



Human Rights Council

Identifying and combatting institutional racism

Introduction

Institutional racism, defined as “the collective failure of an organization to provide an appropriate and professional service to people because of their colour, culture or ethnic origin” [The Macpherson Report, 1999], is an often overlooked and an extremely threatening form of racism. It is still today present in varying levels of explicitness across both the developed and developing world. It ranges from discrimination in intentionally racist post-colonial countries to unfair unavailability of social welfare and protection based on the rule of law for some minorities in the global West. While framework for combatting institutional racism already exists in some form in the United Nations, fastening and improving the process of implementation is crucial to, in words of the United Nations High Commissioner for Human Rights Navi Pillay, “address the scourge of racism and place the victims at the center of the efforts of the international community to prevent, combat and eradicate racism, racial discrimination, xenophobia and related intolerance. The hopes of millions of victims are pinned on the implementation of these documents” [United against Racism, Racial Discrimination, Xenophobia and Related Intolerance, 2012].

A Very Brief and General Introduction into the Study of Institutional Racism

Defining institutional racism is a complex and controversial task. The first step is necessarily to define racism as a phenomenon. Racism is generally a belief that members of a certain race share traits, qualities, and/or abilities. This belief goes beyond simply observing physiological differences (which are often perceived with bias by racists¹), as it mandates that the overall quality and value of people of different races can be unequal. Some ideological opponents of racism also focus on differentiating between prejudice and racism. While racial prejudice (both positive and negative) can be experienced by a member of any race at any time, racism, according to sociological theory, is connected to power structures. Racism as a way of thinking and acting can only be experienced by the race that effectively holds the institutional power; the race that is considered “default” or “normal” in the given society². Thus it can be inferred that the same actions or thinking patterns may or may not be racist and that they can have varying impact based on the race of the actor. For example, in North American countries, white people can be considered as those holding institutional power. As such, it is logical that a wide-spread belief in “white power” could mean discrimination of people of color; while the belief in “black power” in the African-American community might not have the same result.

Institutions are a means of the society to maintain the patterns of behavior that it values, and to keep these patterns stable or recurring. Institutions have a social purpose that is multi-faceted and may contain preserving a racist order that stems from tradition, demographics, economic

¹ This is consistent with the in-group-out-group bias as described by social psychologists. According to this theory, members of one group (race in this case) favor the members of their own group based on their ability to perceive the traits and in-group differences in more detail, whereas the out-group is perceived with less detail and more stereotyping.

² “Normal” does not necessarily mean the most numerous in populace – it may be influenced by culture or various power structures – for example in an apartheid country, the often more populous races perceived as sub-ordinate are politically and economically separated from the minority, yet “normal”, race.

conditions, influence of the military, the law, or other structures of power. As such, institutions are very effective at protecting already existing power structures and can only with great difficulty adapt to new conditions. Their inertia means that there can effectively exist institutional racism without racists. Even dismantling the purposeful agents of racism completely can only yield very partial progress to the cause of racial equality. Institutions that are formed with (or transformed to having) no express racist intentions can often still participate in racial discrimination; for example, because the way they traditionally work differs by geographical location and thus affects different races differently. E.g. in the United States of America, the police force often uses different methods with arguably harsher treatment of subjects in inner-city districts³ than in other regions, such as suburban towns. For the reason that inner city districts are more predominantly inhabited by African-Americans than suburban towns, this behavior of the police force (which can be regarded as unjust but not intently racist) gains racist traits and as a consequence it partakes in protecting a racist establishment.

In a similar fashion, many different institutions can partake in racism. The problem of institutional racism is painfully obvious in education, which may be considered as a rooting ground for racism in the society. It is also present in healthcare, political representation, personal and political rights, treatment by the criminal system and public offices; the list could go on indefinitely.

Institutional racism is a major systemic issue that permeates states developed and developing, democratic and autocratic (totalitarian), homogenous national and demographically fragmented. Institutional racism is present not only in states with overtly racist ideology, but also in states that propagate the idea of racial equality⁴ and multiculturalism. The latter case proves that the fight against racism requires an active and focused anti-racism campaign as well as a system of checks and balances. A state seeking to eliminate institutional racism should focus on every level of its organization as a majority of individual racist decisions happens on a sub-legislative⁵ level, often in the jurisdiction of local government, or even at the hands of individual officers and public employees.

Several Historical and Present Day Cases of Institutional Racism

In this section we will examine different cases of large-scale institutional racism. This will help us establish the vast diversity of how institutional racism can work. We will start with two of very well-known cases that constitute extreme institutional racism and continue with a subtler, yet still tremendously influential, issue of institutional racism in education, thus examining the more modern kind of institutional racism encountered in a large number of nations. Needless to say, the examples given are only a drop in the sea of how institutional racism can unfold in various situations. However, examining the conditions for the rise in institutional racism can give us a hint of a larger implied pattern.

Nazi Germany

The most infamous and colloquially known case of institutional racism occurred in the Nazi Germany under the rule of National Socialist German Workers' Party. The political establishment, intent on eradicating the Jewish race, produced detailed and systematic plans, policies, guides, and a variety of other materials on recognizing and discriminating Jews. A chief role in this process

³ Inner-city districts in United States generally tend to have a higher-population density than outer suburbs, thus often housing lower-income population. In many American metropolises inner-city district is effectively a euphemism for predominantly African-American and Hispanic "ghettos".

⁴ Today, on paper at least, a vast majority of countries endorses the idea of racial equality. The International Convention on the Elimination of All Forms of Racial Discrimination, an important United Nations human rights instrument has 177 parties (out of 192 states represented in the United Nations).

⁵ sub-legislative = a legal norm or a decision inferior to a legislative act = 'below the law'

was played by the so-called Nuremberg laws. These anchored the racist ideology into the legal system of Germany. They are based on pseudo-scientific theories of eugenics⁶ and according to Nazi ideology were supposed to serve the protection of “German blood” and the nation. Notably, Nazis used different conditions for identifying someone to be Jewish than those mandated by Jewish holy texts.

Rwandan Genocide

The colonial legacy resulted in the escalation of many racial conflicts all over the colonized world. This has several reasons that can be generally characterized by a profound disinterest in ethnic make-up of different make-up (see in-group-out-group bias in¹). While some post-colonial countries suffer most from insensitive “cutting up the map”, as a result of which states like Nigeria are comprised of different societies, ethnicities, religions, and cultures that evolved with minimal contact and are nowadays struggling to consolidate state power in traditionally different regions, other countries have conflicts that stem from the former colonial powers⁷ favouring of certain ethnicities. In Rwanda, this ethnicity was the minority Tutsi⁷, through whom Belgians exercised their rule. This eroded the relationship between Tutsi and the majority ethnicity, Hutu. This ethnic tension came to characterize the history of the second half of the 20th century in Rwanda and escalated in 1994, when during an approximately 100-day long period, an estimated of 70 % of Tutsi and 20 % of total Rwandan population was slaughtered. The massacres were organized by a political elite that teamed up with the army, the gendarmerie, and many government-sponsored militias. The government purchased, and the army distributed to civilians, 750 000 \$ dollars-worth of new machetes imported from India – these weapons later came to symbolize the brutality of the genocide. Rwandan genocide is often described as a “neighborhood genocide”, due to the hard-to-believe fact that a large proportion of the victims were murdered in their homes by their neighbors. Radio played an enormous destructive role in the genocide, as a round-the-clock broadcast prompted the murdering of all Tutsi and also moderate Hutu, gave “tips” to ensure maximum effectivity of the ethnic cleansing, and identified potential victims. Today, though enormous progress has been made, these issues still resonate heavily in the Rwandan society.

Alternative Education Systems for Some First-World Minorities

As mentioned earlier, education is a major problem of, and a contributor to, the issue of institutional racism. This is why many find it outrageous that in some developed countries, sub-standard or non-systematic education is provided to certain minorities. Due to the enormous variety and differences between individual cases, we will focus on two examples: native American and Czech Roma students.

The education opportunities for Indian populations in USA (Native Americans) offer an insight into what happens when a country says a resolute “no” to integration and devises separate systems for indigenous population. The schools in Indian reservations are run completely independently on the majority American education system and score traditionally as the worst in the country. Importantly, this is not caused simply by the lack of finance, as financing per student for these schools is above

⁶ Eugenics is a set of beliefs and practices that were presented as scientific during some parts of the 20th century. Their aim was improving the genetic quality of the human race by limiting reproductive rights of people with “undesirable traits” and encouraging the reproduction of those with “desirable traits”, thus altering the course of human evolution. In the inter-war period, eugenics was widely debated and supported by many influential intellectuals all over the civilized world. Nazi eugenics programs and experiments during the war proved to be absolute failures.

⁷ Tutsi were historically richer and more powerful even for several centuries prior to colonization, however this was not due to ethnic conflict. The relationship is better understood as a mix of a caste/aristocracy system, where Tutsi played the upper hand. Only the institutionalization and deepening of the difference of social statuses under Belgian rule led to a change in how the majority Hutu understand the ethnic differences.

the national average. A wide political disinterest in the issue and the reluctance to tamper with the system that is presently largely overlooked by the voter base both contribute to the largely untouched and ever worsening situation for Indian students that have drastic drop-out rates⁸, above-average crime rates and may in extreme cases even suffer from illiteracy.

As not to be criticized for drawing attention to only foreign shortcomings, the Chair would also like to mention a systemic problem in the educational system of their own country, the Czech Republic. The Roma population in Czech Republic had its traditional travelling lifestyle broken up by the communist regime that marked them as free riders⁹ and forced them to find a permanent residence. Communists found jobs (that were mandatory) and housing for Roma. However, after the fall of the communist regime, many Roma lost their jobs (partly due to the reluctance of private employers to employ Roma and partly due to the failures and insensitivity of the earlier communist integration process), fell into debt and only escaped it by selling their homes. This led to a concentration of Roma in suburban ghettos of often ruinous condition. Roma children were then often sent to sub-standard so-called “special schools” that use curriculums devised for children with light mental defects but are largely used to school mentally healthy Roma children from socially excluded districts. While the total number of students educated in special schools decreased from 17 755 in 2008 to 10 695 in 2015, the percentage of Roma among the total of special school students increased from 28,2% to 32,4%.

Conclusion

Institutional racism is an issue that often remains under the radar of the mainstream political discourse, but it plays an important role in shaping the lives of great many people in virtually every corner of the earth. Finding solutions is so difficult because it is hard to define, often deemed uninteresting for mainstream media, or even supported by the majority population. While an overwhelming majority of countries accepts institutional racism as unacceptable, what is on paper differs from the actual reality. United Nations’ approach is based on the belief that institutional racism needs to be actively fought against, because it is not only immoral, but also prevents entire populations of unleashing their full cultural and economic potential. Meanwhile, institutional racism happens on an everyday basis, as it has been also in the past. Individual cases differ enormously, but finding factors that link them can be helpful in the prevention of and eventual eradication of the issue of institutional racism.

⁸ Out-of-school suspension rates in 2009/10 were 6% for females and 12% for males in Native-American schools, compared to 3% and 7% for white students. 40% of Native-American students reported being sold, offered, or given drugs on school property (white students: 23 %). Source: <http://www.niea.org/research/statistics.aspx>

⁹ Free rider means someone who uses public resources while not contributing. In communist regimes, being unemployed is often criminalized and punishable by imprisonment (in some literature you may encounter the term “forced rider” to describe this phenomenon).