

# CHAPTER 14

## RACIAL INEQUALITY

*Final Draft, August 2009*

---

Race and racial inequality have powerfully shaped American history from its beginnings. Americans like to think of the founding of the American colonies and, later, the United States, as driven by the quest for freedom – initially, religious liberty and later political and economic liberty. Yet, from the start, American society was equally founded on brutal forms of domination, inequality and oppression which involved the absolute denial of freedom for slaves. This is one of the great paradoxes of American history – how could the ideals of equality and freedom coexist with slavery? We live with the ramifications of that paradox even today.

In this chapter we will explore the nature of racial inequality in America, both in terms of its historical variations and contemporary realities. We will begin by clarifying precisely what we mean by race, racial inequality and racism. We will then briefly examine the ways in which racism harms many people within racially *dominant* groups, not just racially oppressed groups. It might seem a little odd to raise this issue at the beginning of a discussion of racial inequality, for it is surely the case that racial inequality is more damaging to the lives of people within the oppressed group. We do this because we feel it is one of the critical complexities of racial inequality and needs to be part of our understanding even as we focus on the more direct effects of racism. This will be followed by a more extended discussion of the historical variations in the forms of racial inequality and oppression in the United States. The chapter will conclude with a discussion of the empirical realities today and prospects for the future.

This chapter will focus primarily on the experience of racial inequality of African-Americans, although in the more historical section we will briefly discuss specific forms of racial oppression of Native-Americans, Mexican-Americans, and Chinese-Americans. This focus on African-Americans does not imply that the forms of racism to which other racial minorities have been subjected are any less real. And certainly the nature of racial domination of these other groups has also stamped the character of contemporary American society.

### WHAT IS RACE?

Many people think of races as “natural” categories reflecting important biological differences across groups of people whose ancestors came from different parts of the world. Since racial classifications are generally hooked to observable physical differences between people, the apparent naturalness of race seems obvious to most people. This conception reflects a fundamental misunderstanding about the nature of racial classifications. Race is a social category, not a biological one. While racial classifications generally use inherited biological traits as criteria for classification, nevertheless how those traits are treated and how they are translated into the categories we call “races” is defined by social conventions, not by biology.

In different times and places racial boundaries are drawn in very different ways. In the U.S. a person is considered “Black” if they have any African ancestry. This extreme form of binary racial classification reflects the so-called “one-drop rule” that became the standard system of racial classification in the U.S. after the Civil War. Imagine how different the meaning of

“race” would be in the US if the one-drop rule were reversed: anyone with any European ancestry would be classified as white. In Brazil, in contrast to the U.S., racial classifications are organized on a more continuous spectrum. In the U.S. all East Asians are considered a single racial category; in East Asia, on the other hand, Chinese, Japanese, Koreans and Vietnamese are considered separate races. The United States Immigration Commission in 1911 considered people of Irish, Italian, Polish, and English descent to be distinct “races”, and the 1924 Immigration Act passed by Congress restricted immigration of what were termed “inferior races” from Southern and Eastern Europe. In Germany under the Nazis, Jews were considered a distinct race, not merely a religious group or an ethnic group. In Africa today, Tutsi and Hutu have sometimes been regarded as distinct races. Racial classifications are thus never simply given by biological descent even if they always invoke biology; they are always constructed through complex historical and cultural processes.

Racial *classifications* do not logically imply racial *oppression* (i.e. a social injustice backed by power). This is how ethnic distinctions are sometimes experienced: to be of Irish or Swedish or Italian descent in America is to share a certain cultural identity, and perhaps to participate in certain cultural practices as well, but this does not imply any forms of oppression involving these categories. Ethnic difference can be just that: differences. Racial classifications could in principle be simply a way of noting physical differences of various sorts that are linked to biological descent. However, in practice racial classifications are almost always linked to forms of unjust economic and social inequality, domination, and exclusion, as well as to belief systems that assign superior and inferior statuses and attributes according to race. Indeed, as a sociological generalization we can say that racial classifications become salient in people’s lives primarily to the extent that they are linked to forms of socioeconomic inequality and oppression.<sup>1</sup> The term “racism” designates this intersection of racial classification with oppression.<sup>2</sup>

## **RACISM AND THE LIVES OF WHITE AMERICANS**

To study race in American society, then, is to investigate the ways in which racial classifications are linked to historically variable forms of oppression. The moral core of such an analysis is understanding the ways in which racial oppression imposes harms on people in the racially oppressed category. Nevertheless it is a mistake to think of racism as something that only affects the lives of African Americans, Native Americans, Asian Americans, Latinos and other racially defined “minorities”. Racism has profoundly shaped American society and politics in ways that deeply affect the lives of white Americans as well, particularly the lives of working class and poor whites, not just the lives of minorities.

Racism harms disadvantaged groups within the white population in two principle ways. First, racism has repeatedly divided popular social and political movements, undermining their capacity to challenge prevailing forms of power and inequality. Ruling elites have often used race as part of a strategy of “divide and conquer” to protect their class interests. Numerous

---

<sup>1</sup> Once a racial category becomes historically rooted and part of the daily lives of people it can also become an ethnicity – a category of people with shared historical experience, cultural practices and identities. This adds to the complexity of race as a form of social division.

<sup>2</sup> The word “racism” is sometimes used more narrowly to refer simply to beliefs and ideologies that have a racist content. We will use the term in a more encompassing way to include both the social relations and the systems of belief that link forms of socioeconomic injustice to racial classifications.

examples can be cited:

- In the 1880s and 1890s a radical political movement of workers and small farmers – the Populists – emerged in the Midwest and the South. For a time it appeared that black tenant farmers and small white farmers in the South might be able to make common cause against large landowners and Southern elites. At its height the Populists appeared to pose a potentially serious challenge to the dominant political parties of the period and even to the interests of dominant classes. Racial conflict eventually tore apart the agrarian unity of the Populists and contributed to the decline of the movement overall.
- Throughout the late 19<sup>th</sup> century and the first part of the twentieth century employers used racial minorities as strike breakers in industrial strikes. This significantly weakened the ability of unions to win strikes, and also contributed to deep resentments against blacks and other minorities within the white working class.
- In the late 1960s and early 1970s, in response to the civil rights movement, the Republican Party under Nixon adopted what came to be known as the “Southern Strategy” in which racial fears were deliberately used to get white working class voters to switch political allegiance from the Democrats to the Republicans. This strategy is credited by many scholars with ushering in an era of conservative politics which ultimately significantly harmed the economic interests of white workers by weakening unions, lowering the minimum wage, reducing job security.
- Research on wage inequality has demonstrated that in those cities and regions of the United States where the black/white wage difference is the greatest it is also the case that the wages of white workers are the lowest and inequality among whites is greatest.<sup>3</sup> What this suggests is that racial divisions within the working class weaken the ability of workers as a whole to bargain higher wages with their employers. White workers, in the long run, would be better off economically if there was less inequality and more solidarity between white and black workers.

In the absence of racial divisions and racial conflict, popular social forces would in general have been stronger, more capable of influencing political parties and challenging dominant class interests.

The second way that racism has negatively affected the interests of less advantaged segments of the white population is through the ways it has undermined universalistic aspects of the welfare state. Universal programs are programs that apply to all people. They are contrasted with targeted programs that apply only to special, designated groups. In general, as we noted in our discussion of poverty, universalistic programs tend to be better funded than targeted programs and to more robustly improve the conditions of life of people at the bottom of the class structure. In the critical period in which the American welfare state was initially created – the New Deal in the 1930s – there was strong opposition by Southern Democrats to universalistic policies because of the ways such policies would benefit Black Americans as well as White Americans. In spite of the widespread poverty in the South, the Democrats in the South were extremely conservative on social welfare issues and effectively blocked the possibility of

---

<sup>3</sup> See Michael Reich, *Racial Inequality: A Political-Economic Analysis*, Princeton University Press, 1981

national universalistic programs because of racism. For example, in the legislation that set the basic framework for labor law and the rights of unions they insisted that provisions be included which would effectively exclude most black labor from union rights, and social security initially excluded domestic workers and agricultural labor for the same reasons. Universal health insurance was off the table at least in part because of opposition to universalism. While many of the exclusions of the New Deal have since been eliminated, they nevertheless helped create a type of welfare state averse to the kind of universal programs that we see in most developed capitalist democracies. Racism played an important role in this. This has harmed the interests of the majority of whites.

## **THE HISTORICAL TRAJECTORY OF RACIAL OPPRESSION**

While racism may harm significant segments of the racially dominant group in American society, nevertheless racism is above all a form of domination that harms the racially oppressed groups. These harms have been a core part of American history, and not merely of distant history. It is hard to overstate this point: it is only in the most recent past that the classical liberal idea of equality before the law has been extended to include racial minorities, and even today in many critical respects such equality remains more promise than reality.

In this section we will explore historical variations in the distinctive forms that racial oppression has taken in the United States. This will, of necessity, be a highly simplified and stripped down historical account. Its purpose is to help give specificity to the current problem of racial inequality in American Society by seeing what has changed and what remains. We will focus on the five primary forms of racial oppression that have occurred in United States history: genocide and geographical displacement; slavery; second-class citizenship; non-citizen labor; diffuse racial discrimination. These constitute an overlapping historical sequence, with different racially defined groups being the subjects of different forms of racism in different historical periods.

### **1. Genocide and geographical displacement**

When European settlers came to North America they encountered an indigenous population that had effective control over the most important economic resource of the time: land. From very early on, displacement and genocide were the central ways of dealing with the inevitable conflicts over this resource, first by the British colonies and later by the U.S. Government. The 19<sup>th</sup> century folk saying “the only good Indian is a dead Indian” reflects the moral monstrosity of this stance. Most often the land was simply confiscated by force and the indigenous inhabitants driven off or killed. Occasionally land was formally ceded by Native American tribes through treaties in the aftermath of military defeat. When treaties occurred, they guaranteed the native people making the treaty certain rights in exchange for the agreement. Often these rights were subsequently ignored.

Such displacements were claimed to be justified on the grounds that the native people were uncivilized “savages” and did not really “own” the land since they were often nomadic or semi-nomadic without permanent settlements and permanent cultivation of particular pieces of land. But even in instances where Native Americans were agriculturalists and did have such settlements there was little hesitation in forcibly evicting them from the land. The removal of the Cherokee Nation from the Southeastern United States by Andrew Jackson in the 1830s is the best known instance. The Cherokees had deliberately adopted a policy of assimilation into

American ways of life, living in settled communities, practicing extensive farming, and even owning slaves. In spite of this, white settlers coveted their lands, and Andrew Jackson used the military power of the Federal Government to force the Cherokees – and the other Native American peoples of the Southeast – to move west of the Mississippi.

By the end of the 19<sup>th</sup> century this displacement was complete and Native Americans were largely confined to bounded geographical spaces called Indian Reservations. The precise legal standing of these reservations has varied over time, but generally they have been accorded semi-sovereign status with at least some rights of self-government. In the 21<sup>st</sup> century Native Americans are no longer required to live on Indian Reservations. They are now full American citizens and can move freely about the country. Nevertheless, the lives of many Native Americans are still deeply marked by the legacy of the severe forms of racial oppression and geographical isolation to which they were historically subjected. As a group, they are economically among the most deprived segment of the American population, particularly when they live on Indian Reservations.

## 2. Slavery.

Everyone knows that most people with African ancestors living in the United States today are the descendants of people who were the property of white Americans. Everyone knows this, but it is easy to lose site of what this really means. Human beings were *property*: they were owned in the same sense as a horse can be owned. They could be whipped and branded and in other ways physically harmed with virtually no legal restrictions. The killing of a slave by a slave master was almost never punished. The rape of slaves was a common practice. Slave owners were free to split up families and to sell the children of slaves.

The fact that slave owners had absolute power over their slaves, of course, does not mean that all slave masters ruthlessly abused their slaves. Many slave owners accepted a paternalistic ideology in which slaves were regarded as children for whom they had moral responsibility, and certainly some slave owners tried to live up to that ideal. More importantly, slave owners were businesspeople for whom slaves were an important investment, and the value of that investment needed protection. Just as farmers have an incentive to be sure that their horses are well fed and not overworked to the point that their health and productivity is threatened, so slave owners had incentives to take care of their investments in the bodies of their slaves. Particularly after the international slave trade was banned at the beginning of the 19<sup>th</sup> century and thus the price of slaves increased, slave owners took measures to insure that the value of their investments did not deteriorate. As a result, by the time of the Civil War the calories consumed and material standard of living of American slaves was not very different, and perhaps even a little higher, than that of poor peasants and unskilled workers in many parts of Europe.

Some scholars have argued on the basis of these facts about improving standards of living of slaves in the 19<sup>th</sup> century that slavery was not as oppressive as often thought.<sup>4</sup> This claim minimizes the impact on the lives of slaves of the condition of such radical and complete unfreedom and the deep symbolic degradation that slaves experienced. The nature of the social structure of slavery meant that significant physical brutality was ubiquitous in spite of the modestly improving standard of living of slaves and the ideology of paternalism. Because

---

<sup>4</sup> The best known defense of this view is by Robert Fogel and Stanley Engerman, *Time on the Cross: The Economics of American Negro Slavery* (Second Edition). New York: W.W. Norton and Company, 1995.

slavery was a lifetime condition, slaves had very little positive incentive to work hard. Since the prosperity of slave owners depended on the effort of their slaves, this meant that slave owners had to rely very heavily on negative incentives – force and the threat of force – to extract such effort. As a slave owner in Arkansas stated, “Now, I speak what I know, when I say it is like ‘casting pearls before swine’ to try to *persuade* a negro to work. He must be *made* to work, and should always be given to understand that if he fails to perform his duty he will be punished for it.”<sup>5</sup> Even slave owners who sincerely believed in their paternalistic responsibilities to care for their slaves justified this harsh treatment on the grounds that the childlike nature of their black slaves meant that force was the only thing that they understood.

The pervasive domination and exploitation of slavery was accompanied by pervasive forms of resistance by slaves. The most common form of resistance occurred in the mundane activities of the slave plantation: poor work, occasional sabotage, passivity. Runaway slaves were a chronic problem, and political conflict over how to deal with slaves who escaped to the North was one of the sources of tension that led to the Civil War. Occasionally there were violent slave revolts, and while rare, this fueled an underlying fear of blacks among whites in the South and contributed to the massively repressive and violent apparatus of the slave state.

While slavery came to be restricted to the South in the course of the 19<sup>th</sup> century, it would be a mistake to see this form of racial oppression as exclusively affecting the South. The economy of the North was deeply linked to Southern slavery in the Colonial period, particularly through the notorious “triangular trade” in which Slaves were purchased in Africa with European goods, then sold in the Caribbean and North America and the profits used to ship Tobacco, rum and cotton back to Europe. Some have argued that the direct and indirect profits from this trade was the single most important source of capital accumulation in the colonies, including in New England.<sup>6</sup> At the time of the Constitutional Convention slaves were owned by northerners as well as southerners, and many of the founding fathers were slave owners. In the early years after the Revolution, slavery was still legal in a number of Northern States. In New York there were still 10,000 slaves in the 1820 census, and significant numbers of slaves were reported as late as the 1840 census in New Jersey. Right up to the Civil War, the Northern economy continued to be linked to slavery through textile manufacturing. Even after slavery was outlawed in the Northern States beginning in the late 18<sup>th</sup> century, the North collaborated with the South in allowing escaped Slaves to be captured and returned to the South, particularly after the Dred Scott decision of the U.S. Supreme Court.<sup>7</sup> And while it was true that in the years leading up to the Civil War abolitionist sentiment grew steadily in the North, many people in the North were perfectly content to let slavery continue in the South.

By the time of the civil war, there were nearly four million slaves in the United States, about 13% of the total US population. In the fifteen states in which slavery was legal, just over one in

---

<sup>5</sup> Quoted by Kenneth Stampp, *The Peculiar Institution: Slavery in the Ante-bellum South*. New York: Knopf. 1975, p. 171

<sup>6</sup> See, for example, David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade*. New York & Oxford: Oxford University Press, 1987.

<sup>7</sup> In the Dred Scott Decision of 1856, the Supreme Court ruled that an escaped slave remained the property of the original slave owner even if the slave managed to get to a state in which slavery was illegal, and thus it was legal for the slave owner to recapture the slave.

four white families were slave owners.<sup>8</sup> This is a higher proportion than families who hired maids and servants in the non-slave states.<sup>9</sup> In Mississippi the proportion of households that owned slaves was 49%.<sup>10</sup> While most of these Southern slave-owning families owned only a few slaves, this meant that the direct experience of owning another person of a different race was very widespread in the South. For the white population in the antebellum South, the racial oppression of blacks was not simply something that was part of the social environment in which they lived; it was a significant part of the daily routines in which they were active participants.

Slavery ended with the Civil War almost a century and a half ago, but of course its impact did not disappear simply because this form of racialized class relations had been destroyed. Slavery contributed to a particularly pernicious and durable form of racist beliefs that continues to influence American culture today. Slavery posed a deep cultural problem for the United States after the American Revolution: How could a country founded on the principles of “life, liberty and the pursuit of happiness” accommodate slavery? How was it possible to reconcile the devotion to liberty and democracy with the treatment of some people as the property of others? The solution to this deeply contradictory reality was the elaboration of racial ideologies of degradation and dehumanization of blacks as intellectually and morally inferior and thus not worthy of treatment as full persons. The attribution of intellectual inferiority meant that blacks were seen as lacking intellectual capacities for rational action, and thus, as in the case of children, choices should be made on their behalf by responsible adults. The attribution of moral inferiority supported the view of blacks as inherently dangerous, ruled by passions, both aggressive and sexual, and thus incapable of exercising liberty. These beliefs constituted the core of the racist culture forged under slavery and although such beliefs were increasingly challenged in the last decades of the twentieth century and are no longer seen as respectable, they continue to influence race relations to the present.

### 3. Second-Class citizenship

Slavery was abolished after the Civil War, but this did not mean a complete dismantling of legally-enforced racial oppression. On paper, the 14<sup>th</sup> Amendment to the U.S. Constitution, ratified in 1868, guaranteed equal protection of the law and full rights to all citizens, and the 15<sup>th</sup> amendment passed two years later explicitly specified these rights applied to all people regardless of race or color. If these Amendments had been taken seriously and rigorously enforced, then racial oppression could not have taken the form of second-class citizenship.

Second class citizenship refers to a situation in which some categories of citizens have fewer

---

<sup>8</sup> According to Gavin Wright, a leading authority on slavery, “As of 1860, in the cotton-growing areas approximately one half of the farms did not own slaves; for the South as a whole, the percentage of slaveowning families declined from 36 in 1830 to 25 in 1860.” Gavin Wright, *The Political Economy of the Cotton South*. New York: Norton.

<sup>9</sup> In the 1860 census, in the non-slave states, 506,366 people were classified as private household workers (housekeepers, laundresses, and other). The population of the nonslave states in 1860 was 19,410,197. Since, on average, households at that time consisted of about 5.3 people, this means that there were approximately 3,640,000 households in the non-slave states in the United States in 1860. The maximum percentage of these households which could have employed a private household worker was 14%, if (implausibly) no household employed more than one such worker.

<sup>10</sup> These figures come from 1860 census data reported on “the Civil War Home Page”, [http://www.civil-war.net/pages/1860\\_census.html](http://www.civil-war.net/pages/1860_census.html).

rights than others. This can either take the form of an official, legally defined denial of some rights, or a less formal practical denial of rights. Laws which prohibit people who have been convicted of felonies from voting, for example, are an example of legally-defined second-class citizenship that is still common in the United States today.<sup>11</sup> Police practices which target certain groups of people for stricter law enforcement or judicial practices which systematically impose stiffer sentences on particular categories of people would be examples of unofficial second class citizenship. Public policies which treat some categories of citizens as more worthy of respect than others can also be seen as creating a kind of second class citizenship. Margaret Somers has argued that the public disrespect of poor African-Americans reflected in the abandonment of the people left behind in New Orleans during the Hurricane Katrina disaster in 2005 is a striking example of their denial of full recognition as equal citizens.<sup>12</sup>

Official second-class citizenship became the pivotal form of racial oppression in the United States, especially in the South, in the decades following the Civil War. The emancipation of slaves in the South posed a serious problem for large landowners who had previously relied almost entirely on slave labor for their incomes. Most slaves wanted to become small farmers, and there were moments in which the promise of “forty acres and mule” seemed to open the possibility of former slaves becoming a yeoman class of independent farmers. In order for this dream to have become a reality, however, widespread dispossession of large Southern landowners of their land would have been necessary, and in spite of the Civil War, the Federal Government was loathe to violate the rights of private property owners to this extent. As a result few ex-slaves were in a position to acquire land.

Large Southern landowners thus retained possession of the land, but they no longer owned the labor to work the land. In terms of the concept of class discussed in chapter 11, the landowners effectively hoarded the economic opportunities represented by land, but they no longer had complete control over a supply of labor to exploit. What was needed, then, was a new system to tie ex-slaves to the land and give planters effective control over their labor. In the decades following the Civil War Southern planters experimented with different arrangements, settling finally on a system called “sharecropping” by the last decade of the century. Sharecropping is a form of agriculture in which tenant farmers pay rent to landowners in the form of a certain percentage of the total crop grown on the land. The profitability of landowning depends on what that percentage is, and this in turn depends upon the bargaining power of the tenant farmers. It is of considerable advantage to landowners, therefore, to have a politically weak and economically vulnerable population available to be tenant farmers. This is what the denial of full political and legal rights to blacks in the South accomplished. This new form of racism, which came to be known as Jim Crow, played a central role in consolidating the new agrarian social order in the South by the end of the 19<sup>th</sup> Century.

---

<sup>11</sup> In the United States today there is considerable variation across the 50 states in the political rights of ex-prisoners. According to *the Sentencing Project* (<http://www.sentencingproject.org/>), 35 states prohibit felons from voting while they are on parole and 30 of these states exclude felony probationers as well. In most states, once a person has completed a prison sentence and parole all of their rights are restored; they become full citizens once again. Two states deny the right to vote to all ex-offenders who have completed their sentences. Nine others disenfranchise certain categories of ex-offenders and/or permit application for restoration of rights for specified offenses after a waiting period (e.g., five years in Delaware and Wyoming, and two years in Nebraska). It is not surprising that the harshest rules denying political rights to ex-prisoners can be found in the Southern States.

<sup>12</sup> Margaret Somers *Genealogies of Citizenship* (Cambridge University Press, 2008).



The rules of racially-based second-class citizenship in the South had a number of key components. The most obvious, of course, were the laws which effectively denied blacks the right to vote. Typically these took the form of literacy tests which were much more strictly enforced against blacks than against whites, but at various times and places in the South other devices were used to accomplish this black disempowerment. Harsh vagrancy laws in the South were also used to prevent blacks from seeking better employment. While officially such laws did not have a racial character, their application was directed primarily against blacks and significantly impeded their movement. These kinds of directly repressive laws were reinforced by a wide range of segregationist laws which excluded African-Americans from white schools and universities, hotels and restaurants, and relegated blacks to segregated facilities in public transportation. And lurking in the background of all of these forms of legal segregation was widespread legal and extra-legal violence directed against blacks. The Ku Klux Klan was tacitly supported by the state and allowed to terrorize black communities. Lynchings were the most extreme form of such violence and were a common event in parts of the South from the 1880s through the first decades of the 20<sup>th</sup> century (Figure 14.1). But violence against blacks was not simply tolerated by state authorities in the South; it was also official state policy. This is revealed starkly in the statistics on executions for rape by race in the period before the 1960s (Figure 14.2). From 1930-1960 between five and 25 black men were executed annually for rape in the United States, nearly all in the South, whereas for whites the numbers were never more than 4 and in most years zero or 1.

-- Figures 14.2 and 4.3 about here --

In 1900 roughly 90% of the black population in the United States lived in the South, mainly in rural areas. In the North, African-Americans were not denied the right to vote, but it would be incorrect to see the problem of second-class citizenship as exclusively a Southern problem. Even though there were generally laws prohibiting school segregation in Northern states (with the exception of Indiana, the one Northern state that allowed local school districts the legal option to officially segregate their schools), in practice many school boards in the North enforced racial segregation. The landmark Supreme Court case against school desegregation – *Brown versus Board of Education* – was a case brought in Kansas, not a Southern state. Laws against inter-racial marriage were present in 36 states in the 1920s, and were still in place in nearly half of the States in the 1950s. The Federal Government itself supported segregationist principles, in both the civil service (after Woodrow Wilson imposed segregation in the civil service in 1913) and in the military until Truman desegregated the armed forces in 1948. During the New Deal, some of the landmark Federal legislation – for example social security and labor rights laws – explicitly excluded coverage of types of jobs which were predominantly filled by blacks. Thus while the most restrictive forms of second class citizenship for African-Americans occurred in the South, this was a national problem. Racism was a system of explicit legal denial of equality to people based on their race in the United States until the 1960s.

Just as slavery, in spite of its extreme repressiveness, was accompanied by resistance by slaves and political opposition by abolitionists, the legalized segregation of second-class citizenship also met with resistance, both by African Americans and some white supporters of civil rights. Such opposition to segregation was often met with extreme forms of violence. Lynching of blacks was a common occurrence in the South, and rarely were perpetrators punished. Efforts at passing national anti-lynching laws failed. Segregationist laws and practices were maintained by violence and terror through first decades of the 20<sup>th</sup> century.

Following the Second World War things began to change. A number of factors were important. First, the United States had just fought a war against the Nazis and because of the extreme racist ideologies of the Nazis, state-supported racism had been significantly discredited. Secondly, in the context of the Cold War and the effort by the United States to be the “leader of the free world”, the racist legal institutions of second class citizenship were an international embarrassment, particularly given American efforts to gain influence in the newly independent ex-colonies of Africa and Asia. Third, during the 1930s and 1940s there had been large scale migration of African-Americans to the North where they became a more important voting block, and thus the issue of civil rights could more easily be translated into national politics. Finally, because of mechanization of agriculture and other economic changes, sharecropping had sharply declined in the South beginning in the 1930s, so that by the middle 1950s it was no longer central element of the Southern economy. This meant one of the crucial economic reasons for the highly coercive system of racial domination in the South no longer mattered very much.<sup>13</sup> Taken together, these factors meant that even though the struggles against segregationist laws in the South continued to be met with strong, often violent, resistance on the part of Southern whites and their State Governments, the civil rights movement gained considerably greater national support than it had earlier. By the late 1950s and early 1960s the Federal Government began to back these efforts, resulting in the landmark civil rights legislation of the middle 1960s.

While segregationist laws were eliminated in the 1960s, there are still legacies of these legal forms of second class citizenship today. In some parts of the United States a variety of rules around voter registration, for example, have the practical effect of reducing the rate of voter registration among African-Americans. Most notoriously are rules that permanently prevent people convicted of felonies from voting, even after they have fully served their time in prison and on probation. Such rules do not explicitly link disenfranchisement to race, but they were initially passed, usually at the end of the 19<sup>th</sup> century, as part of the effort of excluding African Americans from the electorate, and they continue to create a lower tier of citizenship closely connected race because of the much higher rates of imprisonment of African-Americans than of whites. Registration rules that require government issued voter IDs and which raise the costs of voting for poor people also disproportionately affect African Americans. Again, these rules are not officially framed in racial terms, but they have systematic racial effects, and the support for such rules is at least in part because of racial hostility. Police practices continue to target racial minorities, especially young African American men, and courts continue to give harsher punishments to African-Americans. A young black man driving a car in a white suburb is much more likely to be stopped by police for questioning than a white. This is sometimes jokingly referred to a DWB offense – driving while black. Equally important, there are a wide range of public policies – from the location of toxic dumps to the funding of education – which continue to implicitly assign greater value to the wellbeing and interests of some citizens than others. As in the case of police practices, such policies are never explicitly framed in racial terms. In these, and other ways, vestiges of state-backed second-class citizenship continue to play a role in structure racial inequality in the United States.

---

<sup>13</sup> For an excellent discussion of the importance of the decline of sharecropping for the eventual destruction of segregation, See David James, “The Transformation of the Southern Racial State: class and race determinants of local-state structures”, *American Sociological Review*, 53, 1988, pp.191-208.

#### 4. Non-citizen labor

The fourth form of racial oppression in American history revolves around the linkage between race and legal citizenship status. As everyone knows, the United States is a country of immigrants. Aside from Native Americans, everyone who lives in the United States is descended from people who came to North America from other continents sometime in the last few centuries. From the middle of the 19<sup>th</sup> century, some categories of these immigrants were denied legal access to citizenship status. The first instance of this was the importation of Chinese “coolie” labor on the railroads. Large numbers of poor Chinese were brought to the United States by labor recruiters as a source of cheap labor to work on building the railroads in the West and other large scale infrastructure projects. Anti-Chinese feelings were generated by the repeated use of Chinese labor as a way of cutting wages of native-born white workers and breaking strikes. Eventually political mobilization against Chinese immigrants led to the Chinese Exclusion Act which blocked the further immigration of nearly all Chinese and made those Chinese already in the United States permanent aliens, prohibited from obtaining U.S. Citizenship. In 1924 other severe restrictions on immigration were enacted, especially focused on prohibiting legal immigration from Asia, Africa and Latin America. For a 40 year period, until immigration reform in the 1965, legal immigration to the United States was almost entirely white.

In the 20th century, the most important category of racialized noncitizen labor is Hispanic, especially from Mexico. In the period from the early 1940s until 1964, a formal “guest worker program” for Mexican labor existed, generally called the “Bracero program,” in which Mexican workers were brought to the US on contracts to work mainly in agricultural on a seasonal basis without the prospect of becoming citizens. Since the 1970s there has been an increasing flow of illegal immigrants (also called “undocumented workers”), again particularly from Latin America, who provide a cheap source of labor for American employers. The lack of full citizenship rights of these workers make them particularly vulnerable to very sharp forms of exploitation since they cannot join unions or defend themselves in court for various kinds of abuse – from mistreatment on the job and violations of safety conditions to not being paid their full wages.<sup>14</sup>

Not all undocumented workers are racial minorities. There are Canadians and white Europeans also working in the U.S. without legal status. Nevertheless, the intersection of illegal status with race is especially salient, since an identifiable racial minority who is an illegal worker is likely to be much more vulnerable. Pressures on employers not to hire illegal immigrants and on the government to deport them contributes to more diffuse hostility towards the racial minorities associated with illegal immigration.

#### 5. Diffuse discrimination

There is a sense in which all forms of racism involve “racial discrimination” – i.e. treating people differently by virtue of their race. Here we use the term more narrowly to refer to situations in

---

<sup>14</sup> For a thorough documentation of violations of workplace regulations by employers of undocumented immigrants, see Annette Bernhardt, Siobhan McGrath and James DeFilippis, “Unregulated Work in the Global City: employment and labor law violations in New York City,” *The Brennan Center for Justice* (NYU: New York, 2007). The report documents the following violations: wage and hour violations, health and safety violations, workers’ compensation violations, retaliation and violation of the right to organize, independent contractor misclassification, employer tax violations, discrimination, and trafficking and forced labor.

which such discriminatory action is not directly backed by the legal powers of the state. This includes a wide range of specific practices: employers not hiring or promoting someone on the basis of race; landlords only renting to people from certain racial groups; banks making it more difficult for racial minorities to get loans; salespeople in a store treating African-American customers differently from white customers; and so on. Often this kind of private discrimination is very difficult to detect because it occurs informally, behind the scene in the inter-personal encounters and decisions made in everyday life. In contemporary American society many such behaviors are in fact illegal, but since they are very hard to detect, laws against private discrimination are usually very difficult to enforce. Nearly half a century after the passage of civil rights legislation abolishing segregation and guaranteeing voting rights for African Americans, racial discrimination is still a reality in the United States.

While most white Americans probably regard private acts of discrimination as undesirable, whites generally believe that racial discrimination is largely a thing of the past, no longer having significant impact in the lives of people. Figure 14.3 presents responses by whites and African-Americans from 1985-2008 to a survey question concerning the importance of discrimination in explaining black/white differences in jobs, income and housing. For both blacks and whites the percentage saying that these differences were mainly due to discrimination has declined over time, but it is still the case that a majority of blacks respond yes to this question, compared to only 30% of whites. White Americans generally reject the idea that continuing forms of discrimination really constitute a form of oppression requiring serious public policy for its elimination: if African-Americans are disproportionately poor, this is because of their behavior and culture, not because of discrimination; if they drop out of school more than whites, this is because of peer pressure and lack of motivation; if young African American men are in prison at six times the rate of young white men, this is because they proportionately commit more crimes. Most white Americans believe that discrimination at most plays a marginal role in any of these conditions.

It is of course difficult to get evidence that demonstrates precisely how much of the racial inequality we observe is the result of discrimination. We will not attempt to solve this problem here.<sup>15</sup> What we will do in the next section is provide evidence for the continuing importance of discrimination impacting the lives of racial minorities in the United States today.

## **CONTINUING REALITIES OF RACIAL DISCRIMINATION IN THE 21<sup>ST</sup> CENTURY**

The realities of racial relations in the United States at the beginning of the 21<sup>st</sup> century are the result of a decisive transformation that occurred in the middle of the 20<sup>th</sup> – the civil rights movement, the dismantling of the apparatus of legal segregation in the 1950s and 1960s and subsequent erosion of many of the cultural and economic supports of racial domination. While, as we will discuss below, racial discrimination remains a significant problem, this must be understood against the background of extraordinary progress since the 1950s.<sup>16</sup>

---

<sup>15</sup> Sometimes social scientists try to get a handle on this by examining all of the measurable factors that might affect forms of racial inequality and then treating the amount of inequality left “unexplained” as being the result of direct discrimination. This is not a very convincing research strategy since the results are highly sensitive to how well different factors are measured.

<sup>16</sup> The most influential discussion of the erosion of the structures of racial domination since the 1960s is William Julius Wilson’s *The Declining Significance of Race* (Chicago: University of Chicago Press, 1978). Wilson’s

Consider the transformations of cultural representations of African-Americans. By the 1980s the media began to routinely display positive images of African-Americans in television programs like the Bill Cosby Show. Black sports stars, singers and actors had become celebrities within the white population as well as among African-Americans. By the 1990s, African-Americans began to appear regularly in advertisements sentimentally depicting people in middle-American families, laughing, loving, working, playing. African-Americans began to appear in television programs in roles traditionally filled only by whites – doctors, lawyers, scientists – and in storylines in which race as such was not a central focus. In a popular movie in 2003, *Bruce Almighty*, God was played by the black actor Morgan Freeman. Books endorsed by Oprah Winfrey became instant best sellers.

Consider the transformation of the economic situation of African-Americans. In 1959 the median annual earnings for black men was 56% of the median for white men and the median earnings for black women was 41% of the median for white women. In 2006 the comparable figures were 69% for black men and 92% for black women. The education gap between blacks and whites has narrowed significantly (see Figure 14.4): in 1957 whites 25 years and older had a high school graduation rate over twice as high as for blacks -- 43.3% vs 18.4%; by 2008 the black rate was nearly the same as the white rate – 83% compared to 87%. Similarly for college degrees: in 1957, just before the major breakthroughs of the Civil Rights era, 11% of whites 25-29 years of age had completed 4 years of college compared to 4% of blacks; a half a century later the figures were 31.1% and 20.6%. The occupational distributions of blacks and whites have also become much more similar since the middle of the 20<sup>th</sup> century (see Table 14.1). In 1950 only 2% of black men in the labor force and 1.3% of black women were in managerial jobs, compared to 12% of white men and 5% of white women. Among men, therefore, blacks were about one fifth as likely to be managers as whites, and among women, blacks were about one quarter as likely. By 2000, the percentage of black men in the labor force who were managers had risen to 6.6% (about two thirds of the percentage for white men) and the percentage of black women in managerial jobs had risen to 8% (about three quarters of the figure for white women). A similar pattern occurred for other higher status and desirable occupations.

-- Figure 14.4 and Table 14.1 about here --

Consider the transformation of the political role of African Americans. In 1964 there were only 103 black elected public officials in the United States. By 2002 (the most recent date for which there is data) this number had increased to 9,470, 1.8% of all elected officials. Of these, 587 served in state legislatures and 39 in the U.S. Congress, and 8,844 served in city and county government.<sup>17</sup> In the 111<sup>th</sup> congress (2009-2011), 41 of 435 representatives were black, while only one senator was black. And the most stunning development of all: the election of Barack Obama as President in 2008. 43% of white voters voted for a black President. This would have been utterly unthinkable just a few decades earlier.

These are all significant developments. They are not simply superficial, cosmetic changes;

---

argument has sometimes been mischaracterized as the emerging insignificance of race. This is not his claim. What he argues is that the lives of disadvantaged African Americans is increasingly shaped by the brutal class realities of their lives rooted in urban economic structures and dysfunctional labor markets rather than directly in forms of racial exclusion and domination.

<sup>17</sup> These figures were provided by Richard Hart, database administrator for the *Black Elected Officials Roster*. (Joint Center for Political and Economic Studies, Washington, D.C.)

they constitute a profound erosion of the structures of racial domination and oppression. An erosion, yes; but not an elimination. In what follows we will begin by discussing the incompleteness of the transformation of racial inequality by examining continuing socio-economic disadvantages of African-Americans and certain other racial minorities. We will then examine the array of forms of discrimination that underwrite these disadvantages. The chapter will conclude with a discussion of the problem of affirmative action and the politics of anti-racism in the 21<sup>st</sup> century.

### *Stagnation in the erosion of racial inequality*

Some of the figures we have just cited clearly demonstrate the incompleteness of the social transformation of racial inequality and oppression. It is true that in the four decades following the voting rights bill of 1964 black elected officials increased from virtually none to almost 2% of all elected officials, but African-Americans constitute about 13% of the population, so this is still a large under-representation. Occupational distributions among whites and blacks are more similar today than in the 1950s, but there are still significant gaps among desirable jobs. Furthermore, most of the convergence in distributions occurred in the 1960s and 1970s. Since the 1980s progress has been much slower. Figure 14.5 illustrates this for a number of desirable occupations. For example, for professional and technical jobs, the proportion for black women compared to white women increased from under 50% to 82% between 1950 and 1980, and then declined to 78% by 2000; for black men the proportion compared to white men increased from 29% to 54% between 1950 and 1980, but then only increased to 64% by 2000.

-- Figure 14.5 about here --

In terms of economic standing, median income for black families increased from around 50% of the median for white families in 1947 to 60% in 1967, but has not changed much since (Figure 14.6). The ratio of black to white wealth, as indicated in Table 14.2, has remained virtually unchanged since the early 1980s. Depending upon what indicator you use, average wealth in black households is at most about 20% that of white households and median wealth is generally under 10%. Median financial wealth is only 1-3% of the level of white households. Finally, as we saw in chapter 12, although the difference in poverty rates among blacks and among whites declined between 1973 and 2000, poverty rates among blacks remain much higher than among whites. The figures for black children remain especially high (Figure 14.7): In the early 2000s nearly 40% of black children under 6 lived below the poverty line compared to 16.6% of white children.

-- Figure 14.6, 14.7 and Table 14.2 about here --

Taken together, these figures reveal a stark reality in the United States today: While tremendous progress has been made in ending racial injustice, nevertheless, the economic inequalities between blacks and whites remain substantial. The causes for this are complex. Some of the inequalities are undoubtedly simply “legacies” of past injustices. If up to a particular point in time inequalities between groups were the result of legally enforced forms of oppression, and then those legal forms are destroyed, it would still take an extended period of time for the inequalities between groups to disappear *even if* there was no on-going discrimination. This fact has led many people to believe that discrimination is no longer a significant issue in American life. As we shall see below, this is not the case.

Racial discrimination remains a daily and pervasive fact of life in the United States today. It occurs in a wide variety of institutional contexts and takes many forms. Here we will focus on five contexts of discrimination: mundane micro-interactions; housing; credit markets; employment; education; and the criminal justice system.

### *Mundane micro-interactions*

Perhaps the most pervasive form of discrimination occurs in the context of ordinary, daily interactions on the street, in work, in stores, in classrooms. This is often very difficult for an outside observer to detect, but can be acutely felt by the person subjected to the discrimination. A Gallup poll study conducted in 1997 reports that about half of black respondents report that in the previous month they had experienced at least one form of such discrimination in daily interactions.<sup>18</sup> The following are well-documented forms that this can take:<sup>19</sup>

- In stores, black customers are more likely to be monitored and treated with suspicion by store employees concerned about shoplifting than are white customers. This is not simply the case for teenagers, but for middle class, well-dressed African-Americans as well.
- White people walking on city streets frequently cross the street when there is a black man behind them or to avoid passing a black man.
- Many middle class blacks report the experience of having to wait longer to be served in restaurants than white customers who arrive after they do.
- In a study of black male college students at elite historically white universities, the participants in the research reported many incidents of surveillance by campus police in which they treated with suspicion and asked for their I.D.s
- It takes, on average longer for a black man to get a taxi than for a white man. This can even be an issue when the man is well dressed and clearly affluent. A famous incident was reported in the New York Times: “But the actor Danny Glover was not laughing last month when several taxis declined to pick him up in Manhattan, presumably because Mr. Glover is black and stands 6 feet 4 inches tall. In lower Manhattan, the actor was forced to hide in the shadows while his daughter did the hailing. The driver had to be cajoled into unlocking the doors.”

While any given incident may seem petty, cumulatively, these kinds of interactions constitute a stream of lived experiences that communicate denigration and a lack of social respect. Psychological research shows that these kinds of experiences can have a significant impact on morale and self-esteem. In perhaps the best known experiment on the impact of discrimination and denigration, Jane Elliott, then a school teacher in Iowa, subjected students in

---

<sup>18</sup> Survey by Gallup Organization, January 4-February 28, 1997. Reported by Christopher Doob in the November 19, New York Times, “On Race, Americans Only Talk a Good Game; For Whites, Confusion.”

<sup>19</sup> These examples are drawn mainly from the following sources: Devah Pager and Hana Shepherd, “The Sociology of Discrimination: Racial Discrimination in Employment, Housing, Credit, and Consumer Markets” *Annual Review of Sociology* 2008. 34:181–209; Joe R. Feagin, “The Continuing Significance of Race: Antiblack Discrimination in Public Places,” *American Sociological Review*, Vol. 56, No. 1. (Feb., 1991), pp. 101-116; William A. Smith, Walter R. Allen and Lynette L. Danley, “Assume the Position . . . You Fit the Description”: Psychosocial Experiences and Racial Battle Fatigue Among African American Male College Students” *American Behavioral Scientist* 2007; 51; 551

her elementary class to systematic discrimination on the basis of eye color: brown-eyes were superior, blue-eyes inferior. After two days of this treatment, the blue-eyed group performed much more poorly on a simple math test than the advantaged group. The same experiment was conducted using adults with the same results.<sup>20</sup> The experience of repeated social disrespect generates forms of stress, anxiety, and self-doubt that significantly undermine performance.

*“Driving while black.”*

One of the best documented forms of on-going discrimination is traffic stops police for the “offense” that is ironically called DWB – driving while black. A Report by the Leadership Conference on Civil Rights provides systematic evidence that this practice is widespread:<sup>21</sup>

- Under a federal court consent decree, traffic stops by Maryland Police on Interstate 95 were monitored. In the two year period from January 1995 to December 1997, 70 percent of the drivers stopped and search by the police were black, while only 17.5 percent of overall drivers – as well as speeders – were black.
- In Volusia County, Florida, in 1992, nearly 70 percent of those stopped on a particular interstate highway in Central Florida were black or Hispanic, although only 5 percent of the drivers on that highway were black or Hispanic. Moreover, minorities were detailed for longer periods of time per stop than whites and were 80% of the cars that were searched after being stopped.
- A study of traffic stops on the New Jersey Turnpike found that 46 percent of those stopped were black, although only 13.5 percent of the cars had a black driver or passenger and although there was no significant difference in driving patterns of white and non-white motorists.
- A Louisiana State Police Department training film specifically encouraged the Department’s officers to initiate pretextual stops against “males of foreign nationalities, mainly Cubans, Colombians, Puerto Ricans and other swarthy outlanders.”
- In 1992, as part of a report by the ABC news program “20/20”, two cars, one filled with young black men, the other with young white men, navigated the same route, in the same car, at the same speed through the Los Angeles city streets on successive nights. The car filled with young black men was stopped by the police several times on their drive; the white group was not stopped once, despite observing police cars in their immediate area on no less than 16 occasions during the evening.
- A July, 2008 Mew York Times/CBS News poll asked a national random sample of adults, “Have you ever felt you were stopped by the police because of your race or ethnic background?” 66% of black men responded positively compared to only 9% of white men.

---

<sup>20</sup> Jane Elliott’s experiments are presented in two documentary films “Eye of the Storm” and “A Class Divided”. For a discussion of these films, see a review by Anthony J. Cortese in *Teaching Sociology*. Vol. 15, No. 4 (October 1987), pp. 450-452.

<sup>21</sup> *Justice on Trial: racial disparities in the American Criminal Justice System*. (The Leadership Conference on Civil Rights, Washington, D.C., 2000). p.2. The sources for each of these examples are given in the report.



This kind of racial profiling causes many innocent people being subjected to the humiliating experience of being hassled by the police for no good reason. It also contributes to the disproportionate arrest of young black men for nonviolent drug crimes that otherwise would not have occurred, since these racially-motivated traffic stops are frequently accompanied by searches.

### *Housing*

Housing segregation is a reality in the US: in northern cities in the 1980s on average over 80% of people would have had to move to different neighborhoods to lead to random housing patterns.<sup>22</sup> In 1990 the levels of segregation were as high as they had been at the beginning of the 20<sup>th</sup> century.<sup>23</sup> Although research indicates that since 1980 there has been a modest decline in residential segregation, most American cities remain highly segregated along racial lines. This pattern of segregation is the result of four interconnected kinds of factors.

First, there is certainly some historic inertia from past practices. Until the civil rights era, in many cities real estate agents would simply refuse to show blacks houses in white neighborhoods. Until the 1974 Equal Opportunity Credit Act, “redlining” (the practice of banks not making loans to people in certain parts of cities) was legal in the United States and this certainly contributed to housing segregation. Even with no further discrimination, this would account for some of the existing segregation of American cities.

Second, there is a certain amount of self-segregation that occurs in which African-Americans may buy houses in predominantly black neighborhoods because it is more socially comfortable, less of a struggle, less likely to involve hostile interactions neighbors. While this does not directly involve discrimination in the housing market as such, nevertheless it reflects the on-going realities of racial hostility. According to Lincoln Quillan, “On surveys, most Whites say they prefer neighborhoods that are less than 30% Black...African Americans, on the other hand, strongly prefer neighborhoods that are 50% Black. These surveys suggest that Blacks prefer much more integrated neighborhoods than do Whites, but not entirely White neighborhoods.”

Third, housing segregation is generated by what is called “white flight” – the tendency for whites to move out of a neighborhood once a few black families move in. White flight need not indicate that most whites are averse to living in a neighborhood with some black residents, but simply that they do not want to live in a neighborhood with many black neighbors. The reasons for these preferences are varied: for some it is directly a question of racist attitudes but for many the issue may be more about concerns for long-term housing values. Even if many white homeowners have no personal problem at all with living next to African American families, they may worry that increasing black residency will depress prices, and given that homes are for most people their own form of wealth, this may lead them to move. What this means is that once African-Americans begin moving into a previously all-white neighborhood, depending upon the distribution of racial preferences among whites in the neighborhood there

---

<sup>22</sup> Douglas S Massey and Nancy A. Denton. 1993. *American apartheid: Segregation and the Making of the Underclass*. Cambridge, Mass.: Harvard University Press. p.63.

<sup>23</sup> Devah Pager and Hana Shepherd, “The Sociology of Discrimination: Racial Discrimination in Employment, Housing, Credit, and Consumer Markets” *Annual Review of Sociology* 2008. p, 188

can be a cascade of White exits.<sup>24</sup> While it may be the case that the “tipping point” for white flight may have changed – there was a time when a single Black family on a block was sufficient to trigger an exodus of white families and now the threshold is probably somewhat higher – this remains a continual problem in the segregation of neighborhoods in many cities.

Finally, there is strong evidence that active discriminatory practices continue to exist in housing markets. This is best demonstrated by what are called “housing audit” studies in which homebuyers of different races but with identical credit ratings and income, go to real estate agents for help in buying a house. The key issue is whether and in what ways there is differential treatment of these prospective homebuyers on the basis of race. Devah Pager and Hana Shepherd summarize the results of a series of large housing audit studies by the U.S. Department of Housing and Urban Development this way: “The study results reveal bias across multiple dimensions, with blacks experiencing consistent adverse treatment in roughly one in five housing searches and Hispanics experiencing consistent adverse treatment in roughly one out of four housing searches (both rental and sales). Measured discrimination took the form of less information offered about units, fewer opportunities to view units, and, in the case of home buyers, less assistance with financing and steering into less wealthy communities and neighborhoods with a higher proportion of minority residents.”<sup>25</sup>

### *Lending*

We have already shown that as a category Whites are much wealthier than African Americans: they have greater savings, they own more stocks, they have greater equity in their homes. Since assets that can be used as collateral plays an important role in getting loans, it would be expected that this wealth difference would directly translate into racial differences in the credit market. In addition to this, however, there is good evidence that African-Americans face discrimination in acquiring loans. Again, audit studies are the clearest evidence for this. Black testers with the same credit histories, wealth and income as white testers, are “less likely to receive a quote for a loan than are white testers and ... are given less time with the loan officer, are quoted higher interest rates, and are given less coaching and less information than are comparable white applicants.... In two audit studies in which creditworthy testers approached subprime lenders, whites were more likely to be referred to the lenders’ prime borrowing division than were similar black applicants. Further, subprime lenders quoted the black applicants very high rates, fees, and closing costs that were not correlated with risk.”<sup>26</sup> Similar problems exist in credit markets for small business loans.

### *Employment*

---

<sup>24</sup> This kind of cascade was first systematically analyzed by the economist Thomas Schelling. Suppose there is a distribution of preferences within an all-white community about how many black residents are acceptable in which some white residents will leave if any blacks move in to the neighborhood, some will leave if there are 3% blacks, while for others the thresholds are 5%, 10%, 25% and so. Depending upon the distribution of such thresholds, a single black moving into a neighborhood can set in motion a cascade of exits, so eventually the entire neighborhood shifts from all white to all black. See Thomas Schelling, “A process of residential segregation: Neighborhood tipping,” in *Racial Discrimination in Economic Life* edited by A. Pascal, pp. 157–184, D.C. Heath, Lexington, MA., 1972

<sup>25</sup> Pager and Shepherd, p. 188

<sup>26</sup> Pager and Shepherd, p. 190.

Employment discrimination is very difficult to demonstrate since hiring decisions are made in private. Large scale statistical studies attempt to compare the probabilities of people of different races holding a given kind of job, adjusting these probabilities for a long list of characteristics of the person – age, education, skills, test scores, gender, and various other things. Generally such research does find that even after there is a long list of controls, whites are advantaged relative to blacks. Critics of such research, however, can always say that there is some unmeasured salient characteristic of the people that explains the racial gap.

This is why audit studies of hiring are valuable, for they make it possible to more carefully control for individual characteristics other than race. In one well-known study, racially identifiable names were used as the way to signal race to prospective employers. As the title of the published paper from the research asked “Are Emily and Greg more employable than Lakisha and Jamal?” Resumés which were otherwise substantively identical were sent to employers to see how they would react to the different names. The callback rate for white names was 50% higher than for black names. What might seem even more surprising, this difference increased with the level of qualifications of the resumés – the racial gap in callbacks increased with skill level.

In a second study, Devah Pager trained black and white male testers to apply in person for entry-level low-wage jobs in Milwaukee, Wisconsin.<sup>27</sup> Half of the testers had resumés which indicated that they had served 18 months in prison for a nonviolent drug offense, and half did not. In other respects the resumés indicated equal education and job experience. The study thus involved four “types” of people: white felons, black felons, white non-felons and black non-felons. Again, the empirical question is how different across these categories are the rates at which the applicants were called back for an interview. The results are shown in figure 14.8: 34% of the whites without prison records received callbacks, compared to 17% of the whites with prison records, 14% of the blacks without records, and 4% of the blacks with records. In other words, it is roughly as disadvantageous in labor market to be a white male with a prison record or a black male without a prison record.

-- Figure 14.8 about here --

These studies unequivocally indicate that active discrimination exists in labor markets. This does not mean that the employers in question personally dislike African-Americans or even that they believe people in one race are somehow inferior to another. Much of this discrimination is probably what economists call “statistical discrimination”. Employers believe that the average black worker will be less capable than the average white worker. This need not be because they believe in the inherent intellectual inferiority of blacks. It can be because they believe the quality of schooling of the average black workers is inferior to that of the average white worker. The important thing is that the employer has a belief that the average member of one racial category is a less desirable employee than the average member of another category. Since it is difficult and costly to get accurate information about the actual reliability and competence of any given individual, employers rely on these perceived group differences to make individual hiring decisions. This is perfectly rational and economically efficient even if it is morally unjustified and harmful. The result is discrimination.

---

<sup>27</sup> Devah Pager, *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. (Chicago: University of Chicago Press, 2007)

### *Education*

Education has always been at the heart of conflicts over race. The key civil rights decision by the Supreme Court in the 1950s was over racial segregation in schools. In that decision, the Court rejected decisively the doctrine of “Separate but Equal” education for black and white children, arguing that “separate” was inherently unequal.

More than half a century after the end of legal segregation, school in many American cities remain sharply segregated, largely as a by-product of extreme residential segregation. This is particularly an issue in large American cities where the confluence of race and poverty means that inner city schools typically have very high concentrations of poor minority students compared to suburban schools. What is equally troubling, however, is not simply the racial concentration of schools, but the differences in funding for the schools of many poor black children compared to white children that are the result of this spatial segregation. This is not a simple matter to measure. If we look at average spending per pupil across school districts within states weighted by the number of students in different racial and ethnic groups, then it seems that on average in most states in the United States there is no difference in the per pupil spending on black and white children.<sup>28</sup> This method assumes, however, that within districts all students receive the same per capita funding. This is simply not the case. A study of within-district spending on specific schools in Baltimore, Cincinnati and Seattle “indicated district funding differences for high- and low-poverty schools ranging from \$400,000 to \$1 million.”<sup>29</sup> These discrepancies were explained this way:

Districts often allocate a certain number of staff to a school, rather than giving schools a per student amount for staff compensation. As teachers gain experience, they often take advantage of seniority rules to move to more affluent schools where students are perceived as easier to teach... This can lead to more experienced teachers clustering at low-poverty schools with vacancies at schools serving underserved populations filled by new teachers. As a result, new teachers (who have much lower salaries than experienced teachers) work disproportionately in schools in the poorest neighborhoods. Because of the large range in staff pay, schools with the highest needs within a district often receive substantially less funding because they employ the least experienced teachers.<sup>30</sup>

As a result, even though spending per pupil may be roughly equalized across districts within a state, “resources (including experience and qualification levels of teachers) vary dramatically across schools serving high- and low-income (and white and nonwhite) students. Schools serving low-income students typically have a larger percentage of inexperienced and non-credentialed teachers, and the variation in teacher qualifications is greater in large urban districts than in the state as a whole.”<sup>31</sup>

---

<sup>28</sup> Kim Rueben Sheila Murray, “Racial Disparities in Education Finance: Going Beyond Equal Revenues” Tax Policy Center, Urban Institute and Brookings Institution, Discussion Paper No. 29, November 2008., p.5

<sup>29</sup> Kim Rueben Sheila Murray, *ibid* p. 7

<sup>30</sup> Kim Rueben Sheila Murray, *ibid* p.8

<sup>31</sup> Kim Rueben Sheila Murray, *ibid* p.8

The national per pupil spending between blacks and whites also masks very large discrepancies between wealthy White suburban school districts and urban districts with high concentrations of poor Black students.<sup>32</sup> Figure 14.9 illustrates this for wealthy suburban schools and urban schools in New York and Chicago in 19XX. This large funding gap is partially the result of lower property values and thus less tax resources as these intersect patterns of housing segregation and discrimination. School funding, however, is never such a simple matter; it also depends upon the balance of political forces over how schools should be funded. As long as schools are funded to a substantial extent by local property taxes it will remain the case that wealthy communities will have better funded schools than poor communities. The unwillingness of state legislatures to fundamentally rethink the way schools are funded and create a genuinely uniform, egalitarian structure of funding is partially the result of ideological commitments to local control, but it is also shaped by the racial and class implications of creating more universalistic principles. However, even if the underlying motives of politicians and voters are not themselves shaped by racial considerations, the effect is serious discrimination in the opportunities for good quality education of black children.

-- Figure 14.9 about here --

### *The Criminal Justice System*

Of all the domains in which we have discussed the persistence of discrimination, perhaps the most difficult to nail down is the criminal justice system. The problem is that while it is easy enough to demonstrate that African-Americans are arrested for criminal activity, convicted and sent to prison at much higher rates than whites, it is more difficult to demonstrate that racial discrimination inside of the criminal justice system is directly implicated in each of these disparities. African-American men have nearly seven times the rate of imprisonment as white men, but theoretically this could simply be because they commit proportionately seven times as many crimes. Racism could still be implicated in shaping the social and economic conditions that lead to such criminal behavior, but racial discrimination inside of the criminal justice system would not be a significant factor. We will first look at the basic data on racial disparities, and then examine the problem of discrimination.

Figure 14.10 presents imprisonment rates by race in 2004. Overall the rate for blacks is 2.5% (2,531 prisoners/100,000 people), 6.4 times greater than the white rate of 0.4%. The racial disproportion is even greater among men, especially young men between the ages of 25 and 29, for whom the imprisonment rate among blacks is 12.6%, 7.5 times greater than the 2.5% rate for white men in the same age group. If these rates were to persist into the future, it would mean that the lifetime probability of an African-American man spending time in prison would be 32%, compared to 11% for all men (see Figure 14.11).

-- Figures 14.10 and 14.11 about here --

---

<sup>32</sup> The issue here is that schools are considerably cheaper to run in small towns and cities than in large cities, not because the quality of education being provided is lower but because the cost of living is lower and thus salaries and other expenses are lower. Black children are concentrated in large cities where costs of living and teacher salaries are higher. On a state-wide level, high spending white suburban districts are counterbalanced by lower-spending white school districts in smaller cities and towns, making it seem that overall per capita spending on black and white children is about the same.

These rates of incarceration reflect the outcome of the process through which people move through the criminal justice system. This process has four principle steps: first, an offender needs to be arrested, second an arrested person needs to be charged and prosecuted or released without charge; third a prosecuted person need to be tried and convicted or acquitted; and forth a convicted felon needs to be sentenced to prison or probation. Figure 14.12 shows the percentage of African Americans at some of these steps for drug offenses. The proportion of regular users of illegal drugs who are black is very close to the proportion of the population as a whole who are black: blacks are roughly 13% of the US population and about 12% of regular drug users. When we look at the percentages for people within the criminal justice system the picture is entirely different: 35% of people arrested for drug offenses, 43% of the people convicted of drug crimes, and 54% of the people sent to prison for those offenses are black. Blacks clearly have a much higher probability than whites of being sent to prison if they are arrested for drug offenses.

-- Figure 14.12 about here --

These data certainly show that there are huge racial disparities in incarceration. Racial discrimination of various forms could play an important role in generating these disparities at every step of the process: racial biases and racial profiling by police could lead to disproportionate surveillance and arrests of blacks; racial biases within the processing of arrests could lead to more prosecutions of blacks; racial biases within court proceedings could lead to more convictions; and racial biases in sentencing could lead to more incarceration. It is a very difficult matter, however, to get solid, unequivocal statistical evidence for the magnitudes of such possible effects of racial bias. And even with good data, it is often very difficult to draw solid inferences about discrimination and bias from the results. Here is one illustration of the interpretative problem: Studies of racial bias in sentencing generally include some measure of the “prior record” of offenses of a convicted felon. It seems perfectly reasonable, after all, that a person with a longer record of criminal convictions should receive a harsher sentence. On this basis it is assumed that if a black and white who are convicted of the same crime with the same prior record get the same sentence, this indicates that there is no racial bias in sentencing. This would not, of course, rule out biases at earlier stages in the process, but at the stage of sentencing itself there would be no bias. However, if it is the case that there are significant racial biases in patterns of arrest, filing charges, prosecution and conviction that generate, on average, longer “prior records” for blacks than for whites, then the sheer fact that prior records are treated in the same way for blacks and whites itself embodies a racial bias. The judge in the courtroom who hands out the sentence may personally not be racially biased in any way, but the basis on which the sentence is made could still embody a racial bias.<sup>33</sup>

Given this kind of difficulty, it is important to be cautious in interpreting the results of statistical analyses of convictions and sentencing, and it should not be surprising that the results of different studies are inconsistent. A comprehensive review of this research published in 2000 characterizes the problem this way:

---

<sup>33</sup> The problem of interpretation here is similar to some issues in assessing the relationship between test scores and admissions to academic programs. Suppose, for example, that middle class students who take the SAT test have all taken expensive private courses on how to do well on the test, and these courses on average raise test scores by 100 points, while poor students never get such special training. If an admissions committee at a university treats the scores of these students identically, a good argument can be made that this represents a class bias in admissions. A score of 1400 for the middle class student *means* “1300 + a Kaplan course” whereas the same score for a poor students means “1400”. The same can be said about prior criminal records for black and white defendants.

Critics of the sentencing process contend that crimes by racial minorities are punished more harshly than similar crimes by equally culpable whites. Other scholars challenge this assertion. They contend that the harsher sentences imposed on racial minorities reflect the seriousness of their crimes and prior criminal records as well as other legally relevant factors that judges consider in determining the appropriate sentence.

The findings of more than 40 years of research examining the effect of race on sentencing have not resolved this debate. Some studies have shown that racial/ethnic minorities are sentenced more harshly than whites, even after crime seriousness, prior criminal record, and other legal variables are taken into account. Other studies have found either no significant racial differences or that blacks are treated more leniently than whites. Still other research has concluded that race influences sentence severity *indirectly* through its effect on variables such as bail status, type of attorney, or type of disposition, or that race *interacts* with other variables and affects sentence severity only in some types of cases, in some types of settings, or for some types of defendants.<sup>34</sup>

Still, in spite of these problems and inconsistencies, this review concludes that the preponderance of evidence suggests racial biases within the criminal sentencing:

The findings of these studies suggest that race and ethnicity do play an important role in contemporary sentencing decisions. Black and Hispanic offenders—and particularly those who are young, male, or unemployed—are more likely than their white counterparts to be sentenced to prison; in some jurisdictions, they also receive longer sentences or differential benefits from guideline departures than do similarly situated white offenders. There is evidence that other categories of racial minorities—those convicted of drug offenses, those who accumulate more serious prior criminal records, those who victimize whites, or those who refuse to plead guilty or are unable to secure pretrial release—also are singled out for harsher treatment.<sup>35</sup>

There are some special instances in which clear and unequivocal evidence of racism within the criminal justice system can be found. One of these we have already noted: the research on systematic police biases in disproportionately stopping black motorists. Since the offense in these cases is easy to observe – speeding or erratic driving – it is possible to directly measure the extent to which police treat black and white motorists differently. The evidence is unequivocal: black drivers were not more likely to speed than white drivers but were much more likely to be stopped and questioned by the police. A second powerful piece of evidence comes from a study of the death sentences in murder convictions. In this research, photos of convicted murderers in death penalty states were obtained and people unconnected with the research were asked to rate the photos in terms of how stereotypically “black” they looked. The defendants were then divided into two categories: those that closely fit the stereotype of a black appearance and those that less closely fit the stereotype. The question then was whether these two groups of convicted murderers differed in the likelihood of getting a death sentence. The analysis adjusted these likelihoods for six nonracial factors that are known to strongly affect death sentences, including aggravating and mitigating circumstances, the severity of the murder, and various personal characteristics. The results are striking (Figure 14.13): when the victim is white, 57.5% of the black defendants whose appearance more closely fit the black racial stereotype were given the death sentence compared to only 24.4% of black defendants whose appearance fit that stereotype less well. When the victim was black, there was no difference in the percentages of these two categories receiving the death sentence.

---

<sup>34</sup> Cassia C. Spohn, “Thirty Years of Sentencing Reform: The Quest for a Racially Neutral Sentencing Process,” *Criminal Justice*, volume 3, 2000.p.429. (Internal references have been deleted from the passage).

<sup>35</sup> *Ibid.* pp. 481-2

-- Figure 14.13 about here --

Beyond the question of the forms of possible racial discrimination within the internal operation of the criminal justice system there is one other critical problem of racial bias that has powerfully affected the rate of incarceration of African-American men during the last two decades of the 20<sup>th</sup> century: the “war on drugs” and the targeting of minority communities for drug-related arrests. The war on drugs was a center-piece of the get-tough-on-crime policies championed by conservative political forces beginning in the 1970s and gaining ascendancy in the 1980s. A strong belief in the effectiveness of highly repressive strategies in combating crime and disorder is one of the hallmarks of conservative politics. In the last quarter of the twentieth century all aspects of a repressive response to crime increased: prison sentences became more likely for convictions; sentences became longer, particularly for repeat offenders; parole violations more harshly punished; judicial discretion for mitigating circumstances was reduced. The result was a rapid, massive increase in the prison population in the United States (Figure 14.14). In the half century before 1980 the incarceration rate was relatively stable, hovering around 100 prisoners/100,000 population. This changed dramatically around 1980, rising rapidly to well over 400/100,000 by the early 2000s. If jail inmates are added to this, the total incarceration rate increased from around 200 to 700 in this same period.

The law enforcement policies that fueled this rise in the prison population affected all categories of crime, but the increased severity of punishment was most dramatic in the case of drug offenses connected to the war on drugs. In the 1980s, arrests for drugs offenses rose by 125%, over four times as much as for other crimes. Even more critically, the rate of prison admissions per arrest for drug crimes increased much more rapidly than for other crimes (Figure 14.15): In 1980 only 2 out of every 100 people arrested for a drug crime were sent to prison, This increased five-fold to 10 prison admission for every 100 arrests in 1990. In comparison, for violent crimes in this period the increase was from 13 to 17 prison admissions per 100 arrests and for property crime from 6 to 10 admissions. As a result, the incarceration rate for drug offenses soared from 8 prisoners per 100,000 population in 1980, to 59 in 1990 and then 86 in 2001, more than a ten-fold increase. By comparison incarceration rates for property crimes only doubled and incarceration for violent crimes tripled.<sup>36</sup>

-- Figure 14.15 --

In principle, this increased repressiveness of the criminal justice system directed against drug use need not have disproportionately affected blacks. After all, the black population does not use drugs at higher rates than the white population. Research on self-reported drug use by high school students from 1980-2000 consistently shows significantly higher rates of use among white students than among black students and studies of hospital emergency room visits for drug-related emergencies indicate that “whites had roughly twice to three times the number of drug-related emergency room visits than blacks.”<sup>37</sup> So, if the law enforcement efforts were strictly a response to drug activity, then the impact would not have been so focused on blacks and other minorities.

Figure 14.16 and 14.17 show how disproportionate was the impact of the war on drugs on

---

<sup>36</sup> These data come from Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation, 2006), chapter 1.

<sup>37</sup> Bruce Western, *ibid.* p.47.



African-Americans. First arrests (figure 14.16): In the mid-1970s the black-white ratio for drug arrests was less than 2:1. Beginning around 1980 this inequality rose rapidly, so that by 1990 it was over 4:1. This increased inequality in arrest rates combined with the general increased likelihood of prison sentences for drug convictions, lead to a strong rise in racial inequality in imprisonment for drug crimes. Figure 14.17 presents trends in racial disparities in prison admissions for new sentences for four broad categories of crime: violent crimes, robbery and burglary, theft, and drug offenses. In the early 1980s, the black rates of new prison admissions for all of these categories were 5-7 times the rates for whites. In the second half of the 1980s, as the war on drugs intensified, this changed dramatically for drug offenses, the rate of black admissions to prison rising to 20 times the white rate by the early 1990s. This increase was to a large extent the result of changes in laws which imposed harsh mandatory sentences on certain kinds of drug offenses, most notably on offenses connected to drugs most commonly used in minority communities such as crack cocaine, and policing practices which targeted drug enforcement on minority communities.

-- Figure 14.16 and 14.17 about here

Cocaine, heroin and certain other illegal drugs are, of course, a serious problem, and their use and the violence associated with their distribution can have a devastating impact on individuals and communities. There are, however, a variety of possible collective responses to this problem. Instead of mass incarceration of people convicted of nonviolent crimes associated with illegal drugs, large scale resources could have been put into residential and community drug treatment programs, combined with serious job creation and urban revitalization projects. The fact that the war on drugs was targeted on minority communities and arrest and prison were at the center of the policy reflected a political strategy, not simply a natural response to a pressing social problem. "Law and Order" has always been a slogan of conservative political forces because it reinforces fear and fear tends to push people in a politically conservative direction. The politics of fear undermines political efforts at social and economic justice. In the historical context of the United States in the 1970s and 1980s, the war on drugs combined classic law and order themes with fears rooted in racial threats. The result was a set of highly repressive policies that significantly contributed to the increasing disproportion of blacks in American prisons. These policies embody racial bias even if at the final stage of the process when a judge imposes a prison sentence race plays no direct role in the decision.

### **PROSPECTS FOR THE FUTURE: THE POLITICS OF RACIAL EQUALITY**

The situation of race in America at the beginning of the 21<sup>st</sup> century can be characterized by three central features:

1. Considerable real progress has been made in the decades since the civil rights victories of the 1960s on many aspects of racial inequality. This has led to the emergence of a solid black middle class of educated workers, professionals, and small businesspeople, as well as a significant presence of African-Americans within the corporate, cultural and political elite.
2. Discrimination continues to exist, both in mundane social interactions and in the major institutional contexts in which lives and opportunities are formed. These discriminatory practices harm people, they violate values of fairness, and they block the further advance of racial equality. They affect all African Americans – including the wealthy and middle

class – even if the consequences are most damaging for the poor.

3. Acute poverty and economic marginalization continue to characterize the lives of many African Americans and certain other minority groups. The intersection of the sharp deprivations generated by economic marginalization and continuing discrimination underwrites racial oppression in the United States today, reflected in the devastating rates of incarceration of young black men. The mass incarceration of poor, young black men, in turn, deepens their marginalization from the labor force and stable employment. As a broad generalization, compared to the middle of the 20<sup>th</sup> century, by the beginning of the 21<sup>st</sup> century race has become less salient and life-defining within the educated middle class and elite, but continues to intensively reinforce the deprivations and disadvantages of acute poverty.

Any serious political project to address these issues must deal directly both with the problems of economic deprivation and with continuing discrimination. The former we have already discussed in chapter 13. The array of proposals in that chapter designed to reduce economic inequality and eliminate poverty would also have a large impact on economic aspects of racial inequality, particularly if combined with a shift away from mass incarceration as a way of dealing with crime. Such policies might also indirectly somewhat reduce the impact of the various forms of diffuse racial discrimination in American society, but they do not directly address racial discrimination itself.

How, then, should we think about policies which might counter discrimination? One remedy, of course, is the courts, at least for those contexts in which discriminatory behavior is technically illegal. The examples of housing, lending and employment discrimination we have just discussed mostly reflect behaviors that violate legal prohibitions on discrimination. So, one solution is for the targets of such discrimination to sue the discriminator.

In most situations this is simply not possible in practice. Hiring decisions are made behind closed doors. The rejected candidate has no way of knowing who were the other candidates, what their relative qualifications were, and so on. After all, in the Milwaukee audit study, 69% of whites without prison records also did not get a callback, so on what basis could a black applicant make the claim of discrimination? Even in cases where the discrimination is more blatant, as happens sometimes in discrimination over promotion or pay, it is extremely difficult and costly for an individual to bring a suit against an employer. In the discrimination that takes place in real estate offices and lending institutions it is equally hard, if not impossible, to prove discrimination.

The principle alternative to using the courts to counter discrimination has been a set of policies that go under the name of “affirmative action.” Affirmative action refers to a family of policies which give some kind of preference in a context of scarce resources to a traditionally disadvantaged category of people. The main contexts in which such policies have been implemented are admission to high education and hiring and promotions in jobs, but rules that require a certain proportion of contracts by cities to be to minority business would also constitute a form of affirmative action. Many specific devices are possible. The simplest is a quota system in which, for example, a certain proportion of the students admitted to a program are required to be African-American or other historically discriminated against groups. More complex systems allocate points to a wide variety of criteria relevant to admissions: test scores, interviews, extracurricular activities, special talents, economic disadvantaged, and so on. Race could be one

of the criteria in such a list. This is not a quota system, but a system for giving some weight to race. A third strategy is to adopt selective admission criteria that are anchored in some condition that is highly correlated with race, but not race itself. Extra admissions points, for example, can be given a student who comes from a school with a high poverty rate, since the students in such schools will be disproportionately minorities. But regardless of the specific mechanism, all of these are devices through which more African-Americans and other historically disadvantaged groups would be admitted than in the absence of the program.

Many people strongly object to affirmative action on the grounds that it is “reverse discrimination”, but contrary to what is often thought, opinion polls consistently indicate that most Americans support at least some forms of affirmative action. In a Pew Research Center survey reported in 2003, 63% of respondents indicated that they favored “affirmative action programs designed to help blacks, women and other minorities get better jobs and education” and 57% said that the favored programs “which give special preferences to qualified blacks, women and other minorities in hiring and education”. Gallup polls have also consistently shown support for affirmative action in the 55-60% range. So there is considerable public support for such programs, even if many people also have their doubts.

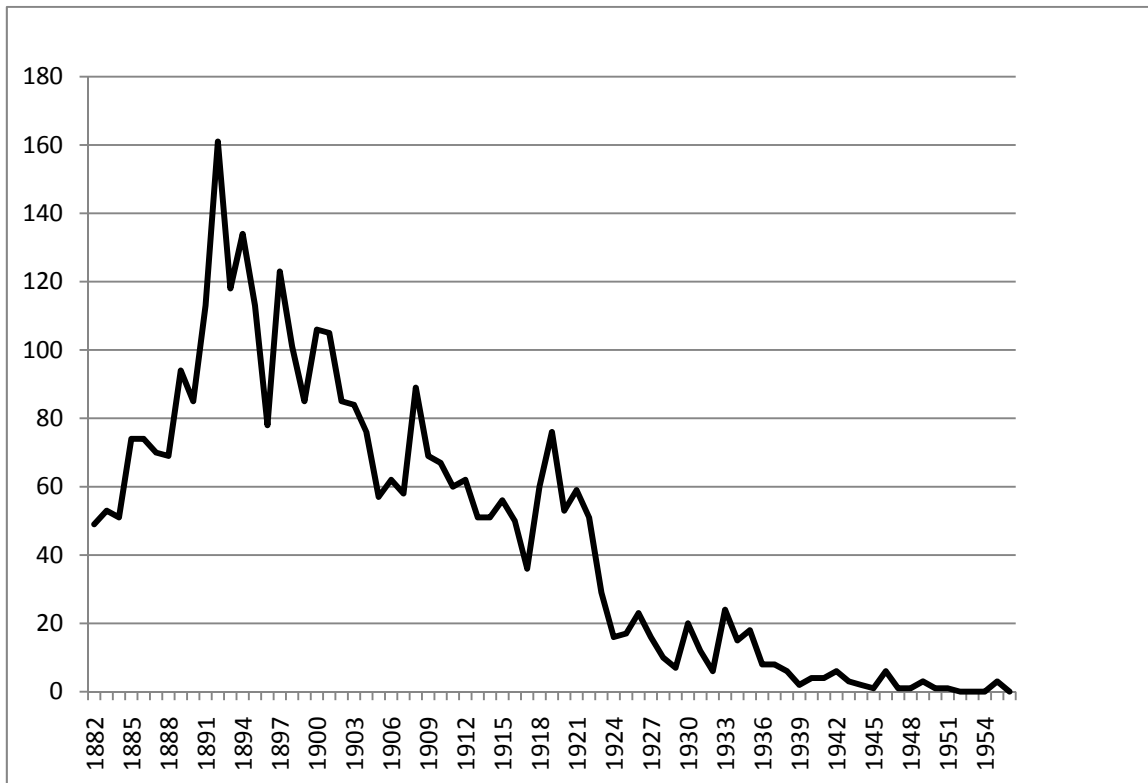
And the fact of the matter is that there is basically no viable alternative to some form of affirmative action if we want to counter the pernicious effects of certain forms of discrimination. What affirmative actions policies do is create real incentives for employers and admissions officers to accept the additional costs needed to overcome statistical discrimination based on race and actively seek out the best minority candidates they can find. It is expensive to gather high quality information on applicants and actively recruit people from outside of ones spontaneous networks. In the absence of affirmative action in many contexts it is cheaper just to treat individuals on the basis of group characteristics. Affirmative action undermines the incentives that sustain that kind of discrimination.

The first African slaves were brought to the American colonies in 1619. Blacks have thus been in what was to become the United States for nearly 400 years. During 245 of these years they were slaves, subordinated in brutal and dehumanizing ways. This was followed by a century of legalized discrimination which ended less than 50 years ago.<sup>38</sup> So, for 345 out of almost 400 years – over 80% of American history – African-Americans have been subjected to state-enforced oppression justified through virulent racist ideologies. It is hardly surprising that racial discrimination continues to operate and economic inequalities associated with race have not yet disappeared. The spontaneous action of actors in the market will not be sufficient to eliminate these inequalities. For this to happen collective, public action is necessary, both against the economic marginalization associated with racialized poverty, and against the effects of on-going racial discrimination.

---

<sup>38</sup> This temporal breakdown of the experience of African-Americans is modified from S. Plous, “Ten myths about affirmative action” in S. Plous (ed) *Understanding Prejudice and Discrimination* (pp. 206-212). New York: McGraw-Hill.

## FIGURES AND TABLES



Source: University of Missouri – Kansas City School of Law,  
<http://www.law.umkc.edu/faculty/projects/frtrial/shipp/lynchstats.html>  
Data from the Archives of Tuskegee University

**Figure 14.1 Lynchings of Blacks per year, 1882-1964.**

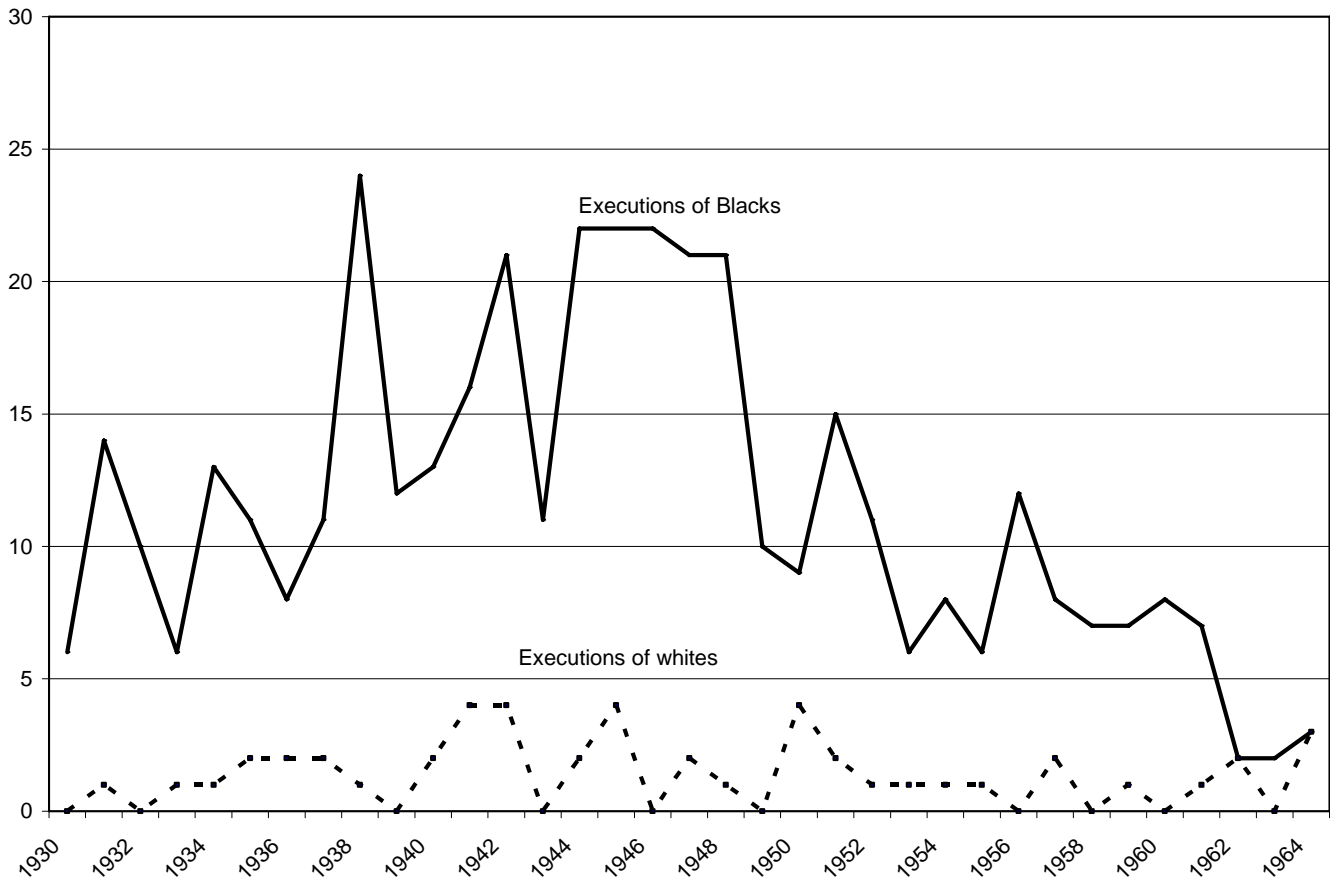
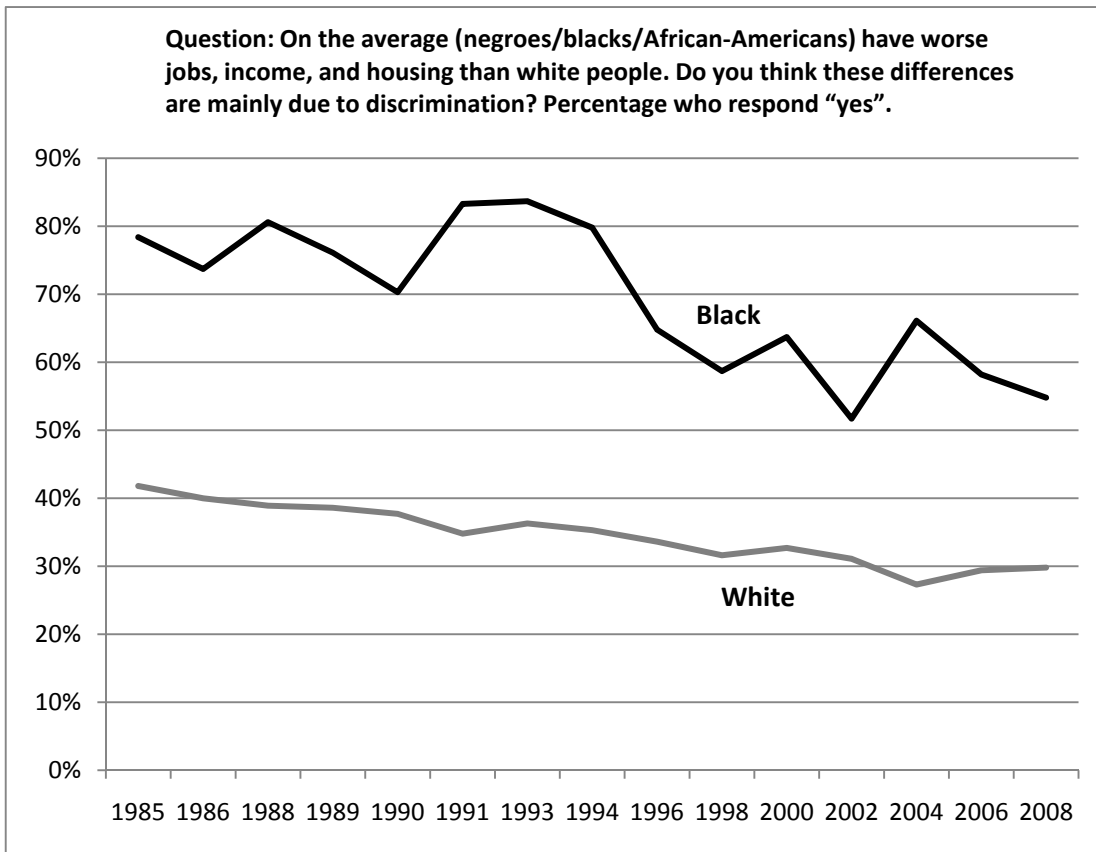
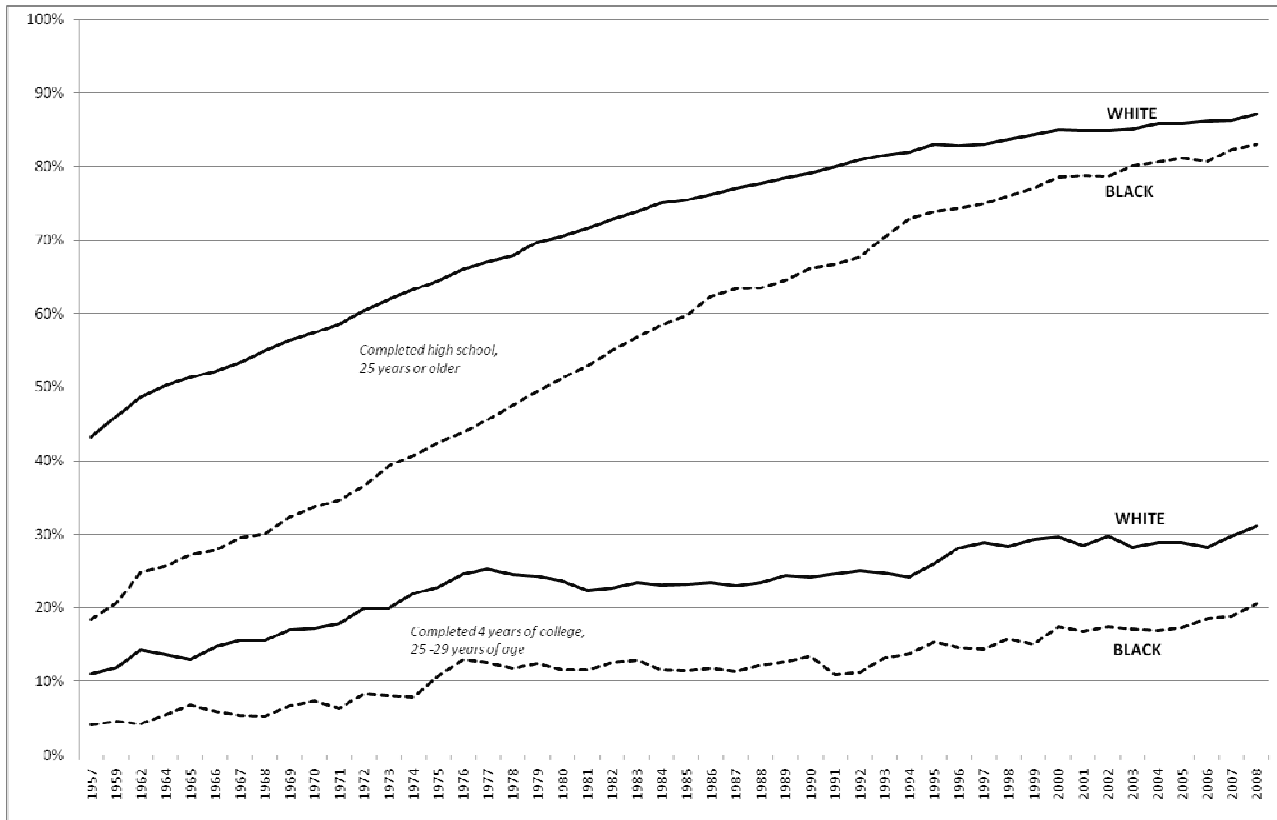


Figure 14.2. Executions for Rape by Race in the United States, 1930-64



Source: General Social Survey

Figure 14.3 Black and White attitudes towards importance of discrimination, 1985-2008



Source: 1960 Census of Population and Housing, using ipums interface. and 2007 American Community Survey, using ipums interface.

**Figure 14.4**  
**Black and white education levels, 1940-2008**

	1950	1960	1970	1980	1990	2000
<b>White men</b>						
Managerial <sup>1</sup>	11.9%	11.9%	12.7%	12.2%	12.9%	12.9%
professional & technical <sup>2</sup>	6.7%	9.1%	11.2%	13.0%	14.7%	15.7%
administrative support occupations	7.4%	7.2%	7.4%	6.5%	6.5%	7.4%
skilled manual <sup>3</sup>	12.1%	13.4%	13.3%	12.6%	11.0%	10.6%
construction, transportation & extractive	21.0%	20.9%	20.3%	22.5%	21.4%	20.8%
unskilled manual <sup>4</sup>	13.5%	13.5%	12.2%	9.6%	7.7%	7.0%
services & sales <sup>5</sup>	12.2%	14.3%	16.4%	18.5%	21.3%	21.4%
Farm <sup>6</sup>	15.1%	9.7%	6.5%	5.0%	4.5%	4.2%
<b>Black men</b>						
managerial	2.1%	1.7%	3.3%	5.0%	6.1%	6.6%
professional & technical	2.0%	2.8%	4.2%	7.0%	8.5%	10.0%
administrative support occupations	3.3%	5.0%	7.2%	8.7%	9.7%	10.9%
skilled manual	3.9%	5.2%	8.7%	8.7%	8.0%	8.6%
construction, transportation & extractive	34.5%	35.4%	30.6%	29.6%	27.4%	25.0%
unskilled manual	13.8%	15.8%	18.1%	14.6%	10.6%	9.3%
services & sales	15.2%	18.1%	19.5%	22.2%	26.2%	26.8%
Farm	25.1%	16.0%	8.3%	4.1%	3.4%	2.8%
<b>White Women</b>						
managerial	4.9%	3.8%	4.8%	7.0%	10.7%	10.8%
professional & technical	13.1%	12.4%	13.4%	15.7%	18.5%	22.2%
administrative support occupations	29.2%	31.9%	32.6%	30.2%	27.8%	25.3%
skilled manual	2.2%	4.2%	1.6%	1.9%	1.7%	1.9%
construction, transportation & extractive	1.1%	0.9%	1.7%	3.4%	3.1%	2.6%
unskilled manual	19.3%	14.1%	13.9%	9.1%	6.3%	4.8%
services & sales	26.4%	30.7%	30.7%	31.3%	30.8%	31.3%
Farm	3.8%	2.2%	1.2%	1.4%	1.2%	1.1%
<b>Black Women</b>						
managerial	1.3%	1.0%	2.3%	4.0%	6.9%	8.0%
professional & technical	6.1%	6.9%	9.3%	13.0%	14.6%	17.2%
administrative support occupations	3.9%	6.5%	17.4%	23.7%	24.6%	23.9%
skilled manual	1.1%	1.9%	1.3%	1.9%	1.8%	2.0%
construction, transportation & extractive	1.9%	1.5%	2.1%	4.5%	3.8%	3.4%
unskilled manual	16.2%	13.7%	16.5%	12.9%	9.6%	6.9%
services & sales	58.3%	58.1%	47.7%	38.9%	38.1%	38.3%
Farm	11.2%	10.4%	3.4%	1.1%	0.6%	0.4%

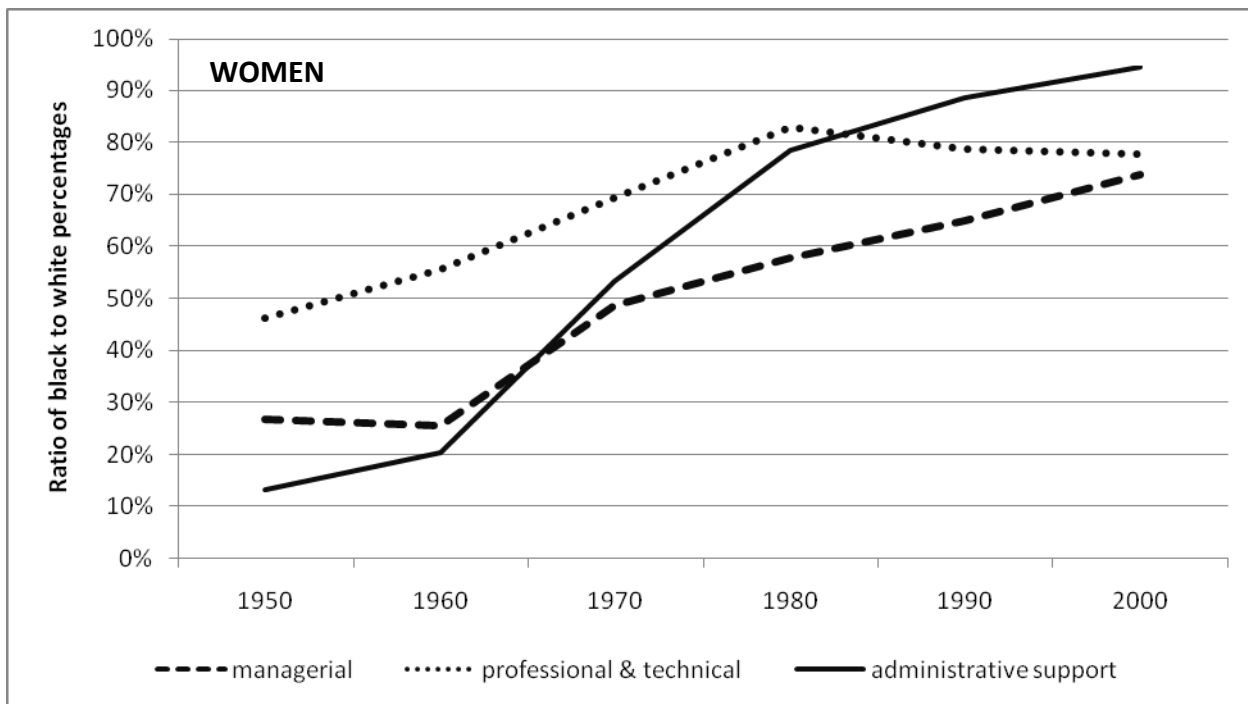
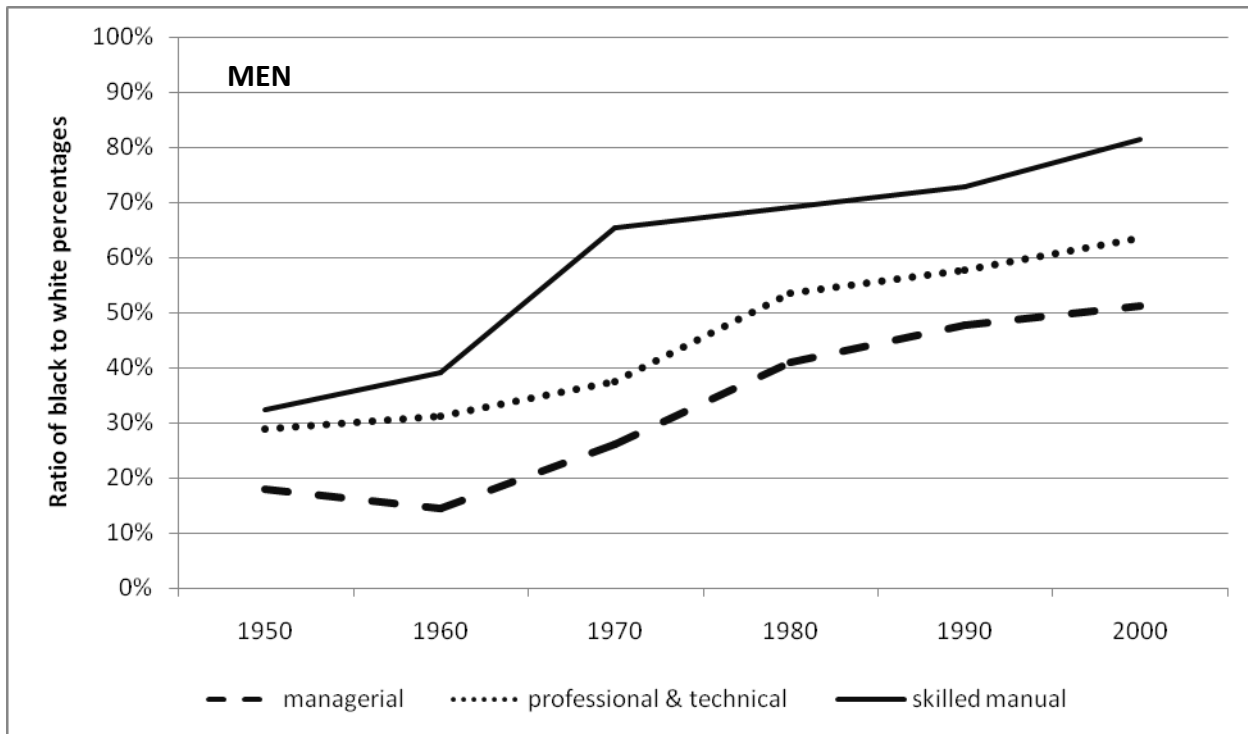
Source: Source: Authors' analysis of microdata samples from the Censuses of Population 1950, 1960, 1970, 1980, 1990, and 2000, as harmonized in Sobek Ruggles, et al, *Integrated Public Use Microdata Series: Version 4.0* [Machine-readable database]. Minneapolis, MN: Minnesota Population Center [producer and distributor] 2008. Data downloaded from <http://usa.ipums.org/usa/>

Definitions of occupational categories:

1. *Managerial*: Executive, administrative and managerial occupations; management related occupations
2. *Professional and technical*: Professional specialty occupations; technicians and related support occupations
3. *skilled manual*: precision production; mechanics and repairers
4. *unskilled manual*: machine operators, assemblers and inspectors
5. *services and sales*: sales occupations; private household; protective services; other services
6. *Farm*: farm operators and managers; other agricultural and related occupations

**Table 14.1 Occupational Distributions within Race and Gender categories, civilian labor force, 1950-2000**





Source: see Table 14.1

Note: The numbers indicate how likely, within a given gender category, it is for a black compared to a white to be in a given occupation. 100% thus means that, within a given gender category, it is just as likely for a black to be in a given occupation as for a white; 30% means that, within a gender category, the percentage of a given occupation among blacks is only 30% the percentage among whites.

**Figure 14.5 Changes in the under-representation of African-Americans in desirable occupational categories**

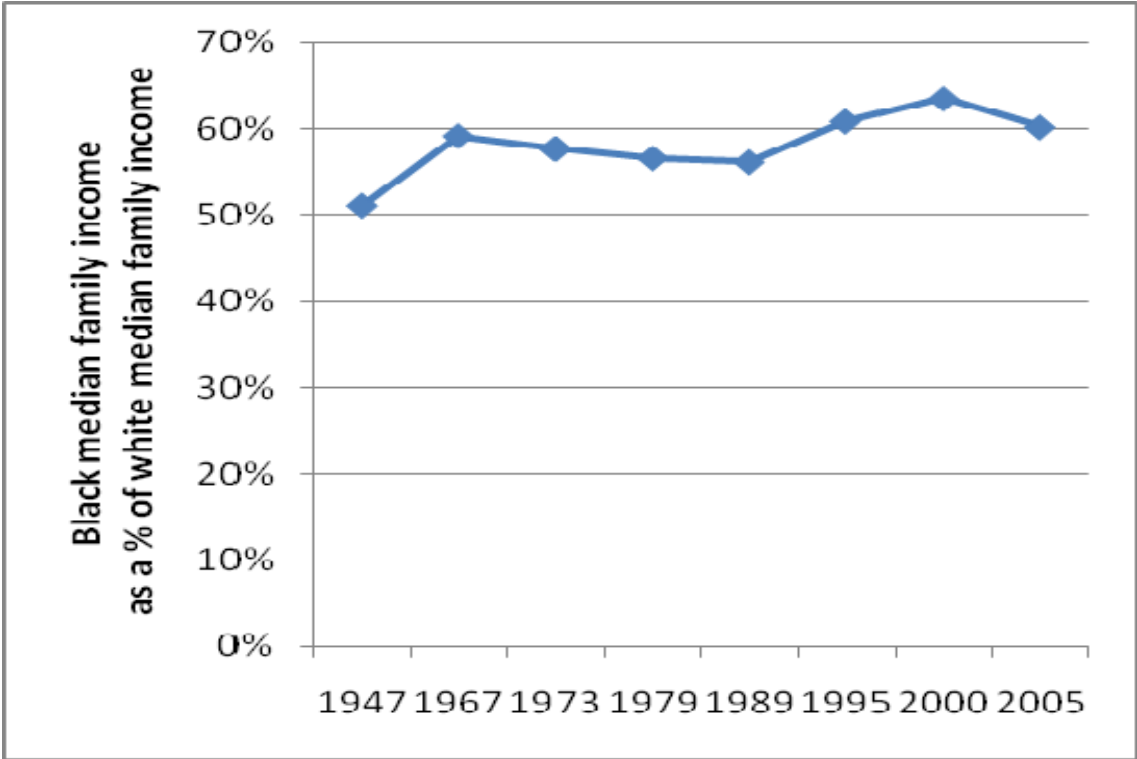


Figure 14.6  
Black median family income as a percentage of white median family income

**Wealth by race, 1983-2004 (thousands of 2004 dollars)**

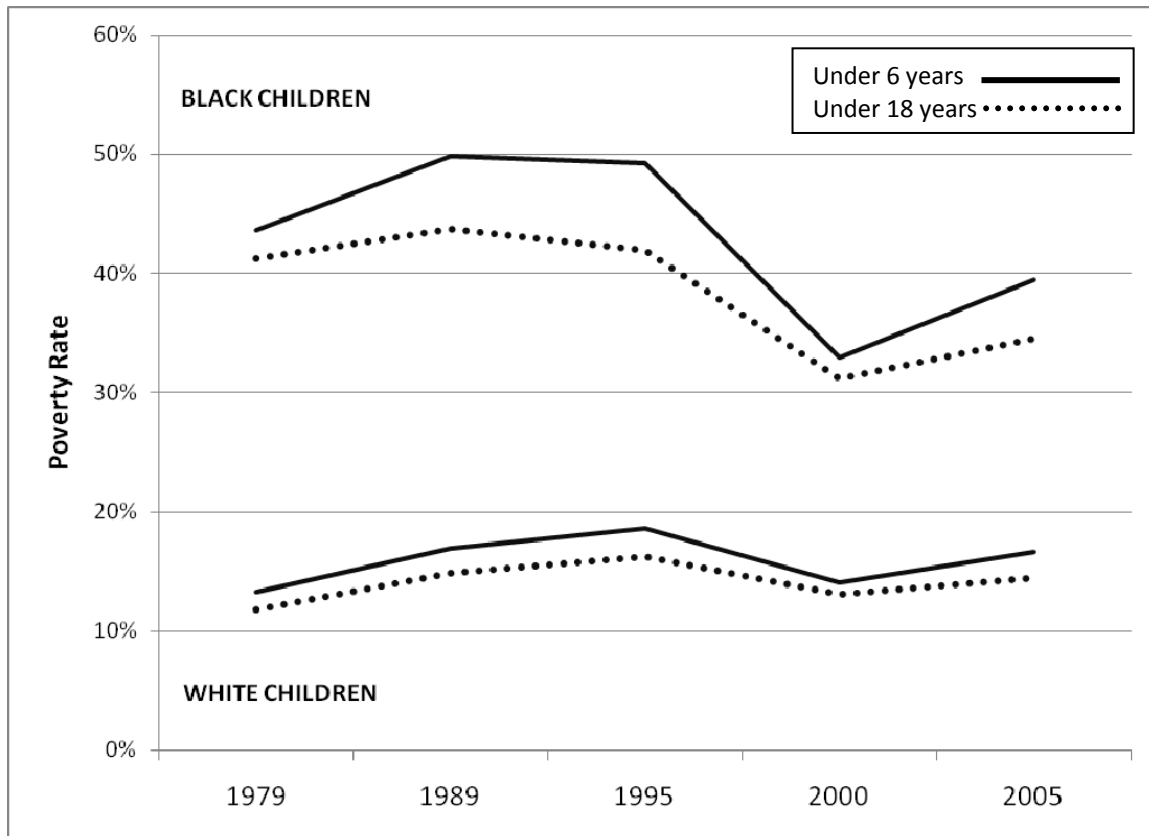
Race	1983	1989	1992	1995	1998	2001	2004
<b>Average wealth*</b>							
Black	\$54.2	\$57.1	\$61.3	\$50.5	\$67.5	\$70.8	\$101.4
White	\$287.9	\$340.6	\$329.6	\$300.4	\$371.9	\$496.8	\$534.0
Black-to-white ratio	0.19	0.17	0.19	0.17	0.18	0.14	0.19
<b>Median wealth</b>							
Black	\$5.5	\$2.5	\$13.9	\$9.1	\$11.6	\$11.4	\$11.8
White	\$82.9	\$98.4	\$82.6	\$75.6	\$94.6	\$113.5	\$118.3
Black-to-white ratio	0.07	0.03	0.17	0.12	0.12	0.10	0.10
<b>Households with zero or negative net wealth (%)</b>							
Black	34.1%	40.7%	31.5%	31.3%	27.4%	30.9%	29.4%
White	11.3%	12.1%	13.8%	15.0%	14.8%	13.1%	13.0%
Black-to-white ratio	3.0	3.4	2.3	2.1	1.9	2.4	2.3
<b>Average financial wealth**</b>							
Black	\$27.3	\$27.9	\$34.9	\$26.3	\$43.6	\$46.1	\$61.5
White	\$212.1	\$257.5	\$253.8	\$233.6	\$295.3	\$394.3	\$402.5
Black-to-white ratio	0.13	0.11	0.14	0.11	0.15	0.12	0.15
<b>Median financial wealth</b>							
Black	\$0.0	\$0.0	\$0.2	\$0.2	\$1.4	\$1.2	\$0.3
White	\$23.1	\$31.2	\$25.4	\$22.4	\$43.6	\$44.9	\$36.1
Black-to-white ratio	0.00	0.00	0.01	0.01	0.03	0.03	0.01

\* Wealth defined as net worth (household assets minus debts).

\*\* Financial wealth is liquid and semi-liquid assets including mutual funds, trusts, retirement, and pensions.

Source: Table 5.6 from Lawrence Mishel, Jared Bernstein, and Sylvia Allegretto, *The State of Working America 2006/2007. An Economic Policy Institute Book*. Ithaca, N.Y.: ILR Press, an imprint of Cornell University Press, 2007.

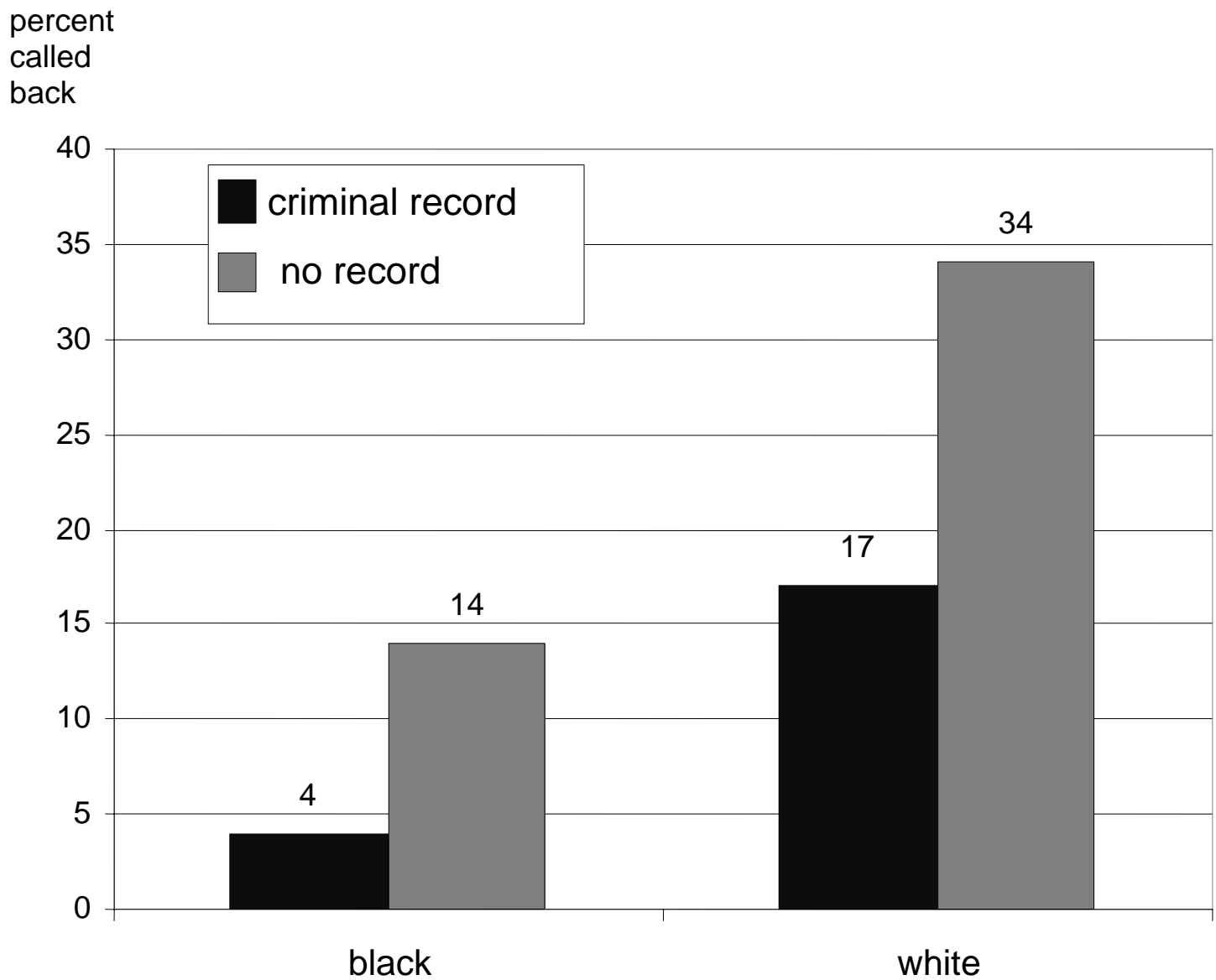
Table 14.2 Wealth by race, 1983-2004



Source: Table 6.3 from Lawrence Mishel, Jared Bernstein, and Sylvia Allegretto, *The State of Working America 2006/2007*. An Economic Policy Institute Book. Ithaca, N.Y.: ILR Press, an imprint of Cornell University Press, 2007.

Note: the data for children under 6 were unavailable for 2005. The figure reported here is for 2003.

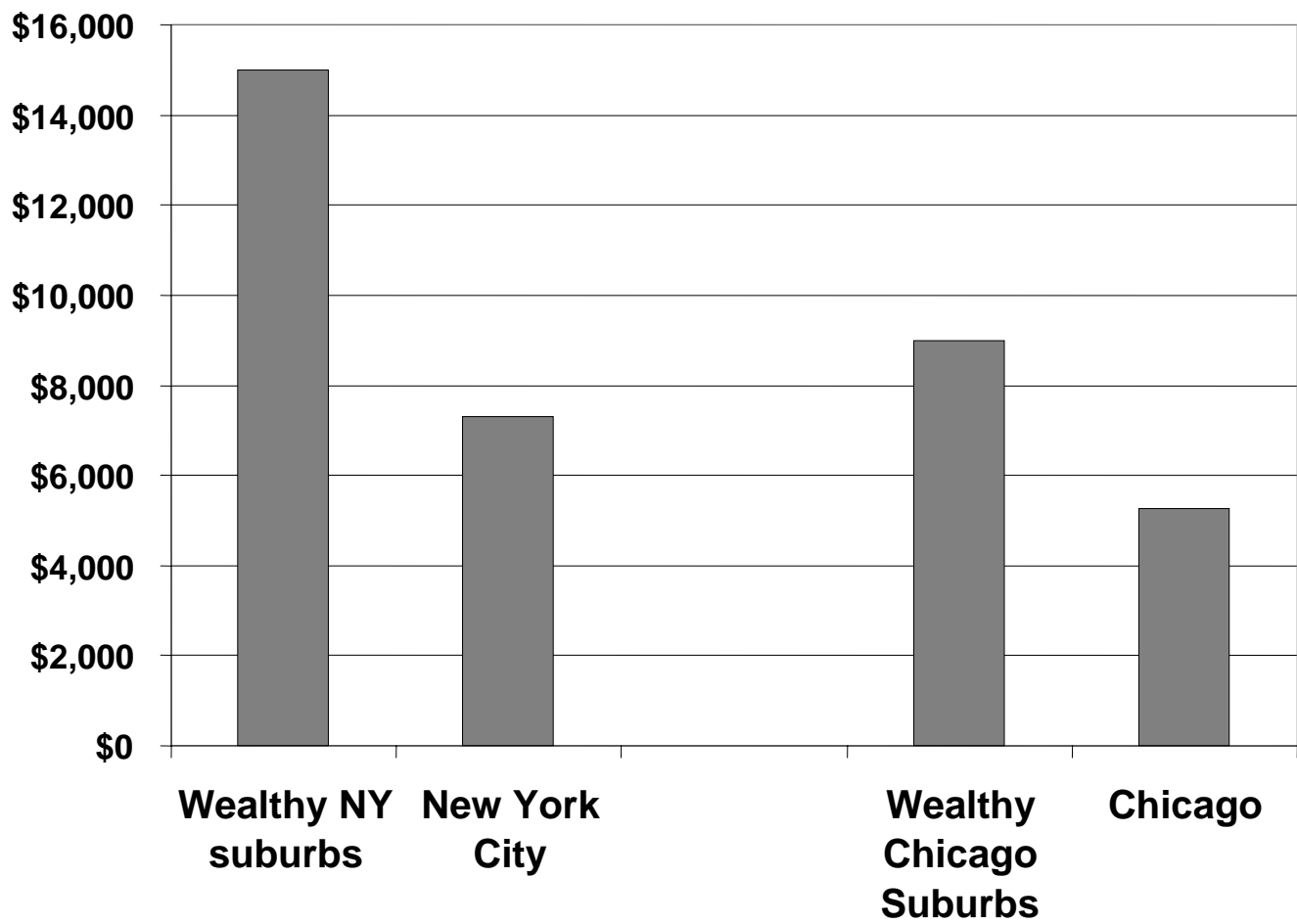
**Figure 14.7 Child poverty rates by Race, 1979-2005**



Source: Devah Pager, *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. Chicago: University of Chicago Press, 2007

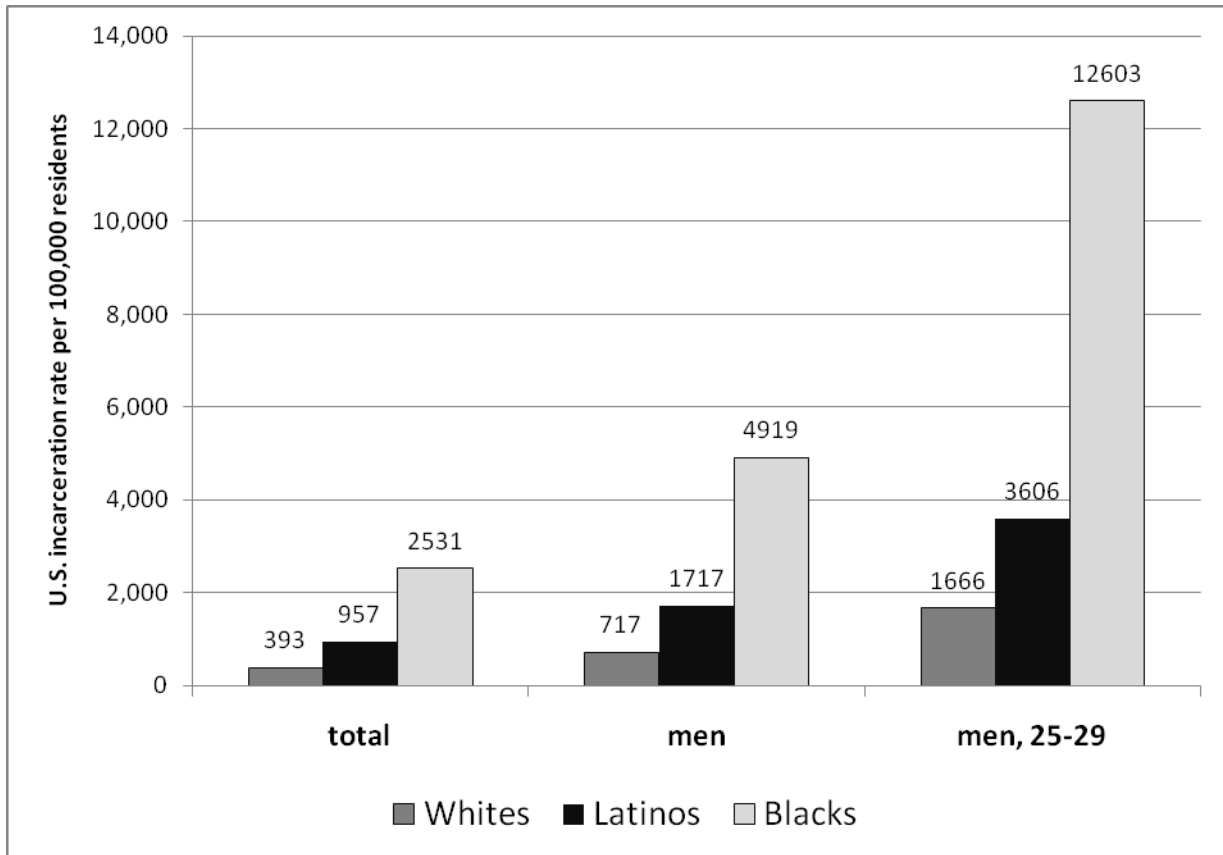
Note: The graph presents the percentage of job applicants to entry level unskilled jobs who were called back for an interview depending upon their race and criminal record (nonviolent drug conviction)

**Figure 14.8**  
**Results of an Audit study of the Effects of Race and Criminal Record on employment**



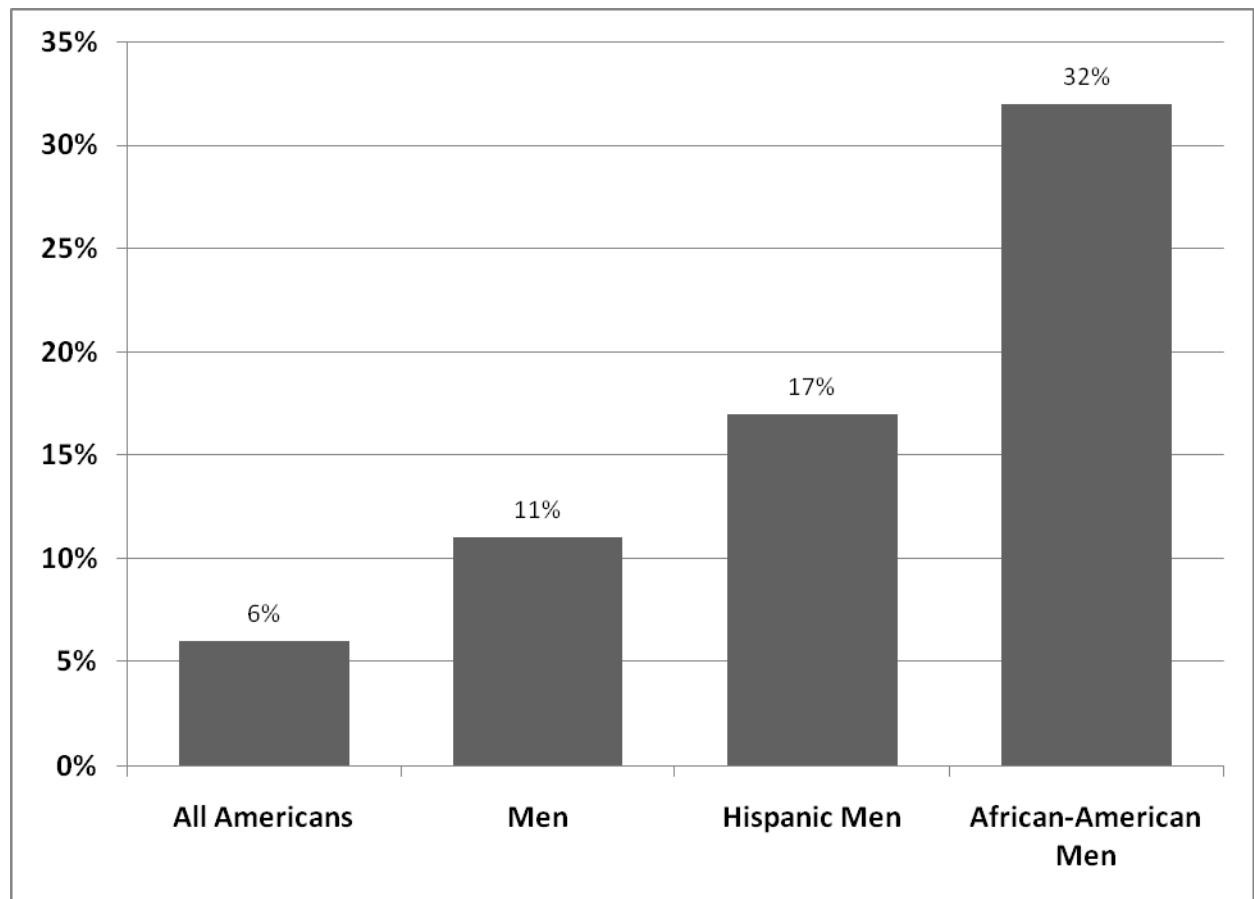
Source: [need source](#)

**Figure 14.9**  
Per pupil education spending in wealthy suburbs and core cities,  
New York and Chicago Areas



Source Prison Policy Initiative, Incarceration is not an equal opportunity punishment, 2005, <http://www.prisonpolicy.org/>

**Figure 14.10 Incarceration rates by Race**

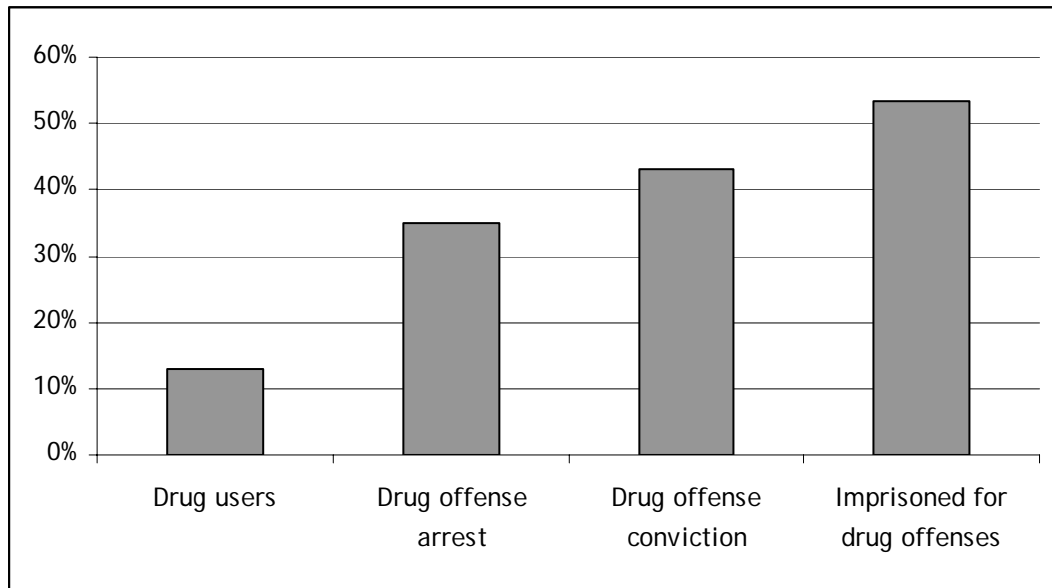


Source Prison Policy Initiative, Peter Wagner “Lifetime Chance of Being Sent to Prison at Current U.S. Incarceration Rates” (2003)

<http://www.prisonpolicy.org/graphs/lifetimechance.html>

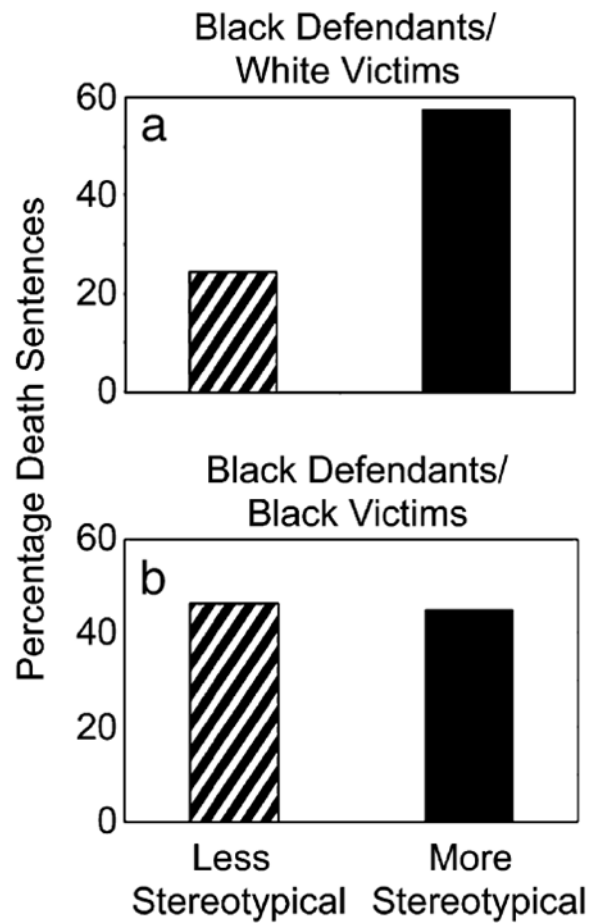
**Figure 14.11. Lifetime Chances of Being Sent to Prison**





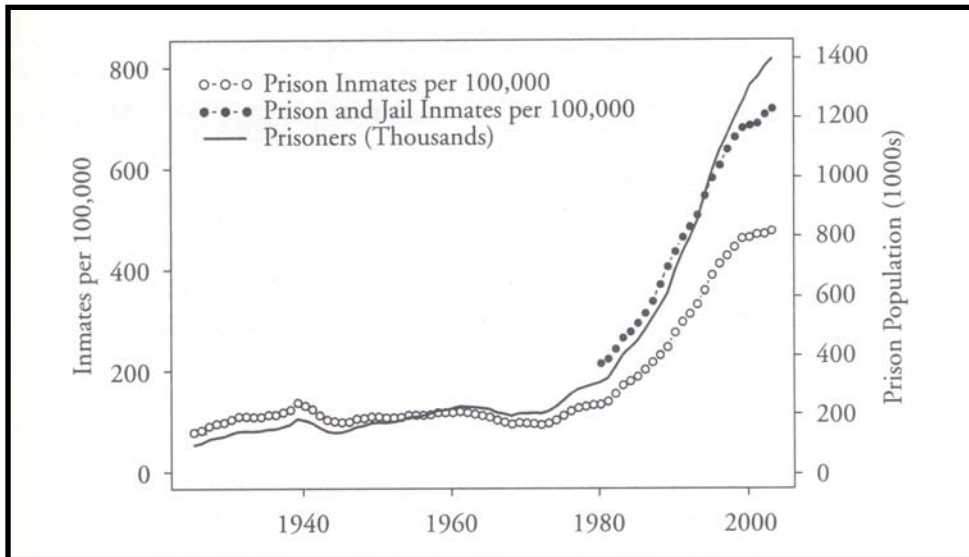
Source: Human Rights Watch 2008 report: *Targeting Blacks: Drug Law Enforcement and Race in the United States*

**Figure 14.12**  
**Percentage of people in drug-offense categories who are black**



Source: Jennifer I. Eberhardt, Paul G. Davies, Valerie J Purdie-Vaughns, and Sheri Lynn Johnson, "Looking Deathworthy: perceived stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes," *Psychological science*, volume 15:5, 2006, pp.383-386

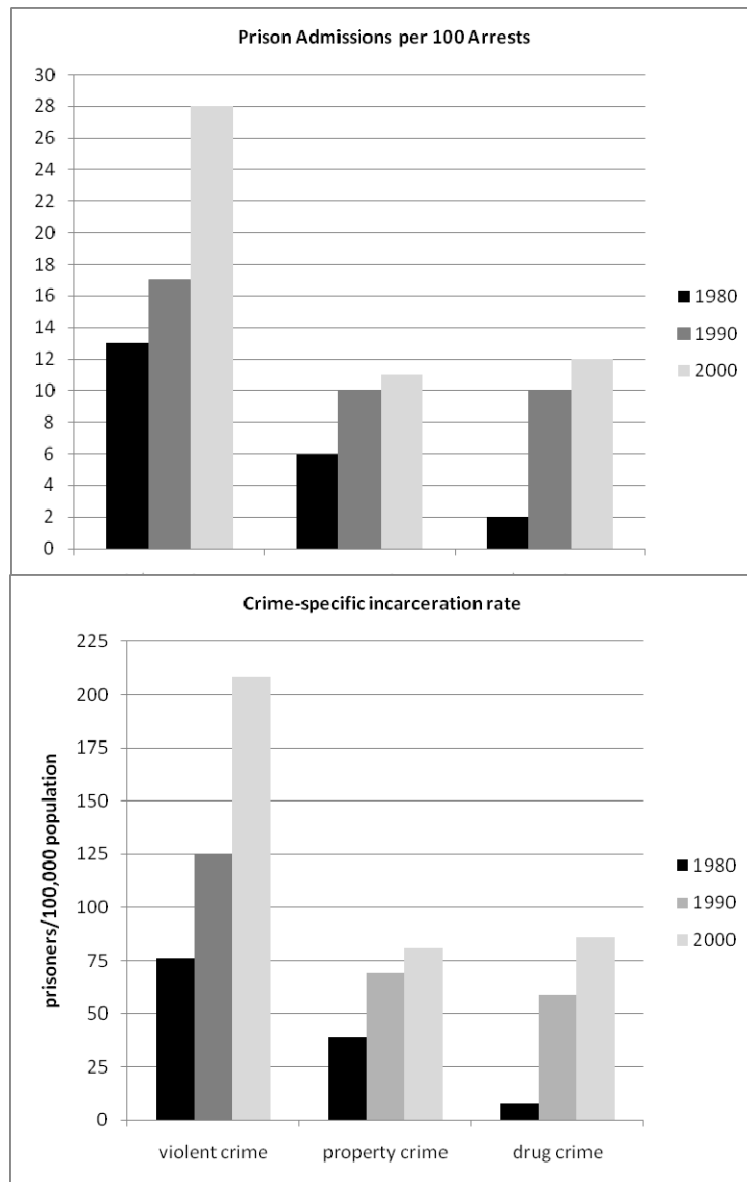
**Figure 14.13. Black Racial Stereotypes and the Death Sentence**



Source: Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation, 2006), p.13

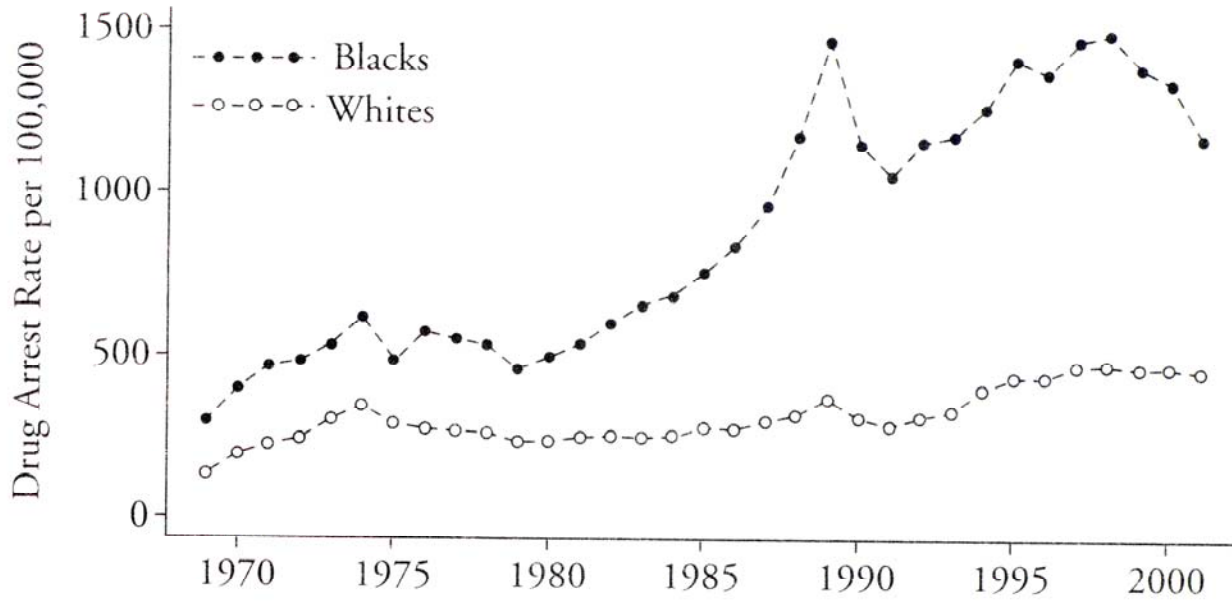
Note: Incarceration rates are shown on the left hand side of the graph; prison population on the right hand side.

**Figure 14.14**  
**U.S. Incarceration rates, 1930s-2000s**



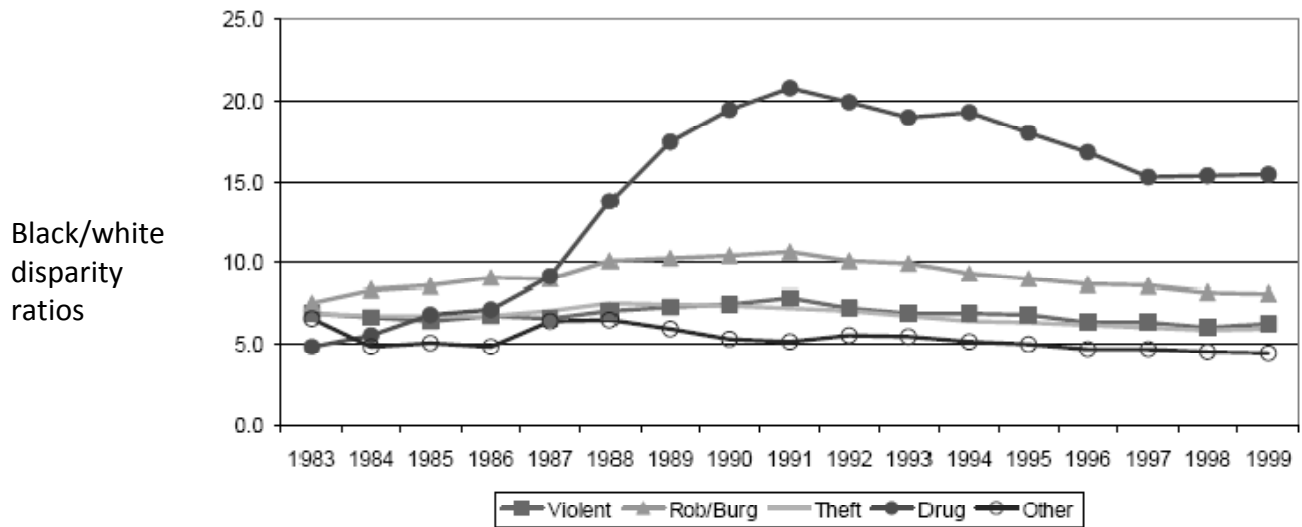
Source: Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation, 2006),

**Figure 14.15. Indicators of increasing intensity of punishments for drug offenses.**



Source: Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation, 2006), p.46

**Figure 14.16 Arrests for Drug Offences, 1971-2001**



Source: Pamela Oliver, "Explaining State Black Imprisonment Rates, 1983-1999", (unpublished manuscript, 2004). Figure 5. Data from the National Corrections Reporting Program.

**Figure 14.18 Trends in Disparity ratios for New Prison Sentences, by Offense**