

Gangsters vs. Hustlers: An Unnecessary Distinction

When a society, operating under an unideal theory of justice, nurtures its most vulnerable citizens into poverty, to what extent are its citizens justified in doing crime? Shelby considers this question in their paper '*Justice, Deviance, and the Dark Ghetto*' by exploring the kinds of criticisms that can justifiably be made of people living in '*dark ghettos*' – a term used to describe urban, predominantly black and critically impoverished neighbourhoods (134). The ghetto poor (i.e., black residents of the dark ghettos) are criticized in a variety of ways that typically target their reactions to institutional and other wide-spread injustices that disproportionately affect their overall welfare or life prospects. These reactions sometimes take the forms of criminal activity, refusal to work legitimate jobs and an expression of contempt towards authority or governed rules (128). Shelby argues that within the ethics of criminal activity, a distinction can be made between two modes of crime: reasonable criminal conduct (i.e., victimless crimes) and intolerable immoral crimes (i.e., violent crimes); the former being excusable under the framework of an unjust society, the latter being inexcusable under any circumstance whatsoever (152). These victimless crimes are associated with failing one's responsibilities as a citizen (i.e., failing their *civic duties*), whereas violent crimes are understood by Shelby as a failure in moral responsibility (i.e., failing one's natural duties) (144). Shelby contends that violating one's civic duties (their obligations to society) due to systematic injustices has merit, but failing to uphold one's natural duties (one's moral obligations) is an unconditional responsibility everyone has to other people (155). **This paper will argue that circumstances of the dark ghettos – namely gentrification, segregation and gang violence produce situations where upholding one's natural duties are unrealistic.** And, because of this, Shelby's account of natural duties should be revised to consider situations where a persons' moral values are compromised by such

circumstances. I will elucidate my arguments with scenes from the film 'Boyz N the Hood' in order to contrast Shelby's claims about the moral permissibility of crime with the reality of gang violence as experienced by the main characters of the film. I aim to suggest the idea that morally upright people can be easily compelled or swayed into 'abandoning' their natural duties due to their surrounding conditions, and these actions should not warrant indisputable criticism, as Shelby seems to believe. To caution against potential misunderstandings: my aim is not to claim that Shelby lacks insight about the circumstances of dark ghettos, but rather to say that their paper did not explain, to a strong effect, why natural duties *must* be unconditionally binding.

In the film 'Boyz N the Hood', two youths are portrayed living in the dark ghettos of southern Los Angeles. One kid, 'Tre', has an educated mother and an insightful father that tries to educate him about natural and civic duties. The other kid, 'Doughboy', has no familial support system and grows up involved in gang violence. The area that they grow up in shares the overall characteristics that Shelby ascribes of the dark ghettos (e.g., impoverished communities with a clear lack of educational opportunities, gang violence, etc.) (147). These social arrangements in which the ghetto poor live in is inherently unjust, and under this social scheme, Shelby argues that the life prospects of the ghetto poor are significantly hindered by racial discrimination, socioeconomic inequalities, classist policies etc. (127, §1). Among these factors is the concept of institutional racism, defined as existing when rules of a major social institution are distorted by racial biases of those holding authority (131). This phenomenon exhibits itself in the dark ghettos through racist urban planning. When Tre's father brings Tre to a billboard fixed on a vacant lot in Compton, California, he explains that gentrification occurs when '*the property values of a certain area are brought down so that land can be bought at a lower price*' (BH). He then says

that the reason why liquor and gun stores are located at every corner of the dark ghettos of Compton is ‘because **they** want [the ghetto poor] to kill each other off’ (BH). Due to various socioeconomic factors like these, Shelby maintains that upholding one’s civic obligations is a matter of whether the citizen is cooperating with a fair basic structural system, since these obligatory dues are normatively set by their environment and the system that enforces that environment (144). That is, when the state you rely on to provide equal opportunity (amongst many other rights) fails your community by actively allowing channels for black youth to use as a means to escape poverty or interpersonal conflicts, the principles that underpin one’s obligation to the state **become contingent** (144). Tre’s father, explaining to the crowd that has gathered around him and the billboard, implies that narcotics were allowed in by the country, and only became a national ‘drug crisis’ when it reached white suburban neighbourhoods (BH).

Shelby contends that if the state does not uphold reciprocal respect to its most vulnerable citizens, then citizens ‘do not have obligations to submit to unjust institutions, or at least not to institutions that exceed the limits of tolerable justice’ (145). Because the ghetto poor are disadvantaged in the social scheme, it is tolerable and thereby understandable when the ghetto poor submit to means of escaping poverty (e.g., by theft, fraud, prostitution, tax evasion) (137, 152). These methods are regarded as belonging to ‘hustler’ ethics, which denote a domain of crime that involve disobeying one’s civic duties (137). This was Doughboy’s and most of Tre’s friends’ areas of crime; victimless crimes that ranged from shoplifting milk from a store to stealing cars later in their youth. However, Shelby argues that ‘gangsters’ or criminals that use violence to forcibly extract things from victims, are never pardoned from their moral duties to one another (137, 151). Even under an unjust scheme, all people have natural duties to abide by,

such as being un-cruel, being helpful towards the vulnerable, not causing unnecessary suffering, etc. (151). In essence, these duties are necessarily binding, regardless of oppression, in virtue of being a morally 'correct' human.

The central argument for this view is that expecting the ghetto poor to uphold their natural duties allows them to be treated as full moral persons or political agents with their own agency (154). If one does not allocate any moral responsibility to them, then an image of a 'sick' community is painted where a presumably 'healthy' group of people must intervene and convert them (154). I agree with this point – it is important to respect the autonomy of people and not construct a narrative that implies they are cognitively impaired from understanding moral values. However, what Shelby says here is in tension with later claims in their paper about how the techniques of gangsters, hustlers may corrupt their character if their practises are used for something beyond the scope of securing social assets – meaning breaking the law for power or status or riches is wrong (160). This claim implies that the ghetto poor's character is up for assessment depending on the kinds of crimes they partake in; but how is someone's moral agency quantified if many of their actions are a result of coercion, manipulation and environment? In the film *Boyz n' the Hood*, Tre's father warns him against gangsterism, hustlers, the psychological dangers of prison, etc. He tells Tre that if he listens to him, he will grow up responsible and will not end up like Doughboy, who does not have anyone to teach him the same principles. A few years later, Tre goes out with his friends to a social gathering. An insignificant verbal altercation occurs between another group of people from their neighbourhood and Tre's friends, which ends up escalating until both parties leave. A few days after, when Tre and his friends finish writing their SAT exams, the group of people return, fatally

shooting Tre's friend. In the heat of anger, pain, and confusion, Tre tells Doughboy that he will join him in avenging their friends' death. Tre's father catches him by the doorway, reminding him of everything he has taught him from his childhood. Tre still sneaks out of his house, and rides in the car with Doughboy for an hour before changing his mind and going home to his father. Doughboy ends up finding the group of people and kills them. Two weeks later, Doughboy gets shot as well. These events were loosely based on the directors' anecdotes, based in the realities of densely populated and impoverished areas of the dark ghettos.

It seems that despite the vastly different familial upbringings of Doughboy and Tre, the difference between one character failing their natural duties and another character not, was only a split moment. In Shelby's paper, although they do contend that their aim is not to determine the precise line between impermissible and permissible crimes (152), their claims about the moral relationship with one's natural duties is, in my opinion, still in tension with the reoccurring themes of this film. I want to suggest that perhaps the distinction between one's civic and natural duties is not directly tied to different morale dues, but rather to **the affective degree their environmental conditions have on their values**. An objection to this idea might ask how this is compatible with treating the ghetto poor as political agents in their own right. The question really lies in the *point* of trying to set normative standards of morality, when the system under which the ghetto poor's action take place, is already an immoral and unjust scheme! Creating the distinction between a hustler and a gangster hardly seems practical, when situations prevail where neither a gangster nor a hustler is a moment away from becoming a convicted murderer (e.g., Tre's life, had he located the group of criminals in the midst of his rage). Shelby does not manage to give sufficient argumentation as to why natural duties are not suspended because of

oppression, but does consider that youths are very impressionable and one must be mindful when making their criticisms of the ghetto poor, because children's moral development are shaped by their observations (152). However, this assumes that when a child grows up and is no longer cognitively underdeveloped, they change their ethical views on violence and such. If this is the assumption that Shelby makes, an argument should be given as to why they believe that one's moral values change, when their environment does not.

## REFERENCE LIST

SHELBY, T. (2007). Justice, deviance, and the Dark Ghetto. *Philosophy & Public Affairs*, 35(2), 126-160. doi:10.1111/j.1088-4963.2007.00106.x

Citations ending in (BH) refer to the film 'Boyz N the Hood' by John Singleton. The script for the movie can be found on this website: <https://8flix.com/screenplays/boyz-n-the-hood-1991-screenplay-written-by-john-singleton/>