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Roots, Current Realities, and Future Reparations

Third Edition

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learn about blacks from U.S. movies.”¹²² In part the result of the globalizing U.S. media, antiblack images and attitudes are often carried by Asian, Latino, and other immigrants coming into the United States. This negative racial framing frequently generates negative attitudes toward, and negative interactions with, black Americans, from the earliest days of interpersonal contact. From this experience, black Americans in their turn may develop negative views of certain immigrants. Thus, the negative attitudes of Asian or Latino immigrants toward African Americans—and the negative attitudes of African Americans toward Asian or Latino Americans—are frequently part of the much larger system of globally circulated, white-generated racial framing and other white-managed racism, which these particular groups had no role in initiating.

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Racial Oppression Today

Everyday Practice

Researchers at the Massachusetts Institute of Technology (MIT) sent applications to an array of job ads made by Chicago and Boston employers. Using made-up names that sound (especially to whites) like typically white or black names, they found that applicants with “white-sounding” names were 50 percent more likely to be contacted by employers than those with “black-sounding” names. When these researchers increased the job credentials of the tester-applicants, this was far more likely to get the whites a callback from employers than the blacks. Being black with eight years of job experience was necessary to get the same treatment as a white applicant *with no experience*.¹

To many white observers racial discrimination and other racial oppression no longer seem important because they are no longer matters of official discrimination and legal segregation. Racism is often asserted by whites to be gone or sharply declining in this “post-racial society” because there are at least a few African Americans or other people of color in numerous professional or managerial positions in historically white organizations. Yet, one can recognize social changes in whites’ racial domination in the United States without downplaying the still-strong relationship between being a black person or other person of color and being a target of serious racial discrimination, as from the employers in the study above. In one way or another, virtually all Americans of color continue to suffer significant discrimination today because white racial framing and domination of Americans of color remain major organizing features of our group life. The enduring racial hierarchy is still well supported by this racial framing, and it is perpetuated most centrally by the racial discrimination still carried out by a great many whites on a recurring basis in most areas of this society. In this and the next chapter we will examine many examples of persisting individual and institutional discrimination.

The Heart of Racism: Discriminatory Practices

Mainstream social scientists have often examined the paired ideas of racial prejudice and discrimination. A common perspective has been one of individual bigots acting out racial attitudes in discriminatory ways.

In recent decades, as we have seen, some critical analysts and researchers have argued for a different emphasis in looking at racial prejudice and discrimination. They accent the *institutional* and *systemic* racism that undergirds individual acts of discrimination. In its origin, this institutional racism viewpoint mostly stems from a long line of African American scholars and activists, going back centuries. As I underscored in Chapter 1, thinker-activists like Frederick Douglass and W. E. B. Du Bois long ago put white society and its societal institutions at the center of critical analysis of white racism. The 1960s civil rights movement brought a renewed emphasis among black intellectuals and activists on the institutional contexts of individual discrimination.²

While in recent years numerous mainstream analysts have rejected a critical institutional-racism perspective, it remains the most important approach to understanding the depths of the U.S. system of racial hostility and discrimination. Today, Americans of color generally experience discrimination not just as the actions of individual whites in one social arena, but rather as the everyday, recurring actions of white actors across many of life's arenas—actions backed by a multifaceted and powerful system of institutionalized white power and privilege. While all racial discrimination is carried out by individuals, the social context is very important, for that is where the framing, norms, and proclivities perpetuating discrimination are institutionalized. Individual discrimination activates the underlying hierarchical relations of power in which whites generally dominate Americans of color.³

Over recent decades the international attack on all racial and ethnic discrimination has accelerated. The United Nations International Convention on the Elimination of All Forms of Racial Discrimination, implemented in 1969, defines discrimination as:

any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms.

This broad view accents not only distinctions on the basis of racial grouping, but also institutionalized restrictions, preferences, and exclusion aimed at impairing human rights. It underscores the costs associated with being the target of discrimination. In another passage, the Convention adds that the "existence of racial barriers is repugnant to the ideals of any human society." The U.S. government did *not* ratify this convention until 1994, although numerous nations had ratified long before.⁴ Governments that signed on *agreed* to adopt "all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations," yet U.S. officials have *not* yet

undertaken such measures. Moreover, since the early 2000s the United Nations has had two important world conferences dealing with international racism, including issues of reparations for U.S. slavery and colonialism. Top U.S. officials have declined to participate in either conference.

The Social Context of Racist Practices

Contemporary patterns of discrimination are grounded in the benefits that whites have historically secured from four centuries of racial oppression in North America. Most contemporary forms of racial discrimination transmit the legacy of the oppressive past of slavery and Jim Crow. Today discriminatory practices reproduce the unjust impoverishment and enrichment of the past. Discrimination reflects and perpetuates the age-old racist frame, with its associated array of antiblack attitudes, images, and emotions. When black Americans encounter whites in contemporary settings, they often meet negative beliefs about and interpretations of their abilities, values, and orientations. Racial barriers persist because a substantial majority of whites still harbor some antiblack stereotypes, prejudices, images, and interpretations, and because a large minority are very negative in their perspectives. Research indicates that when most whites interact with black Americans at work, in restaurants, on the street, at school, or in the media they tend to think about the latter, either consciously or unconsciously, in terms of racist stereotypes or other racial framing inherited from the past and constantly reiterated and reinforced in the present. Such socially triggered framing often leads to some type of discrimination.

As we observed previously, the translation of antiblack attitudes into actual discrimination is shaped not only by this racial framing but also by social norms, such as by what other people might think, and by perceived behavioral controls, such as what the other's responses to discrimination might be. Routinized discrimination in housing, employment, politics, and public accommodations is carried out by whites acting alone or in groups. The social norms guiding racial discrimination can be formal or legal, but most norms today are unwritten and informal. Moreover, much antiblack action is not sporadic but is carried out repeatedly and routinely by numerous dominant-group members influenced by the important norms of their social networks. Whites have the power to discriminate as individuals, but much of their power to harm comes from their positions in traditionally white networks and white-controlled organizations.

Everyday Racism: Subtle, Covert, and Blatant

The character of everyday discrimination varies significantly. Whites may actively persecute people of color, or they may engage in an array of avoidance behaviors. Discrimination can be self-consciously motivated, or it can be half-conscious or unconscious and deeply imbedded in an actor's core

beliefs. At the level of everyday interaction with black Americans and other Americans of color, most whites can create racial tensions and barriers even without conscious awareness they are doing so. Examples of this include when white men lock their car doors as a black man walks by on the street or when white women step out or pull their purses close to them when a black man comes into an elevator they are on. Stereotyped images of black men as criminals probably motivate this and similar types of defensive action.

Experiencing white racism is not about one or two incidents, but rather it is a lifetime experience from which one cannot ordinarily escape. It involves discrimination in most areas of life and over lifetimes. In one recent California study researchers conducted six focus group interviews with 40 black working-class and middle-class women of childbearing age. Echoing previous studies, these women described numerous instances of discrimination from the time they were children to the present. They noted interpersonal and institutional racism: "Racism was experienced in ... work and school settings, in everyday social interactions such as shopping and in other settings defined by public space, and when interacting with health care, justice, and housing systems." The women discussed the impact whites' racism had on them, the stress that it caused, as well as the ways in which they dealt with it daily:

The women maintained a pervasive sense of vigilance in anticipation of future racism events for themselves and their children, preparing themselves behaviorally, cognitively, and emotionally for potential racism encounters: "It's the skin you're in," verbalized by one woman, seemed to capture the inescapable sense of pervasive awareness and vigilance that women in all the focus groups described experiencing on a chronic basis.⁵

Today, our system of racial oppression is sustained by thousands of everyday acts of mistreatment of Americans of color by white Americans, incidents that range from the subtle and hard to observe to the blatant and easy to notice. These acts can be non-verbal or verbal, non-violent or violent. Many racist actions that crash in on everyday life are, from the injured victim's viewpoint, unpredictable. Such actions are commonplace, recurring, and cumulative in their negative impacts. They are, as one retired black teacher in her eighties put it, "little murders" that happen to her every day.⁶

In a specific setting, such as a workplace, a white person in authority may select another white person over an equally or better qualified person of color because of a preconceived notion that whites are more competent or just because of discomfort with people perceived from the old white-racist frame as too different. This latter type of subtle discrimination includes, in John Calmore's words, "the unconscious failure to extend to a

minority the same recognition of humanity, and hence the same sympathy and care, given as a matter of course to one's own group." The selectivity results "often unconsciously—from our tendency to sympathize most readily with those who seem most like ourselves."⁷

The racist system is made even more complex by its reinforcement in many other aspects of the everyday behavior of white Americans. When whites make racist comments to other whites, or when they think or say racist things when watching television by themselves or with their families, they also reinforce and maintain the white-racist system, even though no people of color are present.

Who Does the Discriminating?

Discrimination targeting African Americans and other Americans of color comes from all levels and categories of white Americans. Most are involved in some subtle, covert, or blatant way in creating, reinforcing, or maintaining the racist reality of U.S. society. Depending on the situation and opportunity to discriminate, large numbers of whites actively discriminate. Judging from housing audit studies, roughly half of all whites are inclined to discriminate in some fashion, whether subtly or blatantly, in situations where they have housing to rent or sell to black individuals or families. It may well be that whites discriminate at similarly high levels in other major institutional arenas, although this is an area where more research is needed.

There are of course actively antiracist whites, who regularly speak out against white racism, even to the point of risking injury, friendships, or jobs. However, in regard to contemporary discriminatory practices, most whites seem to fall into three other categories of everyday choices. One large group of whites regularly engages in overtly discriminatory and other racist behavior. Some are greatly consumed by racist hatred, as can be seen in many **hate crimes**. A second, much larger, group of whites discriminate against black Americans and other Americans of color in various ways, as the occasion arises, but frequently discriminate in less overt or more subtle ways and may often not be consciously aware of their discrimination. A third group of whites are consistently bystanders, engaging in less direct discrimination but knowingly providing support for those who do. Whites in the latter two groups commonly reject the blatant discrimination in which some whites in the first group engage, even as they themselves engage in subtle or covert discrimination. In addition, most whites in these three latter groups routinely think in white-framed terms when choosing mates, neighborhoods, schools, or business partners. The racist system is thereby reinforced in daily interactions. Research studies also suggest that a sense of white superiority, however dim, is part of the consciousness of most whites, including those who are relatively liberal on racial matters.

In addition, much research suggests that a substantial majority of whites, including those who are liberal, typically do not see the overtly racist actions of other whites as serious enough for them to intervene—or as serious enough to deter their relationships with those who engage in overtly racist behavior. One study examined how 120 college-educated whites reacted to a racist act. Recruited for a psychology study, the students faced an experimental set-up that, unknown to them, had a black actor and a white actor playing out a scenario in which the black person gently bumped the white person on leaving the room. The experimenters varied what the white actor said after the bump: (1) nothing; (2) blurted out, “I hate when black people do that”; (3) said “nigger.” After the incident the researcher came in to start the “study” and asked each white student to pick the white person or the black person as a partner. The fact that the white person had made racist comments did not upset most of the white students or deter most from picking the white actor as a partner.⁸ These researchers made an educated guess that such white reactions in choosing a white-racist partner over a black partner reflected unconscious racial biases. Apparently, many whites still react the way numerous white students did because they in fact think in consciously and blatantly racist terms about black people, or because they do not find the racist actions of other whites to be serious enough to intervene in or to risk losing a friend or acquaintance.

Recall our research that involved gathering brief semester journals from 626 white students at various colleges and universities. Recording racial events observed in their daily lives, these students reported thousands of clearly racist events. In these many accounts there is not one describing whites who are very assertively protesting racist actions by whites in a diverse frontstage setting. Only rarely in the journal accounts (about 1–2 percent) do we even observe white students or other whites engaging in assertive dissent to racist commentaries and actions by friends, acquaintances, and relatives even in all-white backstage settings. This lack of assertive confrontation was true for the journal writers, even when they later said that they should have intervened. Numerous students commented in their diaries that they recognized their friends and relatives were doing racist stuff, but added that they were still “nice people” to be with. These student journals indicate that even whites who make extremely racist comments or engage in highly racist actions are often viewed by other whites as doing something relatively harmless.⁹

Interestingly, when issues of racism are discussed in the mainstream media, it is often working-class whites (sometimes stereotyped as “rednecks”) who get tagged as the most serious racists by media commentators. Blue-collar violence against black Americans or other Americans of color does get some news attention. Elite and middle-class whites are less frequently the focus of serious attention in media discussions of racial problems, and media discussions of discrimination that involve a few middle-class or

elite discriminators usually avoid making connections to broader issues of systemic racism. In contrast, the portrait of discriminatory practice that emerges from much social science research is different. Judging from the college student diaries noted above and the many interviews that I and my colleagues have conducted with white Americans and Americans of color over the last two decades, as well as from numerous other field studies of discrimination in housing, employment, and public accommodations cited in this and other chapters, the majority of whites who do this more serious discriminating are those with significant power to bring harm, such as white employers, managers, teachers, social workers, real-estate agents, lenders, landlords and apartment managers, and police officers.¹⁰

Middle-income and upper-income whites are heavily implicated in contemporary discrimination, although it is likely that in many major institutional areas, such as corporate promotions and urban policing, white men account for the lion's share of the discrimination. Generally, middle-income and upper-income whites are the ones in a position to most significantly affect the lives of a great many black Americans and other Americans of color. Nonetheless, given the right circumstances, most whites in all income groups have the ability to put Americans of color “in their place,” to frustrate or sabotage their lives for an array of racist reasons.

Lifetimes of Racial Discrimination: The Harsh Reality

Whether subtle, covert, or blatant, discriminatory practices are commonplace and recurring in a great variety of social settings, ranging from public accommodations to educational facilities, business arenas, workplaces, and neighborhoods. How frequent is the discrimination faced by its targets? What forms does this discrimination take? As we have already observed, whites often play down these harsh racial realities.

National opinion surveys reveal that black Americans face much discrimination, in the present and over their lives. In a 2012 Pew national survey some 43 percent of the black respondents indicated on a general question that black Americans still faced a lot of discrimination, while just 13 percent of the whites in the survey agreed. A very small percentage (14 percent) of the black respondents also reported that they had confidence that local police treated black residents as fairly as whites.¹¹ An earlier Gallup survey on how black residents are treated in local communities found that the majority said that blacks were not treated equally, which contrasted with the three-quarters of whites who thought blacks were treated the same. More detailed questions revealed significant differences in how black and white respondents viewed blacks' treatment by local police, employers, and store clerks. Another Gallup survey asked black respondents if they had experienced discrimination at work, dining out, shopping, with the police, or

in public transportation just during the last month. Nearly half (47 percent) said that they had suffered discrimination in one or more of these areas in this short period.¹² Yet another national survey of African Americans in 2013 found that many faced racially negative encounters several times a year. These included “being threatened or harassed, being treated as if they weren’t smart, receiving poorer service at restaurants or stores, having people act afraid of them, or being treated with less courtesy or respect than others.”¹³

In addition, a Harvard survey of 202 black Bostonians found that 80 percent viewed discrimination there as significant. The overwhelming majority felt that black Americans lose out on good housing in the area because of fear of how they will be received in white communities. Substantial percentages reported facing discrimination from the police or in workplaces, and nearly half felt they were unwelcome in shopping areas or restaurants in the metropolitan area.¹⁴

We should note that most opinion survey questions on racial issues are quite brief and customarily deal with only a few of the many types of racial mistreatment that black Americans and other Americans of color face. More detailed questioning would likely reveal a more substantial portrait of discrimination. In addition, there are other reasons why the existing survey data do not adequately describe the reality of everyday racism found in more in-depth studies. For example, most Americans are taught by parents, peers, and clergy to focus on individual reasons for their personal barriers. The reasoning behind such socialization seems to be that a system-blame orientation makes a person seem weak. Thus, some Americans of color who suffer from much discrimination may feel that talking too much about these barriers suggests that they are incapable of dealing with everyday difficulties. In addition, the terminology used in most surveys likely leads to many underestimates. We have found in our research interviews with African Americans that the term “discrimination” itself is reserved by some only for very serious abuse by whites. Lesser forms of mistreatment, because they are so commonplace, may not be characterized as discrimination. For example, a black college professor explained to me that he does not ordinarily think of certain everyday examples of differential treatment—such as white cashiers not putting money in his hand because they do not want to touch a black person—as “racial discrimination.” It is only the more serious incidents that he would recall if asked a question by a pollster about having encountered racial discrimination recently.

Racial obstacles are so much a part of most black lives that they generally become a part of the societal woodwork. This everydayness of racist barriers means that for many black Americans a researcher’s brief question about discrimination will bring quickly to mind primarily the

more serious incidents that stay at the front of the mind—and sometimes not the many intrusions of more subtle racism that occur in one’s life. Yet, not recalling some discriminatory incidents when questioned briefly does not mean these encounters are of little consequence. In order to survive in a racist society, Americans of color cannot attend consciously to all the racist incidents that intrude on their lives. The personal and family cost of too-close attention to much discrimination is too great.

To my knowledge, there is no research on the frequency of the incidents and events of discrimination faced by individual black Americans over their lifetimes. In a few exploratory interviews with black respondents, I have asked them a question about frequency and gotten large estimates. I asked a retired printer from New York City how often he had faced discrimination over his eight decades of life. After reflection, he estimated that he confronts at least 250 significant incidents of discrimination from whites each year, if he only includes the incidents he consciously notices. Judging from my field studies and those of my students that have used in-depth interviews with African Americans, this man’s experience seems representative. Over the course of a typical lifetime, a black man or woman likely faces *thousands* of instances of blatant, covert, or subtle discrimination at the hands of whites.

Patterns of Discrimination: Political and Legal Institutions

For centuries now, local, state, and federal governments have been proactive in protecting or expanding the system of racial discrimination. Most of these governments are undemocratic in the sense of not having major shaping input in regard to their major structures and operations from Americans of color, historically or currently. While some social science theories, including racial formation theory, play up the importance of “the state” as a relatively impersonal or unbiased terrain over which numerous racial groups compete for political and social power, that is not the empirical reality for the United States, in the past or in the present.¹⁵ As we have seen in Chapter 1, from the beginning the U.S. government has been firmly shaped in terms of the racial interests and framing of the white (male) elite, and that government has mostly been run by a very disproportionately white elite to the present day.

White government officials and programs have often favored the racial and political-economic interests of white Americans. Thus, government programs historically provided much access to homesteading land and numerous other valuable resources exclusively or very disproportionately to white Americans. Coupled with this age-old “affirmative action” for whites, governments created and reinforced extensive patterns of racial exclusion targeting Americans of color. Over centuries, white-dominated legislative, executive, and judicial branches

of local, state, and federal governments routinely upheld slavery and Jim Crow segregation.

Discrimination in Voting and Representation

Some 128 years of this country's existence passed before the U.S. Supreme Court (in 1915) finally began to knock down a few state Jim Crow laws severely discriminating against black voters. Increases in political representation still came slowly. Finally, the 1960s civil rights movement forced legislative changes, including passage of the 1965 Voting Rights Act. By the 1970s, in part because of this act, millions of black citizens were finally voting in the South. As a result, the number of black elected officials has increased from a few dozen in the 1960s to several thousand today. Nonetheless, in many areas black voters are still unable to elect black officials in representative numbers. Where they are able to elect some representatives, the latter are often unable to make their voices heeded in still white-dominated legislative bodies.

Today, commonplace voter-restriction actions by political operatives, most of them white conservatives, signal intentional and continuing discrimination against voters of color. Until the 1960s most efforts aimed at reducing the number of voters of color were by operatives connected to the Democratic Party. Yet, in the 1960s' Barry Goldwater and Richard Nixon campaigns voter-restriction activities were increasingly undertaken by Republican operatives. In recent decades these voter-restriction activities have continued to be part of local, state, and federal campaigns. Researchers have identified a disturbing array of blocking strategies used by some white officials to reduce black (and Latino) representation or voting: gerrymandering political districts, changing elective offices into appointive offices, adding new qualifications for office, purging voter-registration rolls, suddenly changing the location of polling places, creating difficult registration procedures, and using numerous other strategies to dilute the black (and Latino) vote. One geographical vote dilution strategy consists of intentionally setting up or continuing at-large electoral systems, instead of utilizing elections by smaller electoral districts. This enables white voters, who dominate a very large political unit, to determine who will be all the political representatives within that political unit, even if it includes a large minority of voters who are not white.¹⁶

Among the most common of these voter-restriction efforts today are "ballot security" programs of Republican operatives. One major research report explains that these security programs focus almost entirely on voters of color, usually with weak or no evidence of voter fraud to justify them. (Researchers have found very little intentional voter fraud across the country.)¹⁷ In recent elections these voter-restriction programs have

involved "intimidating Republican poll watchers or challengers who may slow down voting lines and embarrass potential voters by asking them humiliating questions," "people in official-looking uniforms with badges and side arms who question voters about their citizenship or their registration," "warning signs ... posted near the polls," and "radio ads ... targeted to minority listeners containing dire threats of prison terms for people who are not properly registered—messages that seem designed to put minority voters on the defensive." Some political operatives have mailed false information about voting qualifications to deter black and Latino voters.¹⁸ One mostly Republican strategy involving poll challengers utilizes aggressive "vote caging," a process in which operatives send letters to voters in an area with many Democratic voters just to find out if they will be returned unopened. The returned letters are assumed to be for people who have moved and are no longer living at their voter-registration addresses—people who are challenged by Republican poll watchers at election time. Excessive challenging for minor issues slows down voting for all voters, most of whom are assumed to be voting for the other party.¹⁹

In recent decades numerous campaigns by members of the Republican and Democratic parties have made use of specific racial appeals to white voters. Recall Nixon's so-called southern strategy, which used racist appeals to attract white southerners from the Democratic Party to the Republican Party. In recent years, some in the Republican Party (see Chapter 9, p. 272) seem to have decided that the party should become primarily one for whites, with mostly token appeals to Americans of color. Indeed, since the 1960s the Republican Party has shown little interest in civil rights issues. While the Democratic Party has had far more participation by Americans of color in its deliberations, elections, and policies, since the 1980s its majority-white elected officials have often failed to increase the input of citizens of color in regard to important state and national policymaking to a truly representative level.

Recently, the conservative Republican majority on the U.S. Supreme Court severely weakened the U.S. Voting Rights Act by, in effect, removing special federal surveillance over political jurisdictions with demonstrated histories of creating barriers for black voters and other voters of color.²⁰ Today, more than 140 years after African Americans officially gained access to the political process through the post-Civil War amendments to the Constitution, historic promises of truly representative political participation remain substantially unfulfilled. The election of an African American president has not changed most of that general pattern.

White Racism and the U.S. Supreme Court

We saw earlier the critical role of the U.S. Supreme Court in maintaining white dominance in such cases as *Dred Scott v. Sandford*, which upheld

slavery and the overwhelming degradation of black Americans, and *Plessy v. Ferguson*, which legitimated the new Jim Crow segregation after the Civil War. This is our historical legacy. Today, whites as a group still benefit greatly from a legal system of their own making, one that often favors the broad group interests of whites. It is not sufficient, as the white founders made very clear in their harsh criticisms of authoritarian British rule, for there only to be equality in access to the law. There must also be fair representation in the creation of all major laws. This is not yet a reality for all Americans. At the top of the legal system black Americans constitute a very small percentage of state attorney generals, district attorneys, leading civil and criminal lawyers, and judges in major state and federal courts. Other Americans of color are also greatly underrepresented in such powerful positions. Given the fact that a greatly disproportionate share of decisionmakers at the top of the judicial and political system are white, it is not surprising that white assumptions and group interests usually predominate. The assumptions of most whites in control of these institutions include: (1) the idea that racial inequality is no longer a serious societal problem needing significant government intervention; and (2) the notion that the legal system currently operates in a generally fair and non-racist fashion.

Recall the white-framed Supreme Court case discussed in Chapter 3, *City of Richmond, Virginia v. J. A. Croson Co.* (1989). A white-run construction company argued that a Richmond program setting aside a little government business for formerly excluded minority companies was unconstitutional. Knocking down this modest set-aside program, a majority of the court ruled that city officials had not demonstrated the continuing reality of racial discrimination. However, city officials had shown that, in a city whose population was half black, less than 1 percent of city business went to black-owned firms. The court dismissed data and testimony from city officials that legal segregation had for decades been the rule in the city and that discrimination in construction contracting was still commonplace. Arguments that large-scale racial discrepancies in business development indicated a high probability of discriminatory practices by white businesses in the present were rejected by that court's white majority.²¹

Justice Sandra Day O'Connor, writing for the plurality, did note "the sorry history of both private and public discrimination in this country" and recognized the reality of "past societal discrimination." Yet she accented the "past," not the present, in her white-framed analysis and described societal discrimination as "amorphous" and having no clear link to the present-day reality of black business conditions in contemporary Richmond. As one critic put it, the use of "amorphous" here means that for the court's majority societal discrimination is "something sporadic, erratic, and diffuse—something that leaves no clearly demarcated traces and produces no readily ascertainable direct effects."²² Yet the impacts of past discrimination in any

U.S. city, as the data in this book repeatedly demonstrate, are typically major, evident, systemic, and anything but sporadic.

The white majority accented the old white-racist framing that the problems of black Americans are substantially the result of personal choices: "There are numerous explanations for this dearth of minority participation [in construction businesses], including ... black and white career and entrepreneurial choices. Blacks may be disproportionately attracted to industries other than construction."²³ The majority suggested that black Americans—who have much experience as construction workers—do not go into construction contracting businesses just because of personal preferences. In making such an unreflective argument the judges provided no evidence of such black inclinations.²⁴ In a stinging dissent, the court's only black justice up to that point in U.S. history, Justice Thurgood Marshall, concluded that a

majority of this Court signals that it regards racial discrimination as largely a phenomenon of the past, and that government bodies need no longer preoccupy themselves with rectifying racial injustice. I, however, do not believe this Nation is anywhere close to eradicating racial discrimination or its vestiges.²⁵

The legal scholar Jerome Culp has described white justices' assumptions in cases like this as "white supremacist," in that the "interests of black Americans are not considered important enough to be examined or put into the constitutional calculus—the interest blindness assumption."²⁶

In recent years, mostly white federal judges and other federal officials have joined with local officials to end even voluntary desegregation and other antidiscrimination programs. President George W. Bush's conservative white appointments to the Supreme Court, working with other conservatives, have regularly weakened local and federal civil rights and desegregation policies and efforts. For instance, in a 2007 decision the high court's conservative majority greatly weakened the 1954 *Brown v. Board of Education* decision by deciding that the local school systems in Seattle and Louisville could *not* make use of any racial markers along with several other factors to increase the desegregation of de facto segregated high schools on a voluntary basis. Liberal Supreme Court Justice Stephen Breyer countered the majority's white-framed ruling with this important point: The

school board plans before us resemble many others adopted in the last 50 years by primary and secondary schools throughout the Nation. All of those plans represent local efforts to bring about the kind of racially integrated education that *Brown v. Board of Education* ... long ago promised.

Breyer emphasized how school desegregation had stalled and how numerous local white officials had often played a significant role in continuing racial segregation. The modest programs in Seattle and Louisville were, in his view, quite constitutional:

If one examines the context more specifically, one finds that the districts' plans reflect efforts to overcome a history of segregation, embody the results of broad experience and community consultation, seek to expand student choice while reducing the need for mandatory busing, and use race-conscious criteria in highly limited ways that diminish the use of race compared to preceding integration efforts.

Breyer argued that these local plans were fully in line with the goals of the 1954 *Brown* decision: "To invalidate the plans under review is to threaten the promise of *Brown*."²⁷ Indeed, since 1991 the conservative majority of the Supreme Court has effectively destroyed the promise of *Brown* by rejecting major school desegregation plans. Recent research reports from the prestigious UCLA Civil Rights Project have demonstrated that in most areas black and Latino children still experience great, if not increasing, school segregation.²⁸

Police Malpractice

The persisting U.S. racial hierarchy is reproduced by numerous actions of an array of government agents. For instance, white police officers have historically played, and many still often play, a major role in the subordination of black Americans, including those who seek to protest. Data on police violence in U.S. history are chilling. During the years 1920–1932 substantially *more than half* of all African Americans killed by whites were killed by white officers. Police were regularly implicated in the estimated 6,000 bloody lynchings of black men and women from the 1870s to the 1960s. In recent decades, police harassment and violence have continued, and have been openly resisted by black Americans. Analysis of black community "riots" for the years 1943–1972 indicates that the immediate precipitating event of many of these community uprisings was the killing or harassment of black urbanites by white officers. Black residents openly protested police malpractice. This community reaction to police harassment or killings has also been seen in more recent rebellions by black citizens in Los Angeles and Miami in the 1980s and 1990s, and since that time protests of various types against police malpractice have been engaged in by Americans of color in several other cities (for example, Cincinnati in 2001; Toledo in 2005).²⁹

In spite of periodic improvements in policing, police violence and other mistreatment have continued to oppress black Americans and their communities. One Gallup poll found that one-fifth of the black

respondents reported that they had suffered discrimination at the hands of police officers, a proportion that has increased a little in surveys over recent years. Another Gallup poll found that 42 percent of black respondents (three-quarters of young men) indicated that they had experienced racial profiling by police officers over their lifetimes.³⁰

Since 1994 the federal government has been required to collect data on police brutality, but the Congresses in power after that date have failed to appropriate money to collect these data. One social science study analyzed 130 accounts of police brutality in several cities. In these cases the targets of police malpractice were almost always black or Latino. Yet more than 90 percent of the officers involved were white.³¹ Police brutality still usually involves white-on-black or white-on-Latino violence. Moreover, some police harassment targeting Americans of color seems to be linked to maintaining certain aspects of residential segregation. Even today, if black or Latino men have to be in historically white residential areas, they often run the risk of pursuit or harassment by public police officers or private security personnel.

In recent years many law-enforcement agencies have used a policy of screening and stopping motorists solely or primarily because of their racial characteristics—what black Americans call the offense of "driving while black" (DWB). One American Civil Liberties Union (ACLU) report has summarized racial-profiling studies involving numerous police departments as showing "large differences in the rate of stops and searches for African Americans and Latinos, and often, Indians (Native Americans) and Asians, even though these groups are less likely to have contraband."³²

Recently, the Center for Constitutional Rights and two law firms have filed a class action lawsuit against the New York City police department's racial profiling and suspicion-less stops-and-frisks. A research study for the lawsuit by a Columbia University professor found that in the years 2010–2012

Blacks and Latinos are significantly more likely to be stopped than Whites ... 84% of the stops, a far higher percentage than their proportion of the city's population. Even after controlling for crime, local social conditions and the concentration of police officers in particular areas ... [they] are significantly more likely to be stopped than Whites.³³

A very small percentage (6 percent) resulted in arrests. This expert's analysis indicated that 95,000 of the stop-and-frisk reports by officers did not involve "reasonable, articulable suspicion," a violation of the Fourth Amendment. Other researchers have shown the extremely discriminatory rates of arrest in New York City for marijuana use by black and Latino residents, in comparison with that for the great many marijuana-using whites in the area.

State judges in California, Rhode Island, New Jersey, and Minnesota have periodically issued orders against such racial profiling. One California study showed that Latinos and African Americans were far more likely to be searched by highway patrol officers for no obvious reason than whites.³⁴ In 2008 the ACLU and other plaintiffs settled a class action lawsuit on racial profiling by Maryland State Police (MSP) officers in the Interstate 95 corridor. Studies over a long period showed that motorists of color were disproportionately stopped and searched without good reason. An ACLU report notes that the settlement agreement includes a “requirement that the MSP retain an independent consultant to assess its progress towards eliminating the practice of racial profiling” and a statement “condemning racial profiling.”³⁵

Since many whites are predisposed to view blacks and Latinos out of the white racial frame as inherently criminal, the racial profiling and suspicion-less stop-and-frisk patterns, which often focus on illegal drugs, are unsurprising and have engendered little white protest. In spite of the popularity of racialized drug-courier profiling, no government agency has shown that drug profiles accenting people of color are valid. Such policing is sometimes defended as statistical, or rational, discrimination. But this is another erroneous rationalization for discrimination. Recall from Chapter 4 that black youth use drugs and alcohol somewhat less often than white youth. In addition, whites make up about 70 percent of illegal drug-users. In addition, the majority of drug couriers are likely to be white, as are the majority of drug pushers.³⁶ This extensive white drug-using and drug-dealing get far less police surveillance and prosecution, yet more evidence of discrimination in the policing and judicial systems.

For several years, including again in 2013, some U.S. representatives and senators have periodically introduced the End Racial Profiling Act, which prohibits racial profiling and requires law-enforcement departments to have effective training procedures and ensure that those abused have a right to sue. This legislation has yet to be passed, although it is supported by 140 civil and legal rights organizations.³⁷ In 2008 even the United Nations Special Rapporteur on racism spoke out against continuing racial inequality in the U.S. justice system and called on the Congress to pass racial profiling legislation.³⁸

More Discrimination: The Criminal Justice System

Racial discrimination extends beyond policing to the numerous aspects of the criminal justice system. In many areas relatively few judges are black, and many white judges appear to have little understanding of the lives of the black Americans—mostly working-class people—that they often face. These judges generally do not come from the same community backgrounds as black defendants, and as a result some discriminate, in

subtle or blatant ways, against those in their courtrooms. For example, in the 1990s one New Haven study of more than 1,000 arrests did a statistical analysis of bail-related variables and found that “after controlling for 11 variables relating to the severity of the alleged offense, bail amounts set for black male defendants [by judges] were 35 percent higher than those set for their white male counterparts.” In contrast, local bond dealers, operating more realistically, charged significantly lower bonding rates for black than white defendants. A more recent study in North Carolina has found a similar pattern of higher bail amounts being set for blacks than whites.³⁹

There is much recent evidence of racial discrimination. We noted previously the impact that the racist framing of black Americans as distinctive illegal drug-users has on how they are treated in the justice system. Consider the policing of marijuana laws. Between 2001 and 2010 police made no fewer than 8.2 million arrests for marijuana crimes, about 88 percent for simple possession. Over this period there was a significant increase in arrests—which accounted for 46 percent of all drug arrests. Huge government expenditures are invested in enforcing the marijuana possession laws—about \$3.6 billion in just one recent year.⁴⁰

Once again, the laws are enforced with a dramatic racial bias. A 2013 ACLU research study concluded that

A Black person is 3.73 times more likely to be arrested for marijuana possession than a white person, even though Blacks and whites use marijuana at similar rates. Such racial disparities in marijuana possession arrests exist ... in counties large and small, urban and rural, wealthy and poor, and with large and small Black populations.... In the worst offending counties across the country, Blacks were over 10, 15, even 30 times more likely to be arrested than white residents in the same county. These glaring racial disparities in marijuana arrests are not a northern or southern phenomenon, nor a rural or urban phenomenon, but rather a national one.⁴¹

Research studies indicate that white and black Americans use marijuana at roughly equal rates, with some showing greater use for white youth. The impact of these arrests (and convictions) for marijuana possession are usually devastating, since those arrested and/or convicted often lose jobs and access to programs like student financial aid or public housing. Because of the extreme discrimination, this impact is much greater in black (and Latino) communities than in white communities, and it is an impact extending much beyond the individuals involved.

Consider other drug use as well. In spite of congressional concern and minor tinkering with cocaine drug laws, there is still significant differential punishment for two types of cocaine use. One knowledgeable lawyer has explained:

Powder cocaine is a drug of the affluent suburbs, while crack is used and sold in the inner cities. Since 1986, people convicted in federal court of possessing just five grams of crack cocaine ... face a mandatory sentence of at least five years in prison—and when you get five years of federal time, you do almost all of it. But those caught with powder cocaine must be in possession of 500 grams to get the same five-year sentence.... And day after day, black men are moved out of their homes and communities to serve stiffer sentences than their white, powder-using counterparts.⁴²

The 2010 Fair Sentencing Act belatedly moved the minimum amount of crack cocaine to 28 grams, yet still far less than for powder cocaine. There has been only a little change in harsh mandatory sentencing laws in spite of evidence they are obviously discriminatory. (Pressures from the U.S. Sentencing Commission have gotten Congress to reduce possible court sentences, but not to eliminate the underlying cause of this racial differential.) The Obama administration has pressed for elimination of discrimination in the sentencing guidelines, but they have not yet been changed. Some data show that only 9 percent of those arrested for crack cocaine use are white, while 82 percent are black. Yet whites account for a majority of those arrested for using powder cocaine. While illegal drug use is roughly as common among white men as among black men, black men are far more likely than white men to be arrested for illegal drug crimes. This is a major reason why there are disproportionately large numbers of black men in prisons.⁴³

The Discriminatory Death Penalty

Institutional racism has long been evident in the application of the death penalty. A recent report of the Death Penalty Information Center revealed that since the 1988 reinstatement of the federal death penalty, federal authorities have “authorized seeking the death penalty against 382 defendants. Of the 382 approved prosecutions, 278 (73%) were against minority defendants.”⁴⁴ Some 59 percent of those currently on the federal death row are people of color. In addition, a review of death penalty cases involving homicides in California found that those who had killed whites were much more likely to get the death penalty than those whose victims were not white. Apparently, many of those in control of the criminal justice system often value the lives of white Americans more highly than the lives of other Americans.⁴⁵ One Philadelphia study found that black defendants were four times as likely as white defendants to get the death penalty for murder, even when the severity of the crimes was considered. A 2008 study of 500 capital punishment trials in Texas’s largest county, that surrounding Houston, found black defendants in capital cases were more

likely to get the death penalty than similar white defendants, even more so than whites who had committed more heinous murders.⁴⁶ Moreover, the racial bias is linked to a regional bias, for 82 percent of death penalty convictions are in the South.

Over the last few decades hundreds of people convicted of serious crimes, including murder, have been shown by DNA tests and other evidence to be innocent. Since the 1970s more than 140 people sentenced to death, mostly people of color, have been freed. Numerous examinations of murder cases across the country have revealed a significant racial bias directed against defendants of color. Because of racial and associated class bias in many court decisions, since 2000 several states have abolished the death penalty, and the total number of death sentences in the United States has dropped by half.⁴⁷ The white framing of certain people of color as especially criminal can result in differential policing, unfair but deadly punishments for similar crimes, and false convictions of the innocent for major crimes.

Significantly, in most areas those who decide on pursuing the death penalty and other major prosecution issues—district attorneys and similar state officials—are mostly white. In one study the overwhelming majority of the nearly 1,900 such government officials were white. About 98 percent of prosecutors, nationally, are white. As of 2012, about 83 percent of federal judges are white. States with large black populations, such as Alabama, often have very few, or no, higher-level judges and prosecutors who are black. In addition, according to Amnesty International, a great many juries across the country that try defendants of color for death-penalty crimes are all white or nearly so.⁴⁸

District attorneys and other high-level justice officials control who gets tried, what the charge is, how the trial will proceed, and often what the punishment will be. In numerous areas black jurors are knocked out of jury pools by the racialized use of peremptory challenges by prosecutors, in clear violation of a Supreme Court decision requiring race-neutral reasons for exclusion. White district attorneys desire this exclusion for racial reasons, as one training video for Philadelphia prosecutors makes clear. “Let’s face it,” the video says, “the blacks from low-income areas are less likely to convict. There’s a resentment to law enforcement.”⁴⁹ In addition, surveys of public defenders and metropolitan judges in Minnesota found that about half of each group thought that the (mostly white) prosecutors there discriminate against potential jurors of color in their peremptory challenges. In this manner—and in spite of a weak Supreme Court decision (*Batson v. Kentucky* 1986) attempting to restrict such practices—potential jurors of color who might disagree with the interpretations of white authorities or who bring an unrepresented real-life perspective to court cases are often excluded from fair participation in

the workings of the criminal justice system. Clearly we do not actually have a criminal “justice” system in which all Americans are fairly represented in critical decisionmaking.⁵⁰

Violence against African Americans

The Long History

For centuries whites used extensive violence—from chains and whippings to lynchings—to keep African Americans racially subordinated. Such violence was a recurring part of enslavement and Jim Crow subordination. Violent practices were perpetrated by elite and ordinary whites, including the founders Thomas Jefferson, George Washington, and James Madison. After the Civil War, whites were fearful of freed black Americans and engaged in large-scale violence to create legal segregation. The emerging system of Jim Crow segregation was enforced with private and police violence. Well into the 1990s some white southerners serving proudly in the U.S. Congress had earlier been outspoken advocates of violence-enforced segregation.

Today, many whites exhibit naïveté or willing ignorance about this brutal history of enforced segregation and violence. One caller to a radio show assessing public reaction to a jury’s decision that black athlete O. J. Simpson was not guilty of murder suggested half-jokingly that whites should riot. The talk-show host concluded “white people don’t riot.”⁵¹ However, these whites showed an ignorance of U.S. history. Virtually all U.S. racial riots from the 1840s to the 1930s—and there were many—were characterized by whites attacking black Americans or other Americans of color. In 1863, during the Civil War, white workers in New York City rioted for days over new draft laws and the use of black workers to break a strike. In that rioting more than 100 people, including numerous black Americans, were killed—the largest for any riot in U.S. history. The decades after the Civil War saw many killings of black men, women, and children by white mobs, including lynchings.

In the early 1900s there were many more riots by whites targeting African Americans. There were several major riots by whites just in 1919—in Longview, Texas; Phillips County, Arkansas; Washington, DC; Chicago, Illinois; Knoxville, Tennessee; and Omaha, Nebraska. The growing competition between white and black workers was often an underlying factor in white rioting, and all-white police forces usually did nothing or took the side of white rioters. As late as the 1960s, white mob violence against non-violent civil rights demonstrators could be seen regularly on television.⁵²

Recent Violence and Hate Crimes

White attacks and other hate crimes against black Americans and numerous other Americans of color are still part of the U.S. landscape. The

most recent (2012) FBI report on single-bias hate crimes noted there had been 3,645 victims of racially motivated crimes in the previous year. Seven in ten were targeted because of an apparent antiblack bias—with Native Americans, Asian Americans (and Pacific Islanders), and Latinos also being victims of significant racialized crimes. (The report states that “victim may refer to a person, business, institution,” but most are individuals.⁵³) These numbers are serious underestimates because most of the more than 17,000 police jurisdictions did not report their hate crimes, reported for only part of a year, or reported zero hate crimes. A 2013 report by the Southern Poverty Law Center (SPLC) noted that these hate crime “incidents include only a fraction of the approximately 195,000 reported and unreported hate crimes that a 2011 Bureau of Justice Statistics report estimated occurred annually between 2003 and 2009.”⁵⁴ Although African Americans are still major targets, according to the SPLC much of the recent increase in hate-based crimes has involved immigrants of color, especially those from Latin America. The number of racist hate groups, such as Klan and neo-Nazi groups, has also grown dramatically in recent years.

Some hate incidents have ranged from the placement of threatening nooses on doors and the scrawling of racist graffiti on homes and cars, to aggressive verbal harassment of pedestrians and coworkers, to more violent attacks including killings. In the late 1990s, a black man, James Byrd, Jr., was walking down a Jasper, Texas, road. Three white men, with ties to white-supremacist groups, tied him to a pickup and dragged him until his head was severed. One reportedly said to the others, “We’re starting *The Turner Diaries* early,” referring to large-scale violence against the U.S. government by white supremacists in that very racist novel. The Jasper lynching triggered copycat crimes in other cities.⁵⁵ Violent hate crimes are still commonplace. One fairly recent hate crime took place in West Virginia, where a black woman was reportedly raped and tortured for days by six whites. According to press reports, these whites raped her and constantly called her “nigger.” One who assaulted her said, “That’s what we do to niggers around here.”⁵⁶

In recent decades many whites have engaged in using hangman’s nooses as a threat against Americans of color. A series of noose incidents were reported in Hempstead, New York, including a noose drawn on the locker of a black sanitation employee and nooses placed around the police department. Black employees filed complaints charging “intolerable work conditions.”⁵⁷ The *New York Times* reported a rash of noose incidents a few months before the Hempstead events and also noted that an interracial couple in Suffolk County, New York, had a Klan-type cross burning on their lawn. Hanging nooses and burning crosses are serious because they conjure up images of mobs’ engaged in brutal lynchings, especially in the minds of many black Americans who themselves, or whose immediate ancestors, suffered such incidents under the legal segregation that only ended in the 1960s.⁵⁸

Periodically, some whites in the growing number of white-supremacist and racial-nationalist groups have threatened large-scale violence against Americans of color or government agencies viewed as supporting people of color. For example, the 1995 bombing of the Oklahoma City federal building by antigovernment terrorists, who were white supremacists, killed 169 people. Somewhat later, other bomb plots were uncovered, one targeting the Southern Poverty Law Center in Montgomery, Alabama, and others targeting federal buildings. In recent years white militia and supremacy groups have stockpiled explosives and prepared bombing ventures.⁵⁹

For some years now, numerous human rights activists have researched the national and international growth of a renewed white-supremacist movement. In the United States there are many extreme white-nationalist groups, including Ku Klux Klan groups and a variety of neo-Nazi groups and armed white militias. Nationally, in 2013, the Southern Poverty Law Center counted 1,007 known hate groups operating actively across the U.S., a great many of them Klan and other white supremacists, neo-Nazis, racist skinheads, and border vigilante organizations, with at least 300,000 whites as active or passive supporters. This number has grown in recent years, in substantial part because of white extremists' concerns over the increase in Latino and Asian immigration, the expanding racial diversity of the population, and the election of a black president.⁶⁰

Members of these white-nationalist groups, as well as thousands of others who read their literature, sometimes engage in racially motivated crimes. After the 2008 presidential election there were at least 200 incidents of hate-based vandalism, as well as threats of violence against President-elect Obama, more than for any previous U.S. president. Death threats have continued throughout Obama's presidency, many of them likely being racially motivated. White-supremacist leaders have viewed the election of an African American as a recruiting tool to bring new whites into their organizations. David Duke, former Klan leader, gave a press conference at which he reportedly asserted that the election is a "shock to me and it should be a shock to the community that European Americans now have to fight for our rights, in I guess Obama's 'New America.' ... do whites have rights? ... I don't see him as our President."⁶¹

White Racism and the Internet

Since the late twentieth century, white-supremacist and other hate-based organizations in the U.S. and overseas have grown significantly in number and impact. One contemporary activity involves creating major Internet websites. The Council of Europe (COE) has estimated there are about 4,000 hate-based websites worldwide, with 2,500 originating out of the U.S. Estimates of hate-based websites vary greatly, ranging from hundreds to thousands. Nonetheless, it is clear that there are at least

several hundred active websites originating from the United States which insistently spread a white-supremacist ideology and encourage violence or other discriminatory actions based on that ideology. One reason for U.S. dominance in setting up the majority of influential white-supremacist websites is the way that the First Amendment to the U.S. Constitution is usually interpreted to protect racist hate speech. Most other countries—including Austria, Brazil, Canada, France, Germany, Great Britain, Italy, and the Netherlands—significantly restrict white-supremacist and other hate-based speech, yet most U.S. policymakers stand behind the notion that extreme white-supremacist speech should be constitutionally protected. This position ensures that it is difficult to combat white-supremacist speech globally and makes the U.S. an easy place to print extremely racist materials and to create white-supremacist websites.⁶²

Researcher Jessie Daniels has shown there are two forms of racist-right and other hate-speech websites on the Internet, websites that many people treat as important sources of information. One type openly showcases "racist propaganda for those outside the organization, including youth; and for those within, use the 'private web' of encrypted messages for communication, command and control." Even more sinister are "cloaked" websites, which present themselves as being about the "truth" of racial issues and may seem moderate or pro-civil rights, yet are working for "a hidden white-supremacist agenda. These sites use a combination of carefully chosen domain names, deceptive graphic user interfaces (GUI), and subtly racist rhetoric that pose a pernicious epistemological threat to racial equality."⁶³ This growth in racist websites is challenging for those seeking to reduce white-supremacist framing and extreme racist activities in the U.S. and other countries. More so than much other controversial speech, hate-based speech is likely to link to discriminatory action. Historical analyses reveal that the U.S. and other countries have long histories of this hate-based speech motivating much physical violence and other discrimination.⁶⁴

Daniels has further concluded that

old forms of racism have moved onto the Internet and exist alongside newer forms, such as cloaked websites that seek to disguise racist propaganda. The threat ... is less one of potential recruitment to social movement organizations (although that is possible), but rather the shifting epistemological ground on which politically hard-won ideals of racial equality are based.⁶⁵

These sites help to perpetuate and reinforce the old white-racist framing against which human rights movements have struggled very actively since at least the 1960s' civil rights movements.

Note too that there is frequently significant overlapping in the way in which whites inside extremist groups and numerous other whites who are opposed to such extremist groups racially frame the social worlds in which they live. Whites of different backgrounds and politics periodically make use of similar racist stereotypes, images, or other features of the dominant white frame. In addition, occasionally, a member of a white-nationalist group becomes visible as a member of a mainstream organization. For example, an outspoken white supremacist became a member of the Republican Party's Executive Committee in Palm Beach County, Florida.⁶⁶

Racial Attacks on President Barack Obama

During both the 2008 and the 2012 presidential campaigns, many racist attacks, verbal and otherwise, were made on Obama and his candidacy by those participating in various capacities in the Republican political campaign. Some attacks were similar to the hate crimes perpetrated by the white supremacists just discussed, while others were not hate crimes but reflected an aggressive white-racist framing that overlapped in some ways with the framing common in white extremist groups. In 2008 numerous white supporters of Senator John McCain used racist epithets at presidential campaign events. At a Des Moines rally one woman yelled "He's a nigger!" at the mention of Obama. At other rallies whites had racist signs with messages like "Vote Right, Vote White" or held up racist dolls, racist effigies of Obama, or monkey dolls with Obama's name on them.⁶⁷ At one conservative forum, activists bought boxes of waffle mix that racially caricatured Obama with a stereotypically Arab headdress and Mexican dress. Other white conservatives printed mock food stamps portraying a mule with Obama's face on it and pictures of watermelon and ribs. In Washington state a Republican Party official had to apologize for his group's selling at a state fair "\$3 bills" showing Senator Obama in Arab dress with a camel and mocking "black speech."⁶⁸ The former prominent conservative activist, Frank Schaeffer, supported Obama's candidacy and called on McCain to end the hate-filled actions of some participants in his campaign.⁶⁹

Much racist commentary and action continued to pursue Obama during his 2012 electoral campaign and thereafter. Recall from Chapter 4 the racist joke about Obama's ancestry circulated by a prominent federal judge during the 2012 campaign. During the campaign, and often since, many white Tea Party and other conservatives have asserted the idea that "their country" is being taken over by Americans of color. One Tea Party faction's email emphasized the end of the "White Anglo-Saxon Protestant" race because of growth in the population of color.⁷⁰ During that campaign there was much racist mocking of Obama by whites associated with various Tea Party factions. Researchers at the Institute for Research and

Education on Human Rights examined the views of Tea Party activists, almost all white, and found that they frequently operated out of a harsh white framing and made use of racist epithets, distorted racist images of Obama, and Confederate battle flags at political events.⁷¹ This Confederate battle flag, as political writer Ed Kilgore has sarcastically put it, is not problematical as a contemporary symbol for "southern pride" (or "white pride") aside from its "association with a violent revolution against the United States in the cause of human bondage, and aside from its long association with Jim Crow, and aside from its twentieth-century revival as the emblem of hard-core resistance to measures of basic decency."⁷²

Conclusion

Being black in U.S. society means always having to be prepared for antiblack actions by whites—in most places and at many times of the day, week, month, or year. Being black means living with various types of racial discrimination and their often severe impacts, from cradle to grave. This *lifetime* reality is also true for most other Americans of color. We observe constantly in the examples of discrimination in this chapter the array of whites, from the elite to working-class whites, who perpetuate the aspects of racial oppression in its many forms—individual and institutional, informal and formal, unofficial and official.

Throughout all these examples of discriminatory practices in the contemporary United States, we observe the great and persisting power of the centuries-old white racial frame. Today, as in the past, this dominant racial frame lies behind most of the recurring racial discrimination at all levels of this society. Some white discriminators act out of it consciously and openly, while others operate out of it half-consciously or unconsciously, for it has become normalized "common sense" for most whites. Clearly, until whites quit racially framing society and regularly acting out of it in racist ways—and thereby maintaining whites' racial privilege and power—the centuries-old system of racial oppression will persist.

In this chapter we have examined just some of the patterns of racial discrimination today—especially in politics, the courts, and policing. We will now turn to other examples of persisting racial discrimination in yet other areas, including housing, employment, business, education, and health care.