

Paper 3

Professor Charles Goodman

Philosophy 456B

March 24, 2022

Why are law enforcement and gangs better off negotiating and cooperating? To answer this question, I consider Christopher Blattman's bargaining model in *Why We Fight*. Blattman argues that gangs competing over business or turf are always better off negotiating because the "bargaining range" of profit and territory that is destroyed in conflict could otherwise be split so that both sides gain (Blattman 29). In addition to considering conflict between gangs, this model can be applied to the U.S. federal government's "war on gangs." The punitive suppression strategies commonly used by law enforcement to target gangs fail to reduce gang violence and further erode trust between law enforcement and gang-affiliated communities, perpetuating the cycle of overpolicing low-level crimes while underpolicing serious violent crime, which creates the desire for gang involvement and presence in the first place. I suggest a series of cooperative approaches to this harmful paradigm, in which law enforcement and gangs both concede resources and authority for the betterment of gang-affiliated communities. First, drugs should be legalized to eliminate gangs' main source of profit, and simultaneously, law enforcement should develop education and employment programs with gang members and communities to transition unemployed gang members away from illegal avenues of profit. Second, government and law enforcement officials should facilitate gang truces and increase communication with gang-affiliated communities to provide neglected services and resources that gangs provide. By

negotiating and cooperating with gangs to create diversion programs and fulfill neglected community needs, government and law enforcement would address the root causes of gang existence.

Gangs are born out of and further perpetuate the cycle of underpolicing and overpolicing of low-income communities of color. In *Ghettoside*, Jill Leovy attributes the prevalence of gangs in these communities to law enforcement's pattern of overpolicing low-level crimes such as drug use and loitering but underpolicing violent crimes and homicides in urban Black communities, leaving young Black men, especially, vulnerable to violence (Leovy 20). It is well known that low-income Americans of color are disproportionately arrested and incarcerated for minor offenses ("Criminalization"). However, when Black citizens are victims of violent crime, arrest and prosecution occur at disproportionately low rates ("Murder with Impunity"). A 2019 study by the Washington Post that analyzed data about murders in 55 large American cities over the past decade found that Black citizens accounted for the majority of homicide victims but that Black homicides were least likely to be followed by arrest ("Murder with Impunity"). The disproportionate lack of investigation and prosecution for Black homicides is in large part due to the disconnect and distrust between minority communities, especially Black Americans, and the police, which results in witnesses in these communities refusing to cooperate with investigations or contact the police at all when a violent crime occurs ("Murder with Impunity"). These circumstances of pervasive violence and lack of accountability create the need for gangs as protective institutions and are perpetuated by their existence. Gangs are both caused by and contribute to violence; in the United States, gang involvement is widespread in low-income areas of color with high rates of violent crime ("Neighborhoods and Violent Crime"). Gangs are *symptomatic* of violent environments; in a 2009 study of youth gangs in the U.S., Russel Sobel

and Brian Osoba found a one-way causal relationship that violent crime causes an increase in gang violence, even finding that the "net result" of gangs is a reduction in violent crime due to mutual deterrence (Sobel and Osoba 997-998). Therefore, gangs are formed out of and perpetuate an indefinite cycle of violence and neglect from law enforcement agencies.

Gangs often operate as pseudo-law enforcement agencies by filling resource and service gaps through systems of mutual aid, further insulating their communities from legitimate law enforcement. Gang

protection and resources, but the existence of gangs further harms their communities. Relationship with law enforcement, creating a vicious cycle of violence and unaccountability.

Efforts by law enforcement have been largely unsuccessful in curbing gang activity in the U.S. Thus far, law enforcement has mostly utilized suppression strategies focused on surveilling and punishing gang members through the criminal legal system ("Anti-Gang Strategies"). These tactics subject gang members to cycles of arrest and incarceration, counterproductively

cementing their poverty and reliance on gang membership and further distancing law enforcement from the communities. As a result, the more law enforcement focuses on

prosecuting crime is properly investigated and prosecuted and sustains the demand for gangs as protective mechanisms. Nationwide, some efforts have been made to balance suppression strategies with social and proactive community

strategies

One strategy that has been practiced and shown success in reducing gang

and efforts to facilitate peace negotiations between gangs strengthen and maintain gangs, which eventually leads to more inter-gang violence.

Clearly, eliminatio

and underpolicing discussed before: funneling resources into drug enforcement might "crowd out" other law enforcement initiatives, like those aimed at

among adolescents dropped, which suggests that the illicit drug sale was also reduced (Ferreira; "Violent Crimes"). In the Netherlands, "soft drugs" like marijuana are decriminalized, but there are strict regulations on their sale and use. This legal discrepancy has resulted in fewer arrests and incarcerations for many drug crimes but also maintained a strong illicit drug market that

resources are

poverty, undermining the incentive to join gangs. If gang violence and drug trafficking are reduced, law enforcement's legitimacy in the public eye will ultimately be restored.

The solutions offered are not individual panaceas, but when pursued together, they have the potential to reduce immediate gang involvement and violence while also addressing root causes. Continuing to use suppressive strategies to police gangs only perpetuates the cycle of violence that births and maintains strong gangs. The demonization of gangs discounts their intimategang-!

“Criminalization of Race and Poverty.” *Institute for Policy Studies*, 17 Jan. 2019,
<https://ips-dc.org/criminalization-of-race-and-poverty/>.

Cruz, José Miguel, and Angélica Durán-Martínez. “Hiding V

Moore, Mark H., and Mark A.R. Kleiman. *The Police and Drugs - Office of Justice Programs*.

U.S. Department of Justice, <https://www.ojp.gov/pdf>

Ross, Viridiana. *Drug Legalization Could Create More Crime*. 30 May 2012,

<https://www.nytimes.com/roomfordebate/2012/05/30/should-latin-america-end-the-war-on-drugs/drug-legalization-could-create-more-crime>.

Sánchez-Jankowski Martín. *Islands in the Street: Gangs and American Urban Society*. Univ. of California Press, 1991.

Sobel, Russell S., and Brian J. Osoba. “Youth Gangs as Pseudo-Governments: Implications for Violent Crime.” *SSRN Electronic Journal*, 2006, <https://doi.org/10.2139/ssrn.986363>.

Swaner, Rachel.