versus a black man or boy who is seen as an adult regardless of age and treated as an adult in the court of law. The justice systems lack equality when it comes to race. Catherine MacKinnon developed a model of dominance in the understanding of gender inequality because of an imbalance of power between women and men. MacKinnon believes the law contributes to women's subordination. On a large scale, men control women by perpetuating a legal system that reinforces gender inequality and wage discrimination, keeping women financially and legally powerless. (Mazingo, 2014, pp. 337-338).

White feminist theory says that in patriarchal societies both historically and presently, women's bodies have been a site for violence from rape culture, hypersexuality, legally belonging to men, and being denied rights. Black men have experienced the same kinds of violence: hypersexuality, legally belonging to another, and lack of legal rights throughout history. Why aren't feminists discussing black men's bodies? Do black

men not have the same rights as white feminists or black feminists? Should black men form a movement regarding bodily autonomy just as women have? Would society have taken Black men seriously? Here is why we should. Black boys' bodies have been a target of violence for centuries in the U.S., and the endangerment of black boys continues today. Emmett Till and George Stinney Jr. were young victims of racism falsely accused and murdered by white supremacy.

Mazingo (2014) summarizes MacKinnon's (1983) model:

'Dominance feminism' is a feminist theory that rejects the approaches of equality feminism and difference feminism". An equality feminist, or "traditional feminist," seeks formal legal equality and equal access to traditionally male privileges for women. A difference feminist seeks different legal treatment for women, to compensate for women's inequality. To a different feminist, male social dominance is the result of a long-standing inequality between the genders and not a conscious male effort. Dominance feminism attributes women's inferior societal position to men's concerted effort to subordinate and control women. Dominance feminism holds that men wield power over women through social, sexual, and physical domination. Physically, men

control women by wielding the threat of violence or practicing domestic abuse or other forms of battery. Socially, men control women on a small scale by exerting patriarchal control over them or objectifying them (pp. 337-8).

Both Emmet Till and George Stinney Jr. were black boys who were inferior to society. There was no fair trial, no fair judgment in neither case. The "victim" husband lynched Emmett Till by physical domination, committing violence to Till's body. George Stinney Jr. did not receive a fair trial. He was a victim of the structure hierarchy of white supremacists.

### **The Story of Emmett Louis Till**

Chicago native Emmett Louis Till was murdered while visiting family in the summer of 1955 in LeFlore County, Mississippi. The fourteen-year-old African American boy was accused of whistling, grabbing the waist of, and saying sexual remarks to a white woman named Carolyn Bryant when exiting the local grocery store. The store owner and husband of Carolyn Bryant, Roy Bryant, J.W. Milam, and another person traveled to the home of Till's great-uncle Mose Wright to kidnap Till. Till was taken to Sunflower County, where his body was later discovered in the Tallahatchie River. Bryant and Milam beat and

mutilated Till before shooting him in the head and sinking his body in the Tallahatchie River. Three days after his disappearance, Till's body was discovered and retrieved from the river. The body was unrecognizable. The only way Mamie Till (his mother) could identify her son was by a ring he was wearing. Both Roy Bryant and Milam were arrested and charged with the murder of Emmett Till. An all-white jury deliberated for less than an hour before issuing a verdict of "not guilty," explaining that they believed the state had failed to prove the identity of the body. The men publicly admitted to killing Till in 1956 in *Look* magazine. Carolyn Bryant recanted her testimony in the book titled *The Blood of Emmett Till* (2017), admitting that Till never touched nor threatened her (Tyson).

Ida B. Wells was a well-known black female journalist, abolitionist, and part-owner of the *Memphis Free Speech* newspaper. Wells was very vocal in her views of the lynching of black bodies in the United States. In a speech to a Chicago audience in January 1900, Wells states:

Our country's national crime is lynching. It is not the creature of an hour, the sudden outburst of uncontrolled fury, or the unspeakable brutality of an insane

mob. It represents the cool, calculating deliberation of intelligent people who openly avow that there is an "unwritten law" that justifies them in putting human beings to death without complaint under oath, without trial by jury, without opportunity to make defense, and without right of appeal (Gorski, 2018).

Wells' newspaper office was destroyed by "an angry mob" in 1892 (Halsell New Media LLC, n.d.), but this did not stop her from articulating to society the unfairness of lynching black people due to social dominance as the result of a long-standing inequality between races.

In February 2020, U.S. lawmakers finally passed the H.R. 35 – Emmett Till Antilynching Act. The first anti-lynching bill was introduced in 1918 by Congressman Leonidas Dyer of Missouri. The Dyer Bill was passed by the House of Representatives, but stopped by the Senate (NAACP, 2020). In delaying an anti-lynching bill, the lawmakers of the great country of the United States devalued the lives of black boys convicted of false crimes. Congress was forcing the public to maintain the black masculinity stereotype of a hypersexual, dangerous criminal. Utilizing social and mental control of black men's and boys' bodies through

violence, with the dominance theory of feminism, the aggressor can control the black men and boys through intimidation.

### **Emmett Till Antilynching Act**

Lynching has been a violent act for over 400 years, predominantly used to control and punish the bodies of African American men and women. Antilynching bills have been proposed over 200 times since the first attempt in the 1900s (Emmett Till Antilynching Act of 2020). One hundred twenty years later, the bill finally passed in the memory of Emmett Till. Lynching is now a federal crime. Lawmakers passed the bill with a vote of 410-4 after many years of hard work.

Four U.S. House members voted against the bill: Independent Justin Amash and Republicans Thomas Massie, Ted Yoho, and Louie Gohmert (Buchman, 2020). Samuels (2020) reported that Gohmert “says the bill ‘sends entirely the wrong message about how serious this is’ since it only allows for a maximum 10 year prison sentence” (caption).

Congressman Gohmert has been vocal regarding his views on racial issues, same-sex marriage, reproductive health care, and discrimination based on race, national origin, and other characteristics.

He has voted against legislation such as the Violence Against Women Reauthorization Act of 2019 and the Border Security and Immigration Reform Act of 2018; he also seeks to prohibit use of funds for discrimination based on sexual orientation or gender identity (Gordon, 2018). When Democratic representatives proposed an amendment that would protect individuals from discrimination based on race, sex, or national origin, Representative Gohmert commented,

There is nobody in this chamber who is more appreciative than I am for the gentleman from Tennessee and my friend from Michigan standing up for the rights of race, religion, national religion of the Delta Smelt, the snail darter, various lizards, the lesser prairie-chicken, the greater sage grouts and so many other insects who would want someone standing for their religion, their race, their national origin, and I think that's wonderful (“Rep. Louie Gohmert,” 2013).

Comparing civil rights to rights for insects and lizards does not evidence a real understanding of the importance of this law.

### **The Story of George Junius Stinney Jr.**

South Carolina native George Junius Stinney Jr. was the youngest person

executed in the United States. Stinney was only 14 years old and stood 5'1". He was accused of murdering two white girls, 8-year-old Mary Emma Thames and 11-year-old June Binnicker. The girls were picking wildflowers near the Stinney's home. The two girls were bicycling and asked Stinney and his sisters if they knew where the girls could pick wildflowers. Thames and Binnicker were found in a ditch near the colored section of the segregated community of Clarendon County. The two girls had been beaten to death with a blunt instrument. Stinney became a suspect because a witness saw him talking with the girls. One month after Stinney's arrest, his trial began. Stinney was represented by a "young court-appointed lawyer with political aspirations" (Johnson et al, 2017, p. 366). Stinney's trial took three hours, and his lawyer did not cross-examine any eyewitnesses nor file a motion to appeal. When Stinney's lawyer questioned him on his interactions with the two girls, the questions were vague and short. An all-white jury deliberated less than twenty minutes. Stinney was found guilty, and he was sentenced to death by electric chair. Governor Olin D. Johnson received letters from throughout the state to commute the sentence due to Stinney's age. Governor Olin was

running for a seat in the United States Senate, and he believed that any weakness on race issues could cost him the election (Johnson et al, 2017).

George Stinney Jr. was a victim of intuitional racism, used as an example for political gain. All of the white men involved in the Stinney trial showed a superior societal position suggestive of inequality between races. The Governor refused to overturn the ruling for political gain. The white men used their power to control George Stinney, and based on his race he was guilty, even with no evidence proving that he had murdered the two girls. George Stinney took his last steps at 7:30 on the morning of Friday, June 16, 1944. His striped prison-issued uniform "hung loosely from his ninety-five-pound frame" (Madu, para. 5, 2020). He carried a Bible under his arm, given to him by fellow death row inmate 28-year-old Charles Gilstrap of Greenville, South Carolina. The guards struggled to strap him into the oak chair, affectionately nicknamed "Old Sparky." At just over five feet tall, the boy's feet dangled above the floor as the adult-sized death mask was placed precariously on his shaved head. A horrific scene ensued as witnesses and media looked on. Once the switch was pulled, Stinney convulsed violently as 2,400 volts of electricity surged through

his body. The oversized mask covering his face was dislodged, revealing his wide-open eyes. Witnesses reported that tears were running down his trembling cheeks, as saliva streamed from his mouth (Madu, 2020).

Black men are a stereotype to be hypersexualized. The legal system reinforces the stereotype that black men cannot be in control of their sexuality. Stinney's family were not able to afford a lawyer so the court appointed one; this lawyer was incompetent and an aspiring politician.

### **The Story of Tamir Rice**

12-year-old African American Tamir Rice was shot by law enforcement in Cleveland, Ohio, on November 22, 2014. A call to 911 reported that a “guy with a gun’ is pointing it at people at Cudell Recreation Center” and that “the person pointing the gun was ‘probably a juvenile’ and that the gun is ‘probably fake” (Heisig, 2019). Emergency dispatchers sent two officers, Frank Garmback and Tim Loehmann. Within two seconds of the squad car’s arrival, Officer Loehmann shot Tamir in the abdomen at point-blank range. Officers Garmback and Loehmann failed to check Tamir’s pulse or complete first aid CPR (Heisig, 2019). Tamir Rice’s story is purposely made short in this paper

because that is how much consideration the two officers gave to Tamir Rice's life.

I choose to talk about George Stinney Jr., Emmett Till, and Tamir Rice because they have one thing in common: they were under the age of 16. Their lives were violently taken away at the hands of white men. Tamir Rice was shot and killed for playing in the park with a toy gun. George Stinney was arrested and accused of killing two white girls when the only evidence was someone seeing him talking to the girls. Emmett Till’s life was taken away for a white lie. Although these cases are seventy years apart, we still see the same behavior by White Americans towards Black boys. I repeat, boys, not men but boys. The same stories are being told throughout centuries. There is a massive disconnect with African American bodies and the world when it comes to how men’s bodies access privilege under patriarchy. We have been trained to think that black boys/men are dangerous and to stop them, they must be shot down. This must end. The narrative of black men's bodies must change in the future.

There are many works of literature discussing women’s bodies, sexuality, and the violence done to them because of their gender. Black boys and men experience similar discrimination because of the intersections of race and



gender in the U.S. These individual lynching cases highlight the racialized gendering and hypersexualization of Black boys and is directly connected to the lack of legal rights for Black men. The ways in which we gender and sexualize Black men in the U.S. leads not to individual acts of violence, but to an entire legal system set up to control and convict Black men's bodies, regardless of guilt or innocence.

D.W. Griffith's movie *The Birth of a Nation* (initially titled *The Clansman*) premiered in 1915. *Birth of a Nation* portrayed black men as hypersexualized, raping and killing white women. According to a PBS Culture Shock article, "Griffith's heroic portrayal of the Klan allegedly inspires several lynchings" (n.d.). These ideologies are currently used to jail black men and boys. Stereotypes such as savages and super predators remain today. The legal system uses socioeconomic levels against black boys and men. Family members are unable to hire a competent attorney, as we have seen in the George Stinney Jr. case. The attorney took on the case for personal gain. Believing that one single black can harm one person is worse for young black men. Black men have no chance of winning the case due to prejudice, discrimination, and beliefs.

The Groveland Four and the Central Park Five were two different cases, one in 1949 and the other in 1989. These cases are 40 years apart, and yet the same social injustice seems to remain the same for over 40 years. Why are we going through the same social injustice as we did 40 years ago? Has the justice of black American men improved? No, it has not. According to MacKinnon (2010), whom I am basing my research and evidence of Dominance Feminism Framework on, the long-standing practices have resulted in systemic racial discrimination through social, sexual, and physical dominance. This is particularly relevant in current policy discourses operating under the rubric of "Black male endangerment," where a male-centered analysis circulates as a common, if not dominant, frame for addressing the disparities that continue to plague the African American community (Crenshaw, 2010). Constructing reality from the dominant race's point of view is essential to the black bodies socially and publicly murdered with lies and false narratives.

### **Groveland Four**

The "Groveland Four" references four African American boys by the names of Ernest Thomas, Charles Greenlee, Walter Irvin, and Samuel Shepherd. Thomas and Greenlee were each sixteen

years old at the time of the accused crime. Irvin, 22 years old, was a United States veteran of WW II. Shepherd was also 22 years old.

The Groveland Four were accused of raping and kidnapping a White woman named Norma Padgett and assaulting her husband Willie Padgett on July 16, 1949, in Lake County, Florida. Wille Padgett claimed their vehicle was broken down after a dance. The four men stopped to offer their help but assaulted the couple instead. Greenlee, Shepherd, and Irvin were immediately captured and sent to the Lake County Jail, where the three men were tortured. Thomas managed to escape arrest for seven days. When Lake County Sheriff Willis McCall found Thomas, he murdered Thomas. There was no medical evidence found to prove that Padgett was raped, however the all-white jury found the three men guilty. Shepherd and Irvin received the death penalty, and Greenlee received life in prison. In 2017, the State of Florida issued an apology to the families, and all four men were posthumously pardoned on January 11, 2019 (Mettler, 2019).

### **Central Park Five**

The Central Park Five were Kevin Richardson, 14, Raymond Santana, 14, Antron McCray, 15, Yusef Salaam, 15, and 16-year-old Korey Wise. These five

boys were convicted of raping and abusing a white woman in Central Park in New York City. Richardson and Santana were the first to be taken in by police on reports of intimidating behavior and muggings, a separate case from the woman who was raped and severely harmed. McCray, Salaam, and Wise were taken in the following day. Wise was not considered a suspect at the time but was offered to go to the police station with Salaam as support. DNA evidence from semen found at the scene did not match any of the five boys; prosecutors relied solely on the initial interrogations.

Media took over the case of the woman who was raped, and the NYPD had a tremendous amount of pressure to find who harmed the jogger. NYPD wanted to make New Yorkers feel safe again while in Central Park. They questioned the boys without a parent or guardian present. They had the boys make verbal statements on what they did to the woman, hypersexualizing the boys (Burns, 2012).

These young men were not a group of friends. The officers picked out five random boys, similar to the infamous Scottsboro case of 1931, making them confess to a crime they did not commit. The police used tactics to scare the boys into a confession or wanting to go home.

After two trials, the boys were found guilty of attempted murder, rape, assault, and robbery. The young men served thirteen years in prison. A tool of dominance and repression, the law legitimizing ideology, use of the legal system as a form of utopian idealism or gradualist reform, each apparent gain deceptive or cooperative and loss inevitable (MacKinnon, 1983).

### **Legal System & Criminal Laws to Dehumanize Black Families**

Mass incarceration of black men has been a problem for centuries. After slavery was abolished in 1804 throughout the United States, black men have been a target for free labor. Black men are subject to imprisonment. Disparities are deeper and more systemic than explicit racial discrimination. Traditionally, U.S. class hierarchies have been managed and stabilized using racial differences to divide poor and working people (Crenshaw, 2010). The United States, in effect, operates two distinct criminal justice systems: one for wealthy people, and another for poor people and poor black Americans. In the justice system, prosecutors are more likely to charge people of color with crimes that carry more substantial sentences than whites. Federal prosecutors are twice as likely to charge African Americans with

offenses that carry a mandatory minimum sentence than similarly situated whites (Sentencing Project, 2018, p. 7):

African Americans are more likely than white Americans to be arrested. Once arrested, they are more likely to be convicted; and once convicted, and they are more likely to experience lengthy prison sentences. African American adults are 5.9 times as likely to be incarcerated than whites (p. 9).

Felonies will restrict the voting right of all Americans. Black men are being convicted of felonies at a higher rate than their white counterparts. One-third of black men have been convicted of felonies in 2010, a significant increase over the past 30 years. (The Sentencing Project, 2017).

### **Gender Inequality Wages**

The Civil Rights Act, passed in July 1964 by President Lyndon Johnson, Civil Rights Act constituted banning all segregation, “strengthened the enforcement of voting rights” and employment for all Americans, regardless of race (U.S. Department of Labor). Black men have faced income inequality nearly 55 years after the Civil Rights Act was passed. Black men are still suffering from the same oppression as they did 55 years ago, making it difficult to raise and family or take of

themselves financially. In the theory of Dominance Feminism, MacKinnon explores how the pay gap keeps women financially and legally powerless. PayScale completed an online salary survey between racial/ethnic groups of men. These groups consist of men who identify as American Indian and Alaska Native, Asian, Black or African American, Hispanic, and Native Hawaiian and other Pacific Islander. PayScale's salary survey found "black or African American men have the largest uncontrolled pay gap relative to white men. They earn \$0.87 for every dollar a white man earns" (Gruver, 2019, para. 10).

The "uncontrolled pay gap is driven by many forces," (Gruver) such as employee referrals. Black men were 26 percent less likely than white men to receive an employee referral, which can profoundly impact the pay of the Black man.

To put that in perspective, the median salary of a white man in our [PayScale] sample is \$72,900; the controlled median pay for black or African American men is thus \$71,500. This suggests a \$1,400 difference in pay that is likely attributable to race (Gruver).

According to the U.S. Bureau of Labor Statistics, the 2019 quarterly average unemployment rate for black men was

5.6 percent versus 3.4 percent for white men (2020).

Racial hiring discrimination has not improved in 25 years. The PayScale survey indicates race is a significant factor when receiving a callback or interview for employment. When offered a position, if the person was unemployed, he will receive 4 percent less than someone who was not unemployed. If someone was unemployed for a year or longer, then they receive 7.3 percent less. Gruver (2019) notes that "hiring discrimination also makes career growth more difficult for people of color". The lack of representation of men of color in senior-level positions contributes to pay disparity. Social barriers prevent economic equality for marginalized groups. One such measure in the PayScale research "is the opportunity gap, or the extent to which men of color climb the corporate ladder at the same rate as white men" (Gruver). Black men are 63 percent more likely not to manage people. White men have higher rates of being in roles above the manager level. "Only black or African American men see the racial wage gap widen as they move up the corporate ladder" (Gruver, 2019).

Crenshaw (2010) writes,

Dominance theory and the intersectional frame take up the ways in which operating exclusively within either a sameness or difference frame can lead to contradictory and counterproductive debates within equality doctrine. The meaning that intra-categorical difference makes in such efforts—and, more specifically, the degree to which such differences must be explicitly incorporated to sustain the kind of advocacy and intervention that matters on the ground—calls for deft navigation in both the descriptive and political dimensions of the context. This is not a defense of theoretical abstraction but in fact a critique of the very abstractions that operate to deflect more context-specific analysis (p. 178).

MacKinnon's work heavily focuses on dominant feminism with women, with the oppression of patriarchy. However, she fails to mention other races and genders who have been oppressed by the patriarchy. It is our job as feminists to affirm the point of view of all genders revealing, criticizing and explaining its impossibility.

If women as a whole was not socially defined as it is, did not mean what it

does, she would not be targeted for this and would not suffer it as she does. Sexual atrocities are harms of inequalities, harms of status, in a real sense of discrimination, which is collective to begin with. Women are by definition a group comprised of all our commonalities and distinctions, including power differentials among us. Human rights conventionally sees individuals and states as the actors, being less comfortable with specific groups. (MacKinnon, 2010, p. 5).

Black bodies deserve protection, fair trials, fair education, and fair salary. All I ask is respect for the civil rights of black boys and men. See them as a mirror of yourself, or how you would want to be treated or handled if in this situation. Black boys are important. They are smart, sweet; do not make them out to be something they are not. In considering the unfair treatment and justice that has been done to them for hundreds of years, yes, they have a right to be angry, to be hurt, and to be fed up. Change the narratives on how YOU see black bodies. Unlearn negative stereotypes.

*Dear Allies:*

*I wrote my essay before George Floyd's death on May 25, 2020. Following his death, many protests have emerged all around the world. The Black Lives Matter movement is said to be a hate group or a group that has caused violence during the marches. I disagree. Black Americans, such as myself, and our allies*

are tired of seeing black men and women be exposed to trash, murdered by the hands of law enforcement. Although my essay reflects black men, I would like to reiterate #ALLBLACKLIVESMATTER including my trans sisters and brothers. I would like to give a special thank you to all allies who have taken the time to educate themselves on systematic racism and educate other people. Thank you for standing with us marching. Thank you for shielding black men and women. Thank you for speaking up.

Ciarra McFarland

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