



Ferguson and the Rule of Law Rhetoric of Racial Division Foments Violence

Any hope for Barack Obama's 2008 campaign promise of a post-racial society abruptly ended on Monday night, November 24, 2014 when riots broke out across the country with the announcement that a grand jury decided not to indict a police officer for the death of an 18-year-old black man in Ferguson, Missouri. In the days that followed, more than a hundred violent protesters would be arrested for looting, destroying property, assaulting police officers and refusing to disperse.

Protests spread to other cities, including Oakland, Berkeley, Portland and New York City. Flames were fanned by the announcement that a New York City grand jury declined to indict a police officer in the death of a black man, Eric Garner, during an arrest for illegal cigarette sales in Staten Island. Garner died when he resisted arrest and the police took him to the ground. While on the ground, Garner cried out repeatedly, "I can't breathe." The policeman was accused of using a choke-hold on Garner that caused his death.

Outside agitators were involved in these protests. Video and eyewitness accounts showed an array of revolutionary groups involved in the Ferguson and other demonstrations. *The Daily Beast* (August 8, 2014) listed the Revolution Club of Chicago, the Revolutionary Communist Party, and Coalition and Party for Socialism. Various anarchist groups and agitators from throughout the Midwest, especially Chicago, and as far away as California flowed into Ferguson prior to the grand jury's announcement. They were joined by black militants and black nationalists.

After months of media hype, those calling for violence found conditions ripe for pursuing their agenda: to riot, attack local police and destroy property. Months of anti-police incitement culminated in a shocking crime a few days before Christmas when two Brooklyn police officers, Wenjian Liu and Rafael Ramos, an Asian American and Hispanic, were murdered by a self-styled gangster-assassin, Ismaaiyl Brinsley, who after shooting his

girlfriend in Baltimore drove to New York to take revenge on the police. Before he assassinated the two innocent officers he reportedly used social media to declare, "I'm putting wings on pigs today They take 1 of ours, let's take 2 of theirs."

A False Narrative

The deaths of Michael Brown and Eric Garner were immediately used by protesters and their allies in the media to argue that white policemen across the country were waging a war on black communities.

In announcing the grand jury's decision not to indict Darren Wilson, the 28-year-old white police officer involved in the shooting of Michael Brown, St. Louis County Prosecuting Attorney Robert P. McCulloch went to great lengths to explain that forensic evidence and eyewitness accounts showed that Brown had not raised his hands and exclaimed "Don't shoot." Bloodstains left in Wilson's police car supported the claim that Brown, after being stopped as a possible suspect in a robbery of a box of cigars from a local convenience store, reached inside the car to grab the officer's handgun, which fired a shot that wounded Brown. Forensic evidence further corroborated Wilson's account that the 6'5", 289-lb. Brown, who had fled the scene after the gun discharged in the struggle, turned on Wilson and charged him with his head down.

Brown was shot facing the officer and not in the back as early reports claimed. Eyewitnesses testified that Brown had run straight at Wilson. "Several witnesses said Mr. Brown did not raise his hands at all or that he raised them briefly and then dropped them and then turned toward Officer Wilson, who then fired several rounds," McCulloch said. He added that officers on the street have to make "split-second and difficult decisions" and Wilson "followed his training and followed the law" (*Washington Post*, November 25, 2014).

Evidence including a video of Garner's arrest and death in Staten Island also suggested that the arresting officers had followed proper procedures to arrest a suspect. Garner's death was attributed to a combination of factors including compression of his neck and chest, his obesity, diabetes, asthma and a poor heart.

What lesson should have been learned from these deaths? How about "*Don't resist arrest.*" Police officers are trained to protect themselves and follow strict procedures in subduing people who resist arrest. If these procedures are broken, internal police review committees, city commissions, the courts, and civil rights lawyers, public and private, provide oversight to protect civil liberties. In the cases of Brown and Garner, grand juries composed of average citizens reviewed the facts and concluded that criminal charges should not be brought against the policemen. Even so, the policemen's careers are ruined.

Facts did not seem to matter to protesters, race-baiting leaders such as Al Sharpton, or much of the media. It did not matter that Brown had just strong-armed a diminutive Asian American cashier, or that Garner, as reported by Newsmax.com, had a history of more than 30 arrests dating back to 1980 on charges including assault and grand larceny (*Inquisitr*, December 4 and 6, 2014).

Instead they stuck with a narrative that innocent black males were under attack from renegade and racist police across America. Demonstrators marched in major cities chanting and carrying signs stating "Hands up. Don't Shoot" and "I Can't Breathe." National Football League players, including five of the St. Louis Rams players, got into the act, walking onto the playing field with their hands raised (*Washington Post*, November 30, 2014). Dozens of mostly black and a few white congressional staff members reiterated the narrative by standing on the steps of the U.S. Capitol with their hands raised (*Chicago Tribune*, December 11, 2014).

Most of the media continued to perpetuate this narrative even after the facts of the case were out. The deaths of Brown and Garner were often described as murders or homicides. Print and television reporters when referring to Brown or Garner usually attached the adjectives "unarmed black."

Organized special interest groups including Mothers Who Have Lost Children to Police Brutality, Code Pink, the DC Hands Up Coalition, Mothers Against Police Brutality and the National Congress of Black Women had a stake in keeping the false narrative intact. Mothers Who Have Lost Children to Police Brutality hired Fitzgibbon Media to make sure their falsified story was spread.

Fitzgibbon Media does not come cheap. The firm's other clients include the British newspaper *The Guardian*, Islamic Relief, the Julian Assange Fund, the AFL-CIO, Senator Harry Reid, and, in the past, left-wing historian Howard Zinn (*Accuracy in Media*, posted December 11, 2014).

U.S. Attorney General Eric Holder failed to counter this false narrative of police violence against young black males when he announced that the Justice Department was continuing its investigation into the Brown and Garner deaths, implying that civil rights may have been violated in the deaths of these two criminals. Holder told a forum organized by the Aspen Institute and *Atlantic* magazine that "It's pretty clear that the need for wholesale change in that [Ferguson police] department is appropriate." Anonymous sources in the Justice Department leaked to the *Washington Post*, however, that "The evidence at this point does not support civil rights charges against Officer Wilson" (December 14, 2014). The threshold for bringing federal civil rights charges is high. Unfortunately, the threshold for political rhetoric, especially by the Obama administration, is not high.

Violence Multiplies

While the media was having a field day covering these stories, the protests turned violent. On the night the Brown grand jury decision was announced, mobs formed in Ferguson and throughout the city of St. Louis. Brown's stepfather, Louis Head, urged the Ferguson crowd, "Burn this B*tch Down." And they nearly did. In the days of violence that followed, more than twenty-two stores, many of them minority-owned, were set on fire. Major highways in St. Louis were shut down ("44 Arrested After National Guard Takes Control in Ferguson," *New York Post*, November 26, 2014).

Even as President Obama appealed for dialogue and U.S. Attorney General Holder promised that the federal probe into Brown's death would be rigorous, rioting spread to other cities. In New York, protesters tried to block the Lincoln Tunnel and Triborough Bridge, and after being dispersed by pepper spray by the police, marched to Times Square. In Harlem, hundreds of marchers chanted, "Racist police!"

In Los Angeles, police faced hundreds of protesters hurling water bottles and other objects. Other L.A. demonstrators blocked both sides of a downtown freeway with makeshift roadblocks and debris.

Protesters in Oakland, California, a city familiar with riots, set fire in the middle of downtown, later moving to Interstate 980 where they briefly halted traffic. Police

reported arresting 21 people. In Denver, four people were arrested for blocking a major thoroughfare in the city. In Atlanta, 21 arrests were made when protesters attempted to block traffic.

In Berkeley, California police reported that Interstate 80 was blocked, while other demonstrators shut down an Amtrak train. Merchants on Telegraph Avenue, the major street running into the UC-Berkeley campus, found their store windows broken and their stores looted. When one peaceful demonstrator tried to prevent a mob from looting a Radio Shack store on Telegraph Avenue, he was struck by a hammer. The city's mayor, Tom Bates, a left-wing Democrat, denounced the violent protesters as "cowards and thugs who need to take off their masks." What Mayor Bates did not say was that under the city's guidelines, police officers cannot use dogs, stun guns or helicopters, and are restricted in the type of gear they can wear. The head of the Berkeley police union, Sgt. Chris Stines, told CBS News, "All of us are wearing what we wear on patrol, and as a result, we are getting pretty banged up" (December 14, 2014).

In Seattle, violent protests cost the city more than \$585,000. Twenty-two adult protesters and two juveniles were arrested for offenses including assault and blocking traffic (CBS News, December 10, 2014). Violence erupted in other cities, including Portland, Oregon; Boston; and the nation's capital, Washington, D.C.

Foreign Media Hype

Although some political leaders such as Massachusetts Governor Deval Patrick told CNN that the demonstrations accomplished little more than "disruption" (*Weekly Standard*, December 12, 2014), the international press had a field day portraying America as a country in disarray. British news outlets such as BBC News covered the demonstrations extensively. The left-wing British newspaper *The Guardian* ran a headline on the Ferguson riots intoning "This Is a War Zone."

French and German newspapers projected a portrait of America as racist. Berlin newspaper *Die Welt* told its readers that "racial tensions are inevitable in a country where a paramilitary over-equipped police force fights protesters who could be compared to guerrilla fighters." French *Liberation* newspaper reported, "A predominantly white jury chooses not to pursue another white..." The Russian media bluntly pontificated that Americans have "prejudice toward African Americans...in their blood" (*Washington Post*, November 25, 2014 and *The Guardian*, November 25, 2014).

The Left Forewarned: A History Lesson

If history teaches any lesson here, it's that *riots produce backlash*. Campus and urban riots in the 1960s led to Ronald Reagan winning the California governor's mansion in 1966 and Richard Nixon the White House in 1968. Both Reagan and Nixon campaigned on "law and order."

Surveys conducted over the decade of the 1960s reveal changing attitudes toward law and order issues. Three salient results emerged in these surveys: First, both whites and African Americans supported the use of police in suppressing rioters, whether urban racial riots or anti-war protests in Chicago in 1968. Second, white respondents placed greater emphasis on "outside agitators" as the cause of urban riots, while African Americans blamed social conditions for racial rioting. Finally, while racial tensions between whites and blacks became more apparent after 1965, African Americans expressed equal concern about law and order, and they remained steadfast in expressions of patriotism. These polls are discussed in Rita James Simon, *Public Opinion in America: 1936-1970* (Chicago, 1974), pp. 71-72, drawing from Gary Marx, *Protest and Prejudice* (New York, 1967).

The attitude that most blacks did *not* support riots was widely shared by both whites and blacks. For example, a Harris poll conducted in 1963 asked whether the "race revolt" was supported by "rank and file" African Americans. Thirty-four percent (34%) of whites said "yes" compared to ninety-one percent (91%) of blacks. When asked four years later in the summer of 1967, a time of severe racial riots, both whites and blacks, by a large majority of 80 percent (80%), believed that most African Americans did *not* support the riots.

Responses in the 1963 and 1967 polls were not inconsistent. The 1963 poll asked about peaceful civil disobedience. Most black respondents said these activities were supported by average African Americans. In 1967, the question pertained to violent racial riots, and black respondents replied, "No," these riots were not supported by the African American community.

Even more interesting was the response by blacks to the question in the 1967 Harris poll that asked, "Do you feel that people who throw fire bombs in riots should be shot or not?" Sixty-eight percent of whites declared that firebombers should be shot, 22 percent said they should not, and 10 percent were undecided. Blacks reported that 47 percent said they should, 42 percent said no, and 11 percent were undecided. This high support for shooting firebombers shows just how hostile many blacks were to the rioters.

Racial Division in Obama's America

Following the riots over the deaths of Brown and Garner, President Obama in an interview on Black Entertainment Television unhelpfully declared that racism was “deeply rooted” in American society (*Accuracy in Media*, posted December 10, 2014). He did not mention that although homicide rates for blacks and whites have declined since the 1980s, the annual homicide rate for blacks is six times higher than for whites. Nor did Obama point out that 93 percent of black murder victims are killed by other blacks (“A Statistical Feast!” *Real Clear Politics*, posted December 12, 2014, and *Washington Post*, November 25, 2014). Nor did Obama, or many media pundits, mention the brutal murder of a 27-year-old Bosnian immigrant in St. Louis who was beaten to death in early December by a gang of hammer-wielding black teens.

A survey from the Emerson College Policy Society conducted in February 2014, before the riots, showed that 61 percent of African Americans believe race relations are getting worse, while 41 percent of whites and 42 percent of Hispanics said they are not getting better (CBS News, February 4, 2014). Differing views of law enforcement underscore the racial divisions: In the Ferguson case 89 percent of blacks disagreed with the grand jury decision, while just 25 percent of whites did.

Does anyone believe that racial relations have improved during the first six years of Obama's presidency? Perhaps if President Obama and Attorney General Holder had not spent so much time lecturing Americans on their racism, and instead talked about the importance of the rule of law and the need for African Americans, with the support of the entire nation, to address problems in their own communities, further progress could have been made in improving racial relations. But that would have meant real dialogue and presidential leadership.

Our friends at the David Horowitz Freedom Center have re-published the booklet *RULES FOR REVOLUTION*, which documents connections among Communism, Saul Alinsky, Barack Obama and the political war of today's radicals. This brief, easy read offers insights into the instigation of race riots. The Horowitz Foundation is making this important booklet available to CMF subscribers at the special price of 1-10 copies \$1.00 each or 10 copies or more \$.50 each. To order, call (800) 752-6562 or e-mail to Elizabeth@horowitzfreedomcenter.org.

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