## Free essay on the concept and practice of racism in history

Law, Criminal Justice



Racism is not really related to genetics or biology but rather has always been culturally, politically and economically constructed, particularly during the era of slavery and the European colonization of Asia, Africa and the Americas. It provided an ideological justification from colonization on the grounds that white, Western civilization was supposedly superior to its victims. In The Racial Contract (1997) Charles W. Mills asserted that racism and white supremacy have been the real basis for the social, political and economic that has existed in the world over the last 400 years rather than the ideas of John Locke, Immanuel Kant, Jean Jacques Rousseau or even Thomas Hobbes. Few blacks have ever been social or political philosophers, and this fact alone explains why these disciplines tend to ignore racism, colonialism, slavery, genocide and segregation far more than history or political science. This Racial Contract is political, moral and economic in that it assumes that nonwhites are naturally inferior in all of these categories, and were even when they were living in a state of nature in Africa and the Americas. Social Contract theories were all mythical, but the Racial Contract was " an actual historical fact" (Mills, p. 20). At the same time, racism also became an ideology and took on a life of its own in everyday practice, and this has continued in the U.S. and other countries long after the end of slavery, colonialism and officially sanctioned discrimination. Its original purpose was to repress and control nonwhite populations, and it has lingered on even though the original system that created it has altered in recent times.

In history, no society ever existed that made whites and nonwhites fully equal, and the Social Contracts that promised equal citizenship for all exited only on paper rather than reality. In every nation, racism was commonplace and " duties, rights, and liberties have routinely been assigned on a racially differentiated basis" (Mills 93) Mills stresses that the fiction of the Social Contract masks the centrality of racist activities in the formation of the modern state, making it difficult for whites to see actions, policies, and results for what they are. All whites gain advantage from the Racial Contract, not only in the material sense but also the psychological benefit of feeling morally and intellectually superior to nonwhites. Mills is not an essentialist, though, and did not regard race as a fixed genetic or biological state, but rather as socially and politically constructed (Mills 135). It has less to do with color, appearance, or place of origin but is " a set of power relations" (Mills 127). Nor does color determine behavior, since nonwhites could collaborate with systems off oppression, while white renegades and rebels could oppose it.

Racial profiling and discrimination against blacks, immigrants and minorities has existed in American society, criminal justice system, as has the belief that minorities in general and blacks in particular are always more likely to commit crimes. American society and its legal system were founded on white supremacy going back to the colonial period, and critical race criminology would always consider these historical factors as well as the legal means to counter them. From the 17th Century onward, Black Codes and slave patrols were used to control the black population, and keep them confined to farms and plantations. Blacks did not have the right to trial by jury or to testify against whites, and the law punished them with greater severity, particularly if they committed crimes against whites. This has not changed up to the present (Glover 12). Even after the end of slavery, segregation and denial of black voting rights were considered ' legal' by state and local governments and upheld by Supreme Court decisions like Plessey v. Ferguson (1896). For the United States, " separate but equal" was the law of the land in many parts of the country until 1964, and while the separation by race was real equality certainly never existed (Glover 14). Racial profiling is a new name for a very old practice in the United States, even though mainstream social science rarely recognizes this fact. Even though slavery ended in 1865 and blacks achieved full legal equality in the 1960s, the ideology and practices of racism continued on in social, political and economic institutions in the U. S. and other countries, and has continued to affect foreign and domestic policies. Not even the election of a black president in 2008, which would have been impossible and unthinkable even forty years ago, has ended the persistence of structural and institutional racism.

## WORKS CITED

Glover, K. S. Racial Profiling: Research, Racism and Resistance, 2009. Mills, C. W. The Racial Contract. Cornell University Press, 1997.