

## Hairbraiders Learn Lessons of Economics

by Michelle Malkin

What do African-style hairbraiders and stodgy economists have in common? More than you might imagine. According to professors who teach "public choice theory," government regulation is often used to restrict competition and protect industries with political clout. While many of these laws — health and safety standards, environmental rules, and stringent licensing — are passed under the guise of protecting the "public interest," they can also benefit special interests by erecting barriers to entry in the marketplace.

Public-choice theorists make their case with painstaking analytical rigor in obscure academic journals. But some of the most convincing teachers of this basic lesson in law and economics don't wear tweed and don't need textbook formulas to prove the point. In urban neighborhoods and inner-city storefronts, African-style hairbraiders are battling the effects of restrictive business regulations. And they're winning.

Take Taalib-Din Uqdah, owner of Cornrows Company in Washington, D.C. Four years ago, city inspectors demanded that he obtain an occupational license in cosmetology to run his hair-braiding business. The license required a year of training in everything from manicures to eyebrow arching at a cost of \$1,000 — but none of the classes covered hair-braiding techniques and other African styles.

"I don't have a problem with government wanting to protect public health and safety," Uqdah said. "But the city's code required me to go to an expensive cosmetology school for a year and learn chemical techniques and practices that have nothing to do with what we do. Complying would have killed my company — and pushed many other law-abiding minority business owners underground."

Uqdah is blunt when asked why the city would crack down on hairbraiders. "We're new, we're popular, we're a threat. Licensing is a way for old-line cosmetologists to squash a growing cottage industry of people who are skilled in a cultural art form that's foreign to them."

Uqdah and his wife successfully challenged the city's outdated cosmetology code with legal help from the nonprofit Institute for Justice based in Washington, D.C. As a result, the D.C. government deregulated the cosmetology industry and allowed hairbraiders to obtain a separate operating license with sensible training requirements.

Uqdah founded the American Hairbraiders and Natural Hair Care Association. One member in Memphis, Tennessee pushed successfully for the creation of a "natural hairstyling" license that requires one-third the hours of instruction required of cosmetologists. In San Diego, the association and the Institute for Justice moved forward with a federal civil-rights suit against the state cosmetology board on behalf of African-American studies professor and hairbraider Jo Anne Cornwell.

Cornwell sees this as a fight not only for the "economic liberty rights of hairbraiders," but for many other working, poor immigrants and minorities struggling to enter the workforce. Two weeks ago, U.S. District Judge Rudi Brewster rejected a motion to dismiss the lawsuit. Observing that only four percent of the required curriculum relates to health and safety — the state's supposed "compelling interest" in regulating hairbraiding — Brewster concluded that the rules place "an almost insurmountable barrier in front of anyone who seeks to practice African hair styling," the effect of which "is to force African hair stylists out of business in favor of mainstream hair stylists and barbers."

Economist Milton Friedman wrote in *Capitalism and Freedom*, "In practice, the considerations taken into account in determining who shall get a license often involve matters that, so far as a layman can see, have no relation whatsoever to professional competence."

Critics of welfare reform complain that there aren't enough jobs to absorb new entrants into the marketplace. But Uqdah has a message for politicians from President Clinton on down: "Open your eyes! I alone could put 3,000 people to work if we got rid of all the insane barriers and rules that keep people from earning an honest living."

That message is easy to discount when delivered by ivory-tower intellectuals — but impossible to ignore when sounded by small-business owners fighting for their livelihoods, off the chalkboards, out of the theoretical realm, in living color.

*Michelle Malkin writes for the Seattle Times.*

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