

## **Institutionalized Discrimination in the Education System and Beyond: Themes and Perspectives**

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### **1. INTRODUCTION**

Institutions provide material goods, opportunities, resources, services, and psychological satisfactions to people who work for them. While these benefits are never distributed perfectly equitably, it is against public policy for them to be allocated on the basis of race, sex, religion or national origin. Despite the fact that laws clearly stipulate that equity should be upheld in the distribution of the countries resources and services, the situation in institutions is rife with institutionalized discrimination. Institutionalized discrimination has negative consequences on the group which is discriminated in the sense that it results in decreased access to health care, suppressed attainment of wealth and decreased access to education among other disadvantages. Race, gender, nationality, sexual orientation and age might be used as the basis of institutionalized discrimination and this institutionalized discrimination prohibits the attainment of social meritocracy. Institutionalized discrimination refers to the unjust and discriminatory mistreatment of an individual or group of individuals by organizations such as States, corporate governments and public institutions like schools, or hospitals. The discrimination is typically codified into the operating procedures, policies, laws, or objectives of such institutions. Members of minority groups such as populations of African descent in the United States of America have faced a number of discriminatory disadvantages in education, housing, and employment. It is the aim of this paper to explore the historical and current examples of institutionalized discrimination, its merits and demerits as well as evaluating the use of lobbying in unlocking the problem of institutionalized discrimination.

#### **1.1. Definition of Terms**

According to Shapiro, (2004), prejudice refers to a positive or a negative attitude or belief directed toward certain people based on their membership in a particular group. The root word of prejudice is pre judging, which is a set of attitudes which causes, supports, or justifies discrimination. Prejudice carries with it the element of over categorizing. Discrimination refers to actions or behaviors against a group of people

#### **1.2. Institutionalized Discrimination**

Garrett, (2008) is of the opinion that institutional discrimination is the adverse treatment of members of minority groups due to the explicit and implicit rules that regulate behavior including rules set and enforced by firms, schools, government, markets, and society. Institutional discrimination occurs when the rules, practices, or understandings of appropriate conduct systematically advantage or disadvantage members of particular groups. Albes (1992) also added that institutionalized discrimination is a denial of opportunities and rights to individuals or groups, resulting from the normal operations of a society. Institutional Discrimination can be regarded as the policies of the dominant race, ethnic, or institutions and the behavior of the individuals who control these institutions and implement policies that are intended to a differential and / or harmful effect on minority race/ethnic/gender groups. Discrimination can be described as making favor against others because of race or ethnicity.

### **1.3. Lobbying**

According to Miller (2009), lobbying is to act in order to influence or get someone to act in a certain way. Lobbying involves processes of pushing for legislation and policy changes that enhance the welfare of a particular group of people who in most cases is disadvantaged in some way.

## **2. HISTORICAL OVERVIEW OF INSTITUTIONALIZED DISCRIMINATION**

The history of the United States is rife with examples of institutional discrimination, For many years, the government had laws that segregated black people from white people in every facet of life, voting, employment, education, and even access to public facilities. The private sector is just as guilty of red lining, which is when banks can sometimes make it more difficult to get mortgage loans for people who live in certain areas or steering, which is the practice of real estate professionals guiding minorities to neighborhoods filled with predominately minorities. Because this type of discrimination is, seemingly, a part of the structure of these organizations, it is often difficult to root out. Often, people working for these organizations are unaware they are even guilty of discrimination because on the surface, the practices may actually seem fair or normal.

Kottack (2005), submitted that institutional discrimination, does not just affect a few isolated minority people, but instead, it affects large numbers of individuals simply because of their race. Institutions can discriminate even if they do not intend to do so. A major barrier in social equity for the United States is residential segregation. Housing in the United States is valued differently based on the racial makeup of the neighborhood. There can be two identical houses in terms of amenities and size but the value of each house depends on the racial makeup of the people within the community. It is reported that once about 20 percent of the homeowners in a neighborhood are black, in two years, the entire neighborhoods will be black. This phenomenon occurs because of tactics like blockbusting, a method where real estate agents survey white homeowners in an area. After persuading them that the neighborhood is about to be infiltrated by the black minority, the community white homeowners will leave the area. Zimbabwe, the then Rhodesia, was also littered with issues of institutionalized discrimination which were enshrined in the laws which were passed by the Rhodesian government. The Rhodesian government used to separate housing, education and employment along racial lines and the black majority were not allowed to walk in First Street in Harare. The blacks were supposed to work in farms and mines for very low pay. The prime land was reserved for the whites while the blacks were bunched in the so called reserves which had poor soils. In South Africa, the Apartheid Government also made sure that development was done along racial lines and the Apartheid Government separated education, employment, housing and resource allocation along racial lines. The blacks were segregated against in the above mentioned areas.

One incident of racism, which is a typical example of institutionalized discrimination, was perpetrated by Israel against its Palestinian Arab citizens in 2014. Superland, a large amusement park near Tel Aviv, refused to accept a booking from an Arab school on its preferred date in late May in 2014 but granted permission only when they were tricked when a staff member called back impersonating a Jew. As the story went viral on social media, the park's managers hurriedly offered a flimsy excuse arguing that they provided separate days for Jewish and Arab children to keep them apart and prevent friction. However it should be appreciated that what Superland did pales to insignificance when compared to the decades of state-planned and officially sanctioned discrimination against the country's Palestinian minority. According to another TV investigation, Israel's banks have a secret policy of rejecting Arab customers who try to transfer their accounts to a branch in a Jewish community; even though this violates banking regulations. Segregation is enforced in all the main spheres of life: land allocation and housing, citizenship rights, education, and employment against the Arab citizens. None of these occurrences are accidental. Israel cultivates, as South Africa once did, what scholars' term "grand apartheid". This is segregation, largely covert and often justified by security or cultural differences. In July 2014, South Africa's departing ambassador to Israel, Ismail Coovadia, warned that Israel was a "replication of apartheid".

### **3. INSTITUTIONALIZED DISCRIMINATION IN THE EDUCATION SECTOR**

Inequalities are embedded in the structure of the classroom. In institutions of learning institutionalized discrimination is experienced in the classroom, when an instructor uses slang or examples that are unknown to students from certain socioeconomic or cultural backgrounds or writes exam questions that require students to have prior knowledge of a situation or phenomenon. If a teacher uses language which is not universal to the students in that particular class then this represents an example of institutionalized discrimination. In Zimbabwe, during the colonial era, the then Rhodesian Government used to separate schools on racial grounds where most blacks were supposed to be enrolled in the so called F2 schools which comprised of vocational subjects like technical drawing, woodwork, agriculture and metal work. The other F1 schools were the one which were attended by most white children and the subjects covered were mostly academic such as history, science, geography, accounting, commerce among other academic subjects. It is important to realize that those pursuing the F1 schools were the ones who used to proceed to University and other colleges such as teachers' colleges and other technical colleges. The coming in of independence in 1980 in Zimbabwe did a good job in opening access to university and college education to many black students but still remnants of the different school classes are in existence in the form of council schools, government schools, rural schools and finally private schools. These schools are funded differently resulting in different resources being available to children in these different schools. The practice of streaming students in schools according to ability is also a form of institutionalized discrimination which is practiced in the education sector. The mere fact that other students are bunched in a class labeled as less able may mean that the effort exerted by the teacher in teaching these less able students may be minimal and teachers may spend most of their times with the bright classes. The concepts of self fulfilling prophecy may also take root and even those who could have been pushed to attain better grades would not work hard. Some teachers encourage girls and boys to take different subjects at advanced level while basing their decisions on gender and sexuality, resulting in girls taking up less challenging subjects like history, food and nutrition or fashion and fabrics. This kind of behavior is a form of institutionalized discrimination though it is subtle. The institutionalized inequalities tend to work against, rather than for, members of historically disadvantaged groups. IQ testing favors middle-class children, especially the White middle class because of the types of questions included. It is unfortunate that many decisions on employment or education are taken on the basis of how one performs on the IQ test and yet this IQ test is flawed in terms of the type of questions which does not have a universal appeal to all classes. Alfred (2011), submitted that if a university has a policy of legal admissions, that is an admission policy that favours 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 which is the accepted standard for admission.

### **4. INSTITUTIONALIZED DISCRIMINATION AT WORKPLACES**

With regards to employment, Alfred (2011) pointed out that there should be proportionality of employment representations of different ethnic groups. If for instance, the Ndebeles are one fifth of the population of Bulawayo city in Zimbabwe, then they should also constitute one fifth of the workforce of that city especially in public institutions, such as schools, hospitals, or city councils. Institutional discrimination begins with the recruitment process (Amstrong and Nyamunda 2001). Most jobs, especially the better ones, are not openly advertised. Knowledge of their existence is usually limited to friends and colleagues of those in power. First of all, the qualifications actually necessary to perform a particular job are usually only a part of those necessary to get a job. According to Gwasira and Kasayira(2005), one's compatibility, affinity, correspondence to an "institutional image," and general ability to "fit in" to the already existing social structure are often the actual criteria upon which selections are made. Test scores and degrees are other selectors which are not always valid measures of ability. As real qualifications are often hard to determine, these and other artificial criteria of selection are usually used in order to provide some logical basis for elimination. Those criteria in turn are rationalized as being reasonable ones and a certain investment is made in their continuation. Gwasira and Kasayira (2005), are of the opinion that institutional discrimination operates as a multiplier effect in that opportunities denied on one level become resources lacking on another level which in turn prevent one from gaining other employment chances. A case in point is the height requirements for police. Before the 1970s,

police forces around the United States commonly had height requirements, say 5 feet 10 inches. As women began to want to join police forces in the 1970s, many found they were too short. The same was true for people from some racial/ethnic backgrounds, whose stature is smaller on the average than that of whites. This gender and ethnic difference is not, in and of itself, discriminatory as the law defines the term. The law allows for physical qualifications for a job. As an example, everyone would all agree that someone has to be able to see to be a driver; sight therefore is a bona fide requirement for this line of work. Thus, even though people who are blind cannot become drivers, the law does not consider such a physical requirement to be discriminatory. Height restrictions for police work in the early 1970s were not bona fide requirements. Women and members of certain ethnic groups challenged these restrictions in court and won their cases, as it was decided that there was no logical basis for the height restrictions. One can conclude that height is not a prerequisite for one to be an effective police officer. In response to these court challenges, police forces lowered their height requirements, opening the door for many more women, and men, to join police forces (Takaki1993)

## **5. MERITS OF INSTITUTIONALIZED DISCRIMINATION**

Historically the practice of institutionalized discrimination was and is still being condemned but due to the need to reverse the imbalances which were created by the institutionalized discrimination, Aronson, Wilson, and Akert, (2010), submitted that institutionalized discrimination is now being allowed to be practiced under the banner of affirmative action. Several justifications can be offered for affirmative action. Because, by definition, affirmative action involves working to assist society's less-advantaged members, one reason to promote affirmative action policies is to remedy the effects of past discrimination. This remedial justification of affirmative action recognizes that wrongs have been committed in the past and acknowledges a moral obligation to set things right. Parker, (2008), argued that opponents of affirmative action do not contest the moral obligation to remediate past harm. Their objection to remedial policies is frequently centered on the claim that specific affirmative action policies will not help those who have in fact been harmed, but will sweep too broadly and provide benefits to those who do not deserve them. Sometimes opponents of affirmative action argue that the harm to be remediated did not occur, or if it did occur, as in the case of racial discrimination in the United States, the harm has dissipated so that remedial measures are no longer necessary.

Parker, (2008), pointed out that another important justification for affirmative action is the so-called diversity rationale. Advocates for the diversity rationale argue that society as a whole benefits when affirmative action is used to maintain diverse schools, workplaces, and businesses. According to this argument, people from different backgrounds, cultures, and genders bring complementary skills that collectively enrich the places where they work and learn. Some affirmative action opponents reject the diversity argument outright. They claim there is no inherent social benefit to diverse work-places or schools. Others accept the assertion that diversity is a social benefit, but express doubt over whether racial or gender characteristics provide a meaningful basis on which to assess diversity. Supporters of affirmative action argue that the claim that affirmative action is discriminatory is overly formalistic. Although admitting that affirmative action does discriminate in a technical sense, supporters claim affirmative action is morally justified because its goal is not to harm the majority dominant group, but to provide social justice for those who have been deprived of opportunity in the past.

Diversity is desirable and won't always occur if left to chance. Part of the education process is learning to interact with other races and nationalities. Interaction allows students to learn that persons of the opposite race are people too, more or less just like themselves (David (1993)). Since this diversity is desirable, it is important to make sure colleges represent a wide range of backgrounds. Unfortunately, without institutionalized discrimination practiced through affirmative action, this diversity is much less likely to occur. It is possible schools will become segregated like in past decades. Elite schools may become increasingly dominated by majority students. Shapiro, (2004), submitted that diversity is so important; such that it cannot be left to take place on its own. Students starting at a disadvantage need a boost. Minority students, generally speaking, start out at a disadvantage in their college or job application process. They usually come from lower income families and have less opportunity to go to private schools as white students. Some inner city youths must also live their childhoods in high crime, drug-

infested areas. Sincere, hard-working minority students are every bit as capable as white students, but because of these disadvantages, they may not have the same paper qualifications. Affirmative action makes the playing field even for all races in all areas which are important in life such as education, employment accommodation and all resources which are essential for humans.

Affirmative action draws people to areas of study and work they may never consider otherwise. Whether it is men being brought into nursing, women brought into technology fields, or minorities brought into high class schools, it is always desirable to bring people to areas of study or work that they may not have considered otherwise. Some stereotypes may never be broken without affirmative action. For decades blacks were considered less capable than whites. It took affirmative action to give blacks the opportunity to show they are every bit as capable. These and other stereotypes have started to change and will continue to change with the help of affirmative action. Affirmative action is needed to compensate minorities for centuries of slavery or oppression. The first several centuries of the U.S.'s existence saw whites enslave and oppress blacks, Native Americans, and other minorities. Minorities gave decades of unpaid labor, had land taken from them, were subject to brutal punishments, and were denied most of the fundamental rights provided by our Constitution. Affirmative action simply provides a way to compensate the descendants for the wrongs done to their ancestors.

David (1993), submitted that the ideal society has been described by the commonwealth government as one; where groups would co-exist harmoniously, free to maintain many of their distinctive religious, linguistic or social customs, equal in their access to resources and services, civil rights and political power and sharing with the rest of society particular concerns and values which have national significance. There would be diversity, equality and interaction through sharing ideally each group would have members distributed over the socio-economic range so that each individual would have opportunities for both upwards, downwards and lateral mobility. All of the groups would abide by a set of norms that stress tolerance of group's differences and the belief that the interests of no one group would be played ahead of the welfare of the total society. This is a noble goal, but doubts must be entertained whether it is realistic. The elimination of such prejudice is a herculean task and will take many years to accomplish.

Roper (1969) pointed out that ethnic diversity is a positive element in a society because it enriches a nation and increase the ways in which its citizens can perceive and solve personal and public problems. Ethnic diversity also enriches a society because it provides individuals with more opportunities to experience other cultures and thus to become more fulfilled as human beings. Takaki, (1993), asserted that when individuals are able to participate in a variety of ethnic cultures they are more able to benefit from the total human experience.

Individuals who only know, participate in, and see the world from their unique cultural and ethnic perspectives are denied important parts of the human experience and are culturally and ethnically encapsulated. Culturally and ethnically encapsulated individuals are also unable to fully know and see their own cultures of their own cultures because of their cultural and ethnic blinders. US Human Rights Network, (2010), pointed out that we can get a full view of our own cultures and behaviors only by viewing them from the perspectives of other racial and ethnic cultures. A key goal of the concept of diversity helps individuals to gain greater self-understanding by viewing themselves from the perspective of other cultures. Another major goal of multiethnic education is to reduce the pain and discrimination which members of some ethnic racial groups experience in the school and in the wider society because of their unique, racial, physical and cultural characteristics.

Philosophers such as Horace, Randolph Bourne and Julius Drachsler, are of the opinion, that cultural pluralism sometimes known as the salad bowl phenomenon is important in all organizations, be it government, schools, and play a unique role in any society and would contribute to the total society. The philosophy of ethnic pluralism also assumes that children should be helped to acquire the skills, attitudes and knowledge needed to function in their ethnic cultures as well as in and across various ethnic cultures. The psychological dimension to multiculturalism and diversity have an impact on issues, such as self-concept formation, personal values versus groups values, religious views, racism, ethnocentrism and perception of reality. The practices of requiring lower points for females in certain degree programmes like medicine for example at the University of Zimbabwe is an important affirmative action as it bridges the gap

between males and females in terms of important occupations. However it is important to realize that this affirmative action has its disadvantages as it portrays females as weak academically and even the public will not regard these female medical practitioners seriously as they will think that after all they did not deserve to have done the courses in the first place. A case in point of affirmative action is done by the Women University in Africa in Zimbabwe where a certain percentage of the students is reserved for women. This practice is very crucial as it tries to reduce the imbalance of tertiary education which historically is skewed in favour of males. However the image which is portrayed by such institutions which favour females over males may be regarded as substandard and poor. In the process of leveling the academic playing field, do we really ensure that it is level or it is tilted in one direction?

## **6. DEMERITS OF INSTITUTIONALIZED DISCRIMINATION**

The principle of equal opportunity can be used to defend many of the practices which take place in our institutions. For example, "last-hired-first-fired practices never make references to race, so how could it be discriminatory? If a white person is hired last, they will be treated the same as if they were black, and vice versa." This example and similar arguments rely on ignoring that the practice operates within a context of racial inequality. Given this context, the institutional discrimination serves to perpetuate and deepen injustice. The principle of individualism is sometimes used as a justification for cases of institutional discrimination. For example, a private business should have the right to screen candidates in whatever way it determines is most cost-effective, within reason. If using referrals from current hires is part of a recruitment strategy, then neither the government nor any other body has the authority to enforce a change in policy. Once again, this position does not take into account the context of inequality in which the practice is used. It can be shown that in many cases, this sort of policy keeps out members of underrepresented communities because in the first place they are not in employment and their connections to people of influence are weak or nonexistent.

Verge, (1994), argued that while crude biological explanations of racial difference are rare, cultural racism continues to explain inequality. For example, blacks are said to be underrepresented in microeconomics course because they are more interested in other subjects or they choose to spend more time on athletics over academic work because their culture overly values the former and inadequately celebrates the life of the mind. These views have clear roots in biological racism, blacks are still seen as lazy, and of a lowered IQ to the Whites so rules and regulations will be crafted in such a way that they are discriminated and have a limited access to certain degree or diploma courses in an educational institution.

Affirmative action leads to reverse discrimination. According to William, (2005), affirmative action is designed to end discrimination and unfair treatment of employees/students based on color, but it in effect does the opposite. Whites who work harder and/or are more qualified can be passed over strictly because they are white. Unfortunately, the way things are set up now, a poverty-stricken white student who uses discipline and hard work to become the best he can be can be passed over by a rich minority student who doesn't put in much effort at all. Affirmative action lowers standards of accountability needed to push students or employees to perform better. Although some students or employees are self-motivated, most people need an extra push or incentive to do their very best. By setting lower standards for admission or hiring, are we not lowering the level of accountability? We should reward hard work, discipline, and achievement; we should not reward a student simply because he or she is of a certain race, nor punish another student simply because he or she isn't.

When one is applying for a job or is filling out a college application, how often are is one asked about things like hair color, eye color, or height? Hair and eye color or height doesn't have any effect on one's ability to do a job or succeed at a school. There's no association between hair/eye color and intelligence, discipline, ambition, character, or other essentials. When minorities are given preferential treatment in admission or hiring practices, actually the message being send is that they are incapable of achieving on their own, so let us help them". Minority groups can as well achieve their goal through hard work and ability. It demeans true minority achievement; i.e. success is labeled as result of affirmative action rather than hard work and ability. If famous people like Condi Rice, Colin Powell, Barack Obama, Oprah Winfrey, or Herman Cain are asked how they got where they are, it is obvious that they achieved their success through hard work not

through affirmative action. These high achievers will be offended if their success is attributed to affirmative action. The same can be said of minority doctors, lawyers, business leaders, etc. People often believe that their achievements are a result of preferential treatment which is not necessarily the case.

Henry and Sears (2002) noted that once enacted, affirmative actions are tough to remove, even after the underlying discrimination has been eliminated. Racist attitude can dissolve over time, as has been the case in many countries. In almost all areas of the country, discrimination and racism are a thing of the past. A number of affirmative action policies remain in place, even when the vast majority of people would agree they're no longer necessary. Unfortunately, lawmakers move slowly and must haggle over everything.

There will also be important decision to be made regarding the intrinsic value of certain cultural customs, which are in conflict with the traditional values in any society. Should for instance, the Shona cultural practice of appeasement of one family by another using the girl child be permitted, if undertaken in accordance with traditional cultural beliefs? There are many more examples and if a determination has to be made it will have to be by the dominant culture, which in itself implies the concept of superiority. Inequality is inherent in many societies. If free enterprise is to be encouraged and individual effort rewarded this must logically be so. The question of equal access to higher status occupations or equal opportunity to accumulate wealth, the benchmark of a materialistic society, is one for society as a whole and not to be treated ethnically on a group by group basis. Orbe, and Harris. (2014), asserted that language maintenance and cultural preservation could in fact increase isolation and restrict such opportunities as participation in Legal, political, economic and educational institutions. Positive discrimination in favor of any group in respect of lands rights, scholarships, housing and health normally provokes resentment from other ethnic groups. There is always the hope that education will cure the ills in society, but hope and fine words are a poor alternative to definitive programmers. These have yet to be introduced comprehensively and their evolution lies in the future.

### **7. ADVOCACY AND LOBBYING AGAINST INSTITUTIONALIZED DISCRIMINATION**

The process of advocacy and lobbying are the cornerstone of achieving the eradication of institutionalized discrimination in institutions. The process of lobbying begins with people identifying problems of institutionalized discrimination that affect them, that is unequal opportunities, in enrollment, accommodation and other college resources. These people will then lobby and argue in favour of an inclusive legislation and equalization of opportunities in various areas of the college such as in the number of enrolled students from various ethnic groups, student accommodation and resources allocation in the college. The people who will be carrying out the lobbying can also participate in consultative forums where college policies and legislative processes are discussed so that they can work with college officials and educate them about policies and programs and to inform them of the negative impact of institutionalized discrimination. The people lobbying against institutionalized discrimination for instance can advocate for the construction of ramps, the provision of auxiliary aids and services for the disabled in the college. A case of successful lobbying was done in teachers colleges in Zimbabwe, where students are now allowed to fall pregnant and continue with their studies and are even given time to nurse their children. In universities in Zimbabwe students are allowed to fall pregnant but are not given time to go and nurse their children and this is an area where students can lobby and advocate for a change in policy so that university students can also enjoy the nursing time granted to teachers' colleges students. In Zimbabwe in the agriculture sector and in nursing, students who fall pregnant are forced to go for maternity leave even though they are feeling strong to continue with the course and unfortunately they will have to be back grouped when they rejoin for their courses. Students in these two sectors mentioned above can also lobby for a change in policy. A typical example of institutionalized discrimination is practiced by the Civil Service Commission in Zimbabwe which forces a pregnant employee who is joining the service to go on unpaid maternity leave for three months and if the employee does not go for the maternity leave, she will be charged with an act of misconduct. This is an area where females can lobby for the females to be paid even if they are just joining the civil service rather than to be expected to work for at least two years so that they can be granted maternity leave on full pay.

## 8. CONCLUSION

It is important to realize that although history is littered with examples of institutionalized discrimination, as members of society we should not just watch and do nothing about it but our duty is to try to reduce institutionalized discrimination as much as we can. Measures should be put in place to reduce if not to eliminate institutionalized discrimination in our schools, hospitals, churches and industries, to mention a few. The fight against institutionalized discrimination is my responsibility, your responsibility and our responsibility.

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