

REQUEST FOR APOLOGY DENIED

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Last spring I received a letter from a congressman asking for my help in mobilizing public support for an official apology for slavery and segregation. I immediately said no. I've been waiting for a response ever since, but none has been forthcoming.

Congressman Steve Cohen represents Tennessee's 9th District. Prior to his letter of April 17, I had never heard of him. His letter not only struck me as morally obtuse and historically inaccurate, there was a smart alecky tone to it that I didn't like. As indicated, he said he wanted my help in "organizing both grassroots and bipartisan support for passage of H.Res. 194, an apology by the United States government for its role in sustaining slavery and Jim Crow segregation." He then got a little too cute: "I know that you have good working relationships with Republicans and I would welcome any assistance that you can provide."

To begin with, I am not a Republican. Nor am I a Democrat. While I was once both—first a Democrat and then a Republican—I have stayed happily independent for about a decade and a half, with no plans to ever rejoin either party. Do I have good working relationships with some Republicans? Certainly. Indeed, I have better relationships with Republicans than Democrats, but that has more to do with the fact that Republicans have reached out to me more than Democrats.

More seriously, Cohen said that "slavery was protected by our Constitution and laws for much of our history, and we as a Nation are still grappling with its legacy of racism against African-Americans (as demonstrated most recently by Don Imus's remarks about the Rutgers University Women's Basketball Team)."

On April 23, I responded by quoting his remark regarding the way "slavery was protected by our Constitution and law for much of our history." To which I said, "This is flatly wrong: the U.S. Constitution never protected slavery." I then offered him a challenge he could not win: "If you think I'm wrong, please identify where in the Constitution slavery is protected."

Cohen's error is all too common. As I further instructed, "The infamous decision of Chief Justice Roger Taney in the 1857 Dred Scott case was a classic example of judicial activism—Taney read into the Constitution a substantive due process argument that nowhere appears in the Constitution itself."

Continuing, I added, "Slavery, of course, was an affront to liberty, but those responsible for this condition are long dead, as are the slaves. Apologies make sense when the offender apologizes to the offended, but since this is not possible in this instance, I fear that your concern that such an apology would constitute 'an empty gesture' is very real." I closed with, "And besides, since some African Americans owned slaves in the U.S., how will you know whose descendants merit an apology for what happened to their ancestors?"

Hand-wringing and chest-pounding displays of contrition are not my style, especially when made in public. Cohen's proposal is nothing more than an attempt to buy goodwill on the cheap. If he, and others like him, want to do something to help African Americans, they can begin by supporting ways that keep black men out of prison and black girls out of clinics. Crime and illegitimacy are the real enemies of African Americans these days, not Don Imus.

Racism still exists (and as we saw from the Duke lacrosse case, whites can be victims, too) but it is not even close to being the prime problem in the black community. Family disintegration is. To wit: in the 1950s, when segregation was

legal, 85 percent of black kids were raised in a two-parent family. Today, after great legal strides have been made, only 30 percent of black families are intact.

In other words, when racism was commonplace, the black family was strong. Now that racism has receded, the black family is in disarray. No, legal progress did not cause family dissolution—changes in public policy and culture did—but it is folly to think we can write laws to fix today's conditions. Even worse is Cohen's approach: he thinks passing resolutions about yesterday's problems will correct today's maladies.

This issue gets under my skin because I saw firsthand in the 1970s what really works for black kids: Catholic education. Catholic schools in the inner city instill a discipline and a dedication to excellence that public schools have never matched, and they do so with the added bonus of grounding students in religion. If Cohen and his ilk really wanted blacks to succeed today, they would promote school vouchers. Instead, they routinely work against them.

So there will be no apology, and no effort to mobilize Catholics. But there will be straight talk. That's something Republicans and Democrats both need to hear, and that's something the Catholic League is prepared to deliver. Look for matters like this to grow, especially now that the race for the White House is ready to go into first gear.