

Will Reform Reach the Social Justice Classroom?

by Anonymous

As a college teacher of social science and history for thirty years, I have watched President Trump's attempts to restore merit, civility, and academic freedom on U.S. campuses with great exhilaration. After decades of neglect by both political parties, I would never have guessed that a U.S. president would make such deft and prolific use of federal power to challenge the "woke" hegemony and DEI-infused mediocrity that has pulverized American higher education.

Yet a small item I recently came across has dampened my optimism for significant long-term reform: At my request, my nephew showed me the first assignment for the criminal justice course he enrolled in this summer at a State University of New York campus. The assignment was to read and respond to an article titled "Crime, the Myth" by Emile DeWeaver, posted on the website of New York University's Brennan Center for Justice. Reading this article, which was unaccompanied by alternative readings or critiques—served as a reminder of the unmatched

power faculty possess to direct students toward racial grievance and political agitation and away from the analytic reasoning and basic empirical standards that liberal education requires.

In an almost perfect distillation of predominant academic theory, the assigned article tells us that most of the behavior we think of as crime isn't really crime. Rather, it is behavior that is labelled "crime" by those with power in order to exert control over those without power. The powerful achieve this by creating "myths" designed primarily to augment their own status.

One of the myths is that "we punish people for committing crime." The truth is, DeWeaver writes, "we punish people less because of what they do and more because of who they are":

If I kill a stranger on the street for disobeying my orders, I'm a murderer. Police officers routinely kill unarmed people for, according to police claims, resisting arrest — arrests, as in the case of George Floyd, where no meaningful "crime" has been committed — but we don't treat police forces like criminal institutions.

We can quibble over the meaningfulness of George Floyd's crimes (including robbery with a deadly weapon) and DeWeaver's disingenuousness in comparing a common murderer to a police officer using violence in the course of an arrest. But DeWeaver himself enters the realm of myth-making when he asserts, without evidence, that "police officers routinely kill unarmed people." You wouldn't know it from the article, but there is fairly reliable data about this.

On a population base of almost 340 million, police in the U.S. initiate around 25 million contacts with persons and more than 10 million arrests each year. Yet, in 2024, 74 unarmed people were killed by police (20 black, 20 Hispanic, 25 white, 1 other, 8 unknown), meaning that only a fraction of one percent of police encounters result in an unarmed person being killed—that is, one unarmed person killed for every 135,135 arrests. By no reasonable definition of the word can it be said that the murder of unarmed people by police is "routine." Given the millions of times police interact with the public, it is, thankfully, a rare occurrence.¹

But it gets worse. Without an empirical anchor, DeWeaver is free to paint a portrait of the United States that is unrecognizable.

If I steal toilet paper from a convenience store, I'm a thief who deserves incarceration, but when Donald Trump and his "university" steal \$25 million from students, he's merely someone who has to return the money he stole.

The seriousness of Trump's actions pertaining to Trump University improprieties can be debated. But despite state and federal investigations, he was never charged with a crime, so it has not been established that Trump "stole" \$25 million, a fact that proved no deterrent to DeWeaver making his accusation.

The more dangerous assertion is that people in the U.S. go to jail for stealing a roll of toilet paper. That's a myth. In New York and California, to name two of our largest states, the theft of goods valued at less than \$1,000 (\$950 in Cal.) is not even a felony. Needless to say, DeWeaver offers no data or examples of such hapless but hygienic prisoners.

DeWeaver's mythical America, where impoverished, presumably nonwhite, toilet paper thieves languish in prison doesn't exist. For better or worse, our criminal laws agree with DeWeaver that such a criminal act is of no great import. Struggling bodega owners in poor communities might disagree, but democratically elected legislatures in most of our states have decided that stealing a roll of toilet paper (or anything under \$1,000 in value) is not worthy of prison time.

This may seem like a small point, but acknowledging this fact would undermine DeWeaver's theory that the laws are arrayed against the poor and the nonwhite. He would have to concede that those who share his view of crime and justice wield considerable political power. Instead, DeWeaver argues against the imagined misplaced priorities of a racist nation even as the

nation's priorities reflect his own "anti-racist" preferences.

The whole of DeWeaver's article is an attempt to overturn racist myths about crime, but he ends up concocting a few more of his own.

But when we compare the scale of harm done to society by Trump or Officer Derek Chauvin to the harm done by, say, a 16-year-old drug dealer, crime (or the absence of it) is no longer a function of the harm a person causes—it's a function of privilege, which necessarily implicates the perpetuation of white supremacy.

Again, we can quibble about the harm done by a 16-year-old drug dealer (who might be selling drugs to even younger kids). But one can only marvel at DeWeaver's deception about white "privilege." He intimates that due to America's "white supremacy," the nation believes white Minneapolis police officer Derek Chauvin, convicted of killing George Floyd in 2021, has done less harm and deserves less punishment than any 16-year-old drug dealer.

But there is readily available information that refutes this premise. Chauvin is serving a 22.5 year prison sentence, while the average prison sentence for drug traffickers of all ages in the U.S. is 6.8 years (setting aside that 16 year-olds hardly ever go to prison). Rightly or wrongly, society judges Chauvin's crime to be worse than that of the young drug dealer.²

Without the guardrails provided by basic evidentiary standards, DeWeaver ends up arguing against a system that reflects his own priorities.

The non-empirical counterfactual world created by this kind of social justice pedagogy hurts real people. It leads to millions of recent graduates joining the calls for defunding the police, protesting against "stop and frisk" policing, and calling for "decarceration," likely endangering our most vulnerable communities. It undoubtedly leads too many young college grads to a deep disdain for all those principles said to uphold "white supremacy"—first among them meritocratic academic standards and free speech.

Politicized curricula with no empirical connection to reality is particularly egregious in the case of criminal justice education, where an imaginary world of white racism serves to deflect attention from the single most relevant truth about crime in America: blacks are both the victims and the perpetrators of serious violent crime at rates much higher than that of any other racial group. Across the 1980-2020 period, a black person is roughly six times more likely than a white person to be a victim of homicide, and roughly eight times more likely than a white person to commit homicide, all of which leads one critic to contend that without this information "it's practically impossible to think intelligently about many of the most pressing public issues of the 2020s."³

And yet, without serious reform of faculty hiring and curricula, today's criminal justice students will grind on about "white supremacy" while remaining heedlessly unaware of the most significant racial inequity.

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1. Data can be found at the U.S. Bureau of Justice Statistics at <https://bjs.ojp.gov/media/document/cbpb20.pdf>; the VERA Institute of Justice at <https://www.vera.org/publications/arrest-trends-every-three-seconds-landing/arrest-trends-every-three-seconds/overview>; and at Mapping Police Violence at <https://policeviolencereport.org/>.
2. United States Sentencing Commission at <https://www.ussc.gov/research/quick-facts/drug-trafficking>.
3. Data from the Centers for Disease Control and the Federal Bureau of Investigation are parsed by the Inquisitive Bird at Patterns of Humanity substack at https://inquisitivebird.xyz/p/quantifying-racial-disparities-in?utm_source=publication-search; Steve Sailer, "America's Black Male Problem," *Takimag*, Feb. 15, 2023.