Introduction

Understanding the Racial Paradigm

“You may think you are seeing some new [stuff] out here but this ain’t nothing but a rerun to me.”
—The character Melvin, played by Ving Rhames in the Columbia Pictures/John Singleton film Baby Boy, 2001

From 1619, when the first blacks arrived in the Jamestown, Virginia, settlement, racial inequality was imposed through law and maintained by practices. In a long history of racial oppression motivated by white desires for economic exploitation and justified by false perceptions of inferiority, blacks were enslaved until 1865, were separated and victimized by law until 1954, and are separated and victimized by practice still, even when the president of the United States, the highest political official under the American constitutional democracy, is black.

What Does It All Mean?

At approximately 10:05 p.m., November 4, 2008, television news stations announced that Barack Obama had been elected president. I was watching the election returns in the National Press Club in Washington, DC, surrounded by friends, members of the media, campaign volunteers, and political junkies. Most of those in attendance were jubilant at the news, slapping five, hugging, shouting, and dancing. As I ventured outside onto the Washington streets on a particularly warm November night, the celebratory festivities continued, the sidewalks crowded with people of different races congratulating one another on the historic election of the first black president. People on the streets seemed excessively friendly with
strangers, greeting them as if they had been lifelong acquaintances, asking over and over, “Can you believe we finally did it?”

It was exactly the same when I witnessed whites and blacks in Johannesburg, South Africa, in 1994, as Nelson Mandela campaigned to become the first black president of the Republic of South Africa. The image of achieving a long-term goal, in both settings, galvanized our notions of reconciliation and provided a springboard toward new social interaction. As I drove home late on the night that Obama was elected president, contemplating the day’s momentous events, I began to ponder what it all meant, to me personally, to blacks specifically, and for Americans generally. With respect to racial equality, would my life, would black people’s lives, would the lives of whites be significantly different because a black had been elected to the highest political office? Yes, blacks had been brought to America as slaves; yes, blacks had been terrorized after the Civil War and denied political rights; and yes, blacks had been segregated by law in housing, education, and social activities throughout the first half of the 20th century. But now, at long last, a black had ascended to the most powerful government position. Surely, that would change the perception that Chief Justice Roger Taney referred to in 1857, that blacks were identified in the public mind with the slave population rather than the free population. Yet, as I drove along those same streets that U.S. presidents travel on inaugural day, I questioned whether this historic election would bring monumental change. In 1872, Ulysses Grant was elected president in a landslide on a radical Republican platform that primarily involved a commitment to black equality. Yet, less than fifteen years later, that commitment had completely vanished, and with it all hope for just treatment. As I continued driving along the inaugural route, I kept wondering if this election would be different or merely a rerun of 1872. The euphoria that comes with hope for change can be short-lived. Meaningful change requires concerted work, over many years.

With the election of Barack Obama, many conservative academics have suggested that America has entered a post-racial period. For example, John McWhorter reasons that “racism is not black people’s main problem anymore. To say that is like saying the earth is flat. Are there racists? Yes. But not enough to keep a black family out of the White House.”

McWhorter expressed the view that minorities have made so much progress since the civil rights movement of the late 1950s and early 1960s that blacks should stop blaming discrimination as the primary cause of their lack of success. He reasons that America has entered a new period
of race relations in which one's race ceases to be a significant factor in opportunities and obstacles to success. McWhorter and I can disagree as to whether racism remains a serious obstacle to black success, yet racial discrimination significantly impacts all blacks, both the successful and the unsuccessful. There are many aspects of racism. For example, there is racism in the criminal justice system that results in racial profiling of all blacks. There is tipping-point bigotry in the housing market that stigmatizes all blacks when residential real estate is being purchased, and there is racism in perceptions of intellect and character irrespective of socioeconomic status.

Today's racial dynamic not only negatively impacts blacks; it also positively impacts whites. It involves overvaluing the presence of whites in schools, neighborhoods, and employment. Perhaps liberal television commentator Stephen Colbert demonstrated it best with his blind black character who is convinced he is white because of the way he is treated by police who call him “sir.”

Richard Ford characterizes current racial inequality as “racism without racists” because the inequities are the result of history, not current bias. While I agree with Ford that our history reflects serious racial discrimination, I question any assertion that racial biases do not significantly impact the lives of most blacks in America today. The results of a 2008 study, published in Du Bois Review: Social Science Research on Race, demonstrate how racial bias continues to shape the perceptions of many Americans. For example, academics examined representative households in Chicago and Detroit. Subjects were provided a computer monitor and asked to view pictures depicting different neighborhoods. While the neighborhoods remained constant, the pictures were altered to manipulate their racial composition to show either whites or blacks living in the neighborhood. Lawrence Bobo explained the study’s implication of racial bias:

The results clearly show that whites rated the neighborhood much more favorably when whites dominated the make-up. And the more negative the stereotypes a white individual held of [blacks] generally, the more likely they were to negatively rate the identical neighborhood with a visible black presence. . . . Sadly, it was the race cues that mattered, not the class cues.

Over the past four centuries Americans developed a way of thinking about race—a paradigm by which we perceive our society. The racial paradigm in
America is the framework of mental concepts by which whites and blacks perceive and interact with one another, and it consists of three interacting, mutually reinforcing components. The first is the misguided belief in both white superiority and black inferiority. The second is the practice of separating blacks from the rest of the American community. The final piece is the continuing victimization of blacks, both by whites and by blacks themselves, through overt and covert practices including race-neutral laws and policies that have a disproportionate negative impact on blacks. This book explores the systematic formation of the paradigm and how it persists today, and it offers resolution to finally move America beyond race.

White superiority refers to the attitude that is expressed in law and private actions under which whites are treated better than others simply because they are white. This must be considered as a distinct problem from the related problem of black inferiority, the attitude expressed in law and private actions whereby blacks are treated worse than others simply because they are black.

The subtle, but important, difference was exposed by the famous doll experiments relied on by the Supreme Court in *Brown* to prove the negative impact of segregation on black children. Scientifically conducted tests revealed that, given a choice, black children consistently preferred to play with white dolls over black dolls, and consistently characterized the white dolls as “good” and “beautiful” and the black dolls as “bad” and “ugly.” The patterns of association were so highly consistent that they indicated an ongoing mental construct of inferiority. The doll study revealed that what the black children observed and felt on a daily basis, in the environment of school segregation, had a profoundly damaging effect on their self-image.

In finding that separate was inherently unequal by focusing on the associations made by the black children, the Supreme Court in *Brown* made a bold move forward, but an incomplete one. The Court focused on the negative impact of Jim Crow segregation on the psyche of black children, but this landmark decision failed to address the other side of the issue. It failed to identify the problem in the “other classroom,” the impact such segregation had on the psyches of white children. Studies revealed that white children of the same age group also preferred the white doll. Segregation fostered two psyches in America: a feeling of inferiority among blacks and a feeling of superiority among whites. These two effects maintained the deep-rooted racial divide, which is still seen today. The concepts are connected: practices that separate blacks from the rest of society, such as legal and extralegal segregation, foster notions of both black inferiority
and white superiority. No matter how often blacks proclaim that “black is beautiful” and support black empowerment initiatives, fundamental fairness in opportunities will not exist without an equal embrace of such concepts by whites as well.

Many young whites now embrace the hip hop culture through purchases of music, fashion, and other products created, developed, and owned by black entrepreneurs. This empowerment is a positive step in reducing notions of racial hierarchy, yet it is vastly incomplete. Such black empowerment must extend throughout society through more than just a segment of the music and fashion industries. It must be extended to other segments of the economic arena as well as to the educational, employment, housing, and political arenas.

Up until the civil rights movement of the 1950s and ‘60s, racial isolation was enforced by Jim Crow segregation laws that mandated the separation of blacks in every form of social activity. Today, this isolation is maintained by a wide range of private practices, such as tipping-point bigotry in housing actions whereby whites flee from racially integrated neighborhoods. This is also known as “white flight.” Housing separation leads to educational separation in which many black schoolchildren in America attend schools that are predominantly black. The funding of public education through local property taxes exacerbates hierarchy notions as most predominantly black schools are significantly underfunded in comparison to predominantly white schools. Even in integrated schools, tracking programs preserve black separation and racial hierarchy by placing most black students in non-college-bound classes while many more white students are placed in college-preparatory programs.

Isolation permits perceptions of white superiority and black inferiority to continue, as there is little opportunity, especially for children, to meet and interact with people who can defeat historic stereotypes. Moreover, the separation makes it easier for blacks to be victimized.

The victimization of blacks can occur through direct discrimination, such as racial profiling or blatant racist decisions, and also through seemingly race-neutral practices. For example, drug laws, like crack cocaine versus powder cocaine sentencing guidelines, disproportionally impact blacks, resulting in excessive incarceration rates. Voter identification laws disproportionally impact blacks, resulting in suppression of the black vote. The victimization of blacks can also be self-inflicted, however. It can be seen in black-on-black crime, perpetrated because it is easier to get away with and may carry less severe consequences if one is caught. It can also be
witnessed in self-destructive practices such as failure to value education, a trend that reduces opportunities for economic advancement.

The victimization of blacks leads to a society where black excellence is muted and undervalued. This, in turn, strengthens the false perceptions of racial hierarchy. Moreover, many whites rely on these strengthened perceptions of black inferiority as justification for further isolating themselves from blacks.

Today’s complex matrix of racial inequality evolved over four centuries. We cannot understand the complexities of these problems without knowing the laws that sanctioned them and the societal practices that maintained them. Today’s inequality is not a natural consequence of human behavior but the result of systematically limited choices based upon racially discriminatory laws of the past and policies and practices of the present.35

While most conservatives acknowledge the racism of our past, they often suggest that the problem of racism has passed. History will show that, indeed, our thinking and laws as a society have evolved. Slavery and Jim Crow segregation are prohibited, discrimination in many aspects of life has been outlawed, and many people are willing to accept people of different races as individuals, not simply as members of stereotyped groups. Nonetheless, many racial presumptions of the past continue to be embraced by far too many. Moreover, the lingering effects of our racial paradigm continue to harm blacks and society as a whole. We look to the past in order to help us figure out a better future.

Desires for economic exploitation that fueled false notions of racial hierarchy when blacks first arrived in American colonies were enhanced in laws and cases for the next four centuries. The Reconstruction Amendments in 1865, 1868, and 1870, Brown 26 in 1954, and civil rights antidiscrimination laws in the 1960s led to some gains but did little to destroy false notions of racial hierarchy or to reduce black separation. This failure fueled black victimization and further strengthened the racial divide, creating the monster of our race problem today.

“We’re Voting for the Nigger”

Almost four centuries after the initial arrival of blacks, in the 2008 Pennsylvania Democratic presidential primary, a campaign canvasser for Barack Obama knocked on the door of a house in Washington, Pennsylvania, and
asked the white woman there whom she was voting for. After consultation with her husband, she responded, “We’re voting for the nigger.”

The response of this voter reflects both the progress that has been made in racial relations and the problem that still remains. A black person can run for president, and a white person can openly use a degrading racist term to describe him. The fact that substantial numbers of whites were willing to vote for a black candidate for the highest political office suggests that racism in the political arena is decreasing. Yet, the characterization of Obama as “the nigger,” as well as other pejorative images of Obama, indicates that, for some whites, willingness to vote for a black candidate did not negate their negative views about blacks.

The reference to Obama as “the nigger” is profoundly disturbing. Not only is the term derogatory; it conveys a deep level of disrespect for blacks in general and for Obama specifically. The term is disrespectful to Obama in two ways. First, he is stripped of his personhood through the substitution of an inflammatory racial epithet for his name. Second, he is referred to by race rather than any aspect of his personality or qualifications. Instead of being described as “the senator from Illinois” or “the Democratic presidential candidate,” Obama is reduced to the term most blacks view, when it is used in a derogatory way, as the most hurtful word in the English language. Historically, when the term “nigger” was used by a white person, most blacks would perceive this as the equivalent of throwing the first punch in a fistfight.

This reference also demonstrates how the racial paradigm thrives in the 21st century. It is very unlikely that any of Obama’s political rivals would have been objectified by racial labels such as “honky” or “redneck,” but it was business as usual for racial characterizations of black candidates, even by those favorably disposed to vote for that candidate. This approach, of whites addressing blacks by a derogatory term or in a less respectful way, has a long history in the law going back as far as the 17th century. In most cases prior to the Civil War, blacks were referred to by their first names only, or with a descriptive term of “negress” or “negro,” while the full Christian name of whites was applied.

For Americans to heal the racial divide, artificial notions of hierarchy, white desires for black separation, and policies and practices victimizing blacks must be examined with a critical and objective eye. If we are to end racial inequality, it is imperative that Americans recognize how these notions, desires, policies, and practices continue to manifest themselves.
The Complexities of Race in the 21st Century

There are two vastly different ways to view American racial progress today. One is captured by the picture of those closely involved in assisting Congresswoman Gabrielle Giffords after she was shot and seriously wounded in 2011. Immediately after the shooting, the white congresswoman was comforted by her Latino legislative intern, was operated on by an Asian American surgeon, and received expressions of concern from a black president. This combination reflects the tremendous progress that has been made since the end of Jim Crow. Opportunities are available for minorities to attain success in all walks of life. There is, however, a second, less positive way to view American racial progress. This is captured by the shocking statistical evidence indicating the ever-present and widespread socioeconomic disparities between blacks and whites. Whether one focuses on the achievement gap, employment gap, income gap, or wealth gap, each is alarmingly wide today.

The 2010 United States Census results indicates that more than one out of every ten people classifies himself or herself as black. According to the census, large urban centers, including Atlanta, Houston, Detroit, Baltimore, and Washington, DC, house more blacks than whites. The population of blacks continues to increase in other cities such as Charlotte and Miami. At the present rate of growth, blacks, coupled with other minorities, will outnumber whites in some states by 2050. The increased population of nonwhites continues to have a major impact on political appointments of blacks to high-level government positions. America has seen its second black Supreme Court justice, second black secretary of state, and a black attorney general. But, most importantly, America has elected its first black president.

Many view these milestones in political representation as indicative of racial equality. Yet, despite advances over the last fifty years in educational achievement, financial success, and national leadership, there are still astonishing gaps in socioeconomic indicators that divide blacks from whites. National statistics reveal that 75% of whites graduate from high school compared to less than 60% of blacks. The median net worth of whites is ten times that of blacks, and blacks earn only 66% of what their white counterparts receive for performing the same jobs. As late as 2005, whites still accounted for 98% of CEOs and 95% of top earners in Fortune 500 companies. Twenty-five percent of blacks and 40% of black children live in poverty, compared to 8% of whites and 13% of white children.
Moreover, though blacks comprise more than 12% of the United States population, the Senate has no black members.\(^4\) Mortality rates for blacks are substantially higher than those of whites.\(^5\) Even in this modern age, blacks are more likely to be undereducated, impoverished, and politically powerless, and to die prematurely.

The causes of those racial disparities are widely debated and discussed. Conservative arguments tend to explain the root causes in terms of personal responsibility. Familiar stereotypes about intellectual, cultural, or moral failings of blacks are blamed for inequality. Some, like Charles Murray, author of *The Bell Curve*, cite genetic intellectual deficiencies in blacks.\(^6\) Amy Wax, author of *Race, Wrongs, and Remedies*,\(^7\) cites personal irresponsibility, and Juan Williams, in *Enough*, cites failed black political leadership.\(^8\) Inadequacies in the American legal process that permit or encourage false notions of white superiority and black inferiority, as well as black separation resulting in victimization, have been overlooked or diminished. Misguided judicial decisions and federal, state, and local laws have played a significant role in the development and maintenance of these erroneous views that serve to reinforce and widen this racial divide. Laws can play a role in reproducing inequality, even when no racial classifications are specified. While exercising personal responsibility may lessen the negative consequences of such laws on an individual level, black responsibility alone will not eliminate America’s racial disparities.

**America’s Racial Paradigm**

Today’s racial disparities are rooted in a long-standing paradigm dating back well before the creation of the Constitution in 1789. Discrimination and physical separation of blacks, legally and extralegally, not only has become enmeshed in our social fabric but has prevented us from eliminating racial disparities. The paradigm is one of false beliefs of white superiority at one end and black victimization at the other, created by racial hierarchy notions and sustained by physical isolation of the races. Each part of the paradigm is interdependent on the other, and if we are to destroy it, each aspect needs to be eradicated. Addressing only one part of the paradigm will not solve the problem. The causes of disparities have to be dealt with in their totality in order for America to move to true equality for all.

The erroneous white superiority concepts, created in 1619 and embedded in state and federal law before and after the Civil War, continue to
influence race-based disparities. These laws, separating blacks from whites in social activities, mandating harsher criminal punishment for blacks, and denying employment and housing opportunities to blacks, supported false notions of racial hierarchy and constrained racial progress. If we look at distinct episodes in American history, we see how progress toward racial equality is marred by periods of resistance and retreat. Colonial talk, in the latter 18th century, of building a new nation on the principles of liberty and equality meant little to the millions of blacks forced into chattel slavery. At the end of the 1800s, the promise of emancipation following the Civil War was cut short when the Supreme Court adopted a “separate but equal” theory of constitutional equality in *Plessy v. Ferguson*. Homer Plessy was arrested for riding in a “whites only” portion of a railroad car. In his 1896 case, the Supreme Court sanctioned the Louisiana state law that segregated train cars and social activities in general. In the decades following *Plessy*, weak enforcement by federal officials of antidiscrimination laws, in the face of massive resistance to desegregation initiatives by many state and local governments, allowed Jim Crow segregation to flourish. This remained true even after such behavior was ruled unconstitutional in *Brown*, in 1954. In the late 20th century, just as the civil rights movement was beginning to show results through race-conscious affirmative action programs adopted by government and private entities in school admission and employment hiring, the Supreme Court erected a myth of color-blind constitutionalism, limiting the government’s ability to redress all but the most blatant examples of discrimination.

The Court made correcting racial disparities much more difficult in a series of cases—beginning in 1974 with *Milliken v. Bradley*, in which the Court invalidated a Detroit, Michigan, area school desegregation plan, in 2003 in *Gratz v. Bollinger*, in which the Court invalidated a University of Michigan admissions program that took race into account, and in 2007 in *Parents Involved in Community Schools v. Seattle School District No. 1*, in which the Court invalidated a Seattle, Washington, school district desegregation plan. The stringent standards the Court requires for the correction of racial disparities, including a compelling reason for governmental action and a good faith effort at nonracial methods before initiation of race-conscious programs, severely limited government options designed to achieve equality. As a result, the most effective affirmative action programs were invalidated, abandoned or weakened.

Recent speculation, therefore, about the end of racism must be viewed in light of our cyclical history. The separation of blacks and whites that
occurred as a result of slavery remained through the enforcement of Jim Crow segregation. The white superiority and black inferiority notions embraced by slavery were reinforced by the denial of political rights to blacks, in the post-Reconstruction period, through various devices sanctioned by law. These devices included grandfather clauses, which mandated that blacks could not vote because their grandfathers did not vote, and literacy tests, which prevented blacks from voting because they could not read or write (activities punishable by death during slavery), or poll taxes, which denied blacks the franchise because they could not afford to pay a fee. In the 1960s, when the Voting Rights Act was passed allowing the federal government to enforce voting rights that had been previously denied to blacks by many states, the Supreme Court, through its formalistic approach to prohibiting race discrimination, prevented the government from exercising the same authority in creating black access in neighborhoods and schools. In this way, federal government antidiscrimination efforts helped blacks vote, but at the same time, Supreme Court decisions severely curtailed access to housing and education, arguably areas just as important to notions of racial hierarchy as voting had been. Thus, the paradigm remained intact. While Americans may imagine that every watershed event on racial equality is the first such occurrence, each is merely another step in a long, and often disappointing, process.

Establishing a Racially Imperfect Union

In the 1700s, the legal regime of colonial America expressly permitted one person to own another person and to have complete and unrestricted dominion over that person, including the power and ability to take that person’s life. The institution of indentured servitude that originally applied in a race-neutral way, to blacks, American Indians, and whites, had changed by the time the Constitution was ratified in 1789, into a system of race-based slavery implicitly sanctioned by that Constitution. The first two stated goals at the outset of our country’s identity-defining, foundational document were “to form a more perfect union” and “to establish justice.” Yet, for blacks, the union could be neither “more perfect” nor “just.” The original Constitution, therefore, encompassed a paradox. It sought to establish justice, and yet it recognized no rights for the black segment of the population. It sought to insure tranquility, and yet it preserved oppression. At a time when American national identity was
being articulated, one’s racial status within America determined whether the Constitution delineated or denied one’s rights.

Although there were hundreds, if not thousands, of hours of discussion and debate at the Constitutional Convention about slavery, there was no direct mention of the words “slave” or “slavery” in the Constitution until the institution was abolished, seventy-six years later. The original Constitution was an exercise in nondisclosure, intentionally sanctioning black slavery while studiously excluding the word “slavery” from the document. To assure creation of a national union, there was an overwhelming consensus that the new federal government would sanction slavery as the previous government had done. However, the framers sought the most artful method to quietly maintain black oppression. The Constitution should not patently reveal the sanctioning of an institution being increasingly morally questioned elsewhere, such as in England, where the Somersett case of 1772 opposed the practice of slavery.

While the Founding Fathers displayed tremendous courage in opposing British colonialism and oppression, those who were opposed to slavery and racial inequality demonstrated cowardice in signing a document that embraced a racial hierarchy and laid the foundation for centuries of racial inequality. The Constitution, then, codified into law the myth of white racial purity, even though many classified as “white” were of racially mixed heritage, and it subjected those deemed “black” to lifelong captivity. Over seventy-five years later, the Thirteenth, Fourteenth, and Fifteenth Amendments, adopted after the Civil War, guaranteed freedom, equality, and full citizenship to newly freed slaves, but the promise of emancipation soon collapsed in the wake of race-based segregation and discrimination designed to maintain the antebellum status quo.

By the mid-19th century, racial segregation would require a means of identifying those who were white and those who were not based solely on physical appearance. A person of mixed-race ancestry could still be considered white under the law as long as he or she bore European features. Following Reconstruction, however, increasingly restrictive racial classification laws allowed fewer mixed-race persons to “pass” for white. In 1910, Tennessee and Louisiana adopted the “one drop rule,” which classified as nonwhite any person with any nonwhite heritage at all. Labeled as the “one drop rule” because any bit of “black blood,” or nonwhite ancestry, would classify one as black, this rule became more popular after slavery ended as a way to separate more mixed-race people and prevent them from receiving benefits being afforded whites. These benefits, such as voting rights
and access to a quality public education, supplied the impetus for many individuals of mixed race who looked white to claim to be white, or “pass,” as many at the time referred to this practice.

Separating Blacks

The concept of racial separation—physically dividing blacks from whites—has played a significant role in the paradigm since its beginning. Slaves were set apart in manual labor, performing tasks that whites did not desire to perform. Slaves were set apart in housing, residing in “slave quarters” on plantations where they labored. Slaves were denied any personal rights, including education and travel, and socialized among themselves on the plantation.

When slavery ended in 1865, physical separation of blacks was maintained through Jim Crow segregation laws that separated blacks in all aspects of life just as during slavery. From birth in hospitals to burial in cemeteries, blacks were physically kept apart from whites. Jim Crow laws guaranteed the maintenance of separation in housing, education, public accommodations, and social activities.

Whereas slave status was determined by the status of one’s mother at the time of birth, after slavery, physical separation of blacks depended upon one’s racial classification. Thus, race classification became even more important to the maintenance of the racial paradigm since the “slave” designation for blacks was no longer valid. Rights and privileges that formerly were tied to free status were now tied to a white racial designation.

By 1896, when the Supreme Court issued its decision in Plessy v. Ferguson, endorsing racial separation as a federally sanctioned policy, blacks had already been separated socially, denied political rights, and terrorized by violence. Plessy established the misleadingly named “separate but equal” doctrine. In reality, the facilities provided for blacks were never close to being equivalent to those provided for whites. As other states adopted the doctrine, Plessy provided a catalyst for states to enforce segregation and inequality well beyond public accommodations. Throughout subsequent decades, a variety of state and local laws injected rigid segregation and discrimination into every area of life.

After Plessy, segregation became so pervasive that it was imposed in every possible context: California prisons, Mississippi courtroom oath Bibles, windows in government buildings with scenic views in Tennessee,
and Louisiana brothels. Florida and North Carolina even prohibited white students from reading textbooks previously used by blacks, so that white students would not have to “soil” their hands. In some cases, only blacks were separated from whites; in others, all minorities were kept separate. Sometimes minorities would be further segregated into subgroups, all depending upon where the line would best serve the racial hierarchy. Usually, the larger minority groups would be targeted. In southern states, blacks were singled out; in southwestern states, Latinos were the focus, and in Northern California, Asian Americans bore the brunt of segregation efforts. While most whites viewed Asian Americans, American Indians, and Latinos as superior to blacks, these minority groups were still characterized as inferior to whites to justify keeping them separate.

Segregation laws, though widespread, often contained exceptions that allowed black servants to accompany, or to reside with, whites. For example, on the Louisiana train where Plessy was prevented from riding in one of the designated “white cars,” black wet-nurses were welcomed. A wet-nurse could be allowed in a white car because her job openly defined her subservient role in society. The exception allowing her presence thus preserved the systematic notion of white superiority. These exceptions exemplify how segregation statutes left room for racial interaction, but only on terms that benefited whites and confirmed their alleged superiority.

Under such circumstances like the designated “white” train car in Plessy, the presence of dependent blacks could be endured because it maintained the racial hierarchy. The presence of blacks as social equals, however, was unacceptable, for it significantly undermined false notions of racial hierarchy. These two sets of rules reveal that segregation reinforced a system of white dominance. “Together if unequal” rules of dominance and subservience maintained white superiority notions just as effectively as outright separation.

The legacy of Plessy persists today, through limited racial interaction imposed by tipping-point bigotry, where whites prevent blacks from moving into a neighborhood that already has a small percentage of black residents, or policies such as school tracking programs, where black students are disproportionately placed in lower academic programs incommensurate with their academic potential. The end result, whether in 1896 or today, is the same—interaction between blacks and whites is stifled or made more difficult, even if some blacks and whites desire such interaction.
Nothing but a Rerun

In 1954, the Supreme Court ruled, in Brown, that government-mandated separate schools for whites and blacks were inherently unequal because the very act of separating the races made the black children feel inferior. The justices acknowledged that separation even in “equal” facilities was “inherently” unequal.

As school desegregation was implemented, state by state, and open manifestations of Jim Crow segregation ended, physical separation of blacks was still maintained by de facto segregation. Whites chose to flee urban areas where most blacks resided for all-white suburban areas. Schools, churches, restaurants, and all other social activities were made up only of whites because no blacks resided in the area. Physical separation of blacks was maintained through choices by whites, keeping the racial paradigm intact.

Indeed since Brown, high rates of unemployment, underachievement in school, business, and politics, high infant and adult mortality rates, and high incarceration rates have continued to plague blacks, sustaining and reinforcing false notions of black inferiority. Despite the increase in black politicians, professionals, entertainers, and executives, a racial divide continues to exist for most Americans because physical separation continues through de facto segregation. Moreover, along with policies and practices that fuel white superiority and black victimization, such as inequitable public school funding schemes, drug laws resulting in a racially disparate impact on incarceration rates for blacks, voter identification laws resulting in a racially disparate impact on voter participation rates for blacks, and political machinations like the denial of senatorial representation for the District of Columbia, perpetuate the paradigm. As a result, many black children see themselves as part of a community with higher rates of political underrepresentation, incarceration, illiteracy, unemployment, and poverty.

Unfortunately, forty years after the Kerner Commission warned that the nation was “moving toward two societies, one black, one white—separate and unequal,” America has still made no direct efforts to confront notions of racial hierarchy and isolation. While blacks no longer are made to feel inferior by overt discriminatory laws, too many whites choose to live, attend school, work, worship, and socialize in all-white, or predominantly white, environments. With few exceptions, whites tend to avoid
black-dominated activities, communities, and institutions. As in the past, today the same messages of black inferiority and white superiority are being sent by whites who still desire isolation. Exacerbating this problem is the fact that many blacks, now able to live in integrated environments, choose to self-segregate as well. By limiting their contact with whites, these blacks also inhibit their own opportunities. Segregation is harmful whether it is externally imposed or self-inflicted. At the same time, some blacks exacerbate disparities when they reject upward mobility through education, thereby enhancing erroneous views of black inferiority.

Today, American law on racial equality is at a crossroads. Unfortunately, the Supreme Court’s approach of simply eliminating government racial classifications cannot prevent false notions of racial hierarchy, racial isolation, or black victimization. Whites must eliminate notions of superiority to stop the cyclical process whereby racist thoughts and actions lead to disparities. Not only must whites stop discriminating against blacks; they must also stop white privilege.

On February 18, 2009, Attorney General Eric Holder, the first black to head the Justice Department, said, “On matters of race, we have been and continue to be a nation of cowards.” On race we are a nation of many things—heroes and villains, warriors and pacifists, healers and destroyers, dreamers and realists, fighters and cowards—but we can change our future. We do not have to be a nation that continues the racial cycle. We should not ignore the widespread inequities that exist today as we hid the existence of slavery in the Constitution some 220 years ago. This indeed would be cowardly. We must demonstrate courage and bring our racial disparities to light, identify the causes, and begin to implement changes that will bring about reform, ending the racial paradigm forever.

Summarizing the Racial Paradigm

In this book, I aim to expose the damaging effects of discrimination by analyzing the three interlocking aspects of the racial paradigm: false notions of white superiority and black inferiority, the practice of isolating whites and separating blacks, and victimization of blacks. We will see how the racial paradigm was formed, encompassing notions of white superiority and black inferiority, and how that mindset spread through society and led to the separation and victimization of blacks. The first part of this book explores our nation’s early efforts to legitimize the insidious notions of racial
hierarchy and separation. Part II delineates the harmful effects of these notions, particularly black victimization after the decision in *Brown*. Part III discusses steps by which we can dismantle the paradigm and end racial injustice in America.

Chapter 1 delineates the development of racial categories and classifications, the basis of laws and policies that enforced discrimination for hundreds of years. Mixed ancestry was common in early American culture, and so the system of race classification, which has no biological basis, was an artificial construct, developed by society and enforced by law. Chapter 1 demonstrates how legal decisions promoted the notion that physical appearance defines racial classification, and thereby assigns slave status.

Chapter 2 explores ways in which whites maintained their dominance over blacks during the Reconstruction period after the Civil War. This chapter illustrates how the Reconstruction Amendments to the Constitution led to some initial gains and shows how these were almost completely eroded, especially in southern states.

Chapter 3 documents how separation of blacks was used as a way to prevent them from gaining social and economic opportunities. This chapter reveals the failures of the Supreme Court, in a series of cases, to establish “justice” in our “more perfect union.”

Part II of the book explores the years following the *Brown* decision, demonstrating how systematic separation was used to victimize blacks. In chapter 4, the cycle of racial isolation in education is explored in detail. Although the holding in *Brown* helped states make progress toward equality in schools, it failed to challenge whites to examine their notions of superiority. Chapter 5 explores how notions of white superiority and black inferiority formed a systematic subordination in politics and the economy. Stereotyped images in our society reveal pervasive false notions of black inferiority and continue to associate blacks with illiteracy, unemployment, crime, sickness, poverty, homelessness, political powerlessness, and personal irresponsibility.

Part III of the book discusses steps by which we can combat the racial paradigm and challenges individuals, the government, and courts to take ownership of the issues. Whites can repent the misdeeds of the past and confront the reality of present-day discrimination. Blacks can evaluate their priorities and move toward honest, trusting dialogue with whites. We must work together to end victimization, address injustices, deflate and expel the racial paradigm, and move toward a society where we value our differences. Diversity can and should be a source of strength. Structured
dialogue can mend the racial divide and diminish the paradigm by which it persists. The key to meaningful dialogue begins with an apology and recognition of the benefits and burdens of Jim Crow. An understanding of the truths of our past and present leads to a better future for all.