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Crime and Punishment

By Charles M. Blow *nytimes.com*, December 3, 2014

At some point between the moment a Missouri grand jury refused to indict a police officer who had shot and killed Michael Brown on a Ferguson street and the moment a New York grand jury refused to indict a police officer who choked and killed Eric Garner on a Staten Island sidewalk — on video, as he struggled to utter the words, "I can't breathe!" — a counter-narrative to this nation's calls for change has taken shape.

This narrative paints the police as under siege and unfairly maligned while it admonishes — and, in some cases, excoriates — those demanding changes in the wake of the Ferguson shooting. (Those calling for change now include the president of the United States and the United States attorney general, I might add.)

The argument is that this is not a perfect case, because Brown — and, one would assume, now Garner — isn't a perfect victim and the protesters haven't all been perfectly civil, so therefore any movement to counter black oppression that flows from the case is inherently flawed. But this is ridiculous and reductive, because it fails to acknowledge that the whole system is imperfect and rife with flaws. We don't need to identify angels and demons to understand that inequity is hell.

The responses so far have only partly been specific to a particular case. Much of it is about something larger and more general: racial inequality and criminal justice. People want to be assured of equal application of justice and equal — and appropriate — use of police force, and to know that all lives are equally valued.

The data suggests that, in the nation as a whole, that isn't so. Racial profiling is real. Disparate treatment of black and brown men by police officers is real. Grotesquely disproportionate numbers of killings of black men by the police are real.

No one denies that police officers have hard jobs, but they volunteer to enter that line of work. There is no draft. So these disparities cannot go unaddressed and uncorrected. To be held in high esteem you must also be held to a higher standard.

Today, too many people are gun-shy about using the word racism, lest they themselves be called race-baiters. So we are witnessing an assault on the concept of racism, an attempt to

erase legitimate discussion and grievance by degrading the language: Eliminate the word and you elude the charge.

By endlessly claiming that the word is overused as an attack, the overuse, through rhetorical sleight of hand, is amplified in the dismissal. The word is snatched from its serious scientific and sociological context and redefined simply as a weapon of argumentation, the hand grenade you toss under the table to blow things up and halt the conversation when things get too "honest" or "uncomfortable."

Racism is interpersonal and structural; it is current and historical; it is explicit and implicit; it is articulated and silent. Biases are pervasive, but can also be spectral: moving in and out of consideration with little or no notice, without leaving a trace, even without our own awareness. Sometimes the only way to see bias is in the aggregate, to stop staring so hard at a data point and step back so that you can see the data set. Only then can you detect the trails in the dust. Only then can the data do battle with denial.

I would love to live in a world where that wasn't the case. Even more, I would love my children to inherit a world where that wasn't the case, where the margin for error for them was the same as the margin for error for everyone else's children, where I could rest assured that police treatment would be unbiased. But I don't. Reality doesn't bend under the weight of wishes. Truth doesn't grow dim because we squint.

The activism that followed Ferguson and that is likely to be intensified by what happened in New York isn't about making a martyr of "Big Mike" or "Big E" as much as it is about making the most of a moment.

In this most trying of moments, black men, supported by the people who understand their plight and feel their pain, are saying to the police culture of America, "We can't breathe!"