Bahasa Indonesia

00:04 Well, this is a really extraordinary honor for me. I spend most of my time in jails, in prisons, on death row. I spend most of my time in very low-income communities, in the projects and places where there's a great deal of hopelessness

. And being here at TED and seeing the stimulation, hearing it, has been very, very energizing to me. And one of the things that's emerged in my short time here is that TED has an identity. And you can actually say things here that have impacts around the world. And sometimes when it comes through TED, it has meaning and power that it doesn't have when it doesn't.

00:41 And I mention that because I think identity is really important. And we've had some fantastic presentations. And I think what we've learned is that, if you're a teacher, your words can be meaningful, but if you're a compassionate teacher, they can be especially meaningful

. If you're a doctor, you can do some good things, but if you're a caring doctor, you can do some other things. So I want to talk about the power of identity. And I didn't learn about this actually practicing law and doing the work that I do. I actually learned about this from my grandmother.

01:10 I grew up in a house that was the traditional African American home that was dominated by a matriarch, and that matriarch was my grandmother. She was tough, she was strong, she was powerful. She was the end of every argument in our family.

01:25 (Laughter)

01:26 She was the beginning of a lot of arguments in our family.

01:29 (Laughter)

01:30 She was the daughter of people who were actually enslaved. Her parents were born in slavery in Virginia in the 1840s. She was born in the 1880s, and the experience of slavery very much shaped the way she saw the world.

01:41 And my grandmother was tough, but she was also loving. When I would see her as a little boy, she'd come up to me and give me these hugs. And she'd squeeze me so tight I could barely breathe, and then she'd let me go. And an hour or two later, if I saw her, she'd come over to me and say, "Bryan, do you still feel me hugging you?" If I said, "No," she'd assault me again, and if I said, "Yes," she'd leave me alone. And she just had this quality that you always wanted to be near her. And the only challenge was that she had 10 children. My mom was the youngest of her 10 kids. And sometimes when I would go and spend time with her, it would be difficult to get her time and attention. My cousins would be running around everywhere.

02:17 And I remember, when I was about eight or nine years old, waking up one morning, going into the living room, and all of my cousins were running around. And my grandmother was sitting across the room, staring at me. And at first, I thought we were playing a game. And I would look at her, and I'd smile, but she was very serious. And after about 15 or 20 minutes of this, she got up and she came across the room, and she took me by the hand, and she said, "Come on, Bryan. You and I are going to have a talk." And I remember this just like it happened yesterday. I never will forget it.

02:48 She took me out back and said, "Bryan, I'm going to tell you something, but you don't tell anybody what I tell you." I said, "OK, Mama." She said, "Now, you make sure you don't do that." I said, "Sure." Then she sat me down and she looked at me, and she said, "I want you to know I've been watching you." And she said, "I think you're special." She said, "I think you can do anything you want to do." I will never forget it.

03:14 And then she said, "I just need you to promise me three things, Bryan." I said, "OK, Mama." She said, "The first thing I want you to promise me is that you'll always love your mom." She said, "That's my baby girl, and you have to promise me now you'll always take care of her." Well, I adored my mom, so I said, "Yes, Mama. I'll do that." Then she said, "The second thing I want you to promise me is that you'll always do the right thing, even when the right thing is the hard thing." And I thought about it, and I said, "Yes, Mama. I'll do that." Then finally, she said, "The third thing I want you to promise me is that you'll never drink alcohol."

03:47 (Laughter)

03:49 Well, I was nine years old, so I said, "Yes, Mama. I'll do that."

03:52 I grew up in the country in the rural South, and I have a brother a year older than me and a sister a year younger. When I was about 14 or 15, one day, my brother came home and he had this six-pack of beer; I don't know where he got it. He grabbed me and my sister, and we went out in the woods, and we were just out there doing the stuff we crazily did, and he had a sip of this beer and gave some to my sister and she had some, and they offered it to me. I said, "No, that's OK. Y'all go ahead. I'm not going to have any." My brother said, "Come on. We're doing this today; you always do what we do. I had some, your sister had some. Have some beer." I said, "No, I don't feel right about that. Y'all go ahead." And then my brother stared at me and said, "What's wrong with you? Have some beer." Then he looked at me real hard and said, "Oh, I hope you're not still hung up on that conversation Mama had with you."

04:35 (Laughter)

04:36 I said, "What are you talking about?" He said, "Oh, Mama tells all the grandkids that they're special."

04:41 (Laughter)

04:43 I was devastated.

04:46 (Laughter)

04:48 And I'm going to admit something to you. I'm going to tell you something I probably shouldn't. I know this might be broadcast broadly. But I'm 52 years old, and I'm going to admit to you that I've never had a drop of alcohol.

05:00 (Applause)

05:02 I don't say that because I think that's virtuous; I say that because there is power in identity. When we create the right kind of identity, we can say things to the world around us that they don't actually believe make sense. We can get them to do things that they don't think they can do. When I thought about my grandmother, of course she would think all her grandkids were special. My grandfather was in prison during prohibition. My male uncles died of alcohol-related diseases. And these were the things she thought we needed to commit to.

05:32 Well, I've been trying to say something about our criminal justice system. This country is very different today than it was 40 years ago. In 1972, there were 300,000 people in jails and prisons. Today, there are 2.3 million.

The United States now has the highest rate of incarceration in the world. We have seven million people on probation and parole. And mass incarceration, in my judgment, has fundamentally changed our world. In poor communities, in communities of color, there is this despair, there is this hopelessness that is being shaped by these outcomes. One out of three Black men between the ages of 18 and 30 is in jail, in prison, on probation or parole. In urban communities across this country – Los Angeles, Philadelphia, Baltimore, Washington – 50 to 60 percent of all young men of color are in jail or prison or on probation or parole.

06:27 Our system isn't just being shaped in these ways that seem to be distorting around race, they're also distorted by poverty

. We have a system of justice in this country that treats you much better if you're rich and guilty than if you're poor and innocent. Wealth, not culpability, shapes outcomes. And yet, we seem to be very comfortable. The politics of fear and anger have made us believe that these are problems that are not our problems. We've been disconnected.

06:58 It's interesting to me. We're looking at some very interesting developments in our work. My state of Alabama, like a number of states, actually permanently disenfranchises you if you have a criminal conviction. Right now in Alabama, 34 percent of the Black male population has permanently lost the right to vote. We're actually projecting that in another 10 years, the level of disenfranchisement will be as high as it's been since prior to the passage of the Voting Rights Act

. And there is this stunning silence.

07:26 I represent children. A lot of my clients are very young. The United States is the only country in the world where we sentence 13-year-old children to die in prison

. We have life imprisonment without parole for kids in this country. And we're actually doing some litigation. The only country in the world.

07:43 I represent people on death row. It's interesting, this question of the death penalty. In many ways, we've been taught to think that the real question is: Do people deserve to die for the crimes they've committed?

And that's a very sensible question. But there's another way of thinking about where we are in our identity. The other way of thinking about it is not: Do people deserve to die for the crimes they commit?, but: Do we deserve to kill? I mean, it's fascinating.

08:08 Death penalty in America is defined by error. For every nine people who have been executed, we've actually identified one innocent person who's been exonerated and released from death row

. A kind of astonishing error rate -- one out of nine people, innocent. I mean, it's fascinating. In aviation, we would never let people fly on airplanes if, for every nine planes that took off, one would crash.

08:32 (Laughter)

08:33 But somehow, we can insulate ourselves from this problem. It's not our problem. It's not our burden. It's not our struggle.

08:41 I talk a lot about these issues. I talk about race and this question of whether we deserve to kill. And it's interesting, when I teach my students about African American history, I tell them about slavery. I tell them about terrorism, the era that began at the end of reconstruction that went on to World War II.

We don't really know very much about it. But for African Americans in this country, that was an era defined by terror. In many communities, people had to worry about being lynched. They had to worry about being bombed. It was the threat of terror that shaped their lives. And these older people come up to me now and say, "Mr. Stevenson, you give talks, you make speeches, you tell people to stop saying we're dealing with terrorism for the first time in our nation's history after 9/11." They tell me to say, "No, tell them that we grew up with that." And that era of terrorism, of course, was followed by segregation and decades of racial subordination and apartheid.

09:33 And yet, we have in this country this dynamic where we really don't like to talk about our problems.

We don't like to talk about our history. And because of that, we really haven't understood what it's meant to do the things we've done historically. We're constantly running into each other. We're constantly creating tensions and conflicts. We have a hard time talking about race, and I believe it's because we are unwilling to commit ourselves to a process of truth and reconciliation. In South Africa, people understood that we couldn't overcome apartheid without a commitment to truth and reconciliation. In Rwanda, even after the genocide, there was this commitment. But in this country, we haven't done that.

10:12 I was giving some lectures in Germany about the death penalty. It was fascinating, because one of the scholars stood up after the presentation and said, "Well, you know, it's deeply troubling to hear what you're talking about." He said, "We don't have the death penalty in Germany, and of course, we can never have the death penalty in Germany."

And the room got very quiet, and this woman said, "There's no way, with our history, we could ever engage in the systematic killing of human beings. It would be unconscionable for us to, in an intentional and deliberate way, set about executing people." And I thought about that. What would it feel like to be living in a world where the nation-state of Germany was executing people, especially if they were disproportionately Jewish? I couldn't bear it. It would be unconscionable.

11:05 And yet, in this country, in the states of the Old South, we execute people -- where you're 11 times more likely to get the death penalty if the victim is white than if the victim is Black, 22 times more likely to get it if the defendant is Black and the victim is white -- in the very states where there are, buried in the ground, the bodies of people who were lynched. And yet, there is this disconnect.

11:27 Well, I believe that our identity is at risk, that when we actually don't care about these difficult things, the positive and wonderful things are nonetheless implicated. We love innovation. We love technology. We love creativity. We love entertainment. But ultimately, those realities are shadowed by suffering, abuse, degradation, marginalization. And for me, it becomes necessary to integrate the two, because ultimately, we are talking about a need to be more hopeful, more committed, more dedicated to the basic challenges of living in a complex world. And for me, that means spending time thinking and talking about the poor, the disadvantaged, those who will never get to TED, but thinking about them in a way that is integrated in our own lives.

12:28 You know, ultimately, we all have to believe things we haven't seen. We do. As rational as we are, as committed to intellect as we are, innovation, creativity, development comes not from the ideas in our mind alone. They come from the ideas in our mind that are also fueled by some conviction in our heart. And it's that mind-heart connection that I believe compels us to not just be attentive to all the bright and dazzly things, but also the dark and difficult things. Václav Havel, the great Czech leader, talked about this. He said, "When we were in Eastern Europe and dealing with oppression, we wanted all kinds of things. But mostly what we needed was hope, an orientation of the spirit, a willingness to sometimes be in hopeless places and be a witness."

13:16 Well, that orientation of the spirit is very much at the core of what I believe even TED communities have to be engaged in. There is no disconnect around technology and design that will allow us to be fully human until we pay attention to suffering, to poverty, to exclusion, to unfairness, to injustice

. Now, I will warn you that this kind of identity is a much more challenging identity than ones that don't pay attention to this. It will get to you.

13:50 I had the great privilege, when I was a young lawyer, of meeting Rosa Parks. And Ms. Parks used to come back to Montgomery every now and then, and she would get together with two of her dearest friends, these older women, Johnnie Carr, who was the organizer of the Montgomery bus boycott -- amazing African American woman -- and Virginia Durr, a white woman, whose husband, Clifford Durr, represented Dr. King. And these women would get together and just talk.

14:12 And every now and then Ms. Carr would call me, and she'd say, "Bryan, Ms. Parks is coming to town. We're going to get together and talk. Do you want to come over and listen?" And I'd say, "Yes, ma'am, I do." She'd say, "What are you going to do when you get here?" I said, "I'm going to listen." And I'd go over there and I would, I'd just listen. It would be so energizing and so empowering.

14:31 And one time I was over there listening to these women talk, and after a couple of hours, Ms. Parks turned to me and said, "Bryan, tell me what the Equal Justice Initiative is. Tell me what you're trying to do." And I began giving her my rap. "We're trying to challenge injustice. We're trying to help people who have been wrongly convicted. We're trying to confront bias and discrimination in the administration of criminal justice. We're trying to end life without parole sentences for children. We're trying to do something about the death penalty. We're trying to reduce the prison population. We're trying to end mass incarceration."

15:01 I gave her my whole rap, and when I finished she looked at me and she said, "Mmm mmm mmm. That's going to make you tired, tired, tired."

15:07 (Laughter)

15:08 And that's when Ms. Carr leaned forward, she put her finger in my face, she said, "That's why you've got to be brave, brave, brave."

15:17 And I actually believe that the TED community needs to be more courageous. We need to find ways to embrace these challenges, these problems, the suffering. Because ultimately, our humanity depends on everyone's humanity

. I've learned very simple things doing the work that I do. It's just taught me very simple things. I've come to understand and to believe that each of us is more than the worst thing we've ever done. I believe that for every person on the planet. I think if somebody tells a lie, they're not just a liar. I think if somebody takes something that doesn't belong to them, they're not just a thief. I think even if you kill someone, you're not just a killer. And because of that, there's this basic human dignity that must be respected by law. I also believe that in many parts of this country, and certainly in many parts of this globe, that the opposite of poverty is not wealth. I don't believe that. I actually think, in too many places, the opposite of poverty is justice.

16:20 And finally, I believe that, despite the fact that it is so dramatic and so beautiful and so inspiring and so stimulating, we will ultimately not be judged by our technology, we won't be judged by our design, we won't be judged by our intellect and reason. Ultimately, you judge the character of a society not by how they treat their rich and the powerful and the privileged, but by how they treat the poor, the condemned, the incarcerated.

Because it's in that nexus that we actually begin to understand truly profound things about who we are.

16:58 I sometimes get out of balance. I'll end with this story. I sometimes push too hard. I do get tired, as we all do. Sometimes those ideas get ahead of our thinking in ways that are important. And I've been representing these kids who have been sentenced to these very harsh sentences. And I go to the jail and I see my client, who's 13 and 14, and he's been certified to stand trial as an adult. I start thinking, well, how did that happen? How can a judge turn you into something that you're not? And the judge has certified him as an adult, but I see this kid.

17:27 And I was up too late one night and I started thinking, well, if the judge can turn you into something you're not, the judge must have magic power. Yeah, Bryan, the judge has some magic power. You should ask for some of that. And because I was up too late and wasn't thinking real straight, I started working on a motion. I had a client who was 14 years old, a young, poor Black kid. And I started working on this motion, and the head of the motion was: "Motion to try my poor, 14-year-old Black male client like a privileged, white, 75-year-old corporate executive."

17:55 (Laughter)

17:56 (Applause and cheers)

18:01 And I put in my motion that there was prosecutorial misconduct and police misconduct and judicial misconduct. There was a crazy line in there about how there's no conduct in this county, it's all misconduct. And the next morning, I woke up and I thought, now, did I dream that crazy motion, or did I actually write it? And to my horror, not only had I written it, but I had sent it to court.

18:19 (Applause)

18:22 A couple months went by, and I just had forgotten all about it. And I finally decided, "Gosh, I've got to go to the court and do this crazy case." And I got in my car, and I was feeling really overwhelmed -- overwhelmed. And I got in my car and went to this courthouse. And I was thinking, this is going to be so difficult, so painful. And I finally got out of the car and started walking up to the courthouse.

18:44 And as I was walking up the steps, there was an older Black man who was the janitor in this courthouse. When this man saw me, he came over and said, "Who are you?" I said, "I'm a lawyer." He said, "You're a lawyer?" I said, "Yes, sir." And this man came over to me, and he hugged me. And he whispered in my ear. He said, "I'm so proud of you." And I have to tell you, it was energizing. It connected deeply with something in me about identity, about the capacity of every person to contribute to community, to a perspective that is hopeful.

19:17 Well, I went into the courtroom. And as soon as I walked in, the judge saw me coming. He said, "Mr. Stevenson, did you write this crazy motion?" I said, "Yes, sir. I did." And we started arguing. And people started coming in, just outraged I'd written these crazy things. And police officers were coming in and assistant prosecutors and clerk workers. Before I knew it, the courtroom was filled with people angry that we were talking about race, that we were talking about poverty, talking about inequality.

19:41 And out of the corner of my eye, I could see this janitor pacing back and forth. He kept looking through the window and could hear all the holler. And finally, this older Black man with a very worried look on his face came into the courtroom and sat behind me, almost at counsel table. Ten minutes later, the judge said we'd take a break. During the break, there was a deputy sheriff who was offended that the janitor had come into court. The deputy jumped up and ran over to this older Black man. He said, "Jimmy, what are you doing in this courtroom?" And this older Black man stood up and looked at that deputy and he looked at me, and he said, "I came into this courtroom to tell this young man, 'Keep your eyes on the prize, hold on.'"

20:20 I've come to TED because I believe that many of you understand that the moral arc of the universe is long, but it bends toward justice; that we cannot be full, evolved human beings until we care about human rights and basic dignity; that all of our survival is tied to the survival of everyone; that our visions of technology and design and entertainment and creativity have to be married with visions of humanity, compassion and justice. And more than anything, for those of you who share that, I've simply come to tell you to keep your eyes on the prize, hold on.

20:55 Thank you very much.

20:56 (Applause and cheers)

21:17 Chris Anderson: Brian, so you heard and saw an obvious desire by this audience, this community, to help you on your way and to do something on this issue. Other than writing a check, what could we do?

21:30 BS: Well, there are opportunities all around us. If you live in the state of California, for example, there's a referendum coming up this spring where there's going to be an effort to redirect some of the money we spend on the politics of punishment. For example, here in California, we're going to spend one billion dollars on the death penalty in the next five years -- one billion dollars. And yet, 46 percent of all homicide cases don't result in arrest, 56 percent of all rape cases don't result. So there's an opportunity to change that. And this referendum would propose having those dollars go to law enforcement and safety. And I think that opportunity exists all around us.

22:06 CA: There's been this huge decline in crime in America over the last three decades. And part of the narrative of that is sometimes that it's about increased incarceration rates. What would you say to someone who believed that?

22:20 BS: Well, actually, the violent crime rate has remained relatively stable. The great increase in mass incarceration in this country wasn't really in violent crime categories. It was this misguided war on drugs. That's where the dramatic increases have come in our prison population.

22:33 (Applause)

22:35 And we got carried away with the rhetoric of punishment. And so we have "Three Strikes" laws that put people in prison forever for stealing a bicycle, for low-level property crimes, rather than making them give those resources back to the people who they victimized

. I believe we need to do more to help people who are victimized by crime, not do less. And I think our current punishment philosophy does nothing for no one. And I think that's the orientation that we have to change.

22:59 (Applause)

23:01 CA: Bryan, you've struck a massive chord here. You're an inspiring person. Thank you so much for coming to TED. Thank you.

23:08 (Applause and cheers)

23:18 BS: Thank you. Thank you. (Applause and cheers)