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Understanding and Eliminating Discrimination Against Blacks

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Abstract.

This paper discusses the US history of discrimination against blacks which should be understood by students and others who are concerned with human rights and who want to participate in some form of civic engagement for the realization of these rights. The first part of this paper examines slavery, an extreme form of racial discrimination, and its repetition as involuntary servitude in earlier historical periods in the US. The second part of the paper examines recent and current severe, though not extreme, forms of racial discrimination such as residential segregation and the workfare and imprisonment imposed by the emerging US neoliberal state. The final part of the paper discusses proposals for change made more than a century ago as well as what can be learned from the planning and organization of a city in southern California.

Keywords

Racial Discrimination, Slavery, Segregation, Workfare and Imprisonment

The Universal Declaration of Human Rights (UDHR) which was adopted by the General Assembly of the United Nations in 1948 proclaims in Article 1 that 'All human beings are born free and equal in dignity and rights' and in Article 7 that 'All are equal before the law and are entitled without any discrimination to equal protection of the law' (Blau and Moncada 2005:35-36). Earlier the U.S. Declaration of Independence in 1776 also contained some statements that recognized human rights as did the similar French Declaration of the Rights of Man in 1789 (Blau and Moncada 2006:1-3; Hunt 2007:15-17). But the realization of human rights has not been accomplished in many nations including the United States. Declarations express aspirations and establish common standards for achievement but they have no legally binding force until they become part of the constitutions or domestic laws and practices of individual nations.

In 1965, the International Convention on the Elimination of

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All Forms of Racial Discrimination (CERD) was adopted by the General Assembly of the United Nations but it was only ratified by the United States in 1994. Article 1 defines racial discrimination as ‘any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other area of public life’ (United Nations 1965:2) The CERD, which as a convention rather than as a declaration is supposed to become part of U.S. law upon its ratification, has not been adequately implemented and enforced. Although an extreme form of racial discrimination against blacks was abolished in the U.S. long before the ratification of CERD, severe forms of discrimination against blacks still exist and should be eliminated. It will take our efforts individually and collectively to accomplish this.

UNDERSTANDING SLAVERY AND ITS REPETITION IN INVOLUNTARY SERVITUDE

For sociologists, racial discrimination is behavior by one group that dehumanizes another group by oppression or domination involving slavery, isolation, rejection, segregation, or incarceration. The worst form of dehumanizing discrimination is slavery which was quite prevalent in the United States in one extreme form or another until the middle of the twentieth century even though it was legally abolished by the ratification of the Thirteenth Amendment to the U.S. Constitution in 1865.

Slavery in the United States was part of a much broader practice in the Americas. By 1770, the slave trade from Africa had been transporting five Africans across the Atlantic for each European immigrant to both American continents. There were black slaves in colonies from Canada and New England in the northern continent to Peru and Chile in the southern continent. West Africa as well the maritime nations in western Europe and the colonies of the Americas played roles in establishing ‘a market for slave-produced sugar, tobacco, coffee, chocolate, dye-stuffs, rice, hemp, and cotton’ (Davis 2006:1-2).

In the United States prior to its civil war in the early 1860s,

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some Native Indians and many Blacks had been treated as chattel like horses and cows that could be bought and sold. Sometimes in the southern states, blacks were rented out for breeding purposes or for sexual exploitation in addition to their day labor on a farm or plantation. Southern states had laws that the status of children produced by sexual unions between black slave women and their free white masters would be determined by their mothers so that the children would be slaves (Horton and Horton 2005:30,32). An example of this kind of extreme discrimination is described by Frederick Douglass who was born into slavery in 1818 in the southern state of Maryland and later escaped to New England and became an advocate of the abolition of slavery and the rights of women.

Douglass and Tocqueville on Slavery in America

In his first autobiography, Frederick Douglass reports that his mother was a black slave and his father was a white master in Maryland and that his mother was rented out to another plantation or farm when he was an infant. Douglass states that it was 'a common custom' to separate slave mothers from their children at an early age. Douglass also tells us that a white master frequently is compelled to sell his own children 'out of deference to the feelings of his white wife' and because 'unless he does this, he must not only whip them himself, but must stand by and see one white son tie up his brother, of but a few shades darker than himself, and ply the gory lash to his naked back . . .' (2003:43-44).

Douglass experienced the whip himself many times but on one occasion he fought back against a man who had rented Douglass and who had a 'reputation for breaking young slaves.' On that occasion Douglass successfully defended himself and he recalls that 'It rekindled the few expiring embers of freedom, and revived within me a sense of my own manhood. It recalled the departed self-confidence, and inspired me again with a determination to be free' (2003:79,89).

Alexis de Tocqueville, a member of the French nobility and born in 1805 after the American and French Revolutions, could have been describing the experience of Frederick Douglass in his *Democracy in America*. Tocqueville had traveled in the eastern United States and in the province of Quebec in Canada, from May 9, 1831 to February 20, 1832. Tocqueville learned early in his travel, in Boston, that slavery

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was a serious issue in the United States. Former President John Quincy Adams explained to him in fluent French at a dinner that in southern society 'Whites there make up a class which has all the passions and prejudices of an aristocracy . . . In the South, every white man is an equally privileged being, whose destiny is to make Negroes work without working himself' (Brogan 2006:187).

Tocqueville would later write that 'the white, or European, the MAN' is in a superior position and that 'below him appear the Negro and the Indian. . . Both of them occupy an inferior position in the country they inhabit; both suffer from tyranny, and if their wrongs are not the same, they originate from the same authors.' Tocqueville also suggested that:

'the European is to the other races of mankind what man himself is to the lower animals: he makes them subservient to his use, and when he cannot subdue he destroys them. Oppression has, at one stroke, deprived the descendants of the Africans of almost all of the privileges of humanity. The Negro of the United States has lost even the remembrance of his country; the language which his forefathers spoke is never heard around him; he abjured their religion and forgot their customs when he ceased to belong to Africa, without acquiring any claim to European privileges' (1954:344).

The Core Components of Slavery

Orlando Patterson has formulated a definition of slavery that captures some of the experiences of black slaves in the United States that Douglass and Tocqueville describe. He asserts that 'slavery is the permanent, violent domination of natively alienated and generally dishonored persons' (1982:13). Although Patterson has omitted chattel property from his definition as Davis has noted (2006:30), the three core components he includes in his definition are important for understanding not only extreme racial discrimination but also the severe forms of discrimination discussed later in this paper.

The first component is the master-slave relationship which

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relies upon violence in initiating and sustaining the relationship. Force has to be used to transform people who are free into slaves. This has to be done on a continuing basis because eventually all slaves have to be replaced. Patterson notes that in the southern states before the U.S. civil war, it was not necessary to forcibly acquire new slaves to replace the older ones who died out or were set free because there was a low rate of manumission and a high rate of reproduction (1982:3).

In relation to the master, the slave is usually powerless. Historically this powerlessness arose as a substitute for death in war or for a capital offense or for starvation. It also could have originated because of kidnapping or piracy. Patterson asserts that 'The condition of slavery did not absolve or erase the prospect of death. Slavery was not a pardon; it was, peculiarly, a conditional commutation. The execution was suspended only as long as the slave acquiesced in his powerlessness' (1982:5).

The second component is the status of the slave as a 'socially dead person.' He is not allowed to make claims on or have obligations to a partner in a sexual union, children, parents or other relatives. The others in his life can be separated from him at any time without his consent. The slave was genealogically isolated. Patterson states that 'Alienated from all 'rights' or claims of birth, he ceased to belong in his own right to any legitimate social order.' Each slave experienced natal alienation, 'at the very least, a secular excommunication' (1982:5).

The third component of slavery is the reality that slaves are persons who have been 'dishonored.' The slave has no honor because of the origin of his status, his indebtedness, his absence of any independent social relationships or support, and his lack of power (1982:10). Patterson suggests that this could lead to an outward acceptance of blame and self-hatred. This is a consequence that can be arrested by an exceptional act such as that by Frederick Douglas in fighting against a person brought in to break him (1982:12-13).

'Born Free' or 'Created Equal.'

In 1772, a British judge ruled that an African slave who had been given the name 'Somerset' and who had left his European owner in London had to be released because 'the state of slavery is of such a nature' that only a parliamentary law would enable its consideration by

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the court and no such law exists. According to lawyers Alfred Blumrosen and Ruth Blumrosen, the Somerset decision combined with the earlier 1766 Declaratory Act which asserted that the English Parliament had the authority to govern the colonies in America in all cases, may have led to the American Revolution when southerners realized that the Somerset decision and the Declaratory Act would enable a future English Parliament to abolish slavery in the colonies. They had to demand that the Parliament not have any control over internal policies in the colonies which increased the chances of a revolution (2005:11,110).

The Blumrosens argue that at the time Thomas Jefferson was preparing his draft of the U.S. Declaration of Independence, he took into account George Mason's earlier draft of a declaration of rights and principles for the government of Virginia which stated that 'all men are born equally free and independent.' The Mason draft which Jefferson had seconded would have repudiated the principle that 'children born of slave women 'belonged' to their master.' The Virginia convention modified Mason's language by adding the phrase 'when they enter a state of society' which would have allowed the British to accuse Americans of seeking independence in order to maintain slavery. Jefferson, the Blumrosens contend, also understood that if he included the term 'property' in his draft of the Declaration of Independence, it would have preserved the institution of slavery (2005:125,127,130,133-136). Jefferson who was a lawyer had to use language in the Declaration of Independence which avoided these possibilities.

The Blumrosens insist that Jefferson in 1776 'opposed the existing concept of slave property' and substituted the word 'created' for 'born' which did not specify whether a woman was involved in the process of birth and thus allowed god or nature to be the source of rights. Jefferson also deleted the word 'property' and replaced it with the 'pursuit of happiness' which did not install slave property in the Declaration. In a separate section of his draft, Jefferson criticized the English king for enslaving African people and transporting them to the colonies and then for inciting the slaves to rise up in arms and murder their masters in order to obtain their freedom from the king. Southerners objected to this section because it implied a condemnation of them for continuing slavery and it was removed

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(2005:137-140; Horton and Horton:55).

The South depended economically on the exploitation of blacks. According to William Edward Burghardt Du Bois, the planter class had an interest in consumption rather than in production: "They exploited labor in order that they themselves should live more grandly and not mainly for increasing production [of cotton, tobacco and sugar]. Their taste went to elaborate households, well furnished and hospitable; they had much to eat and drink;" and they had black slave women sexually available to them in addition to white women. Du Bois reports that in the decades that followed, the Southern planter was in a position to prevent Northern and European industries from setting prices for Southern cotton and other goods but the planter 'was too lazy and self-indulgent to do this and he would not apply his intelligence to the problem' (Du Bois [1935] 2002:35,37).

As Davis points out, the South which exploited the blacks developed a racial defense of it: 'Racial doctrine—the supposed innate inferiority of blacks—became the primary instrument for justifying the persistence of slavery, for rallying the support of non-slaveholding whites, for underscoring the dangers of freeing a people allegedly 'unprepared' for freedom, and for defining the limits of dissent' (2006:272). The racial doctrine would last for a long time after slavery which only could continue as long as the Congress of the United States could divide the expanding nation into free and slave states and territories. But in the *Dred Scott* decision of 1857, the Supreme Court held that Congress did not have the power to designate some states as free and others as slave states. The *Dred Scott* decision meant that there would no longer be a chance for compromise between the free and slave states (Blumrosen and Blumrosen 2005:250).

In 1861, the US Civil War began in South Carolina as state forces fired on Fort Sumter in Charleston Harbor which was occupied by federal forces. The South tried for a second time to prolong slavery by seceding from a government that threatened it. Secession from Britain had worked and extended slavery for almost a century. But this time the South was defeated by federal forces from the Northern states and territories (Blumrosen and Blumrosen 2005:251). The civil war in the sense of military forces from the North fighting those from the South effectively ended in 1865 when Southern General Robert E.

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Lee surrendered his forces at Appomattox, Virginia. Later in the same year slavery was formally abolished with the adoption of the Thirteenth Amendment to the US Constitution but the wording in the amendment permitted involuntary servitude 'as a punishment for crime whereof the party shall have been duly convicted' (US Thirteenth Amendment 2010). This wording allowed the South to resurrect slavery under another name after the Reconstruction period from 1865-1877 when Republicans of that period controlled the South, blacks enjoyed some civil and political rights, and there were federal troops there to protect them.

Even during the period of reconstruction, though, the civil war continued albeit in a different way. The military defeat of the South and the emancipation of the black slaves, 'left the planters poor, and with no method of earning a living, except by exploiting black labor on their only remaining capital—their land.' There was a determined effort by the planters 'to put the Negro to work' and to reduce the wage of the black worker 'to the level of bare subsistence by taxation, peonage, caste, and every method of discrimination.' In a separate but 'equally determined effort,' poor whites tried to drive black workers away 'from work which competed with them or threatened their future work or income.' Whites also armed themselves and carried out violent attacks which 'killed thousands of Negroes' (Du Bois [1935] 2002:670-671, 673-674).

Du Bois asks why it was that some white men turned to a mob such as the Klu Klux Klan 'who break, destroy, maim and lynch and burn at the stake.' Du Bois responds that these men were 'desperately afraid . . . of losing their jobs, being declassed, degraded or actually disgraced; of losing their hopes, their savings, [and] their plans for their children; of the actual pangs of hunger, of dirt, of crime.' Du Bois also asks why it was not possible for the poor whites in the South to form an alliance with the poor blacks in order to oppose the Southern planters and industrialists who wanted very cheap labor. Du Bois answers that 'The race element was emphasized in order that property-holders could get the support of the majority of white laborers and make it more possible to exploit Negro labor. . . . So long as the Southern white laborers could be induced to prefer poverty to equality with the Negro, just so long was a labor movement in the South made impossible' (Du Bois [1935] 2002:678-680). Put

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another way, in the Southern states, what happened to blacks was about more than just class.

Involuntary Servitude and Internal Colonialism

In 1877, once Southern whites 'were allowed 'free play' by the North,' Democrats of that time upon assuming office throughout the South rewrote the laws to reestablish planters' control over the black labor force. New vagrancy laws permitted the arrest of any person without a job which could have included whites and blacks but often these and other misdemeanors applied only to counties with black majorities. There was a dramatic increase in blacks being arrested and very soon there was a substantial expansion of the convict lease system. States in the South began hiring out almost every convict they had and the railroads, mining and lumber companies, and planters competed for this involuntary labor, the overwhelming majority of which 'were blacks imprisoned for petty crimes' (Foner 1988:593-594).

As Blackmon puts it more concretely, a black man in Alabama could be arrested for vagrancy, and after a short period in the local jail, he could be found guilty by a county judge and immediately sentenced to a short term of hard labor. Being unable to pay the fine as well as the fees levied on every prisoner, specifically the fees to the sheriff, the deputy, the court clerk, and the witnesses, the sentence could be extended to a longer term of hard labor. In the next few days, the black could be leased to a mining or railroad company or plantation owner. In return, the company or plantation owner guaranteed the county a small remittance each month to pay off the black's fine and fees (2008:1-4,62).

The South had a tradition of using criminal courts to settle civil debts, and of viewing a man's labor as a currency with which to pay fines and other debts. Sheriffs were the men who sold most black laborers to the highest bidders and they quickly realized the benefits of leasing convicts rather than sending them to state officials. In Alabama, some counties chose to reduce felonies to misdemeanors so that the sheriffs and other locals could get the proceeds of prisoners' leases. According to Blackmon, 'county prisoners eventually far surpassed the number of men pressed into forced labor by the state' (2008:64-65).

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Blackmon reports that black women were sexually exploited when they came to visit black men in jails. In exchange for access to black boyfriends, black women had to submit sexually to the guards at hundreds of jails. Blackmon reports that ‘At the lumber camps in southern Alabama, women seeking the freedom of their men were simply arrested when they arrived, chained into their cells, and kept to serve the physical desires of the men running the camps. The slave camps and mines produced scores of babies—nearly all of them with white fathers’ (2008:305).

The state laws which facilitated re-enslavement of blacks were followed by state laws in the 1890s and later decades which required racial segregation in public transportation and in other public facilities. Southern laws sanctioned a racial separation of blacks in churches and schools, in housing and employment, and in public places for eating and drinking or an exclusion from these facilities. C. Vann Woodward tells us that ‘whether by law or by custom, that ostracism extended to virtually all forms of public transportation, to sports and recreation, to hospitals and orphanages, prisons, and asylums, and ultimately to funeral homes, morgues, and cemeteries’ (2002:7).

Woodward explains that the ‘South’s adoption of extreme racism was due not so much to a conversion as it was to a relaxation of the opposition. All the elements of fear, jealousy, proscription, hatred, and fanaticism had long been present . . .’ Woodward argues that what happened toward the end of the nineteenth century ‘was an almost simultaneous—and sometimes not unrelated—decline in the effectiveness of restraint that had been exercised by all three forces: Northern liberalism [of the Republicans], Southern conservatism [of the Democrats], and Southern radicalism [of the Populists with their progressive reforms].’ This weakening of restraint led to extreme racism. (2002:69).

The segregation laws were called ‘Jim Crow’ laws and they ‘were constantly pushing the Negro farther down’ (Woodward 2002: 108). One of these laws which was adopted by Louisiana in 1890 required separate railroad cars for whites, ‘colored’ of mixed ancestry, and blacks. Homer Plessy who was light-skinned was recruited by the Citizens Committee of New Orleans to challenge the constitutionality of the law. He bought a ticket, boarded a train, informed the conductor of his ancestry, and took a seat in the ‘whites only’ railroad

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car. He was told to go the 'colored only' train car and he refused. He was arrested and his case eventually went to the US Supreme Court (Wikipedia 2010a). But the Court did not accept the argument that 'enforced segregation of the two races stamps the colored race with a badge of inferiority.' The Court contended that 'If this be so, it is not by reason of anything in the act, but solely because the colored race chooses to put that construction on it' and ruled that 'separate but equal' facilities were constitutional (*Plessy v. Ferguson* 1896:551,552).

The Fourteenth Amendment to the U.S. Constitution which was adopted in 1868 should have protected blacks. Its citizenship clause guaranteed citizenship to blacks and others born or naturalized in the United States; its due process clause prohibited any state from depriving blacks and others of life, liberty and property without due process of law; and its equal protection clause prohibited any state from denying to any person within its jurisdiction the equal protection under the law (US Fourteenth Amendment 2010). But after 1877, the Fourteenth Amendment was not enforced and the amendment was not applied by the U.S. Supreme Court in its 1896 *Plessy* ruling. The vulnerable Blacks were not protected.

More than half a century passed before the Supreme Court with different justices ruled decisively against segregation. In 1954, the Court cited a lower federal court finding that 'Segregation of white and colored children in public schools has a detrimental effect upon the colored children' as well as studies showing adverse effects of segregation by social scientists and then ruled that segregation in public education was unconstitutional on the grounds that 'Separate educational facilities are inherently unequal' and therefore that black students and others similarly situated are 'deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.' (*Brown v. Board of Education* 1954:494,495-496).

The enslavement of blacks in the Americas and their re-enslavement in the United States are manifestations of what Robert Blauner called Internal Colonialism. Another manifestation would be the internal colonization in Russia that enslaved the peasants in the 16th century which is beyond the scope of this paper. In defining internal colonialism in the United States, Blauner distinguished between the experiences of blacks and the experiences of Native Americans who suffered from traditional colonialism when the

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Europeans came and killed them, or in some cases enslaved them, or drove them out of the areas occupied by the Europeans. Blauner also distinguished between the experiences of blacks and those of the Europeans who entered the country either voluntarily or because they were pushed out of Europe by economic difficulties or political oppression. The blacks, he argued, had different experiences. As Blauner put it, 'Rather than being conquered and controlled in their native land, African people were captured, transported, and enslaved in the Southern states and other regions of the Western hemisphere.' And, among other things that happened to them, the blacks were represented 'as inferior or different in alleged biological characteristics' (1972:52,54, 57,84). Blauner later pulled back from his formulation of what he thought was a theory that did not lead to practice (2001:189), but actually his discussion of internal colonialism was not a theory so much as it was an ingenious classification which has been of enduring usefulness. For further discussion of it, see Bush (2008).

UNDERSTANDING RECENT AND CURRENT SEVERE FORMS OF DISCRIMINATION

In 1955, Rosa Parks boarded a bus in Montgomery, Alabama, sat down in a white section of the bus and subsequently refused to give up her seat to a white man and stand up in the bus as other blacks had done. She told the police officers who arrested her that 'I didn't think I should have to stand up' (Parks 2009:354). Parks was a seamstress and affiliated with the Montgomery chapter of the National Association for the Advancement of Colored People (NAACP).

Martin Luther King, Jr. emerged as a leader in a year-long boycott against the Montgomery public transit system and became the founder of the Southern Christian Leadership Conference. The boycott contributed to what Woodward calls a 'Negro awakening' in 1960, the year that the Student Nonviolent Coordinating Committee (SNCC) was formed. Woodward asserts that it was 'More than a black revolt against whites; it was part of a generational rebellion, an uprising of youth against the older generation' (2002:169-170). It was a rebellion committed to a philosophy of non-violence as expressed by Martin Luther King in a statement to whites: 'We will soon wear

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you down by our capacity to suffer, and in winning our freedom we will so appeal to your heart and conscience that we will win you in the process' (quoted in Woodward 2002:170). In the early 1960s, numerous civil rights groups that were committed to a non-violent philosophy continued to challenge racial segregation. The Congress of Racial Equality organized 'freedom rides' by activists on interstate buses into the segregated Southern states, SNCC organized black voter registration and community organizations that could compete for political representation, and other organizations and groups participated in what was frequently referred to as the Civil Rights Movement.

Although many Southern Democrats in Congress tried to block the legislation that was inspired by the Civil Rights Movement and left their party and became Republicans after they failed, this did not stop the momentum to protest the mistreatment of blacks and to protect them with new federal legislation. In 1964 the Civil Rights Act was approved and in 1965 the Voting Rights Act was passed, and this federal legislation overturned Jim Crow laws as well as other state laws. Racial segregation was prohibited in employment, housing, schools, and other facilities that were open to the general public, and racial discrimination was prohibited in voter registration and voter qualifications, e.g., the passage of a literacy test (Wikipedia 2010b). But after all of this, the state of black America is still worse than that of white America.

"The State of Black America 2010" report from the National Urban League demands that 'Jobs with living wages and good benefits must be the primary goal for 2010 and ahead' because of the devastating impact of 'near-record high unemployment for African Americans that threatens to push an already struggling community deeper into poverty and despair.' The League's overall equality index shows the status of blacks at 72 percent of that of whites. Blacks are almost twice as likely to be unemployed, three times more likely to live in poverty, and more than six times as likely to be imprisoned compared to whites. The League argues that 'Education is the true path out of poverty—education is the civil rights issue of our time' and notes that 'the average black child is two or three levels behind the average white child, about half of black students fail to graduate on time and only one in five blacks has a bachelor's degree.' In

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addition, the percentage of blacks who do not have health insurance is almost double that for whites. And less than half of blacks own a home compared to three quarters of whites (Executive Summary 2010:1-2, 5-6). What explains this racial inequality?

Cultural Explanations of Racial Inequality

One explanation had come before the passage of the Civil Rights Acts in the 1960s from Oscar Lewis who argued that 'Poverty becomes a dynamic factor which affects participation in the larger national culture and creates a subculture of its own' (1959:2). It is a culture of poverty which Lewis later contended was self-perpetuating from one generation to the next because of its effect on children. Some characteristics of this culture include 'early initiation into sex, free unions or consensual marriages; a relatively high incidence of the abandonment of wives and children, a trend toward female- or mother-centered families' as well as 'lack of impulse control; strong present-time orientation, with relatively little ability to defer gratification and to plan for the future' (1969:188,191-192). This culture of poverty was not limited to the five Mexican families he studied. Lewis commented that 'the culture cuts across regional, urban-rural, and even national boundaries . . . in lower class settlements in London . . . in Puerto Rico . . . in Mexico City slums and villages . . . and among lower class Negroes in the United States' (1959:2, my emphasis).

Blauner dismissed the claim about blacks on the grounds that since blacks are predominantly in the lower income population, then 'whatever appears to be distinctive in the ghetto must be due to class status rather than to ethnicity' in the sense of a culture (1972:138). A harsher criticism from others was that Lewis was blaming the victims for their poverty and the culture which allegedly was maintaining it (see Wilson 2009:109-110).

The inverse argument is to claim that whites who are predominantly in a higher income population and may benefit from keeping blacks down in a subordinate position are guided by a culture of racism. Eduardo Bonilla-Silva (2006:26-28), argues that a new 'color-blind racism' has emerged from ideologies or frames which hide and misrepresent the historical origins of current racial inequality. Bonilla-Silva contends that the most important ideology or frame is that of 'abstract liberalism' which celebrates individualism,

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universalism, egalitarianism and meliorism but allows whites to invoke the idea of 'equal opportunity' in order to oppose affirmative action because it gives preferential treatment to certain groups. However, Bonilla-Silva does specify that, 'in both Europe and the United States, disenfranchised groups and progressive politicians used the liberal rhetoric to advance social and legal reforms (e.g., the Civil Rights Movement, the National Organization of Women, Liberal parties in Europe).' Thus, it is the *use and the effect of that use* of the liberal ideology or frame and not the ideology or frame itself which determines whether it serves a racist or progressive purpose.

Joe R. Feagin is not as nuanced in his descriptions of a 'white racial frame' and in his generalizations about whites in the US population, e.g.: 'white Americans have developed a strong racial frame that interprets and defends white privileges and advantaged conditions as meritorious and accents white virtues as well as the alleged inferiority and deficiencies of those people of color who are oppressed' (2010a:25), and 'Over time, this powerful frame has been elaborated by, and/or imposed on, the minds of most Americans, becoming the country's 'frame of mind' and 'frame of reference' in regard to racial matters' (2010b:10). Certainly white racism in various forms still exists (e.g., see Blee 2003; Wallis 2009) but Feagin may be trying to go a bridge too far when he makes it seem as if 'the white racial frame' is a self-perpetuating pathogenic cultural agent that is virulent and widespread, and possibly can infect even people who are black.

In *More Than Just Race*, William Julius Wilson reports that despite his prestigious position as a professor at Harvard, 'as a black male in America looking considerably younger than my age, I am also feared.' He recalls that several times over the years he has stepped into the elevator of his condominium dressed in casual clothes and could immediately tell from the body language of other residents in the elevator that he appeared to make them uncomfortable. He wondered whether they were thinking 'What is this black man doing in this expensive condominium? Are we in any danger?' Wilson comments that 'It would be easy to say that the residents' reaction to me is simply another manifestation of racism.' But he tells us that when he lived in a middle-class Chicago neighborhood that bordered a ghetto neighborhood, he, too, would 'tense up' when he walked his dog at

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night and ‘saw a black man or a group of black male teenagers approaching me on the street.’ He suggests that the ‘portrayal of black men in the media and their widely known disproportionate rates of incarceration may have influenced some of the residents in the condominium’ and perhaps they influenced him as well (2009:1-2). For Wilson, these encounters are about class as well as race.

Wilson states that some manifestations of racism, ‘in particular, those that assert the biogenetic inferiority of blacks,’ have declined substantially in the United States even though they still exert influence in institutional practices such as school tracking where blacks are often placed in lower-level classes although they have skills to perform well in higher-level classes. Wilson notes that there are other manifestations of racism which have continued to persist such as the belief that blacks are responsible for their economic problems and not racial discrimination (2009:16,43-45).

However, we may need more than a culture of poverty or racism to explain why blacks are concentrated in inner city ghettos and have less income and wealth than whites. Patterson point out that nearly two decades ago sociologists Douglas Massey and Nancy Denton argued that social scientists had made a major error in overlooking residential segregation as a primary cause of the continuing inequality of blacks in America and that after some initial skepticism Patterson finally had decided that they were correct. Patterson contends that it has been ‘a cherished dogma’ of social science that ‘segregation—and its attendant separations from white schools, relationships and institutions—results from economic inequality and racism.’ But such a dogma about class and racism, he continues, is ‘immediately undermined by one simple fact: middle-class black Americans are as segregated as their poor and underclass inner-city counterparts’ (2010:20).

Dismissing economic inequality and racism as explanations is premature but it is the case that middle class and poor blacks have been trapped in inner city ghettos. In *American Apartheid*, Massey and Denton inform us that ‘Middle-class households—whether they are black, Mexican, Italian, Jewish, or Polish—always try to escape the poor. But only blacks must attempt their escape within a highly segregated, racially segmented housing market. Because of segregation, middle-class blacks are less able to escape than other

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groups, and as a result are exposed to more poverty. At the same time, because of segregation no one will move into a poor black neighborhood except other poor blacks. Thus both middle-class and poor blacks lose compared with the poor and middle-class of other groups. . .’ (1993:9).

Structural Explanations of Racial Inequality.

Wilson argues that job losses and other factors such as inadequate schools are responsible for the black poverty in the inner-city ghettos. In *The Truly Disadvantaged*, Wilson maintains that an ‘underclass’ of poor blacks has been created in certain neighborhoods in U.S. cities by substantial job losses in manufacturing, the movement to the suburbs of employment possibilities, and low-achieving schools which led to some migration of middle-class professional blacks to other neighborhoods, flagrant and open street crime, a lack of marriageable men, and unwed mothers dependent on welfare for raising children. The recent social transformation of the inner city, Wilson writes, ‘has resulted in a disproportionate concentration of the most disadvantaged segments of the urban black population’ which, in turn, has resulted in ‘social isolation—defined in this context as the lack of contact or of sustained interaction with individuals and institutions that represent main stream society’ (1987:41,49,58,60).

Massey and Denton reply that they agree with Wilson’s argument that the loss of manufacturing jobs and the movement to the suburbs of employment opportunities undermined economic support for blacks during the 1970s and 1980s but stipulate that in the absence of residential segregation, ‘these structural changes would not have produced the disastrous social and economic outcomes observed in inner cities during these decades’ (1993:8). Put another way, they hold that residential segregation was a condition that had to be present for there to be adverse effects of joblessness on the kinds of experiences that black men and women and their children have in the inner-city ghettos. For Massey and Denton, residential segregation preceded the job losses that made the black situation in the ghettos even worse than it had been.

Massey and Denton define a ghetto as a set of neighborhoods that are exclusively inhabited by members of one racial or ethnic group. ‘By this definition,’ Massey and Denton write, ‘no ethnic or

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racial group in the history of the United States, except one, has ever experienced ghettoization, even briefly' (1993:19). The exception is the urban blacks who after 1940 experienced extreme residential segregation and spatial isolation. In the South, the mechanization of agriculture ended the sharecropping system that involved black use of some white-owned land and other resources (tools, animals, and sometimes seed) in exchange for a predetermined amount of the crop produced. Mechanization of agriculture limited the need for rural black labor and, as a consequence, there was considerable black migration from the southern states to northern cities. At the same time, whites who did not want to live with newly arrived blacks found that they could obtain loans to finance their withdrawal from northern cities to the suburbs of those cities (1993:45).

Massey and Denton state that the standard measure of residential segregation is the index of dissimilarity which indicates the percentage of blacks that would have to move to obtain an 'even' or 'integrated' residential composition, that is, 'one where each census tract replicates the racial distribution of the metropolitan area as a whole.' If a metropolitan area is 30 percent black, then an even residential distribution would be if every census tract was 30 percent black and 70 percent white; if a particular census tract was 50 percent black the excess 20 percent of blacks would have to move to a census tract where the black percentage is less than 30 percent to shift the residential configuration toward 'evenness.' Massey and Denton report that in 1980 in the northern U.S. metropolitan areas with the largest black populations the average percentage for residential segregation was 80 percent and the range of percentages for the northern areas was between 71 percent and 91 percent so that very high percentages of blacks would have had to move to other census tracts to achieve evenness in the racial distributions of the tracts (1993:20,64).

Massey and Denton state that the spatial isolation index indicates the percentage of blacks living in a tract of the average black which is computed by an analysis of the racial compositions of the tracts; the percentage expresses the extent to which blacks live only among other blacks and thereby constitutes an estimate of the potential for interracial contact. The maximum percentage is 100 percent which occurs when all black people live in all-black

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neighborhoods which provide no opportunity for contact with whites. Massey and Denton report that in 1980 in northern U.S. metropolitan areas with the largest black populations the average percentage for spatial isolation was 66 percent with a range from 51 percent to 83 percent. In summary, there are severe degrees of physical separation between blacks and whites and of spatial isolation among blacks (1993:23,64-65).

Massey and Denton acknowledge that there has been a debate concerning the explanatory power of race and social class but insist that when explanations of residential segregation are assessed that 'race clearly predominates' over class. They point out that in 1980, and in previous times, 'money did not buy entry into white neighborhoods of American cities.' Massey and Denton present segregation figures for 1980 in both northern and southern metropolitan areas by several income categories (under \$2500 per year; \$25,000-\$27,500, and \$50,000 or more) which show that although southern metropolitan areas generally had lower levels of racial segregation, 'the basic pattern was the same: rising economic status had little or no effect on the level of segregation that blacks experienced.' They declare that the addition of other income categories adds very little 'because black segregation does not vary by affluence' (1993:85-87). However, it should be noted that their analysis of income and segregation does not assess the effects of undesirable changes in class level or position in the form of joblessness.

Becoming jobless is about dropping from the employed lower class or even middle class into an 'underclass' which is either unemployed or underemployed. Wilson discusses this downward movement in the class structure in *When Work Disappears*. Wilson reports that in the 1970s and 1980s the United States economy expanded high technology and advanced service jobs but at the same time growth in blue-collar factory, transportation, and construction jobs which had been traditionally held by men did not keep up with the increase in the working-age population and the men are working much less as a consequence. In the early 1990s with the blue-collar jobs for men with limited education disappearing, most of the new jobs for workers with limited education and experience were in the clerical, sales and service areas which hire relatively more women. Wilson tells us that 'The wage gap between low-skilled men and

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women shrank not because of gains made by female workers but mainly because of the decline in wages for men' (Wilson 1996:26-27). But the economic changes which caused much of the joblessness in the ghettos came decades after the racialization of federal government policies concerning housing loans which limited the choices blacks could make either when they arrived in the northern cities or after they had lived for sometime in those cities.

Massey and Denton point out that in 1933 the Home Owners Loan Corporation (HOLC) was established to provide funds for refinancing urban mortgages that were in danger of default or loans to former owners for reacquiring homes that they had lost through foreclosure. But the HOLC also initiated and institutionalized the process of 'redlining' which was part of a ratings system used by HOLC to assess the risks associated with loans made in specific neighborhoods. Four categories of neighborhoods were ranked and the lowest was coded with the color red. The lowest and the next lowest categories hardly ever received loans. According to Massey and Denton, the HOLC rating system 'systematically undervalued older central city neighborhoods that were racially or ethnically mixed.' In addition, the rating system served as a model for other public and private institutions extending credit so that the HOLC not only diverted federal funds away from black neighborhoods but it also was 'responsible for a much larger and more significant disinvestment in black areas by private institutions.' In the 1940s and the 1950s the HOLC rating system influenced Federal Housing Administration (FHA) loans which together with the use of new housing construction techniques 'contributed to the decline of the inner city by encouraging the selective out-migration of middle-class whites to the suburbs' (1993:51-53).

The rating practices by the HOLC, FHA and other agencies of the state prevented most blacks from accumulating wealth which is not the same as earning income. Melvin Oliver and Thomas Shapiro define these economic categories as follows: '*Wealth* is the total extent, at a given moment, of an individual's accumulated assets (e.g., ownership of stocks, money in the bank, real estate, business ownership, etc.) less debt held at one time. . . . *Income* refers to a flow of dollars (salaries, wages, and payments periodically received as returns from an occupation, investment, or government transfer, etc.)

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over a set period, typically one year.’ Oliver and Shapiro report that in the 1980s even the black middle class had little wealth besides housing equity. They contend that ‘Without wealth reserves, especially liquid assets, the black middle class depends on income for its standard of living’ (1997:30,95). In 2007, the median wealth in 2005 dollars was \$9,500 for blacks and \$116,500 for whites (National Urban League 2010:20). With limited wealth, blacks almost certainly have more trouble coping with job loss or financing their children’s education than whites. Long-term joblessness, of course, can exhaust the income and wealth of most people of any skin color who are not retired with pensions unless they are in the upper class (see Huffington 2010:16-19 and 244 for her sources).

Actions of the Right Hand of the State.

Residential segregation and joblessness both account for some of the racial inequality but the actions of the US government also account for some of the inequality. The federal state has been changing from a welfare state which provides support for education, public housing, hospitals, public broadcasting, occupational safety, and the social security for retirees and those that are poor or unemployed to a neoliberal state which reduces support for public programs and privatizes some of them, deregulates the banks and other corporations, places restrictions on the efforts of unions to defend and protect workers, and opens the country to cheaper goods and services produced in other countries which have to open their markets to cheaper commodities or services of corporations based here either produced in this country or in the other countries themselves (Bourdieu 1998; Piven 2007). Slightly revising Bourdieu, Loïc Wacquant in *Punishing the Poor*, originally published in France in 2004, refers to the declining welfare state as the maternalizing and nurturing left hand of the existing state and the advancing neoliberal state as the masculinizing and controlling right hand (2009).

Wacquant calls attention to two recent actions of the neoliberal hand of the U.S. state: the transformation of welfare into workfare and the expansion of ‘prisonfare’ or more precisely incarceration. Workfare was brought into existence by President Bill Clinton when he signed the Personal Responsibility and Work Opportunity Act of 1996 which Wacquant believes was ‘one of the

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most regressive social programs promulgated by a democratic government in the twentieth century.' The 'reform' eliminated the right established in the Social Security Act of 1935 to public assistance for the most impoverished children in the country and replaced it with the requirement that the mothers of these children accept unskilled labor with low wages in exchange for short-term temporary assistance defined as a maximum of five years of support during a lifetime. The federal government transferred responsibility to the states and their counties for running the program and provided fixed funding for it in 'block grants.' The stated goal of the reform 'was to reduce not *poverty* but the alleged *dependency* of families on public aid' but it had the effect of reducing the rolls and budgets of the federal government and condemning the most vulnerable people in American society to chronic poverty. Wacquant comments that 'Workfare is proclaiming and projecting the positive power of the state to change behavior for the good through coercion, a power that is shrilly denounced as abuse, ineffective and/or counterproductive when it is invoked for the regulation of the economy' (2009:80,82,88-89,90,107).

The second action is the 'massive' use of incarceration to deal with the social problems created by poverty. Citing Bureau of Justice Statistics, Wacquant notes that from 1970 to 1995 there has been a 442 percent increase in the total number of inmates in federal and state prisons and a 569 percent increase among blacks (2009:60). But more recent data from the same source indicates that the increase in the total number of inmates has slowed down since 2000 and that there has been a slight decrease in the number of black inmates. According to the Bureau of Justice Statistics, 'Growth of the prison population since 2000 (1.8 percent per year on average) was less than a third of the average annual rate during the 1990s (6.5 percent per year on average).' In 2008, the incarceration rates were 2,126 per 100,000 for black men and 334 per 100,000 for white men, and 149 per 100,000 for black women and 50 per 100,000 for white women. The incarceration rate for black men is more than six times the rate for white men and for black women is about three times the rate for white women (Sabol et. al 2009:1,5).

Thinking about the inner-city ghettos and the prisons, Wacquant argues that 'The public aid bureaucracy, now reconverted into an administrative spring board into poverty-level employment,

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takes up the mission of inculcating the duty of working for work's sake among poor women' and at the same time 'the quartet formed by the police, the court, the prison, and the probation or parole officer assumes the task of taming their brothers, their boyfriends or husbands and their sons.' He contends that a ghetto 'operates as an *ethnoracial prison*: it engages a dishonored category and severely curtails the life chances of its members' while the jail or prison functions as a '*judicial ghetto*': it is 'a reserved *space* which serves to forcibly confine a legally denigrated *population*' which develops its own distinctive culture (2009:15,205).

At a presentation at the Pacific Sociological Association meetings in Oakland, California, Wacquant (2010) suggested that we should think of race and class as at the endpoints of the bottom of a triangle with the state at the point above where the upward lines from the end points at the bottom converge. But Wacquant as a political sociologist should first invert the triangle with the upper class at the left endpoint at the top (not the bottom because of the inversion) and the neoliberal hand of the state at the right endpoint at the top with race at the bottom of the triangle where the downward lines converge. Wacquant should then think of the inverted triangle as part of a spear seized by the upper class and the neoliberal right hand of the state which is being pointed at poor blacks, particularly those in inner-city ghettos and the prisons of this country, as well as the poor with any other skin color. It should be assumed that the upper class and the right hand of the state reserve the right to point the spear at all others who fall out of the middle or lower classes and become poor.

TAKING RESPONSIBILITY AND ELIMINATING DISCRIMINATION AGAINST BLACKS

Our task is to dismantle the spear of discrimination against blacks. We need to direct our attention to the problems that need to be addressed and to the actions that need to be undertaken. Although slavery in the sense of blacks being treated as chattel has passed away, severe forms of racial discrimination persist. As Massey and Denton have shown us (above), in the history of the U.S. only blacks were ghettoized, mostly in the inner cities, and in large part by federal and local housing loan policies. As a consequence, blacks have experienced severe residential segregation which can be quite

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dehumanizing if not as dehumanizing as the ‘social death’ or ‘natal alienation’ of slaves that Patterson discussed. At least in the inner-city ghettos, black opportunities for education and jobs have been limited due to underperforming schools and disappearing jobs as Wilson has pointed out. In addition, the rise of the neoliberal right hand of the state with its ‘workfare’ and incarceration policies has resulted in the continuation of a substantial population of dishonored and powerless blacks as Wacquant has argued drawing upon two of the criteria for slavery formulated earlier by Patterson. The remainder of this paper discusses some of the recommendations for change made by Du Bois in the late nineteenth century and I suggest one of my own for the twenty-first century.

Du Bois, Senghor and Coates on Taking Responsibility

In 1896, Du Bois arrived in Philadelphia to do a study of the social conditions that were keeping blacks from advancing themselves. Du Bois completed the study within a year. In his ‘final word’ in *The Philadelphia Negro*, Du Bois stated several propositions that he considered self-evident, including the following: ‘The Negro is here to stay,’ ‘It is to the advantage of all, both black and white, that every Negro should make the best of himself,’ and that ‘It is the duty of the Negro to raise himself by every effort . . .’ Du Bois noted that there are restricted opportunities ‘afforded Negroes for earning a decent living in Philadelphia’ and that well educated young men and women from the best families in the city ‘have actually had to go to the South to get work.’ He called upon the business leaders to create new opportunities for blacks ([1899] 1996:388, 394-396). Early in the twentieth century, Du Bois would become quite critical of such leaders who had not opened doors and of the world capitalist economy in general. Du Bois and others in the U.S. would get involved in organizations and movements that attempted to end racial discrimination.

In Paris, in the 1930s, Aimé Césaire and his friends had become quite critical of demands that blacks become integrated in French society. Césaire later recalled that ‘Our struggle was a struggle against alienation. That struggle gave birth to Négritude.’ Césaire indicated that he and his friends lived in an atmosphere of assimilation ‘in which Negro people were ashamed of themselves’ but also in an

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atmosphere of rejection ([1955] 2000:89,91). For Césaire and others such as his close friend Léopold Sédar Senghor who would become President of Senegal, the Négritude intellectual movement opposed Western colonialism and stressed pride in being black. Much of it involved self-affirmation in art. Senghor argued in his first essay on Négritude, 'What the Black Man Contributes,' that the:

'ordering force that constitutes Negro style is rhythm. . . . It is not a symmetry that engenders monotony; rhythm is alive, it is free. For reprise is not redundancy, or repetition. The theme is reprised at another place, on another level, in another combination, in a variation. And it produces something like another tone, another timbre, another accent. And the general effect is intensified by this, not without nuances. This is how rhythm acts, despotically, on what is least intellectual in us, to make us enter into the spirituality of the object; and this attitude of abandon that we have is itself rhythmic' (1964: 296).

When Rodney Coates was younger he could have been trying to follow the recommendation from Dubois that he try to make the best of himself that he could. In a recent unpublished autobiographical account titled 'Hustling as a rite of passage,' Coates uses rhythm as described by Senghor in most of his portrayal of hustling. He begins by explaining the purpose of it:

To obtain money by any legal means necessary. As opposed to dealing which is to obtain money by any illegal means necessary. Hustling is not only an art but a way of life. To hustle is to live in many of the places where the underground economy rules and the above economy denigrates. Hustling is the reality where decent jobs are denied, limited or non-existent, where hope is decried against the backwash of negativity, and where dignity is found

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in humble abodes often bereft of other comforts. Hustling fills the void between household earnings and household needs. Hustling is where dreams meet reality, where myth meets essence, and where life meets eternity. Hustling is where my reality began at the age of 6.

Shoe shine boy walking down the boulevard with a box filled with polish and an eye for the mark. Shoe shine boy, that's what I was, fixin to make all the nickels and dimes a 'lil one could make. Shoe shine boy, standing tall, walking down the boulevard. A bit of spit, a bit of polish, makes sure that rag snaps and the shoe snaps and the shoe shines. 'Brilliant shine, see your face in it sir—double shine for a nickel more.' Shining those shoes—late Friday and early Saturday morning. Meeting ole Slim at the barber shop—shining shoes long into the night. Pockets jingling with the coins, \$10 or \$20 on a good day. Hustling those shines.

Springtime hustle at the age of 8, selling those seeds from burpee. Sunflower and squash, watermelons and zinnias, tomatoes and cucumbers—guaranteed to grow. Everything grows in the Mississippi mud. River floods each year. Got to remember to close off the valve, else when it floods your basements filled with the mud, the gunk, and bugs from the sewers. Just how big do those critters get, damn sob's get bigger than a fist—eatin off that Mississippi sh*t. But sho is good for the gardening don't you know. Mississippi mud, burpee, and hustling at the age of 8. . .

Hustling at the age of 10, old Jack Ben cooking fish, queuing ribs and snoots. Snoots, crackling

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good, right off the grill—hard, crisp and a dunk in da sauce. Hustling the queue—that would be b-b-que—flavored with hickory, secret spices from the hood—a bit of vinegar, tomato sauce, paprika, and salt—can't tell the rest cause it'd be no secret then. Que-ing early in the morning now—50 cents an hour, show was grand. Hustling on the weekend at the BBQ stand. Only bad thing about working in a BBQ stand is that you get to eat all the Q you can eat. And after a bit, even the best Q is old—can a brotha get a burger and some fries. Micky d me won't you please.

Times—was about 12, down at Kroger Friday night bout 6. Hustling the arts—filled with everything, Kroger had it all. Mothers, old and young—'Can I help you with your groceries ma'am.' Pushing the cart ever so easy, don't want to dint the car or hit the mark. 'You want them in the trunk or back seat.' On a good Saturday—20 dollars, Friday included another 10. Thirty dollars for a weekend Hustle, not bad for a kid of 12. . .

Times do change but hustling remains the same. For us it was a rite of passage, our journey into self reliance, responsibility, and adulthood. For us it was a way to prove we could make it, on the mean streets, in the hood, on the corner. For us it meant that we did not have to deal or steal, we did not have to pimp or turn wimp. For us it meant that we could stand on our own two feet. For us it meant that we could survive. We learned how to make a way when there was no way. Making it in a community where unemployment always ran high, where poverty was on every corner, and where despair was taken for granted—hustling was a way of beating the odds, captioning your own ship, walking tall in the neighborhood. Hustling as a

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way of life—our rite of passage. Gotta make a quick dollar, gotta stand tuff, gotta walk tall, gimme a hustle (2010).

Some Business Leaders Finally Opened Doors as Du Bois had Requested

Two notable examples should be mentioned. The first is General Manager Branch Rickey of the Brooklyn Dodgers (now the Los Angeles Dodgers) who decided to break baseball's color barrier. In 1943, Rickey began to search for a player with great skills and a temperament to put up with the abuse that he would experience as the first black player in major league baseball. Rickey found him and persuaded him to sign a minor league contract for the 1946 season with the Montreal Royals, the Dodger's International League affiliate. His name was Jackie Robinson and he became the league's batting champion. The following year Rickey brought him up to begin playing for the Brooklyn Dodgers. Prepared by Rickey to face racism and discrimination as well as the resistance of some of his teammates and other teams' players and fans, Robinson played ten seasons, in six World Series, and was part of the Dodgers' 1955 World Championship. Six years after he stopped playing for the Dodgers, Robinson was inducted into the Baseball Hall of Fame (Wikipedia 2010c; Wikipedia 2010d).

The second is CBS Records President Walter Yetnikoff who decided to break the color barrier in videos played on MTV after the new music channel told him in 1983 that 'their format, white rock' excluded Michael Jackson's new video 'Billie Jean.' Yetnikoff told the MTV people that 'they were racist assholes—and I'd trumpet it to the world if they didn't relent.' Yetnikoff, an experienced and effective lawyer, also threatened 'to pull *all* our videos' from MTV. With some 'added pressure from Quincy Jones,' Yetnikoff acknowledges, 'they caved in' and as a consequence the MTV color barrier 'came crashing down.' MTV started playing 'Billie Jean' and other Jackson videos. Yetnikoff comments that 'The stunning creativity of Michael's videos—'Billie Jean,' 'Beat It,' 'Thriller'—set a new standard and opened the door for black artists, including hip-hoppers and rappers, to the MTV crossover markets. Even more, Michael raised video to a new level. He redefined the relationship of dance to pop music. . . . His 'Thriller' video was as thrilling as *West Side Story*' (2004:154-155).

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However, the efforts of individual blacks and some business men will need to be supplemented by other individual and collective actions mounted against the ascending neoliberal arm of the state and its allies which will be different from but with the same spirit as those that occurred during the Civil Rights Movement in the 1950s and 1960s in order to establish human rights for everyone to a high quality education, to decent and diverse housing, and to jobs with living wages and benefits.

Learning from the Master-Planned City of Irvine.

The city of Irvine is in the central part of Orange County in southern California. The planning for the city of Irvine began after the Irvine Company, which owned and controlled most of the central area of Orange County in southern California, donated 1,000 acres and later sold another 500 acres to the University of California for the establishment of a new campus in what would become the city of Irvine. The Irvine Company and the university then proceeded to develop an initial master-plan for the mostly agricultural Irvine area. In addition to the university campus, it would have industrial zones, residential areas, and commercial centers. In 1965, the University of California, Irvine opened; by 1970 a business area with some light industries opened and several housing developments and commercial centers were completed. In 1971, the city of Irvine was formally incorporated with a population of 10,081 (City of Irvine 2011a, 2011b).

Although the Irvine Company was probably interested in making money and not in bringing into existence human rights in Irvine, we can learn something from the planning and development of the city, namely, that human rights should not be thought of individually but rather as an interrelated complex which can be brought into existence by the actions of private or public organizations which own and control large areas of land and by the people who eventually become residents in these areas. In new cities, high quality education needs to be made available, jobs need to be created, and housing needs to be provided to those who are drawn to these cities. And sometimes in Irvine this did happen.

The basic actions that were replicated throughout the City of Irvine for decades as it expanded included the following: construct in

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a special area some buildings for a few light-industry companies to open their doors to employees and customers, and at the same time in other areas open a few housing developments that would be places where employees and others could live. In addition, build and staff elementary schools in each of the housing developments as well as provide multiple swimming pools, tennis courts, and large fields for baseball, football and soccer. Allocate areas for several high schools throughout the city as well as encourage the development of a junior college and other universities. Ensure that each housing development would be within a few blocks of an area set aside for grocery stores, banks, pharmacies, fitness facilities, convenience stores, restaurants and other services. Set up bike trails that would run throughout and between the housing developments. Require all electrical wiring and digital cables to be placed underground. Construct parks, libraries, community and senior centers and other facilities.

In most Irvine housing developments there would be a combination of apartments, condominiums, town homes, and detached homes for households with different incomes. Later when housing prices in all types of housing were higher than in nearby cities, Irvine attempted to encourage 10 percent of all new residential development to be affordable to households earning less than 80 percent of the Orange County Median Family Income (MFI) and 5 percent of all residential development to be affordable to households earning between 80 and 120 percent of the County MFI (City of Irvine 2011c).

In 1990, Irvine had a population of 110,330, with 73.8 percent white, 17.9 percent Asian and Pacific Islander, 6.3 percent Hispanic, 1.7 percent black and 0.3 percent 'other' (City of Irvine 2011c). By 2010, the city of Irvine had a population of 212,375, with 45.1 percent white, 39.0 percent Asian and Pacific Islander, 9.2 percent Hispanic, 1.6 percent black and 5.1 percent 'other' (City of Irvine 2011b). The changes in the percentages of whites and Asians from 1990 to 2010 suggest that Irvine has high diversity in the sense of greater neighborhood heterogeneity and population turnover (Blau 2005:106). Of course, it would have even greater diversity if Irvine could figure out how to increase the proportions of blacks and Hispanics perhaps through some sort of support offered by private foundations and corporations. As for new cities that grow up around

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new industries such as those involved with green energy, the federal government should offer grants and contracts to those cities that have master plans which include provisions for greater diversity, particularly when these provisions will help blacks and others who live below the poverty line because of earlier adverse government policies concerning housing loans and later ones involving workfare requirements.

We should keep in mind that in a recent Report to the U.N. Committee for the Elimination of Racial Discrimination, the United States was criticized for defining racial discrimination more narrowly than the CERD. The Report stated that U.S. law 'defines cognizable racial discrimination by requiring evidence of *intent* to discriminate.' The Report reminds the United States that the International Convention speaks not only of discriminatory 'purpose' but also of an 'effect' that can be caused 'by individual action or government practices or policies, singularly or collectively. . .' (Menendian et al. 2008:1).

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