

HISTORICAL DEVELOPMENT OF INSTITUTIONAL RACISM

A Working Paper by Robette Ann Dias – May 2006, updated and revised May 2013

Preface

History has always intrigued me, filled as it is with stories about people, their lives and the decisions they made and the actions they took. But beyond that, as a student I was always more intrigued with the stories that were missing or scantily referenced, not to mention the half-truths and outright lies. As an American Indian person and female, I always felt the most interesting stories, the stories about people like me were the ones I most wanted to hear, and were the ones most glaringly absent from my grade school and high school history books, from the encyclopedias and reference books found in school libraries.

But history intrigued me nevertheless. There is always a sense of reading between the lines to discover more than the story articulated in text. I understand now what I was doing even back then. I was looking for the patterns, looking at events and circumstances, dissecting words and deeds of historic figures in an attempt to discern more broadly the social dynamics of the time and their consequences for us today. You have to do this if the people you care most about are written out. Yet even in the writing out or distortion of the stories, there is evidence of the truth. It wasn't until I learned to make baskets that the patterns described in this paper became clear to me. Perhaps concentrating on the basket in my hands and dreaming about the baskets I wanted to make re-ordered my mind so I could see new patterns in the peoples' stories I have experienced either directly or by reading them. What had once seemed like loosely related stories suddenly come together in whole new ways for me to weave their divergent strands together to form the basket of history.

The strands of the basket lay in my hands long before I knew how to fit them together. For example, I knew there was a *blood* criteria to identify Blacks and Indians, one drop and blood quantum respectively. While both criteria are clearly motivated by racism, why the big difference? At first it didn't make sense, the different ways racism manifests pertaining to these two groups. White supremacy and colonialism seemed to be at the core, but it wasn't until I wove them together with U.S. apartheid in its fullness that the frame of the basket began coming together. Eventually I came to see the main fiber in the basket's frame was white supremacy. Colonialism and apartheid were laid along side white supremacy to give the basket its frame and strength. Then I finally saw the patterns in the stories of People of Color, their lives and their struggles. I saw them woven on this frame of white supremacy, colonialism and apartheid; saw all the lives woven together. The stories and current realities of each racial group woven in patterns over this powerful frame, holding all of us captive in its fibers. September 11 and the aftermath helped a lot too. The crisis removed the veils of political correctness and allowed hateful racist rhetoric (especially toward Arabs and Arab Americans) to resurface in mainstream discourse. A pattern some pretended didn't exist anymore suddenly reemerged.

These patterns are so deeply embedded in our society, I can't look at our laws and systems without seeing them any more. That they are so deeply embedded but obfuscated in our collective psyche emphasizes the importance of understanding racism as White supremacy and looking at history through the lenses of colonialism and apartheid. We have been taught not to see these patterns, to see racism in disparate pieces as if it makes no sense. But seeing the three as interrelated and dependent strands, like the strands of a braid, allows us to see the fullness of White supremacy in all of its manifestations. This working paper is intended to reveal some of the patterns woven over the frame of White supremacy, colonialism and apartheid.

Acknowledgements The ideas in this working paper are dependent on and inspired by the work of a number of other people. Bob Blauner for his understanding of colonialism, especially that colonialism springs from racist ideology; Dr. Jack D. Forbes for first exposing me to the whole idea of colonialism and the need for race discourse that includes a full analysis of it; Dr. Luanna Ross for exposing me to the need for revolution that starts by first decolonizing our minds; William H. Watkins for his articulation and illustration of the power of ideology; the elderly woman (whose name I do not know) at the American Indian women's conference who told me I would be all right if I just learned to make baskets; Judy Dow who taught me to make baskets and who continues traditional basket making using materials at hand including pizza boxes and soy milk containers; California basket makers whose skill and beauty inspire me – only in my dreams do I make baskets

of such grace and perfection – their enduring artistry is a reminder to continue traditional cultural practices not just for the sake of esthetics, but because of the unique ways they structure our thinking and define reality; Dr. Maulana Karenga, Barbara Major, and Michael Washington for the definition of race we use in Crossroads training materials, which links the origin of the race construct to world-wide European colonial expansion; Crossroads Antiracism Organizing & Training for creating the environment where I had to think about race and racism creatively every day; Dr. Victor Rodriguez and Joe Barndt who developed the training model and early training content for Crossroads, particularly the Historical Forms of Racism and the Wall of History; the Crossroads Analysis of Racism Organizer/Trainers who contributed to this working paper examples of laws and events adding texture and complexity to the patterns and who tested the material in training; Chuck Ruehle, Anne Stewart, Dr. Emily Drew, Joy Bailey and especially my sisters PaKou Her, and Jessica Vazquez-Torres who not only defended this work from external criticism but, more importantly, protected it from my own self doubt; Debra Russell for interpreting and formatting my scribbles for the chart which accompanies this working paper; Ellen Nuechterlein for careful proofreading and editing; Lino and Chiara Sottile, if not for them, I might not have cared to think about any of this.

Introduction

Colonial for many people in the United States refers to the historic period prior to 1776 and the “American Revolution,” and particularly to the interactions between the British monarchy and its representatives and the American patriots. Rarely does the focus of the colonial period fix on the experience of People of Color, yet many consider themselves to still exist in a colonial state within the United States. To understand US colonialism one must focus on the experiences of People of Color whose lands, lives, cultures and resources were exploited historically and continue to be today; and to understand the role and relationship of colonized peoples to Europeans and Euro-Americans who benefit from that exploitation.

Through a deep analysis of the colonial project we make visible the foundations of the systemic economic, cultural, and racist oppression that we have inherited today. To do this honestly and authentically we must rely heavily on the insights and experiences of those for whom colonialism is an ongoing reality. At one time we might have referred to them as indigenous peoples and recognized them by their true names; but today because their homelands have been invaded with many people forcibly removed and traditional societies disrupted or destroyed, they have become part of US society with names imposed on them: Afro-Caribbeans, Central and South American Indians or Indios, Native Hawaiians, Pacific Islanders, Puerto Ricans, Samoans, Filipinos, African Americans, Asian Americans, Arab Americans, Mexican-Americans, Native Americans, Latinos, and Chicanos to name just some.

The key to understanding the historic experience and current realities of these groups is to understand that both the way they came to be present and their roles in US society differ significantly from that of European Americans.

Immigration and colonialism [are] the two major processes through which new population groups are incorporated into a nation. Immigrant groups enter a new territory or society voluntarily, though they may be pushed out of their old country by dire economic or political oppression. Colonized groups become part of a new society through force or violence; they are conquered, enslaved, or pressured into movement. (Blauner. 52-53). Thus there are four conditions that differentiate the experience of People of Color from that of European immigrants. The first is forced entry [by the colonizer] into the [indigenous] society or metropolitan domain. The second is subjection to various forms of unfree labor that greatly restricts the physical and social mobility of the [colonized] group and its participation in the political arena. The third is a cultural policy of the colonizer that constrains, transforms, or destroys [indigenous] original values, orientations, and ways of life. [Fourth is] the experience of being managed and manipulated by outsiders in terms of ethnic status...the lives of colonized people tend to be administered by representatives of the dominant political and legal order. (Blauner, 57-69 see also Ross, 4). Blauner also indicates that what fuels and enables the colonial project is an underlying racist ideology which dehumanizes indigenous peoples and defines the colonizer group as distinct and superior (Blauner, 22 see also Ross, 63).

Rodolfo Acuña describes six conditions of the colonial project:

1. The land of the people is invaded by people from another country, who later use military force to gain and maintain control.
2. The original inhabitants become subjects of the conquerors involuntarily.
3. The conquered have an alien culture and government imposed on them.
4. The conquered become victims of racism and cultural genocide and are relegated to a submerged status.
5. The conquered are rendered politically and economically powerless.
6. The conquerors feel they have a “mission” in occupying the area in question and believe that they have undeniable privileges by virtue of their conquest.

(R. Acuña in Delgado and Stefancic, 171)

“Colonialism is comprised of a complex set of relationships stemming from the underlying condition of subjugation in which one power has control over another people’s education, language(s), customs, lands, and economic means of sustenance” (Dobles & Segarra)

In the first two descriptions of colonialism, Blauner and Acuña, both name an underlying ideology fueling the colonial project. Blauner describes a racist ideology underlying colonialism, and Acuña describes it as the conquerors’ *mission*. Understanding the power of ideology is key to understanding the power of white supremacy or racism as an ideology, as William H. Watkins states: *A body of ideas may serve to rationalize and justify any political, educational, or economic system, but ideology helps organize our world and explains it in relation to power and vested interests* (Watkins, 2).

White supremacy is the ideology behind colonialism and apartheid, and this is our inheritance in the United States; it is still the ideology organizing our lives today. Too often we settle for simplistic understandings of white supremacy. But for those of us engaged in processes to dismantle racism, we need to understand the fullness of White supremacy and all its complexity. In 1971 Neely Fuller said, “If you don’t understand white supremacy (racism) what it is and how it works, everything else that you understand will only confuse you” (in Welsing, Dedication). One of the simplistic ways we have thought about White supremacy in the past was to think of it as a single ideology. What this working paper identifies are patterns that reveal White supremacy as multiple, mutually reinforcing ideologies.

These ideologies originally organized the US into an apartheid nation, legally and socially segregated into White and “non-White” worlds. Apartheid was created differently through specific laws and their interpretation for each distinct People of Color group. Although apartheid laws have been changed, both colonialism and the racist ideologies remain. Life in the United States continues to be organized by White supremacist ideologies. These ideologies are made manifest through the systems and institutions of the United States.

The Relationship Between the United States and Institutions

The tradition of racism that began in Europe continued in the United States after the American Revolution as a way to legally create a system of White dominance and as a way to carve out nationhood. The founders of the United States were building up systems and institutions, and even a distinct “American” identity that incorporated and perpetuated the racist paradigm that was begun in Europe, in order to establish the United States a White, Protestant nation.

Institutional power is an extension of “state” power in the United States. Institutions not only abide by the laws of the United States, institutions are sanctioned by the state because institutions maintain the laws and preserve the standards and norms defined by the laws. Institutions give form and function to the values under-girding the laws.

Racism was originally built into the US legal system because White supremacy was among the values the “founding fathers” were trying to preserve. As institutions were built along side the building of the US legal system, racism and its underlying racial ideologies were built into the laws and built into the institutions.

As we look at the laws (including how they have been interpreted by the Supreme Court) and institutions of the United States it is important to pay attention to the fact that while racism has drastic and deadly impacts on all People of Color, the “concept of race” is not applied in the same way to each People of Color group. For example, race and racism are applied differently to Indian people than to Black people. It is important to investigate these differences in order to fully understand the impacts and dynamics of White supremacy. Although People of Color are negatively impacted by racism, the purpose of racism is not to harm People of Color but rather to provide power and privilege to Whites. Thus in order to not be confused by racism, we need to investigate the economic benefits White society derives from the exploitation of each People of Color racial group. Over time, we can discern a pattern to the exploitation that reveals a racial ideology and economic strategy to exploit each group. Historically, these ideologies were reinforced and the economic strategies codified into the laws and institutions of the United States, and are now perpetuated as if on auto-pilot into our modern time, even though many overtly racist laws have changed.

The Ideologies and Related Racial-Economic Strategies

Each of the racial ideologies discussed in this section are summarized on the accompanying chart, *Historical Development of Institutional Racism*. The chart lists five distinct People of Color groups in the U.S., names the racial ideology applied to each group, and also names the accompanying racial economic strategy. Specific laws or legal interpretations that established apartheid for each group are cited, followed by changes to laws that were intended to end apartheid, and examples demonstrating the ways racism continues to self-perpetuate in spite of changed laws.

US racial ideologies have their roots in Europe. One of the longest-running ideologies applies to Arabs, and continues full steam today. It manifests in the belief that Arabs “hate us, hate our freedoms and want what we have” (paraphrase of President George Bush’s speech to the joint session of Congress and the nation on 20 September 2001 as reported in *The Washington Post*). This ideology has its origins in the Reconquista and the Crusades. The Reconquista of Spain (and Portugal) resulted in driving out the Moors and Jews and uniting Spain under a single Christian monarchy. The Crusades were earlier attempts by European Christians to establish military and economic footholds in the Arab world. The European Christian belief was that Arabs and Jews were heathens and infidels, rendering them unworthy to possess the physical wealth of God’s creation. These beliefs paved the way to the Doctrine of Discovery that justified the European conquest of *New World* (Sardar and Davies, 143-149 and 160-161). But it also established the racist ideology of Arabs as “marauding invaders” in which Whites are justified to acquire and control Arab’s natural resources in order to prevent those resources from being used to invade and conquer free, democratic, Christian society (Sardar and Davies, 146-150).

The racial ideology applied to African Americans defines Blacks as social and intellectual inferiors incapable of creating and maintaining civilized society. Driven by this ideology White Europeans made Africa an early target of colonial expansion and exploitation. Indigenous Africans were enslaved both on the African continent and were kidnapped and removed to Europe and to many parts of the so-called *New World*. Chattel slavery evolved in the United States in its most virulent form and persisted long after the practice had been outlawed in Europe. Even after the Civil War, the ideology of White supremacy and Black inferiority has shaped the US social, political and economic landscapes. The United States became a world economic super power based on the unpaid labor of enslaved Africans. Even after emancipation, the perpetuation of White supremacist ideology has maintained a large pool of low wage earning and permanently unemployed African Americans. When needed, poor Blacks have been used to undermine the wages of poor white workers, for example to break union strikes. Because Blacks were not allowed to be union members, management brought in Black replacement workers both before and after the end of slavery.

The Doctrine of Discovery defined the European experience in the *New World*. This legal doctrine mutually established by the Vatican and the European monarchs was designed to reduce conflict in the *Old World* and maximize exploitation of the *New World*, the Doctrine of Discovery declared that the first Christian nation that *discovered* an area of land in the *New World* belonging to heathens, infidels and savages, then had claim over that land and all the people and resources found there. There were two Inter Cetera Papal Bulls that initially codified this Doctrine, the first by Pope Nicholas V in 1452 and the second by Pope Alexander VI in 1493; in addition there were decrees from the European monarchs charging their seafaring explorers to discover new lands, claim them in the name of their monarchs and bring home the spoils (Deloria in Jaimes, 271-272 and Sardar and Davies, 144). One example is the decree of King Henry VII of England to John Cabot in 1482, which formed the basis for all English claims to what became the United States of America, and says in part:

Seek out, discover, and find what so ever islands, countries, regions, or provinces of the heathens and infidels, what so ever they be, and in what part of the world so ever they be, which before this time have been unknown to Christians (Haudenosaunee UN Intervention, and Sardar and Davies, 144).

Manifest Destiny is the direct descendent of the Doctrine of Discovery, and resulted in a continued genocidal racial strategy directed at Indigenous peoples. It started out as outright war and colonial conquest, and today continues through the application of *blood quantum* to racially define who is and is not *Indian* (see Dawes Act below) as well as by making Indians invisible and irrelevant.

To understand the racial strategy applied to Latina/os, we have to understand the difference between Spanish Colonialism and English Colonialism. Spanish colonialism did not set out to create *all White* European societies in the new world; rather, Spain and Portugal intended to exploit the land, its people and resources. There was not a lot of angst about creating a *Mestizo* nation; in fact over time a whole ideology affirming the supremacy of the mixed race man emerged in Latin America. But this was not true in the English colonies in America, where the goal *was* to establish all new, all White, all Protestant countries in the New World (Forbes, 3-5). Yet once the US conquered and colonized former Spanish colonies (Mexico, Puerto Rico, Philippines and Cuba) and in order to justify the neo-colonial exploitation of Latin and South America, the US adopted the Spanish model of colonialism as its racial strategy for Latina/os. According to this ideology, Latina/os are mestizos (racial hybrids) tainted by African and Indian inferiority. With this strategy, some elite Latina/o individuals are granted *honorary white* status—at least for a time—as a way of separating the elites and co-opting them in the exploitation of the masses, and particularly to separate them from the most vulnerable Latina/os. So those Latina/os who are better educated, speak English without an accent, are economically advantaged, who often have lighter skin tones, and in other ways are more ‘comfortable’ for Whites are encouraged to think of themselves only as individuals, co-opted into identifying with White society and abandon the interests of Latino communities.

The racial ideology applied to Asian Americans defined them as racial inferiors undeserving of US citizenship and full incorporation into US society. This allowed Whites to exploit the labor and resources of Asian immigrants while denying them citizenship and the full participation in the legal, social and economic systems of society. This status of perpetual foreigner keeps Asian American communities vulnerable and marginalized from the US mainstream, as well as using them as scapegoats during times of economic uncertainty and social unrest.

1492-1790 European Colonialism and the Roots US Nation Building

It is instructive to look at specific laws in order to detect how the various racial strategies emerged, beginning in what is commonly called the *colonial* period of the United States. A lot of people think the colonial period ended with the Revolutionary War, but that obfuscates who the original colonized people are in the US—American Indians, for whom the colonial period has never ended, and who continue to be colonized peoples today (Ross, 11-12).

In the beginning... after the Revolutionary War, the United States was a *rogue* nation, having broken away from England, one of the greatest imperial powers on the planet. The new *Americans* were anxious to establish themselves as an independent and sovereign nation and so set about beginning to do the things that sovereign nations do, these include establishing an economic base, defining who is and is not a citizen of the country and negotiating relationships (trade, military, etc) with other free and sovereign nations through the process of treaty making. Another important function of sovereign nations is developing fundamental legal documents like the Constitution, and to define who can and cannot be a citizen. The economic foundations of the United States had already been forged by the end of the Revolutionary War, on land stolen from Indians and through the forced labor of enslaved Africans. The first Congress of the United States (1789-1791) decided the citizenship question during its second session; the first law defining US citizenship, the Naturalization Law of 1790 specified that naturalized citizenship be reserved for “any alien, being a free *white* person.” This law remained in effect until 1952. Though in 1870, after the Civil War, Black citizenship became possible, though in practice, it was a second-class citizenship at best (Takaki, 79-80 and U.S. Citizenship and Immigration Services (1)).

Treaty making was and continues to be the established way in which relationships are negotiated and maintained between independent and sovereign nations. At the time the US was beginning to establish itself, treaty making had historically been done in Europe between the European monarchs, and in the Americas the European monarchs had also made treaties with the Indian Nations on the east coast of what became the United States. The new Americans were anxious to continue this tradition and so very early entered into treaties with various Indian tribes. The Treaty with the Delaware in 1778 was ratified even before the Treaty of Paris of 1783, which ended the Revolutionary War. In addition, Indian nations held the balance of military power along the western border of the new United States and so to protect its White citizens, treaties were more important to the United States than to Indian Nations (Robbins in Jaimes, 89-90).

The US Constitution defines treaties as binding agreements between two sovereign nations and states that they are “the supreme law of the land.” One of the crucial treaties for the newly created United States came just one year after the end of the Revolution with the 1784 Fort Stanwix Treaty with the Haudenosaunee (Iroquois) Confederacy (or Six Nations: Onondaga, Mohawk, Oneida, Cayuga, Seneca and Tuscarora). The Confederacy was very powerful and four of the tribes – Mohawks, Senecas, Cayugas, and Onondagas – allied with the British during the Revolution, so the United States was very anxious to make treaties with the Confederacy in order to insure the safety of the Whites and to delineate the borders of the newly constructed United States of America (Churchill in Jaimes, 152). Thus in the early days of the new United States, it was through mutual agreement evidenced by treaties that the US was a nation apart from the Indian nations with which it co-existed as co-equals.

Slavery was one of the most profound dynamics of oppression during this period that dramatically contributed to US Nation building and to the building of the US economy. The issues of slavery and the slave trade were intentionally avoided in the Declaration of Independence. In the Constitution of the United States, as a concession to the Southern states that had sparse White, but large Black populations, the 3/5 Doctrine was created for the purpose of determining White representation in the House of Representatives, Black slaves in the South were counted as 3/5 of a human being. Not because they would get rights or representation, but because it was a way for wealthy White southerners to gain more power in the US Congress.

In addition, a whole set of laws codifies differential treatment for Blacks and Whites which kept poor Blacks and Whites from joining their struggles, for example the punishment for runaway White indentured servants was considerably less than the punishment for Black runaway slaves (Takaki, 56). These punishment laws had deep roots in the legal statues of the British Colonies, for example, murder of a slave by a master in the course of punishment was not considered murder, in 1705 the Virginia Colony Slave Codes, Chapter 34 provided that a master who killed his slave in an attempt to correct the slave would not be held to have committed a felony:

XXXIV. And if any slave resist his master, or owner, or other person, by his or her order, correcting such slave, and shall

happen to be killed in such correction, it shall not be accounted felony; but the master, owner and every such other person so giving correction, shall be free and acquit of all punishment and accusation for the same, as if such accident had never happened.

These racially disparate sentencing laws persist today, one example being the differences between sentences for crack cocaine convictions, which are longer than sentences for powdered cocaine convictions. Crack cocaine tends to be a drug of choice for poor Blacks while powdered cocaine is the choice of middle class Whites.

In 1706 the colonial government of New York Colony further clarified its earlier position by declaring that the baptism of a slave did not entitle said slave to freedom:

Be it Enacted by the Governr Council and Assembly and it is hereby Enacted by the authority of the same, That the Baptizing of any Negro, Indian or Mulatto Slave shall not be any Cause reason for the setting them or any of them at Liberty.

This is one of the defining characteristics of slavery as it evolved in the United States. In Europe Christians could not enslave Christians, yet in the US Christianity was specifically used as a tool to control enslaved Blacks. For example, slave owners invoked biblical passages that exhorted slaves to “obey thy masters.”

What emerged from this is the racial strategy that Blacks are social, political and moral inferiors to Whites, in order to create a perpetual pool of free and cheap labor, and the means to ensure the continued segregated reality of the United States.

1790-1954 US Apartheid, Colonialism and Neo-Colonialism

Over time as European immigration increased and the US population grew, the balance of power shifted. The Haudenosaunee and other tribes became militarily vulnerable, and the United States violated treaty-agreed borders and encroached on Indian territory and other treaty rights. The United States unilaterally abrogated the treaties. This is illegal by US law (Robbins in Jaimes, 91). In 1824 the US established the Bureau of Indian Affairs in the War Department, clearly signaling that its intent toward Indians was to subdue them through wars of conquest, not treat them as co-equal nations (Ross, 16-17). Through a strategy of conquest and genocide, the US maintained an apartheid state that alienated, exploited and oppressed American Indians.

One significant example is the series of treaty breaking events that led up to Cherokee Removal and the Trail of Tears. The United States entered into dozens of treaties with the Cherokee and their related tribes, known to the US as the *Five Civilized Tribes*. The Cherokee believed they were immune to the racist tendencies of the US and that the US was their ally. The Cherokee had adopted many European customs, including formal education, written language, newspapers, some even owned Black slaves. But when gold was discovered on Cherokee land in 1829, they quickly found out the US was not the friend they thought it was (Nies, 242-251).

The state of Georgia refused to honor the federal treaties with the Cherokee and passed its own state law to take over jurisdiction of Cherokee land. Georgia even passed a law making it illegal to *be* Cherokee in the state of Georgia. These and other laws made it impossible for the Cherokee to defend their treaty protected homeland, of course this was all very illegal, but President Andrew Jackson did not want the treaties to be enforced. The Cherokee took their cases all the way to the Supreme Court, and lost. Because by time they got there, there was already a bill going through Congress that in 1830 was passed as the Indian Removal Act. Thus paving the way for the Cherokee to be forcefully removed from their homeland to the so-called new *Indian Territory* which was established in what is today Oklahoma; a policy framework originally crafted by non-other than Thomas Jefferson (Nies, 242-251).

But it wasn't just Indian treaties that were abrogated in this way. When the United States entered into the Treaty of Guadalupe Hidalgo that ended the US war with Mexico in 1848, the US acquired half the landmass of Mexico. But the treaty also established Mexican cultural and religious norms in the new territory and guaranteed the former Mexicans living in the territory all the rights and privileges of US citizenship. Gradually over time as White US citizens moved into these former Mexican territories, the rights and privileges of the former Mexicans eroded and disappeared, and the cultural norms became Anglo-American. Once the

territories had significant White majorities (instead of Indian or Mexican majorities) the territories became states, and the constitutions and laws of these states directly contradicted and violated components of the Treaty of Guadalupe Hidalgo. Most of the former Mexicans lost their treaty-guaranteed rights of citizenship, land and resources in these new states (Acuna, 53-56). Apartheid citizenship for Whites only was reinstated.

Before the Civil War, Blacks attempted to access the US legal system both to end their enslavement as well as to assert various other civil and property rights. In 1857 Dred Scott (a Black slave) was not allowed to sue in federal court for his freedom because access to the courts is predicated on citizenship. The Dred Scott Decision held that Scott and all other Blacks—free and enslaved—could never be citizens because they were “a subordinate and inferior class of beings” (Haney Lopez, 40). The Civil Rights Act of 1866 invalidated this ruling.

The years immediately after the Civil War and the end of slavery, was the period of Reconstruction in the south and federal troops were used to protect the rights of the newly freed slaves (Zinn, 193-194). During this time numerous Blacks were elected to local offices, state legislatures and to the US Congress. Between 1870 and 1901, a total of 19 African Americans served in the US House of Representatives and two in the US Senate (Higginbotham). During the late 1860’s and early 1870’s numerous laws were passed protecting the rights of Black citizens. This culminated in 1875 with the passage of a Civil Rights Act, outlawing the exclusion of Blacks in public accommodations. Yet these hard-won gains were lost again once the federal troops were removed from the south as a result of the Compromise of 1877. The 1876 presidential election was contested by three southern states. Rutherford B. Hayes promised to remove the troops from the south and end Reconstruction in return for the Electoral College votes he needed to be elected president. Some refer to this as the Corrupt Bargain. Regardless of the name, the result was to reinforce white supremacy (Zinn, 200). In 1883 the Supreme Court nullified the Civil Rights Act, and in 1896 the court ruled on Plessy v Ferguson – the separate-but-equal doctrine that returned many Blacks to a state of de facto slavery and reaffirmed the US policy of legal apartheid (Zinn, 193-194 and 199-205). It also paved the way for the rise of the Ku Klux Klan, Night Riders, and the harassment and violence (including lynching and Jim Crow laws) that were wrought on African American communities; as well as economic exploitation through sharecropping, etc.

In 1901 North Carolina Representative George White was the last of the African Americans of this era to leave Congress. In his farewell address on January 29, 1901 he said: *This, Mr. Chairman, is perhaps the Negroes temporary farewell to the American Congress; but let me say, Phoenix-like he will rise up some day and come again. These parting words are in behalf of an outraged, heart broken, bruised and bleeding—but God-fearing people; faithful, industrious, loyal people—rising people, full of potential force* (Higginbotham).

Also during this period, the United States determined that it isn’t really very efficient or expedient to violate treaties with Indian tribes one at a time, and so we begin to see the wholesale abrogation of treaties with Indians. One of the most profound and devastating of these tactics was the Dawes Act, or the General Allotment Act of 1887. In 1887 there were about 138 million acres of land held by Indian tribes. None of this land was *owned* individually, but rather tribes held it collectively and as best they could, tried to maintain their traditional patterns of life on their reduced territories. The Dawes Act imposed individual land ownership on Indian people, but worse than that, with the Dawes Act the United States usurped the power to define who is and who is not Indian. It did so in the following way: every *US defined* Indian person was to receive their own 160 acres of land from the pool of land formally held collectively by the tribe. But in order to be eligible to receive the land, an Indian had to prove that they were at least *one half* Indian from one single tribe. If a person could meet this *blood quantum* standard and prove it with documentation, they received 160 acres; if they couldn’t meet it and prove it, they got nothing. This one policy violated hundreds of treaties and reduced the Indian land holdings from 138 million acres to 48 million acres. The so-called *surplus* land that resulted became some of the land that was given to White settlers, many of them new immigrants, through the homestead acts (Jaimes, 125-126).

The *blood quantum* concept illuminates the specious nature of the race construct. To be considered *Indian*, blood quantum required one to be one half from one tribe. But a person could have four different

grandparents, each from a different tribe and they would not be considered *Indian*. At the same time there was a whole different definition for who is Black. What's the blood quantum for being Black? One drop, according to the One Drop Rule. In order to understand this we have to understand what those different racial strategies are about, and look for the economic benefits to White society. Indians held large tracts of land and the resources above and below the soil. In order to get access to that land, the racial strategy is to get rid of the people through genocide, either by outright killing people or by exercising the power to define identity and decrease the numbers of Indians – or people who could legally identify themselves as Indian. The conservative estimate is that there were 12 million Indigenous people at the time of contact (1492) in what became the United States. A less conservative estimate puts the pre-contact US population as high as 20-50 million (Sardar and Davies, 158). By 1890 when the *Indian Wars* officially ended, the population was 250,000; by 1900 it was less than 240,000 (Stiffarm and Lane in Jaimes, 27-28 and 36-37). But the strategy for Blacks is to increase the pool of free and cheap labor, therefore using the One Drop Rule increases the population of Blacks – or people the US could legally define as Black.

Some other examples of wholesale treaty violations... The Dawes Act was in effect until 1934 when the Indian Reorganization Act (IRA) replaced it. This act was a unilateral breach of all the US treaties with tribes that guaranteed annuity payments or supplies in exchange for land concessions. What IRA did was to force Indian tribes to reorganize their governments from traditional forms of governance to forms mandated by the United States. If tribes did not do this, they were denied their treaties rights of supplies and their people would have literally starved to death. IRA established direct colonial rule over tribes following the British colonial model (Robbins in Jaimes, 94-98 and Jaimes, 128).

The next wholesale abrogation came in the form of Termination Policy in effect from 1945-1960, in which the US unilaterally decided to terminate the existence of Indian tribes. Unilaterally deciding that sovereign Indian nations no longer existed was done so the US would no longer have any treaty responsibilities to these people. This was simultaneous to the Claims Commission (1946) as a means to financially compensate Indians for territory that had been illegally stolen, and a policy of Relocation that began in 1956 to move Indian people from rural reservations to urban areas. All are violations of treaty law (Robbins in Jaimes, 98-99).

During this period of history, apartheid was created for Blacks through slavery and for Indians through warfare and reservations. The other method for creating apartheid in this period was through immigration and naturalization laws. As noted earlier, Black citizenship was made possible by the 1870 Naturalization Act, which specifically excluded Indians and Asians.

Various Asian groups were recruited and brought to the United States as cheap labor. Most notable of these in this time period were the Chinese, who were brought to work on the railroads, farms and in the mines of the western US. Chinese workers were allowed to come and work, but then they were supposed to go back home. Only men could come *legally* as workers, leaving behind their families. If they did stay, they were never allowed to naturalize as citizens. This was codified by the Chinese Exclusion Act of 1882, which singled out Chinese on the basis of race and excluded them from citizenship (Takaki, 192-200). It should be noted that a lot of young Chinese girls and women were kidnapped, brought here *illegally* (though often with the knowledge and approval of local officials) and forced into the sex trades—but generally they did not live long enough to become an *immigration problem* (Takaki, 211). What emerged was the racial strategy that pertains to Asian peoples, to keep them perpetual foreigners and therefore outside the protection of the Constitution and civil rights. This is another side of legal apartheid.

The Chinese Exclusion Act went even further to maintain an apartheid US in that it denied any further immigration of Chinese into the United States. And in 1917 (with the 1917 Immigration Act) this ban was extended with the creation of the *Asiatic Barred Zone* and further expanded in 1924 to include all countries in Asia (Ueda, 20) which remained partially in effect even after the passage of the Immigration and Nationality Act of 1952, and was not fully lifted until the Amendments to the act were passed in 1965 (Haney Lopez, 38). The 1917 Immigration Act also established a literacy test (in English) for all foreigners applying for citizenship (U.S. Citizenship and Immigrations Services website [2]).

The first significant wave of Arab immigration began in 1875 and lasted until 1917 when the US restricted immigration from Arab countries. Like many other immigrants who came to the United States, Arabs were seeking opportunity. Factors in the first immigration were Japanese competition that hurt the Lebanese silk market and a disease that hurt Lebanese vineyards. Most early Arab immigrants were from Lebanon and Syria, and most were Christian. At various times Arabs have been classified as Africans, Asians, Whites, or in a classification of their own (Detroit Free Press website). Arab immigration was curtailed when Congress created the Asiatic Barred Zone in 1917 and expanded it in 1924 to include all of Asia by saying aliens could not immigrate if they could not become citizens, and Asians were denied citizenship by virtue of the 1790 Naturalization Act (Ueda, 20-22 and U.S. Citizenship and Immigrations Services website [2]).

Looking specifically at Naturalization, in the 1922 *Ozawa v US* decision, the Supreme Court declared that White was synonymous with Caucasian, and that Ozawa, a light skinned Japanese, was ineligible for naturalized citizenship even though he qualified for citizenship in every way but being White. This ruling was applied to the citizenship appeals of all Japanese people (Haney Lopez, 7-8, 92-95).

In the 1923 decision (just a few months later) *US v Bhagat Singh Thind*, the Supreme Court ruled that Asian Indians were ineligible for naturalized citizenship. Arguing that the definition of race was based on the “understanding of the common man,” the court held that the term “White person” meant an immigrant from Northern or Western Europe. The law does not employ the word “Caucasian,” but instead uses the words “white persons.” Thus, Asian Indians, though considered Caucasian, were not commonly known to be White, therefore making them ineligible for US citizenship (Haney Lopez, 7-8, 92-95). This ruling negated the decisions in cases *US v Balsara* (1910) and *Ajkoy Kumar Mazumdar* (1913). Shortly after the Thind decision, federal authorities cancelled the citizenship of all previously naturalized Asian Indians (Haney Lopez, 243).

The colonization of Hawai'i began in 1778, first by British explorers and then by the United States. The estimated population of the Hawaiian Islands at the time of contact is one million persons; by 1890 the Native Hawaiian population was 40,000. A combination of religious and economic forces enabled aggressive Americans to enter the government and the Hawaiian economy. American business interests plagued the Hawaiian king and chiefs with requests for private property and land tenure. Once establishing a foothold and economic base (primarily pineapple and whaling) in the country, US business interests became the interests of the US government and military. Disputes between the legitimate Native Hawaiian government and US business interests were quickly settled through the intervention of US troops. President Grover Cleveland thwarted attempts by US businessmen to annex Hawai'i to the US as early as 1863. Undaunted, the Whites overthrew the Hawaiian monarchy, imprisoned Queen Lili'uokalani, and created an all White oligarchy euphemistically called, the Republic of Hawai'i. Once William McKinley was elected president, the road to annexation to the US was assured. However, this was not done by a treaty of annexation, which would have been the *legal* means because McKinley and his cronies knew there was not enough support in Congress for the needed 2/3 majority (the popular view at the time identified Hawai'i as having a “mongrel colored” population that did not fit the US apartheid tendencies). Nor would the population of the islands have agreed to such a treaty. So instead, a vote was taken on a *joint resolution* of Congress, which required only a simple majority and no vote was ever taken in Hawai'i. Thus, in 1898, Hawai'i (illegally, according to US law) became a territory of the United States, and “a militarized outpost of empire” (Trask, 4-17).

In 1898, the US also won the Spanish American War and acquired Puerto Rico. The 1900 Foraker Act declared the island a territory of the US; authorized the US President to appoint its civilian governor and top administrators; reserved for the US Congress the right to annul any laws the Puerto Rican House of Delegates passed; assigned trade, treaty, postal, sanitary and military powers to the US federal government; and gave the island one non-voting delegate to the US Congress. It forbade all commercial treaties with other countries except the US, replaced the Puerto Rican peso with the US dollar, and devalued the Puerto Rican peso which made it easy for US sugar companies to steal Puerto Rican owned lands and destroy the independent Puerto Rican coffee growers (Gonzalez, 60).

The economic interests of US corporations in Puerto Rico have consistently been protected by US law, making Puerto Rico a US colony by the definition of classic colonialism. In the early 1900's the Supreme

Court ruled on the Insular Cases, which provided the principal legal backing for the US to possess colonies to the present day. 1901 *Downes v Bidwell* was a pivotal decision of the Insular Cases, its findings state, *The island of Puerto Rico is a territory appurtenant and belonging to the US, but not a part of the U.S. and without the revenue clauses of the Constitution* (Gonzalez, 61). Basically, the Constitution and the rights it guarantees do not apply to Puerto Ricans. This decision is the Puerto Rican equivalent of the Dred Scott Decision.

In 1917 the Jones Act imposed citizenship on Puerto Ricans over the unanimous objection of the House of Delegates. While Puerto Ricans have never been granted the fullness of their citizenship rights, because of the Jones Act, many Puerto Rican men were conscripted to serve in the US military during World War 1 and subsequent wars and US military actions.

By 1947 Puerto Rico was a Free Trade Zone. According to IRS Section 936, income of US companies doing business in Puerto Rico was exempted from federal taxes, which further devastated the already weakened native Puerto Rican economy (Gonzalez, 232-233).

After the Spanish American War, the Philippines also became a 'possession' of the US and was profoundly exploited by US corporations during its period of US colonial occupation. The 1934 passage of the Tydings-McDuffie Act provided for a ten-year transition period to independence, during which the Commonwealth of the Philippines would be established. The commonwealth would have its own constitution and would be self-governing, although foreign policy would be the responsibility of the United States. Laws passed by the legislature affecting immigration, foreign trade, and the currency system had to be approved by the United States president (Los-Indios-Bravos website).

If the Tydings-McDuffie Act marked a new stage in Filipino-American relations, it remained a highly unequal one. Although only fifty Filipino immigrants were allowed into the United States annually under the arrangement, American entry and residence in the islands were unrestricted. Trade provisions of the act allowed for five years' free entry of Philippine goods during the transition period and five years of gradually steepening tariff duties thereafter, reaching 100 percent in 1946, whereas United States goods could enter the islands unrestricted and duty free during the full ten years. The United States continues to retain a naval reservation and fueling stations in the Philippines (Los-Indios-Bravos website).

In addition to the outright colonial expansion of the United States in the classic sense, this period of time is also defined by *neo-colonialism*. Neo-colonialism is a new form of imperial conquest that does not require actually taking possession of another people's land, but rather conquest is achieved through the invasion of the people's economic, political and cultural life. The outcome is the same as with classic colonialism: People of Color are exploited, dispossessed of their land and resources, and their traditional cultures stripped from them. The neo-colonial dynamic was demonstrated time and again during this period, particularly in Latin American and South American countries, many which came to be known as *Banana Republics* where US interests were synonymous with US corporate interests. The practice of "gunboat diplomacy" emerged in which dictators friendly to US corporate interests rose to power and, with the help of the US military, terrorized and exploited their own people.

The economy of these banana republics was built on a few agricultural products that were grown for export and sold at very low prices to foreign corporations. The country no longer produced enough food or other products to meet the needs of its citizens, and so food and manufactured goods had to be imported at a premium from US and European (often British) producers (Gonzalez, 58-60).

As US agricultural corporations bought up land throughout Latin America, millions of poor people were forced off their lands and often displaced from their native country, making them even more vulnerable to labor exploitation. US corporations developed a practice of moving workers across borders in the region that with the onset of World War II, expanded to recruiting Latin American workers for the US labor market (Gonzalez, 58-60).

The unique geographic features of Panama left it particularly vulnerable to layers of neocolonial exploitation. Not only was it a banana republic as described above, its narrow strip of land separating the Atlantic and

Pacific Oceans made it a lucrative site to build first a railroad and eventually the canal which would transform trade and transportation between the east and west coast of the Manifest Destiny driven United States. In 1880 when Ferdinand de Lesseps (a French national credited with building the Suez Canal) began the canal project, Panama was part of Columbia. By 1889 Lesseps's company had collapsed and construction on the canal abruptly ended stranding about 50,000 black West Indians laborers that had been transported there to work on the project. While Columbia's president at the time, José Manuel Marroquín, was in favor of making a treaty with the United States to restart the canal project (which included a ten kilometer zone on each side of the canal that was sovereign to the US) the Columbian congress was against it. US president Theodore Roosevelt, in a fury over the rejection conspired to concoct an armed revolt that was militarily supported by the US navy (gunboat diplomacy). As a result, Panama declared its independence and agreed to Roosevelt's treaty (Gonzalez, 67). A 1977 treaty surrendered the US claim to 60% of the Canal Zone and established a neutral international waterway through which any vessel is allowed to pass (even in times of war). Finally in 1999, the Canal Area was fully returned to Panama, though the US and Panama maintain joint responsibility to defend the canal.

Mexico has also been significantly impacted and shaped by US colonial initiatives. Ever since Mexican independence in 1821 when Mexico ceased being a colony of Spain (a European colonial power) and became a nation of *Mestizos* and *Indios*, the United States felt justified in stealing Mexican land. However, in addition to outright imperialism, the US also engaged in neo-colonial practices in Mexico. One of the most significant and ongoing practices of exploitation engaged by the US is the use and abuse of Mexican workers.

In Mexico after 1900 there was an extensive movement of workers from rural areas to the urban centers, including immigration to *El Norte*. Dispossessed of their land through unscrupulous land speculators and victimized by nation-wide depressed economic conditions, Mexican workers entered the US labor market in what has become an endless cycle of US recruiting workers and then "repatriating" them before they could establish an economic or political base in the US. At various times the US has exploited both US and Mexican workers by deliberately over supplying the labor market with Mexican workers, keeping wages down for all workers. In addition, Mexican workers were particularly vulnerable because they were denied citizenship and the Constitutional protections citizenship provided (Takaki, 321-22).

One such labor recruitment program existed from 1942-1964. The US had a shortage of low-wage, stoop labor as a result of military service and the internment of Japanese workers during World War II. The solution was to recruit Mexicans to fill this need. This was known as the *Braceros Program* and the supply of workers was negotiated directly with the Mexican government with the idea that when the US was done with them, the Mexican workers would be sent back home. Over six million Mexicans came to work in the US via this program. At this same time in 1954 the US initiated *Operation Wetback*, in which 1 million Mexicans and *Mexican Americans* were rounded up and deported back to Mexico (Acuna, 285). There were numerous other abuses of the agreement by the US and as late as 2008 former Braceros had outstanding claims against the United States for unpaid wages estimated to be between \$150 million and \$3 billion. In 2008 a class action lawsuit was filed by some of the former Braceros and a settlement amounting to \$3500 per person was reached. The suit alleged the unpaid wages were withheld from the braceros paychecks and forwarded to banks in Mexico to be held until they returned home but the terms of the settlement include on one admitting any wrong doing (Hughes, Socol, Piers, Resnick, Dym, Ltd website).

World War II brought about numerous opportunities for the US to show its racist underbelly. In 1942 following the bombing of Pearl Harbor, Executive Order 9066 commanded the detainment of World War II *enemy aliens*. This Executive Order originally included the detainment of Germans and Italians, but was only ever applied broadly to Japanese Americans and Japanese living on the west coast of the US (and to some Aleuts in Alaska) but not to Japanese or Japanese Americans living in Hawaii and only rarely to individual Italians and Germans. Referring to this action Lieutenant General John L. De Witt, in charge of the western defense, said, *You needn't worry about the Italians at all except in certain cases. Also, the same for the Germans except for individual cases. But we must worry about the Japanese all the time until he is wiped off the map* (Wu, 99).

The 120,000 Japanese and Japanese Americans on the west coast were particularly vulnerable because they tended to live in isolated communities, their labor was not needed in the mainstream economy and perhaps, most significantly, their farms and produce businesses gave strong competition to their White counterparts. The forced internment of thousands of Japanese and Japanese Americans destroyed not only individual lives, but well established Japanese American communities and businesses and resulted in uncounted economic loss. At the same time, 33,000 Japanese Americans served in the US armed forces during the war, many of them in military intelligence, many of them with distinction (Takaki, 380-383 and Wu, 95-102).

In 1950, President Truman appointed Dillon Meyer as Commissioner of Indian Affairs, Meyer had been in charge of Japanese internment camps during WWII. It was Meyer who carried out US Termination Policy (see above) against Indian tribes (Nies, 306, 352, 356).

The aftermath of World War II is also rich with illustrations of how deeply embedded racism is in our institutions. The GI Bill (formally known as the Servicemen's Readjustment Act of 1944) is often touted as one of the defining social and economic factors of the 20th century; it is even credited with creating the US middle class. Originally enacted to assist returning World War II veterans re-enter the US economy and to stave off the potential return of the pre-war economic depression, the GI Bill has become a standard benefit to men and women who complete military service. Though current service personnel experience nowhere near the benefits the first recipients of the GI Bill received. From 1944-1949, benefits included \$4 billion in unemployment benefits to 9 million vets, from 1944-1956, 10 million vets received educational and vocational training benefits, and from 1944-1962 \$50 billion in home, farm and small business loans, guaranteed by the federal government, and below the prevailing interest rate were made to veterans. It has been estimated that home ownership during this period doubled (from 1 in 3 Americans owning their own home to 2 in 3) because of the federally guaranteed, low interest home loans (Liu et al).

Unfortunately not all veterans could claim the benefits to which they were entitled. Some scholars cite the GI Bill as being one of the main factors contributing to the widening gap in the 20th century between Black and White economic achievements. So while White veterans and their families greatly benefited from military service, Black veterans and their families were not able to participate and fell even further behind economically (Onkst, Brodtkin, 38-44).

Most Blacks could not access their education benefits. For example because colleges and universities were still racially segregated, a large number of Black veterans were admitted to the historically Black colleges, but these schools lacked the infrastructure to accommodate all the veterans who desired and were qualified for admission. Job training benefits were denied because the White program administrators refused to place Black veterans in apprenticing positions, even when the business specifically requested a Black worker.

Unemployment benefits were denied because White bureaucrats would steer Black veterans into available menial and manual labor jobs rather than certifying their unemployment claims, filling the low paying jobs with Black veterans and allowing White veteran to claim unemployment benefits for up to one year and wait for higher paying jobs or educational opportunities to open up (Onkst).

The home, farm and small business loans were administered through local banks, and guaranteed by the federal government, that is the government insured the loans to eliminate any risk to local banks and financial institutions. By 1962, \$120 billion in new housing was financed by the VA and FHA, with 98% going to white homeowners (Liu et. al, 257). The federal government had the opportunity to radically disrupt patterns of housing segregation through these wealth-building programs. They not only failed to do so, but actively participated in making it worse (Brodtkin, 45-50).

Much of the low cost housing that was built for returning veterans and paid for by federally subsidized VA loans was built in the suburbs, consequently the post war suburbs began their existence as all White enclaves, leaving Blacks in the inner city urban or rural farming areas. Many of these new suburbs included *restrictive covenants* that dictated by race to whom a home owner could and could not sell their property. Restrictive covenants maintained the suburbs as White enclaves for decades, until through Civil Rights legislation it became illegal to do so. But undeterred, White real estate speculators in collaboration with federal housing

programs would find other methods to keep US neighborhoods racially segregated (as we shall explore in the section on Movement Time).

Post World War II was a complex time for Arabs world wide; this is the time period of the second wave of Arab immigration to the United States. This time it was not for economic reasons as much as because of the Arab-Israeli conflict and civil war. This meant that people came from many more places. The second wave of immigration also had many more people who practiced Islam, a religion that was not as familiar in the United States. Immigrants in this group tended to be more financially secure when they arrived than people who had come earlier for economic opportunity. Many people in the second wave were students (Detroit Free Press website). Following the 1967 Arab-Israeli Six Day War in which Egypt blocked Israeli access to the Gulf of Aqaba, Israel retaliated by capturing Sinai, the West Bank and Golan Heights (Nies, 366), Arab-American life in the United States became more complicated and difficult as US support for Israel mounted.

The Immigration and Nationality Act of 1952, also known as the McCarran-Walter Act, nullified the 1790 Naturalization Act and for the first time *race* was not a legal impediment to naturalized citizenship (Takaki, 400 and U.S. Citizenship and Immigration Services website). Initially McCarran-Walter left in place the racialized “national origin quotas system” which was begun in 1924 to determine immigration eligibility. The quota system, based on the US population in 1920 distributed visas at a rate of 1/6 of 1% of each nationality’s 1920 population, resulting in 85% of the 154,277 visas available annually going to individuals of Northern and Western European heritage (US Department of State website). This continued until the Act was amended in 1965. McCarran-Walter also created a long list of grounds on which “aliens” could be excluded or deported and the procedure for admitting Asians continued to be complex, for example Japanese were undesirable because of their enemy status during World War II while Chinese immigrants were classified as more desirable. The result was there continued to be race-based differential immigration. Just as insidious was the fear McCarran-Walter caused among immigrant workers making it one of the most powerful tools for strike busting and keeping labor unions segregated. It greatly restricted the ability of immigrants to organize workers, thereby maintaining low wages for immigrant workers and especially People of Color (Acuna, 301-302).

In 1954 *Brown v Board of Education* became one of the significant building blocks for ending legal segregation and apartheid in the United States. It became the foundation upon which the 1964 Civil Rights Act was built, prohibiting discrimination in employment and public accommodations on the grounds of race, gender, and national origin. And also the 1965 Voting Rights Act, which assured People of Color access to the ballot box and ultimately to a variety of state and federal public offices (Higginbotham).

1954-1973 Movement Time

Typical of this period were strategies to maintain racial segregation, in defiance of a growing body of Civil Rights Legislation. The area of housing is illustrative.

The Home Owners Loan Corporation, a US government agency created in 1933 in order to stabilize the real estate market, adopted *redlining*. HOLC made it possible to refinance urban mortgages and mortgages of properties that had depreciated during the depression. Approximately one million homeowners received long-term mortgages and avoided foreclosure as a result. HOLC developed a rating system to justify lending only in White, middleclass neighborhoods, which were given a green rating. The red rating (hence redlining) was attached to lower home values of People of Color and mixed race, working class neighborhoods and equated lower home values with higher risk (Brodkin, 49). When the Federal Housing Administration (FHA) was created in 1934 as a New Deal program to stimulate construction industry economic recovery, it too adopted redlining as a practice. FHA underwriting manuals insisted on maintaining racially homogeneous neighborhoods and only insured loans in White neighborhoods. In addition, the FHA encouraged builders to write restrictive covenants into the deeds of the houses they built, even after the Supreme Court outlawed restrictive covenants in 1948. At the end of WWII the Veterans Administration implemented the GI Bill

using the same policies, making it nearly impossible for People of Color to secure mortgages or home improvement loans, which reinforced and expanded segregated housing in cities (Brodkin 46-50).

Redlining and restrictive covenants were outlawed early during this period, but those laws went largely unenforced from 1948 through the 1970s. In addition, real estate speculators in cahoots with the federal government invented other strategies to maintain racially segregated housing and to exploit People of Color neighborhoods (or to actively facilitate their decline).

Real estate agents routinely practiced *steering* and *block busting* as economic exploitation strategies and strategies to maintain racially segregated neighborhoods. Steering was the practice of showing prospective buyers *some* of the available housing stock, namely the houses located in neighborhoods where other people of the buyers race already lived. *Block busting* was a way to exploit a community that is in the process of changing from predominantly one racial group to another. The practice worked something like this: a real estate speculator would approach a home owner in a White neighborhood and convinces them to sell their home below market value to the speculator because, "They're moving in," meaning People of Color are beginning to move into the area and the assumption is property values will decline as a result. The speculator then approached a Person of Color from another neighborhood and sold the home to them at a premium. The real estate speculator repeated the process over and over until the racial make-up of the neighborhood changed and the speculator made a lot of money.

Gentrification and *Urban renewal* (sometimes referred to as *Negro removal* in the vernacular) are two other strategies that contribute to housing segregation and substandard housing in People of Color neighborhoods. In urban areas, city governments provide incentives for businesses and land speculators to begin operating in *depressed* (as in People of Color) neighborhoods. The existing small businesses already located in these neighborhoods cannot compete with the new businesses with all their special incentives and tax breaks. In many cases the new businesses are not even intended to serve the people in the existing neighborhood, but still the existing businesses have to compete for rental space and services with the new businesses. In addition, land speculators begin to sell real estate to people from outside the community as *affordable housing*, the prices being higher than the existing residents can afford to pay, but lower than what the outsiders could find elsewhere. Eventually, the existing neighborhood is displaced, and a whole new (often White) population has moved in. In addition, poor People of Color neighborhoods are labeled as urban blights, land is taken over through eminent domain processes, homes are torn down, and new "cultural establishments" are built in their place. In this way many cities have found space for theatres, museums, convention centers and stadiums; while the people who formerly lived there are displaced and their neighborhoods and communities are disrupted and destroyed.

After World War II the United States government with its nuclear weapons capability became increasingly obsessed with "The Red Scare" and the potential for worldwide spread of communism. The interstate highway system was initially a military spending project, part of the huge build up of the Cold War military budget. While the US nuclear arsenal included missiles located throughout the US in stationery silos, the government feared those silos would be easy targets for Soviet missiles and so a mobile nuclear arsenal was also created. The rationale was to keep nuclear warheads moving around so they could be preserved in a nuclear attack and available to be used in a counter strike. Originally constructed to permit safe and efficient movement of mobile nuclear warheads, the interstate highways also contributed greatly to the physical and economic growth of the suburbs and the demise of urban areas as business and residential centers.

The highways were never intended to serve inner city neighborhoods; they were built in complete disregard to the needs of the people in these neighborhoods. They did not facilitate the residents' ability to get to places where local jobs were available, and they often passed directly through (or over) the middle of poor neighborhoods, dangerously and inconveniently dividing the neighborhood and decreasing local access.

In addition, the highways allowed the newly created white-collar middle class to commute from the suburbs (where post-war mortgages were plentiful) to urban employment, further decreasing the number of well-paying jobs available to People of Color who actually continued living in the urban centers. The highways also

allowed businesses to relocate from the urban centers to the suburbs. This period is characterized by the deindustrialization of the US, as production facilities increasingly relocated overseas in pursuit of lower production wages. Management became physically far removed from production as the higher paying management and technical positions remained in the US. This allowed businesses to move to the suburbs from the 1950s through the 1980's where real estate prices were lower and tax advantages were greater than in urban areas. This also created an even larger gap between urban and suburban economies. During this period, 71% of Blacks lived in urban areas and 66% of Whites lived in suburbs (Takaki, 413). Previously well-paying industrial and skilled labor jobs vanished from the cities; *if* they were replaced, it was with low-paying, low-skill service industry jobs.

Although the American Indian Civil Rights Act (IRA) of 1968 brought an end to Termination Policy, it was ultimately a co-optation and further erosion of tribal sovereignty. IRA forced tribal governments to reorganize according to standards set by the BIA and placed them within the federal system of the US government. Current civics texts in the United States describe the federal system as having three branches of government. In reality, since 1968 there are actually four: executive, legislative, judicial and *tribal*. The purpose of the Act was to make it even more difficult for tribal governments to maintain tribal sovereignty and treaty rights by making tribal governments part of the very foreign government that had invaded them in the first place (Churchill and Morris in Jaimes, 16 and Robbins in Jaimes, 102).

Through the 1960s and 1970s, Indian people were very busy fighting not only massive erosion of sovereignty through wholesale treaty abrogation by the federal government, but were also engaged in numerous local, state and federal struggles to defend their specific treaty rights. These struggles were as diverse as the treaty rights they defended, but looking at one set of struggles pertaining to subsistence rights gives us a sense of what was going on. These cases are collectively known as the "Fishing Wars," and were primarily located in the Pacific Northwest and the Great Lakes regions of the United States. In these regions, Indian people were guaranteed, through treaties, the right to hunt and fish in their "usual and accustomed places." It is important to understand that while the day-to-day reality of these cases was to put food on the tables of Indian families, the larger issue at stake is the maintenance of traditional indigenous economies, which has important implications for maintaining collective identity and keeping tribal people together (The Institute for Natural Progress in Jaimes, 217-239).

Over time Indians had experienced gradual erosion of their fishing rights as well as the decline of their catches through the passage of state and local fishing regulations, encroachment by the commercial and sports fishing industries and environmental degradation. Eventually tribes in both areas took their cases to the courts. As the cases worked their way through the legal processes, Indians found themselves faced with an increasingly hostile legal and social environment. The media played a major role by dis-informing the public and playing on widely held racist attitudes. It got so bad in both the Pacific Northwest and the Great Lakes, that Indians were forced to face down violent and armed White vigilantes. Eventually many of these cases were successful in the courts and people's fishing rights have been maintained, but the struggle is never ending. People continue to experience incremental and wholesale infringements of their rights, and environmental pollution and poor resource conservation continue to undermine traditional indigenous economies (The Institute for Natural Progress in Jaimes, 217-239).

We cannot leave this period without talking about COINTELPRO. People often wonder why the Civil Rights Era or Movement Time came to an end. It wasn't because the need for it ended because we had finally achieved "justice for all," and it didn't end by accident. The US government intentionally destroyed the peoples' movements. COINTELPRO was created in 1954 as a clandestine program of the FBI under J. Edgar Hoover. Its full name was Counter Intelligence Program, and its mission was to destroy domestic groups that were protesting and organizing opposition to US domestic (and eventually foreign) policies and practices. All the People of Color resistance organizations were targets, as was the anti-Vietnam War peace movement (Churchill in Molina, 197-207). From 1956-1971, 295 separate actions were taken against Black activist groups alone (Zinn, 455).

The groups were infiltrated by FBI sponsored *agents provocateurs* who would disrupt and disorganize the targeted groups from the inside. Individual leaders like Martin Luther King, Jr. and Angela Davis were discredited through these campaigns, and movement leaders were turned against one another. The result was that the resistance organizations were demonized and distanced from the people for whom they were fighting; and branded as terrorists, militants and insurgents by the government, media and general public. This then justified the government and local law enforcement agencies to take action against the groups, destroying their infrastructure and criminalizing their leaders and members. Outright murder was an acceptable tool of COINTELPRO operations; Fred Hampton, Mark Clark and Zayd Shakur were among the victims. COINTELPRO *officially* continued until 1971, when it was exposed and purportedly dismantled, but FBI records indicate the American Indian Movement did not come under intense COINTELPRO activity until after 1971, and there is convincing evidence that COINTELPRO operations continue within resistance movements today (Churchill in Molina, 208).

A second powerful destructive force to the Peoples Movements of this time period was the US Secret War in Laos (1955-1974). This was part of the Vietnam Conflict. The Geneva Conference declared Laos an independent state in 1954, and as such the United States was not able to locate troops in Laos. Yet the country was a strategic imperative for the US in its war against the “communist scourge” (Zepezauer). Part of the Ho Chi Minh Trail, an important Viet Cong supply line, ran through a portion of the country. Instead of sending US troops, the US recruited ‘soldiers’ from the Hmong hill tribes; some of these ‘soldiers’ were only 8 and 9 years old. In return for fighting, the Hmong were promised sanctuary in the United States when the war was over. The Hmong population had been reduced from 300,000 to 125,000 by the end of the war. The people had been murdered, attacked, starved, and captured (Lee Her in interview with PaKou Her).

The Hmong had for many centuries grown opium and it was an important cash crop for them. The CIA began processing the raw opium and trafficking heroin by recruiting Hmong military leaders, notably General Vang Pao (McCoy). Much of this heroin ended up in People of Color communities that were engaged in Civil Rights and other struggles of liberation, further destroying cohesion, vitality and organizing efforts in these communities.

1973-present Criminalization, Racist Multiculturalism, Color Blindness and Post-Racial

Even though new laws to redress past injustices were enacted in the previous era and in this one, racism continues to self-perpetuate, sometimes because laws are not enforced and sometimes because racism has been so completely structured into institutions that changing laws alone is not enough. Some examples of laws not being enforced include: American Indian Religious Freedom Act (AIRFA) and American Indian Child Welfare Act (AICWA) (Churchill and Morris in Jaimes, 17) enacted in 1978 to protect Indian people but which have no teeth to enforce them and so they are not enforced, in fact most people working in child welfare don’t even know AICWA exists. AIRFA too has been used to challenge restrictions on American Indian Religions and especially to protect sacred sites, but it has not been effective in doing so. One example of this is *Lyng v Northwest Indian Cemetery Protective Association*, 1988 in which the Supreme Court determined that “to destroy a religion does not unfairly burden that religion according to the free exercise clause.” (Deloria in Jaimes, 275-287; Bowers and Carpenter, 524; *Lyng v Northwest Indian Cemetery Protective Ass’n*, at 456).

This era is shaped by several powerful economic trends. First is the tacit acceptance of a permanent underclass predominantly made up of People of Color who face the persistence of intergenerational poverty and increasing unemployment. Using statistics for Black families and White families during this period illustrate this point. There was a dramatic rise in female-headed families, in 1960, 20% of Black families were female-headed, but that climbed to 40% by 1980. For White families, the percentages are 8% in 1960 and 12% in 1980. In 1980 Blacks were 12% of the population but 43% of all families receiving welfare (Takaki, 411).

Unemployment was particularly devastating to young Black men. From 1968 to 1980 the unemployment rate of Black men between the ages of 20-24 increased from 13% to 22%, while during the same period of time the rate for their White cohort only increased from 8% to 11%. In 1980, 72% of Black men between the ages of 20-24 were unemployed, employed part-time or working full time earning below poverty wages. The equivalent for White men of the same age was 36% (Takaki, 412).

This created a real double bind for Black women who generally had less education and lower job skills than Black men. Welfare, low wages, inadequate child care, poor transportation, lack of affordable housing and political disenfranchisement fueled the cycle of inter-generational poverty and guaranteed a permanent Black underclass (Takaki, 411-414).

The second trend that exacerbated the first is Reaganomics. Many of the problems perpetuated by Reaganomics resulted from shifting federal spending away from “poverty” or so-called “entitlement” programs into military expenditures. Reaganomics is synonymous with the Cold War economy. The strategic nuclear weapons program generated enormous federal spending deficits as defense expenditures under Reagan doubled from \$134 billion in 1980 to \$282 billion in 1987. Sixty cents of every tax dollar collected was funneled in to the defense budget (Takaki, 417).

From 1981-1985 defense spending increased by \$35 billion. In the same period spending for food stamps and other entitlements decreased by \$30 billion. Since 1955, 62% of federal research funding has been for Cold War weaponry, at a cost of over one trillion dollars. This drain on national resources undermined our national ability to produce competitive consumer goods. Not only were US companies shipping jobs overseas, but trade imbalances also ensued. The lack of research and development in the commercial sector contributed to the US inability to compete in commercial manufacturing. As commercial manufacturing declined in the US, even greater job loss resulted (Takaki, 417).

A third trend during this period is the rise of the Prison Industrial Complex and the criminalization and disenfranchisement of People of Color. Critical Resistance defines the Prison Industrial Complex as “The overlapping interests of government and industry that use surveillance, and imprisonment as solutions to economic and political problems” (Critical Resistance website). In the late 1960s and 1970s the federal budget allocated money to build airports and provide technical education. Today those funds are spent on prisons, creating a self-fulfilling, self-replicating spiral downward. Academic underachievement and poverty correlate with high rates of incarceration. Because of the historic patterns of racially segregated housing, schools tend to continue to be racially segregated as well. Children of Color are more likely to attend poor schools that lack resources and experienced staff. Consequently, Children of Color experience higher school drop out rates and higher incarceration rates. Underfunding education has the net result of criminalizing poor People of Color. The increased trend of men of color incarcerated over the last several decades is demonstrated in the following statistics: 12%, 1985 - 25%, 1995 - 33% of young men of color incarcerated or otherwise involved with the criminal justice system. Within the next ten years, 50% of young men of color (and growing numbers of young women of color) will in some way be involved in the criminal justice system (Hernandez, Dillon).

The social trends of this period are characterized by “embracing” multi-cultural diversity coupled with “color blind” ideology. It seems the US woke up one day and discovered it had a lot of multicultural diversity in its midst. Multiculturalism has become a code word for racial diversity. The wake up call probably came at a good time, given 80% of new immigrants are either Latina/o or Asian (Takaki, 421). The strange thing is that at the same time US institutions began to “embrace” multicultural diversity, they also began to use a rhetoric of “color blindness” that implies we shouldn’t notice the color (meaning race) of people, and that everyone should be treated the same. Mandatory diversity and sensitivity trainings are common work place practices. Cultural affinity groups have sprung up in US institutions as have “multicultural tables and desks” to share and celebrate the multitude of cultures in the US. The problem with all this multiculturalism is that it never takes into account the inequities created by power; that not all members of the multicultural table are equal participants in institutional and cultural power. Nor does it take into consideration that it is the White institution that owns and dominates the multicultural table. So what results is *racist* multicultural diversity.

The other dynamic obfuscated by multiculturalism is the very existence of *race*. With racist multiculturalism, we are not supposed to see racial diversity at all. Everyone is all the same; we see only humans, or members of the human *race*. This *color-blind ideology* is a reaction to affirmative action and used as the justification to end it. Affirmative action was one of the policies designed to redress the historic, intentional exclusion of People of Color and women from education, employment, government programs, and other societal benefits. Affirmative action is generally misunderstood as giving unearned benefits or preferences to historically marginalized groups; however, this is not accurate. Effective affirmative action policies require all candidates to meet the basic requirements of eligibility and only use race and gender as factors to make selections from among all the eligible candidates. It has been an effective strategy for People of Color to gain access to some institutions that previously excluded them, but the greatest beneficiaries of affirmative action have been white women. The color-blind backlash claims we have had enough of race-based preference; that the playing field is level and everyone should be judged by their individual merits. Color blindness completely denies the centuries of privilege and preference (affirmative action) that White People have enjoyed. Color blindness can be very offensive to People of Color, not only because it is not true – even small children notice racial differences – but because for many People of Color, their race is one of the things that is special about them and shapes who they are and who their community is. In order to really know someone, you have to understand them as a racialized person in this country. This is actually true of White people too. Though often not recognized by them, People of Color generally are very aware of a person's Whiteness, and treat them accordingly.

If we as a society truly valued multicultural diversity, we would value a broad diversity of languages. Why then, one wonders, are we seeing such a strong English only movement in the United States today? Although the particular target of *English only* or *English first* movements appears to be Spanish and is a back lash against the growing Latina/o population in the United States, any non-English speaking community is at risk, and the already endangered American Indian languages are further threatened by this trend.

One of the precedent cases fueling English only and English first requirements, especially in the workplace, is the 1980 case *Garcia v Gloor*. Hector Garcia was a young Mexican American who was a salesman for Gloor Lumber and Supply, Inc. Gloor had a workplace rule saying bi-lingual employees had to speak English only, unless they were communicating with a Spanish-speaking customer. One day Garcia responded in Spanish, to a question from another Mexican American worker who had asked about the availability of some inventory. Garcia was fired. He sued based on discrimination to his Mexican American heritage which is protected by Title VII of the 1964 Civil Rights Act. He lost, and the U.S. Court of Appeals for the 5th Circuit upheld the lower court ruling saying, “non-observance [of the English only rule] was a matter of choice” because Garcia was bi-lingual (Perea, 447-451).

This court's decision is particularly interesting in that the Equal Employment Opportunity Commission opposed it (Society for Industrial and Organizational Psychology website). The Equal Employment Opportunity Commission is charged with administering Title VII of the Civil Rights Act of 1964. Under the Act, EEOC has the authority to investigate and conciliate charges of discrimination because of race, color, religion, sex, or national origin by employers, unions, employment agencies, and joint apprenticeship or training committees (North Carolina Office of State Personnel website).

The EEOC's position is that a rule requiring bi-lingual employees to only speak English at work is a "burdensome term and condition of employment" that presumably violates Title VII and should be closely scrutinized [29 C.F.R. § 1606.7(a)]. Discrimination based on national origin violates Title VII unless national origin is a bona fide occupational qualification (BFOQ) for the job in question. The employer must show that the discriminatory practice is "reasonably necessary to the normal operation of [the] particular business or enterprise." [42 U.S.C. § 2000e-2(e)(1)] The courts and the EEOC interpret the BFOQ exception very narrowly. [See 29 C.F.R. § 1604.2(a) (HR-Guide.com)]

Part of the court's ruling was based on an argument by Gloor that the English only rule *was* “reasonably necessary” because some customers (who presumably only spoke English) felt uncomfortable when employees spoke Spanish in their presence, which seems to undermine the whole point of Title VII in the

first place. Perea asks, “Can you imagine the courts not upholding a Title VII discrimination case brought by an African American based on an employer saying his or her presence in the workplace made customers feel uncomfortable?” (Perea, 449). Courts consistently ignore EEOC guidelines relative to English only discrimination because (according to the rulings) “national origin” cannot be extended to include foreign languages or bi-linguals, and because language discrimination is not equated with race discrimination (Perea, 451).

What generally follows English-only initiatives is fairly predictable, and we only have to look to California to see what comes next. In 1986, California voters passed Proposition 63, making English the “official” language. Then in 1994 Proposition 187 passed to stem what then Governor Pete Wilson called “the Mexican invasion.” When economic times get tough, the politicians blame politically and economically powerless immigrants. Proposition 187 denied health and education services to undocumented immigrants. Passage of Proposition 187 was driven by fear over increased Latina/o and Asian immigration, and was fueled by Governor Wilson and the conservative media. Proposition 187 was overwhelmingly passed; only the San Francisco Bay Area voted against it by about 70%. Los Angeles voted in favor by a 12-point margin. Latina/o voters statewide opposed it 77% to 23%.

Proposition 209 followed in 1996, ending the use of affirmative action in California public institutions. Proposition 227 in 1998 ended bilingual education programs in California (Acuña, 454-455). A silver lining poked through in 2003: in spite of a special election that recalled the sitting governor Gray Davis and elected Arnold Schwarzenegger in his place, Californians voted down a measure that would have prevented California public institutions from gathering and tracking information using racial categories. Had this initiative passed, it would have been impossible to continue to measure the success or failure of programs and initiatives intended to redress historic racial discrimination.

According to Frank Wu, the statement “You Asians are doing well” summarizes the Asian Model Minority Myth (Wu, 40), which is the prevailing perception of Asians in the United States. Once the restrictions on Asian immigration were lifted in 1965 there was a significant influx of Asian immigrants, which have more or less enjoyed a good reputation (Wu, 40). So much so that Asians are often held up to other racial minority groups as the standard to achieve (Takaki, 414). As Wu describes it, the myth goes something like this, “As a group we [Asians] are said to be intelligent, gifted in math and science, polite, hard working, family oriented, law abiding, and successfully entrepreneurial. We [Asians] revere our elders and show fidelity to traditions” (Wu, 40-41). Like many racial stereotypes, there is a hint of truth in the Model Minority Myth, but the problem is that hint has become exaggerated and distorted (Wu, 49) and the underlying standard by which Asians are measured is the White standard.

Statistics used to document Asian success are invariably compared to the corresponding statistics for Whites. When this is done, Asians as a group measure up pretty well. Unfortunately what the statistics don’t take into account is that the Asian American population is concentrated in three high cost of living states that also have higher than average incomes than the national average: California, New York and Hawai’i (Takaki, 415 and Wu, 54). In 1990, 60% of Asian Americans compared to less than 20% of the total US population lived in these three states. Asian American income is unevenly distributed. Looking at the other end of the spectrum we find 13% of Asian Americans in poverty compared to 9% of Whites. Lumping all Asians into a single racial group hides the disparity within the group. Japanese Americans and Chinese Americans come closest to economic parity with Whites. On the other hand, 25% of Vietnamese Americans and 45% of Southeast Asian refugees (such as Hmong and Mien) live in poverty, compared to 23% for Latina/os, 21% for African Americans and 9% for Whites (Wu, 54). Another distortion to the income statistics comes when “family incomes” are used rather than individual incomes. In most Asian families, there are more workers contributing to the family income than in White families (Takaki, 415).

Ultimately the problem with the Model Minority Myth lies in the very concept. What exactly are Asian Americans supposed to be the models of? There are two possible interpretations, and they are both insulting. First it could mean that Asian American achievement is remarkable, considering they aren’t White. Or it could

mean that they are “exemplary” and should serve as an ideal to which all other People of Color should strive toward (Wu, 59). Either interpretation is demeaning, destructive, and racist to the core.

The 1988 Congress passed a bill of apology and payment for Japanese Internment. \$20,000 was paid to each survivor, nearly two generations after the end of World War II. Yet, African Americans many more generations later still await some kind of reparations for the years of slavery and the massive accumulation of White wealth created in the United States and Europe (Wu, 102). And there is never talk of restoring Indian lands to Indian peoples. The United States addressed Japanese internment during a period of time when the US and Japan were engaged in trade negotiations to try to resolve the trade imbalance between the two countries (The Omnibus Trade and Competitive Act of 1988), redressing past wrongs to Japanese-Americans had more to do with negotiating favorable terms for the United States than for really compensating Japanese Americans for their losses.

In 1996 the Native American Rights Fund filed suit against Secretary of Interior Bruce Babbitt and Secretary of Treasury Robert Rubin for mismanagement of tribal “trust” funds (Cobell v Salazar). The Bureau of Indian Affairs (BIA) cannot account for \$2.4 billion in transactions involving Indian trust accounts (Arthur Anderson did the audit). In 1998 a Federal judge found the BIA and the Interior Department in contempt of court, and even though BIA officials never complied with court orders, none ever went to jail for it (Nies, 397). A negotiated settlement was finally reached in 2009 for pennies on the dollar, mainly out of concern that so many of the affected Indian people were growing old and dying in poverty. Although she lived to see the case through settlement, Elouise Cobell, former treasurer of the Blackfeet Nation who was the named plaintiff, did not survive to see the distribution of funds. Mrs. Cobell died from complications of cancer in 2011; distribution of the settlement funds *may* take place in the fall of 2013 (Cobell v. Salazar Class Action website).

The 1993 US Congress passed the Apology Bill acknowledging the illegal annexation of Hawai’i in 1898 saying, “...*the indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States, either through their monarchy or through a plebiscite or referendum.*” Still no land has been returned to Native Hawaiians, nor has their national sovereignty been restored (Trask, 76).

The September 11, 2001 attacks orchestrated by Osama bin Laden laid bare latent hostilities and racist ideologies about Arab, Middle Eastern and Muslim peoples. The ugly resurfacing of the “Arabs as marauding invaders” ideology and the need for the US to protect what we have and acquire what they have—*by any means necessary* – led to the invasions of Iraq and Afghanistan. This was despite the fact that neither the people nor the governments of these two countries were involved in the attacks in the United States. Barack Obama ran for president pledging to end the wars and close the prisoner of war camp at Guantanamo Bay, Cuba. In 2013 well into the president’s second term, troops continue to be deployed throughout the region and Guantanamo prisoners are in their 98th day of hunger strike. Untold numbers of Iraqi and Afghani combatants and peaceful civilians are dead. Over 80,000 returning US veterans suffer from PTSD and experience high rates of substance abuse, suicide and arrest upon returning home (US Department of Veteran Affairs website). All in the name of protecting our free and democratic society from people who allegedly hate us and hate our freedom (Bush).

The United States continues to wrestle with immigration and guest worker programs. While the majority of illegal immigrants in the United States are people who entered legally and then over stayed their visas, or are in some other way in violation of their visas, the media focuses on people from Mexico crossing the border into the United States calling them *illegal aliens* (Center for Immigration Studies website) Among the solutions proposed by both the Bush and Obama Administrations and Congress are expanding the physical barrier (the fence) between the United States and Mexico, militarizing border enforcement and creating a guest worker program similar to those of the past (the Braceros Program for example) where Mexican workers come to the US, occupy low wage earning jobs, and then return to Mexico. The problem with this model is that guest worker programs have consistently meant the exploitation of all low wage workers by using guest workers to keep wages suppressed; in addition to keeping workers disorganized and unsettled. Guest workers are not protected by the constitution nor do they have other citizen rights and protections. The current debate on this

issue also focuses on citizenship issues; whether guest workers have the potential to become US citizens if they chose but also if there are avenues for undocumented workers who have been in the US for many years to be considered for citizenship. Many lawmakers think this second group of workers should “go to the back of the line,” that they should not be eligible for citizenship because their very presence in the US makes them law breakers.

When Barack Obama was elected president in 2008 a bubble of racial euphoria floated through the country, the media airwaves and blogosphere reeked with notions of having become a *post-racial* society. Clearly not everyone was convinced of this but the country in general initially had high hopes that race relations would improve after the election. A pre-election Gallup poll found 56% of people in the US thought race relations would improve if Barack Obama got elected president, after the election 70% believed race relations would improve. President Obama has acknowledged these high expectations saying there was “justifiable pride...that we had taken a step to move us beyond” racial discrimination. But in early 2009, he admitted, “that lasted about a day” (Fisher).

The racial disparities documented in nearly every social indicator continue unabated. Race continues to play significant roles in determining the life outcomes for the majority of people in the United States, from maternal and infant health to the accumulation of wealth over a lifetime and everything in between is influenced by one’s racial group assignment. The United States is anything but *post-racial*. Race in the United States means just as much now as it ever did. It will take more than the election of one president to undo centuries of history and the structural inequality that is built into all US systems and institutions.

Conclusion

White supremacist ideology is not a single ideology, but multiple ideologies applied separately to each People of Color racial group. These separate and distinct ideologies created colonialism and apartheid in the United States and were applied to People of Color racial groups based on the benefits to White society derived through the exploitation of each group. The result is to maintain power and privilege for White Society. This paper has looked at the legal patterns of the United States, which codified these ideologies into the laws of the country and around which all institutional structures are built. The paper further demonstrates the need to understand race and racism as a more complex dynamic than what is commonly understood in the United States as a Black/White issue or problem.

© 2006 *Crossroads Antiracism Organizing & Training, updated and revised 2013*

Do not use without permission.

Phone: 708.503.0804 / PO Box 309, Matteson IL 60443 / www.crossroadsantiracism.org

Historical Development of Racism – References

Books

- Acuña, Rodolfo, *Occupied America: A History of Chicanos* (New York: Longman, 2000)
- Blauner, Robert, *Racial Oppression in America* (New York: Harper & Row, 1972)
- Bowers, Amy and Kristen Carpenter, *Challenging the Narrative of Conquest: The Story of Lyng v Northwest Indian Cemetery Protective Association*, in Carole Goldberg, Kevin K. Washburn and Philip P. Frickey, editors *Indian Law Stories* (New York: Thomson Reuters/Foundation Press, 2011)
- Brodkin, Karen, *How Jews Became White Folks & What That Says About Race in America* (New Brunswick: Rutgers University Press, 1998)
- Delgado, Richard and Jean Stefancic, editors *The Latina/o Condition: A Critical Reader*, New York: New York University Press, 1998.)
- Gonzalez, Juan, *Harvest of Empire: A History of Latinos in America* (New York: Viking, 2000)
- Haney Lopez. Ian F., *White By Law: The Legal Construction of Race* (New York: New York University Press, 1996)
- Jaimes, M. Annette, editor *The State of Native America: Genocide, Colonization, and Resistance* (Boston: South End Press, 1992)
- Churchill, Ward, *The Earth is Our Mother: Struggles for American Indian Land and Liberation in the Contemporary United States*
 - Churchill, Ward and Glenn T. Morris, *Table: Key Indian Laws and Cases*
 - Deloria, Vine Jr., *Trouble in High Places: Erosion of American Indian Rights to Religious Freedom in the United States*
 - The Institute for Natural Progress, *In the Usual and Accustomed Places: Contemporary American Indian Fishing Rights Struggles*
 - Jaimes, M. Annette, *Federal Indian Identification Policy: A Usurption of Indigenous Sovereignty in North America*
 - Robbins, Rebecca L., *Self Determination and Subordination: The Past, Present and Future of American Indian Governance*
 - Stiffarm, Lenore A. and Phil Lane. Jr., *The Demography of Native North America: A Question of American Indian Survival*
- Liu, Meizhu; Barbara J. Robles.; Betsy Leondar Wright; Rose M. Brewer and Rebecca Adamson, *The Color of Wealth—The Story Behind the US Racial Wealth Divide (United for a Fair Economy, 2006)*
- Molina, Alejandro Luis, *USA on Trial The International Tribunal on Indigenous Peoples and Oppressed Nations in the United States* (Chicago: Editorial El Coqui, 1996)
- Nies, Judith, *Native American History: A Chronology of a Culture's Vast Achievements and Their Links to World Events* (New York: Ballantine Books, 1996)
- Ross, Luanna, *Inventing the Savage: The Social Construction of Native American Criminality* (Austin: University of Texas Press, 1998)
- Sardar, Ziauddin and Merryl Wyn Davies, *Why Do People Hate America?* (New York: The Disinformation Company, Ltd, 2002)
- Takaki, Ronald, *A Different Mirror A History of Multicultural America* (Boston: Little, Brown and Company, 1993)
- Trask, Haunani-Kay, *From a Native Daughter: Colonialism and Sovereignty in Hawai'i* (Honolulu: University of Hawai'i Press, 1999)

Ueda, Reed, *Postwar Immigrant America: A Social History* (Boston: Bedford Books of St. Martin's Press, 1994)
Watkins, William H., *The White Architects of Black Education: Ideology and Power in America, 1865-1954* (New York: Teachers College Press, 2001)
Welsing, Frances Cress, *The Isis (Ysis) Papers: The Keys to the Colors* (Chicago: The Third World Press, 1991)
Wu, Frank H., *Yellow: Race in America Beyond Black and White* (New York: Basic Books, 2002)
Zinn, Howard, *A People's History of the United States: 1492-Present* (New York: Harper Perennial, 1995)

Journals

Dobles, Richard and Jose Antonio Segarra, *Introduction* (Harvard Educational Review, Summer 1998)
Forbes, Jack D., *The Evolution of Race, Caste, and Identity: Classifying Afro-Americans, Native Americans and Red-Black People* (The Journal of Ethnic Studies, 17:4)
Frichner, Tonya Gonnella *Intervention to United Nation Commission on Human Rights, 28 January 1998* (Via Nedrow, NY: Haudenosaunee Onongaga Nation)
Higginbotham, A. Leon, Jr., *50 Years of Civil Rights* (Ebony, Vol. 51, November, 1995)
Onkst, David, H., *"First a Negro ... Incidentally a Veteran": Black World War Two Veterans and the G.I. Bill of Rights in the Deep South, 1944-1948* (Journal of Social History, 31:3, 1998)
Perea, Juan F., *Killing Me Softly, with His Song: Anglocentrism and Celebrating Nouveaux Latina/os* (Florida Law Review, Vol 55)

Websites

American-Arab Anti-Discrimination Committee

<http://www.adc.org>

Bush, George W. *President Bush Addresses the Nation*, 20 September 2001

http://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress_092001.html

Center for Immigration Studies

<http://cis.org/illegal>

Cobell v. Salazar Class Action

<http://www.indiantrust.com>

Critical Resistance

<http://criticalresistance.org/about/not-so-common-language>

Detroit Free Press and American-Arab Anti Discrimination Committee

100 Questions and Answers about Arab Americans: A Journalist's Guide

<http://www.freep.com/jobspace/arabs/index.htm>

Dillon, Sam, *Study Finds High Rate of Imprisonment Among Dropouts* (The New York Times, October 9, 2009)

<http://www.nytimes.com/2009/10/09/education/09dropout.html>

Fisher, Marc, *With Obama, Not a Post-Racial Nation, But Something More Complex* (Washington Post, 21 January 2013) http://articles.washingtonpost.com/2013-01-21/national/36473165_1_barack-obama-white-house-first-black-president

Hernandez, Donald J., *Double Jeopardy: How Third-Grade Reading Skills and Poverty Influence High School Graduation* (2012 The Annie E. Casey Foundation; Center for Demographic Analysis, University at Albany,

State of New York; Foundation for Child Development) available online at
<http://www.aecf.org/KnowledgeCenter/Publications.aspx?pugguid={8E2B6F93-75C6-4AA6-8C6E-CE88945980A9}>

Houghton Mifflin Company Website

http://college.hmco.com/history/readerscomp/rcah/html/ah_036500_gibill.htm

Hughes, Socal, Piers, Resnick, Dym, Ltd.

http://www.hsplegal.com/news/Federal_court_approves_class_action_settlement_brought_by_HSPRD_on_behalf_of_World_War_II_braceros_to_recover_monies_withheld_from_their_paychecks

HR-Guide.com

Online Human Resources Guide – <http://www.hr-guide.com/data/G714.htm>

Los-Indios-Bravos: The Filipino Solidarity Project

http://www.los-indios-bravos.com/english/eng_hist_21.html

McCoy, Alfred W.

California State University, Northridge Communications Studies Dept website
www.csun.edu/CommunicationStudies/ben/news/cia/961114.mccoy.html

North Carolina Office of State Personnel

<http://www.osp.state.nc.us/manuals/html/title7.htm>

Society for Industrial and Organizational Psychology

<http://siop.org/tip/backissues/TipOct01/13gutman.htm>

U.S. Citizenship and Immigration Services (1) <http://uscis.gov/graphics/aboutus/history/mar1790.htm>

U.S. Citizenship and Immigration Services (2)

<http://uscis.gov/graphics/shared/aboutus/statistics/legishist/index.htm>

U.S. State Department

<http://history.state.gov/milestones/1945-1952/ImmigrationAct>

U.S. Department of Veterans Affairs

<http://www.va.gov>

Zepezauer, Mark

Third World Traveler website

http://www.thirdworldtraveler.com/CIA%20Hits/Drugs_CIAHits.html

Supreme Court Decisions

Lyng v Northwest Indian Cemetery Protective Association, 485 U.S. 439 (1988)

Interviews

Lee Her was interviewed by PaKou Her (approx. 2000-2004)

HISTORICAL DEVELOPMENT OF RACISM

RACIAL GROUP & IDEOLOGY	RACIAL-ECONOMIC STRATEGY	EXAMPLES OF LEGALLY MANDATED RACISM AND APARTHEID	EXAMPLES OF CHANGING LAWS	EXAMPLES OF SELF-PERPETUATING RACISM
African Americans Social and intellectual inferiors	Dehumanize the people to create a large pool of free and cheap labor that can also be used to manipulate and control poor white workers as well	<ul style="list-style-type: none"> • Naturalization Act of 1790 • Chattel Slavery • One Drop Rule • 3/5 Doctrine • Dred Scott Decision • Slave Codes • Plessy v Ferguson • Jim Crow Laws 	<ul style="list-style-type: none"> • Civil Rights Act of 1866 • 13th and 14th Amendments • Naturalization Act of 1870 • Brown v Board of Education • Civil Rights Act of 1964 • Affirmative Action 	<ul style="list-style-type: none"> • De facto housing segregation • Unequal school funding • Urban renewal • Lack of employment opportunities • Unequal sentencing laws
Arab Americans Marauding invaders	Dehumanize the people to acquire and control their natural resources in order to prevent those resources from being used to invade and conquer free, democratic, Christian society	<ul style="list-style-type: none"> • Reconquista and Crusades • Naturalization Act of 1790 • Immigration Act of 1924 • Ex parte Shalid., also Dow • In re Feroz Din • In re Ahmed Hassan • Covert CIA operations 	<ul style="list-style-type: none"> • Immigration and Nationality Act of 1952 • Immigration and Nationality Act Amendments of 1965 	<ul style="list-style-type: none"> • Registration, detainment, deportation and expatriation • Guantanamo Bay detentions • Post Sept 11 rhetoric • War on Terror • War on Iraq • US war economy
Asian Americans Perpetual foreigners	Dehumanize the people to keep them outside the protection of the Constitution in order to exploit their labor and prevent them from acquiring property and resources	<ul style="list-style-type: none"> • Naturalization Act of 1790 • Naturalization Act of 1870 • Chinese Exclusion Act 1882 • Immigration Act of 1917 • Immigration Act of 1924 • Takao Ozawa v US • US v Bhagat Singh Thind • Tydings-McDuffie Act 1934 • Executive Order 9066 	<ul style="list-style-type: none"> • Immigration and Nationality Act of 1952 • Immigration and Nationality Act Amendments of 1965 • Reparations for internment 	<ul style="list-style-type: none"> • Immigration and Nationality Act of 1952 • Vietnam War • Hate Crimes • Vincent Chin • Wen Ho Lee • Students excluded from affirmative action • Model minority myth
Latina/os Mestizos tainted by African and Indian inferiority	Dehumanize the people to maintain the Spanish colonial model in which social, political and economic elites are co-opted to participate in the exploitation of the masses and particularly the most vulnerable of their own racial/ethnic group	<ul style="list-style-type: none"> • Naturalization Act of 1790 • Spanish American War • Braceros program • Repatriation campaigns like Operation Wetback • Downes v Bidwell • Literacy Laws • Covert CIA operations 	<ul style="list-style-type: none"> • Nationality Act of 1940 • Mexican Worker Amnesty • Farm labor reform • Bilingual education • Navy leaving Vieques 	<ul style="list-style-type: none"> • Immigration and Nationality Act of 1952 • Puerto Rican Diaspora and "brain drain" • Proposition 187 in California • English only • NAFTA
Native Americans Vanishing savages	Dehumanize the people in order to commit genocide and take possession of the land and exploit the resources	<ul style="list-style-type: none"> • Naturalization Act of 1790 • Naturalization Act of 1870 • Indian Wars • Treaty breaking • Removal and reservations • Allotment Act of 1887 • Termination 	<ul style="list-style-type: none"> • Nationality Act of 1940 • Indian Reorganization Act • American Indian Religious Freedom Act • American Indian Child Welfare Act • Repatriation 	<ul style="list-style-type: none"> • Blood Quantum & invisibility • IRA and Claims Commission • American Indian Civil Rights Act of 1968 • Lyng v NW Cemetery Protection Association • BIA "trust" case

©2006 and 2013 by Crossroads Antiracism Organizing & Training. Do not use without permission.

Contact us at 708.503.0804 / PO Box 309, Matteson IL 60443 / www.crossroadsantiracism.org