The Red Line Between Us and Them

A Conceptual Framework of How the Violence Used to Protect White Privilege Turns into a Common Sense Myth in the Penal System

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Introduction: Many penal systems, such as the California penal system, practice some form of de facto segregation. De facto segregation means that although segregation is not a written policy, it’s normative. The justification used to maintain racial segregation in the penal system is that it is common sense to keep the races separated in order to reduce violence. The purpose of this research is to show that racial segregation actually increases violence instead of decreasing it. To understand why racial segregation is still practiced in the penal system despite the fact that it increases violence, it is important to understand the history of Jim Crowism which shows how the violence used to protect White privilege has turned into a common sense myth in the penal system.

Background

Jim Crow in Residential Segregation
- Used as a tool to segregate non-Whites from the privileges of Whiteness (1877-1950s).
- Now uses “colorblind” language.
- Violence has now taken the form of economic and political disadvantages such as redlining in communities of color.
- Redlining: Began in 1930s by Home Owners Loan Corporation to determine which communities were worthy of economic investment (Rutan and Glass 2018).

Jim Crow in the Penal System
- Shaped by its social environment (Jacobs 1977).
- During the Jim Crow Era (1877-1950s) and before Prison reforms (1960s) non-whites faced discrimination from prison guards and lived in the worst units.
- When racial segregation was deemed unconstitutional in the 1950s, penal organizations were exempted because prison administrators believed that “certain rights and privileges should never apply to prisoners” (Trulson, Chad, Markt, Hemmens, and Carroll 2008:271).
- Race is explicit.
- Violence is physical.

Common Sense Racism
- Rooted in White Supremacy.
- Views racial segregation as natural and inevitable.
- Creates culturally received background ideas about race.
- Since the beginning of slavery, many whites have often viewed racial integration as a threat to their privileges. Therefore, some of them turned to the use of violence towards non-whites to protect these privileges.
- This interracial violence has been used to justify racial segregation through legal requirements (de jure segregation) or through social norms (de facto segregation).
- Johnson v. California (2005): Ninth Circuit concluded that “common-sense” dictated that the races be separated to reduce violence (Robertsons 2006).
- Washington v. Lee (1968): Court ordered the complete desegregation of the prison unless segregation was used for security reasons.

Conceptual Framework

Institutional Myth
- Broad cultural (and often untested) beliefs about how things work (Meyer and Rowan 1977, Hallett 2010).
- Institutions adopt these myths because they have a common sense ring to them that legitimizes the institution.

Mythologizing Interracial Violence
- Racial segregation in the penal system is more about maintaining legitimacy and less about reducing violence (Lopez-Aguado 2018 and Walker 2016) because:
  - It is based on the social norm of de facto racial segregation found in residential segregation.
  - Prison administrators contend racial segregation reduces the likelihood of interracial violence, but there is significant evidence to the contrary.
- Racial Politics in California Penal System.
- Desegregation in Texas Penal System.

Conclusion

- The institutional myth of racial segregation in the penal system has its roots in the legacy of Jim Crow.
- Jim Crow was used to segregate non-whites from white privileges through residential segregation.
- Today, although racial segregation is no longer required by law as it was during the Jim Crow era, it still exists through de facto practices both in the penal system and the non-incarcerated population.
- Although it increases racial violence, it is still practiced for legitimacy and for the sake of common sense.

Continuing Research

- Part of a larger ethnography of a county jail system in South California.
- Michael Walker is studying jail culture:
  - The styles of communication
  - The structure of organizations
  - The values
  - Beliefs
  - Behaviors
  - Emotional landscape of the inmate world.
- Michael Walker’s particular interest is in the role of race and race relations in structuring the everyday lives of jail inmates as well as the history of the policies that give race meaning in jails.

Picture References