

The Demise of American Cities and the Rule of Law

Robert Genetski: This article appeared in The Epoch Times October 10, 2022

Commentary

As voting in the midterm elections gets underway, crime and safety are the key issues. In [cities](#) across the country, the nightly news has endless scenes of store lootings, car jackings, and random attacks on innocents, without consequences for the offenders.

[Chicago](#) stands out as a prime example in the current wave of lawlessness. [Chicago Police Department \(CPD\) reports](#) show murders in the first nine months of 2022 are up 32 percent and all crimes are up 22 percent since 2019. However, these numbers understate the actual number of crimes because, presumably, so many go unreported. Chicago's police reports list only the most serious crime, in any instance. Federal requirements will soon force the city to list all crimes.

In an emergency when seconds count, police recordings show 911 calls often take two hours or more for police to respond. By that [time](#), the damage is often done.

Looting of businesses, car jackings, muggings, and shootings along Michigan Avenue and State Street have led some storeowners to abandon their businesses and board up once-thriving stores. Many Chicagoans no longer come to the city to shop or to work. Although this year use of public transportation and tourism has been gradually increasing, Chicago Metra, the city's commuter rail system, reports August ridership was still down 60 percent from the pre-pandemic level in August 2019, a clear sign of a massive exodus.

Chicago's home and commercial real estate values have plummeted. As tenants leave, the city's tax base declines. Many of Chicago's wealthier homeowners are forced either to move or hire private security firms to protect their lives and property.

The root cause of the rapid decline of what was a great world-class city resulted from a conscious decision to abandon the rule of [law](#). Economists cite certain requirements for a city, state, or country to grow and prosper. One stands above all others: the rule of law.

There Is No Liberty Without Law

When people first decide to form a government, there is an implicit social contract in which people relinquish some of their freedom to the State in return for protection of the people and their property. While we ask government to perform other functions, the first and most essential priority is defense, protection. When government fails to do so, it breaks the social contract and undermines all other principles of good governance.

Chicago's decision not to enforce the law was deliberate. Members of the CPD tell us that Mayor Lori Lightfoot ordered police to stand down if police saw bad guys breaking into an establishment—their orders were to avoid a confrontation.

Ordering police not to do their job was one of the most egregious examples of permissive progressivism, but that was not the only way Chicago indirectly encouraged lawlessness. Prosecutors, for example, failed to prosecute crimes and judges immediately released those charged with crimes. Police said arrests were often meaningless because those they arrested would be back on the streets the following day.

City officials, prosecutors, and judges are all allegedly complicit in promoting lawlessness. When political leaders tell police to stand down, when prosecutors fail to prosecute, and when judges fail to enforce the law, they are abrogating the most basic requirement for a civilized society.

Fortunately for Chicago and for the rest of Illinois, there always has been a solution to restoring the rule of law. Elected politicians, prosecutors, and judges can be voted out of office. For Illinois, however, this option may no longer be available. Last year,

Illinois passed a destructive 700-page law: the Safety, Accountability, Fairness and Equity-Today Act (or shortly, the [Safe-T Act](#)).

As with so many historical laws, this one has the opposite effect of what its name purports to do. Instead of making citizens safe, the Safety Act is 'woke' legislation designed to protect the rights of those arrested for disobeying the law rather than protecting citizens from criminals. In protecting the rights of those arrested instead, the Safety Act places [legal barriers](#) in the way of police, prosecutors, and judges. These barriers make it more difficult to enforce the law. The Christian Broadcasting Network (CBN) News outlet says 100 out of 102 Illinois state attorneys oppose the Safety Act.

The Safety Act permits criminals go about their business with little or no fear of being arrested, detained, or convicted. In Chicago, this has reached the point of lunacy. The act eliminates cash bail requirements, placing those arrested back on the street with no monetary guarantee of their return. The act also lists numerous offenses and provisions which allow those arrested to be released into the community instead of being kept in jail. Among offenses that would not be subject to detainment are second-degree murder, arson, robbery, burglary, kidnapping, and aggravated battery.

In addition, the Safety Act intends to undermine the police by ending a policy known as qualified immunity, which limits police liability to violations of "clearly established statutory or constitutional rights." Qualified immunity protects police from frivolous civil lawsuits, where those arrested claim the police violated a person's rights simply by virtue of making an arrest.

Without qualified immunity, police become personally liable civilly. In addition to putting their lives on the line, police put their finances on the line as they risk personal liability for fines and legal expenses. At a time when recruiting and retaining police has become far more difficult, the Safety Act will deplete police forces, many of which are down 25 percent from their targeted strength.

As an economist, I have been asked to place a price on the cost to Chicago and other cities from abandoning the rule of law. Quantifying the full cost in damages doesn't even matter, nor can it be done in good conscience. When people, businesses, and property aren't safe, the absence of law undermines the basic fabric that holds a civilized society together. What remains is anarchy and an uncivilized society with little in the way of true value.

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