

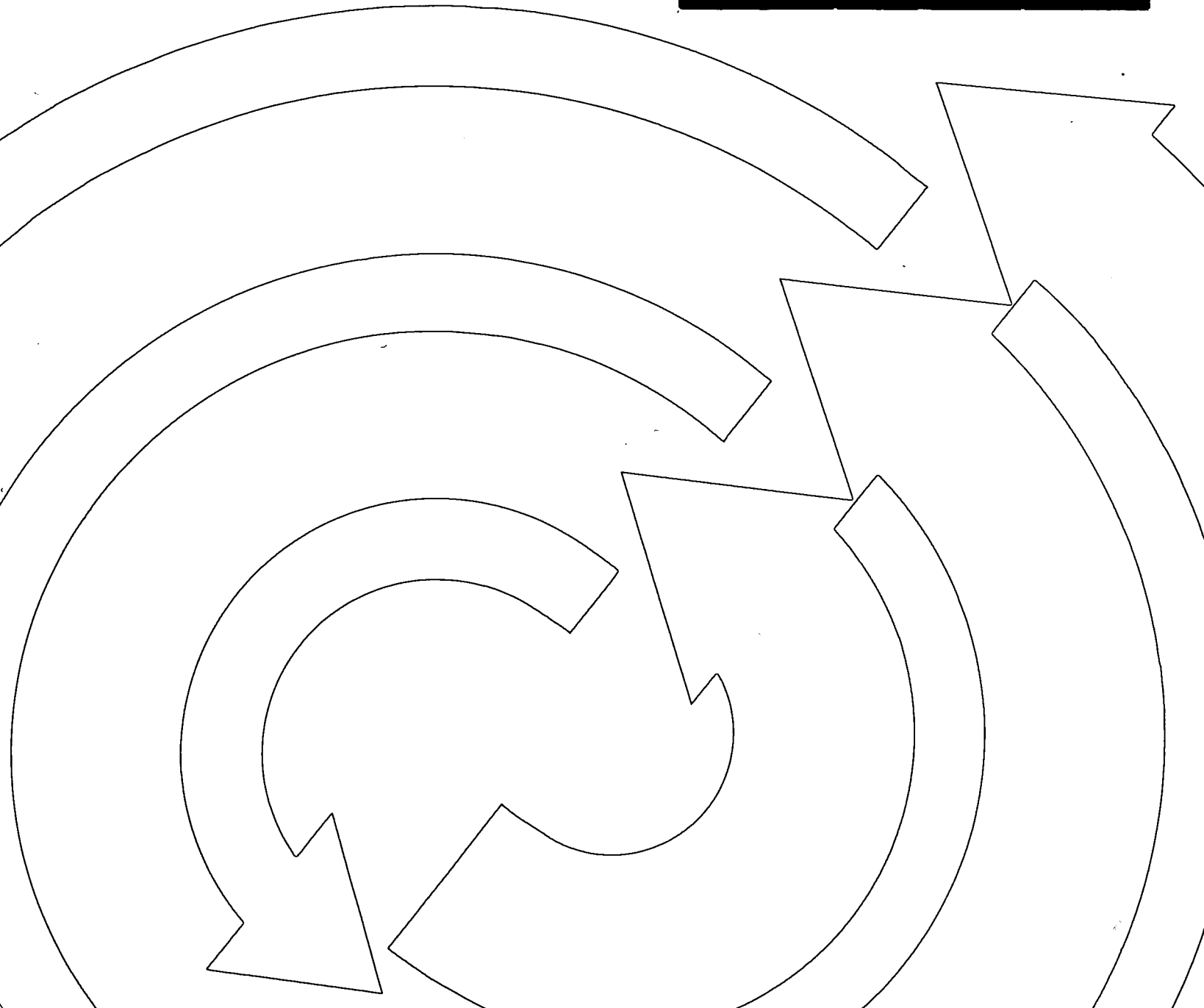
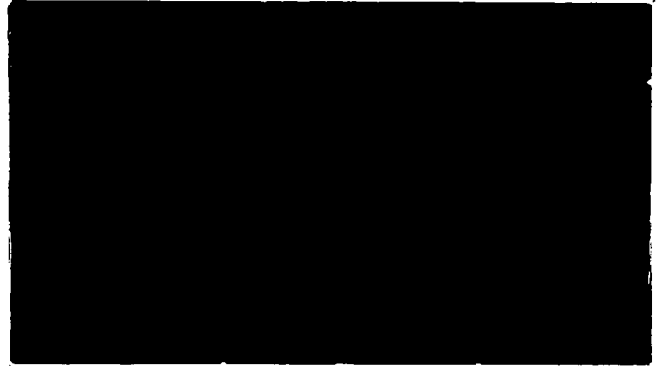


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**THE "NEW RACISM":
TOWARD AN ANALYSIS OF THE
U.S. RACIAL STRUCTURE, 1960s-1990s**

by
**Eduardo Bonilla-Silva
with Amanda Lewis**

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**THE "NEW RACISM":
TOWARD AN ANALYSIS OF THE U.S. RACIAL STRUCTURE, 1960s-1990s**

**By: Eduardo Bonilla-Silva
with the assistance of
Amanda Lewis**

**Prepared at Northwest Center for Comparative American Cultures and Race Relations,
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INTRODUCTION

Some analysts claim that race and racism have decreased in importance in contemporary America (Wilson 1978; 1987). This view is consistent with survey data on white attitudes since the early sixties (Hyman and Sheatsley 1966; Greeley and Sheatsley 1971; Schuman, Steeh, and Bobo 1985; Sniderman and Piazza 1993) as well as with many demographic and economic studies comparing the status of whites and blacks in terms of income, occupations, health, and education which suggest that a remarkable reduction in racial inequality has occurred in America (Duncan 1968; Palmore and Whittington 1970; Farley and Hermalin 1972; Freeman 1973; 1978; Farley 1984; 1993; Farley and Allen 1987; Smith and Welch 1986).

A smaller number of social scientists, on the other hand, believe that race continues to play a role similar to the one it played in the past (Pinkney 1984; Fusfeld and Bates 1984; Willie 1989; Bell 1992). For these authors, little has changed in America in terms of racism and there is a general pessimism in the prospects of changing the racial status of minorities. Although this is a minority viewpoint in academia, it represents the perception of many members of minority communities, especially of the black community.

These opinions about the changes in the significance of race and racism in the United States are based on a narrowly defined notion of racism. For these analysts, racism is fundamentally an ideological or attitudinal phenomenon. In contrast, we regard racism as a *structure*, that is, as a network of social relations at social, political, economic, and ideological levels that shapes the life chances of the various races.¹ What social scientists define as racism is conceptualized in this framework as racial ideology. Racism (racial ideology) helps to glue and, at the same time, organize the nature and character of race relations in a society (Bonilla-Silva 1994). From this vantage point, rather than arguing about whether the significance of race has declined, inclined, or not changed at all, the real

1 For a full elaboration of this structural framework, see Bonilla-Silva (1994).

issue is assessing if a transformation has occurred in the *racial structure* of the United States. It is our contention that despite the profound changes that occurred in the 1960s, a new racial structure -- the New Racism for short -- is operating which accounts for the persistence of racial inequality.

The elements that comprise this new racial structure are: 1) the increasingly *covert* nature of racial discourse and racial practices; 2) the avoidance of racial terminology and the ever growing claim by whites that they experience "reverse racism"; 3) the elaboration of a racial agenda over political matters that eschews direct-racial references; 4) the invisibility of most mechanisms to reproduce racial inequality; and, finally, 5) the rearticulation of some racial practices characteristic of the Jim Crow period of race relations.

This paper begins with a brief description of how this new racial structure (new racism) came about. Against this backdrop, we survey the evidence of how black-white racial inequality is produced and reproduced in the United States in five areas: social, economic, political, social control (criminal justice system, arrest rates, etc.), and ideological. The evidence is perused from 1960 until the present with the goal of examining what are the mechanisms that keep minorities "in their place." We conclude the paper with a discussion of some of the social, political, and legal repercussions of the new racial structure of America.

THE EMERGENCE OF A NEW RACIAL STRUCTURE IN THE SIXTIES

Blacks were kept in a subordinate position during the Jim Crow period of race relations through a variety of bluntly racist practices. At the economic level, blacks were restricted to menial jobs by the joint effort of planters, corporations, and unions. In the South, they were mostly tenant farmers and this was accomplished through vagrancy and apprenticeship laws, restrictions on the right of blacks to buy land and to work in certain occupations, debt imprisonment, and the convict lease system (Greene and Woodson 1930;

Fredrickson 1981; Norton et al. 1990). In the North, the exclusionary practices of managers and unions kept them in unskilled occupations with very little chance for occupational mobility (Myrdal 1944; Spero and Harris 1974; Higgs 1977; Foner 1981; Marable 1983).

Spero and Harris characterized the jobs of blacks in the following fashion:

The jobs into which the Negroes went were usually those which native Americans and Americanized foreign-born white labor did not want. This largely accounts for the almost spectacular increase in the proportion of Negroes in the iron and steel foundries where the work is dirty, hot, and unpleasant (Spero and Harris 1974: 155-156).

At the social level, the rules of the new racial order emerged slowly given that the Civil War and the Reconstruction period (1865-1877) shook the rules of racial engagement and challenged the place of blacks in society (Woodward 1966; Fredrickson 1981). By the late 1880s, segregationist laws and practices had emerged which separated whites and nonwhites in public accommodations, housing, schools, and in the workplace. C. Vann Woodward describes the extent of these laws in the following manner:

The extremes to which caste penalties and separation were carried in parts of the South could hardly find a counterpart short of the latitudes of India and South Africa ... curfew ... separate phone booths ... separate books and storage of books in public schools ... South Carolina separated the mulatto caste ... separation of prostitutes, and even "Ray Stannard Baker found Jim Crow Bibles for Negro witnesses in Atlanta and Jim Crow elevators for Negro passengers in Atlanta buildings" (Woodward 1966: 102).

Politically, blacks were virtually disenfranchised in the South and were almost totally dependent on white politicians in the North. In the South, poll taxes, literacy tests, and outright coercive strategies restrained their political options (Walton 1972; Marable 1983). In the North, black politicians were subordinate to white ethnic political machineries and did not represent much for their own communities (Patterson 1974).

In terms of social control, blacks in the South were regulated by the actions of individual whites, violent racist organizations such as the Ku Klux Klan, mob violence in the form of lynching, and the lack of enforcement of the laws of the land by state agencies (Marable 1983). In the North, blacks suffered less from these practices largely because they were extremely residentially segregated and, thus, did not pose a "threat" to whites.

However, whenever blacks "crossed the line," whites erupted in violence such as during the race riots of the late 1910s (Tuttle 1970).

Finally, in consonance with the above practices, racial ideology during the Jim Crow period of race relations was explicitly racist. Without question, most whites believed that minorities were intellectually and morally inferior, that they should be kept apart, and that whites should not mix with any of them (Gossett 1963).

The apartheid that blacks experienced in the United States was predicated on 1) keeping them in rural areas, mostly in the South, 2) maintaining them as agricultural workers, and 3) excluding them from the political process. However, as blacks successfully challenged their socioeconomic position by migrating initially from rural to urban areas in the South and later to the North and West (Henri 1975; Harrison 1991), by pushing themselves into non-agricultural occupations through strike-breaking and other means (Tuttle 1970; Foner 1981; Leiman 1992), and by developing political organizations and movements like Garveyism, the National Association for the Advancement of Colored People, the National Urban League, and the Southern Regional Council (Woodward 1966; McAdam 1982; Morris 1984), the infrastructure of apartheid began to crumble.

Other factors leading to the abolition of the segregationist order were the participation of blacks in World Wars I and II, which patently underscored the contradiction between fighting for freedom abroad and lacking it at home (Dalfiume 1969; Foner 1974; Wynn 1993); the Cold War, which made it a necessity to eliminate overt discrimination at home in order to sell the U.S. as the champion of democracy; and a number of judicial decisions, legislative acts, and presidential decrees that have been enacted since the 1940s (Woodward 1966; Burkey 1971).

The above mentioned political, social, and economic processes occurred in a fast changing U.S. political economy. From 1920 until 1940, the North expanded its industrialization process at a furious pace. Since WWII the South industrialized at an even more dramatic pace. Many northern industries moved south in search of lower production

costs (Reich 1981; Leiman 1992) and have continued doing so (Harrison and Bluestone 1988). Hence, today over 70 percent of the southern labor force is engaged in nonagricultural pursuits (Leiman 1992: 90). This industrialization process provided the pull factor for blacks to move from the rural South which, coupled with the push factor of escaping the violence of Jim Crow (Tolnay and Beck 1991) and the demise in agricultural jobs (Marshall 1965; Christian and Pepelasis 1978), created the optimal conditions for the "great migration." Although the 1.8 million blacks (Davis 1991) who migrated between 1910 and 1940 from the South to the North and West faced severe discrimination and economic constraints from white workers, labor unions, and whites in general (Tuttle 1970; Foner 1981; Marks 1991), the North provided them expanded opportunities in all realms of life (Leiman 1992). This great migration continued between 1940 and 1970 as 4.4 million more blacks left the South (Davis 1991).

The impact of this migration was enormous on the overall condition of blacks. By 1970 blacks were geographically diffused throughout the U.S.; 80 percent were urban dwellers and had achieved a higher rate of urbanization than whites; had increased levels of education and developed a small but thriving middle class; social and political organizations flourished and became training grounds for many black leaders; by virtue of their new geographic dispersion, blacks increasingly became a national group and were able to develop a new consciousness, new attitudes, and a new view on how to deal with racial discrimination, characterized by Gunnar Myrdal as the "protest motive" (Myrdal 1944; Henri 1975; Davis 1991).

Even in the South, the social, political, and cultural condition of blacks improved somewhat with the early process of industrialization (Myrdal 1944: 998-999). And after the 1960s, even their economic condition changed as the top business elite abandoned all-out discrimination because of the adverse economic effects created by violence and protest demonstrations (Christian and Pepelasis 1978). This pattern was reinforced by northern industrial capital which had penetrated the South making the "southern system of brutality,

social discrimination, and legalized (or extra-legalized) persecution ... more and more economically and politically dysfunctional" (Leiman 1992: 174).

To be clear, neither urbanization nor industrialization were nonracial "rational" progressive forces in themselves. Both northern and southern capitalists accommodated racial discrimination in their hiring practices, company policies, and daily practices. In the case of southern capitalists, industrialization became a necessity with the progressive decline of its agricultural economy. Although southern capitalists were able to maintain Jim Crow and industrialization for over fifty years (1890s-1950s), by the mid-fifties it became clear that they could not coexist peacefully. Blacks in the North had acquired enough political muscle to push the federal government to do something about their civil rights. After the *Brown* decision of 1954 and its rejection by most of the South, instability and protests spread all over the South. Such instability was anathema for attracting capital and hence the business elite, reluctantly and gradually, developed an accommodation with the new policies.² In the North, the accommodation began much earlier in the 1920s, 1930s, and particularly after WWII³ and involved the subordinate incorporation of blacks in industry. This accommodation, although progressive, maintained the view that blacks were inferior workers and kept them in the bottom of the occupational hierarchy. The views of northern managers were typified by a "progressive" manager who in the fifties commented that

Negroes, basically and as a group, with only rare exceptions, are not as well trained for higher skills and jobs as whites. They appear to be excellent for work, usually unskilled, that requires stamina and brawn -- and little else.

2 For a superb collection of articles dealing with the attitudes of various southern elites in this period, see Jacoway and Colburn, *Southern Businessmen and Desegregation* (1982).

3 The incorporation of blacks became almost a necessity with the tremendous manpower needs of WWI, WWII, the Korean War and the economic boom during the *Pax Americana* (1944-1960s). This process was slow and marred with lots of opposition and posturing from northern capitalists and the pressure from local states and the federal government as well as civil rights organizations. For an account of the racial attitudes of northern business people and of the protracted process of acceptance of blacks in industry, see Steven M. Gelber, *Black Men and Businessmen: The Growing Awareness of a Social Responsibility* (1974).

They are unreliable and cannot adjust to the demands of the factory (Morrow 1957: 69).

Views like this have continued to plague American capitalists in the post-1960 period (Perlo 1975; Kirschenman and Neckerman 1991). What industrialization and urbanization did for blacks was to provide a new context for struggle that made the southern Jim Crow system impossible to maintain.

All these demographic, social, political, and economic factors and the actions of blacks made change almost inevitable. But ripe conditions are not enough to change any structural order. Hence, the racial order had to be *directly* challenged if it was going to be effectively transformed. That was the role fulfilled by the civil rights movement and the other forms of mass protest by blacks (so-called race riots) that took place in the fifties, sixties, and early seventies. Organized and spontaneous challenges were the catalysts that brought down overt segregation.

Yet the demise of Jim Crow did not end racial discrimination in America. Many analysts (Caditz 1976; Wellman 1977; Kinder and Sears 1981; Sears 1988; Pettigrew 1994) have argued that "racism" (as usually defined) and race relations have acquired a new character since the sixties. They point out the increasingly covert nature of racial discourse and racial practices; the avoidance of racial terminology in racial conflicts by whites; and the elaboration of a racial agenda over political matters (state intervention, individual rights, responsibility, etc.) that eschews any direct racial reference. In the following sections we detail post-civil rights discriminatory practices and assess their character.

INTERRACIAL SOCIAL INTERACTION DURING THE NEW RACISM PERIOD

In all areas of social life blacks and whites remain mostly separate and disturbingly unequal. A close examination of research in the areas of housing, education, and everyday social interaction reveals startlingly little progress since the 1960s.

Residential Segregation

Residential segregation in the United States peaked in the 1950s and 1960s and, since then, there have been only modest changes (Farley and Allen 1987). Today, blacks are more segregated than any other racial or ethnic group -- segregation which they have experienced longer than any other group -- and are segregated at every income level. In their book, *American Apartheid*, Massey and Denton (1993) measure the block-level indices of residential segregation of 30 metropolitan areas from 1940 to 1980. The index of residential segregation for the North is around 80 and for the South around 70 (an index of 100 indicates total segregation and one of 0, no segregation at all).

The costs to blacks of residential segregation are high; they are likely to pay more for housing in a limited market, likely to have lower quality housing, less likely to own their housing, likely to live in areas where employment is difficult to find, and have to contend with prematurely depreciated housing (Baron 1969; Franklin and Resnick 1973; King and Mieszkowski 1973; Galster 1977; Yinger 1978; Jackman and Jackman 1980; Struyk and Turner 1986; Kain 1986; Farley and Allen 1987; Turner, Struyk, and Yinger 1991). The big difference is in how segregation is accomplished today. In the Jim Crow era the housing industry used overtly discriminatory practices such as real estate agents employing outright refusal or subterfuge to avoid renting or selling to black customers, federal government redlining policies, overtly discriminatory insurance and lending practices, and racially restrictive covenants on housing deeds in order to maintain segregated communities (Tauber and Tauber 1965; Tabb 1970; Massey and Denton 1993). In contrast, in the post-civil rights era covert behaviors have replaced these practices and have maintained the same outcome -- separate communities.

Many studies have detailed the obstacles that minorities face from government agencies, real estate agents, money lenders, and white residents which continue to limit their housing options (Galster 1990a; Turner, Struyk, and Yinger 1991; Kaestner and Fleischer 1992; Massey and Denton 1993; Cloud and Galster 1993). Housing audits

everywhere suggest that blacks are denied available housing from 35 to 75 percent of the time depending on the city in question (Smith 1995: 64). Turner, Struyk, and Yinger (1991), in reporting the results of the Department of Housing and Urban Development's *Housing Discrimination Study*, found that blacks and Hispanics were discriminated against in approximately *half* of their efforts to rent or buy housing. These housing studies have shown that, when paired with similar white counterparts, blacks are likely to be shown fewer apartments, be quoted higher rents, or offered worse conditions, and be steered to specific neighborhoods (Yinger 1986; Galster 1990b; Turner, Struyk, and Yinger 1991).

In one study of lending practices done by the Kentucky Human Rights Commission (Center for Community Change 1989), black and white testers with equal characteristics requested conventional mortgages for the same housing from ten of the top lending institutions in Louisville, and while there were cases in which discrimination was apparent (blacks having trouble getting appointments, etc.), in the 85 visits made to inquire about loans, none of the black testers (with one exception) knew they were being discriminated against, though all of them were. Blacks were given less information, less encouragement to return and apply for the loan, fewer helpful hints as to how to successfully obtain a loan, and differential treatment in pre-qualifying -- sometimes being told they would not qualify when whites of the same profile were told they would. Similar studies done in Chicago and New York revealed discrimination in seven out of ten lending institutions in Chicago and in the one institution studied in New York City (Cloud and Galster 1993). New national data from the Home Mortgage Disclosure Act shows that black applicants are denied mortgages at least twice as frequently as whites of the same income and gender regardless of their income (Smith 1995: 67).⁴ Finally, a study by the Federal Reserve Bank of Boston found

4 This rate was confirmed in a recent article in *The Wall Street Journal* of a study done by the Federal Reserve Bank of Chicago (Wilke 1995). Although that study did not find that minority borrowers with good credit histories experience discrimination, it did find that those with poor credit histories have an approval rate of 16% compared to 69% for whites.

that controlling for a number of variables, blacks on average are denied loans 60 percent more times than whites (Oliver and Shapiro 1995).

In terms of real estate agents, George Galster's review of several fair housing audits found that blacks were systematically steered to different neighborhoods in over half of the audited transactions. He concludes:

The evidence was fully consistent with only one hypothesis about why real estate agents steer. They steer so as to perpetuate two segregated housing markets buffered by a zone of racially transitional neighborhoods (Galster 1990b: 39).

Education

The history of black-white education in this country is one of substantive inequities maintained through public institutions. While today many of the traditional barriers to black advancement have been outlawed, the situation is by no means one of equity. Although scholars have documented the narrowing of the gap in the *quantity* of education attained by blacks and whites (Farley 1984; Farley and Allen 1987; Jaynes and Williams 1989), little has been said about the persisting gap in the *quality* of education received. Still remaining (and in some cases worsening) high levels of *de facto* segregation are at least partly to blame for the gap in quality (Rivken 1994). However, tracking, differential assignment to special education, and other informal school practices are important factors too.

Over 30 percent of black students attend schools that are 95% or more nonwhite and over 30 percent of white students attend schools that are less than 95% white (Booker, Krueger, and Wolkon 1992; Orfield 1993).⁵ Despite some progress during the period immediately after 1964, the level of school segregation for black students remains relatively high in all regions and has deteriorated in the Northeast and Midwest regions (Orfield and Monfort 1992). The relevance of this fact is that, as Gary Orfield has noted, "Segregated

⁵ These numbers include only those students attending public schools; since a greater proportion of white students than black attend private schools (Blackwell 1991), it is likely that these numbers underestimate the real extent of segregation experienced by blacks.

schools are still profoundly unequal" (Orfield 1993: 235). Inner-city minority schools, in sharp contrast to white suburban schools, lack decent buildings, are overcrowded, have outdated equipment -- if they have equipment at all, do not have enough textbooks for their students, lack library resources, are technologically behind, and pay their teaching and administrative staff less which produces, despite exceptions, a low level of morale. These "savage inequalities" (Kozol 1991) have been directly related to lower reading achievement and learning attained by black students (Dreeben and Gamoran 1986) and their limited computer skills (Booker, Krueger, and Wolkon 1992).

In integrated schools, blacks still have to contend with discriminatory practices. Oakes and her co-authors have found clear evidence of discriminatory practices in tracking within schools. Whites (and Asians) are considerably (and statistically significantly) more likely to be placed in the academic track than comparably achieving African American and Latino students (Oakes et al. 1992). Another study found that of the 1985 students who took the SAT, 65.1 percent of blacks compared to 81.2 percent of whites were enrolled in an academic track (Ramist and Arbeiter 1986). No wonder black students tend to score lower on the SAT than white students.

Other Areas of Social Life

A brief survey of research in other areas of social life reveals persistent discrimination, unequal treatment, and, in some cases, exclusion. In terms of intermarriage, blacks are less likely than any other racial or ethnic group to intermarry (Lieberson and Watters 1988). This is one of the few areas where whites still openly express reservations in surveys (Schuman, Steeh, and Bobo 1985). In 1980, less than two percent of all marriages were black-white unions (Tucker and Mitchell-Kernan 1990). In 1993, only 0.4 percent of all new marriages were black-white unions (Otis-Graham 1995). In addition to whites' negative attitudes toward interracial relationships, the high level of residential segregation and the limited friendships between blacks and whites contribute to this low rate of intermarriage. Research by Jackman and Crane (1986) showed that only

9.4 percent of whites could name one good black friend. This led them to conclude that very few whites "could rightly claim that 'some of their best friends' are black" (ibid.: 460).

In the realm of everyday life, several recent works have attempted to examine the daily experiences blacks have with racism (Collins 1989; Essed 1991; Cose 1993; Feagin and Sikes 1994; Otis-Graham 1995). In his interviews of middle-class blacks who have supposedly "made it," Ellis Cose (1993) repeatedly discovered a sense among these "successful blacks" that they were being continually blocked and constrained in ways that make it impossible to hold anyone accountable. Black executives, lawyers, and bankers repeatedly reported a feeling of being second class, of having a constant nagging sense that they were being treated differently despite doing everything they were supposed to do. In one series of examples Cose reports experiences of job tracking in which blacks are only given those jobs that dealt with "minority concerns" and which were seen as either unimportant or undesirable. Cose quotes many of his interviewees discussing the feeling of being susceptible to being "stripped of status at a moment's notice" by a store clerk, a cab driver, the waiter at a restaurant, a security guard, etc. (Cose 1993).

In 1981 Howard Schuman and his coauthors replicated a 1950 study of restaurants in New York's Upper East Side and found a substantial amount of discrimination remained (Schuman et al. 1983). Similar to the housing audits, the discrimination was of a subtle nature. Lawrence Otis-Graham reports in his recent book *Member of the Club* that in ten of New York's best restaurants he and his friends visited, they were stared at, mistaken for restaurant workers, seated in terrible spots, and buffered so as to avoid proximity to whites in most of them. Actually, Otis-Graham (1995) reports that they were treated reasonably well in only two of the ten restaurants, one Russian and the other French. The lawsuits recently filed against Denny's, Shoney's, and the International House of Pancakes seem to suggest that discrimination in restaurants is experienced by blacks of all class backgrounds (Feagin and Sikes 1994).

Joe R. Feagin and Melvin P. Sikes also document the dense network of discriminatory practices confronted by middle-class blacks in everyday life. Although they correctly point out that blacks face discriminatory practices that range from overt and violent to covert and gentle, the latter seem to be prevalent. In public spaces the discriminatory behavior described by black interviewees included poor service, special requirements applied only to them, surveillance in stores, being ignored at retail stores selling expensive commodities, receiving worse accommodations in restaurants or hotels, being confused constantly with menial workers, along with the usual but seemingly less frequent epithets and overtly racist behavior (see Chapter 2 in Feagin and Sikes 1994).

THE POLITICAL STRUCTURE OF THE NEW RACIAL ORDER

Almost all commentators on black politics recognize that blacks became serious participants in "legitimate" politics very recently (Knowles and Prewitt 1969; Stone 1972b; Walton 1972; Patterson 1974; Marable 1983; 1991). But since 1965, as blacks were able to register and vote, their representation in local and national political structures has increased dramatically. The data on this point is fairly clear. Whereas in 1970 there were only 1,460 black elected officials at all levels of the U.S. political system, by 1989 the total had increased to 7,226, and in the early 1990s their number reached 8,000 (Chambliss 1992: 55; Lusane 1994). Moreover, by 1990 "blacks held elective positions in every state except Idaho, Montana, and North Dakota" (Pinkney 1993: 97). In Congress there has been an increase in the number of African American elected officials from ten, or 1.9, percent of the members of Congress in 1970, to 26, or 5.8 percent of the total in 1991 (Chambliss 1992: 55-57). Furthermore, whereas in 1970 only 48 cities, two with populations of 50,000 or more, had black mayors, by 1989 the number had mushroomed to 299, with 26 of them elected in large cities.

Overall, the changes in this area give the impression of substantial progress and the beginning of a truly pluralist America (for a critique of this view, see Jennings 1992). The

new political space that blacks have gained has without question provided them with some benefits. Today blacks have some direct -- although small -- influence in policies, have sensitized white politicians about the needs of blacks not only through their policy suggestions but simply by their presence, and have established a direct link between government and citizenship (Cole 1975). In terms of the cities where blacks have been elected as mayors, some commentators have pointed out that "African American-owned businesses expand, the rate of small business failure declines, and there are significant increases in both the number and proportions of African Americans employed in city government" (Chambliss 1992: 67; see also Browning, Marshall, and Tabb 1990; Perry 1990). But despite these accomplishments, blacks remain a subordinate group in the political system. What follows is a discussion of the current limitations that blacks face in the political system.

Structural Barriers to the Election of Black Politicians

Racial gerrymandering, multimember legislative districts, election runoffs, annexation of predominantly white areas, at-large district elections, and anti-single-shot devices (disallowing concentrating votes in one or two candidates in cities using at-large elections) have become standard practices to disenfranchise blacks since 1965 (Knowles and Prewitt 1969; Parker 1992; Moss et al. 1993). All of these tactics attempt to either minimize the number of majority-black election districts or neutralize their electoral impact by diluting the black vote (Parker 1992). Except for gerrymandering (drawing districts so that minority coalitions waste their votes), the mechanisms have the facade of expanding democracy and being race-neutral. For instance, at-large districts were initially developed to weaken political machines by diluting the ethnic vote, but in recent times have become a way of diluting the black vote in cities (Dorn 1979). All these procedures are effective because black representation is still dependent upon the existence of black districts (Berg 1994).

Furthermore, the very structure of Congress and the rules of the game impose limits on what blacks can accomplish there even in the best of all possible scenarios (Welch 1990). As John C. Berg has argued:

Congress has an internal structure, and positions in this structure give an advantage to those who hold them, but this advantage is biased; it is not equally available to the powerless and the powerful. Throughout America's brief history, when representatives of oppressed groups have used the accommodationist strategy, that strategy has failed. They have climbed patiently up the ladder of Congressional seniority and committee position, only to find that they could not use their new power to effect the changes most needed by their constituents (Berg 1994: 137).

Underrepresentation Among Elected and Appointed Officials

The best proof that there are still structural barriers to the election of blacks is the fact that despite their burgeoning rate of voter registration and participation since 1965, *black officials still represent one to two percent of all elected officials* (Wilhelm 1983; Henry 1987; Pinkney 1993; Parker 1992). Even more significant, blacks are substantially underrepresented even in places where they comprise 30 percent or more of the entire population (Walton 1972; Smith 1992). Black appointees tend to be concentrated in the civil rights and social welfare bureaucracies and, in many of the remaining cases, are "sanitized" blacks like Justice Thomas or General Colin Powell.⁶

Why are blacks so underrepresented? It is because of the historical tendency of whites of only voting for or appointing white candidates (Walton 1972; Henry 1987; Parker 1992; Berg 1994). Thus the election and appointment of blacks seem to be circumscribed to locales in which blacks constitute a substantial segment of the population (40 percent plus) or to black candidates who "mainstream" or show "moderation" (Gomes and Williams 1992).

⁶ Manning Marable terms the politics of this group of black politicians as "post Black". By that he means that they are "elected officials, recruited from the professional classes, who are racially and ethnically 'Black' but who favor programs with little kinship in the traditional agendas of the civil rights movement.... [they] generally favor the death penalty, oppose new taxes, and support corporate interests" (Marable 1990:20).

The Limited Possibilities of Elected and Appointed Officials

What is the overall impact of black elected officials and appointees for the black community at large? In Congress, because of their relatively small numbers, blacks have a very limited role in creating policy. At best, they can shape aspects of legislation to soften the impact on poor minority communities and, so far, they have been able to curtail anti-civil rights legislation (Stone 1972a; Smith 1992). The record of black appointees, who have been historically few (Stone 1972a), suggests that they tend to have an even more limited role in shaping policy. In addition, there is a disturbing trend of appointing anti-black blacks (a trend begun by President Carter) which fits well into our new racism argument (Smith 1992). By appointing conservative blacks to certain positions, the political system is symbolically integrated while maintaining policies and politics that keep blacks "in their place."

The Limited Impact of Elected Black Mayors

Elected black mayors are in a political quandary because of the decline of political machines. This decline reduces significantly the "power" of the mayoral position since political machines allowed mayors in the past to dispense resources to their constituencies. Given that these political machines have been replaced by nonpartisan bureaucratic political structures, the likelihood of a black mayor being able to use his/her position for distributing resources has been seriously eroded (Knowles and Prewitt 1969; Franklin and Resnick 1973; Nelson and Meranto 1977; Nelson 1990; Moss et al. 1993). Moreover, the financial crisis of cities limits drastically the projects that mayors can carry out as well as their overall independence from the dominant elite (Franklin and Resnick 1973).

Furthermore, since cities are controlled by the interests of white business elites (Patterson 1974; Wilhelm 1983), elected black mayors are increasingly captive to pro-growth policies based on making cities conducive to business investments. These policies usually imply neglecting the most pressing needs of racial minorities and the poor (Nelson 1987; Jennings 1992). Moreover, despite the progressive impact that many have noted in

the black community (appointment of blacks to various city positions, increase in the rate of black municipal employees, higher responsiveness to the needs of the poor, etc.), most of the benefits have not accrued to the black masses. More importantly, the election of black mayors, unlike those from white ethnic groups in the past, has not led to the institutionalization of "black control in the realms of public and private decision making" (Nelson 1990: 193). Thus black mayors become "political managers" of cities in which the present economic, social, and political arrangements still benefit whites at large, and the elite in particular (Jennings 1992).

Electoral Participation as Entrapment

The subordinate incorporation of blacks into electoral politics has reduced their options to effect meaningful social change. Historically, blacks have advanced in this country through overt protest politics (Hamilton 1973; Newman et al. 1978; Piven and Cloward 1979; Button 1989; Bell 1992; Berg 1994). Hence the extension of universal suffrage to blacks has been a double-edged sword. On the one hand, it is one of the most enduring victories of the civil rights movement but on the other hand, it is progressively becoming an obstacle for further black progress. Because the number of blacks in significant decision-making bodies (House, Senate, etc.) is minuscule, whites still vote largely for white candidates, and blacks do not have enough economic and social resources to utilize formal political rights as effectively as whites, electoral politics are *restricting* the political options of blacks in the United States.

An example of how electoral politics restrict the options of blacks is the current political impasse experienced by blacks. They cannot vote Republican since that party has become increasingly a pro-white party (Edsall and Edsall 1992); they cannot fully trust the Democratic party since it has shown in recent times a tremendous degree of ambivalence in its commitment to blacks as evidenced in the racialized discourse of many leaders on welfare, crime, government spending, and affirmative action; and the third party option, advocated by many progressives, is still a far-fetched idea with a very limited impact among

black urban voters. The way out of this impasse seems to be through a return to mass protest but it is precisely that type of political activity which is incompatible with electoral politics. Hence what blacks need is what electoral participation limits.

RACIAL IDEOLOGY IN THE NEW RACISM PERIOD OF RACE RELATIONS

In the post-civil rights era, it has become increasingly difficult to assess with precision the meaning of the attitudes of whites. Since the sixties, whites have distanced themselves from the old racist views but, at the same time, have maintained a degree of ambivalence (Dovidio and Gaertner 1991) or paradoxical views (Schuman, Steeh, and Bobo 1985) which still puzzle many social scientists. The commitment of the majority of whites to nonracist views was noted for the first time by Herbert Hyman and Paul B. Sheatsley, who wrote a widely influential article on the matter in *Scientific American* in 1966. There they rated the changes in white attitudes as "revolutionary" (Hyman and Sheatsley 1966; see also Chapter 9 in Brink and Harris 1963). Although in later work Sheatsley was very careful in parceling the data and analyzing how regional, class, educational, and religious affiliation affected the racial views of whites, he concluded in a heroic tone that:

The mass of white Americans have shown in many ways that they will not follow a racist government and that they will not follow racist leaders. Rather, they are engaged in the painful task of adjusting to an integrated society. It will not be easy for most, but one cannot at this late date doubt the basic commitment. In their hearts they know that the American Negro is right (Sheatsley 1966: 323).

The pattern of white racial attitudes noted by Sheatsley (1966) continued through the seventies, eighties, and nineties. For example, noted social psychologists Campbell and Schuman, in their report to the National Advisory Commission on Civil Disorders, found a willingness of whites to support integration and, more importantly, to support strong government intervention to bring about changes to improve blacks' socioeconomic status (Brink and Harris 1963; 1967; Campbell and Schuman 1970). Although this last aspect has

stagnated and even declined in recent years, overall the positive trend on racial views of whites has continued (Schuman, Steeh, and Bobo 1985; Sniderman and Hagen 1985; Firebaugh and Davis 1988; Sniderman and Piazza 1993). John Dovidio and Samuel Gaertner summarized the post-1960 trend in whites' racial attitudes as follows:

In summary, across a variety of surveys concerning personal characterizations and social and political issues, approximately 80 percent of white Americans consistently respond in a nonprejudiced and egalitarian manner. Only a minority of whites, 20 percent, seem to exhibit the old-fashioned, direct, and traditional form of racial prejudice (Dovidio and Gaertner 1991: 124-125).

But they also immediately added,

We believe, however, that racial bias is not confined to this 20 percent of the white population but may also characterize the attitudes of many people who appear tolerant using traditional survey methods (ibid.: 125).

In fact, we have not done in-depth studies to explore whether the 80 percent who express support for egalitarian principles live their lives according to those principles. We do know that America is still highly segregated (Massey and Denton 1993), that minorities still face a myriad of discriminatory practices in various settings (Jaynes and Williams 1989; Feagin and Sikes 1994; Feagin and Vera 1995), and that whites, when pressed with real rather than *hypothetical* racial issues, respond differently than we would expect based on their recent attitudinal record.

This apparent contradiction between expressed positive racial attitudes of whites and their behavior should not surprise anyone. There is fairly strong evidence suggesting that whites do underreport their "racism," particularly when the questions are simple, clear, and straightforward (Crosby, Bromley, and Saxe 1980). The few studies that have attempted to probe deeper into the meaning of whites' racial attitudes (Blauner 1989; Terkel 1992; Rubin 1994) have showed that whites still believe many of the stereotypes about blacks and hold lots of hostility toward them. In interview after interview whites explicitly say they are not racist and believe in the idea of equal opportunity but, almost immediately, they engage in a highly racist diatribe against blacks. For instance, one of the moderate whites interviewed by Studs Terkel, who in the sixties claimed that she was in

"sympathy with Negroes" (Terkel 1992: 42), said things in the 1990s like "[blacks] *seem* like they're all involved with the negative part of living: cheating, lying, stealing, dope, that type of thing" (ibid.: 43). Or someone like that working class white man who said that, "If I'm dealing with them one on one, I'm not a bigot in the least. But if I thought that, as a whole, they're comin' into my neighborhood, I would have my feelings" (ibid.: 143).

Survey researchers have noted this ambivalence in the racial attitudes of whites too. Whites show widespread support on questions dealing with the *principles* of integration, equal opportunity and affirmative action but at the same time, exhibit significant resistance in questions dealing with the *implementation* of policies designed to guarantee racial equality (Caditz 1976; Schuman, Steeh, and Bobo 1985; Gaertner and Dovidio 1986; Jackman and Crane 1986; Dovidio and Gaertner 1991; Carmines and Merriman 1993; Bobo and Smith 1994). The ambivalence of whites is also shown in the fact that many still subscribe to stereotypical views of blacks⁷ and reduce their level of commitment to egalitarian principles when the questions involve personal choices.⁸ Finally, and of extreme importance for our theoretical claim, is the finding that even the few whites who interact on a regular basis with blacks (the 9.4 percent of whites who can name a "good friend" who is black) do not support those programs designed to ameliorate racial inequality in the United States (Jackman and Crane 1986).

One group of researchers has explained this ambivalence in white attitudes by suggesting that there is a new type of racism alternatively labelled as "symbolic racism,"

7 For recent data on white views on blacks, see Chapter 2 in Sniderman and Piazza (1993).

8 For instance, whites tend to agree (66%) with the idea that there should not be laws prohibiting intermarriage, but do not approve of intermarriages (60%). Likewise, on the matter of school integration, when the question deals with sending their children to schools where there are a few blacks, half of the children are black, or most of the children are black, whites, commitment to racial equality declines substantially. On these matters, see Chapter 3 in Schuman, Steeh, and Bobo (1985) and Chapter 6 in Mary Jackman's *Velvet Glove* (1994).

"modern racism" or "aversive racism."⁹ The argument, initially developed by David Sears and his associates (Sears and Kinder 1971; see also Gaertner and Dovidio 1986; Dovidio and Gaertner 1991; McConahay 1986), is that a new, more subtle and less direct kind of racial attitude has replaced red-neck racism in the United States. In contrast with old-fashioned racism "composed of derogations of an antagonism toward blacks *per se*, or of support for formal inequality" (Sears 1988), symbolic racism is:

... a blend of antiblack affect and the kind of traditional American moral values embodied in the Protestant ethic... a form of resistance to change in the racial status quo based on moral feelings that blacks violate such traditional American values as individualism and self-reliance, the work ethic, obedience, and discipline (Kinder and Sears 1981: 416).

Although this interpretation opens new ground for analyzing the racial attitudes of whites, it is limited by its reliance on the traditional *individualist* concept of prejudice (for critiques see Wellman 1977; Bonilla-Silva 1994; Jackman 1994). By failing to develop an analysis of prejudice which is connected to the larger racial structure of the U.S., authors in this tradition fail to explain why these new attitudes emerged, their relation to continuing racial inequality in the United States, and their relevance to the racial attitudes of whites toward other minority groups.

These limitations have been addressed by social psychologists following Herbert Blumer's (1958) understanding of prejudice as sense of group position (Jackman and Muha 1984; Bobo 1988; Bobo and Smith 1994; Jackman 1994). Bobo argues that racial ideologies are connected to larger socioeconomic and political structures and thus contends that if

9 There is a significant debate among social psychologists about whether or not there is a new set of racial attitudes operating in American society. Although the proponents of this view (McConahay and Hough 1976; Kinder and Sears 1981; Gaertner and Dovidio 1986; McConahay 1986; Sears 1988) have slightly different conceptions about the *content* and *meaning* of the new racial attitudes, they all agree that it includes a "subtler cluster of racial attitudes consisting of a combination of anti-Black and traditional American values" (Sidanius, Devereux, and Pratto 1992). Opposing these views is a group of authors who argue that we still have the "old racism" (Weigel and Howes 1985; Sniderman and Tetlock 1986; Sniderman and Piazza 1993) and that the "new racism" proponents are conflating opposition to government intervention (a political matter) with racial matters (Schuman, Steeh, and Bobo 1985; Sniderman and Piazza 1993). Many of those who oppose the "new racism" argument seem to hold a purely ideological notion about American traditional values (e.g., Sniderman and Piazza 1993), conceive of racial ideology as static, and do not envisage how racist thinking can be *rearticulated* and fused with what they define as purely "political" attitudes.

there is a new ideology in America it must "reflect a group-interested ideology tailored to new circumstances" (Bobo 1988: 107). In a more recent work (1994), Bobo refines somewhat his earlier argument. He now claims that "we have witnessed the virtual disappearance of overt bigotry, demands for strict segregation, advocacy of government enforced discrimination and adherence to the belief that blacks are categorical intellectual inferiors of whites" (Bobo and Smith 1994: 7).

Bobo and Smith (1994: 48) contend that the change in the geographic and economic position of blacks in the twentieth century, the increase in indigenous resources of blacks, and the defeat of the planter class were the reasons why the "Jim Crow social order, quite naturally, began to atrophy and wither under a steady assault by blacks and their white allies." Bobo's analysis is consonant with that of Mary Jackman and her co-authors. Jackman and Muha (1984) argue that racial ideology in the U.S. changed from overt during the period of paternalistic race relations before the 1960s, to covert since the late 1960s as race relations became openly antagonistic, and reflected distal rather than intimate racial relations. Specifically, they contend that as blacks made their claims in a more vocal manner, whites' justification for their privilege shifted from one based on group differences to one based on individualism. By interpreting racial inequality as the outcome of individual processes, "the rights of *groups* are thus rendered illegitimate and unreasonable" (ibid.: 760). Furthermore, Jackman argues that racial privilege is also defended by whites today through a staunch defense of equal opportunity rather than egalitarianism (Jackman 1994: 87-90). Jackman documents in her book how little interaction there is between whites and blacks, the comprehensive role of segregation, the avoidance of hostility in racial conflict that Jackman labels as "muted hostility," and the systematic rift in the prescriptions about how active the federal government should be in pursuing policies to ameliorate racial inequality.

In sum, whites today exhibit a very different racial ideology than during the apartheid period of race relations. The new ideology of whites, characteristic of the distal

and antagonistic post-civil rights race relations (Jackman 1994), avoids direct hostility toward minority groups, affirms the principles of equal opportunity and egalitarianism, but at the same time rejects programs that attempt to ameliorate racial inequality in reality rather than in theory (Carmines and Merriman 1993). Generally speaking, contemporary white ideology denies the fact that race imposes a number of constraints upon minorities and proclaims that we are all individual actors with similar opportunities in the market (Kluegel and Bobo 1993; Jackman 1994). Since racial privilege in the contemporary period depends less on the individual actions of whites and more on the normal racialized operation of institutions (Knowles and Prewitt 1969; Franklin and Resnick 1973; Chesler 1976; Wellman 1977; Omi and Winant 1986), the emphasis on individualism and equal opportunity is the modern Trojan horse for maintaining racial inequality. The first denies the structural character of racial inequality (Kluegel and Bobo 1993; Jackman 1994) and the latter denies group differences in material resources, thus legitimating unequal outcomes. Moreover, because inequality is mostly reproduced through institutional channels, whites do not have to develop a defensive, elaborate racial posture as in the previous period. As Mary Jackman contends:

The institutionalization of inequality releases the individual members of the dominant group from any sense of personal complicity. As they seek to interpret the happy situation in which they find themselves, they have no reason to feel personally defensive -- after all, they have personally taken no steps to extract from others the benefits that regularly come their way (Jackman 1994: 65).

This is why racial ideology in this period has an apparently nonracial character, can hide under egalitarian ideas, and is driven by the notion of individualism. In the popular consciousness of whites, the main threads of this ideology have been articulated under the notion of "reverse racism." The argument is simple. America has banished discrimination since the sixties and, therefore, if blacks and other minorities are behind, it is their own fault. Programs that attempt to equate outcomes -- affirmative action programs -- are viewed as discriminatory against whites. Individual effort and merit, so the argument goes,

should be the only criteria used to allocate positions in society. And this popular argument, as simple and ahistorical as it is, has been adopted by liberals and conservatives alike.¹⁰ Currently the notion of reverse discrimination has become one of the linchpins of the Republican party as evidenced by the fact that all its major leaders embrace it, and Democrats, although a bit more cautious, are talking about "mending" affirmative action and eliminating "quotas" and other forms of "preferential treatment."

"KEEPING THEM IN THEIR PLACE": THE SOCIAL CONTROL OF BLACKS SINCE THE SIXTIES

All domination is ultimately maintained through social control strategies. For example, during slavery whites used the whip, overseers, night patrols, and other highly repressive practices along with some paternalistic ones to keep blacks "in their place" (Stampp 1956; Genovese 1974). After slavery was abolished whites felt threatened by free blacks, hence very strict written and unwritten rules of racial contact (the Jim Crow laws) were developed to specify "the place" of blacks in the new environment of "freedom." And, as insurance, lynching and other terroristic forms of social control were used to guarantee white supremacy. In contrast, as Jim Crow practices subsided, the control of blacks has been chiefly attained through state agencies (police, criminal court system, FBI) (Marable 1983). Manning Marable describes the new system of control as follows:

The informal, vigilante-inspired techniques to suppress Blacks were no longer practical. Therefore, beginning with the Great Depression, and especially after 1945, white racists began to rely almost exclusively on the state apparatus to carry out the battle for white supremacy. Blacks charged with crimes would receive longer sentences than whites convicted of similar crimes. The police forces of municipal and metropolitan areas received a *carte blanche* in their daily acts of brutality against Blacks. The Federal and

10 On the conservative side, scholars such as Nathan Glazer (1975) and Charles Murray (1984) have endorsed the notion of reverse racism and, on the liberal side, scholars like Christopher Jencks (1992) and writers such as Thomas and Mary Edsall (1992) have subscribed to it too. The Edsalls' case is interesting because, in their otherwise superb book *Chain Reaction* (1992), where they explain how race has been articulated by Republicans since the seventies to win over the white electorate, they slide into believing that reverse racism is a *real* phenomenon.

state government carefully monitored Blacks who advocated any kind of social change. Most important, capital punishment was used as a weapon against Blacks charged and convicted of major crimes. The criminal justice system, in short, became a modern instrument to perpetuate white hegemony. Extralegal lynchings were replaced by "legal lynchings" and capital punishment (Marable 1983: 120-121).

In the following sub-sections, we review the available data to see how well it fits Marable's interpretation of the contemporary system of control.

The State as Enforcer of Racial Order

Data on arrest rates shows that the contrast between black and white arrest rates since 1950 has been striking (Jaynes and Williams 1989). The black rate increased throughout this period reaching almost 100 per 1,000 by 1978 compared to 35 for whites (ibid.: 457-459). The 1989 data suggests that the arrest rate for blacks has stabilized at around 80 to 90 per 1,000 (Garwood 1991: 204). In terms of how many blacks are incarcerated, we found a pattern similar to their arrest rates. Although blacks have always been overrepresented in the inmate population, this overrepresentation skyrocketed since the late 1940s. In 1950, blacks were 29 percent of the prison population (Jaynes and Williams 1989; Garwood 1991). Ten years later, their proportion reached 38 percent. By 1980, the incarceration rate of blacks was 47 percent, six times that of whites (Williams-Myers 1995). *Today the incarceration rate of blacks has "stabilized" at around 50 percent.*

This dramatic increase in black incarceration has been attributed to legislative changes in the penal codes and the "get tough" attitude in law enforcement fueled by white fear of black crime (Marable 1983; Hagan and Peterson 1995; Williams-Myers 1995). Furthermore, the fact that blacks are disproportionately convicted and receive longer sentences than whites for similar crimes, contributes to their overrepresentation among the penal population (Chideya 1995). For example, "according to the Federal Judicial Center, in 1990 the average sentences for blacks on weapons and drug charges were 49 percent longer than those for whites who had committed and been convicted of the same crimes -- and that disparity has been rising over time" (ibid.: 195).

Official State Brutality Against Blacks

Police departments grew exponentially after the sixties, particularly in large metropolitan areas with large concentrations of blacks (Jacobs 1979; Jackson and Carroll 1981; Jackson 1989). This growth has been related by various studies to black urban mobilization and rebellion in the sixties (Jackson and Carroll 1981; Liska et al. 1981). Another way of measuring the impact of police departments on the life of blacks is surveying how blacks and whites rate police performance. Rosentraub and Harlow (1984), in an article reviewing surveys on the attitudes of blacks and whites toward the police from 1960 through 1981, found that blacks consistently viewed the police in a much more negative light than did whites. Despite attempts in the seventies and eighties to reduce the friction between black communities and police departments by hiring more black police officers and, in some cases, even hiring black chiefs of police, "there has been little change in the attitudes of blacks toward the police, especially when the attitudes of black respondents are compared to those of white respondents" (Rosentraub and Harlow 1984: 119).

The level of police force used with blacks has always been excessive (Marable 1983). However, since the police became the primary enforcer of the social control of blacks, the level of violence against them skyrocketed. For example, in 1975 *46 percent of all the people killed by the police in official action were black* (Sherman 1980: 95). That situation has not changed much since. Robert Smith (1995) reported recently that of the people killed by the police over half are black; the police usually claim that when they killed blacks it was "accidental" because they thought that the victim was armed although in fact the victims were unarmed in 75 percent of the cases; there was an increase in the 1980s in the use of deadly force by the police and the only ameliorating factor was the presence of a sensitive mayor in a city; and in the aftermath of the King verdict, 87 percent of civilian victims of police brutality reported in the newspapers of fifteen major American cities were black, and 93 percent of the officers involved were white (Smith 1995:47-48).

Capital Punishment as Modern Form of Lynching

The raw statistics on capital punishment seem to indicate racial bias *prima facie*: "Of 3984 people lawfully executed since 1930 [until 1980], 2113 were black, over half of the total, almost five times the proportion of blacks in the population as a whole" (Gross and Mauro 1989). However, social scientific research on racial sentencing has produced mixed results. Some authors find that there is bias in sentencing (Spohn, Gruhl, and Welch 1981-82; Petersilia 1983; Zatz 1984) while others claim that as legal factors are taken into account, the bias disappears (Klein, Petersilia, and Turner 1990; Kleck 1981; Pruitt and Wilson 1983; Myers and Talarico 1987). Yet recent research has suggested that "discrimination has not declined or disappeared but simply has become more subtle and difficult to detect" (Spohn 1994).¹¹ In a review of this literature Spohn contends that "race affects sentence severity *indirectly* through its effect on variables such as bail status or type of attorney or that race interacts with other variables and affects sentence severity only in particular types of cases or for particular defendants" (1994: 249). others have pointed out that the discrimination experienced by blacks may occur at earlier stages. For instance, research by Radelet and Pierce (1985) suggests that homicides with white victims and black suspects are more likely to be upgraded to a more aggravated description by prosecutors. Thus straightforward regression models (additive and linear) will likely miss the effect of race (Spohn 1994).

There is a substantial body of research showing that blacks charged of murdering whites are more likely to be sentenced to death than any other victim-offender dyad (Spohn 1994). Similarly, blacks charged of raping white women also receive the death sentence at a much higher rate (Walsh 1987; LaFree 1980; 1989). The two tendencies were confirmed by Spohn in a 1994 article using data for Detroit in 1977 and 1978: "Blacks who sexually

11 Chapter 2 in Samuel R. Gross and Robert Mauro, *Death and Discrimination*, provides excellent examples of how race may affect the outcome of cases involving the death penalty before the trial begins. In their opinion, discrimination of a particular type at an early stage of the criminal justice process may conceal, or partially conceal, discrimination of the same type at a later stage" (1989:25).

assaulted whites faced a greater risk of incarceration than either blacks or whites who sexually assaulted blacks or whites who sexually assaulted whites; similarly, blacks who murdered whites received longer sentences than did offenders in the other two categories" (Spohn 1994: 264).

The most respected study on race and death penalty, carried out by David C. Baldus to support the claim of Warren McClesky, a black man convicted of murdering a white police officer in 1978, found that there was a huge disparity in the imposition of the death penalty in Georgia (Baldus, Pulaski, and Woodworth 1983; 1986). The study found that in cases involving white victims and black defendants the death penalty was imposed 22 percent of the time whereas in the white-black dyad, the death penalty was imposed in only one percent of the cases. *Even after controlling for a number of variables, blacks were 4.3 times as likely as whites to receive a death sentence* (Bell 1992: 332). In a 1990 review of 28 studies on death penalty sentencing, 23 of them found that the fact that victims are white "influences the likelihood that the defendant will be charged with a capital crime or that death penalty will be imposed" (ibid.: 332-333).

It should not surprise anyone that in a racist society, court decisions on cases involving the death penalty exhibit a race effect. Research on juries suggests that they tend to be older, more affluent, more educated, more conviction-prone, and more white than the average in the community (Alker, Hosticka, and Mitchell 1976; Nemeth 1981; Benokraitis 1982). Moreover, research on the process of selecting jurors for death penalty cases suggest that the *voir dire* process (questions to select the jury) produces juries which are pro-death penalty (Blunk and Sales 1977; Haney 1984a; 1984b). This particular bias has been found to have a racial effect. Gregory D. Russell, in his *The Death Penalty and Racial*

Bias: Overturning Supreme Court Assumptions (1994), found indirect data (exhibited via surrogate measures) of racial bias among death-qualified jurors.¹² This finding adds to our understanding of why there is a differential conviction rate for blacks and whites in cases involving the death penalty. As Russell explains:

... the evidence developed did suggest that juries composed of death-qualified jurors are more likely to be white, punitive, and authoritarian. Hence, they are more likely, on this evidence, to exhibit a tendency toward racially biased decisions. Will every juror or jury act in this manner? Of course not. The evidence simply suggests the probability that jurors so composed are more likely than not to be more predisposed to racially biased determinations than other juries, though the appearance of racial bias is quite idiosyncratic (Russell 1994: 128).

High Propensity to Arrest Blacks

Blacks complain that police officers mistreat them, disrespect them, assume that they are criminals, violate their rights on a consistent basis, and are more violent when dealing with them (Blackwell 1991). Blacks and other minorities are stopped and frisked by police in "alarmingly disproportionately numbers" (Bell 1992: 340). Why is it that minorities receive "special treatment" from the police? Studies on police attitudes and their socialization suggest that police officers live in a "cops' world" and develop a cop mentality (Bayley and Mendelsohn 1972; Cooper 1980). And that cops' world is a highly racialized one; minorities are viewed as dangerous, prone to crime, violent, and disrespectful. Various studies have noted that the racist attitudes that police officers exhibit have an impact in their behavior toward minorities (Skolnick 1972). Furthermore, other studies have suggested that police discretion and demographic bias contribute to the overarrest of blacks. Extralegal subjective characteristics such as demeanor, appearance, and race have been found to influence the decision of police officers to arrest individuals (Chambliss and Nagasawa 1969; Black 1976; Lizote 1978). In terms of demographic bias, research suggests that because black communities are overpatrolled, officers patrolling

¹² In the selection of jurors for cases involving the death penalty, the jurors must be death-qualified, that is, they are able, in the opinion of the trial judge, to sentence the accused to death if they believe that he or she is guilty.

these areas develop a stereotypical view of residents as more likely to commit criminal acts and are more likely to "see" criminal behavior than in white communities (Geis 1972; Blumstein 1982; Clayton 1983).

Thus it is not surprising that blacks are disproportionately arrested compared to whites. It is possible to gauge the level of over-arrest endured by blacks by comparing the proportion of times that they are described by victims as the attackers with their arrest rates. Using this procedure, Farai Chideya contended that:

For virtually every type of crime, African-American criminals are arrested at rates above their commission of the acts. For example, victimization reports indicated that 33 percent of women who were raped said that their attacker was black; however, black rape suspects made up fully 43 percent of those arrested. The disproportionate arrest rate adds to the public perception that rape is a "black" crime (Chideya 1995: 194).

Using these numbers, the rate of over-arrest for blacks in cases of rape is 30 percent. As shocking as this seems to be, the rate for cases where the victim is white is even higher. Smith, Visher, and Davidson (1984) found that whereas the probability of arrest for cases in which the victim was white and the suspect black was 33.6 percent, for cases of white suspects and black victims the probability dropped to 10.7 percent.

Repression of Black Leaders and the Civil Rights Movement

Leaders of the black movement such as Elijah Muhammad, Malcolm X, Stokely Carmichael, Louis Farrakhan, Huey P. Newton, Bobby Seale, Ron Karenga, and Martin Luther King Jr. and organizations such as SNCC, NAACP, SCLC, Black Panthers, RAM¹³ and MOVE have been monitored by the FBI. Of particular significance was the six year investigation (from 1962 to 1968) launched by the FBI against Martin Luther King Jr. given that King, unlike other black leaders of his time, was not advocating change through radical means. As David Garrow points out, "it is quite apparent that no other black leader came in for the intensive and hostile attention that Dr. King was subjected to in the mid-1960s"

13 This was the Revolutionary Action Movement, organized by Maxwell Sanford in Philadelphia in 1967 (Churchill and Vander Wall 1988).

(Garrow 1983: 154-155). Although initially the FBI claimed that the surveillance of King and the SCLC was because communists were involved in the organization -- in this sense, it fitted the FBI organizational prerogatives -- it soon delved into purely private matters of King's life with the explicit intent of discrediting him (Garrow 1983; Friedly and Gallen 1993). Although many theories have been advanced for why King was singled out (J. Edgar Hoover's racism, racism in the Bureau, Hoover's reaction to King's public criticism of the Bureau in 1961, the conservatism of the Bureau, and Hoover's as well as other top FBI agents' fascination with sexuality), the bottom line was that King, the most important black leader of this century, was carefully monitored by the FBI until his assassination in 1968.

The FBI persecution of leaders such as Elijah Muhammad and Malcolm X and their organization, the Nation of Islam, was less hostile and consistent than that of King and the SCLC because they were not mobilizing the black masses as King was. Only after Malcolm began making overtures to civil rights leaders and advocating militant political involvement did the FBI begin paying serious attention to him (Carson 1991). After Malcolm's assassination in 1965 -- an assassination in which the FBI was apparently involved¹⁴ -- the FBI launched a special offensive (the COINTELPRO against so-called "black nationalist hate groups") to curb the spread of black nationalism by any means necessary (Smith 1974; Churchill and Vander Wall 1988). By 1967, the FBI had over 3,000 informants in black communities as part of this program and was conducting surveillance and playing "dirty tricks"¹⁵ on SNCC leader Stokely Carmichael and on the Black Panthers (Carson 1991: 46-

14 Malcolm X told Alex Haley one day before his assassination that "The more I keep thinking about this thing, the things that have been happening lately, I'm not at all sure it's the Muslims - I know what they can do, and what they can't, and they can't do some of the stuff recently going on" (Carson 1991:83). For an elaboration on the thesis that the FBI was involved in Malcolm's assassination, see George Breitman, Herman Porter, and Baxter Smith, *The Assassination of Malcolm X* (1976).

15 The dirty tricks used by the FBI were eavesdropping, bogus mail, false black propaganda, disinformation, harassment arrests, infiltration of organizations, planting *agents provocateurs*, spreading rumors, fabricating evidence, and assassinations (Churchill and Vander Wall 1988).

47). The FBI through a smear campaign and other techniques (see footnote 18) neutralized Stokely Carmichael, H. Rap Brown, Reverend Charles Koen of the Cairo United Front, and activist-comedian Dick Gregory (Churchill and Vander Wall 1988: 58). Even seemingly less threatening groups such as black student unions on campuses around the nation were infiltrated by the FBI (ibid.: 59; Berry 1994). By the time the COINTELPRO became known to the American people in 1971, radical black organizations had been all but dismantled.

Post-Civil Rights Social Control and the New Racism

The mechanisms by which blacks experience social control in the contemporary period are not overwhelmingly covert. Yet they share with the previous mechanisms discussed in this paper their invisibility. The mechanisms to keep blacks in "their place" are rendered invisible in three ways. First, because the enforcement of the racial order from the sixties onward has been institutionalized, individual whites can express a detachment from the *racialized* way in which social control agencies operate in America. Second, because these agencies are legally charged with defending order in society, their actions are deemed neutral and necessary. Thus, it is no surprise that whites consistently support the police in surveys (Rosentraub and Harlow 1984). Finally, incidents that seem to indicate racial bias in the criminal justice system are depicted by white-dominated media as isolated incidents (Chideya 1995). For example, cases that presumably expose the racial character of social control agencies (e.g., the police beating of Rodney King, the police killing of Malice Green, the acquittal or lenient sentences received by officers accused of police brutality, etc.) are viewed as "isolated" incidents and are separated from the larger social context in which they transpire.

THE CONTINUING RACIAL ECONOMIC INEQUALITY

The economic life of blacks has always been influenced by structured racial inequality. A substantial body of literature on white-black employment differences has

documented the influence of labor market discrimination, wage differentials, occupational segmentation, as well as income and wealth inequalities in explaining racially differential economic outcomes (Knowles and Prewitt 1969; Franklin and Resnick 1973; Perlo 1975; Farley and Allen 1987; Jaynes and Williams 1989). Despite the well documented disparities between blacks and whites, many social scientists have focused their attention on the growth of the black middle class (Wattenberg and Scammon 1973; Freeman 1978; Wilson 1978; Sowell 1984). Some of them have projected the "success" of this segment to the entire community creating an image of general economic progress. To be sure, African Americans have experienced significant progress in several areas of their economic life over the past three decades (the economic standing of black women vis-a-vis white women, the opening of jobs that were reserved for whites, the development of a significant middle class, etc.). Yet their overall situation relative to whites has not advanced that much (Darity, Cotton, and Hill 1993). In the following sections sub-sections we highlight the economic status of blacks and the mechanisms that structure racial inequality at the economic level in the post-civil rights period.

Income and Earnings Differentials

Studies analyzing the differences in median income between blacks and whites have revealed some convergence (Hirschman and Wong 1984; Smith and Welch 1986; Farley and Allen 1987; Farley 1993) and much of it has been attributed to the rising levels of educational attainment of African Americans, in particular among younger cohorts (Smith and Welch 1986) as well as affirmative action policies (Bound and Freeman 1989; Leonard 1990; Heckman and Payner 1992). However, the empirical evidence regarding racial convergence in income is somewhat mixed. Several social scientists have found that family incomes of African Americans began rapid convergence with whites from World War II up until the recession of the early 1970s when African Americans' income levels began to stagnate and the racial convergence ceased (Jaynes and Williams 1989; Jaynes 1990). In fact, by 1990 a substantial black-white earnings gap had re-emerged as the black-white

family income ratio reached .56, a ratio hardly larger than the .55 of 1960 (Pinkney 1993). Interestingly, the decline in African blacks' income vis-a-vis whites has been attributed to the decline in enforcement of antidiscrimination laws and affirmative action policies by the federal government in the 1980s (Bound and Freeman 1989; Leonard 1990).¹⁶ Thus, while African Americans made marked advancement from World War II to the early 1970s, they have experienced more recently -- 1980s and 1990s -- a substantial deterioration in their income relative to whites (Bradbury and Browne 1986; Jaynes and Williams 1989).

Furthermore, analysts who focus on income convergence tend to mask serious trends affecting the African American population -- like unemployment and underemployment and the decrease in the rate of labor force participation -- by making their comparisons based on full-time workers. Darity and Myers (1980) astutely observe that the exclusion of African Americans with zero incomes (i.e. the unemployed and the jobless) in social scientists' assessment of income differences between African Americans and whites, masks the persistent racial fault line in economic life (see also Darity et al. 1993; Badgett 1994). The gap in unemployment between blacks and whites increased during the 1970s and the 1980s, the same period in which African Americans' incomes ceased converging with whites (Cotton 1989; Farley 1984). Income differences reflect to a large extent the different earning potential of blacks and whites in America. Blacks earn today around 60 percent as much as whites. This vast difference is attributed to blacks' lesser educational attainment, lesser rates of return for their education and their labor market experience, and their concentration in the South, all directly related to the racial dynamics of this country (Farley and Allen 1987; Hacker 1992; Ashraf 1994). Does the difference in earnings disappear when the comparison is between blacks and whites with similar characteristics? The answer is no. Farley and Allen (1987) did such a comparison

16 Conservative and some liberal social scientists attribute contemporary differences in family income to differences in family structure between whites and blacks. But, as Steven Shulman has rightly pointed out, these differences are related to the socioeconomic conditions experienced by poor blacks, themselves shaped by racial discrimination (Shulman 1989).

for 1980 and found the gap for black men to be 14 percent. Although this gap, known in the literature as the "cost of being black," was better than the 19 percent gap of 1960, the fact that the gap grew to 16 percent in 1985 does not give much hope.

Occupational Mobility and Segmentation

One of the primary reasons why blacks' economic standing is much worse than whites' is because of occupational race-typing (Boston 1988). Although recent occupational data shows that African Americans have made substantial progress in obtaining employment in occupational categories from which they were, for all practical purposes, excluded (Hout 1984; Farley 1984; Farley and Allen 1987; O'Hare et al. 1991), they are still overrepresented among unskilled workers and underrepresented in higher-paying white-collar jobs. In 1960, whereas 60.4 percent of white men worked in blue-collar jobs, a whopping 76.7 percent of blacks did so (Farley and Allen 1987). In 1990, as the economy shifted away from the industrial to the service sector, the proportion of both blacks and whites in blue-collar jobs decreased significantly. However, 52.5 percent of black men worked in blue-collar occupations compared to 43.2 percent of whites (Pinkney 1993). More significantly, whereas white men worked primarily as managers and professionals (27.3%), black men were more likely to be employed as operators, fabricators, and laborers (33.4%).

Two other factors point to the segmentation experienced by blacks in America. First, despite the increase in the proportion of blacks in managerial and professional occupations, those employed in these occupations have lower earnings than their white counterparts (Cotton 1990). Second, their occupational mobility is less frequent and more restricted than whites (Pomer 1986; Waddoups 1991). Some mainstream analysts have attributed the racial differences in earnings to the existing educational gap between blacks and whites (Featherman and Hauser 1976; Hout 1984; Smith and Welch 1986). However, an examination of returns from education challenges such simple assessment. Cotton (1990) found that racial differences among those employed in the managerial and

professional occupations could not be explained by educational differences. This is not surprising since research has consistently shown that blacks earn less than whites in almost all occupations. For instance, Farley and Allen's (1987) analysis of 1979 data for full-time workers with the same educational attainment and of similar age revealed that black men earned less than white men in all occupations. For instance, black doctors 25-34 years of age earned \$3.39 less than their white counterparts and janitors earned \$1.33 less than their counterparts (ibid.: 318).

On the second point, studies since the 1960s have suggested that, for the most part, Jim Crow discrimination has been replaced by a new web of practices that limits the mobility of blacks and affects their everyday performance (Norgren and Hill 1964; Morgan and van Dyke 1970; Kovarsky and Albrecht 1970; Fernandez 1982; Landry 1987; Dudley 1988; Collins 1989; Brooks 1990; Travis 1991; Cose 1993; Graham 1995). One of the most pervasive of these practices is pigeonholing blacks in some positions, a practice reminiscent of typecasting blacks for "nigger jobs" during the Jim Crow era (Cose 1993). For instance, Collins (1989) finds that many African American executives fill affirmative action, community relations, minority affairs or public relations positions, positions created during the 1960s and 1970s to respond to civil rights demands and which do not provide much mobility.

Labor Market Discrimination

Since the early 1960s social scientists have acknowledged that labor market discrimination is an important causal factor in explaining the differential employment outcomes of blacks and whites (Samuels 1969; Becker 1971; Oaxaca 1973; Thurow 1969, 1975; Garfinkel, Haveman, and Betson 1977). Yet, until recently, studies on labor market discrimination assessed discrimination as the unexplained residual in black and white earnings after controlling for a number of variables. Although this measurement is useful, it tends to underestimate the real impact of discrimination by eliminating differences in, for

example, education and occupational status that are themselves the product of discrimination (Perlo 1975; Alexis 1976; Boston 1988).

In the last ten years analysts developed a research strategy to directly assess the impact of discrimination. The technique used to examine labor market discrimination is called an employment audit and consists of sending subjects matched in most characteristics except their race to find jobs (Cross et al. 1990; Bendick et al. 1991; McRae 1991; Turner et al. 1991). By doing this, analysts have been able to estimate the *extent* as well as the *form* of discrimination that minorities endure in the labor market. Culp and Dunson (1986) conducted the first employment audits and reported that black males were not 1) addressed as "Mr," 2) offered to sit, 3) offered a handshake, or 4) engaged in conversation. In addition, Culp and Dunson found two clear signs of discrimination in that several employers in the sample did not tell the black males about employment opportunities and quoted lower wages to black male applicants.

Probably the most famous of these studies was that carried out by the Urban Institute in 1991. It was conducted on randomly selected employers in San Diego, Chicago, and Washington, D.C. and found that on average, white testers were significantly favored over black testers (Turner et al. 1991). For example, in 20 percent of the audits blacks were denied job opportunities, and in 31 percent of the audits Latinos were denied job opportunities.

Finally, research by Braddock and McPartland (1987) indicates that blacks are discriminated against at all levels of the job process. In the search process, they are left behind because most employers rely on informal social networks to advertise their jobs. And, since blacks are not part of those networks, they are left out in the cold (Cherry 1989). At the job entry level, in addition to the practices mentioned before, blacks are screened out by tests and the requirement of a high school diploma. These two practices were developed in the late fifties and early sixties as substitutes for outright exclusion from jobs and were mentioned in the 1964 Civil Rights Act as practices that could have exclusionary

results (Norgren and Hill 1964; Kovarsky and Albrecht 1970). They are discriminatory because the diploma and the tests are not usually essential to job performance. Finally, in terms of job promotion, blacks face a glass ceiling because 1) they are pigeonholed in dead-end jobs (Spratlen 1976; Landry 1987; Dudley 1988; Collins 1989; Brooks 1990; Travis 1991; Cose 1993; Graham 1995), 2) employers seek people for promotion informally and blacks are less likely to be part of the "good old boys' network," and 3) seniority rules favor whites when promotion time comes around (Powell 1969).

Wealth

There is very little data on the wealth differentials between blacks and whites in the United States. Yet, the available data indicates that the disparities in this important area are greater than in any other economic area. One of the earliest studies, using data for 1967, showed that blacks on average had 18.8 percent the net wealth of whites (Alexis 1976). Although the wealth gap decreased with education and income, it never topped 47 percent. This study also showed that whereas whites had a more diversified portfolio of assets (30 percent liquid and 70 percent nonliquid), blacks had almost all their assets in nonliquid forms (equity in homes, cars, etc.). Data for 1984 indicated no change in this area. For instance, the black-white net worth¹⁷ averaged 9 percent for all households and, although the gap decreased at higher levels of income, it never topped 46 percent.

The most recent study on wealth indicated that the black-white ratio in net worth for 1988 was 8 percent and that blacks did not own any financial assets (Oliver and Shapiro 1995). The implications of this last point are startling. According to Oliver and Shapiro 61 percent of blacks compared to 25 percent of whites do not have liquid assets to survive *at the poverty level* in case of unemployment or a family crisis. If you include the figure of those who cannot survive for more than three months the proportion reaches 79 percent for blacks and 38 percent for whites. As in previous studies, the wealth fragility of blacks was

¹⁷ The net worth, unlike the net wealth index, subtracts from the total wealth the debts that people have. Hence the difference in the figures for 1967 and 1984.

evidenced in all groups. For instance, the net financial assets of the black middle class, whether indexed by income, occupation, or education, did not surpass \$290.

In addition to the historical effects of discrimination, Oliver and Shapiro uncover a number of practices that contribute to the current wealth disparity. Among the institutional factors that they discuss are the higher denial of loans for blacks (60 percent higher than for whites), the higher interest rates that banks charge them (1 percent higher), and the lower appreciation of their houses.

Managerial Views on Blacks

Have the views of white managers on blacks changed dramatically since the sixties? The research done on this matter suggest that their views have not changed that much. Early studies were very optimistic and claimed that managers would assume their social responsibilities towards blacks after years of exclusion (Strauss 1967; Northrup 1967). However, by the late sixties a study sponsored by the American Management Association in which black white-collar workers were interviewed revealed that 60 percent thought that whites were condescending to them (Morgan and Van Dyke 1970). Another study concluded that employers were paying lip service to Title VII of the 1964 Civil Rights Act and that they were placing the brunt of the blame for employment problems with blacks on blacks themselves (Levine 1972). In the seventies, Fernandez (1975) found in his survey of eight firms in California that a significant proportion of managers held old-fashioned racist views and believed that blacks were pushing too hard. Furthermore, in the open-end questions managers who had scored relatively well in other parts of the survey were more likely to express antiblack views. All in all, only 10 percent of black managers and 17 percent of the whites said that they were not aware of any negative attitude toward blacks. The results of these studies are confirmed by recent surveys of blacks in corporate America. Blacks complain that they are bypassed by white managers for promotion, that they are not treated as equals, and that they endure a subtle hostility from their fellow workers and supervisors (Collins 1989; Travis 1991; Cose 1993; Graham 1995).

White employers and managers hiring for unskilled positions hold views that are more openly racist. In their interviews with Chicago and Cook County employers, Kirschenman and Neckerman (1991) found that blacks were viewed as having a bad work ethic, as creating tensions in the workplace, as lazy and unreliable, lacking leadership, and having a bad attitude. Many of these views were captured by a suburban drugstore manager who said:

It's unfortunate, but, in my business I think overall [black men] tend to be known as dishonest. I think that's too bad but that's the image they have.

(Interviewer: So you think it's an image problem?)

Yeah, a dishonest, an image problem of being dishonest, mean and lazy. They are known to be lazy. They are [laughs]. I hate to tell you, but, it's all an image though. Whether they are or not, I don't know, but, it's an image that is perceived.

(Interviewer: I see. How do you think that image was developed?)

Go look in the jails [laughs]. (Kirschenman and Neckerman 1991:221)

CONCLUDING REMARKS

As the U.S. entered a profound crisis of accumulation in the 1970s, poor and working class whites began blaming minorities for the crisis (Marable 1983). Hence hate crimes, typical of the apartheid period of race relations, resurfaced in America since the late 1970s (Marable 1983; Blackwell 1991; Levin and McDevitt 1993). Organized hate groups such as the Ku Klux Klan grew in membership from 5,000 in 1973 to 20,000 by 1990. Levin and McDevitt estimate that the total number of people involved in organized hate groups today is between 20,000 and 50,000 (1993: 109).

Yet, despite this upsurge in racial attacks in the United States and the increase in the membership of the Klan and Klan-like groups, their membership today pales against the 5 million members they had in the 1920s. Moreover, extra-legal violence today, as sensational and symbolic as it is, is not the primary method used to keep blacks in check. As we argued in this paper, new racial practices characterized by their covertness and

subtlety, explicit avoidance of traditional racist discourse, and insulation through institutionalization in the "normal" operations of many organizations have replaced Jim Crow practices.

The changes in the racial dynamics at all levels seem to amount to a reorganization -- still incomplete and somewhat partial -- of the racial structure of this country. This reorganization is incomplete because 1) not all the mechanisms and practices have settled, that is, have become institutionalized, and 2) we still have many legacies of the previous period affecting the life chances of blacks. On the first point, discrimination in the realm of education, for example, has not taken a definite institutional pattern in the contemporary period. Instead, there are various means (resegregation through white flight to the suburbs and to private schools, within school segregation, tracking, etc.) to guarantee white advantages. On the second point, we still have old-fashioned racists, extra-legal violence, and an undeclared apartheid in the housing arena. Although many of these practices are manifestations of the legacies of slavery and Jim Crow era in this country (Winant 1994), the evidence reviewed here suggests that blacks and other minorities should fear less the angry men with white hoods and their traditional discriminatory practices than the men with suits and their "smiling discrimination" (Brooks 1990).

We agree with Pettigrew and Martin when they claim that:

... the greater subtlety of these new forms [of racial discrimination] pose new problems of remedy. They act at both the structural-institutional level focused on by sociologists, and the face-to-face situational level focused on by social psychologists (Pettigrew and Martin 1987: 42).

Some of these hurdles that require remedy are:

- 1) Proving racial discrimination is extremely difficult for the party being discriminated against. Thus, it is not surprising that many progressive whites do not take seriously many claims of discrimination. As Pettigrew and Martin point out:

Often the black is the only person in a position to draw the conclusion that prejudice is operating in the work situation. Whites have usually observed only a subset of the incidents, any one of which can be explained away by a nonracial account. Consequently, many whites remain unconvinced of the

reality of subtle prejudice and discrimination, and come to think of their black co-workers as "terribly touchy" and "overly sensitive" to the issue. For such reasons, the modern forms of prejudice frequently remain invisible even to its perpetrators (Pettigrew and Martin 1987: 50).

- 2) The standards that the Supreme Court enacted recently on discrimination cases (plaintiffs carrying the burden of proof in discrimination cases and the denial of statistical evidence as valid proof of discrimination) help to preserve intact the contemporary forms for reproducing racial inequality in America (Gross and Mauro 1989; Bell 1992). Unless the court becomes cognizant of the new character of racial discrimination and changes its current practice of requiring the "smoking gun" in discrimination cases, the Court itself will be participating in covering up the far-reaching effects of racism in America.
- 3) Minority leaders who continue to focus on the "old racism," will miss the most important manners by which racial inequality is being reproduced in America. It is vital that studies documenting the pervasive and comprehensive character of the new racism are done systematically.
- 4) Research that is still focused on the old racism will invariably find a decline in the significance of race. Research on racial practices has to become as sophisticated as the new racism. The studies carried out by the Urban Institute and HUD in which testers are sent out to various settings and organizations are an example of what can be done. Unfortunately, that type of research is not viewed as "scientific" in many quarters and has been even deemed as "unethical."
- 5) On the policy front, there are at least two major hurdles. First, because many civil rights regulations were based on the struggle against Jim Crow racism, they are not very effective tools to fight contemporary discrimination. Second, the call for replacing race-based with class-based policies (Wilson 1987), despite its intellectual appeal, must be rejected. Since racial discrimination is alive and well, eliminating race-specific policies without racially-based alternatives in place is nonsensical.

The web of discriminatory practices in the contemporary period has not cemented yet. Hence it is still possible to mount an offensive to change its course. However, at the

present time, the prospects for such an offensive look bleak. Today when many of the achievements of the civil rights movement (e.g., affirmative action, the real possibility of bringing claims against organizations for discrimination, efforts to desegregate schools) are being rapidly eroded, the civil rights movement and many of its organizations are in a state of disarray, there is a serious crisis in leadership in minority communities (Marable 1983; 1992; Lusane 1994), and many traditional allies have moved to the right. For example, during the summer of 1995 the Supreme Court imposed "formidable standards" for government-sponsored affirmative action programs (Greenhouse 1995) and the Board of Regents of the University of California system decided to eliminate its affirmative action programs, yet organizations representing minorities have not been able to offer any significant resistance. Progressives and civil rights groups have not been able to challenge the subtle racialization of the discourse on crime, taxes, and welfare, a practice that has paid dividends to the Republican party (Edsall and Edsall 1992) and which the Democratic party has embraced in recent times (Omi and Winant 1993). Therefore, unless this situation is reversed, the new racial practices will become our enemy for years to come.

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