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Institutional Discrimination

Discrimination is the negative treatment of one individual or group by another individual or group based upon some characteristic of that group, such as gender, race or ethnicity, or age because of a belief that the characteristic justifies such negative treatment. *Institutional discrimination* occurs when that negative or unfair treatment takes place at or is performed by an institution as a result not of individual belief but as a result of the structure, organization, or practices of that institution. Scholars, policymakers, and members of the general population have struggled with the effects and significance of racial and ethnic discrimination in the multiethnic, multiracial U.S. society, one that is based on equality and, in theory, praises and accepts differences, yet so often accepts and at times promotes both individual and institutional discrimination.

As described in this entry, institutional discrimination may be more difficult to detect than individual discrimination and is certainly more difficult to address precisely because it requires a review or analysis of the practices, policies, and structure of what are often complex and multilayered bodies: institutions. These institutions may be public, such as governments or government agencies, schools, or public universities, or they may be private, such as businesses, private colleges or universities, corporations, or media outlets.

Racism and Institutional Discrimination

Individual discrimination is an almost natural result or outgrowth of racism, which is the belief that one group of people is inherently superior to another. When a person has such a belief concerning members of another race, and sometimes another ethnic group, that belief makes the person feel justified in pursuing negative, often harmful acts that others see as discrimination. In the case of institutional discrimination, the negative or harmful behavior may not be the result of individual racism or of the beliefs of individuals currently involved with the institution; nevertheless, the negative impact is felt by members of the race or ethnic group affected.

The Housing Case

When the Federal Housing Administration (FHA) preferred to guarantee home mortgages in "stable" neighborhoods or for newer homes, as was the case as early as the 1940s, it practiced institutional discrimination. Blacks were far more likely than Whites to live in less stable neighborhoods because of both a lack of money and individual discrimination, which limited their housing choices and their employment opportunities. Further, Blacks were far less likely than were Whites to be able to afford to purchase newer homes because of a significant degree of discrimination in the labor market at that time. As a result, Blacks were far less likely than were Whites to receive the FHA guarantees. This all had a negative impact on their housing options and choices and ultimately on the neighborhoods in which they lived.

Although the U.S. government had guidelines for the FHA that clearly indicated a preference for supporting single-race neighborhoods, the practice of supporting mortgage lending for newer homes or in "stable" neighborhoods was institutional discrimination. It may or may not have been the result of the racism or beliefs of any individual connected to the FHA at that time. Indeed, it may have been just a wise business decision, given that newer homes and homes in more stable neighborhoods are better investments.

Still, Blacks felt the effects disproportionately, and to end the discrimination, the practices, policies, and priorities of the institution had to be changed. Because individuals involved with the institution may well claim that they have no negative feelings toward, ideas about, or feelings of superiority regarding Blacks, those changes would be somewhat more difficult to effect.

The Education Case

If a university has a policy of legacy admissions—that is, an admissions policy that favors the children of alumni of that institution—that university could be seen as engaging in institutional discrimination because it is making a decision on the basis of a variable other than merit, the accepted standard for admission. Also, Blacks and members of some ethnic

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groups are less likely to be related to alumni because many colleges and universities systematically excluded Blacks until the 1960s.

This does not mean or suggest that someone in the university administration or the admissions office desires to discriminate against Blacks and therefore devised the policy to do so. Indeed, it may be the case that no one even considered race or ethnicity when deciding upon the policy. Rather, it may have resulted from efforts by alumni to have their children favored in the admissions process, or from a belief by administrators that such a policy helped build tradition, something highly prized on college campuses. Still, the negative effects are felt by Blacks and by members of ethnic groups whose parents may have been denied admission or had their admission limited for reasons other than merit.

Reverse Discrimination

During the past 20 years or so, a heated debate among scholars, policymakers, and politicians has taken place regarding what is often referred to as reverse discrimination. *Reverse discrimination* tends to be defined as practices and policies of institutions that discriminate in favor of Blacks, members of various non-White ethnic groups, and in some cases women. Critics argue that such practices and policies grew out of what may have been well-intentioned efforts by institutions to either ensure that they no longer discriminated against Blacks or members of certain ethnic groups or to compensate for past discrimination. Some universities, for example, acknowledge that they had in the past systematically failed to admit qualified Black students solely because of their race. In an effort to make up for this discrimination, they devised plans to admit more Blacks than might have been admitted via the normal admissions process.

Other universities were less concerned with past acts of discrimination than with whether their current policies had a negative impact on the admission of Blacks or members of certain ethnic groups, including and especially Latinos. The belief is that Blacks and Latinos are just as intelligent, just as capable as Whites of being admitted to universities, and just as capable of doing well in those universities as Whites, but the admissions numbers suggest that they have not been admitted in numbers proportionate to their numbers in the society or among college-age students. To some, the numbers alone suggest institutional discrimination and require adjustments by the institutions to either guard against current institutional discrimination or to make up for past discrimination.

The same arguments hold for non-educational institutions as well. Latinos and Blacks have argued that they should be represented in all areas and at all levels of institutional life in numbers reflecting their presence in the society. According to this argument, if Blacks are one-third of the population of a city, then they should represent one-third of the workforce of that city, especially in public life, given that public institutions have a special obligation, according to this argument and many court cases, to avoid racial discrimination. Many Blacks and Latinos then believe that if Blacks or Latinos are one-third of the population of a city, then they should be one-third of the police officers, one-third of the firefighters, and one-third of the teachers, assuming that enough Latinos or Blacks want those positions. If they are not, according to this argument, then those institutions—the fire department, the police department, and the school system—are guilty of institutional discrimination.

Given that there are often many more Blacks or other underrepresented minorities who want to be admitted to a university or hired by a city than the available positions will allow, some Whites may have to be denied admission or not hired to achieve the goal of diversifying the workforce or the university. Some see this as discrimination against those Whites, or reverse discrimination because they are being denied based almost solely because of their race. For a variety of reasons including attendance at elementary and high schools that often fail to properly prepare their students, some Blacks and Latinos find themselves ill prepared for some standardized tests. Given that such tests often serve as the gatekeepers to certain jobs and for admission to most colleges and universities many see them as inherently discriminatory, and suggest that institutions that use them are guilty of institutional discrimination because they use screening devices that systematically and unfairly limit the opportunities for Blacks and some Latinos.

Whites, for reasons that can be debated almost forever, tend to perform better on the standardized tests that are used by various institutions to determine who is hired and who is admitted. Because some Whites are denied admission or are not hired whereas some Blacks and Latinos are admitted or hired with what are seen as lower grades or lower test scores, some suggest that those Whites are being discriminated

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against. If, however, both institutional and individual discrimination can be traced at some point to racism, as most scholars suggest, then reverse discrimination is unlikely, for it is unlikely that anyone in this society believes or has believed that Blacks or Latinos are inherently superior to Whites.

Still, practices such as affirmative action, which is a policy that requires institutions, often voluntarily, though sometimes by law, to take positive, affirmative steps to ensure that racial, ethnic, or gender discrimination does not take place in institutions, are seen by many Whites, and some Blacks, as reverse discrimination, or policies that favor Blacks, no matter how good the initial reason or laudable the goals, to the detriment of Whites. Some Blacks also suggest that such policies actually harm Blacks more than they help because they suggest that Blacks require help to be hired or admitted, and this suggests that Blacks are inferior.

Discrimination Against Businesses

Institutions hire a host of private companies to perform many tasks. They hire building companies to build schools or libraries. They hire consultants. They hire contractors to build bridges, or to supply food to cafeterias. Often, the decision to hire is a function of public bidding, and those bids must meet often complex criteria. On many occasions, the work requires that the company be a large company because the job is very large. However, in the past in the United States, institutions had a host of practices and policies that restricted the growth of companies owned by Blacks and some by Latinos more recently. If lenders would not lend to Black-owned companies, or institutions did not in the past award contracts to Latino-owned companies even though the bidding was to be open to all qualified bidders, then those companies owned by members of certain racial or ethnic groups could not get much business and therefore could not grow.

If an institution now requires that the bidders for certain jobs or contracts be large because the job, such as building a large building or highway, is large, then Black and Latino companies will be at a disadvantage mostly because of practices and policies employed by institutions long ago. They were denied the opportunity to grow because they were owned by members of a racial group or ethnic group that was not favored, and then denied the opportunity to obtain the contract because they could not grow. It may be that one person years ago practiced individual discrimination and ensured that members of certain racial or ethnic groups were favored but others were excluded. Today, however, the discrimination is institutional because it is based not on the concerns of an individual, but on the requirements for the contract, which systematically limits the opportunities for small companies, and many Black and Latino companies had no choice but to be small.

If an institution decides to structure the bidding process so that those companies owned by members of groups that had experienced this institutional discrimination in the past have a better opportunity to win the bid, then some suggest that that institution is engaging in reverse discrimination because it now has policies and practices that may favor companies owned by members of groups discriminated against in the past over companies owned by members of a group favored or discriminated in favor of in the past. Others see this as only a fair response to past discrimination by institutions, and a safeguard against continued institutional discrimination.

In the end, this is not an academic debate as much as a power struggle. Many Whites do not want to concede their superior position in this society that they often believe that they have earned, whereas many Blacks and Latinos believe that they deserve more power because of past discrimination, and because of their numbers in the society. Institutional discrimination was one of the factors that limited that power and the opportunities that typically go along with power. As the global economy continues to limit various opportunities in vast parts of the United States, the debate is likely to become even more heated. Fewer opportunities means more competition, and the numbers of Blacks and members of various ethnic groups clamoring for less discrimination by the institutions involved with those opportunities is growing.

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See also Affirmative Action in Education; Affirmative Action in the Workplace; Carmichael, Stokely; Critical Race Theory; Discrimination; Discrimination in Housing; Northern Ireland, Racism in; Racism; Reverse Discrimination

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