

**Remarks of Attorney General Karl A. Racine as Prepared for Delivery
Capitol View Library Martin Luther King, Jr. Lecture
Wednesday, January 14, 2015**

Good evening, and thank you to Paul for that introduction and to Capitol View Library for the opportunity to participate in this lecture series. I also appreciate that this series not only celebrates and memorializes Dr. King and his legacy, but also takes a look at what that legacy means for us today.

I'm afraid that this is something that is too often *not* the case in our modern-day celebrations of the Rev. Dr. Martin Luther King, Jr. I think that the popular tendency is for Americans to view both Dr. King and his dream through the film of history. And many of our fellow citizens seem to perceive that dream as something that has now been largely realized – especially since the election of our first African-American president.

But anyone who has paid close attention to the news and to the statistics in recent months and years in our country knows that, sadly, this is not the case. Just look at the numbers. Even in 2015, there are massive gaps between African-Americans and other minorities and white Americans in:

- Income level;
- Unemployment rates;
- Household wealth – which is a measure of a family's assets and investments as compared to a family's debts;
- Conviction and incarceration rates;
- Home ownership;
- Infant-mortality rates;
- And other important health indicators.

Let's look at one of the statistics to which I made passing reference above: the home-ownership rate. In 2010, according to the census bureau (the most recent figures I could find), the home-ownership rate for non-Hispanic whites was 74.4 percent; for Asians or Pacific Islanders, it was 58.9 percent; for American Indians and Native Alaskans, it was 58.9 percent; for Hispanics, it was 47.5 percent; and for African Americans, it was 44.5 percent. That is a gap of nearly *30 percentage points* between non-Hispanic whites and blacks!

The gap in overall household wealth is even more dramatic. An analysis by the pew research center of 2009 government data shows that the median wealth of white households is *20 times* that of African-American households and *18 times* that of Hispanic households. According to that study, the average African-American household had \$5,677 in assets and the average Hispanic family had \$6,325 in assets while the average white household had \$113,149 in assets!

In a day and age when formal legal barriers to equality have been eradicated – some of them more than half a century ago now – then how is that kind of massive disparity even possible?

And, beyond the statistics, it is particularly difficult at this moment in American history to look at a few major headlines without surmising that significant disparities and even systematic injustices are inherent in our criminal-justice system.

As you know, I'm an attorney. In fact, one of the reasons I got into the law was because I admired the crucial role that attorneys and legal strategists played in bringing about the major victories of the Civil Rights Movement. I think many people forget that African Americans and other minorities didn't gain full access to their rights during the 1950s and 60s solely or even mostly because of popular votes. And legislation like the Civil Rights Act and Voting Rights Act, while important, wasn't what really drove the movement. In fact, it was a lawsuit – *Brown v. Board of Education* – that really jump-started the modern Civil Rights Movement. Dr. King didn't rise to national prominence until nearly a year after that case was handed down, thanks to the Montgomery Bus Boycott.

African Americans and other Americans who believed in full equality before the law had, in fact, been filing lawsuits to vindicate themselves of their rights for decades before the *Brown* decision. And they had to file innumerable other lawsuits afterward – on subjects ranging from inequalities in federal farm subsidies to laws banning interracial marriage – to continue eradicating the legal vestiges of segregation and discrimination. In fact, court battles over racial inequalities in our society are still being fought today!

And this gets directly to the subject of tonight's lecture: Has the state of race relations in the united states improved or worsened since the March on Washington and Dr. King's legendary "I Have a Dream" speech?

First, a word about that speech itself. The best-known and most-celebrated part of Dr. King's famous speech is its last third, Dr. King's lyrical litany of images illustrating his dream of true freedom and equality coming to be in every corner of this great country. And rightly so – that section of the speech is a masterpiece of English rhetoric, studied by schoolchildren and literary scholars alike for its beauty and its historical import.

But that part of the speech was only its crescendo. The argument that Dr. King built up prior to that section is what gave the speech's conclusion such unprecedented emotional force for the crowds watching that day.

And Dr. King built his argument around a profound metaphor understandable to just about anyone: the metaphor of a bounced check.

Let me read you an excerpt from that section.

After opening with a reference to Abraham Lincoln, on the steps of whose memorial he was speaking, Dr. King noted that the full promise of Lincoln's Emancipation Proclamation had not

yet been realized, thanks to a century of oppressive segregation and discrimination. And then he said:

“In a sense, we've come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the ‘unalienable rights’ of ‘life, liberty and the pursuit of happiness.’”

Dr. King continued: “It is obvious today that America has defaulted on this promissory note, insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked ‘insufficient funds.’”

He concluded his promissory-note metaphor by saying: “But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. And so, we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.”

That’s quite a metaphor, isn’t it? That the check of freedom our nation’s Founders wrote had bounced. There’s no question that, to a significant extent, African Americans and other minorities have finally collected on that promissory note. But one query does remain in 2015: has that promissory note been paid in full?

I think the statistics I cited above suggest that it has not. And that’s because the vicious web woven by centuries of enslavement, segregation and legal discrimination takes more than a few decades to unravel.

Think about it: although support for legal discrimination and racial segregation has declined dramatically in the last half-century, the *de facto* discrimination and segregation created by its legacy continues to have its effects in areas like housing, employment, education, crime and a host of other important measures of equality. The vast wealth gap I mentioned earlier is a prime example. If your ancestors were denied wages for their labor for centuries, then denied the ability to get a good or even decent-paying job or to invest in real estate in valuable areas or even to get a loan to buy a house, then it is very, very difficult for a family to accumulate the kind of wealth that it can pass down to the next generation. Likewise, if your ancestors were educated in substandard schools, then it is very difficult to learn the kind of educational skills you need to excel in secondary and post-secondary schools – a prerequisite to finding a good job.

There are those who would like to think that, because our laws are now officially colorblind, and then our society is essentially colorblind. But – almost without fail – it’s people who have never actually been at the losing end of a discriminatory exchange who embrace that view.

Dr. King knew this. There's a reason that his call for legal and racial justice in the early part of the Civil Rights Movement began morphing into a call for broader economic and social justice in the years after the March on Washington. And don't forget that the full name of the event at which Dr. King delivered his famous speech was the "March on Washington for *Jobs and Freedom*."

Dr. King knew that equal economic opportunity was a prerequisite to having a truly equal society, even after legal barriers to discrimination were dismantled. Dr. King, like all prophets, knew that calling people to account meant that sometimes you had to tell them things that weren't entirely comfortable to hear. He had to tell people that the bounced check that African Americans had cashed needed to be paid in full, and that America had the resources to cover that check – if only it would share those resources equitably.

Interestingly, though, in many ways the implied economic justice behind that message was more palatable to mainstream ears in 1963 than it is today. Dr. King lived in a day and age – the middle of the 20th century – where there was a broad centrist consensus that progressive policies were necessary in regards to taxation, infrastructure development, and social-welfare programs. The main problem was that institutionalized racism had limited African Americans' access to those programs.

But the rest of the society largely took it for granted in those days that governments would tax progressively, spend significant resources on public infrastructure, and spend resources to ameliorate poverty. In the later years of the 20th century and the early years of the 21st, that consensus has largely fallen apart. In many ways, we are now much more libertarian about our economic and social-welfare policy than we were back then.

And I think that is something we have to talk about when we consider the state of race relations and Dr. King's dream for our country in 2015. And, no question about it: Race relations in our country have not been at their peak in the last few years. Some of the negative reaction to President Obama's election is attributable, in part, to latent racism. And the broadly divergent reactions by majorities of white Americans and majorities of African Americans to certain legal cases in the last few years – such as the Trayvon Martin case and the Michael Brown case – are depressing to see.

But there are signs of hope.

For one thing, people of younger generations from all races are simultaneously more colorblind than their predecessors and more sensitive to the continued fallout from our nation's history of segregation and oppression. As discouraging as our national discourse about racism, policing and the criminal-justice system has been, it has nonetheless been encouraging to see the significant numbers of white, Latino, Asian and other Americans promoting the message that "Black Lives Matter!" alongside their African-American peers in recent months.

We need a lot more frank conversation about the subject of the criminal-justice system and race, but I have hope that younger generations can begin to have that conversation in ways that don't provoke the kind of instant defensiveness that seems to have prevailed when earlier generations have had that discussion. And we have serious national thinkers of all races and ideologies talking openly about the deep connections between our nation's history of institutionalized racism and the broad economic disparities that exist between racial groups today.

We are also seeing a revival of our urban cores – and not just in the typical sense of gentrification that we so often discuss, but in the sense that the diversity that exists in our cities is the very thing that draws newer and wealthier residents. This is helping to spur renewed interest in many of the educational and economic disparities among the urban poor – largely African American and Hispanic – by people and organizations with the resources to tackle those problems in significant ways.

So, despite some discouraging episodes, overall I am hopeful that the still-deferred dream that Dr. King spoke about so many years ago can, nonetheless, be realized. I have faith that America still has the resources to make good on that promissory note.

Speaking of promissory notes written at our nation's founding, I would be remiss if I finished this talk without mentioning one group in our country still denied the blessings of liberty. Dr. King specifically addressed this particular injustice in his time, and his dream for this group of people remains unrealized.

What group is this? It's you, and me, and the rest of the 660,000 residents of the nation's capital.

As the residents of the District of Columbia know all too well – but, sadly, most Americans do not – if you live in Washington, D.C. you do not have a vote in Congress. We pay our nation's taxes, we fight our nation's wars, but we have no vote.

Ironically, the nation's capital is the last remaining battlefield of the American Revolution. Residents of the District of Columbia live in what our nation's Founders rightly called a state of tyranny: taxation without representation.

In 1966, Dr. King marched in our streets calling for an end to this injustice. He decried the plight of our residents when he said Congress had been “derelict in their duties and sacred responsibility to make justice and freedom a reality for all citizens in the District of Columbia.”

And yet, all these years later, those who live in our city are still denied the basic rights of self-determination and representation that other Americans take for granted. The District of Columbia can't even approve our own local budget or local laws without permission from a Congress in which we have no voting voice.

Day in and day out, D.C. residents live under the yoke of injustice. This must end. For Dr. King's dream to be realized, the bounced check written to the residents of the seat of our democracy must be paid in full – and that means full autonomy and full congressional representation!

As Dr. King himself once said, "The arc of the moral universe is long, but it bends toward justice." And, one day – hopefully soon – that arc will find its end point at the foot of the Capitol dome, with full democracy for the people who live in its shadow.

Thank you, and again, thank you to Paul and the Capitol View Library for the invitation to be with you tonight. I look forward to answering your questions!