


1997

Will Boys Just Be Boyz N the Hood? African-American Directors Portray a Crumbling Justice System in Urban America

Justin P. Brooks

Follow this and additional works at: <https://scholarlycommons.law.cwsl.edu/fs>

 Part of the [African American Studies Commons](#), [Law and Society Commons](#), and the [Other Film and Media Studies Commons](#)

OKLAHOMA CITY UNIVERSITY LAW REVIEW

VOLUME 22

SPRING 1997

NUMBER 1

ARTICLES

WILL BOYS JUST BE *BOYZ N THE HOOD*?—AFRICAN-AMERICAN DIRECTORS PORTRAY A CRUMBLING JUSTICE SYSTEM IN URBAN AMERICA

JUSTIN P. BROOKS*

*In the 1990s several African-American directors have explored issues of urban justice through stories of children growing up in urban America. Films such as *Boyz N the Hood* have brought vivid images of disenfranchised and violent neighborhoods and the obstacles involved in growing up in these neighborhoods. These films question whether the criminal justice system works in neighborhoods isolated from both the creation and the protections of the legal system, and where the rules of the criminal justice system sometimes collide with the rules of the neighborhood justice system.*

* Associate Professor of Law, Thomas M. Cooley Law School. The author wishes to thank Jeff Chinn, Heidi Cruise, Cindy Hurst, Cheryl Lee, John Nussbaumer, and Amy Timmer for their assistance.

"If you ain't ever been to the ghetto, don't ever come to the ghetto. You wouldn't understand the ghetto, so stay the fuck out of the ghetto"

Naughty by Nature¹

A boy of nine or ten is walking to school in America casually dragging a stick along the ground. He talks with his friends about the previous evening's activities:

"Did y'all hear the shooting last night?"

"Yea, I heard it . . . I got under my bed."

"Man, you is a scaredy cat."

"My momma say a bullet don't have no name on it."

"I ain't afraid to get shot; both my brothers been shot and they still alive."

The walk to school takes the children past turned over trash cans, boarded up buildings, stray dogs, and the scene of a shooting.

"Is that blood . . . what happened?"

"What do you think? Somebody got smoked. Look at the hole in the wall stupid."

"At least I know my times tables."

"Look, why is the blood turning yellow?"

"That's what happens when it separates from the plasma."

Later, the children sit in their American history class, surrounded by children's drawings of police cars, helicopters with spotlights monitoring homes, and bodies in coffins. The teacher is telling the class about the significance of Thanksgiving. To the boy who has grown up in urban Los Angeles, the teacher's story about celebrating racial harmony is a fairy tale. He challenges the teacher, and the teacher invites him to teach the class if he believes he can do a better job. He accepts the offer, and commences to teach the class that they are all from Africa.

1. NAUGHTY BY NATURE, *Ghetto Bastard*, on NAUGHTY BY NATURE (Tommy Boy Records 1991).

His instruction ends in a fist fight when one of the students insists that he is not from Africa; he is from a gang known as the Crenshaw Mafia.

These are the opening scenes of John Singleton's *Boyz N the Hood*,² a film about an America most Americans don't know much about and would rather not see, but nonetheless an America that has been forced upon the public's consciousness in the 1990s. Political campaigns, nightly news, riots, films, popular music, newspapers, magazines, and individuals at the right place and time with video cameras have brought us a disturbing picture of this America. And, with polls in the early 1990s reporting that faith in the criminal justice system was at an all time low,³ Hollywood turned its attention to African-American directors, such as John Singleton, to tell their stories of justice and growing up in this America.

The commercial and critical success of Spike Lee's *Do the Right Thing*⁴ in 1989, a film about growing up in New York City and dealing with issues of race, convinced Hollywood that such stories were worth telling (i.e., profitable). However, unlike the boom of films about African-Americans in the 1970s, when white directors told the stories of African-Americans living in urban America (referred to by commentators as the "blaxploitation" period of filmmaking⁵), the 1990s has been the decade in which African-American directors tell their own stories. Hollywood released seven films directed by African-American directors in 1990, and in 1991, 12 more were released. None was more powerful or more critically acclaimed than John Singleton's *Boyz N the Hood*.

Since 1991, Hollywood has released many more films directed by African-Americans. Films such as Ernest Dickerson's *Juice*,⁶ Allen and Albert Hughes *Menace II Society*,⁷ and Spike

2. (Columbia Pictures 1991).

3. A 1994 Gallup poll "revealed that while 96 percent of the respondents in the poll endorsed the idea that all Americans are entitled to equal justice, only 14 percent believed it is very likely that goal can be reached." Gary A. Hengstler, *Troubled Justice*, ABA Journal, Aug. 1994, at 45.

4. (Universal Pictures 1989).

5. See ED GUERRERO, FRAMING BLACKNESS: THE AFRICAN-AMERICAN IMAGE IN FILM (1993).

6. (Paramount Pictures 1992).

7. (New Line Pictures 1993).

Lee's *Clockers*,⁸ have been similar to *Boyz N the Hood* in that they have depicted children dealing with racism and violence while growing up in urban America. These films have been criticized for only depicting one part of the African-American experience, and some critics have embraced films such as Forrest Whitaker's *Waiting to Exhale*⁹ for portraying a different experience, in the same way critics embraced *The Cosby Show* in the 1980s as a counter-punch to the images of African-Americans in such shows as *Sanford and Son*, *What's Happenin'*, and *Good Times*. Nonetheless, while it is easy to dismiss the stereotypes of 1970s television sitcoms portraying happy-go-lucky residents of urban ghettos, it is hard to ignore the characters and messages of films such as *Boyz N the Hood*. And, even if these films do not represent the life experience of the majority of African-Americans, the stories are no less important because they do represent the obstacles that many African-American children face growing up in urban America.

For his direction of *Boyz N the Hood*, at the age of twenty-four, John Singleton became the first African-American, and the youngest director, ever nominated for an Academy Award. *Boyz N the Hood* struck a chord in viewers because the characters are compelling and the social implications of the story are profound. Tre, the film's main character, and the boy in the opening scenes, is a young man attempting to preserve some type of meaningful future against great odds. Most of Tre's friends are young African-American men with little or no sense of future, and, by taking the viewers through the childhoods of his characters, John Singleton raises some fundamental criminal justice issues.

One of the issues raised by the film is the question as to whether individuals from widely varying cultural backgrounds should be judged by the same moral and legal standards. Singleton suggests that there are children growing up in America, within a culture so alienated from the established standards of law, that it may be inappropriate to apply those standards to their conduct. In other words, if each society creates moral and legal standards which have evolved from the shared experienc-

8. (MCA-Universal 1995).

9. (Twentieth Century Fox 1995).

es of the members of that society, what happens to the justice system when a particular group within a society becomes totally alienated from those experiences? And, if a particular group within society does not receive the same protections of the law, should they be expected to act in the same manner as those who are protected?

In 1997 Singleton explored this theme in a totally different context in the film *Rosewood*.¹⁰ *Rosewood* is a historical drama depicting the lives of residents of an African-American community which existed alongside a white racist community in Central Florida in 1922. The film tells the true story of how the town of Rosewood was burned down and many of its occupants were murdered as the result of a false accusation that a black man had raped a white woman. After receiving no protection from the law, and watching the brutal murder of their families and friends, the citizens of Rosewood began to fight back when the justice system within which they worked and lived peacefully failed them.

Boyz N the Hood deals with children growing up in equally violent circumstances in the 1990s. Tre's house is burglarized, his friends carry guns, and he avoids altercations daily. While *Boyz N the Hood* revolves around the childhoods of Tre and his friends, the film is not to be confused with comfortable coming of age films. Early in the film when Tre and his friends go to see a dead body (a la 1980s coming of age film *Stand by Me*),¹¹ it is not the focus of the entire film, nor an episode that will profoundly change their lives. It is a brief interlude in their day. Upon viewing the body, they merely comment that it smells like a dog. To the boys it is just another dead body in South Central Los Angeles.

Tre is constantly exposed to violence. In one scene he is forced to stare down a man with a shotgun to simply cross the street in front of his house in the middle of the day, and this event is portrayed as so commonplace that Tre does not even mention it to his father when he talks to him moments later. Yet, even though Tre must battle to survive within his neighborhood, he fears and distrusts the law that governs from outside

10. (Warner Brothers 1997).

11. (Columbia Pictures 1986).

his neighborhood. When he is a child, two police officers respond to a burglary at his house more than an hour after they are called, and one of the officers is disappointed that Tre's father did not shoot and kill the intruder. The officer comments that then "there would be one less nigger out here on the streets we would have to worry about." The police officer making this statement is African-American, and Singleton conveys the message that the alienation depicted in *Boyz N the Hood* is not only racial, but an alienation from law.

In terms of racial alienation, Tre's father tells Tre that "it is time for blacks to keep everything in their own neighborhoods . . . black owned property like the Jews, Mexicans, and the Koreans." His father also tells him that the reason there is a liquor store and a gun store on every corner in the black neighborhoods is so that blacks will kill themselves," and that "a black man has no place in the white man's army." Tre is brought up believing that there is a conspiracy in place in America to keep him down.¹²

Similar images of alienated neighborhood justice systems existing in urban America are portrayed in the films *Juice*, *Menace II Society*, and *Clockers*. All of these films revolve around African-American children surviving in violent neighborhoods while they try to decipher right from wrong.

In *Juice*, the main characters are constantly confronted by gang violence in New York City. They live in neighborhoods where people are regularly killed and have little or no reaction to the event by the time they have reached their teenage years. In *Menace II Society*, the violent surroundings of the children growing up in the film are horrific. In the opening scenes, the main character, Caine, is four or five years old and sees his father kill a man in his living room, and then casually return to a card game. Caine comments "that was the first time I saw my father kill anyone, but it wasn't the last." And in *Clockers*, the

12. The "white conspiracy" is not only believed by fictional characters in films. There has been speculation within the black media that Aids was created as part of the white conspiracy (See Charles Paul Freund, *If History is a Lie; America's Resort to Conspiracy Thinking*, WASH. POST, Jan. 19, 1992 at 29) and a Gallup poll in 1992 reported that most African-Americans believe that it is not impossible that AIDS and drugs were developed by the government to eradicate their race (See Charles Bremner, *Race Memories That Will Not Die*, THE TIMES, May 1, 1992 at 5).

extreme violence of the film, and the neighborhood that the main characters grow up in, is exemplified by the opening scenes of the film; a series of actual pictures of dead bodies full of bullet holes and covered in blood. In a particularly gruesome scene in "Clockers" homicide officers stand around the corpse of a shooting victim and joke that "he must be in his golf jacket because it has eighteen holes," and refer to the victim as "another stain on the sidewalk."

All of these films explore the influences that shape their characters' lives, and particularly their sense of right and wrong. Breaking the disturbing theme of destructive influences, the movies depict the positive influences that somehow manage to survive in the midst of the chaos. In *Boyz N the Hood*, Tre's father develops a sense of independence and respect in Tre. His father conveys power and dignity to Tre as he lays down the rules of the house (clean the bathroom sink, floor and tub; clean your room; mow the lawn) and rules of life (always look a person in the eye; don't be afraid to ask, stealing isn't necessary; don't give respect to nobody who doesn't respect you back). Tre is told that he should strive to be a leader, not a follower of the negative influences in the neighborhood.¹³

The common thread among the main characters in all of these films is that they all are smart, have a sense of right and wrong, and have the chance at a somewhat successful future. But, the films emphasize the hurdles they will have to overcome to attain that future. All these characters must to some extent turn their backs on what they have learned in their neighborhoods and find strength in their positive influences. More urgently, they must learn to distinguish the positive from the negative.

In *Boyz N the Hood*, Tre's best friend Ricky is shot by a neighborhood rival while they are walking home from a grocery store. Ricky dies in his arms and he must carry his bloody, lifeless body home. With the loss of Ricky, Tre joins Ricky's brother, Doughboy, and his friends, to avenge Ricky's death. Although killing goes against everything Tre has been taught by

13. The role of Tre's father in developing Tre's sense of values prompted California Governor Pete Wilson to comment that everyone in America should see *Boyz N the Hood* in order to better value the importance of good parenting.

his parents, Tre reacts. He is trapped in a game run by the rules of his neighborhood—if you get hit, you hit back. Initially he cannot fight this instinct, but while looking for the men who killed Ricky, Tre asks his friends to let him out of the car. It is the most painful and difficult decision of his life. Singleton manages to show how difficult this decision is to make, even with all of the positive influences in Tre's life.

Throughout the film *Juice*, Quincy tries to avoid a livelihood comprised of crime. Nonetheless, strong feelings of loyalty and peer pressure lead him to rob a liquor store with his friends. In *Menace II Society*, the strong influences of money and his friends lead Caine into a life of drug dealing and theft. When Caine's cousin is shot during a car jacking, Caine joins his friends to track down the killers, but unlike Tre, does not get out of the car and instead participates in the killing. And in *Clockers*, Spike Lee depicts middle-aged drug dealers bringing teenagers along in the business, and teenagers recruiting grade schoolers.

All of the main characters of these films have pressures on them dissuading them from conforming their activities to the rules of the criminal justice system. There is a different system at work in their neighborhoods which has a powerful effect on their behavior. The films even suggest that children growing up in these neighborhoods must respect the rules of the neighborhood in order to survive. These rules make it more difficult to make the same choices made by those who live outside of their neighborhoods. Does this justify a different set of standards when the criminal justice system evaluates their conduct? Are children who are brought up surrounded by violence equally responsible for their actions as children not exposed to violence?

These films were particularly timely in light of the reevaluation of the standards for criminal responsibility in the 1990s. Some courts and juries accepted the proposition that life experiences can explain and diminish criminal culpability while widely publicized cases such as *People v. O.J. Simpson* sparked a national debate on criminal responsibility. The courts have been forced to address whether years of spousal abuse should mitigate or even excuse retaliation by an abused spouse, even if that retaliation takes the form of pouring gasoline on the abus-

er and burning him to death in his sleep,¹⁴ or cutting off his penis.¹⁵ The courts have also been confronted with the issue of whether child abuse can mitigate or even negate responsibility when abused children buy shotguns and kill their abusive parents.¹⁶

In terms of culture as a defense, however, the courts have been largely unsympathetic.¹⁷ For example, in the case of *People v. Kimura*¹⁸ the Los Angeles Superior Court ruled that culture could not be a defense. Mrs. Kimura, a Japanese-American woman, learned that her husband had an extramarital affair and killed her own children while attempting *oyakoshinju* (parent-child suicide). Although in Japanese culture *oyakoshinju* is the traditional response of a married woman in order to rid herself of the shame of an extramarital affair, the court refused to accept the defense of culture. These films, however, do not deal with a culture brought to America, they deal with a culture of violence developing within America.

Furthermore, regardless as to whether we as a society accept that being raised in a violent culture mitigates or excuses violent behavior, the more troublesome issue for the justice system raised by these films is whether the criminal justice system works at all in these urban neighborhoods. As we debate whether traditional values have been *learned* in urban America, and therefore whether defendants should be held equally accountable for violating laws that reflect those values, these films suggest that our justice system has become obsolete in urban America in terms of *enforcing* those laws.

14. Such was the case of *People v. Francine Hughes*, commonly known as the "burning bed" case. For a complete account of the case and history, see FAITH MCNULTY, *THE BURNING BED* (1980).

15. In the case of *People v. Lorena Bobbitt* the jury considered the abuse that Lorena had received from her husband John Wayne Bobbitt, and found her not guilty by reason of temporary insanity at the time she cut off his penis. See David Margolick, *Lorena Bobbitt Acquitted in Mutilation of Husband*, *NEW YORK TIMES*, Jan. 24, 1994, at 1-1.

16. Admitting that they had shot and killed their parents was just the beginning of the case of *People v. Lyle and Eric Menendez*. The trial was focused on the abuse that the boys received prior to the killing. See Seth Mydans, *Stories of Sexual Abuse Transform Murder Trial*, *NEW YORK TIMES*, Sept. 12, 1993, at 1-30.

17. See, Note, *The Cultural Defense in the Criminal Law*, 99 *HARV. L. REV.* 1293 (1986).

18. No. A-091133 (L.A. Super. Ct. filed Apr. 24, 1985).

The common law recognizes the concept of excusing conduct before children have developed their own sense of right and wrong. Under the common law, children under the age of seven are not held criminally responsible for their actions, and there is a grace period during which children can learn the rules which govern conduct in society. Even if they do not learn right from wrong during this time, we as a society hope that they will at least be deterred from breaching society's laws by realizing that they will be punished for their actions. These films cast doubt as to whether either of these principles is operating effectively in urban America. They suggest that society's values are not adequately learned, nor will they be followed out of fear of retribution.

The main characters in each of these films are on the edge of complying with the law. The influences in their lives help them to develop some sense of society's rules, and the main characters are somewhat responsive to the government's power to take away life and liberty. Tre's character, in particular, represents the fact that children do grow up in these violent surroundings without becoming violent. However, the characters surrounding the main characters in these films suggest that even in a country that executes juveniles, there are children growing up in urban America who will not be deterred from committing crimes through fear of punishment. These children are growing up daily facing the possibility of death in their neighborhoods, so they will not be deterred by the threat of government imposed sanctions. This proposition has statistical support in the fact that even though the United States leads the world in incarceration rates, it also leads the world in recidivism rates.¹⁹ In other words, even though we punish a greater percent of our population through the correctional system than any other country in the world, we have the highest rate of repeat offenders because we have not solved the underlying problems that lead to crime.

19. According to a report by The Sentencing Project, in 1992 455 people per 100,000 in the United States were incarcerated (1.3 million people). South Africa had the second highest rate in the world with 311 per 100,000. For a summary on prison populations and impacts of recidivism, see EDNA MCCONNELL CLARK FOUNDATION, *AMERICANS BEHIND BARS* (1993).

In *Boyz N the Hood*, Tre's friend Doughboy is lost and angry. He refers to all the women in the film as "bitches" and claims that there "ain't no God, or why would he be letting motherfuckers get smoked every night." Doughboy acts as if he has no fear of death, constantly talks about killing and getting killed, and is willing to pull his gun out and use it at the least temptation. Considering his violent, uninspired life, his lack of ambition, and his perceived and real lack of opportunities, Doughboy, unlike Tre, does not believe he has much to lose. He is totally alienated from the society that exists outside his neighborhood. After his brother Ricky is killed, he tells Tre that he watched the news and saw "all this foreign shit and they didn't have shit on my brother" and that "either they don't know, don't show, or don't care about what goes on in the hood."

More importantly, Doughboy is not portrayed as unique. Throughout the film Doughboy's front porch is inhabited with characters like Doughboy: angry, frustrated, confused, and violent. Singleton will not allow the viewer to be comforted that at some point Doughboy will be taken off the streets, either by the law or as the result of a drive by shooting. When Doughboy is dead, there will be plenty more Doughboys to follow.

Similarly, in *Juice*, Quincy's friend Bishop, kills without a conscience. After he kills a lifelong friend who tries to take his gun away, Bishop is more interested in counting out the money from a robbery than worrying about the killing. Bishop is willing to kill anyone who gets in his way. He tells Quincy "I don't give a fuck about anybody . . . and I don't give a fuck about myself."

In *Menace II Society*, Caine describes his friend O-Dog in a similar way: "America's worst nightmare . . . young, black, and doesn't give a fuck." In the opening moments of the film, O-Dog violently kills a man and a woman working in a grocery store. Throughout the film, O-Dog shows his friends a video of the killing that he took out of the surveillance camera in the store. Each time he shows the video, both he and his friends watch the killing just as they would any other television show; they laugh and make jokes about O-Dog being a movie star. And in *Clockers*, as in these other films, murder is shown as a regular

part of the drug trade, and something that you have to do in order to show that you are "hard."

The portrayal of such violent young African-American men in these films has received a great deal of criticism for feeding the stereotype that all African-American men are prone to violence and crime. Nonetheless, it is hard to ignore the number of black-on-black crimes that have made murder one of the leading causes of death among young African-American men. And, even if some of the characters in these films have reinforced stereotypical images, these films have served the goal of bringing the stories of children growing up in violent urban neighborhoods from the back of city newspaper metro sections into theaters throughout the country, and into videocassette players in living rooms far removed from Los Angeles and New York.

Orson Wells once said that film is the most powerful of all mediums, and these films are certainly powerful. Hopefully, the voice of African-American directors will continue to gain strength and we will all benefit from their insight into other experiences beyond the urban ghetto. Spike Lee hoped that *Clockers* was the last of these films, and said in an interview in 1995 "It's dead! It's over! Move on! . . . The genre is at its end now. It's up to African-American filmmakers to open our vision. If you don't expand and grow, you'll die . . ." ²⁰ Perhaps the genre is at an end, but unfortunately the social justice problems depicted in the films are not.

20. *Black Film Makers Move Away From the Hood*, INT'L HERALD TRIB., Sept. 13, 1995, at 1.