



GOVERNMENT OF
WESTERN AUSTRALIA



Murdoch
UNIVERSITY

Vice Chancellors' Oration

“Recognizing Racism in the Era of Neoliberalism”

Presented by

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Presented at Murdoch University, Perth, Western Australia
on 18th March 2008

On March 21, 1960, South African police killed sixty-nine peaceful demonstrators in the township of Sharpeville. I am honored to have been invited to deliver the Vice-Chancellor's Oration on the occasion of the International Day for the Elimination of Racial Discrimination, which honors the Sharpeville martyrs. I am particularly honored to be here in Australia in the aftermath of the first apology by a head of state to the indigenous people of this country and would like to acknowledge the traditional owners of this land.

On February 1, 1960, less than two months before the Sharpeville Massacre in South Africa, in the U.S. city of Greensboro, North Carolina, black students sat down at a Woolworth's lunch counter. Traditionally, black people were only served if they remained standing. This sit-in became a catalyst for an important moment in the U.S. Civil Rights Movement. I vividly remember that day, for as a black person in the United States, I had grown up in Birmingham, Alabama, the city that was known in the 1950s as the most racially segregated city in our country. I had stood up many times at the Woolworth's lunch counter in my city, experiencing the humiliation of being treated as not sufficiently human to be able to sit down and eat a sandwich.

As a child I had first discovered South African Apartheid when I learned that Birmingham, Alabama, my hometown, was known as the Johannesburg of the South. Indeed, the regime of white supremacy that influenced every aspect of our lives relied, as did South African Apartheid, on the notion that social order required absolute racial separation and hierarchical structuring of racial encounters whenever they occurred.

A pivotal requirement of my childhood education was to learn the language of racism, rendered explicit through the signs posted above water fountains, on toilets, inside buses, on dressing rooms. Learning to read and write thus involved the acquisition of an extensive familiarity with the protocols of racism during the pre-civil rights era. This was, in part, enabled by the fact that my elementary and high schools were a part of what was called the Negro School System. The home my parents purchased was located on the border of a neighborhood zoned for black people. Local laws prohibited us from crossing the street in front of our house, for we might be legally charged with trespassing into the white zone.

I mention these details because the U.S. Civil Rights Movement, which took shape in the mid-nineteen-fifties, contested these and other aspects of legalized racial segregation. As we demanded legal equality with respect to public transportation, housing, education, and the vote, we claimed the rights of citizenship, as they were capable of being provided by the law. The attainment of these rights of citizenship also involved a sustained struggle against lynching, which, since the end of the Civil War, had served as a brutal symbolic affirmation of white supremacy.

As the ideas of racial equality produced in and through the Civil Rights Movement gradually acquired hegemony in the nation, they congealed into firm notions of what counted as victories over racial subjugation, and in the process produced their own meanings of racism. As important as these victories have proved to be, the inflexibility of the resulting definitions of racism have created, both in legal and popular discourses, enduring deceptions regarding the nature of racism. Definitions of racism informed by particular historical conditions became trans- or ahistorical ways of conceptualizing racial discrimination and subjugation. The persistence of these meanings beyond the particular historical conditions that produced them has hampered the evolution of a new vocabulary and new discourse that might allow us to identify new modes of racism in what is known as the post-Civil Rights Era.

That the International Human Rights Community has recognized some of these new modes of racism was indicated in the title of the 2001 Durban, South Africa World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerances. Regrettably, media coverage of the September 11 attacks in New York and Washington, which occurred at the end of the conference, resulted in sparse media attention to the aftermath of the World Conference. More public conversations about the

conference might have helped to popularize more capacious meanings of racism.

Within the United States, scholars and activists have pointed out the perils of basing theories of racism, as well as antiracist practices, on the black-white paradigm that informed the quest for civil rights and, further, of assuming that the civil rights paradigm is foundational to the very meaning of antiracism. Neither paradigm can account, for example, for the role colonization and genocide against indigenous people played in shaping U.S. racism. The historical genocide against indigenous people relies precisely on invisibility – on an obstinate refusal to recognize the very existence of native North Americans, or a recognition or misrecognition that only acknowledges them as impediments to the transformation of the landscape – impediments to be destroyed or assimilated.

Differently racialized populations in the U.S. – First Nations, Mexican, Asian and more recently people of Middle Eastern and South Asian descent – have been targets of different modes of racial subjugation. Islamophobia draws on and complicates what we know as racism. Moreover, racism, as it affects people of African descent, is today more deeply inflected by class, gender, and sexuality than we may have recognized it to be at the middle of the twentieth century.

The question I want to explore in this talk then is this: how does the persistence of historical meanings of racism and its remedies prevent us from recognizing the complex ways in which racism clandestinely structures prevailing institutions, practices, and ideologies in this era of neoliberalism?

Elizabeth Martinez, a legendary Civil Rights and Chicano movement activist, has pointed out, along with her collaborator Arnolando Garcia of the National Network of Immigrant and Refugee Rights, that the new conditions that constitute neoliberalism and characterize economic development since the 1980s involve an almost total freedom of movement for capital, goods, and services – in other words, the absolute rule of the market. Public expenditures for social services have been drastically cut. There has been constant pressure for the elimination of government intervention and regulation of the market. Thus the privatization of gas and electricity, of healthcare, education and many other human services has emerged as the mode of increased profits for global corporations. Finally, Martinez and Garcia point out, the concept of the public good and the very concept of “community” are being eliminated to make way for the notion of “individual responsibility.” This results in “pressuring the poorest people in a society to find solutions to their lack of health care, education and social security all by themselves – then blaming them if they fail, as ‘lazy’ ”¹

I would add yet another point to this definition of neoliberalism: the flawed assumption that history does not matter. This idea, formulated by Francis Fukuyama as “The End of History,” also involves, as Dinesh D’Souza put it, “The End of Racism.” Both race and racism are profoundly historical. Thus if we discard biological and thus essentialist notions of “race” as fallacious, it would be erroneous to assume that we can also willfully extricate ourselves from histories of race and racism. Whether we acknowledge it or not, we continue to inhabit these histories, which help to constitute our social and psychic worlds.

To recapitulate, neoliberalism sees the market as the very paradigm of freedom and democracy emerges as a synonym for capitalism, which has reemerged as the telos of history. In the official narratives of U.S. history, the historical victories of Civil Rights are dealt with as the final consolidation of democracy in the U.S., having relegating racism to the dustbin of history. The path toward the complete elimination of racism is represented in the neoliberalist discourse of colorblindness. Equality can only be achieved when the law, as well as individual subjects, become blind to race and fail to apprehend the material and ideological work that race continues to do.

When obvious examples of racism appear to the public, they are considered to be isolated aberrations, to be addressed as anachronistic attributes of individual behavior. There have been a number of such cases in recent months in the U.S. I mention the noose that was hung on a tree branch by white students

1 What is Neoliberalism? A Brief Definition for Activists by Elizabeth Martinez and Arnolando Garcia
<http://www.corpwatch.org/article.php?id=376>

at a school in Jena, Louisiana as a sign that black students were prohibited from gathering under that tree. I can also allude to the public use of racist expletives by a well-known white comedian, the racist and misogynist language employed by a well-known radio host in referring to black women on a college basketball team, and finally, the recent comments regarding the golfer Tiger Woods.

Perhaps I should elaborate on this final example: two sports journalists were recently involved in a conversation regarding the seemingly unstoppable Tiger Woods in relation to the new generation of golfers, who are having great difficulty catching up with him. One journalist noted that the younger golfers would probably have to get together and gang up on Woods. The other responded by saying that they would have to catch him and "lynch him in a back alley," thus conjuring, with a single casual phrase, a vast repressed history of ruthless racist violence.

These comments were, of course, readily identified as racist, familiar – exceedingly familiar – expressions of attitudinal racism that are now treated as anachronistic expressions of racism that were once articulated with state-sponsored racisms but are now relegated to the private sphere and only become public when they are literally publicized. Whereas, during an earlier period in our history, such comments would have been clearly understood as linked to state policy and to the material practices of social institutions, they are now treated as individual and private irregularities, to be solved by punishing and reeducating the individual by teaching them colorblindness, by teaching them not to notice the phenomenon of race.

But if we see these individual eruptions of racism as connected to the persistence and further entrenchment of institutional and structural racism that hides behind the curtain of neoliberalism, their meanings cannot be understood as individual aberrations. In the cases we have discussed, the racism is explicit and blatant. There is no denying that these are racist utterances. What happens, however, when racism is expressed, not through the words of individuals, but rather through institutional practices that are "mute" – to borrow the term Dana-Ain Davis uses – with respect to racism?²

The inability to recognize the contemporary persistence of racisms within institutions and other social structures results in the attribution of responsibility for the effects of racisms to the individuals who are its casualties, thus further exacerbating the problem of failing to identify the economic, social, and ideological work of racism. There is a similar logic undergirding the criminalization of those communities, which are vastly overrepresented in jails and prisons. By failing to recognize the material forces of racism that are responsible for offering up such large numbers of black and Latino youth to the carceral state, the process of criminalization imputes responsibility to the individuals who are its casualties, thus reproducing the very conditions that produce racist patterns in incarceration and its seemingly infinite capacity to expand. The misreading of these racist patterns replicates and reinforces the privatization that is at the core of neoliberalism, whereby social activity is individualized and the enormous profits generated by the punishment industry are legitimized.

On February 28 of this year, the Pew Center issued a report about incarceration in the United States entitled "*One in One Hundred: Behind Bars in America 2008*"? According to the report, one in one hundred adults is now behind bars on any given day. While the numbers themselves are shocking, the vastly disproportionate numbers of people of color in jails and prison is for the most part responsible for the figure "one in one hundred." According to the report,

For some groups, the incarceration numbers are especially startling. While one in 30 men between the ages of 20 and 34 is behind bars, for black males in that age group the figure is one in nine. Gender adds another dimension to the picture. Men still are roughly 10 times more likely to be in jail or prison, but the female population is burgeoning at a far brisker pace. For black women in their mid- to late-30s, the incarceration rate also has hit the 1-in-100 mark.³

2 Davis, Dana-Ain (2007) 'Narrating the Mute: Racializing and Racism in a Neoliberal Moment', *Souls*, 9:4, 346 - 360

3 <http://www.pewcenteronthestates.org>

Parenthetically, when I recently mentioned these new figures to a group in London, including Members of Parliament, almost everyone thought that either I had misspoken myself or that they had misheard me. As it turns out, they were familiar with the figures regarding the incarceration of young black men and were not so surprised that immense numbers of people of color were in jail. But it was difficult for them to grasp the idea that, given a majority white population, one in every one hundred adults in the U.S. is behind bars.

In 1985, there were fewer than 800,000 people behind bars. Today there are almost three times as many imprisoned people and the vast increase has been driven almost entirely by the practices of incarcerating young people of color. Although the figures are not comparable, one can argue that a similar dynamic drives imprisonment here in Australia, with imprisoned aboriginal people accounting for ten times their proportion in the general population.

Why, then, is it so difficult to name these practices as racist? Why does the word “racist” have such an archaic ring to it – as if we were caught in a time warp? Why is it so difficult to name the crisis in imprisonment as a crisis of racism?

According to the Pew Report, the United States incarcerates more people than any country in the world, including the far more populous nation of China. At the start of the new year, the American penal system held more than 2.3 million adults. China was second, with 1.5 million people behind bars, and Russia was a distant third with 890,000 inmates, according to the latest available figures. Beyond the sheer number of inmates, America also is the global leader in the rate at which it incarcerates its citizenry, outpacing nations like South Africa and Iran. In Germany, 93 people are in prison for every 100,000 adults and children. In the U.S, the rate is roughly eight times that, or 750 per 100,000.

These figures have been produced by the vastly disproportionate numbers of youth of color, especially young black men who are currently behind bars. For example, if one out of every sixty white men between the ages of twenty and twenty-four is behind bars, then one out of every nine black men of the same age is incarcerated. According to neoliberalist explanations, the fact that these young black men are behind bars has little to do with race or racism and everything to do with their own private family upbringing and their inability to take moral responsibility for their actions. Such explanations remain “mute” – to use Dana-Ain Davis’s term again – about the social, economic, and historical power of racism. They remain “mute” about the dangerous contemporary work that race continues to do.

The incarceration of youth of color – and of increasing numbers of young women of color (women have constituted the fastest growing sector of the incarcerated population for some time now) – is not viewed as connected to the vast structural changes produced by deregulation, privatization, by the devaluation of the public good, and by the deterioration of community. Because there is no public vocabulary which allows us to place these developments within a historical context, individual deviancy is the overarching explanation for the grotesque rise in the numbers of people who are relegated to the country’s and the world’s prisons. According to Henry Giroux, “racism survives through the guise of neoliberalism, a kind of repartee that imagines human agency as simply a matter of individualized choices, the only obstacle to effective citizenship and agency being the lack of principled self-help and moral responsibility.”⁴

Because racism is viewed as an anachronistic vestige of the past, we fail to grasp the extent to which the long memory of institutions – especially those that constitute the intimately connected circuit of education and incarceration – continue to permit race to determine who has access to education and who has access to incarceration. While laws have had the effect of privatizing racist attitudes and eliminating the explicitly racist practices of institutions, these laws are unable to apprehend the deep structural life of racism and therefore allow it to continue to thrive.

4 Giroux, Henry A. (2003) ‘Spectacles of Race and Pedagogies of Denial: Anti-Black Racist Pedagogy Under the Reign of Neoliberalism’, *Communication Education*, 52:3, 191 - 211

This invisible work of racism not only influences the life chances of millions of people, it helps to nourish a psychic reservoir of racism that often erupts through the utterances and actions of individuals, as in the cases previously mentioned. The frequent retort made by such individuals who are caught in the act is: "I'm not a racist. I don't even know where that came from" can only be answered if we are able to recognize this deep structural life of racism.

The deep structural racism of the criminal justice system affects our lives in complicated ways. What we acknowledged more than a decade ago as the U.S. prison industrial complex through which racism generates enormous profits for private corporations can now be recognized as a global prison industrial complex that profits the world over from postcolonial forms of racism and xenophobia. With the dismantling of the welfare state and the structural adjustment in the southern region required by global financial institutions, the institution of the prison – which is itself an important product marketed through global capitalism – becomes the privileged site into which surplus impoverished populations are deposited. Thus new forms of global structural racism are emerging. The deep structural life of racism bleeds out from the U.S. criminal justice system and is having a devastating effect on the political life of the nation and the world.

Since the era of slavery, racism has been associated with death. Geographer Ruth Gilmore has defined racism as "the state-sanctioned and/or legal production and exploitation of group-differentiated vulnerabilities to premature death, in distinct yet densely interconnected political geographies"⁵ The death to which Gilmore refers is multi-dimensional, embracing corporeal death, social death, and civil death. From its advent, the institution of the prison has been organically linked to the political order of democracy in that it negatively demonstrates the centrality of individual rights and liberties. Civil life is negated and the prisoner is relegated to the status of Civil Death. Following Claude Meillasoux and Orlando Patterson, Colin (Joan) Dayan and other scholars have compared the social death of slavery to the civil death of imprisonment, particularly given the landmark legal case *Ruffin v. Commonwealth*, which in 1871 declared the prisoner to be "the slave of the state."

Although prisoners' state of civil death has now mutated so that they are no longer the living dead, as Dayan characterized them – that is to say, their residual rights have been slightly augmented – there remains a range of deprivations that situate the prisoner, and indeed also the ex-prisoner, beyond the boundaries of liberal democracy.

In the time that remains, I want to look at one such deprivation – the loss of the right to vote – and would like to think about the impact of felon disenfranchisement as a by-product of racism in the workings of contemporary U.S. democracy.

In the U.S., imprisoned populations, except in the states of Vermont and Maine, lose the franchise either temporarily or permanently. 5.3 million people have lost their right to vote – either permanently or temporarily. Among black men, the figures are even more dramatic – almost two million black men or 13 percent of the total population of black adult men. In some states, one out of every four black men is barred from voting.

The historical period which witnessed a significant expansion of felon disenfranchisement laws was the post Civil War era – in other words after the passage of the 14th and 15th amendments. In fact, just as the 13th Amendment, which legally (and only legally) ended slavery designated convicts as exception; the 14th Amendment, which guaranteed all persons equal protection of the law also contained an exception – section 2 permitted states to withdraw suffrage rights from those who were engaged in "rebellion or other crimes."⁶

5 Ruth Wilson Gilmore. Gilmore, Ruth Wilson. (2002) "Race and Globalization." In P.J. Taylor, R.L. Johnstone, M.J. Watts, eds. *Geographies of Global Change*, 2nd Edition. Oxford: Basil Blackwell, Ch. 17, p. 261.

6 Elizabeth A. Hull. *The Disenfranchisement of Ex-Felons*, Philadelphia: Temple University Press, 2006, p. 18.

According to Elizabeth Hull, Southern constitutional conventions during the period following the overthrow of Radical Reconstruction – to use W.E.B. DuBois’s periodization – developed strategies of criminalization precisely to divest former slaves and their descendants of the right to vote. Many southern states passed laws that linked those crimes that were specifically associated with black people to disenfranchisement, while those associated with white people did not result in withdrawal of the right to vote. In states such as Mississippi, there was the ironic situation that if you were convicted of murder you retained your voting rights, but if convicted of miscegenation, you lost your right to vote.⁷

I do not have time to develop an extended analysis of the historical development of the current practices of felony disenfranchisement, so I will point to sociologists Jeff Manza and Christopher Uggen’s findings that between 1850 and 2002, states with larger proportions of people of color in their prison populations were more likely to pass laws restricting their right to vote, which leads them to conclude that there is a “direct connection between racial politics and felon disenfranchisement...When we ask the question of how we got to the point where American practice can be so out of line with the rest of the world,” they write, “the most plausible answer we can supply is that of race.”⁸

I wish to remind us all that it can be confidently argued that the Bush presidency was precisely enabled by the relegation of a large, majority black population of “free” individuals to the status of civil death. George W. Bush “won” the Florida elections in 2000 by a tiny margin of 537 votes. As Congressman John Conyers has pointed out, the fact that 600,000 ex-felons were denied participation in the elections in the state of Florida alone “may have literally changed the history of this nation.”⁹ We might thus argue that the deep structural life of racism in the U.S. prison system gave us the president who articulated the collective fears linked to a psychic historical reservoir of racism in order to wage wars on the peoples of Afghanistan and Iraq under the guise of combating terror.

7 Hull, p. 19

8 Manza and Uggen, p, 68

9 Elizabeth A. Hull. *The Disenfranchisement of Ex-Felon*, Philadelphia: Temple University Press, 2006, p. ix (Foreword)

