THE STRATAGEM OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964:
AN EXAMINATION ON EMPLOYMENT FOR
AFRICAN AMERICANS 50 YEARS LATER

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in
Political Science

by
Keith J. Rivers, M.A.
Spring 2014
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APPROVED BY THE DEAN OF GRADUATE STUDIES
AND VICE PROVOST FOR RESEARCH:

E.K. Park, Ph.D.

APPROVED BY THE GRADUATE ADVISORY COMMITTEE:

Matthew O. Thomas, Ph.D.
Graduate Coordinator

Mahalley D. Allen, Ph.D., Chair

Sherrow O. Pinder, Ph.D.
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ABSTRACT

THE STRATAGEM OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964: AN EXAMINATION ON EMPLOYMENT FOR AFRICAN AMERICANS 50 YEARS LATER

by

Keith J. Rivers, M.A.

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The following study is an examination on the strategy of Title VII of the Civil Rights Act of 1964. Throughout this thesis, I collect data, compare data, analyze data, and conclude on employment discrimination towards African Americans in the United States of America. I also incorporate data tables with crosstabulations and the Chi-square Test. All of my data is statistically significant. Many scholars believe that African Americans face employment discrimination because of two main reasons: 1) aversive racism and 2) White privilege.
CHAPTER ONE:

Introduction

Discrimination in the Democratic United States of America

“As you grow older, you'll see White men cheat African American men everyday of your life, but let me tell you something and don't you forget it. Whenever a White man does this to an African American man, no matter who he is, how rich he is, or how fine a family he comes from, he is trash.”

- Harper Lee, Author of To Kill a Mockingbird

The Flow of the Thesis

In chapter 1, I briefly examine how the racial history of the United States led to the enactment of Title VII and the Civil Rights Act of 1964. African Americans worked for four hundred plus years for free in the United States, yet today, African Americans are the ones who lead in unemployment and lowest pay. The alleged push for equality in the United States came with a price and African Americans had to pay the bill.

In chapter 2, I present a literature review on past scholarship on the topic of employment discrimination in the United States towards African Americans. I provide information on how the Civil Rights Movement came about, which then lead to the passage of the Civil Rights Act of 1964. I will also examine the goals of Title VII of the Civil Rights Act of 1964 because it focuses on employment discrimination. After that, I explain the purpose and benefits of affirmative action. Following that, I explain why employment discrimination happens today in the United States despite Title VII of the Civil Rights Act of 1964. Next, I examine and review research about why employment discrimination remains in the United States. I also analyze White privilege because it is
the reason for why the conditions are the way they are for African Americans in the United States.

In chapter 3, I provide my research and data sets. My hypothesis is that Title VII of the Civil Rights Act of 1964 has not been effective in stopping employment discrimination towards African Americans. In order to test my hypothesis, I use the Multi-City Study of Urban Inequality: 1992-1994 (MCSUI). There are two parts to the MCSUI; part I covers the inequalities between Whites and African Americans when it comes to employment discrimination in the United States. Part II examines the hiring practices of employers. The four major cities that are covered in the MCSUI are: Los Angeles, Boston, Detroit, and Atlanta. I also use some information from the Bureau of Labor Statistics Survey from 2011.

In chapter 4, I report my discoveries and findings and reflect on my hypothesis. I carefully investigate and scrutinize both parts of the MCSUI. I also investigate and scrutinize the data from the 2011 Bureau of Labor Statistics Survey. In chapter 5, I discuss why employment discrimination continues in this country. Then I provide my final conclusion and make suggestions for future research.

_Historical View on Discrimination in the United States_

The laws that the Southern states created following the Civil War were called Jim Crow Laws. These laws were enacted between 1876 and 1965. The Jim Crow Laws take after the Black Codes, which were set-up in the period between 1800 and 1866. Black Codes were designed to restrict freed African Americans' activity and to ensure their
availability as a labor force since slavery was now abolished. In 1866, Congress passed
the first Civil Rights Act, which was supposed to give African Americans equal rights but
was later struck down as unconstitutional by the United States Supreme Court. In 1881,
the state of Tennessee passed the first set of Jim Crow laws; other states in the South
would soon follow over the next fifteen years. Grandfather clauses were passed in 1898
in Louisiana in order to disqualify African Americans from voting. Grandfather clauses
are provisions that a half-dozen states passed that made men eligible to vote if they had
been able to vote before African Americans were given the franchise or if they were the
lineal descendants of voters back (PBS 2013).

In 1964, a newer-version of the Civil Rights Act passed. The Civil Rights Act of
1964 was designed to get rid of the Jim Crow Laws. This Act was intended to prohibit
discrimination of all kinds that was based on race, color, religion, or natural origin. The
Civil Rights Act of 1964 also allowed the federal government new power needed to
enforce desegregation and to fight discrimination. Title VII of the Civil Rights Act of
1964 was designed to stop employment discrimination towards African Americans. The
Civil Rights Act of 1964 was enacted on July 2, 1964. However, it took many prior
actions before the Civil Rights Act of 1964 could come about (PBS 2013).

The great American pastime of baseball decided in 1947 to allow Jackie
Robinson, an African American baseball player, to be the first African American in the
Major Leagues. On July 26, 1948, President Harry S. Truman signed Executive Order
9981, which was supposed to eliminate unfair treatment in the armed services. On May
17, 1954, the United States Supreme Court unanimously agreed in the case of Brown v. Board of Education that segregation in public schools is unconstitutional. This landmark case overturned the 1896 ruling of the Plessy v. Ferguson case that sanctioned the doctrine of separate but equal. In August of 1955, a fourteen year old boy by the name of Emmett Till was brutally beaten beyond recognition for allegedly whistling at a White woman (PBS 2013).

All of these efforts led to the enactment of the Civil Rights Act of 1964. The Civil Rights Act of 1964 aimed to stop discrimination in four major areas within the United States of America: 1) voting, 2) employment, 3) housing, and 4) education. For the purpose of this research, I only explore discrimination in employment, which is described in Title VII of the Civil Rights Act of 1964. Please see the Appendix A for a copy of Title VII. Employment discrimination is something that many African Americans have faced and will continue to face until the problem is addressed properly. Employment discrimination can occur in many different forms, such as: 1) wages, 2) hiring practices, 3) lack of promotion, and 4) wrongful termination.

In Chapter 2, I review scholarly information on the Civil Rights Movement, the passing of the Civil Rights Act of 1964 and its alleged purposes for African Americans, Title VII, affirmative action, employment discrimination, overt and aversive racism, and White privilege.
CHAPTER TWO:

Literature Review

The Theory of the Civil Rights Movement and Racism

“He who passively accepts evil is as much involved in it as he who helps to perpetrate it. He who accepts evil without protesting against it is really cooperating with it.”

- Dr. Martin Luther King, Jr.

In this chapter, I examine research on the topic of racial discrimination in employment in the United States. I use scholarly books, journals, and articles that deal directly with: 1) the Civil Rights Movement, 2) overt and aversive racism, 3) discrimination in employment, 4) Title VII of the Civil Rights Act of 1964, 5) other titles of the Civil Rights Act of 1964, 6) affirmative action, and 7) White privilege.

The Civil Rights Movement

The Civil Rights Movement occurred because the majority of African Americans in the United States were being denied their basic democratic liberties. Doug McAdam is a Professor of Sociology at Stanford University, and he believes the classical model of social movements was implemented for the Civil Rights Movement during the period of 1955-1964. Out of the many classical formulations, two are found with great regularity when it comes to the Civil Rights Movement. The two theories of the classical model are: 1) rising expectations and 2) relative deprivation. The theory of rising expectations is based upon the understanding that African American insurgency is a direct response to
the psychological tensions generated by the absolute gains experienced by African Americans in the immediate pre-movement period. Relative deprivation is the absolute gains experienced by African Americans in the pre-movement period, combined with their simultaneous failure to make any appreciable headway that is relative to White Americans (McAdam 1982, 117-120).

McAdam states that a revolution occurred between 1950 and the early 1960s, and this was largely due to a prolonged period of rising expectations and rising gratifications, which was then followed by a brief period of a sharp reversal during which the gap between expectations and gratifications quickly widened and became overly intolerable. McAdam also believes that the resource mobilization model is equally important in the Civil Rights Movement. The Resource Mobilization Model is an alternative to the Classical Model. This model states that groups in society have different amounts of political power. Only those with capital have the ability to influence American society. This then enables the rich and powerful to control the political arena. Therefore, social movements are not a form of irrational behavior but are rather a tactical response to the harsh realities of an unfair and coercive political system. Social movements occur because of a significant increase in the level of resources available to support collective protest activity. It is nearly impossible for a person or a group with little capital and resources to be able to launch a fight all alone. What is needed is a substantial amount of resources from outside sponsors like churches, foundations, organized labor, and the federal government (McAdam 1982, 20-59).
There are four major strengths with the resource mobilization model: 1) it has redefined the basic ontological status of social movements within Sociology. Social movements are a collection of political actors who are dedicated to the advancement of their stated substantive goals. 2) Participants are now considered rational instead of irrational under the classical model. 3) External groups are now factored into the equation of social movements, unlike in the classical model, and 4) Social movements are dependent on some form of combination of formal and informal groups to be successful and persistent. Social movements can no longer be looked at as just expressions of tension and anger. The combination of expanding political opportunities and the development of organizational strength mediated through a crucial process of collective action facilitated the rise of the African American Civil Rights Movement (McAdam 1982; 20-59, 117-120).

McAdam explains that the rapid growth of African American Southern churches, colleges, and the National Association for the Advancement of Colored People (NAACP) provided African Americans with the power needed to develop a campaign of collective insurgency. Dr. Martin Luther King, Jr. and the Southern Christian Leadership Conference (SCLC), along with the Student Nonviolent Coordinating Committee (SNCC) and the Congress of Racial Equality (CORE), all were developed from either the African American Southern churches, the colleges, or various chapters within the NAACP (McAdam 1982, 125).

There are three resources that were important in the initial protest campaigns: 1)
Members- this was the most valuable resource. Dr. King stated that people joined the social movement just like how they would join and become members of churches. John Lewis, President of SNCC, said that many African Americans involved in the movement did it out of a strong moral, religious obligation. African Americans from all walks of life came to the mass meetings because they were already there to attend church. The church was the place where African Americans could meet in secrecy and develop their ideas. The African American church was free from White control to a greater extent than any other institution in the Southern African American community. The students who were involved in the movement got involved because they felt it was their duty as students. 2) Leaders- the colleges, NAACP chapters, and the African American Southern churches all supplied the many leaders of the Civil Rights Movement. The leaders conveyed the legitimacy and the importance of the movement, and the people responded to them well. 3) Communication Network- a social movement's leaders and members must have a strong communication network in order to remain effective (McAdam 1982, 128-140).

The many demonstrations that took place, like the Montgomery Bus Boycott, displayed the well-developed communication network of the Civil Rights Movement. McAdam says that the developments in the 1950s-early 1960s increased the importance of the African American vote, which then placed a lot of pressure on national politicians like President John F. Kennedy, President Lyndon B. Johnson, and Senator Mike Mansfield (D-Montana). President Kennedy believed that he would need the African American vote to beat Nixon in the next presidential election. Therefore President
Kennedy forced the FBI to employ more African Americans, created the Commission on Equal Employment Opportunity (CEEO), and pushed for more equal legislation for African Americans. Senate Majority Leader Mansfield placed the House of Representatives-passed bill (HR 7152) directly on the Senate calendar rather than refer it to the Judiciary Committee in February of 1964 (McAdam 1982, 128-140).

Professors Frances Fox Piven and Richard A. Cloward both agree that the African American struggle was waged for two main reasons: 1) to secure political rights in the South and 2) to secure economic advantages. No group in the history of America has ever been subjected to the extremes of economic exploitation as much as African Americans. Each transition in African Americans' relationship to the economic system of America has been a shift from one form of economic subjugation to another: from the institution of slavery to cash tenants and sharecroppers; cash tenants and sharecroppers to the lowest stratum in an emerging Southern rural free labor system; to now, an urban proletariat characterized by low wages, quick terminations, and high unemployment. Many African Americans went from slave labor to cheap labor to no labor at all (Piven and Cloward 1977, 181-184).

Piven and Cloward state that protests against racial unfairness started once mass migration to the North took place. Mass migration freed African Americans in the South from being under the control of racist Whites. The first large migratory wave occurred during World War I. The respectable Marcus Garvey was able to mobilize a million African Americans into his Universal Negro Improvement Association (UNIA). Garvey
was an activist and political leader who was born in Jamaica in 1887 and came to the United States to improve the conditions for people who were from African descent. The UNIA had a total of seven hundred branches in thirty-eight states in the 1920s. The Nation of Islam took from Garvey's philosophy to draw members because he was so good at getting people to join. Garvey and the UNIA's influence reached Canada, the Caribbean, and the continent of Africa. African Americans could gain a sense of worth by joining up with Garvey. Mass protests eventually forced federal action. The Kennedy Administration's Civil Rights Bill was designed to calm down African Americans who demanded change (Piven and Cloward 1977, 203).

The Passing of the Civil Rights Act of 1964 and Its Goals

The creation of the Civil Rights Division of the Department of Justice in 1957 and the creation of the Civil Rights Commission in 1957 led to the development of the Civil Rights Act of 1964, according to Robert D. Loevy, a retired Professor of Political Science. Joseph Rauh, Jr., Chief Lobbyist for the Leadership Conference on Civil Rights, was greatly responsible for leading the major lobbying effort that led to the passing of the Civil Rights Act. Senator Hubert H. Humphrey of Minnesota was named by democratic leader Mike Mansfield to be the Floor Leader for the bill that became the Civil Rights Act (Loevy 1997, 1-8).

Senator Humphrey later became Vice President under President Lyndon B. Johnson. Humphrey believed that the Senate began considering President John F. Kennedy's proposal for Civil Rights during hearings in the House in the summer of 1963.
President Kennedy pushed for the Civil Rights bill along with Attorney General Herbert Brownell, Deputy Attorney General Nicholas Katzenbach, Assistant Attorney General Burke Marshall, and several House democratic leaders, which included Emmanuel Celler. The Civil Rights Act was enacted on July 2, 1964. The Kennedy Administration was forced to act because of all the ugly, unnecessary, racial violence that was occurring all over the South (Loevy 1997, 1-8).

The Civil Rights Act can be regarded as the most important piece of Civil Rights legislation to be enacted by the United States Congress in nearly a century. But, the enactment of the Civil Rights Act did not go without some discontent. A group of eighteen Southern Senators, which included Senator Robert C. Byrd of West Virginia, strongly opposed the Civil Rights Act and forced a fifty-four day filibuster of legislation. Eventually a bipartisan group of Southern senators developed a compromise bill. The debate over the Civil Rights bill was ended by the first successful application of cloture to a Civil Rights bill. On June 19, 1964, the Senate passed the Civil Rights bill with a 73-27 vote. On July 2, 1964, the House voted to adopt the legislation that the Senate had already agreed to with a 289-126 vote. The Civil Rights Act altered the relationship between White Americans and African Americans in the United States, slowed down racial segregation and racial discrimination in employment, education, and housing, and was a reflection of the great political and social changes that started as a result of the Civil Rights Movement (Loevy 1990; 1-49, 333-364). Please see Appendix B for a table of all the titles of the Civil Rights Act.
Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964 protects individuals against employment discrimination on the basis of race and color, as well as national origin, sex, and religion. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as the federal government. It is unlawful to discriminate against any individual in regard to recruiting, hiring and promotion, transfer, work assignments, performance measurements, the work environment, job training, discipline and discharge, wages and benefits, or any other term, condition, or privilege of employment. Title VII prohibits not only intentional discrimination but also neutral job policies that disproportionately affect persons of a certain race or color and that are not related to the job and the needs of the business. Employers should adopt practices that reduce the likelihood of discrimination and addresses impediments to equal employment opportunity (Society for Human Resource Management 2013).

In 2010 it was found by the United States Court of Appeals, Seventh Circuit, in Chaney v. Plainfield Healthcare Center, that a company cannot cater to the perceived racial preferences of its customers. Race can never be a bonafide occupational qualification confers J. Cunyon Gordon, the Director at Chicago Lawyers Committee for Civil Rights Under Law. In 1990 it was decided by the United States Court of Appeals, Seventh Circuit, in Village of Bellwood v. Dwivedi, that merchants cannot refuse to hire African Americans because they believe their customers prefer White employees (Gordon
Rev. Mark R. Bandsuch, Marketing and Business Law Professor, reports there are thousands of annual complaints filed with the Equal Employment Opportunity Commission (EEOC). Overt forms of discrimination have disappeared for the most part but more subtle forms of discrimination are on the rise and many of these forms of discrimination avoid Title VII scrutiny because Title VII fails to address cognitive bias and stereotypes. Title VII also suffers from procedural and substantive confusion within its analytical framework (Bandsuch 2009, 1-5).

Scholars have also found that the American judicial system has failed to adequately support implementation of Title VII. The courts of the United States are supposed to safeguard the interests of the Civil Rights Act of 1964 and are supposed to protect people from discrimination; however, many judges and juries have their own biases when observing parties before them in court. Judges may and do consider their own community norms when evaluating discrimination cases. White bias is a part of these norms. The outcome is that some judges routinely perpetuate discrimination instead of restricting it (Bandsuch 2009, 1-5).

According to Political Science Professors Jeffrey A. Segal and Harold J. Spaeth, the ideology of judges directly influences their decisions. Judges have predetermined attitudes about life and how it should be and those notions are reflected in their judgments (Segal and Spaeth 2002, 433). Some judges are aware of this and some are not. The values of some judges benefits Whites and punishes African Americans. Law
Professor Sherrilyn A. Ifill reported in 1998 that only 3.8% of all state court judges are African American. One of the many reasons for a lack of diversity among judges in America is because judges are supposed to be impartial so racial groups do not need to be represented. A lack of diversity on the bench means that the lives of African Americans aren't truly represented in this country's judicial system (Ifill 1998, 95-97).

Title VII articulates the need for the aggrieved parties to establish that their employment situation was adversely affected and that such impact was because of race, but the courts have read an immutability requirement into both the meaning of adversity and into the determination of protected class status. An immutable characteristic that is associated with African Americans can be skin color, facial features, hair types, and cultural conditions such as sickle cell anemia, even though not all African Americans share the same characteristics. However, the immutability requirement has not stopped racial discrimination, which basically makes Title VII inconsistent and unreliable. Bandsuch suggests that scholars, legislators, and the courts need to quickly revisit and revise Title VII of the Civil Rights Act of 1964 (Bandsuch 2009, 1-5).

Affirmative Action

Scholar Sharon M. Collins researches racial inequality in the United States, and her research demonstrates that the United States government and its policies, along with employers, are not likely to eradicate inequality. African American economic equality with Whites is not likely to ever happen. Affirmative action has always been a highly contested and controversial policy in the United States. Affirmative action was
implemented as a last resort after a series of escalating anti-bias policies that led to racial strife and a slowing down of the United States economy. According to Collins, the Civil Rights Act of 1964 and affirmative action both were attempts to not truly create equality but to maintain the American dollar value (Collins 1996, 150-168).

Professors of Economics Kevin Lang, and Jee-Yeon K. Lehmann both find that African Americans, especially males, continue to be significantly underrepresented in the labor market when compared to White Americans. There are severe wage differentials between African Americans and Whites. As of 2008, the unemployment rate for African Americans was 9.1%, which was double the rate of 4.5% for White Americans. Also, the rate of unemployed African Americans was higher than the reported 9.1% because many African Americans choose not to seek out employment because of discrimination and unfairness (Lang and Lehmann 2010, 1-9).

The results from Implicit Association Tests (IAT) proves that there is a compelling presence of subtle and subconscious forms of discrimination within employment and other institutions within the United States. In the IAT test, the test-takers must quickly categorize pictures of faces appearing at the center of the computer screen with terms like “African American,” “European White,” and sort words like “Good” or “Bad” by hitting a computer key that selects their choice. The IAT test shows that people will be able to categorize compatible pairings more quickly than incompatible pairings. The IAT researchers found that implicit racist attitudes show a greater correlation with actual discriminatory behavior than do explicit expressions of prejudice (Lang and Lehmann
The United States Department of Labor Statistics report explains that in 1998, African Americans were twice as likely to be unemployed as Whites were. African Americans also earn less than White Americans. Many African Americans today remain concentrated in the unskilled sector of the American job market, which pays very low wages. In 1993, it was found that African Americans were 50% less likely to be employed as managers or professionals as Whites were. Sexism and racism generate a double discrimination barrier for African American women. In 2000, African American women earned an average median income of only $458 per week while White women earned $523 per week and White men earned $717 per week (ACLU 2000).

The argument has been made that affirmative action is unfair towards White Americans, which is a sufficient reason for it to not be utilized, even though a lack of affirmative action is clearly unfair for African Americans. The truth is that affirmative action is not an unfair program to White Americans because according to law, affirmative action must remain flexible at all times and must incorporate timetables and goals instead of just quotas. Affirmative action has to also refrain from interfering with existing seniority. The ACLU reports that nearly every preference in admissions and hiring criteria in the United States favors and caters to White Anglo-Saxon Protestant men. Employers and college admission committees also tend to favor the children of alumni as well as the children who come from wealthy parents. They also favor their friends, family members, and friends of their family members. Young White men are offered 45% more job offers.
than young African American men. The National Conference Poll on Workplace Diversity showed that 63% of White Americans believe that African Americans have equal opportunities and that 80% of African Americans feel that they do not have equal opportunities. The United States Department of Labor's Glass Ceiling Report from 1995 reveals that White men hold 95% of all senior management jobs (ACLU 2000).


**Employment Discrimination**

In two separate studies, Professors of Sociology Vincent J. Roscigno, Christian E. Weller, and Jaryn Fields found that discriminatory mobility practices and processes happen more in the public sector and discriminatory expulsion is more common in the private sector. When people who are African American acquire employment, they are usually the only one or one of the few, which then leads to heightened policing and oversight. African American men have a disproportionate representation in all
occupations. Many African American men suffer from the “last hired, first fired” syndrome. The patterns of inequality and discrimination go beyond just work. Inequality and discrimination can be found in politics, education, medical care, policing, and legal/judicial decisions. Roscigno's findings, along with those by Weller and Fields, indicate that actors who are in organizational, institutional, and local environments often times filter evaluations of others and their interactions with others through preset stereotypes and cultural views (Roscigno 2007, 207-217; Weller and Fields 2011, 1-8).

Professor of Law Nancy Leong studies the notion of racial capitalism. She stresses that racial capitalism has severe negative consequences for the individual and society as a whole. The process of racial capitalism depends upon and reinforces commodification of racial identity, which then degrades that identity by reducing it to a thing. Commodification also furthers racial issues in the United States because African Americans and other non-Whites feel used, exploited, and underappreciated. In an ideal society, racism and racial capitalism would have never materialized (Leong 2013, 2125-2226).

Scholars Ameena T. Ahmed, Selina A. Mohammed, and David R. Williams concur that racism is a highly organized system that is fueled by an ideology of inferiority that categorizes different groups into races and then assigns hierarchical status to Whites. This higher ranking of status that Whites have over non-Whites is used to allocate societal goods, resources, and opportunities. Many African Americans in the United States are still faced with unemployment and financial strain, which are traditional forms of
American oppression. There is research that documents and proves the persistence of discrimination in employment. According to Ahmed, Mohammed, and Williams, audit studies that involve White and African American job applicants with identical qualifications show that there has been racial discrimination in the following areas: 1) submitting an application, 2) getting an interview, and 3) getting a job offer. Studies prove that discrimination against African Americans in favor of White Americans in the workplace can be found in one of every five audits (Ahmed, Mohammed, and Williams 2007, 318-327).

Academic Professors Maria Krysan and Amanda E. Lewis both explain that many White Americans believe that there is racial equality in the United States. But in many respects, this is far from the truth. There is plenty of unambiguous evidence that demonstrates ongoing and significant discrimination in housing, education, and employment. Appointments of African Americans and other minorities to White House Cabinet positions are not representative of African American progress in the United States. When comparing all the top-end CEOs and sports team owners in the United States, it is easy to see that African Americans are not on the same level as White Americans (Krysan and Lewis 2005, 34-49).

Professor of Law Julio Faundez states that the United States government needs to step up and devote considerable resources to discrimination in employment in order to fully eradicate it because it is not going to go away all on its own. Equal opportunity in employment does not mean racial equality; instead, all it means is that hiring,
promotions, appointments, and selections are based on merit only. Factors like race and ethnicity do not matter when employers make employment decisions. Discrimination can be found in institutional policies and practices, which makes it hard to eliminate. It is clear to see that in the United States, despite all the counters to racism, African Americans still remain underrepresented in higher levels of occupation and yet remain overrepresented in unemployment and poverty (Faundez 2003, 53-66).

Stereotyping is one of the main reasons for why discrimination still exits. Research shows that when employers have a choice to pick between an African American and a White person with identical qualifications, employers will often choose the White person because they have preexisting stereotypes about the person who is African American. These stereotypes conclude that African Americans are lazy, dishonest, unstable, prone to alcoholism, and are violent. Yet time has shown that Whites are lazy because they are responsible for the European/American Slave Trade and Whites are dishonest because they stole Africans from Africa and nearly colonized the entire continent of Africa. Whites also stole the land of America from Native Americans and Latinos/Chicanos. Whites are also unstable and prone to violence because they are the ones who started race hate groups like the Ku Klux Klan and the Nazis. Whites can also be prone to alcoholism because they are the ones who own most of the distilleries in the United States, and they are the ones who made alcohol legal to consume in the United States. Therefore, the stereotypes that are placed upon African Americans by Whites are not accurate and are unfair and are actually reflections of themselves (Faundez 2003, 53-
According to a study conducted by the Economic Policy Institute (EPI), Andrea Orr reports that in 2008, African American men made only 71% of what White men did. The median hourly wage between full-time workers was $14.90 for African Americans and $20.84 for Whites. EPI's research shows that education and other differences are some of the contributing factors that have led to this gap in wages. But there are many other factors. Algermon Austin, the Director of EPI, stated that being African American is a negative when it comes to employment. William Darity, Jr., the Director of the Research Network on Racial and Ethnic Inequality, describes this as occupational segregation. Nearly 90% of U.S. occupations can be considered as racially segregated.

The statistics behind occupational segregation theory is worse when examining upper-management roles between White Americans and African Americans. African Americans are underrepresented on all levels, but the higher up the job ladder, the more segregation can be found. This allows for Whites to continue to grow economically and forces many African Americans to remain impoverished and deprived (Orr 2011).

Professor Richard L. Florida provides ample evidence that there is extreme discrimination in employment when it comes to race. Florida states that currently 30% of the United States work force is a part of the creative class. The creative class involves those in the following fields: business and finance, law, healthcare, education, science and engineering, entertainment, architecture and design, and other related areas. The creative class is the best class to be in, and the creative class is reserved for the elite of
society. Underneath the creative class is the service class, which is then followed by the working class, the agricultural class, and then the prison class. It is easy to see the perceived elite in society because 80.9% of creative class jobs are held by White Americans. Only 6.8% of African Americans are able to secure a job in the creative class. This automatically forces African Americans into all of the lower classes or into no class at all (Florida 2012, 50-60).

Joan Acker is a Professor of Sociology at Oregon University. She believes that organizational structures are not race neutral. The United States is an industrial capitalist society that is built on racial differences. Racial differences are embedded in the structure of the United States. The most powerful organizations in the United States are occupied by White men. The only way for a woman or a person of color to get a job in the most powerful organizations is to act and think similarly to the White man. (Acker 1990, 139-158). There is a noteworthy amount of racial disparity in the current American economy. Discriminatory practices within the job market in the United States are the main reason for this inequality. African American Professors William A. Darity, Jr. and Patrick L. Mason both agree that in many respects, racial discrimination is masked and rationalized by widely-held perceptions and presumptions of African American inferiority (Darity, Jr. and Mason 1998, 63-90).

Statistical evidence of employment discrimination is visible when there is an estimate of a regression equation where earning levels or occupational status is the dependent variable, which can be explained by some combination of factors like years
and quality of education, experience, job tenure, region of country, and dummy variables for race and gender. Research finds that the coefficients on the race and gender variables are statistically significant. The statistics show that there are still plenty of discriminatory practices in the United States today (Darity, Jr. and Mason 1998, 63-90).

Employment discrimination is real when it comes to an individual's skin color. Studies conducted in 1970, 1991, and in 1995 proved that being African American and dark-skinned reduced a person's chances of getting employed by 52%. Further evidence showed that lighter-skinned African Americans have superior incomes and life chances than darker-skinned African Americans. Darity, Jr. and Mason both conclude that the Civil Rights Act of 1964 was only a temporary solution to racism and discrimination (Darity Jr. and Mason 1998, 63-90).

Devah Pager, Professor of Sociology and Public Policy at Harvard University, says that despite the developments of the Civil Rights Act of 1964, there is plenty of social science evidence that indicates that there is still a significant amount of discrimination in the United States. A Gallup Poll in 2001 revealed that 50% of African Americans experienced some form of discrimination within the last month (Pager 2006, 1-48). In 1969, 77.3% of African American males worked, but in 2012, only 49.5% had employment. To make matters worst, most of the 49.5% in 2012 worked in low-wage occupations (Harris 2013, 1-6). Studies also show that perceptions of difference across racial/ethnic groups remain pervasive in the United States. Racial and ethnic minorities are viewed consistently as negative when compared to Whites. Pager, along with
Economic Professors Kenneth A. Couch and Robert Fairlie, have found that persistent inequalities in employment means there are major problems within the social system of the United States. Unconscious sources of discrimination are the most difficult to identify, legislate, and change (Pager 2006, 1-48; Couch and Fairlie 2008, 1-53).

The Director of Youth Policy at CLASP (policy solutions that work for low-income people), Linda Harris, states that many young African American men who come from low-income neighborhoods are basically exempt from employment opportunities. The high unemployment rate for African American men has remained persistent and historically intractable. Today African American men remain underrepresented in management and professional jobs, which has not changed in the last twenty years. White youth with no college education are able to become gainfully employed at higher rates than African American youth who have obtained a college degree (Harris 2013, 1-6).

Studies show that discrimination against African Americans starts as early as the seventh grade, possibly earlier (Wong 2003, 10-34).

The Webster Report was used by the City of Los Angeles to assess the demographics of Los Angeles. In 1992, the Webster Report found in South Central Los Angeles that 31% of the people lived below the poverty line and that the unemployment rate was 13.7%. In Southeast Los Angeles, 40% lived below the poverty line and the unemployment rate was 17.4%. About 35% of the people in South Central Los Angeles did not work a single day in 1989. In neighborhoods that surrounded Watts (an African American neighborhood in Los Angeles), this number could easily be 100%. All of these
areas are predominantly people of color, which includes a very large portion of the
African American population within Los Angeles (Koehler, Isbell, Freeman, et. al. 1993).

Generation Opportunity is a free-thinking, liberty-loving, national organization of
young people who promote the good about America, which includes: opportunity,
creativity, and freedom. Generation Opportunity reported the unemployment rate in and
around the Boston area. The youth unemployment rate for eighteen to twenty-nine year
olds in February 2013 was overall 12.5%. However, the unemployment rate for African
American eighteen to twenty-nine year olds was 22.8%, almost double the average. The
decreasing labor participation rate has created an additional 1.7 million young adults who
are not considered to be unemployed by the United States Department of Labor because
they have given up and do not seek out employment. Factoring in the labor force
participation rate, the unemployment rate would rise by 16.2%, which means African
American young adults are unemployed in the Boston area at a rate of 39% (Generation
Opportunity 2013).

The Economic Policy Institute (EPI) is a non-profit, non-partisan think tank that
was created in 1986 to broaden discussions about economic policy and to include the
needs of low and middle-income workers. EPI believes every working person deserves a
good job with fair pay, affordable health care, and retirement security. According to the
Economic Policy Institute in 2013, African Americans are unemployed far more than any
other racial group in Detroit and its surrounding areas. The unemployment rate for
African Americans is 18.7%, which is two and a half times more than the unemployment
rate of Whites. Of the twenty-four states that have a large enough African American population to track with quarterly Current Population Survey (CPS) unemployment data, Michigan has the highest African American unemployment rate. Since the modern-day depression, African American unemployment rate has fluctuated between 18% and 22%. The numbers are truly higher than this simply because many African Americans have stopped looking for employment (Hall and Gable 2013).

The Department of Labor released information that shows African Americans in Atlanta are unemployed at a rate of 14.4%. The overall unemployment rate in Atlanta is only 8.2%. The unemployment rate for African Americans seems to get worse annually since the modern-day depression. Before the modern-day depression, unemployment rates for African Americans remained stable (Pan 2012).

**Overt Racism v. Aversive Racism**

Psychology Professor Shana Levin's research implies that, consistent with the aversive racism framework, most Whites are more opposed to affirmative action for Africans Americans than they are for other groups like Native Americans, the elderly, and the handicapped. Levin reveals three different forms of racism: 1) symbolic, 2) modern, and 3) aversive. Symbolic racism includes the traditional values and negative feelings that Whites have towards African Americans and it starts with their childhood. Modern racism has to do with people who do not claim to be racist, yet their decisions, actions, and lifestyle indicate differently. Aversive racism includes the established customs, laws, and practices of the United States because it continues to promote and produce racial
inequalities (Levin 1999, 1-20).

Psychology Professors Adam R. Pearson, John F. Dovidio, and Samuel L. Gaertner all conclude that there has been a large decline in blatant, overt racism in the United States. However, racism has not completely disappeared. Instead, racism is now more disguised and concealed throughout the United States. Research shows that there are persistent and substantial disparities between African Americans and White Americans. The current racial attitudes in America are manifested in indirect and subtle ways. This can be seen in all areas of America, including legal decisions and employment (Pearson, Dovidio, and Gaertner 2009, 1-25).

One major flaw in America is the dilemma of aversive racism. Pearson, Dovidio, and Gaertner all agree that aversive racism is a form of prejudice that characterizes the mentality, feelings, emotions, and actions of the majority of well-intentioned and ostensibly non-prejudiced White Americans. Public opinion polls over the past forty years have shown a sharp decline in prejudiced views towards African Americans. Be that as it may, there are tremendous amounts of evidence that show racial disparities and discrimination still exist. These types of disparities and discrimination can be found in many places. These places include: 1) healthcare, 2) incarceration, 3) wages, 4) employment, 5) housing, and 6) education (Pearson, Dovidio, and Gaertner 2009, 1-25).

A survey conducted by USA Today in 2008 reported that three-fourths of African Americans believe that racial discrimination is a major factor when it comes to education and income levels. Only one-third of Whites reported racial discrimination as a major
factor that accounts for the disparities in education and income levels. According to the Gallup Minority Rights and Relations Survey of 2007, 71% of Whites reported that they were satisfied with the way that African Americans are treated in America. Sixty-eight percent of African Americans reported that they were dissatisfied with the way African Americans are treated in America (Pearson, Dovidio, and Gaertner 2009, 1-25).

Racism will never leave America because of the country's historical roots. Social categorization of race within America is almost automatic. Social categorization leads to positive feelings about in-group members and negative feelings about out-group members. Many Whites in America are not racist, but they still have plenty of racial biases. Under these circumstances, aversive racists are allowed to take actions that negatively hurt African Americans but nothing ever happens to improve the situation because it appears as a non-prejudiced action. Aversive racists are aware and support egalitarian values and they want to be viewed as people who support diversity despite the fact that they have racial biases (Pearson, Dovidio, and Gaertner 2009, 1-25).

A study conducted by Dovidio and Gaertner in 2000 examined White college students' hiring recommendations for African American and White applicants for a selective campus position within the same college. Two studies were done, one in 1989 and one in 1999. Consistent with the aversive racism theory, when the candidates' qualifications were less obvious and the decision was left up to just picking one or the other, White participants recommended the African American candidates significantly less often than the White candidates with the same exact credentials. The results of
aversive racism is pervasive and still occurs because it’s largely unrecognized and is left unreported and unaddressed (Pearson, Dovidio, and Gaertner 2009, 1-25).

The United States Commission on Civil Rights (USCCR) reports that there is intended and unintended economic and social barriers that are inflicted upon African Americans. According to the USCCR, millions of African Americans suffer from severe injustices and deprivation. There are several factors for why this has and will continue to take place in the United States, which include: 1) long-established institutional structures and practices, 2) political forces, 3) social and personal customs, attitudes, and beliefs, 4) historical developments, and 5) physical and economic conditions (USCCR 1970, 1-43).

The USCCR further reported that White racism can be identified in hundreds of aspects in American society and operates in hundreds of other ways that are unrecognized by the general public. Many Whites today believe that overt racism, the only kind Whites mostly recognize, has slowly faded away over the years. But overt and aversive racism are still very prevalent today in the United States. Forms of racism and discrimination can be seen in most residential areas, most schools and universities, the criminal justice system, and in employment. Even merit employment can conceal and hide many forms of indirect institutional subordination by skin color. The reason why institutional subordination is invisible in the United States is because African Americans are invisible in the normal lives of most White Americans, especially White children (USCCR 1970, 1-43).

The overt racism that was found in the twentieth century was blatant and
intentional and required the passage of Civil Rights laws. But those laws have little to no meaning in the twenty-first century because racism is now aversive and is more subtle. According to Vice Provost and Professor of Law at Emory University, Dorothy A. Brown, it is nearly impossible to prove intentional racial discrimination today, which gives White Americans the power to say that racism no longer exists. Brown has developed critical race theory, which examines how American laws and traditions impact African Americans not as individuals, but as a group. The laws and traditions in America are geared towards White supremacy and the subordination of African Americans (Brown 2004, 1485-1500).

Professor of Sociology Teresa J. Guess clarifies that historically, race relations in the United States have failed to account for both sides of the African American/White American binary paradigm when it comes to racism and racial inequality. Racism operates at the macro level by way of consequence. The gradual shift from overt racism to aversive racism has led to discriminatory practices in most institutions in the United States. Many forms of overt racism like “Colored-Only Bathrooms,” are no longer in existence, but patterns of more subtle forms of discrimination continue to grow and expand within the United States. These more subtle forms of discrimination are supported and protected by bureaucratic procedure, the inertia of customs, impersonal routine, and the laws (Guess 2006, 649-671).

According to Karen D. Pyke, a Professor of Sociology at the University of California-Riverside, internalized racism is the subjection of the victims of racism to the
mystification of the very racist ideology, which imprisons and defines them. There is still a collective ignorance within the United States, which leads to internalized racism. The internalization of oppression is a multidimensional phenomenon that assumes many forms and sizes across situational contexts, including the intersections of multiple systems of domination. White racism can infiltrate the lives of African Americans without their consent. This is a subtle process that experts refer to as mental colonization and indoctrination. Another way that this can happen is through meritocracy. Meritocracy is used as a front for fair and equal opportunity employment. Meritocracy obscures oppression by pretending that racial disparities in hiring or school admissions are decided by objective standards that are applied to all equally. The only way to have a superior, more dominant class is to create inferior groups and exploit them. Racism, discrimination, and exploitation become routine and habitual because they are constructed in and through social relations and organizations. Ignorance about internalized racial oppression benefits White Americans who are unaware of its existence. All African Americans, regardless of class, have to battle the negative stereotypes that racism and bigotry have created. Thus all Whites are racially privileged, even Whites who are anti-racist. Internalized racism allows Whites to deny that White privilege exists or ever existed (Pyke 2010, 551-567).

According to Sherrow O. Pinder, a Professor of Political Science and Multicultural and Gender Studies at California State University, Chico, Frantz Fanon’s cultural hierarchy stands for the hidden agenda that secretly dictates the norms, values,
and ethics of society to the masses. Fanon was a writer, philosopher, and revolutionary who was born in France in 1925. The hidden agenda organizes and strengthens the configuration of normal and abnormal cultural practices. It is nearly impossible to become included into the dominant culture because the dominant, superior culture is White and anyone who is different is considered inferior and is perceived as culturally different. This then creates “the us vs. them” model (Pinder 2009, 13-15).

Pinder continues by elaborating on the significance of race in America. If race is dismissed, we will fail to comprehend the specter of racism and how it has shaped America’s present perspective on race relations. Race and racism are just as active today as they were in the past. Racial differences benefit all Whites. In order to hide the continual hidden agenda of racism, a few individuals from non-White groups are incorporated into high-profile positions, like United States president or Supreme Court justice, but society still remains in favor of Whites because society retains its essential goals of maintaining, reinforcing, and finding new ways to secure Whiteness. Institutionalized power relegates African Americans to a lower class and excludes many African Americans from gaining power by way of social control. White power is the reason for the continuation of African American discrimination and prejudice. All Whites are not racist, but all Whites benefit from White privilege and the structures of society (Pinder 2009, 18-19).

Racial thinking in America justified the European/American Slave Trade, the Jim Crow South, the Chinese Exclusion Act, Japanese internment camps, the genocide and
removal of Native Americans, and the taking of Aztlan from Latinos/Chicanos. African Americans are continually denied equal rights under the law. Racial profiling, the Prison Industrial Complex, the curtailing of welfare for the poor, the curtailing of racial justice, poor educational institutions in predominantly African American neighborhoods, and polluting industries in many African American neighborhoods, all point to a system of domination and subordination. This is how the manifold axes of power work (Pinder 2009, 20-34).

White Privilege

Professors Noel Ignatiev, John Garvey, and Christine E. Sleeter report that the White race is not a natural category but is more of a historical category. The White race is a private club that gives out privileges and opportunities to certain people in return for obedience to its rules. The rules of the White club do not demand that all members become strong advocates for White supremacy; however, they still need to maintain racial solidarity. Membership in the White private club is based on the assumption that everyone who looks White, regardless of their beliefs, are fundamentally loyal to whiteness (Ignatiev, Garvey, and Sleeter 1996, 257-268).

Law Professor Stephanie M. Wildman discovered in her research that the courts of America have routinely failed to recognize White privilege. The failure to recognize White privilege in the legal analysis just continues the goals of whiteness. The alleged leap towards colorblindness in American institutions just furthers the racialized reality. Many Whites do not even know what is happening because Whites do not have to think
in racial terms. The definition of whiteness is to simply be White and not having to think about it (Wildman 2005, 245-264).

The Latin root of the word privilege is privilegium, which means a law that affects an individual. Whites have privilege so they are easily able to ignore discrimination and mistreatment because they do not place a burden upon them or their families. The option to ignore racism and discrimination just furthers oppression and strengthens White supremacy. Socio-cultural factors that involve discursive practices and certain patterns of behavior continue to solidify White privilege. There are four main reasons for why racism and discrimination continue today in the United States: 1) the push for colorblindness, 2) the type of American thinking that ties an individual to a group, 3) a comfort zone in whiteness and the creation of a White privilege viewpoint, and 4) the constant ability for Whites with privilege to take back the center in discourse by taking away the uncomfortable conversation about race, and instead, focusing on White issues and concerns (Wildman 2005, 245-264).

Professor of Sociology Allan G. Johnson stresses that White privilege benefits Whites at the expense of African Americans and other groups who are not White. White privilege creates a large divide in levels of income, wealth, dignity, safety, health, and quality of life. White privilege also enforces and promotes suspicion, fear, harassment, discrimination, and violence. Everything that is done to receive, continue, or maintain White privilege, no matter how unconscious and/or passive, results in the deprivation and suffering of someone else. It is easy for Whites, who are the dominant group, to ignore
the negative aspects of White privilege. According to African American novelist James A. Baldwin, race and all its categories have no significance outside of systems of privilege and oppression (Johnson 2001, 1-21).

White privilege is also known as unearned advantage. White privilege allows the cultural authority to make judgments about African Americans and those judgments stick around. It also allows White Americans to define reality to fit their expectations and this comes without the feeling of being privileged. Johnson states that “deny and minimize” are the key strategies behind the maintenance of White privilege. Blaming the victims and saying that it is their fault for where they are in life is a way to take the true culprit off the hook. Economics are used to justify segregation, when in reality, it is due to racism. The patriarchal mentality of Americans promotes White privilege (Johnson 2001, 21-28; 30-59).

In Chapter 3, I will examine some data sets and measures on employment discrimination for African Americans in the United States of America in an effort to determine if Title VII of the Civil Rights Act of 1964 has been effective. I hypothesize that it has not been effective for African Americans in its fifty year existence.
CHAPTER THREE:

Research and Data Sets

Inequality by the Numbers

“I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred, and the mistrust. We must dissent because America can do better, because America has no choice but to do better.”

- Thurgood Marshall, Former Justice of the Supreme Court

In this chapter, I test my hypothesis and analyze various statistics on employment and income disparities. The following analysis incorporates data from the (ICPSR 2535) Multi-City Study of Urban Inequality: 1992-1994. There are two parts to the Multi-City Study of Urban Inequality (MCSUI): Part I) a household survey and Part II) an employer telephone survey. Both of the surveys took place in four major American cities: 1) Los Angeles, California [09/93-08/94] 2) Boston, Massachusetts [05/93-11/94] 3) Detroit, Michigan [04/92-09/92] and 4) Atlanta, Georgia [04/92-09/92]. The MCSUI is the work of forty plus scholars from over fifteen American universities and colleges, including Harvard Professor Lawrence Bobo. The Russel Sage Foundation and the Ford Foundation funded the MCSUI. The MCSUI was orchestrated to gain a more solid understanding of racial segregation, racial attitudes, labor market dynamics, and discrimination. The premise of the MCSUI was to see why African American men are the most disadvantaged in the labor market (Bobo, Johnson, Oliver, et al. 1998, 1-301).
My Hypothesis

Part I of the MCSUI sought to discover the inequalities between African Americans and Whites and to understand racial attitudes. Some of the questions that were asked in the household survey were: A) what is your race [Table 3.01]? B) What were your wages before taxes in 1991 [Table 3.02]? C) How many hours did you work per week [Table 3.03]? D) What is the size of your employer? E) How long have you worked at your current job? F) Do you receive benefits? and G) What are your experiences of discrimination and/or harassment [Table 3.10 and Table 3.11]?

Part II of the MCSUI sought to discover the hiring practices of specific jobs that required only a high school education by interviewing representatives of various firms. Some of the questions that were asked were: H) What are your educational qualifications? I) What was the race of your most recent hire [Table 3.12]? J) How do you promote your employees? K) What are your firm's recruiting and hiring methods [Table 3.14, 3.15, 3.16 and 3.17]? L) What are the demographics of your employees? M) How many of your applicants are African American [Table 3.13]? N) What are your demographics (the respondent) [Tables 3.18 and 3.19]? and O) Has there been any racial tension [Table 3.20]?

I examine the correlation between employment, income, and race to explore the following question: Do African Americans, under the same conditions, make less money than Whites? My hypothesis is that given the same conditions, White Americans will make more money and work more hours than African Americans. I will use
crosstabulations and the Pearson Chi-square tests to examine my hypothesis. My research examines the dependent variable of income with the independent variable of race [Table 3.04]. I then deepen my research by controlling for hours worked per week. It is reasonable to comprehend that given the United States' extensive history of racism and deliberate discrimination against African Americans, the results of this carries over to today, which is why there is substantial gap in wages earned between Whites and African Americans.

My hypothesis can be tested by using data set Part 1 because it represents the reasonably current situation in America when it comes to employment, wages, and discrimination. This data set has an adequate sample size because it is more than 1,200. The dependent variable in the survey that I used asked: What was your income in 1991 before taxes? This included salary, pensions, self-employment, and public assistance. To get a clearer picture, I recoded the original responses to: 1) Very Low Income $0-$14,999, 2) Low Income $15k-$29,999, 3) Medium Income $30k-$64,999, 4) High Income $65k-$99,999, 5) Very High Income $100k-$150k plus, and 6) Refused/Don't Know. The independent variable in the survey that I used asked: What is Your Race? The original question involved a small amount of Asians and Hispanics. They were not even apart of two of the cities in the MCSUI. Therefore I recoded the original responses to: 1) Whites and 2) African Americans. I also controlled for: How many hours a week do/did you work? I recoded the original responses to: 1) 0-19 hours per week [Table 3.05], 2) 20-39 hours per week [Table 3.06], 3) 40-59 hours per week [Table 3.07], 4) 60-79 hours
per week [Table 3.08], and 5) 80 plus hours per week [Table 3.09]. I also used a Department of Labor Statistics Survey to examine unemployment [Table 3.21]. The variables that are compared here are Race v. The Unemployment Gap. The questions of race, sex, and education level are all a part of this survey.

*Information Tables*

Table 3.01 shows the race of the people involved in Part I of the MCSUI study. About 2,000 Asian and Hispanic people were removed from my data because they were not evenly represented and it would not add to my data.

**Table 3.01**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: White</td>
<td>3098</td>
<td>50.6</td>
</tr>
<tr>
<td>2: African American</td>
<td>3029</td>
<td>49.4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6127</td>
<td>100</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.02 represents the incomes of those involved in the MCSUI study. There were originally 99 categories of income but I recoded to 6.

Table 3.02

<table>
<thead>
<tr>
<th>What Was Your Income in 1991 Before Taxes?</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Very Low Income ($0-14,999)</td>
<td>1813</td>
<td>29.6</td>
</tr>
<tr>
<td>2: Low Income ($15k-$29,999)</td>
<td>1215</td>
<td>19.8</td>
</tr>
<tr>
<td>3: Medium Income ($30k-$64,999)</td>
<td>1623</td>
<td>26.5</td>
</tr>
<tr>
<td>4: High Income ($65k-$99,999)</td>
<td>389</td>
<td>6.4</td>
</tr>
<tr>
<td>5: Very High Income ($100k-$150k plus)</td>
<td>194</td>
<td>3.2</td>
</tr>
<tr>
<td>6: Refused/ Don't Know</td>
<td>893</td>
<td>14.5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6127</td>
<td>100</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.03 shows the amount of hours worked per week for the individuals who were involved in the MCSUI study.

<table>
<thead>
<tr>
<th>How Many Hours Have/Did You Work Per Week?</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: 0-19 hours</td>
<td>311</td>
<td>4.9</td>
</tr>
<tr>
<td>2: 20-39 hours</td>
<td>1353</td>
<td>21.4</td>
</tr>
<tr>
<td>3: 40-59 hours</td>
<td>4137</td>
<td>65.4</td>
</tr>
<tr>
<td>4: 60-79 hours</td>
<td>381</td>
<td>6</td>
</tr>
<tr>
<td>5: 80 hours plus</td>
<td>60</td>
<td>0.9</td>
</tr>
<tr>
<td>6: Refused/ Don't Know/ Missing</td>
<td>86</td>
<td>1.4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6328</td>
<td>100</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.04 is a crosstabulation between race (R) and income (I). I have included the means and the standard deviations in order to prove my hypothesis. The Pearson Chi-square test is also included to make my data statistically significant.

<table>
<thead>
<tr>
<th>Race (R) v. Income (I)</th>
<th>Very Low Income ($0-$14,999)</th>
<th>Low Income ($15k-$29,999)</th>
<th>Medium Income ($30k-$64,999)</th>
<th>High Income ($65k-$99,999)</th>
<th>Very High Income ($100k-$150k)</th>
<th>Refuse/Don't Know</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>37.5% (680)</td>
<td>49.1% (596)</td>
<td>65.8% (1068)</td>
<td>72.2% (281)</td>
<td>86.1% (167)</td>
<td>34.3% (306)</td>
<td>50.6% (3098)</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>62.5% (1133)</td>
<td>50.9% (619)</td>
<td>34.2% (555)</td>
<td>27.8% (108)</td>
<td>13.9% (27)</td>
<td>65.7% (587)</td>
<td>49.4% (3029)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.00% (1813)</td>
<td>100.00% (1215)</td>
<td>100.0% (1623)</td>
<td>100.0% (389)</td>
<td>100.0% (194)</td>
<td>100.0% (893)</td>
<td>100.0% (6127)</td>
</tr>
<tr>
<td>Means</td>
<td>1.62</td>
<td>1.51</td>
<td>1.34</td>
<td>1.28</td>
<td>1.14</td>
<td>1.66</td>
<td>1.49</td>
</tr>
<tr>
<td>Std. Devs.</td>
<td>0.48</td>
<td>0.5</td>
<td>0.47</td>
<td>0.45</td>
<td>0.35</td>
<td>0.47</td>
<td>0.5</td>
</tr>
</tbody>
</table>

(Pearson Chi-Square Test)

<table>
<thead>
<tr>
<th>Value</th>
<th>Asymp. Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>541.46</td>
<td>0</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.05 is a crosstabulation between race (R) and income (I) with the controlled variable of 0-19 hours worked per week. Tables 3.05 through 3.09 have the means and the standard deviations in order to prove my hypothesis. The Pearson Chi-square test is also included to make my data statistically significant.

**Table 3.05**

<table>
<thead>
<tr>
<th></th>
<th>Very Low Income ($0-$14,999)</th>
<th>Low Income ($15k-$29,999)</th>
<th>Medium Income ($30k-$64,999)</th>
<th>High Income ($65k-$99,999)</th>
<th>Very High Income ($100k-$150k)</th>
<th>Refuse/Don't Know</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>44.6% (41)</td>
<td>56.4% (22)</td>
<td>75.5% (37)</td>
<td>84.2% (16)</td>
<td>85.7% (6)</td>
<td>34.3% (12)</td>
<td>59.8% (134)</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>55.4% (51)</td>
<td>43.6% (17)</td>
<td>24.5% (12)</td>
<td>15.8% (3)</td>
<td>14.3% (1)</td>
<td>65.7% (6)</td>
<td>40.2% (90)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.00% (92)</td>
<td>100.00% (39)</td>
<td>100.0% (49)</td>
<td>100.0% (19)</td>
<td>100.0% (7)</td>
<td>100.0% (18)</td>
<td>100.0% (224)</td>
</tr>
<tr>
<td>Means</td>
<td>1.55</td>
<td>1.44</td>
<td>1.24</td>
<td>1.16</td>
<td>1.14</td>
<td>1.33</td>
<td>1.4</td>
</tr>
<tr>
<td>Std. Devs.</td>
<td>0.5</td>
<td>0.5</td>
<td>0.43</td>
<td>0.37</td>
<td>0.38</td>
<td>0.49</td>
<td>0.49</td>
</tr>
</tbody>
</table>

Pearson Chi-Square Test
Value: 21.12, Asymp. Sig. 0

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.06 is a crosstabulation between race (R) and income (I) with the controlled variable of 20-39 hours worked per week.

### Table 3.06

<table>
<thead>
<tr>
<th>(R) v. (I) c. Hrs/Week [20-39]</th>
<th>Very Low Income ($0-$14,999)</th>
<th>Low Income ($15k-$29,999)</th>
<th>Medium Income ($30k-$64,999)</th>
<th>High Income ($65k-$99,999)</th>
<th>Very High Income ($100k-$150k)</th>
<th>Refuse/Don't Know</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>43% (129)</td>
<td>55.3% (115)</td>
<td>70.5% (194)</td>
<td>74.1% (40)</td>
<td>91.2% (31)</td>
<td>43.4% (46)</td>
<td>56.8% (555)</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>57% (171)</td>
<td>44.7% (93)</td>
<td>29.5% (81)</td>
<td>25.9% (14)</td>
<td>8.8% (3)</td>
<td>56.6% (60)</td>
<td>43.2% (422)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.00% (300)</td>
<td>100.00% (208)</td>
<td>100.0% (275)</td>
<td>100.0% (54)</td>
<td>100.0% (34)</td>
<td>100.0% (106)</td>
<td>100.0% (977)</td>
</tr>
<tr>
<td>Means</td>
<td>1.57</td>
<td>1.45</td>
<td>1.29</td>
<td>1.26</td>
<td>1.09</td>
<td>1.57</td>
<td>1.43</td>
</tr>
<tr>
<td>Std. Devs.</td>
<td>0.5</td>
<td>0.5</td>
<td>0.46</td>
<td>0.44</td>
<td>0.29</td>
<td>0.5</td>
<td>0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Pearson Chi-Square Test</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Value</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Asymp. Sig.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>75.36</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.07 is a crosstabulation between race (R) and income (I) with the controlled variable of 40-59 hours worked per week.

<table>
<thead>
<tr>
<th>(R) v. (I) c. Hrs/ Week [40-59]</th>
<th>Very Low Income ($0-$14,999)</th>
<th>Low Income ($15k-$29,999)</th>
<th>Medium Income ($30k-$64,999)</th>
<th>High Income ($65k-$99,999)</th>
<th>Very High Income ($100k-$150k)</th>
<th>Refuse/Don't Know</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>35.4% (179)</td>
<td>45.6% (301)</td>
<td>63% (626)</td>
<td>69.1% (168)</td>
<td>86.6% (71)</td>
<td>30.9% (97)</td>
<td>51.5% (1442)</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>64.6% (327)</td>
<td>54.4% (359)</td>
<td>37% (368)</td>
<td>30.9% (75)</td>
<td>13.4% (11)</td>
<td>69.1% (217)</td>
<td>48.5% (1357)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.00% (506)</td>
<td>100.00% (660)</td>
<td>100.0% (994)</td>
<td>100.0% (243)</td>
<td>100.0% (82)</td>
<td>100.0% (314)</td>
<td>100.0% (2799)</td>
</tr>
</tbody>
</table>

| Means                           | 1.65                          | 1.54                        | 1.37                          | 1.31                          | 1.13                          | 1.69                          | 1.48 |
| Std. Devs.                      | 0.48                          | 0.5                         | 0.48                          | 0.46                          | 0.34                          | 0.46                          | 0.5  |

Pearson Chi-Square Test

<table>
<thead>
<tr>
<th>Value</th>
<th>Asymp. Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>238.34</td>
<td>0</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.08 is a crosstabulation between race (R) and income (I) with the controlled variable of 60-79 hours worked per week.

<table>
<thead>
<tr>
<th>Hours/Week [60-79]</th>
<th>Very Low Income ($0-$14,999)</th>
<th>Low Income ($15k-$29,999)</th>
<th>Medium Income ($30k-$64,999)</th>
<th>High Income ($65k-$99,999)</th>
<th>Very High Income ($100k-$150k)</th>
<th>Refuse /Don't Know</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>58.1% (25)</td>
<td>45.5% (15)</td>
<td>73% (65)</td>
<td>78.6% (22)</td>
<td>85.7% (30)</td>
<td>63.6% (14)</td>
<td>68.4% (171)</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>41.9% (18)</td>
<td>54.5% (18)</td>
<td>27% (24)</td>
<td>21.4% (6)</td>
<td>14.3% (5)</td>
<td>36.4% (8)</td>
<td>31.6% (79)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.00% (43)</td>
<td>100.00% (33)</td>
<td>100.0% (89)</td>
<td>100.0% (28)</td>
<td>100.0% (35)</td>
<td>100.0% (22)</td>
<td>100.0% (250)</td>
</tr>
<tr>
<td><strong>Means</strong></td>
<td>1.42</td>
<td>1.55</td>
<td>1.27</td>
<td>1.21</td>
<td>1.14</td>
<td>1.36</td>
<td>1.32</td>
</tr>
<tr>
<td><strong>Std. Devs.</strong></td>
<td>0.5</td>
<td>0.51</td>
<td>0.45</td>
<td>0.42</td>
<td>0.36</td>
<td>0.49</td>
<td>0.47</td>
</tr>
</tbody>
</table>

Pearson Chi-Square Test

<table>
<thead>
<tr>
<th>Value</th>
<th>Asymp. Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.44</td>
<td>0</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994 - Part I)
Table 3.09 is a crosstabulation between race (R) and income (I) with the controlled variable of 80 plus hours worked per week.

### Table 3.09

<table>
<thead>
<tr>
<th>(R) v. (I) c. Hrs/Week [80+]</th>
<th>Very Low Income ($0-$14,999)</th>
<th>Low Income ($15k-$29,999)</th>
<th>Medium Income ($30k-$64,999)</th>
<th>High Income ($65k-$99,999)</th>
<th>Very High Income ($100k-$150k)</th>
<th>Refuse/Don't Know</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>50% (4)</td>
<td>54.5% (6)</td>
<td>69.2% (9)</td>
<td>80% (4)</td>
<td>33.3% (1)</td>
<td>50% (1)</td>
<td>59.5% (25)</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>50% (4)</td>
<td>45.5% (5)</td>
<td>30.8% (4)</td>
<td>20% (1)</td>
<td>66.7% (2)</td>
<td>50% (1)</td>
<td>40.5% (17)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.00% (8)</td>
<td>100.00% (11)</td>
<td>100.0% (13)</td>
<td>100.0% (5)</td>
<td>100.0% (3)</td>
<td>100.0% (2)</td>
<td>100.0% (42)</td>
</tr>
<tr>
<td>Means</td>
<td>1.5</td>
<td>1.45</td>
<td>1.31</td>
<td>1.2</td>
<td>1.67</td>
<td>1.5</td>
<td>1.4</td>
</tr>
<tr>
<td>Std. Devs.</td>
<td>0.53</td>
<td>0.52</td>
<td>0.48</td>
<td>0.45</td>
<td>0.58</td>
<td>0.71</td>
<td>0.5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Pearson Chi-Square Test</th>
<th>Value</th>
<th>Asymp. Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.72</td>
<td>0.74</td>
<td></td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part I)
Table 3.10 is a crosstabulation between race (R) and the respondents’ opinion on employment discrimination towards African Americans (ROEDTAA). Table 3.10 and on represents data from Part II of the MCSUI study.

Table 3.10

<table>
<thead>
<tr>
<th>(R) v. (ROEDTAA)</th>
<th>A Lot of Discrimination</th>
<th>Some Discrimination</th>
<th>A Little Bit of Discrimination</th>
<th>No Discrimination</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>29.90%</td>
<td>46.00%</td>
<td>15.60%</td>
<td>7.30%</td>
<td>98.80%</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>56.90%</td>
<td>32.00%</td>
<td>7.50%</td>
<td>2.80%</td>
<td>99.20%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)

Table 3.11 is a crosstabulation between last hired (by race) (LHbR) and the city (C) involved. Percentages are included.

Table 3.11

<table>
<thead>
<tr>
<th>(LHbR) v. (C)</th>
<th>Los Angeles, CA</th>
<th>Boston, MA</th>
<th>Detroit, MI</th>
<th>Atlanta, GA</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Whites</td>
<td>308</td>
<td>575</td>
<td>473</td>
<td>432</td>
<td>1788</td>
</tr>
<tr>
<td></td>
<td>952</td>
<td>839</td>
<td>746</td>
<td>756</td>
<td>3293</td>
</tr>
<tr>
<td></td>
<td>32.4%</td>
<td>68.5%</td>
<td>63.4%</td>
<td>57.1%</td>
<td>54.3%</td>
</tr>
<tr>
<td>2: African Americans</td>
<td>118</td>
<td>89</td>
<td>212</td>
<td>280</td>
<td>699</td>
</tr>
<tr>
<td></td>
<td>952</td>
<td>839</td>
<td>746</td>
<td>756</td>
<td>3293</td>
</tr>
<tr>
<td></td>
<td>12.4%</td>
<td>10.6%</td>
<td>28.4%</td>
<td>38.2%</td>
<td>21.2%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)
Table 3.12 is a crosstabulation between all four cities involved in the study and the importance of references in the hiring process.

**Table 3.12**

<table>
<thead>
<tr>
<th>All Four Cities v. Are References Important in the Hiring Process?</th>
<th># of Responses/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Yes</td>
<td>3154/ 90.1%</td>
</tr>
<tr>
<td>2: No</td>
<td>342/ 9.9%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3496/ 100%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)

Table 3.13 is a crosstabulation between all four cities involved in the study and referrals from current employees.

**Table 3.13**

<table>
<thead>
<tr>
<th>All Four Cities v. Did You Ask for Referrals from Current Employees?</th>
<th># of Responses/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Yes</td>
<td>2854/ 81.6%</td>
</tr>
<tr>
<td>2: No</td>
<td>641/ 18.4%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3496/ 100%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)
Table 3.14 is a crosstabulation between city (C) and does of Affirmative Action and Equal Opportunity Laws factor in the decisions to hire someone (DAAEOLFDHS)?

<table>
<thead>
<tr>
<th>(C) v. (DAAEOLFDHS)?</th>
<th>Yes/ %</th>
<th>No/ %</th>
<th>Sometimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Los Angeles, CA</td>
<td>387/ 30.3%</td>
<td>546/ 27.7%</td>
<td>43</td>
</tr>
<tr>
<td>2: Boston, MA</td>
<td>319/ 25%</td>
<td>498/ 25.3%</td>
<td>47</td>
</tr>
<tr>
<td>3: Detroit, MI</td>
<td>275/ 21.5%</td>
<td>466/ 23.7%</td>
<td>39</td>
</tr>
<tr>
<td>4: Atlanta, GA</td>
<td>296/ 23.2%</td>
<td>459/ 23.3%</td>
<td>32</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1277/ 100%</td>
<td>1969/ 100%</td>
<td>161</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)
Table 3.15 is a crosstabulation between all four cities (4C) involved in the MCSUI study versus did the methods of screening applicants change within last five years (DMSACWL5Y)?

<table>
<thead>
<tr>
<th>(4C) v. (DMSACWL5Y)?</th>
<th># of Responses/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Yes</td>
<td>74/ 2.1%</td>
</tr>
<tr>
<td>2: No</td>
<td>215/ 6.1%</td>
</tr>
<tr>
<td>3: Skipped the Question</td>
<td>3213/ 91.8%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3502/ 100%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)
Table 3.16 is a crosstabulation of all four cities involved (4C) in the MCSUI study versus are the respondents members of racial or ethnic groups (ARMREG)?

Table 3.16

<table>
<thead>
<tr>
<th>(4C) v. (ARMREG)?</th>
<th># of Responses/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Yes</td>
<td>654/19%</td>
</tr>
<tr>
<td>2: No</td>
<td>2786/81%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3440/100%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)
Table 3.17 is a crosstabulation between all four cities involved (4C) and the description of the respondent (DR).

**Table 3.17**

<table>
<thead>
<tr>
<th>(4C) v. (DR)</th>
<th># of People/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: African American</td>
<td>258/ 7.4%</td>
</tr>
<tr>
<td>2: White</td>
<td>50/ 1.4%</td>
</tr>
<tr>
<td>3: Asian</td>
<td>123/ 3.5%</td>
</tr>
<tr>
<td>4: Hispanic</td>
<td>155/ 4.4%</td>
</tr>
<tr>
<td>5: Native American</td>
<td>37/ 1.1%</td>
</tr>
<tr>
<td>6: Other</td>
<td>22/ 0.6%</td>
</tr>
<tr>
<td>7: Refuse to Answer</td>
<td>2856/ 81.6%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3501/ 100%</strong></td>
</tr>
</tbody>
</table>
Table 3.18 is a crosstabulation between the four cities involved (4C) and any racial tension within firm for the last 5 years (ARTWFL5Y)?

<table>
<thead>
<tr>
<th>(4C) v. (ARTWFL5Y)?</th>
<th># of Responses/ %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Yes</td>
<td>298/8.4%</td>
</tr>
<tr>
<td>2: No</td>
<td>3134/89.3%</td>
</tr>
<tr>
<td>3: Refuse to Answer</td>
<td>57/1.6%</td>
</tr>
<tr>
<td>4: Don't Know</td>
<td>21/0.7%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>3510/100%</td>
</tr>
</tbody>
</table>

(Multi-City Study of Urban Inequality 1992-1994- Part II)
Table 3.19 is a crosstabulation of race (R) and the unemployment gap from 2007 through 2011.

### Table 3.19

<table>
<thead>
<tr>
<th>(R) v. (UG0711)</th>
<th>4th Quarter of 2007</th>
<th>2nd Quarter of 2009</th>
<th>2nd Quarter of 2011</th>
<th>TOTAL AVERAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployment for...</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1: African Americans</td>
<td>8.40%</td>
<td>14.80%</td>
<td>16.10%</td>
<td><strong>13.10%</strong></td>
</tr>
<tr>
<td>2: Whites</td>
<td>4.00%</td>
<td>8.30%</td>
<td>7.90%</td>
<td><strong>6.70%</strong></td>
</tr>
<tr>
<td>3: African American Men</td>
<td>9.20%</td>
<td>18.00%</td>
<td>18.30%</td>
<td><strong>15.20%</strong></td>
</tr>
<tr>
<td>4: White Men</td>
<td>4.10%</td>
<td>9.20%</td>
<td>8.30%</td>
<td><strong>7.20%</strong></td>
</tr>
<tr>
<td>5: African American Women</td>
<td>7.60%</td>
<td>12.10%</td>
<td>14.10%</td>
<td><strong>11.20%</strong></td>
</tr>
<tr>
<td>6: White Women</td>
<td>3.90%</td>
<td>7.20%</td>
<td>7.40%</td>
<td><strong>6.20%</strong></td>
</tr>
<tr>
<td>7: African Americans, No High School</td>
<td>13.60%</td>
<td>20.70%</td>
<td>26.00%</td>
<td><strong>20.10%</strong></td>
</tr>
<tr>
<td>8: Whites, No High School</td>
<td>6.80%</td>
<td>13.60%</td>
<td>12.00%</td>
<td><strong>10.80%</strong></td>
</tr>
<tr>
<td>9: African Americans, with High School</td>
<td>7.30%</td>
<td>13.90%</td>
<td>15.90%</td>
<td><strong>12.40%</strong></td>
</tr>
<tr>
<td>10: Whites, with High School</td>
<td>3.90%</td>
<td>8.50%</td>
<td>8.40%</td>
<td><strong>6.90%</strong></td>
</tr>
<tr>
<td>11: African Americans, with College</td>
<td>3.00%</td>
<td>7.60%</td>
<td>6.90%</td>
<td><strong>5.80%</strong></td>
</tr>
<tr>
<td>12: Whites, with College</td>
<td>1.80%</td>
<td>4.10%</td>
<td>3.90%</td>
<td><strong>3.30%</strong></td>
</tr>
<tr>
<td>13: African Americans, age 35-44</td>
<td>6.40%</td>
<td>12.20%</td>
<td>12.60%</td>
<td><strong>10.40%</strong></td>
</tr>
<tr>
<td>14: Whites, age 35-44</td>
<td>3.10%</td>
<td>6.90%</td>
<td>6.50%</td>
<td><strong>5.50%</strong></td>
</tr>
</tbody>
</table>


In the next chapter, I will report what I found and discovered in chapter 3. I will, one-by-one, examine the information from my data analysis.
CHAPTER FOUR:

Discovery and Findings

Numbers Don’t Lie

“In the United States, American means White. Everybody else has to hyphenate.”
- Toni Morrison, Professor & Novelist

In this chapter I examine my discoveries and findings from the Multi-City Study on Urban Inequality (MCSUI) Parts I and II that was collected between 1991 and 1994 and was released to the public in 1998. I also explain my findings from a survey from the Department of Labor (DOL) that was collected between 2007 and 2011 and was released to the public in 2011. I also include in my analysis some additional supportive data at the end of the chapter.

Part I of MCSUI

Tables 3.01 and 3.02 show the frequencies for my primary variables, income and race. The racial distributions in Table 3.01 are evenly distributed between Whites and African Americans, which makes this study compatible for what I am studying. The frequency for African Americans was 3,029 and the frequency for Whites was 3,098, which is a total of 6,217.

In Table 3.02, it is interesting to note that in 1991, 75.9% of the respondents ranked in the medium, low, and very low income ranges, which was between $0 to $64,999. A total of 29.6% fell into the very low income level, which was $0-14,999, this
is the highest out of the six income answers. Only 6.4% of Americans ranked in the high or very high income levels, which was between $65k to over $150k.

**Table 3.03** shows the frequencies for the variable that I controlled for, which was *hours worked per week*. The table shows that most Americans (65.4%) tended to work 40-59 hours per week. The second highest amount worked was 20-39 hours per week (21.4%). I am interested in seeing what percentage of Whites and African Americans made up the 65.4% and the 21.4%. I feel that Whites will share the greater portion of the 40-59 hours worked per week while African Americans will take up the greater portion of the 20-39 hours worked per week. This is because I believe that African Americans work less hours per week than Whites do because only 4.9% fell into the 0-19 hours worked per week category while 6% fell into the 60-79 hours worked per week. The 80 plus hours worked per week was .9%, and 1.4% either refused to answer, did not know, or had missing answers.

The crosstabulation of *race* and *income* in **Table 3.04** shows that Whites do indeed make more money than African Americans. 86.1% of Whites rank in the very high level of income (167 people). This leaves a remaining 13.9% of African Americans who rank in the very high level of income range (27 people). 72.2% of Whites rank in the high income level range (281 people) while only 27.8% of African Americans rank in the high income level range (108 people). Even the medium income level range is a landslide with a ratio 65.8% (1,068 people) to 34.2% (555 people) in favor of Whites. To further prove my hypothesis, we can examine the very low income level range. This is where African
Americans outdo Whites, but this is not a positive. Only 37.5% (680 people) of Whites rank in the very low income range while 62.5% (1,133 people) of African Americans rank in the very low income range. The low income range is almost evenly split between African Americans 50.9% (619 people) and Whites 49.1% (596 people). The means show that Whites average very high, high, and medium income levels while African Americans average low and very low incomes. This data is statistically significant because the chi-square test shows that the asymptotic significance value is less than .05.

Tables 3.05 through 3.09 cover the race and income crosstabulations where I controlled for hours worked per week. In Table 3.05 (0-19 hrs/wk), 59.8% of Whites work these amount of hours compared to only 40.2% of African Americans. This indicates that Whites work more 0-19 hours per week than African Americans do. Table 3.05 is statistically significant because the chi-square test shows that the asymptotic significance is less than .05.

In Table 3.06 (20-39 hrs/wk) it is clear to see that my assumption that African Americans would lead Whites in the 20-39 hours worked per week is incorrect. Whites (56.8%), in fact, lead African Americans (43.2%) in this category. This could indicate that Whites have more opportunities to work than African Americans do. The data in Table 3.06 is statistically significant because the chi-square test shows that the asymptotic significance level is less than .05.

The data in Table 3.07 (40-59 hrs/wk) proves half of my prediction. Whites do indeed work more periods of 40-59 hours per week than African Americans do. The ratio
is 51.5% to 48.5%. It is interesting to note that African Americans who make $0-$14,999 per year (64.6%) work more periods of 40-59 hours per week more than Whites do (35.4%). But when it comes to higher incomes ($30,000 and above), Whites take back the lead in the 40-59 hours worked per week category. The data in Table 3.07 is statistically significant because the chi-square test shows that the asymptotic significance level is less than .05.

Table 3.08 (60-79 hrs/wk) and Table 3.09 (80 plus hrs/wk) both could indicate that Whites are allowed to work more hours per week than African Americans and therefore are able to make more money. Table 3.08 unveils that 68.4% of Whites work 60-79 hours per week versus 31.6% of African Americans. Table 3.09 unveils that 59.5% of Whites are able to work 80 plus hours per week while only 40.5% of African Americans are. The data in Tables 3.08 and 3.09 are both statistically significant because the chi-square test shows the asymptotic significance level is less than .05.

Table 3.10 gives a good impression of what people think when it comes to employment discrimination towards African Americans. The majority of people (97.6% of African Americans and 91.5% of Whites) tend to believe that African Americans still face either a lot, some, or a little employment discrimination despite the efforts of Title VII of the Civil Rights Act of 1964. In fact, 56.9% of African Americans and 29.9% of Whites believe that African Americans face frequent, innumerable amounts of employment discrimination.
In Table 3.11, it is clear to see who was last hired by the private sector in Los Angeles, Boston, Detroit, and Atlanta. Whites outnumbered African Americans in being last hired by 20% in Los Angeles, 57.9% in Boston, 35% in Detroit, and 18.1% in Atlanta. In total, Whites were last hired over African Americans by 33.1% nationwide (Bobo, Johnson, Oliver, et al. 1998, 1-301).

Tables 3.12 and 3.13 examines the importance of connections and the truth behind the saying, “It's not what you know, it's who you know.” Many African Americans are not able to get employment because of a lack of connections and not knowing the right people (Bobo, Johnson, Oliver, et al. 1998, 1-301). Whites, on the other hand, often have many connections and are able to gain employment faster than African Americans can. Just being White is a connection; being African American is not. Table 3.12 shows that 89% of employers believe that references are important in the hiring process. Table 3.13 shows that 77% of employers will refer to current employees for who to hire next. This favors Whites and harms African Americans because more Whites have employment.

Table 3.14 displays that 29% of Los Angeles, 36% of Boston, 41% of Detroit, and 35% of Atlanta employers will use affirmative action and will try to follow the equal employment opportunity laws when it comes to hiring. This leads to a national average of 35% of employers who claim to hire on a fair, even, and consistent standard. The remaining 65% of employers do not choose to have fair, equal hiring opportunities. Table
3.15 shows that most employers have not changed their methods of screening within the last five years (98%). If the same methods of screening continue to exist, the employment discrimination towards African Americans will continue to grow and things will never change.

It is important to know the demographics of the respondents who represented the firms that were interviewed in Part II of the MCSUI because it reveals who the firms places trust into. Notice how more Whites have more important, decision-making jobs than African Americans do and are valued more. The data strictly explains that the private employers involved in the study selected the best representative of their organization to participate in the MCSUI. **Table 3.16** reveals that only 19% of the respondents are members of a racial or ethnic group. **Table 3.17** shows that only 7.4% of the respondents were African American. Whites, for some reason, failed to describe themselves because **Table 3.17** reports that 82% of the respondents refused to answer and only 1.5% of the respondents admitted to being White.

**Table 3.18** addresses the problem of racial tension within the labor market. Of course racial tension is something that most people, in the position to do so, will ignore and pretend didn't exist because it does not damage them in anyway. Surprisingly, 8.5% of the firms interviewed admitted that racial tension existed within the last five years. About 89% of the firms reported that there was no racial tension within the last five years. Racial tension exists within the job market because racial matters and discrimination issues in America, and in general, are not considered urgent matters that
must be solved immediately (Bobo, Johnson, Oliver, et al. 1998, 1-301).

_Bureau of Labor Statistics Survey_

Table 3.19 shows that the average rate of African American unemployment between 2007 and 2011 (13.1%) was double that of Whites (6.7%). African American men (15.2%) are unemployed at more than twice the rate as White men (7.2%). The same holds for African American women (11.2%) when compared to White women (6.2%). African Americans with no high school education (20.1%) are unemployed at double the rate of Whites with no high school education (10.8%). The unemployment rate is twice as high for African Americans with a high school education (12.4%) than it is for Whites with a high school education (6.9%).

The unemployment rate for African Americans with a college education (5.8%) is almost double the rate of Whites with a college education (3.3%). And last but not least, African Americans between the ages of thirty-five and forty-four (10.4%) are unemployed nearly twice as much as Whites between the ages of thirty-five and forty-four (5.5%). Racial discrimination is prevalent throughout the entire labor market within the United States because statistics prove that White men with no high school education are more likely to be employed than African American men with a high school education (10.8% vs. 12.4%).

In the next chapter I provide my conclusion on the effectiveness of Title VII of the Civil Rights Act of 1964. I will also have a discussion section, a conclusion section, and a future section on employment discrimination in the United States of America.
CHAPTER FIVE:

Discussion, Conclusion, and Future Research

An Act that is Played Out

“I see America through the eyes of the victim. I don’t see any American dream, I see an American nightmare.”

− Malcolm X

In this chapter provide a discussion about employment discrimination. After that I will provide my conclusion, which will then be followed by some suggestions and what needs to be researched in the future.

Discussion

Discrimination is still commonplace in the workplace today despite the passing of the Civil Rights Act and Title VII attempts to deter discrimination (Ahmed, Mohammed, and Williams 2007, 318-327). Despite Title VII of the Civil Rights Act of 1964, many scholars believe that White Americans continue to be favored over African Americans when it comes to employment in the United States. African Americans have been long oppressed by racial prejudices that have caused Whites to have an unfair advantage in employment. The lingering effects of historical oppression includes the continual losses of decent employment for African Americans. Carl Cohen, Professor of Philosophy at the University of Michigan, believes the elimination of African Americans from the job market allows for more opportunities for Whites. Title VII of the Civil Rights Act of 1964
was designed to give concrete meaning to the constitutional demand that no citizen can be denied equal protection of the laws, but this is far from the case (Cohen 1979, 1-13).

Affirmative action is needed because it requires more outreach and a more thorough and fair evaluation of potential candidates (Lang and Lehmann 2010, 1-9). Affirmative action is a very effective tool that has the ability to redress the many injustices caused by the United States' historic discrimination against African Americans. Affirmative action levels out the playing field because the Civil Rights Movement and the Civil Rights Act of 1964 did not completely stop racism and discrimination. Therefore, according to the American Civil Liberties Union (ACLU), affirmative action is needed and is possibly the only way to prevent employment discrimination. Affirmative action should be a priority in the American workplace (ACLU 2000). Affirmative action leads to diversity and inclusion because it involves creating the proper structures, policies, and practices that realize the existence of multiple perspectives (WDN 2000, 1-4).

The major goal of the Civil Rights Act of 1964 was to create equal opportunity for African Americans by ending Jim Crow laws, discrimination, and racism in America. However, fifty years later, this has not happened. The Civil Rights laws of America have yet to put a complete end to a massive ethnoracial sorting that has taken place in the nation’s job markets. Discrimination laws do not stop racial discrimination from happening in the American workplace. The substantive goal of Title VII of the Civil Rights Act of 1964 was to reduce African American unemployment by creating equal
chances for African Americans in the American workplace. But Title VII is not working properly. This is because Title VII of the Civil Rights Act of 1964 has plenty of loopholes in it that allow for the continuation of discrimination in the workplace in America. American employers are free to consider employees by a number of factors for occupational qualifications and race may or may not be considered (Skrentny 2007, 119-137).

American laws should stop trying to channel human behavior and, instead, should try to accommodate human nature. There is a tendency among the hegemon group to attempt to flatten diversity and difference into a serene nonexistence. The hegemon group tries to convert competing perspectives and turn them into a single absolute truth that reflects only the dominant group’s ideals, beliefs, and attitudes. W.E.B. Du Bois was a Pan-Africanist, activist, sociologist, educator, and a historian. Du Bois said the main problem with the twentieth century is the problem of the color-line, the relation of the darker to the lighter races of people in Asia, Africa, in the Americas, and on the islands of the sea (Armour 1997, 154-160).

Approximately fifty years after the federally-backed Civil Rights Act of 1964, race still remains an American obsession, which leads to the continuance of racial discrimination. This discrimination continues to pervade all aspects of the American experience. The color-line problem, judging by how it looks now, will probably continue forever in the United States of America if things do not change. In order to find a solution, race consciousness needs to continue to develop. But this is not the only answer;
it is only a starting point. It will take many efforts from all sides to fully eliminate racism and racial discrimination because racism and racial discrimination are byproducts of American democracy (Armour 1997, 154-160).

Despite some progress, many African Americans believe that equality is far from reality. Demographic and economic indicators suggest that African Americans are nowhere near close to catching up to White Americans. In fact, since the Civil Rights Act of 1964, gaps between Whites and African Americans in household wealth and household income has widened. Gaps in poverty and real estate rates have remained unchanged despite the enactment of Civil Rights laws (Badger 2013).

It is of dire importance that things in the United States change because racial discrimination has long-term physical, psychological, and personal costs that dreadfully harms African Americans. Racial discrimination affects the African American family and the African American community in negative ways because of a lack of economic resources. A study in 2005 indicated that even middle-class African Americans ($30,000-$99,999 per year) do not feel full comfort and happiness because of the conditions of their workplace. Integration for African Americans into the workplace, in my opinion, would be given an overall grade of D because some progress has been made but there is still a lot of room for improvement. African American white-and-blue-collar workers are forced to adapt to White workplace norms most of the time. And at the same time, in these same workplaces, African American culture is not understood and is not viewed as important. Scores of African Americans are overly stressed either because of the working
conditions of their jobs, lower wages, or no wages at all (Feagin and McKinney 2005, 8-12).

The current economic conditions of African Americans and White Americans were created by institutionalized systematic racism. Large-scale employment discrimination, past and present, can and will mean lower income for present and future generations of African Americans. Discrimination in employment, and other areas, continues today in the United States because most Whites live lives that are racially segregated, which means they do not have meaningful relationships with African Americans. They do not have the ability to have a real conversation with people outside of their race, which leads them to think that African Americans are: 1) are playing the race card, 2) are overly paranoid, and 3) like to complain. These Whites are ignorant to the true, statistical realities of modern-day racial oppression. There is a small group of Whites in the United States who are aware, or willing to admit, the scale of the negative consequences of ongoing racist practices, attitudes, and institutions (Feagin and McKinney 2005, 8-12).

Almost all, if not all, White American leaders are in a state-of-denial when it comes to the subject of racism in American society. White men have been in full control in America since they decided to steal it. In the past and currently, White men are predominantly at the helm of all the powerful corporate, media, academic, legal, and political organizations within the United States. This has ultimately caused permanent damage to lives of past and present African American people and will definitely do
damage to the future generations if circumstances remain the same (Feagin and McKinney 2005, 15-17).

Judges are trusted and have the ability to dictate what is right and wrong. But many judges are racist, or if not racist, they hold certain prejudices and biases towards African Americans. For example, in my home county of Contra Costa, the *Etter v. Veriflo Corporation* decision by the California Court of Appeals in 1998 found that frequent racist epithets directed at African American males is not severe or pervasive enough to warrant a legal remedy under federal or California employment discrimination law. The court ruled that the racial epithets were episodic and not pervasive. The continual lack of fair and significant remedial action by those who have the power to end discrimination contributes to why African Americans are unemployed, make low wages, and have to work in very poor working environments (Feagin and McKinney 2005, 15-17). California is regarded as the most liberal state in America, yet decisions like this, and worse, occur everyday towards African Americans nationally without any real governmental concern. So is California really that liberal towards African Americans? Not really, partially at best.

According to Professor Michael Eric Dyson, it is very appalling that many Americans like to live in the “United States of Amnesia” when it comes to the topics of race and ethnicity. The relationship that White slave masters had with Africans has created long-term effects that involves the construction of American material and social life (Dyson 2007, 3). Western European prejudice against Africans predated and
facilitated African slavery. Ethnocentricity and color prejudice started once the European slave trade started. White power, White supremacy, and social Darwinism all led to the modern-day problems with race, discrimination, and ignorance in the United States. This is why there is still a vast gap between Whites and African Americans when it comes to employment, income, and wealth (Genovese 1969, 103-118).

The Civil Rights Act of 1964 was supposed to grant equal access for African Americans in public institutions and settings. Yet more than four decades later, this has not happened (Pearson, Dovidio, and Gaertner 2009, 1-25). Unequal results today for African Americans stem from the unequal treatment of African Americans in the past and will also be the reason for unequal results in the future if nothing changes (Faundez 2003, 53-66). White Americans have more and better employment opportunities than African Americans have, had, or will ever have as long as conditions remain how they are (Florida 2012, 50-60).

Racism is associated with America's past, present, and future; therefore the issue of racism cannot remain unchallenged and unaccounted for (USCCR 1970, 1-43). After the Civil Rights Act of 1964 was passed, including Title VII, a great amount of new, more modern modes of racism and discrimination came about. This can also be known as the evolution of racism. This is why there is still a lack of employment mobility, which leads to hyper-unemployment and poverty among African Americans in America today. Whiteness determines how the process of racialization works. It comes with the oppressive inspections of power that are structurally determined, politically organized,
and ideologically inflicted. Keep in mind that this power is rarely ever questioned or challenged (Pinder 2009, 20-34). We must change our patterns of exclusion, privilege, rejection, harassment, discrimination, and violence that has existed for hundreds, possibly thousands of years, if we want to end racism in the United States (Johnson 2001, 21-28; 30-59).

Levin presents four social psychological theories for what drives racial conflict. The first theory is realistic group conflict theory. This is competition between groups over scarce resources and perceived threats to group position. The second theory is social identity theory. This is when an individual believes that in order to be successful, a person must share the values of the dominant group. The third theory is optimal distinctiveness theory. This is an extension of the social identity theory. Whites do not have the need to view themselves as part of an inclusive racial group, which makes them more opposed to affirmative action policies because policies like this requires the positive identification of racial groups. The fourth theory is the social dominance theory. This is when Whites desire racial inequality and prefer the domination of inferior groups by the superior White group (Levin 1999, 1-20).

**Conclusion**

I discussed the Civil Rights Movement and the enactment of the Civil Rights Act of 1964 in chapter 2. The Civil Rights Movement was all about putting pressure on local, state, and federal government entities throughout the United States in order to possibly achieve the goal of equality and the abolishment of discrimination. To quote voting
activist Fannie Lou Hamer, “I am sick and tired of being sick and tired” (Lewis 2013). This was the general feeling amongst the majority of the African American population since the beginning of the institution of slavery. African Americans strongly believed that getting rights to employment, voting, and housing, to name a few, would change the overall landscape of the United States. Well it did change, but not the way African Americans who fought for civil rights envisioned. It is true, the Civil Rights Act of 1964 did make some things better, but it did not remove the tattoo of racism on America; it simply just covered it up for the time being.

The argument could be made that the Civil Rights Act of 1964 was a temporary fix that was used to distract African Americans and give them the false sense that things were moving in the right direction in order to calm African Americans down. I believe that the enactment of the Civil Rights Act was merely just a strategy developed by the United States government to keep the economy in order, because when African Americans boycott, the economy suffers tremendously (HLS 2013).

The question remains, did President Kennedy fight for Civil Rights because he was a good and fair man, or did he do it to simply gain the African American vote with the knowledge that the Civil Rights Act would be a temporary fix for the conditions of the African American experience in the United States? According to Professor Matthew Countryman, the Kennedy Administration only partially supported civil rights before 1963. President Kennedy only had the desire to portray the image of an activist president in order to beat Nixon who openly downplayed civil rights (Countryman 2013).
Title VII of the Civil Rights Act only helped African Americans for about six to ten years after its enactment (1964-1974). Evidence of change happened in 1970. In 1970, the United States federal government started the War on Drugs and enacted the Comprehensive Drug Abuse Prevention and Control Act of 1970. Once one form or discrimination was gone (CRA 1964), another form comes along and brings it back (CDAPCA 1970). According to Maia Szalavitz, African American youths are arrested at a rate ten times higher than White youths even though research shows that African Americans use drugs and sell drugs way less when compared to Whites (Szalavitz 2011). New York Public Defender Ruth Appadoo-Johnson says that only African Americans and Latinos got to jail or prison for drugs in New York (Appadoo-Johnson 2010). Professor John McWhorter states that the War on Drugs single-handedly destroyed the African American family (McWhorter 2011). Between 1985 and 1995, the number of African Americans in prison for drug offenses rose 707% (Jung, Spjeldnes, and Yamatani 2010, 181-189).

Policy changes, as well as the evolution of racism and bigotry, are the reasons for why Title VII of the Civil Rights Act of 1964 is no longer effective in today's workplace. Fifty years after the passing of the Civil Rights Act of 1964, it is safe to say that it has not stopped discrimination towards African Americans in employment and in many other areas. I would suggest that a newer version of the Civil Rights Act needs to be put into legislation that fully takes into account all the covert, subtle, and aversive forms of racism and discrimination. I would also suggest the federal acknowledgment of affirmative
action. Affirmative action should be a new title under the Civil Rights Act to ensure a fair and balanced system. The fact that affirmative action is no longer pushed by the government is an outrage. But it is not surprising because equality for other races is also not a part of the White privilege agenda.

In Chapters 3 and 4 I proved that employment discrimination can be found in employment hours available to African Americans when compared to Whites. I also proved that there is a disparity in income earned because, as the data shows, Whites earn more than African Americans. Whites are able to obtain employment at a faster rate than African Americans are able to. Whites can also start a job with higher wages than African Americans, can get promoted faster than African Americans, and will usually earn more money overtime under the conditions.

Many African Americans are not able to get certain jobs because they lack the right connections. When it comes to employment in the United States, it is not what you know, it's who you know. Employers love to ask current employees for references when it comes to hiring new employees. But if 81% of the best jobs in the United States are occupied by Whites, how can African Americans ever get a fair and equal chance at getting hired? The answer is that African Americans do not get a fair shake in the employment hiring process. Title VII of the Civil Rights Act of 1964 has not ended, or even slowed-down, racial discrimination in the workplace. I also discovered that Whites are able to have positions of authority at way higher rates than African Americans, which keeps the numbers of African American
employees low and maintains the current, White-dominated workplace.

Even when African Americans are able to gain some form of employment, they are usually outnumbered tremendously by Whites. Also, many African Americans, are forced to do jobs that are physically demanding with no medical benefits. Other problems African Americans face in employment includes overtime pay that is never received, lunch breaks that are cut short or never given, and not being able to retain their former employers for future employment references (Bobo, Johnson, et. al. 1998, 1-301).

This is why the unemployment rate for African Americans is so high. African Americans, whether people want to admit it or not, are still today, highly discriminated against when it comes to employment. The numbers do not lie and shows that the unemployment rate for African Americans is rising and has been rising for a long time. When will it stop? When will African Americans be able to get employment on an equal rate as White Americans? Is that even a goal of the government? Is it a goal of employers? My data demonstrates that discrimination in employment for African Americans will not have the brakes applied to it any time soon, and can be interpreted as showing that instead employment discrimination will continue to rise. I truly believe that African Americans will never have equal opportunity in employment because precedent has been set in the United States when it comes to White privilege.

Future Research

I would first like to recommend to the United States government an immediate revising of the Civil Rights Act of 1964, including Title VII. I propose this to be called
the Civil Rights Act of 2014. The act from 1964 is old and is outdated and no longer applies to today's working conditions and will only get worse for African Americans as time goes on if nothing changes. As previously stated, I believe that Title VII should include an affirmative action clause that enforces all employers in the United States to maintain a fair and balanced hiring process for everyone.

In the future, I would like to explore discrimination in other areas that are not being protected by the Civil Rights Act of 1964, like education and housing. I believe that African Americans are discriminated against in these areas because I personally have experienced discrimination in these areas, just like I have in employment. I believe that it is not a coincidence that African Americans are unemployed the most, live in neighborhoods that are not as good as White neighborhoods, and have the lowest population rates at all American universities, yet have the highest populations in the prison system. I am confident that the conditions for African Americans did not happen by accident and are actually a part of a very large plan to keep a group of people inferior while the other group remains superior. Racism and discrimination gives Whites power, privilege, and wealth. Racism and discrimination is the foundation of the United States of America; it is now time to build a new foundation.
APPENDIX A

TITLE VII--EQUAL EMPLOYMENT OPPORTUNITY

DEFINITIONS

SEC. 701. For the purposes of this title--

(a) The term "person" includes one or more individuals, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include (1) the United States, a corporation wholly owned by the Government of the United States, an Indian tribe, or a State or political subdivision thereof, (2) a bona fide private membership club (other than a labor organization) which is exempt from taxation under section 501(c) of the Internal Revenue Code of 1954: Provided, That during the first year after the effective date prescribed in subsection (a) of section 716, persons having fewer than one hundred employees (and their agents) shall not be considered employers, and, during the second year after such date, persons having fewer than seventy-five employees (and their agents) shall not be considered employers, and, during the third year after such date, persons having fewer than fifty employees (and their agents) shall not be considered employers: Provided further, That it shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex or national origin and the President shall utilize his existing authority to effectuate this policy.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person; but shall not include an agency of the United States, or an agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in an industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is (A) one hundred or more during the first year after the effective date prescribed in subsection (a) of section 716, (B) seventy-five or more during the second year after such date or fifty or more during the third year, or (C) twenty-five or more thereafter, and such labor organization--

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended,

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or
between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between
points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would
hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa,
Guam, Wake Island, The Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

EXEMPTION
SEC. 702. This title shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious
corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected
with the carrying on by such corporation, association, or society of its religious activities or to an educational institution with respect
to the employment of individuals to perform work connected with the educational activities of such institution.

DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN
SEC. 703. (a) It shall be an unlawful employment practice for an employer--
(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his
compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national
origin; or
(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment
opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national
origin.

(b) It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to
discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment
any individual on the basis of his race, color, religion, sex, or national origin.

(c) It shall be an unlawful employment practice for a labor organization--
(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion,
sex, or national origin;
(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way
which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or
otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color,
religion, sex, or national origin; or
(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee
controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual
because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide
apprenticeship or other training.

(e) Notwithstanding any other provision of this title, (1) it shall not be an unlawful employment practice for an employer to hire and
employ employees, for an employment agency to classify, or refer for employment any individual, for a labor organization to classify
its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor-
management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in any
such program, on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a
bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and (2) it
shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning
to hire and employ employees of a particular religion if such school, college, university, or other educational institution or institution
of learning is, in whole or in substantial part, owned, supported, controlled, or managed by a particular religion or by a particular
religious corporation, association, or society, or if the curriculum of such school, college, university, or other educational institution or
institution of learning is directed toward the propagation of a particular religion.

(f) As used in this title, the phrase "unlawful employment practice" shall not be deemed to include any action or measure taken by an
employer, labor organization, joint labor-management committee, or employment agency with respect to an individual who is a
member of the Communist Party of the United States or of any other organization required to register as a Communist-action or
Communist-front organization by final order of the Subversive Activities Control Board pursuant to the Subversive Activities Control
Act of 1950.

(g) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to fail or refuse
to hire and employ any individual for any position, for an employer to discharge any individual from any position, or for an
employment agency to fail or refuse to refer any individual for employment in any position, or for a labor organization to fail or refuse
to refer any individual for employment in any position, if--

(1) the occupancy of such position, or access to the premises in or upon which any part of the duties of such position is performed or is
to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security
program in effect pursuant to or administered under any statute of the United States or any Executive order of the President; and

(2) such individual has not fulfilled or has ceased to fulfill that requirement.

(h) Notwithstanding any other provision of this title, it shall not be an unlawful employment practice for an employer to apply
different standards of compensation, or different terms, conditions, or privileges of employment pursuant to a bona fide seniority or
merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different
locations, provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, or
national origin, nor shall it be an unlawful employment practice for an employer to give and to act upon the results of any
professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended or
used to discriminate because of race, color, religion, sex or national origin. It shall not be an unlawful employment practice under this
title for any employer to differentiate upon the basis of sex in determining the amount of the wages or compensation paid or to be paid
to employees of such employer if such differentiation is authorized by the provisions of section 6(d) of the Fair Labor Standards Act of
1938, as amended (29 U.S.C. 206(d)).

(i) Nothing contained in this title shall apply to any business or enterprise on or near an Indian reservation with respect to any publicly
announced employment practice of such business or enterprise under which a preferential treatment is given to any individual because
he is an Indian living on or near a reservation.

(j) Nothing contained in this title shall be interpreted to require any employer, employment agency, labor organization, or joint labor-
management committee subject to this title to grant preferential treatment to any individual or to any group because of the race, color,
religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total
number or percentage of persons of any race, color, religion, sex, or national origin employed by any employer, referred or classified
for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or
admitted to, or employed in, any apprenticeship or other training program, in comparison with the total number or percentage of
persons of such race, color, religion, sex, or national origin in any community, State, section, or other area, or in the available work
force in any community, State, section, or other area.

OTHER UNLAWFUL EMPLOYMENT PRACTICES
SEC. 704. (a) It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants
for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against
any member thereof or applicant for membership, because he has opposed, any practice made an unlawful employment practice by
this title, or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing
under this title.

(b) It shall be an unlawful employment practice for an employer, labor organization, or employment agency to print or publish or
cause to be printed or published any notice or advertisement relating to employment by such an employer or membership in or any
classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by
such an employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, sex,
or national origin, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination
based on religion, sex, or national origin when religion, sex, or national origin is a bona fide occupational qualification for
employment.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
SEC. 705. (a) There is hereby created a Commission to be known as the Equal Employment Opportunity Commission, which shall be
composed of five members, not more than three of whom shall be members of the same political party, who shall be appointed by the
President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one
for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, beginning from the
date of enactment of this title, but their successors shall be appointed for terms of five years each, except that any individual chosen to
fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one
member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Chairman shall be responsible on
behalf of the Commission for the administrative operations of the Commission, and shall appoint, in accordance with the civil service
laws, such officers, agents, attorneys, and employees as it deems necessary to assist it in the performance of its functions and to fix
their compensation in accordance with the Classification Act of 1949, as amended. The Vice Chairman shall act as Chairman in the
absence or disability of the Chairman or in the event of a vacancy in that office.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission
and three members thereof shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken;
the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on
the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

(e) The Federal Executive Pay Act of 1956, as amended (5 U.S.C. 2201-2209), is further amended--

(1) by adding to section 105 thereof (5 U.S.C. 2204) the following clause:
"(32) Chairman, Equal Employment Opportunity Commission"; and

(2) by adding to clause (45) of section 106(a) thereof (5 U.S.C. 2205(a)) the following: "Equal Employment Opportunity Commission
(4)."

(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all its
powers at any other place. The Commission may establish such regional or State offices as it deems necessary to accomplish the
purpose of this title.

(g) The Commission shall have power--

(1) to cooperate with and, with their consent, utilize regional, State, local, and other agencies, both public and private, and individuals;

(2) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents the same
witness and mileage fees as are paid to witnesses in the courts of the United States;

(3) to furnish to persons subject to this title such technical assistance as they may request to further their compliance with this title or
an order issued thereunder;

(4) upon the request of (i) any employer, whose employees or some of them, or (ii) any labor organization, whose members or some of
them, refuse or threaten to refuse to cooperate in effectuating the provisions of this title, to assist in such effectuation by conciliation
or such other remedial action as is provided by this title;

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this title and to make the results of such
studies available to the public;

(6) to refer matters to the Attorney General with recommendations for intervention in a civil action brought by an aggrieved party
under section 706, or for the institution of a civil action by the Attorney General under section 707, and to advise, consult, and assist
the Attorney General on such matters.

(h) Attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any
case in court.

(i) The Commission shall, in any of its educational or promotional activities, cooperate with other departments and agencies in the
performance of such educational and promotional activities.

(j) All officers, agents, attorneys, and employees of the Commission shall be subject to the provisions of section 9 of the Act of August
2, 1939, as amended (the Hatch Act), notwithstanding any exemption contained in such section.

PREVENTION OF UNLAWFUL EMPLOYMENT PRACTICES
SEC. 706. (a) Whenever it is charged in writing under oath by a person claiming to be aggrieved, or a written charge has been filed by
a member of the Commission where he has reasonable cause to believe a violation of this title has occurred (and such charge sets forth
the facts upon which it is based) that an employer, employment agency, or labor organization has engaged in an unlawful employment
practice, the Commission shall furnish such employer, employment agency, or labor organization (hereinafter referred to as the
"respondent") with a copy of such charge and shall make an investigation of such charge, provided that such charge shall not be made public by the Commission. If the Commission shall determine, after such investigation, that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such endeavors may be made public by the Commission without the written consent of the parties, or used as evidence in a subsequent proceeding. Any officer or employee of the Commission, who shall make public in any manner whatever any information in violation of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned not more than one year.

(b) In the case of an alleged unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no charge may be filed under subsection (a) by the person aggrieved before the expiration of sixty days after proceedings have been commenced under the State or local law, unless such proceedings have been earlier terminated, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State or local authority.

(c) In the case of any charge filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State, which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days (provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law), unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

(d) A charge under subsection (a) shall be filed within ninety days after the alleged unlawful employment practice occurred, except that in the case of an unlawful employment practice with respect to which the person aggrieved has followed the procedure set out in subsection (b), such charge shall be filed by the person aggrieved within two hundred and ten days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the State or local agency.

(e) If within thirty days after a charge is filed with the Commission or within thirty days after expiration of any period of reference under subsection (c) (except that in either case such period may be extended to not more than sixty days upon a determination by the Commission that further efforts to secure voluntary compliance are warranted), the Commission has been unable to obtain voluntary compliance with this title, the Commission shall so notify the person aggrieved and a civil action may, within thirty days thereafter, be brought against the respondent named in the charge (1) by the person claiming to be aggrieved, or (2) if such charge was filed by a member of the Commission, by any person whom the charge alleges was aggrieved by the alleged unlawful employment practice. Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the action without the payment of fees, costs, or security. Upon timely application, the court may, in its discretion, permit the Attorney General to intervene in such civil action if he certifies that the case is of general public importance. Upon request, the court may, in its discretion, stay further proceedings for not more than sixty days pending the termination of State or local proceedings described in subsection (b) or the efforts of the Commission to obtain voluntary compliance.

(f) Each United States district court and each United States court of a place subject to the jurisdiction of the United States shall have jurisdiction of actions brought under this title. Such an action may be brought in any judicial district in the State in which the unlawful employment practice is alleged to have been committed, in the judicial district in which the employment records relevant to such practice are maintained and administered, or in the judicial district in which the plaintiff would have worked but for the alleged unlawful employment practice, but if the respondent is not found within any such district, such an action may be brought within the judicial district in which the respondent has his principal office. For purposes of sections 1404 and 1406 of title 28 of the United States Code, the judicial district in which the respondent has his principal office shall in all cases be considered a district in which the action might have been brought.

(g) If the court finds that the respondent has intentionally engaged in or is intentionally engaging in an unlawful employment practice charged in the complaint, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice).
Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable. No order of the court shall require the admission or reinstatement of an individual as a member of a union or the hiring, reinstatement, or promotion of an individual as an employee, or the payment to him of any back pay, if such individual was refused admission, suspended, or expelled or was refused employment or advancement or was suspended or discharged for any reason other than discrimination on account of race, color, religion, sex or national origin or in violation of section 704(a).

(b) The provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (29 U.S.C. 101-115), shall not apply with respect to civil actions brought under this section.

(i) In any case in which an employer, employment agency, or labor organization fails to comply with an order of a court issued in a civil action brought under subsection (e), the Commission may commence proceedings to compel compliance with such order.

(j) Any civil action brought under subsection (e) and any proceedings brought under subsection (i) shall be subject to appeal as provided in sections 1291 and 1292, title 28, United States Code.

(k) In any action or proceeding under this title the court, in its discretion, may allow the prevailing party, other than the Commission or the United States, a reasonable attorney's fee as part of the costs, and the Commission and the United States shall be liable for costs the same as a private person.

SEC. 707. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this title, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action in the appropriate district court of the United States by filing with it a complaint (1) signed by him (or in his absence the Acting Attorney General), (2) setting forth facts pertaining to such pattern or practice, and (3) requesting such relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described.

(b) The district courts of the United States shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, and in any such proceeding the Attorney General may file with the clerk of such court a request that a court of three judges be convened to hear and determine the case. Such request by the Attorney General shall be accompanied by a certificate that, in his opinion, the case is of general public importance. A copy of the certificate and request for a three-judge court shall be immediately furnished by such clerk to the chief judge of the circuit (or in his absence, the presiding circuit judge of the circuit) in which the case is pending. Upon receipt of such request it shall be the duty of the chief judge of the circuit or the presiding circuit judge, as the case may be, to designate immediately three judges in such circuit, of whom at least one shall be a circuit judge and another of whom shall be a district judge of the court in which the proceeding was instituted, to hear and determine such case, and it shall be the duty of the judges so designated to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited. An appeal from the final judgment of such court will lie to the Supreme Court.

In the event the Attorney General fails to file such a request in any such proceeding, it shall be the duty of the chief judge of the district (or in his absence, the acting chief judge) in which the case is pending immediately to designate a judge in such district to hear and determine the case. In the event that no judge in the district is available to hear and determine the case, the chief judge of the district, or the acting chief judge, as the case may be, shall certify this fact to the chief judge of the circuit (or in his absence, the acting chief judge) who shall then designate a district or circuit judge of the circuit to hear and determine the case.

It shall be the duty of the judge designated pursuant to this section to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

EFFECT ON STATE LAWS

SEC. 708. Nothing in this title shall be deemed to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of any State or political subdivision of a State, other than any such law which purports to require or permit the doing of any act which would be an unlawful employment practice under this title.

INVESTIGATIONS, INSPECTIONS, RECORDS, STATE AGENCIES

SEC. 709. (a) In connection with any investigation of a charge filed under section 706, the Commission or its designated representative shall at all reasonable times have access to, for the purposes of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to unlawful employment practices covered by this title and is relevant to the charge under investigation.

(b) The Commission may cooperate with State and local agencies charged with the administration of State fair employment practices
shall have authority to examine witnesses under oath and to require the production of documentary evidence relevant or material to the practice law during any period in which such employer, employment agency, labor organization, or joint labor-management committee is subject to such law, except that the Commission may require such notations on records which such employer, employment agency, labor organization, or joint labor-management committee keeps or is required to keep as are necessary because of differences in coverage or methods of enforcement between the State or local law and the provisions of this title. Where an employer is required by Executive Order 10925, issued March 6, 1961, or by any other Executive order prescribing fair employment practices for Government contractors and subcontractors, or by rules or regulations issued thereunder, to file reports relating to his employment practices with any Federal agency or committee, and he is substantially in compliance with such requirements, the Commission shall not require him to file additional reports pursuant to subsection (c) of this section.

(c) Except as provided in subsection (d), every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom, as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulations or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purpose of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which such applications were received, and shall furnish to the Commission, upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may (1) apply to the Commission for an exemption from the application of such regulation or order, or (2) bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief.

(d) The provisions of subsection (c) shall not apply to any employer, employment agency, labor organization, or joint labor-management committee with respect to matters occurring in any State or political subdivision thereof which has a fair employment practice law during any period in which such employer, employment agency, labor organization, or joint labor-management committee is subject to such law, except that the Commission may require such notations on records which such employer, employment agency, labor organization, or joint labor-management committee keeps or is required to keep as are necessary because of differences in coverage or methods of enforcement between the State or local law and the provisions of this title. Where an employer is required by Executive Order 10925, issued March 6, 1961, or by any other Executive order prescribing fair employment practices for Government contractors and subcontractors, or by rules or regulations issued thereunder, to file reports relating to his employment practices with any Federal agency or committee, and he is substantially in compliance with such requirements, the Commission shall not require him to make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed.

(e) It shall be unlawful for any officer or employee of the Commission to make public in any manner whatever any information obtained by the Commission pursuant to its authority under this section prior to the institution of any proceeding under this title involving such information. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subsection shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than $1,000, or imprisoned not more than one year.

INVESTIGATORY POWERS

SEC. 710. (a) For the purposes of any investigation of a charge filed under the authority contained in section 706, the Commission shall have authority to examine witnesses under oath and to require the production of documentary evidence relevant or material to the charge under investigation.

(b) If the respondent named in a charge filed under section 706 fails or refuses to comply with a demand of the Commission for permission to examine or to copy evidence in conformity with the provisions of section 709(a), or if any person required to comply with the provisions of section 709(c) or (d) fails or refuses to do so, or if any person fails or refuses to comply with a demand by the Commission to give testimony under oath, the United States district court for the district in which such person is found, resides, or transacts business, shall, upon application of the Commission, have jurisdiction to issue to such person an order requiring him to comply with the provisions of section 709(c) or (d) or to comply with the demand of the Commission, but the attendance of a witness may not be required outside the State where he is found, resides, or transacts business and the production of evidence may not be required outside the State where such evidence is kept.

(c) Within twenty days after the service upon any person charged under section 706 of a demand by the Commission for the production of documentary evidence or for permission to examine or to copy evidence in conformity with the provisions of section
709(a), such person may file in the district court of the United States for the judicial district in which he resides, is found, or transacts business, and serve upon the Commission a petition for an order of such court modifying or setting aside such demand. The time allowed for compliance with the demand in whole or in part as deemed proper and ordered by the court shall not run during the pendency of such petition in the court. Such petition shall specify each ground upon which the petitioner relies in seeking such relief, and may be based upon any failure of such demand to comply with the provisions of this title or with the limitations generally applicable to compulsory process or upon any constitutional or other legal right or privilege of such person. No objection which is not raised by such a petition may be urged in the defense to a proceeding initiated by the Commission under subsection (b) for enforcement of such a demand unless such proceeding is commenced by the Commission prior to the expiration of the twenty-day period, or unless the court determines that the defendant could not reasonably have been aware of the availability of such ground of objection.

(d) In any proceeding brought by the Commission under subsection (b), except as provided in subsection (c) of this section, the defendant may petition the court for an order modifying or setting aside the demand of the Commission.

SEC. 711. (a) Every employer, employment agency, and labor organization, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the Commission setting forth excerpts from or summaries of, the pertinent provisions of this title and information pertinent to the filing of a complaint.

(b) A willful violation of this section shall be punishable by a fine of not more than $100 for each separate offense.

VETERANS' PREFERENCE

SEC. 712. Nothing contained in this title shall be construed to repeal or modify any Federal, State, territorial, or local law creating special rights or preference for veterans.

RULES AND REGULATIONS

SEC. 713. (a) The Commission shall have authority from time to time to issue, amend, or rescind suitable procedural regulations to carry out the provisions of this title. Regulations issued under this section shall be in conformity with the standards and limitations of the Administrative Procedure Act.

(b) In any action or proceeding based on any alleged unlawful employment practice, no person shall be subject to any liability or punishment for or on account of (1) the commission by such person of an unlawful employment practice if he pleads and proves that the act or omission complained of was in good faith, in conformity with, and in reliance on any written interpretation or opinion of the Commission, or (2) the failure of such person to publish and file any information required by any provision of this title if he pleads and proves that he failed to publish and file such information in good faith, in conformity with the instructions of the Commission issued under this title regarding the filing of such information. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (A) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (B) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this title.

FORCIBLY RESISTING THE COMMISSION OR ITS REPRESENTATIVES

SEC. 714. The provisions of section 111, title 18, United States Code, shall apply to officers, agents, and employees of the Commission in the performance of their official duties.

SPECIAL STUDY BY SECRETARY OF LABOR

SEC. 715. The Secretary of Labor shall make a full and complete study of the factors which might tend to result in discrimination in employment because of age and of the consequences of such discrimination on the economy and individuals affected. The Secretary of Labor shall make a report to the Congress not later than June 30, 1965, containing the results of such study and shall include in such report such recommendations for legislation to prevent arbitrary discrimination in employment because of age as he determines advisable.

EFFECTIVE DATE

SEC. 716. (a) This title shall become effective one year after the date of its enactment.

(b) Notwithstanding subsection (a), sections of this title other than sections 703, 704, 706, and 707 shall become effective immediately.

(c) The President shall, as soon as feasible after the enactment of this title, convene one or more conferences for the purpose of enabling the leaders of groups whose members will be affected by this title to become familiar with the rights afforded and obligations imposed by its provisions, and for the purpose of making plans which will result in the fair and effective administration of this title when all of its provisions become effective. The President shall invite the participation in such conference or conferences of (1) the
members of the President's Committee on Equal Employment Opportunity, (2) the members of the Commission on Civil Rights, (3) representatives of State and local agencies engaged in furthering equal employment opportunity, (4) representatives of private agencies engaged in furthering equal employment opportunity, and (5) representatives of employers, labor organizations, and employment agencies who will be subject to this title.

Approved July 2, 1964.

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## APPENDIX B

<table>
<thead>
<tr>
<th>Title</th>
<th>Description</th>
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<tbody>
<tr>
<td>Title I</td>
<td><em>Voting Rights</em>- barred unequal application of voter registration requirements but did not put an end to literacy tests that were used to disqualify African Americans from voting.</td>
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<tr>
<td>Title II</td>
<td><em>Public Accommodations</em>- illegal to discriminate in motels, hotels, theaters, restaurants, and all other places of public accommodations that are involved in interstate commerce.</td>
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<tr>
<td>Title III</td>
<td><em>Desegregation of Public Facilities</em>- allowed the United States Justice Department to secure desegregation of certain facilities. Prohibited state and municipal governments from denying access to public facilities based on race or religion.</td>
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<tr>
<td>Title IV</td>
<td><em>Desegregation of Public Education</em>- authorized the United States Attorney General to file suits to force desegregation. Encouraged the desegregation of public schools.</td>
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<tr>
<td>Title V</td>
<td><em>Civil Rights Commission</em>- addressed procedures that was established by the Civil Rights Act of 1957 for the Civil Rights Commission to follow, and it broadened its duties and extended its life thorough 1968.</td>
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<tr>
<td>Title VI</td>
<td><em>Federally Assisted Programs</em>- prohibited against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin.</td>
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<td>Title VII</td>
<td><em>Employment Discrimination</em></td>
</tr>
<tr>
<td>Title VIII</td>
<td><em>Registration and Voting Statistics</em>- allowed the United States Census Bureau to collect registration and voting statistics which was specified by the Commission on Civil Rights.</td>
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<tr>
<td>Title IX</td>
<td><em>Fair Trials</em>- made it easier for people to move civil rights cases from state courts with racist judges and all-white juries to federal court in order for a fair trial. Very important to African Americans who were in the Deep South.</td>
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<tr>
<td>Title X</td>
<td><em>Community Relations</em>- created the service to aid communities in resolving disputes relating to discriminatory practices based on race, color, or national origin.</td>
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<td>Title XI</td>
<td><em>Juries</em>- grants juries' rights to put forth any proceeding criminal contempt arising under Title II, III, IV, V, VI, or VII of the Civil Rights Act of 1964 on trial which can lead to a maximum fine of $1,000 or a maximum sentence of six months.</td>
</tr>
</tbody>
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REFERENCES


