

DEBATE ON RACIAL PROFILING – 3

Reply to Professor Lynch

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It is difficult to take seriously the arguments of anyone who imputes base motives to those with whom he disagrees. When Professor. Lynch calls the paper I co-authored with Glayde Whitney “purposefully misleading or completely naïve,” he has abandoned scientific discourse for emotionalism. It is perhaps this emotionalism that accounts for the surprisingly elementary errors in his own analysis.

Lynch makes essentially the following points:

Whites are more likely to suffer violent crime at the hands of whites than of blacks.

Professor Whitney and I say there is more black-on-white than black-on-black violence but the reverse is true.

It is meaningless to compare the rates at which blacks commit violence against whites with the rates at which whites commit violence against blacks because there are more potential white crime victims to begin with.

Whitney and I justify racial profiling on the basis of inter-racial violent crime.

Arrest data may give a distorted picture of racial differences in crime rates because the police are biased against blacks.

Racial profiling violates important principles of democracy.

Let us take each point in turn.

Lynch announces with great fanfare that most violent crime is intra- rather than inter-racial, suggesting (a) that Whitney and I were unaware of this and that (b) any interest in inter-racial crime is misplaced. First of all, we presented these data in our original paper. It is tedious to quote oneself, but Lynch’s off-the-mark criticism makes it necessary:

We find that in 1994 6,830,360 whites were victims of violent crimes, and that 16.7 percent (1,140,670) reported that the

rates as opposed to incidence rates, but his objection is quite simple: Blacks are more likely to attack whites because there are more whites to attack.

Whitney and I were silent on this question, not because we were unmindful of it but because it is a complex issue that does not lend itself to satisfactory explanation. Lynch offers an "opportunity analysis" according to which blacks attack whites at only slightly higher rates than would be expected from the disproportions in the black and white populations. The fatal weakness of this analysis is that it assumes whites and blacks are mixed randomly in the population. This is completely unrealistic. There is spatial segregation in the United States, and it is particularly pronounced in the poor, inner-city areas where many violent black criminals live. In dozens of American cities there are neighborhoods in which one almost never sees a white person, and these are usually the neighborhoods with the most violent crime. Crime maps of cities indicating the locations of violent offenses invariably show such crimes clustering in particular areas, and these are almost invariably areas in which very few whites live. Lynch explains that "opportunity theory" assumes "an intersection of motivated offenders with suitable targets." Are we supposed to think that a black mugger setting out to commit a crime will find six suitable white targets to every suitable black target? This is not realistic.

In a footnote, Lynch prudently concedes that "opportunity analysis" may not entirely explain why blacks target whites for violence half the time, and whites target blacks for violence only 2.5 percent of the time. Lynch does not really know what explains this disproportion and neither do I.

Speaking of disproportions, Lynch writes, "Taylor and Whitney hinge their argument here on the statement that the odds of a White being victimized by a Black is disproportionate. But, disproportionate to what?" It is difficult to understand Lynch's perplexity. Any given black person is many times more likely to attack a white person than vice versa. This explains why close to 90 percent of black/white acts of violence are perpetrated by blacks against whites – the finding Lynch finds "interesting." Why is it "interesting"? Because of the marked disproportion represented by such a lop-sided percentage.

The Mankind Quarterly

Let us now turn to Lynch's most spectacular error: the idea that Whitney and I defend racial profiling because of disproportions in inter-racial crime. It is beyond comprehension how Lynch – along with the four people whose help he acknowledges – could have drawn this absurd conclusion. Our original discussion of inter-racial crime takes up about two printed pages. Later, we devoted more than five printed pages to an analysis of racial differences in violent crime rates – without regard to whether the crime was intra- or inter-racial. We included four graphs comparing arrest rates by race – arrest rates for *all* violent crime, not just inter-racial crime – as well as two graphs comparing the disparity in male/female arrest rates for violent crime to the black/white disparity. We then compared the very significant overrepresentation of blacks in arrest rates to the racial proportions of perpetrators as reported in the National Crime Victimization Survey.

Only after establishing that blacks are five to eight times more likely to commit violent crimes did we propose this fact as a justification for racial profiling. It is astonishing that Lynch and his colleagues should have failed to grasp this simple logical progression.

When Lynch quotes us as saying: "it is certainly understandable that police should take these statistics into account when searching for suspects, and that they may wish to take more precautions when entering some neighborhoods than others," he makes it sound as though "these statistics" refer to inter-racial crime. From the context it is blindingly obvious that they refer to racial differences in rates of *all* violent crime.

On pages 504 and 505 of the original article, there are graphic comparisons of black/white arrest rates compared to male/female arrest rates. Men are arrested for robbery at something like nine and a half times the rate at which women are arrested. Blacks are arrested at close to nine times the white rate. This means blacks are about as much more likely than whites to be arrested for robbery as men are more likely than women to be arrested for robbery. We find similar patterns for other violent crimes.

Why did we go to the trouble of comparing male/female arrest rate differentials to black/white arrest rate differentials?

Lynch quotes, with an obvious shudder, from our original article:

Everyone knows that young people are more dangerous than old people, and that men are more dangerous than women. We adjust our behavior accordingly and do not apologize for doing so. Why then must we pretend that statistics regarding race differences in violent crime are to be ignored?

We made the male/female comparison to show that if an ordinary person is trying to avoid an encounter with a violent criminal, he is no less justified in considering race as a predictor of possible crime than he is in considering sex. Like the police, the general public engages in "sex profiling." Like the police, the general public pays more attention to men than they do to women because they know men commit more crime than women. Why aren't men complaining about "sex profiling," and demanding that the police give equal attention to women and men? Because they recognize that greater scrutiny from police is an inevitable part of good police work. They understand the police would be wasting their time if they paid as much attention to women as to men. What our analysis shows is that race carries almost as much information about the potential for violent crime as sex. It is therefore foolish to insist that the police pretend otherwise and to ignore valuable information.

There is nothing convoluted or arcane about this analysis, and if it involved any characteristic other than race Lynch would probably find it completely convincing. Or does he really think a police officer should ignore such things as age, sex, and demeanor, and act as if every person he sees is equally likely to commit a crime? If he believes that, he should be leading a national movement to stop "sex profiling," and I doubt very much that he is.

A combination of both age and race profiling offers an enormous amount of information of interest to the police. The Bureau of Justice Statistics¹ has calculated how much age and race tell us about murder. We learn that although white males ages 14-24 are only 6.1 percent of the population, in 1999 they

¹ <http://www.ojp.usdoj.gov/bjs/homicide/tables/proportiontab.htm>

committed 18.0 percent of the murders, a three-fold overrepresentation. In the same year, blacks of that age group were only 1.1 percent of the population, but committed 27.0 percent of the murders, a *twenty-five* fold overrepresentation. Calculations for other violent crimes show similar overrepresentations. Does Lynch seriously believe information of this kind is of no legitimate use to the police?

Lynch himself points out that between 1988 and 1997 "white offenders (49 percent) [were] responsible for killing more police officers than black offenders (42 percent)." He argues that because slightly more officers were killed by whites than by blacks, police should be more worried about being killed by whites, and pay no attention to race when they are in the presence of criminals. This is a dangerous recommendation. If we find the rates at which blacks and whites kill police officers [assuming 12 percent of the population is black and 80 percent white, the calculation would be $(42/12)/(49/80) = 5.71$] we find that for a period of nearly a decade any individual black has been nearly six times more likely to kill a police officer than any individual white.

Perhaps the following comparison will bring home to Lynch the significance of this fact. Imagine the work of a bomb squad that is called upon to defuse only two different types of bomb, type W and type B, which can be easily distinguished from each other. There are six times as many type W bombs as type B bombs, and both kinds occasionally defeat attempts to defuse them and blow up, killing a bomb squad member. However, type B bombs have a steady record of being more difficult to defuse, and over a period of a decade have shown themselves six times more likely to kill bomb squad members. Would Lynch expect the bomb squad to ignore this? Would he expect its members to be no more careful about type B bombs than type W bombs? That would be foolish. There may be fewer type B bombs, but they are more dangerous and should be approached with greater care.

The point here is that a police encounter with a suspect is a discreet, self-contained moment of danger. At each encounter, the fact that slightly more officers are killed by whites than by blacks is *not relevant*. What matters at that moment is that any

given black suspect is more dangerous than any given white suspect.

Let us attempt one more comparison. More people are killed in America by automobiles than by tornadoes. This does not mean we should be more wary around cars than around tornadoes. Any given tornado is a great deal more dangerous than any given car, and that is why we approach tornadoes with great caution even though we are far more likely to be killed by a car than by a tornado. Blacks are more dangerous than whites, and the police would be foolish not to bear that in mind when they approach them.

In our everyday lives, we make frequent decisions based on liklihoods. If it were a well-established fact that tires made by Company X were eight times more likely to go flat than tires sold by Company Y, it would be foolish not to engage in "brand profiling" whenever we bought tires. Somehow, when it comes to race, otherwise rational people lose the ability to see the obvious. Profiling of all kinds is a constant part of how we react to a world in which some outcomes are more or less likely than other outcomes.

Lynch writes: "When people speak of racial profiling, what they mean is the creation of criminal profiles that target Black offenders." This is not true. Profiling can target any race and, indeed, the first well-known example of racial profiling targeted whites. Serial killers of the calculating, persistent kind are more likely to be white than black, not only because there are more whites than blacks but because whites are more likely than blacks to commit these crimes. Does Lynch think it is an assault on the democratic way of life for the police to construct "white" profiles for serial killers?

Racial profiles can be either positive or negative. As the data in our original article showed, Asians are less likely to be arrested for violent crimes than whites. In fact, they have lower offense rates than whites for virtually all crimes. Police who work among Asians soon learn this, and very sensibly factor this into the way they view potential criminals. There is only one crime category for which Asians are arrested at higher rates than whites – at nearly three times the white rate – and that is gambling offenses. If police launch a campaign against illegal

The Mankind Quarterly

gambling, the fact of being Asian may be an entirely legitimate part of a criminal profile.

Finally, in light of the Sept. 11 terrorist attacks, it would be unwise to ignore the fact that so far, the only people who have hijacked airliners and flown them into buildings have been Middle-Eastern. A terrorist profile would be incomplete without a racial/ethnic component.

As for ordinary domestic crime, Lynch would, of course, make the thread-bare claim that just because blacks are arrested more often than whites does not mean they have higher crime rates than whites. It may be that "racist" police are either rounding up innocent blacks or deliberately turning loose guilty whites or both. In fact, there is a great deal of evidence for real differences in crime rates and little evidence of persistent police bias. For example, in our original article we reproduced a scatter chart showing murder rates for each American state, plotted against the percentage of blacks in the population of that state. There is a clear, positive correlation – the higher the black percentage, the more murders – and it is hard to imagine what role police bias could play in that correlation. Are we to believe there are actually many more murders in overwhelmingly-white New Hampshire and Iowa than we think, and that the police are wickedly covering them up? No. Whites simply commit murder – and rape, assault, and robbery – less often than blacks.

What, moreover, is the role of police bias in the data collected in the National Crime Victimization Survey? As I have shown elsewhere ("The Color of Crime," New Century Foundation, 1999), a careful comparison of the racial mix of perpetrators as reported in the NCVS corresponds very closely with the mix of perpetrators in arrest data. For example, about half the robbery victims in the NCVS say their assailant was black. Likewise, and about half the robbers the police arrest are also black. Why should we not conclude that racial differences in arrest rates simply reflect racial differences in crime rates? Or are survey respondents falsely claiming they were robbed, raped, or assaulted by a black when the perpetrators were actually white?

Likewise, if the police are "racist" why are arrest rates for Asians lower than for whites? Do the police somehow forget to be "racist" when they are around Asians or is it simply because Asians have lower crime rates than whites?

Finally, how is police bias realistically supposed to influence arrests for violent crime? The victim almost always gets a good enough look at the perpetrator to know whether he was black or white. Now matter how "racist" the police may be, they can hardly go out and arrest an innocent black if the victim tells them the assailant was white. Or are we supposed to believe that as soon as the police hear the perpetrator was white they lose all interest in making an arrest, and that this accounts for underrepresentation of whites in arrest rates?

Lynch points out that most victims of violent crime are attacked by people of the same race. If the police were determined to be "racist," would they not make a special effort to arrest white criminals – since they prey almost exclusively on whites – and have less interest in arresting black criminals since half their victims are just black people anyway? Could not "racism" *lower* arrest rates for blacks? There is simply no realistic mechanism to explain how police "racism" artificially inflates violent crime arrest rates for blacks.

Police have very little discretion in making arrests of violent criminals. There is an angry and perhaps injured victim insisting on an arrest, and if they can find the perpetrator they have every reason to arrest him. In this respect, violent crime is different from public drunkenness or other alcohol violations. If a policeman sees a drunk on the street there is very little cost in failing to make an arrest. Leaving the drunk right where he is will neither swell the number of unsolved crimes nor leave a victim angry and resentful. Alcohol offenders are, therefore, the perfect criminals on which "racist" police could vent their prejudices, since it is almost entirely up to the officer to make an arrest or not. If American police departments were full of "racists," blacks should be arrested at vastly higher rates than whites for alcohol offenses. As it happens, alcohol offense are about the only crimes for which black and white arrest rates are almost identical. Why are "racist" police forgoing so many excellent opportunities to torment blacks? The obvious answer

The Mankind Quarterly

is that they are not "racist." The overwhelming majority of police are decent, hard-working officers who choose their profession because they want to fight crime, not because they harbor prejudices.

Something of a cottage industry has sprung up among academics to see who can devise the most fanciful and elaborate way of denying that blacks commit proportionately more crime than whites, and to blame high arrest and incarceration rates on "racist" whites. The strained nature of these arguments is highlighted by the selective manner in which their proponents skip from one set of data to another, picking and choosing in order to prop up their rickety arguments. Lynch, for example, is happy to cite the racial breakdown of offenders who kill police officers when it suits him to argue that slightly more officers are killed by blacks than by whites. But is the high rate of officer killings by blacks not perfectly consistent with high rates of violent crime in general? Likewise, Lynch cites the National Crime Victimization Survey when these data suit him, but appears prepared to ignore the fact that these data consistently reflect sharp racial differences in crime rates.

Attempts to deny these difference have to be ingenious because high arrest rates correspond so closely with all the other racial circumstances that surround violent crime: Victim surveys tell us blacks are disproportionate perpetrators. Violent crime is concentrated in black neighborhoods. Blacks report more frequent victimization than whites and, as Lynch himself points out, most violent crime is within the same race. It is hard to think of any explanation for these things other than that blacks have higher violent crime rates than whites. This naturally leads to higher arrest and incarceration rates.

When academics insist and even take for granted that blacks are arrested at high rates only because the police are "racist" they are maligning the vast majority of officers, who appear only to be doing their jobs as conscientiously as they can. Academics go on to compound the injustice by then insisting that the police ignore race, even though it carries information that can be extremely useful under challenging and often dangerous circumstances.

Clearly, racial profiling can be misused just as any other police technique can be misused. To concentrate on race – or sex or age – to the exclusion of any other offender characteristic would be a mistake. However, we do not disarm the police because one or two officers misuse their weapons. Instead, we train the force in proper use of firearms, and provide appropriate discipline for infractions. In a world in which race did not provoke hysteria, racial profiling would be an accepted, well-understood part of police work. Instead, its use remains clandestine, not because the police are “racists,” but because of its great value in performing one of the most difficult jobs we ask public servants to undertake.

Professor Glayde Whitney, co-author of the original article, died unexpectedly in January 2002 of complications arising from emphysema and was therefore unable to contribute to this reply.

The Mankind Quarterly

Book Review

**Evil, Good and Gender: Facets of the Feminine
in Zoroastrian Religious History**

Jamsheed K. Choksy

Peter Lang, New York, 2002-04-15

As the title suggests, this work is aimed at a feminist audience, but it is nevertheless an erudite and scholarly work unblemished by gender bias. Whereas Zoroastrianism grew out of an early undifferentiated Indo-European religious tradition, the author shows how it was affected by Middle Eastern cultural influences. Similarly, he shows the subsequent influence of Zoroastrianism on Islam, which led to the rise of Sufi'ism after the Islamic conquest of Iran.

The Indo-European tradition is reflected in the Zoroastrian concept of a struggle between Asha, order and reality – equated with righteousness – and Drug, which represented disorder and illusion. This reflected the established Indo-European reverence for Truth, in contradistinction from the many other cultures which respected the arts of falsehood and dissimulation. Thus, to Zoroastrians the universe was the setting for a struggle between Truth and the Lie, between the Mazda Ahura of the radiant sky (later known as Ahura Mazda in the Avesta), representing revealing Light and Order, and Angra Mainyu, representing falsehood, illusion and chaos.

While the author traces the origins of the Indo-Iranians to the steppes of Western Eurasia, Indo-Iranian religious concepts continued to evolve up to Sasanian times (5th through 7th centuries CE). Some attribute to the Indo-Iranians the invention of monotheism, and Zoroastrian beliefs in the struggle between a god of goodness and a supernatural being representing evil undoubtedly influenced Christianity, as reflected in references to the *magi* or wise men of the East in the Christian bible.

It would appear that the Indo-Europeans differed from the Semitic peoples in that while the Semites regarded women as unquestionably inferior to men, Indo-European culture tended to accord women more respect and to treat them with a greater

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degree of dignity and honor, choosing their wives, as the Greeks put it, by the length of their pedigrees. What then do we find in Choksy's book regarding the Zoroastrian attitude toward women?

While Zoroastrians treated their womenfolk with respect and like the Hindus, but unlike the Christians, accepted sexuality as natural, they condemned sexual profligacy as socially disruptive and equivalent to disorder. Consequently they portrayed Drug, the Lie, as feminine. In some ways, therefore, we find the Persian Zoroastrians adopting a somewhat ambivalent attitude toward women which matched their geographical position on the edge of the Indo-European world and close to the center of Semitic culture – which latter was eventually to overwhelm them with the Islamic military conquest of Iran. As a result of this ambivalent attitude, unlike the Germanic, Greek and Indo-Aryan Indo-Europeans, the Indo-Iranian Zoroastrians sought to neutralize the more alluring aspects of the feminine gender and, while still treating women with respect, to emphasise solely their procreative role in society.

Ian McNish

The Mankind Quarterly



The Pivot of Civilization

By Margaret Sanger. *Women are the mainstay of the nation is the theme of the author in this republication of an epoch-making book by one of the pioneers of feminism and birth control (the founder of Planned Parenthood). Sanger has since been labeled a racist because of her concern that "those least fit to carry on the race are reproducing most rapidly" and her fear that a Third World population explosion would destroy any hope of humankind ever making this world into a terrestrial paradise. She believed that because of the significance of heredity, it was important that the fittest should reproduce more prolifically than the unfit. Every generation is to be regarded as a genetic bottleneck which serves to determine the future of the human race.*

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