

## Why Race Matters: America's 21<sup>st</sup> Century Social Cancer.

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### Abstract

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*“The history of America has been closely pegged with racism and discrimination against African Americans. It’s an issue the founding fathers struggled to address in the early stage of the great nation and, as a result, it has continued to haunt our society during slavery, Jim Crow’s segregation, and modern day legalized and systematic racism. Since the inception of America, the house of democracy has been plagued with cracks of racism and discrimination against African Americans, women and other minority groups. During the last 300 years we have made little attempt to fix these cracks and, as a result, have struggled with a defective foundation. In the 21<sup>st</sup> century there are still many facets of oppression that not only exist but are prevalent in American society. Thus, here lies the problem of why race still matters in America.”*

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*“I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred and the mistrust... We must dissent because America can do better, because America has no choice but to do better.”* Thurgood Marshall

Recent discussions on race and America’s post racial society has left a silence gap in one of most debatable topics to emerge in the 21<sup>st</sup> century; that is, post racial America in the age of President Barack Obama. This debate has neither materialized nor even blossomed. Race and racism continue to be significant factors as we delve into the deep waters of race in America. As we dawn into the second phase of Obama’s presidency several important questions continue to haunt our society. Race and politics are alive and well in America and the fact that we are not living in a post racial era continues to be a major disappointment in our society. “*Can’t Legislate Morality*” coined by the late senator and presidential candidate Barry Goldwater, remains a message that is lost in today’s society. Despite the passing of several important civil rights legislations, it’s still imbedded in our conscious to discriminate against African Americans and other minority groups. The American racist mind frame cannot be changed, the idea that America in the post-Obama presidency would become the melting pot that we are constantly reminded of, and often embrace, remains a distant dream. Failure to talk about race and racism, and the failure to acknowledge that racism exists in the 21st century, is what fuels one of the most debatable topics in America, and constantly reminds us that race and racism are alive and well.

### Historical Context

No other time in our country’s great history has an idea of a post racial society caught the eye of many Americans. Many argue the emergence of an African American candidate has fueled the debate regarding where the politics of race fit in America. As Barack Obama continues his presidency but lacks any commitment to discuss race indicates that America is not ready to have a constructive dialogue on race despite the election of its first African American President. Why hasn’t America gone beyond the issue of Race? Well, the history of America has been closely pegged with racism and discrimination against African Americans. It’s an issue the founding fathers struggled to address in the early stage of this great nation and, as a result, it has continued to haunt our society during slavery, Jim Crow’s segregation, the civil rights movement and modern day legalized and systematic racism.

In the 21<sup>st</sup> century there are still many facets of oppression that exist and are prevalent in American society. Since the inception of America, the house of democracy has been plagued with cracks of racism and discrimination against African Americans and women, during the last 300 years, we have made little attempts to fix these cracks and as a result, we have struggled with defective a foundation. Thus, here lies the problem of why race still matters in America. Many Americans refuse to come to terms that the history of the African Americans is a struggle against racism and oppression in a country that still today refuses to neither acknowledge nor apologize for its wrongdoing. Any discussion of race among white Americans illicit a very cautious and complicated reaction, many of whom often shy away from any constructive dialogue. Many Americans refuse to acknowledge that racism is a societal problem which can be only resolved by having more open dialogue on race and discussion about diversity in America. Only conversations conversations about the truth, the need for reconciliation and America's acknowledgment of its wrongdoing can lead to a more racially tolerant country where the American dream can be enjoyed by all despite their race or color.

As we all looked on January 2009, when much of the world watched the swearing in of the first African American president into office, the idea that America was willing to put its ugly past behind and move towards a post racial society becoming a more tolerable nation where Dr. Martin L. King's dream would be fulfilled, enlightened all of us. Our increased expectations that America would transcend race and that both white and black racial attitude would undergo a fundamental change has not come to fruition. The presence of the first African American president and the first family has NOT alleviated racial stereotypes nor have they engaged in any constructive dialogue on race and racism in America.

Some fifty years after the monumental Civil Rights Act of 1964, America continues to grapple with the issue of race, why is it still an important element in our society, why has race continue to define us and take away the best of who we are as Americans? Recent events in Ferguson, MO and in New York City have left many questions that continue to haunt our society: community policing, trust in law enforcement, but more so the continuing significance of race in America. The recent riots that surrounded the death of Michael Brown and Eric Garner have continued to open the debates about the discussions on race, policing and America's post racial society. This issue of race is a topic that America has struggled to confront and refused to come to terms with. The election of President Barack Obama has called into question many people's view of the salience of race in American culture.

A recent Gallup poll, dated July 17, 2013, looked at Racial and Ethnic Relations in U.S. The poll found that, when asked, "*Do you think that race relations between whites and blacks will always be a problem?*" Some 40% of Americans said that race and black-white relations will always be a problem in the United States. Comparatively, in another survey conducted by Gallup poll in 1964, the same question was posed to Americans. Some 42% believed that race and black-white relations will always be a problem in the United States.<sup>1</sup> This illustrates clearly that very little if any progress has occurred in the last fifty years when it comes to race relations as we enter into the 21<sup>st</sup> century.

Vice President Hubert Humphrey once remarked that the passage of the Civil Rights Act of 1964 was America's greatest *FOREIGN POLICY*, letting the rest of the world know that our commitment towards peace, equality and justice for African Americans and other minority communities would be the cornerstone of America. Civil Rights remain the pinnacle of debates, protecting rights for all Americans, regardless of color, and defending rights against discrimination have long been important issue for African Americans.

The Civil Rights Act of 1964, arguably one of the most important pieces of legislation in our country's history, ensured that legal barriers be torn down; which, theoretically, should eliminate barriers of discrimination against African Americans, women and other minority groups in our society. Despite this law, today many groups including Hispanics, Asian-Americans, women, individuals with disabilities, gays, homeless, and other minorities are challenging our government for basic civil rights. Attacks on affirmative action, civil liberties, immigration watch groups and other legislation has in many ways questioned our government's commitment to protect and guarantee civil rights in times of need. Some 50 years later after the passage of the Civil Rights Act of 1964, has our government defaulted on that promise? African Americans and other minority groups remain one of the most underrepresented communities in schools, the workforce and other sectors in American society. The idea of Americans living in a post racial society where all races are guaranteed the benefits of the American dream and a society where race and racism no longer exists have almost disappeared in many minority communities.

## Where Are We?

Gone are the days when former Alabama' Governor George C. Wallace, who famously preached, "*Segregation now! Segregation tomorrow! Segregation forever!*" to resounding applause, in 1963. Gone are the days when the "Whites only" and "Colored" signs have lurked over water fountains, bathrooms, and restaurant counters. As we enter the 21st-century silent and not overt? Segregation exists in our school systems, employment, poverty, healthcare, prison system, immigrant communities, and other sectors of societies. It also permeates our society in ways we don't even realize. As a result we must critically evaluate the the legacy of the civil rights movement. This main goal was primarily for advancing the opportunities of African Americans, guaranteeing their constitutional rights, eradicating legalized and systematic racism in Jim Crow south and more so the leveling of the playing field for everyone in America.

Yet as we acknowledge the 50<sup>th</sup> Anniversary of the Civil Rights Act of 1964, the question still remains; how far has America moved beyond the issue of race since the civil rights movement? How would Dr. King view the struggle today? Would he be happy, disappointed or would he be outraged at the status of African Americans and other minority groups? This controversial question can be only answered by looking at some disturbing facts in poverty, healthcare, the criminal justice system, education and other facets of society where race continues to play an important role. Would Dr. King be appalled to find out the current situation of African Americans has not improved to the standards which we all hoped would exist in today's society?

## Education

The landmark Supreme Court case of Brown v. Board of Education in 1954 established that the state laws that had created separate public schools for African American and white students were unconstitutional and would no longer be part of American society, thus ending racial segregation in public schools. This decision overturned the 1896 ruling on Plessy v. Ferguson, which had upheld the state laws requiring racial segregation as long as the facilities were "*separate but equal*". "*Separate but equal*" was built on notions of white supremacy, which provided legal justification for "Jim Crow" laws that required separate accommodations for whites and blacks in many U.S. states and cities, laws that continued right into the 1960s. The Brown decision was supposed to end segregation within the American public schools system and ultimately lead to the destruction of racial discrimination in other areas of American life. The idea of an integrated education society where all colors can become one and enjoy the benefits of this great nation remains lost and continues to be embedded into the notion of race based education.

Despite the legalized eradication of school segregation, Harvard University's Civil Rights Project reported that schools today are more segregated than they were in past. The report shows that U.S. schools are becoming more segregated in all regions for both African American and Latino students. The Civil Rights Project also reported that we are celebrating a victory over segregation at a time when schools across the nation are becoming increasingly segregated.<sup>ii</sup>

Some fifty years after the March on Washington and the Brown v Board of Education decision, 76% of African Americans attend segregated schools according to The Civil Rights Project at UCLA, which reported that "*across the country, 43 percent of Latinos and 38 percent of blacks attend schools where fewer than 10 percent of their classmates are whites.*"<sup>iii</sup> The Civil Rights Project at UCLA also reported that more than one in seven black and Latino students attend schools where less than 1 percent of their classmates are white. According to a New York Times article by N.R. Kleinfield in the 2009-10 school year, half of New York City's public schools were 90 percent black and Hispanic. Progress has been limited since the days of the Little Rock 9 and the quality of education depends on the zip code that you live in; white suburban students remain ever more isolated from interactions with students of other races and classes.<sup>iv</sup>

Segregation of Latino students are most pronounced in California, New York and Texas, while in some states, inner city schools are mostly black or brown. The most segregated cities for blacks include Atlanta, Chicago, Detroit, Houston, Philadelphia and Washington. D.C. Gary Orfield, Director of the Civil Rights Project at UCLA indicated that "*Extreme segregation is becoming more common.*"<sup>v</sup>

According to Professors Feagin and Barnett, “...despite the positive effects in education and other areas resulting from the Court’s *Brown* decision, the decision has by no means been successful in dismantling institutionalized racism in American education”. They note that, “although schools may be officially desegregated, they nevertheless remain effectively segregated due to the following: discrimination in schools by administrators, teachers, and students; racial bias in school curriculum; the separation of students into different ability tracks reflecting racial, class, and gender stratification; and the use of standardized testing that contains significant racial and class bias.”<sup>vi</sup>

According to author Gene A. Budig’s “*No simple answers to racial inequality*,” educational achievement in 2010 is important not only unto itself but also because it directly relates to levels of health, employment, income and civic engagement. Average public high school graduation rates for whites are 83%; for blacks 66.1% and Hispanics 71.4%. Low-income, Hispanic and African-American students are more likely to need remediation than their wealthier, white peers (41% of Hispanic students and 42% of African-American students require remediation, compared to 31% of white students.) The percentage of 25 to 29-year-olds who have a bachelor’s degree is 39% for whites, 20% for blacks, and 13% for Hispanics. The study also indicates that National Assessment of Student Progress score gaps between blacks and whites in mathematics and reading have not changed in 20 years. Schools are becoming more segregated: Approximately 4% of black and Hispanic students attend schools that are more than 90% minority, up from less than a third in 1988.<sup>vii</sup>

This continued racial inequality in educational opportunities can be attributed to a number of factors: (1) underperforming, poorly financed schools characterized by low quality of teaching, large class sizes, and inadequate facilities that perpetuate underachievement by minority students; (2) school assignment policies that promote segregation; (3) school district boundaries that are coterminous with town boundaries and local land use, zoning, and taxation powers; (4) systems of ability grouping and tracking that consistently retain or place minority students in lower level classes with less exposure to curriculum that builds critical analytical skills; (5) failure to counteract differences in parental income and educational attainment—factors that impact a child’s development and which often correlate with race; and (6) lower teacher and administrator expectations of minority students.<sup>viii</sup> Furthermore the issue of race, racism and education is exacerbated by white flight, defector racial segregation. In fact, education for whites, black and brown students depends on the zip codes they live in.

Today, the average white child attends a school where 77 percent of the other students are white. The average black student attends a high school where only 30 percent of the other students are White. For example, in New York State, 60 percent of all Black students, including those in New York City, attend schools that are at least 90 percent Black. Nationally, 76 percent of Latinos attend predominantly minority schools.<sup>ix</sup> This increased segregation is problematic for a number of reasons, racially segregated minority schools tend to have dramatically fewer resources and employ less experienced teachers. These disparate educational resources lead to larger class sizes, substandard facilities, lower per pupil spending, and fewer counseling services. Furthermore, segregated minority schools are more likely to be housed in high-poverty neighborhoods that have high crime rates and limited access to community resources that enhance learning and development.<sup>x</sup>

The implementation of Brown v. Board of Education remains one of the most disappointing policies in America’s civil rights history and continues to perpetuate why race still matters in America. Education has become the civil rights issue of the 21<sup>st</sup> century. Why is there such a huge educational disparity among white suburban, and inner city black and brown students? Does Race Matter?

### **Poverty**

Some fifty years ago, President Lyndon B. Johnson declared “*War on Poverty*” making poverty in America one of his top priorities during his tenure. Not only raising awareness of poverty in black, brown and white communities, but ensuring that government programs, head starts, food stamps would help reduce poverty and assist America’s poor. Yet despite his great intention to raise this issue of poverty, some 50 years after Dr. Martin L. King’s poor people’s campaign, poverty continues to be the cancer that threatens our society and remains a significant factor in black and brown communities. One of the most promising hopes of Dr. King was the equal opportunity for blacks to share in the nation’s economic prosperity; his transition from civil rights to human rights reminds us of his commitment towards equality for all in America despite what racial background we belong to.

As Dr. King reminded us in his I Have a Dream Speech “*the promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation.*”<sup>xi</sup>

Some fifty years after the march on Washington, African Americans and other minority groups lag far behind their white counterparts in enjoying the America’s economic pie and the American dream.

According to the US Census Bureau 2011 report on Poverty in America, the poverty rate for all African Americans in 2011 was 28.1%, which is an increase from 25.5% in 2005. The report indicated that the poverty rate increased between 2005 and 2011 for every demographic of African American families. In fact black families with children under 18 headed by a single mother have the highest rate of poverty at 46.5% compared to only 8.6% percent of married-couple black families.<sup>xii</sup> In 2012, the Census Bureau reported that the poverty rate was 27.2 percent among African Americans and 25.6 percent among Hispanics. For non-Hispanic whites, the 2012 poverty rate was 9.7 percent. For Asians, it was 11.7 percent.<sup>xiii</sup> The 2013 Census report indicates the numbers have not improved among the races. America continues to see a sharp racial divide in the crisis of poverty.

According to the New York Times article “No racial or ethnic group experienced significant changes in income, but that left the gap between Asians, at the top, and blacks, at the bottom, as wide as before”. The median income for Asian households was \$68,600. For non-Hispanic whites, it was about \$57,000, while the typical Hispanic household had an income of \$39,000, and blacks were at \$33,300.<sup>xiv</sup>

According to a study by Shapiro and Sullivan between 1984 and 2007, the wealth gap between Whites and Blacks nationally increased fourfold from \$20,000 to \$95,000. In 2007, the average white family had 20 times the wealth of the average black family.<sup>xv</sup> While the Great Recession amplified the gap, much of the income disparity was due to intergenerational wealth through inheritance, social networks, the down payment on a home, the ability to pay for college tuition, etc. The emergence of a successful black middle class, the small but powerful African American middle class that has enjoyed the fruits of its hard work and investments, like its white counterpart, must be acknowledged. Despite this amazing class mobility, many African Americans continue to lag far behind the other races. According to the Urban Institute, a non-partisan research organization, blacks have poverty rates almost three times as high as whites. What is more disturbing is the poverty rate among young African Americans. According to the 2012 Census Bureau Report, over one-third of black children are living in poverty today (37.9%). This is the highest of all race groups, and this sharp upward trend has continued. In fact, reports have suggested that many young African Americans children are living in economic conditions equivalent to that of third world countries.

Economic empowerments of the ethnic races in the 21<sup>st</sup> century, legalized and systematic discrimination and access to opportunities all continue to hamper the dream of economic prosperity among the minority groups.

### **The Criminal Justice System**

One of the best kept secrets is our nation’s race-based criminal justice system. People of color continue to be disproportionately profiled, incarcerated, and sentenced to death at significantly higher rates than their white counterparts, usually for the same crimes. Not only are more people of color locked away but, as a result, civil rights to vote, obtain college financial aid, and job opportunities are diminished and continue to plague minority communities in the 21<sup>st</sup> century. In light of these disparities, it is imperative that criminal-justice reform evolves as the civil rights issue of the 21<sup>st</sup> century. According to the Sentencing Project’s Reducing Racial Disparity “*So long as racism exists within society at large, it will be found within the criminal justice system. Racism fuels the overt bias which can show in the language, attitudes, conduct, assumptions, strategies and policies of criminal justice agencies. Instances of overt bias can lead in turn to the improper use of discretion among actors in the criminal justice system.*”<sup>xvi</sup> Despite the fact that whites engage in drug offenses and criminal activities at a higher rate than African-Americans, the incarceration rates between African Americans and white at a rate that is 10 times greater than that of whites.

The Center for American Progress report in 2012 outlines several facts about the criminal justice system, civil rights and minority’s communities:

1. While people of color make up about 30 percent of the United States' population, they account for 60 percent of those imprisoned. The prison population grew by 700 percent from 1970 to 2005, a rate that is outpacing crime and population rates. The incarceration rates disproportionately impact men of color: 1 in every 15 African American men and 1 in every 36 Hispanic men are incarcerated in comparison to 1 in every 106 white men.
2. According to the Bureau of Justice Statistics, one in three black men can expect to go to prison in their lifetime. Individuals of color have a disproportionate number of encounters with law enforcement, indicating that racial profiling continues to be a problem. A report by the Department of Justice found that blacks and Hispanics were approximately three times more likely to be searched during a traffic stop than white motorists. African Americans were twice as likely to be arrested and almost four times as likely to experience the use of force during encounters with the police.
3. Students of color face harsher punishments in school than their white peers, leading to a higher number of youth of color incarcerated. Black and Hispanic students represent more than 70 percent of those involved in school-related arrests or referrals to law enforcement. Currently, African Americans make up two-fifths and Hispanics one-fifth of confined youth today.
4. According to recent data by the Department of Education, African American students are arrested far more often than their white classmates. The data showed that 96,000 students were arrested and 242,000 referred to law enforcement by schools during the 2009-10 school year. Of those students, black and Hispanic students made up more than 70 percent of arrested or referred students. Harsh school punishments, from suspensions to arrests, have led to high numbers of youth of color coming into contact with the juvenile-justice system and at an earlier age.
5. Once convicted, black offenders receive longer sentences compared to white offenders. The U.S. Sentencing Commission stated that in the federal system black offenders receive sentences that are 10 percent longer than white offenders for the same crimes. The Sentencing Project reports that African Americans are 21 percent more likely to receive mandatory-minimum sentences than white defendants and are 20 percent more likely to be sentenced to prison.
6. Voter laws that prohibit people with felony convictions to vote disproportionately impact men of color. An estimated 5.3 million Americans are denied the right to vote based on a past felony conviction. Felony disenfranchisement is exaggerated by racial disparities in the criminal-justice system, ultimately denying 13 percent of African American men the right to vote. Felony-disenfranchisement policies have led to 11 states denying the right to vote to more than 10 percent of their African American population.<sup>xvii</sup>

It is generally agreed that discrimination based on racial or ethnic origin is morally wrong and a violation of the principle of equality. The equality principle requires that those who are equal be treated equally based on similarities, and that race not be a relevant consideration in that assessment (*May and Sharratt 1994: 317.*) The report shows a number of biases in our criminal justice system that one can only conclude that RACE continue to define the role of our criminal justice system in the 21<sup>st</sup> century. According to Michael Sclafani's *Civil Rights in Present Day America*, "In the year 2010 there were 220,700 black individuals that were incarcerated for some reason, compared to 38,000 white people during the same year."<sup>xviii</sup> These numbers are astounding compared to the entire population of African Americans in the country. With these statistics you would never think that this big of a gap would exist in the number of people who are incarcerated during the year. There is a difference of 182,700 blacks compared to whites in prison, which shows that the rate of African Americans being incarcerated is exponentially higher than the rate of white American incarcerations in society. All these statistics on African American incarcerations show that there is a major difference between African Americans being arrested and imprisoned compared to other races.

According to the Sentencing Project in 2013 report, "One in every three black males born today can expect to go to prison at some point in their life, compared with one in every six Latino males, and one in every 17 white males, if current incarceration trends continue."<sup>xix</sup> The report shows the staggering racial disparities that permeate the American criminal justice system and concluded that "Racial minorities are more likely than white Americans to be arrested," the report explains. "Once arrested, they are more likely to be convicted; and once convicted; they are more likely to face stiff sentences." The report also cites, "The disparities don't end with arrests. Because blacks and Latinos are generally poorer than whites, they are more likely to rely on court-appointed public defenders, who tend to work for agencies that are underfunded and understaffed. What is more alarming is the criminal justice system war on drugs and minority incarceration rates.

Also, “Racial disparities within the justice system have been exacerbated by the war on drugs. The drug war led the country’s population of incarcerated drug offenders to soar from 42,000 in 1980 to nearly half a million in 2007. From 1999 to 2005, African Americans constituted about 13 percent of drug users, but they made up about 46 percent of those convicted for drug offenses.”<sup>xx</sup>

Whatever the arguments are, there is a direct connection to race, racism and our criminal justice system and the underlying issue remains that race continues to play an important part in all public policy implementation. Not only in poverty, education and criminal justice, but in so many other facets of American society, race continues to define who we are as Americans and takes away the best of what we can become.

## Conclusion

America truly has come a long way in the last 50 years. The hard work and dedication of Dr. King and other civil rights leaders, activists and common citizens have attempted to level the playing field for African Americans, women, GLBT, Hispanics, Native Americans and others considerably. The election of our first African American president has made great strides towards a racially harmonious society, where we respect all contributions to our great country. We should be very proud of these accomplishments, civil rights gains; but it is also important that we do not become complacent with that progress.

In the Kerner Report that represented the findings of an official government commission that studied the reasons behind the urban riots the major conclusion was that “*America is still two nations: one white and one black*” in 1969, where are we today in 2015?

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