

20. The invisible hands of racial inequality in the USA

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This contribution explores how institutional practices perpetuate racial inequality in the United States of America. It explores how hidden mechanisms – which are on the surface thought to be ‘race neutral’ – actually produce racially unbalanced outcomes that privilege white people and disadvantage black people and other stigmatized minorities. The author calls for looking beyond the conscious and unconscious racial bias of individuals to consider how institutional practices and rules continue to perpetuate racial inequality, even without the backing of state-sanctioned racial discrimination.

Although state-approved racial discrimination has been outlawed, and anti-black public attitudes have decreased for more than half a century, racial inequality remains a key feature of overall inequality in the USA. Unrestricted market forces have deepened income and wealth inequality worldwide, and those forces, together with hidden institutional practices, have accelerated and intensified deep-seated racial inequality in US society.

For more than a century, democratization has been making US society more politically equal for black people and other minorities. Most black people were not allowed to vote and were openly discriminated against in employment, housing and access to public spaces until the 1960s. Reforms carried through then brought legal protection that advanced the social and economic opportunities of black people and other racial minorities. The state introduced laws that protected voting rights, and established anti-discrimination legislation to eliminate racial bias in education, employment and housing. But despite these reforms, racial inequality has persisted for half a century. It might even have become worse, despite anti-discrimination laws, better access to education for minorities, and the incorporation of black people and other minorities into the political mainstream.

A large gap – in education, income, wealth, health and justice – persists particularly between white and black Americans, whose history of slavery, legalized segregation and state-approved terror partly accounts for their ongoing stigmatized status in society. These disparities have largely remained the same over the

years, or have sharpened, especially since the 2008 recession. For decades, the rate of black unemployment has been twice or nearly twice that for the white population, and black people are overrepresented among the underemployed and workers who have given up seeking work, believing they have no prospects for attaining stable or viable employment. And a small though significant gap in unemployment persists between college educated black and white people.

The racial gap is especially acute when it comes to income and wealth. Although inflation-adjusted wages have decreased for all US workers, the disparity in incomes between black and white households has been remarkably stable over the past forty years (Desilver, 2013). Today, the black median household income is roughly 60 per cent of the white median household income, a figure that has changed little since 1967. Net worth, a measure of wealth, is thirteen times bigger for white people than for black people, a gap that has grown since the early 1990s and accelerated since the end of the Great Recession (Kochhar and Fry, 2014).

Perhaps the most critical disparity, one with social as well as economic implications for minority communities, is the wide gap in incarceration rates across race.

The US criminal justice system has a higher proportion of incarcerated individuals than any other advanced industrial nation, with 2.2 million people in federal, state and local prisons and jails (The Sentencing Project, 2013). Black and Hispanic people make up a quarter of the population, but represent nearly 60 per cent of all incarcerated people.

To understand the persistence of racial inequality in the absence of state-approved discrimination, we have to unravel everyday social practices which seem 'race neutral' but which produce racially unequal outcomes (Harris and Lieberman, 2015). Invisible practices, understood as hidden mechanisms that sustain and perpetuate racial inequality, are vast and cannot really be pinpointed. They are embedded in economic, social and political institutions, and are largely overlooked as enablers of racial bias because they do not explicitly reveal how they advantage white people and disadvantage black people and other stigmatized minorities. The bias operates in several institutional domains, such as education, criminal justice, consumer markets, employment and housing.

One set of institutions where the invisible hands of racial inequality operate in various ways is the criminal justice system. For example, the mechanism of federal sentencing rules has contributed to the wide racial disparity in incarceration. Mandatory sentencing requirements have specified longer sentences for using and distributing crack cocaine, a cheaper form of cocaine circulated in black and poor communities, than for powder cocaine, a more expensive form of cocaine used more often in whiter and more affluent communities.

This discrepancy – which was narrowed in 2010 but has not been eliminated – has for over twenty years sent hundreds of thousands of black and Latino people to prison to serve long sentences for non-violent offences. On average, black non-violent offenders have served just as much time in prison as white offenders convicted for violent crimes (The Sentencing Project, 2013). These sentencing requirements have further disadvantaged communities by weakening families, increasing the probability that the children of the incarcerated will engage in criminal behaviour, and by stigmatizing ex-offenders who attempt to re-enter society after serving their terms.

In many ways, ex-offenders become second-class citizens (Alexander, 2012). They are denied government-subsidized housing and education grants and loans to pursue higher education. Employment applications ask job seekers whether they have ever been convicted of a felony. This practice lowers the chances of ex-offenders being interviewed for jobs, as those who check the felon box are usually eliminated as serious applicants.

The stigma of being an ex-offender also weighs more heavily on black ex-offenders than on their white counterparts. As researchers have shown, black men with a high school education and without criminal records are less likely to be called back for a job interview than similarly educated white men with criminal records, which gives black ex-offenders virtually no chance of being employed (Pager, 2009).

These invisible practices may not have been intentionally designed to adversely affect black and Latino people. But they perpetuate racial inequality by lessening the employment opportunities of ex-offenders, thereby increasing the probability that ex-offenders will return to a life of crime and imprisonment. Institutional practices also protect racially biased and unconsciously biased police officers who use police brutality against people of colour. Union rules in some police departments allow officers to avoid speaking to investigators for days, and sometimes weeks, after they have been accused of misconduct. This gives biased and corrupt officers time to have their version of events match the physical evidence from investigations of misconduct. In many police jurisdictions across the USA, prosecutors, who are elected by voters, are reluctant to charge police officers accused of misconduct. Prosecutors work closely with the police in criminal investigations, and face pressure from officers to not send brutality cases to a grand jury, a procedural judicial process that decides, via a panel of citizens, whether individuals should be indicted for a crime. It is extremely rare that police officers are indicted in cases before grand juries, and when they are they tend not to be convicted.

The invisible hands of inequality may be more difficult to uproot than the old regime of legalized racial discrimination that marked out the USA as a racist state alongside apartheid South Africa and fascist Germany. Since the effects of racially infected institutional practices are far less visible, the 'race-neutral' mechanisms of bias, and future inventions that may replace them, will continue to perpetuate racially unequal outcomes in a society where many people erroneously believe the USA to be a 'post-racial' nation.

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