## A 21ST CENTURY THEOLOGICAL EXAMINATION OF RACISM: A WHITE PAPER PRESENTED TO THE TAKE 2 AMERICA FOUNDATION AND VARIOUS AFRICAN AMERICAN CHURCH ORGANIZATIONS IN METROPOLITAN ATLANTA

Howard C. Smith, II, et al.<sup>1</sup>

### **Abstract**

This paper discusses the concept of racism as a sin, defining it in various ways as understood through disparities within judicial, healthcare, legal, economic, environmental, education, theological, and employment related discrimination issues. In general, we have examined several aspects of racism and what conditions and occurrences throughout society have led to continued injustices amongst various ethnic groups today. We also touch on theological principles that have been taught against a number of acts of racism, and how these principles have been misunderstood by numerous organizations over the years with respect to fighting against racial inequalities. Finally, we also discuss and recommend what steps and actions can be taken to end institutionalized racism.

-

<sup>&</sup>lt;sup>1</sup> Howard C. Smith, II, Ph.D., is the Director/CEO, of LIFE Advocacy-Consulting Firm, Inc. (Loving Initiative for Equality). This is a "Civil and Human Rights organization geared towards

### **Racism Defined**

According to the authors of this paper, specifically Howard Smith, racism for some has been defined as hatred against a person due to the color of their skin. *The Merriam-Webster Dictionary* defines racism as: "a belief

\_

helping to empower underprivileged people in impoverished communities, while ending racial discrimination and social injustice for all humanity." is a nonprofit aimed at various initiatives involving community empowerment. He holds a political science PhD from Clark Atlanta University. Previous experience includes college teaching across multiple states, including Arkansas, several educator/administrator positions in Arkansas Public Schools, as well as working in numerous nonprofits/foundations nationwide. This paper is a collaborative effort with several other co-authors combining their expertise in several areas into a single paper on explaining how racism is a sin across a range of subjects.

Kornelius K. Neal, Sr., M.Div., is the current pastor of New Destiny Christian Methodist Episcopal Church in Pittsburgh, PA. He has served in various capacities at Morrow Grove, Temple of Love, and West Mitchell Street CME Churches. He holds a Master of Divinity Degree from the Interdenominational Theological Center in Atlanta, GA.

Guyma Noel, A.B.D., is currently Assistant Pastor at St. Joseph Catholic Church in Marietta, GA. He holds a Master of Arts Degree from Georgia State University in Political Science and is currently a Ph.D. student in Public Policy and Social Change at the Union Institute & University in Cincinnati, OH.

Frank Fuller, Ph.D., is currently an adjunct professor at Harrisburg University of Science and Technology, Philadelphia Campus, an adjunct professor at La Salle University, and a professional tutor at Holy Family University. He holds a political science PhD from Clark Atlanta University. Previous experience includes teaching at various colleges in Pennsylvania and New Jersey.

that race is the primary determinant of human traits and capacities and that racial differences produce an inherent superiority of a particular race."<sup>2</sup> Although the dictionary does not take the position of authority on trying to define the total meaning or even proper definition for the word's usage, it does recognize the belief that human traits will make one superior over another.<sup>3</sup> Therefore, for racism to exist within a society, then there must be the recognition of human difference, and from those distinctions, one is seen as superior over another, first by acknowledging a difference in their human traits and then defining their capabilities. The propagation of these racial distinctions is furthered through scientific racism. Both Nancy Leys Stepan and Sander L. Gilman<sup>4</sup> note how scientific racism has long been a Western intellectual tradition. Scientific racism has in fact been institutionalized within Western society, which includes the United States. In the past,

<sup>&</sup>lt;sup>2</sup> Merriam-Webster. "Racism." Retrieved July 7, 2020, from <a href="https://www.merriam-webster.com/dictionary/racism">https://www.merriam-webster.com/dictionary/racism</a>

<sup>&</sup>lt;sup>3</sup> Ibid.

<sup>&</sup>lt;sup>4</sup> Stepan, Nancy Leys, and Sander L. Gilman. "3. Appropriating the Idioms of Science: The Rejection of Scientific Racism." In *The Bounds of Race*, pp. 72-103. Cornell University Press, 2018.

science has used social knowledge artifactually, categorizing people into puerile identities. These categories would have "material weight in the lives of individuals and groups; racial identities were embodied in political practices of discrimination and law and affected people's access to education, forms of employment, political rights, and subjective experience."<sup>5</sup>

Racism within society affects people in several ways due to the human experience being comprehensive, which includes socially, politically, environmentally, financially, religiously, judicially, and medically. Thus, this paper seeks to examine:

- What is racism?
- How does it occur in society?
- What are theological principles against the acts of racism?
- What are steps and actions to be taken to end institutionalized racism?

On the notion of inherent superiority and inferiority, the American government in the past systematically justified racial enslavement and segregation. Current injustices

<sup>&</sup>lt;sup>5</sup> Ibid.

that exist within U.S. society reflect these past systems of institutionalized racism. There is much evidence showing current levels of systemic racism in education, healthcare, financial opportunity, social acceptance, social recognition, environmental inequality, and unfair treatment within the justice system.

In education, around 15% of the population is African American; however, they represent 36% of the student population that is expelled, and 35% suspended from school.<sup>6</sup> There is a significant level of Black students that experience race-based bullying, and it causes negative impacts to their mental and physical health. As recently as 2017, white patients received 40% better quality healthcare than that of African American and Native American patients. Regarding childbirth, black women are three to four times more likely to die from labor related deaths than white women, regardless of

<sup>&</sup>lt;sup>6</sup> Editors, Dosomething.org. "11 FACTS ABOUT RACIAL DISCRIMINATION and What You can do About It." Dosomething.org, July 2020.

https://www.dosomething.org/us/facts/11-facts-about-racial-discrimination#fn6

similar levels of income and education. Unemployment among African Americans is 50% higher than White Americans. African Americans are more likely to be employed in a job that is incompatible with their education levels than White Americans.<sup>7</sup>

In the occupational areas of management, business, and financial operations African Americans only represent 9.6% of the total workforce.<sup>8</sup> As chief executives, the rate of African Americans is 4.1%. The second highest area of employment for African Americans (next to services related to the post office) was bailiffs, correctional officers, and jailer at 34.2%. This is synchronic, given that African Americans are more likely to get arrested, convicted, and serve longer prison sentences than white Americans.<sup>9</sup> The relative frequency of arrest in the areas of murder, manslaughter, violent crimes, weapons possession, gambling, curfew and

<sup>7</sup> Ibid

<sup>&</sup>lt;sup>8</sup> Labor Force Statistics from the Current Population Survey. Retrieved from the U.S. Bureau of Labor Statistics on July 6, 2020. https://www.bls.gov/cps/cpsaat11.htm

<sup>&</sup>lt;sup>9</sup> DoSomething 2020.

loitering is extremely high in comparison to the total population of white Americans and African Americans in the country. African Americans are 6 times more likely to be arrested for drug use than their white counterparts. African Americans prison sentences are 19% longer for similar crimes committed by White Americans.

## **Racial Economic Disparities**

According to Frank Fuller and the other authors of this paper, redlining literally involves redlining African Americans or segregating them to neighborhoods to the extent that they were traditionally steered towards their own communities, as opposed to encouraging them to buy houses in white neighborhoods. A system was also in place that perpetuated the idea that African Americans were less reliable on paying back loans, and therefore, were less creditworthy. This, in turn, led to many African-Americans being moved towards higher-interest loans, buying older homes, and being referred to lenders for

<sup>&</sup>lt;sup>10</sup> Fryer Jr, R. G. *An Empirical Analysis of Racial Differences in Police Use of Force*. No. w22399. National Bureau of Economic Research, 2016. <a href="https://www.nber.org/papers/w22399.pdf">https://www.nber.org/papers/w22399.pdf</a>

<sup>&</sup>lt;sup>11</sup> DoSomething 2020.

mortgages, bank loans, or car loans with less reputable companies that charged higher rates compared to their white counterparts. One study by Allen Beck, Jennifer Karberg, and Paige Harrison<sup>12</sup> in Mississippi proved, through bank lending data over a period of time, that banks had high denial loan rates towards minorities and did not use fair judgement or equal lending practices on an even scale when compared to white borrowers.<sup>13</sup> Besides the significant rejection rate for home loans, the study also showed that low-income and minority populations were moved towards sub-prime lenders and other predatory borrowers; landlords also showed a large degree of bias towards black lenders overall to the extent that home repairs were not maintained at the same level that they were with other populations.<sup>14</sup>

Significant racial disparities can also be traced back to decades of discrimination and bias towards black

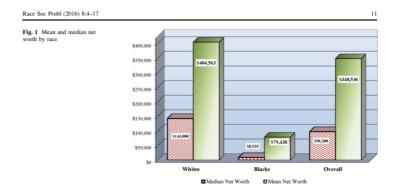
<sup>&</sup>lt;sup>12</sup> Beck, Allen J., Jennifer C. Karberg, and Paige M. Harrison. "Prison and Jail Inmates at Midyear 2001." *Bureau of Justice Statistics Bulletin* 1 (2002).

https://www.ssc.wisc.edu/~oliver/RACIAL/Reports/pjim01.pdf

<sup>&</sup>lt;sup>13</sup> Ibid.

<sup>14</sup> Ibid.

populations nationwide, such as the income gap between blacks and whites overall.<sup>15</sup> The income gaps between both groups have only grown wider over the last few decades, as a 2016 article by Cedric Herring et al. showed the mean net worth of whites to be \$404,563, versus \$79,438 overall for blacks.<sup>16</sup>



-

<sup>&</sup>lt;sup>15</sup> Nier III, C. L. "Perpetuation of Segregation: Toward a New Historical and Legal Interpretation of Redlining Under the Fair Housing Act." *J. Marshall L. Rev.* 32 (1998): 617. <a href="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr32&div=28&id=&page="https://heinonline.org/HOL/LandingPage"https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr34&div=28&id=&page="https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr34&div=28&id=&page="https://heinonline.org/HOL/LandingPage"https://heinonline.org/HOL/LandingPage?handle=hein.journals/jmlr34&div=28&id=&page="https://heinonline.org/HOL/LandingPage"https://heinonline.org/HOL/LandingPage?handle=hein.journals/handle=hein.journals/handle=hein.journals/handle=hein.journals/handle=hein.journals/handle=hein.journals/handle=hein.journals/handle=hein.journals/handle=hein.handle=he

<sup>&</sup>lt;sup>16</sup> Herring, C., & Henderson, L. "Wealth Inequality in Black and White: Cultural and Structural Sources of the Racial Wealth Gap." *Race and Social Problems* 8, no. 1 (2016): 11. <a href="https://link.springer.com/content/pdf/10.1007/s12552-016-9159-8.pdf">https://link.springer.com/content/pdf/10.1007/s12552-016-9159-8.pdf</a>

17

One might agree that these are major income gaps that should be addressed at large, as for their root causes and origins, which include multiple factors and a history of discrimination, bias in lending practices, and lack of investment opportunities, in addition to other factors, perhaps contributing to these issues.<sup>18</sup>

## **Brief History of Institutionalized Racism**

According to the authors of this paper, including Howard Smith, similar disparities have existed in the United States since its founding, especially due to the institutionalization of racism through slavery and legalized segregation. These kinds of acts of injustice were justified within the United States through the belief and concept of white superiority and black inferiority. As described, racism has been a part of the nation's founding and has continued systematically through its resemblance to the U.S. system of slavery:

<sup>17</sup> Ibid.

<sup>&</sup>lt;sup>18</sup> Herring et al. 2016..

Slavery was America's "original sin." It was not solved by the framers of the U.S. Constitution, nor was it resolved by the horrendous conflict that was of the American Civil War. It simply changed its odious form and continued the generational enslavement of an entire strata of American society.<sup>19</sup>

This systematic racism is "baked into nearly every aspect of our society and who we are as a people." When chattel slavery is introduced in North America, persons of African descent are designated as inherently inferior and therefore should be placed in servitude for the remainder of their life. This in fact became "a racially defined system of perpetual involuntary servitude that compelled almost all black people to work as agricultural laborers. Slave codes would further expand racial discriminative practices to control every aspect of African Americans

<sup>&</sup>lt;sup>19</sup> Allen, J. R. "How We Rise, Systemic Racism and America Today." Brookings Institution, June 2020. https://www.brookings.edu/blog/how-we-rise/2020/06/11/systemic-racism-and-america-today/

<sup>&</sup>lt;sup>20</sup> Ibid.

<sup>&</sup>lt;sup>21</sup> Hine, Darlene Clark, William C. Hine, Stanley Harrold. "Black People in Colonial North America." In *The African-American Odyssey*. Upper Saddle River, NJ: Pearson Prentice Hall, 2010, 58-59.

and exploit their labor."22 Bacon's Rebellion furthered encouraged the ideology of white supremacy and black inferiority by discouraging poor whites from establishing an interracial alliance. Following the protest, white indentured servitude was discouraged, and African American enslavement was heightened; this increased the perception that White American prosperity rested on denving African Americans freedom. It further established the notion that White American prosperity was linked to the economic exploitation of African Americans and labor.<sup>23</sup>

After the ending of slavery in the United States, the country would continue systematic racism through black codes to deny African Americans citizenship, legal, and political rights. Black codes were instituted to ensure that the newly freed African Americans would continue to supply an exploited labor force. In every aspect of life, from owning a business, employment, education, and social activity, the Black codes restricted African

<sup>&</sup>lt;sup>22</sup> Hine, 59.

<sup>&</sup>lt;sup>23</sup> Hine, 61.

Americans from rights and freedoms allowed to their white counterparts.<sup>24</sup> As explained, "In the years following Reconstruction, the South reestablished many of the provisions of the black codes in the form of the so-called "Jim Crow laws." These remained firmly in place for almost a century. Black Codes continued the ideals and practices of white supremacy following the Civil War.<sup>25</sup>

Pseudoscientific evidence, along with academic scholarship, supported specific ideals drawn from white supremacy. Social Darwinism declared that many European immigrants and most African Americans were poor and unlikely to succeed because they were "unfit." Superiority was asseverated by the accumulation of financial wealth, causing anything in comparison to be inferior. Noted as the "white man's burden", this seethed competition gave birth to the need to dominate, suppress, and exploit the freedoms or rights of others, as well as

<sup>&</sup>lt;sup>24</sup> Hine et al., 310.

<sup>&</sup>lt;sup>25</sup> Editors, History.com. "Black Codes." History.com, July 15, 2020. <a href="https://www.history.com/topics/black-history/black-codes">https://www.history.com/topics/black-history/black-codes</a>

<sup>&</sup>lt;sup>26</sup> Hine et al., 380-381.

labor. Black people became ranked at the bottom of this perceived hierarchy.<sup>27</sup> As Stephan's and Gilman's<sup>28</sup> research shows, scientific racism came to influence several constructs of the human experience throughout the nineteenth century, twentieth century and present-day society. What is interesting to note is that African Americans did not evolve or dissolute to a system of chattel slavery; this was forced upon them through the Westernization of economical practices made new to the human experience, which have its origins in the colonization of North America. Persons inhabiting the African continent had flourishing economic systems, civilizations, and social structures that were disupted by the Transatlantic Slave trade. The system of chattel slavery brought by European Enslavers exploited labor, which offered them generational wealth and financial security. Therefore, by maintaining a system of exploited labor, white superiority would continue. As explained by Walter Rodney, this form of exploitation "did not merely enrich their own empires but reversed economic and

<sup>&</sup>lt;sup>27</sup> Ibid

<sup>&</sup>lt;sup>28</sup> Stephan and Gilman, 1991.

social development in Africa."<sup>29</sup> Additionally, "in his extensive account of African history from the early African empires through to the modern day, Rodney shows how the West built immense industrial and colonial empires on the backs of African slave labor, devastating natural resources and African societies in the process."<sup>30</sup>

Even after enslavement, African Americans later sought independent economic empowerment but were encouraged to serve the manual labor supply of white supremacist financial structures. What later became known as the Hampton Model was dominated by the thinking of Samuel Chapman Armstrong, who taught African Americans to seek education in manual labor positions that did not require critical or independent thinking.<sup>31</sup> African Americans were discouraged from participating in politics and to embrace Jim Crowism racial practices. In every aspect of society, African

<sup>&</sup>lt;sup>29</sup> Wengraf, Lee. "How Europe Underdeveloped Africa: The Legacy of Walter Rodney." *Roape. net. Routledge Taylor and Francis Group*, 2017. <a href="http://roape.net/2017/06/16/europe-underdeveloped-africa-legacy-walter-rodney/">http://roape.net/2017/06/16/europe-underdeveloped-africa-legacy-walter-rodney/</a>

<sup>30</sup> Ibid.

<sup>&</sup>lt;sup>31</sup> Hine et al., 380-381.

Americans were given to be inferior or unequal to their white counterparts.<sup>32</sup> Similar disparities exist today, as previously discussed, through data showing occupational areas of employment being limited to manual labor among African Americans.

## **Theological Analysis of Racial Injustice**

Kornelius K. Neal, Sr., and this paper's authors argue that the purpose of this work is to help one understand racism as a sin and how it vehemently contradicts Christianity, both in its practical and theological implications. Racism in Western Culture finds its roots permeated in the political, economic, and societal framework of America and for many years was justified by the mere foolish hatred of a people that White Americans did not understand.

At its inception and soon thereafter, several United States lawmakers, specifically those in Virginia, suggested that Africans were less than human and void of all intellectual stamina and vigor:

<sup>&</sup>lt;sup>32</sup> Ibid.

Some planters went further than the Virginia legislators and argued that the Africans were incapable of instruction, not only because of cultural difference but because of racial distinctions. The eminent philosopher Bishop Berkeley complained in 1731 about the American colonist that their "ancient antipathy to the Indians...together with an irrational contempt for Blacks, as creatures of another species, who had no right to be instructed or admitted to the sacraments; have proved a main obstacle to the conversation of these poor people.<sup>33</sup>

While defenses were made in favor of Blacks in America, the knife had already been driven into the backs of those who were seen as less than second class citizens or human at all. In addition to the secular implementation of racism in America, the pulpit was frequently fueled with the misinterpretation of the biblical text with such scriptures as Ephesians 6:5: "Slaves, Obey your earthly masters with respect and fear, and with sincerity of heart, just as you would obey Christ," and Colossians 3:33: "Slaves, obey your earthly masters in everything; and do it, not only when their eye is on your and to curry their favor, but with

<sup>&</sup>lt;sup>33</sup> Raboteau, A. J. *Slave Religion: The "Invisible Institution" in the Antebellum South.* New York: Oxford University Press, 1978, 100.

sincerity of heart and reverence for the Lord."<sup>34</sup> Such teachings have been weaved into the fabric of American thought and have helped set the foundation for the uphill battle of fighting racism in the present time.

The theological position of the African Americans in America and the world rests in the notion that Christianity is a method of survival for those who have been systematically burdened.<sup>35</sup> If one's faith is a method of survival, one must then ask, what is there to survive; what forces, then and now, have pressed upon the lives of the underserved--that single handed, multifaceted force is racism. Howard Thurman states the perceived adulterous duality of the interpretation of the Biblical text deepens the plot by aiming the sights of African Americans towards love, forgiveness and heaven but never forcing Whites or those doing the interpreting to do the same thing.<sup>36</sup> Instead, the larger majority understands their role

<sup>&</sup>lt;sup>34</sup> Bible, Holy. "New International Version: Biblica." (2011). BibleGateway.com.www.biblegateway.com/versions/New-

International-Version-NIV-Bible/#booklist

<sup>&</sup>lt;sup>35</sup> Thurman, Howard. *Jesus and the Disinherited*. Beacon Press, 1996, 29.

<sup>36</sup> Ibid.

to be the Slave Master, of which the slave is to follow and concur to whom the concurred should submit. The violent understanding of the text is justified by the majority while the non-violent, passive interpretation is forced upon everyone else.

### **Racial Discrimination in Healthcare**

According to Howard Smith and the authors of this paper, the lack of financial resources can affect a person's access to quality healthcare. It is interesting to note that "consensus has not emerged regarding the causes of disparities, they are generally thought to be related to sociocultural, behavioral, economic, environmental, biologic, or societal factors." Angela Davis explains that:

Slavery was "personally swallowed up in the sordid idea of property-manhood lost in chattelhood. But there were no preexistent social structures or cultural dictates that might induce reconciliation to the circumstances of their

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1550690/

<sup>&</sup>lt;sup>37</sup> Gibbons, M. C. "A Historical Overview of Health Disparities and the Potential of eHealth Solutions." *Journal of Medical Internet Research* 7, no. 5 (2005): e50.

bondage. On the contrary, Africans had been uprooted from their natural environment, their social relations, their culture.<sup>38</sup>

Davis<sup>39</sup> explains in her research how during slavery, African American women were not allowed matriarchy structures, nor the ability to offer true financial security and protection for their children. This similar sentiment echoes throughout history for African Americans in the healthcare system. Research has shown the convergence and importance of socio-environmental effects determining health outcomes within the United States.<sup>40</sup> A recent report done by the Harvard Medical Practice Study showed that there are large differences in medical practices towards African American patients. These practices have been classified as substandard

<sup>&</sup>lt;sup>38</sup> Davis, A. "Reflections on the Black Woman's Role in the Community of Slaves." *The Massachusetts Review* (1972): 81-100. <sup>39</sup> Ibid.

<sup>&</sup>lt;sup>40</sup> Prather, Cynthia, Taleria R. Fuller, William L. Jeffries IV, Khiya J. Marshall, A. Vyann Howell, Angela Belyue-Umole, and Winifred King. "Racism, African American Women, and Their Sexual and Reproductive Health: a Review of Historical and Contemporary Evidence and Implications for Health Equity." *Health Equity* 2, no. 1 (2018):249-259.

https://www.liebertpub.com/doi/full/10.1089/heq.2017.0045

care.<sup>41</sup> Differences usually have been in the areas of: (1) environmental exposures, (2) health care access, utilization, or quality, (3) health status, or (4) health outcomes.<sup>42</sup> In fact, "The committee found that, within the United States, even among individuals with access to care, significant racial and ethnic disparities indeed existed" and "were related to historic and contemporary social and economic inequality, discrimination, and a fragmented US system of health care."43 The study further shows that four periods of adverse, lived personal experiences and health exposures have caused negative effects to African American Women's sexual and reproductive health. These periods are American Chattel Slavery (1619-1865), Black Codes/Jim Crow (1865-1965), the Civil Rights Era (1955-1975), and the Post Civil Rights era (1975-2018). Generations of non-consensual medical experiments, poor and ill-equipped medical care, targeted sterilizations, hysterectomies, and other forms of discrimination were rampant. According to the study,

<sup>&</sup>lt;sup>41</sup> Ibid.

<sup>&</sup>lt;sup>42</sup> Ibid.

<sup>&</sup>lt;sup>43</sup> Ibid.

African American women were two to three times more likely to have pelvic inflammatory disease that could lead to pregnancy complications and infertility. The preterm rate for black infants was 60% higher than white infants, showing higher morbidity and mortality rates for African American pregnancies. African American women are more likely to have delayed HIV treatment compared to women of other races.<sup>44</sup> In fact, the research shows that:

African American women had a three to four times higher risk of pregnancy-related death at every age interval compared with women of other races. African American women also have increased risk for pregnancy-related hypertension and chronic hypertension. Importantly, this increased risk of mortality suggests that African American women are less likely to receive quality prenatal care and other preventive services (e.g., preconception health counseling and quality care for pre-existing medical conditions such as hypertension).<sup>45</sup>

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

# Theological Analysis of Racial Discrimination in Healthcare

According to Kornelius Neal and the authors of this paper, The Parable of the Good Samaritan is quoted in Luke 10:25-37.46 This particular set of passages is arguably the greatest misinterpretation of race in the bible. There are several lessons to be learned from the parable. but the primary lesson is that of race, perception of race and race relations. The story of the good Samaritan is careful to identify persons of different races or sects. The parable is understood as the Good Samaritan because historically, Samaritans were thought to have been bad people. Had Samaritans been known as ordinary, respected citizens, the term Good would not need to serve as the qualifying adjective. The treatment of the image of the Samaritan can be likened to the media's modern treatment of African Americans: "Television news was compared to coverage of the same stories in Chicago's two major daily newspapers for the same period. In most cases, stories covered by at least one television station"

-

<sup>&</sup>lt;sup>46</sup> Dennis, Clyde H. *ESV: Study Bible: English Standard Version*. Wheaton, Ill: Crossway Bibles, 2007.

were "also reported by at least one newspaper. Among the poverty-related stories appearing on television, which ignored only seven, the Sun-Times ignored ten." The media, regardless of platform or era, has always chosen a population of people to degrade and cast a dark shadow upon. The Samaritans were victims of bad P.R from the upperclassmen of society. Jesus' goal in this parable was indeed to promote good behavior, but it was to also show how those who are often cast aside are more caring than those who have done the casting. This story single handedly did two things.

- 1) It places everyone on the same playing field by pointing towards the nature of those whom society wants nothing to do with.
- 2) It provides the majority with an opportunity to understand themselves as part of the problem as it pertains to race and race relations.

In modern culture, the parable of the Good Samaritan has made its way into the law books on almost

<sup>&</sup>lt;sup>47</sup> Entman, Robert M., and Andrew Rojecki. *The Black Image in the White Mind*. University of Chicago Press, 2010, 99.

every continent on Earth, as a way of enticing people to help others in times of need. The problem is that it fails in its implementation to highlight the great acts of the disinherited. The law now opens the door for anyone to be the "Good Samaritan" while never explaining that the Samaritan of the Bible is the Black, Latino, Asian and middle easterner of our modern culture who is intentionally cast with negativity and deserves to be seen in a positive light. Jesus' approach to healthcare was very simple: make it available to all, regardless of a person's economic, intellectual position or racial heritage. One can find Jesus healing the sick on several occasions. A conservative or traditional interpretation of these moments of healing would liken each instance to that of the Lepers being healed or Lazarus being brought back from the dead, where it is evident that Jesus performed a miracle, an act beyond ordinary human capabilities. While such events did happen, Jesus also provided universal healthcare for those who were ill of ordinary measures but were denied access to the healthcare system. We find such instances in that evening where many demon-possessed people were brought to Jesus. He cast

out the evil spirits with a simple command, and he healed all of the sick, in Luke 9:11: "But the crowds found out where he was going, and they followed him. He welcomed them and taught them about the Kingdom of God, and he healed those who were sick" and Mark 3:10: "He had healed many people that day, so all the sick people eagerly pushed forward to touch him." The acts documented above are an indictment against a system that refused to help those in need. One would typically assume that those sick persons were bogged down with life threatening incurable illnesses, but realistically, Jesus healed those who were wrought with health concerns that could have been easily solved by the modern science of their time, had such methods been made available

#### **Environmental Racial Discrimination**

According to Frank Fuller and the authors of this paper, a history of discrimination, blighted neighborhoods, and pollution abounds throughout the

<sup>&</sup>lt;sup>48</sup> Tyndale House Publishers. *Holy Bible: New Living Translation*. Wheaton, Ill: Tyndale House Publishers, 2004.

<sup>&</sup>lt;sup>49</sup> Ibid.

more vulnerable members of society, particularly those with fewer resources who are primarily members of minority groups. This is, not surprisingly, the result of many years of discriminatory policies in housing and moving toxic waste sites over to areas where people have less of a political voice to advocate or influence the fight against such injustices. Environmental justice generally involves the types of policies where companies are willing to ignore the effects of pollution, while simultaneously, also striking deals with local civic leaders in impoverished urban areas because the land is cheap, the utilities are deregulated due to bankrupt or declining municipalities in need of cash.<sup>50</sup> and the almighty dollar rules (and where land and access to privilege or power is limited because of historical policies towards compartmentalizing minorities into neighborhood sites and the remnants of old factories, for example), not the least of which South

<sup>&</sup>lt;sup>50</sup> Sze, J. Noxious New York: The Racial Politics of Urban Health and Environmental Justice. MIT Press, 2006. <a href="https://books.google.com/googlebooks/images/kennedy/insert\_link.png">https://books.google.com/googlebooks/images/kennedy/insert\_link.png</a>

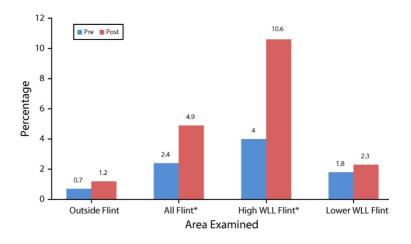
Phoenix, Arizona,<sup>51</sup> and Oak Point, the Bronx, New York,<sup>52</sup> and Flint, Michigan, have proven to be such examples.<sup>53</sup> The local water source in Flint was generally regarded as polluted from many years of industrial waste and automobile factories using the area as a dumping ground instead of establishing sound environmental policies in place, or there was simply a lapse in judgement from both local politicians and unscrupulous businessmen ignoring these environmental effects.<sup>54</sup> Such poor judgement on the part of persons at both the state and local community has also caused a number of health problems to families living in the area when the city switched to the local water source instead of pumping water in from

<sup>&</sup>lt;sup>51</sup> Bolin, B., Grineski, S., & Collins, T. "The Geography of Despair: Environmental Racism and the Making of South Phoenix, Arizona, USA." *Human Ecology Review* 12, no. 2 (Winter 2005): 156-168. <a href="https://www.jstor.org/stable/24707530?seq=1">https://www.jstor.org/stable/24707530?seq=1</a>

<sup>&</sup>lt;sup>52</sup> Sze 2006.

Hanna-Attisha, M., LaChance, J., Sadler, R. C., & Champney Schnepp, A. "Elevated Blood Lead Levels in Children Associated with the Flint Drinking Water Crisis: a Spatial Analysis of Risk and Public Health Response." *American Journal of Public Health* 106, no.
 (2016): 283-290. <a href="https://ajph.aphapublications.org/doi/full/10.2105/ajph.2015.303003">https://ajph.aphapublications.org/doi/full/10.2105/ajph.2015.303003</a>
 Pellow, D. N. "The Politics of Illegal Dumping: An Environmental Justice Framework." *Qualitative Sociology* 27, no. 4 (2004): 511-525.

outside (Detroit-supplied Lake Huron water was switched to water from the Flint River).<sup>55</sup> As a result of such policies in the last decade, the lead levels have increased in children's blood (Ward Blood Lead Level or WLL) who live in many areas of Flint, which continues to contribute to further health complications throughout their lives.



56

Besides lead levels in water, other environmental justice issues of concern also relate to air quality.

<sup>55</sup> Hanna-Attisha et al. 2016.

<sup>&</sup>lt;sup>56</sup> Ibid.

Pollution has continued to be a problem in some poor neighborhoods of large cities with high exposure to vehicle pollutants, or next door to industrial, chemical, or fossil-fuel processing facilities. Sometimes, what often happens is that backroom deals occur in secret or loopholes are discovered to skirt local environmental regulations. The density of traffic, coupled with the location of public housing projects near roadways or hightraffic areas, for example, creates additional problems.<sup>57</sup> In general, minority communities have much higher levels of exposure on average in some major metropolitan areas than other communities. One example by Bob Bolin et al. 58 confirmed these findings about air pollution exposure in a study done by Arizona State University and the St. Luke's Health Initiative in metropolitan Phoenix, Arizona.

<sup>&</sup>lt;sup>57</sup> Houston, D., Wu, J., Ong, P., & Winer, A. "Structural Disparities of Urban Traffic in Southern California: Implications for Vehicle-Related Air Pollution Exposure in Minority and High-Poverty Neighborhoods." *Journal of Urban Affairs* 26, no. 5 (2004): 565-592. <a href="https://onlinelibrary.wiley.com/doi/abs/10.1111/j.0735-">https://onlinelibrary.wiley.com/doi/abs/10.1111/j.0735-</a>

<sup>2166.2004.00215.</sup>x

<sup>&</sup>lt;sup>58</sup> Bolin et al. 2007.

Further research by Robert Bullard and Glenn Johnson<sup>59</sup> also confirms that environmental justice involves a complex web of institutionalized racism or sectioning off areas to waste disposal that disproportionately affects minority communities more than others. These and other reasons are why and how grassroots activism has grown in some of these urban communities in recent decades to empower locals to take action to fight back against such areas of injustice.<sup>60</sup>

# Theological Analysis of Environmental Racial Injustice: Policy Review: Flint Michigan

Guyma Noel and the other authors of this paper state that the Flint Water Crisis is an important illustrative exhibit of environmental [systematic] racism that displays irreconcilable differences between the biblical theological principles and environmental issues affecting the Flint African American community. Environmental

https://spssi.onlinelibrary.wiley.com/doi/abs/10.1111/0022-4537.00184

<sup>&</sup>lt;sup>59</sup> Bullard, R. D., & Johnson, G. S. "Environmentalism and Public Policy: Environmental Justice: Grassroots Activism and its Impact on Public Policy Decision Making." *Journal of Social Issues* 56, no. 3 (2000):555-578.

<sup>60</sup> Ibid.

[systematic] racism refers to the many ways that communities of color—in the United States, Black communities in particular—face greater harm from environmental factors - meaning that people of color are often concentrated in neighborhoods that have frequently been disempowered, both politically and financially.<sup>61</sup> According to the recent language of Catholic Social Synod in the Amazon document.<sup>62</sup> teaching environmental systemic racism is characterized as an "ecological sin" manifested in acts and habits of contamination and destruction of the harmony of the environment, a transgression of the principle of interdependence and rupture of the solidarity networks between creatures, specifically between diverse human communities. As for the Flint water crisis, Christians are forced to grapple with two important questions in terms of what the bible teaches about ethical obligation and

<sup>&</sup>lt;sup>61</sup> Berkovitz, Casey. "Environmental Racism Has Left Black Communities Especially Vulnerable to COVID-19." The Century Foundation,2020. <a href="https://tcf.org/content/commentary/environmental-racism-left-black-communities-especially-vulnerable-covid-19/">https://tcf.org/content/commentary/environmental-racism-left-black-communities-especially-vulnerable-covid-19/</a>

<sup>&</sup>lt;sup>62</sup> Paul, Lissy. "Ecological Sin in the Amazon Synod." *Light of Truth*, 2019. <a href="http://lightoftruth.in/questions/ecological-sin-amazon-synod/">http://lightoftruth.in/questions/ecological-sin-amazon-synod/</a>

mandate to care for one another in the creative act of God (Collective responsibility) and how God does not tolerate domination of one race over another (Domination vs. subordination). These fundamental questions are linked to the notion of environmental justice, which calls for not only "universal protection from nuclear testing, extraction, production, disposal of toxic and or hazardous wastes and poisons, and nuclear testing that threaten the fundamental right to clean air, land, water and food," but also the systematic inclusion of people of every race into leadership roles in decisions regarding the production of environmental conditions that affect their lives and livelihoods. 64

The bible says that God created the heavens and the earth (Gen 1:1), and handed the earth over to us, humanity, as a special place to breathe a decent fresh air,

<sup>&</sup>lt;sup>63</sup> Clemence, Makamure. "Environmental Justice for Sustainable Development: A Biblical Perspective." *Global Journal of Interdisciplinary Sciences* 4, no. 3 (2015): 33-38.

<sup>64</sup> Bullard, Robert D. *Environment and Morality: Confronting Environmental Racism in the United States*. United Nations Research Institute for Social Development, 2004. http://www.unrisd.org/80256B3C005BCCF9/(httpAuxPages)/543B2B250E64745280256B6D005788F7/\$file/bullard.pdf.

to have a balanced interrelationship with the environment and to play a co-responsible stewardship role in relation to one another (Gen 1: 28-31).65 In Genesis 1:27, God in the Garden of Eden (Gen 2:8-15), God introduces humanity with an awesome responsibility in terms of providing safety and security for all, not for an exclusive group. 66 Here, the book of Genesis calls us to cultivate a sense of "collective responsibility" for one another, which suggests that the environmental hazards and lead contamination associated with the Flint water crisis are a clear violation of such a biblical principle. In terms of environmental distributive justice, the Flint community of color should not have experienced the disproportionate of environmental distribution hazards. Such disproportionate distribution is not a surprise, considering the empirical claim of many researchers, who suggest that communities of color are targeted for hazardous waste sites, polluting industrial facilities, and other locally unwanted land uses (LULUs) because they lack the resources and political clout to fend off the siting of such

<sup>65</sup> Clyde 2007.

<sup>66</sup> Ibid.

facilities<sup>67</sup>; they are often seen as the "paths of least resistance" by industry and government.<sup>68</sup> According to the Michigan Civil Rights Commission, the delivery of contaminated water (including the decision to use the Flint River as a water source, in spite of the pollutants it contains and the subsequent decision not to treat the water with anti corrosion chemicals) to the people of Flint is an iniustice perpetrated environmental against community. Basically, it is not God's intention for the Flint community in Michigan to drink Flint's leadcontaminated water. The right to clean, healthy, safe water is certainly a biblical, fundamental right that every individual is entitled to, including minority members in the Flint community.

Furthermore, God's word in Genesis 1:27 announces that "all men and women are created in God's image; not just some races and racial types, but all bear

-

https://www.michigan.gov/documents/mdcr/VFlintCrisisRep-F-

<sup>&</sup>lt;sup>67</sup> Michigan Civil Rights Commission. 2017. *The Flint Water Crisis: Systemic Racism Through the Lens of Flint.* Michigan Civil Rights Commission, 2017.

Edited3-13-17\_554317\_7.pdf

<sup>68</sup> Ibid.

the imprint of the Creator and are enlivened by the breath of His one Spirit."69 Basically, the Flint residents are created in the image of God, according to Gen 1:27. It presupposes that they should have been treated accordingly in the context of Flint's water management. This environmental injustice is reported to have been clearly persistent in the way that the Flint residents (African American majority) were treated within the larger context of decision-making within governance. When the Governor of Michigan overrode the elected democratic government in Flint by giving power to an appointed emergency manager in the name of fiscal responsibility, he clearly rejects the basic value of Genesis 1:27 where public policy should be based on mutual respect and justice for all people, free from any form of discrimination or bias. 70 Whether unintentionally or intentionally, the Governor of Michigan's decision to override the elected democratic government in Flint by giving power to an appointed emergency manager

<sup>&</sup>lt;sup>69</sup> Bishops, US Catholic. "Brothers and Sisters to Us." *Pastoral Letter, United States* (1979).

<sup>&</sup>lt;sup>70</sup> Clemence 2015.

stripped the Flint residents of their ability to influence decision making at the local level. Hammer's literature suggests that a predominantly prosperous White community's complaints based on the knowledge of contaminated water alone would have forced change.<sup>71</sup> Accordingly, race matters in terms of who has the power to bring about change. Thus, a theological problem is noticeable.

Theologically speaking, the mere fact that God creates humanity in the image of God's self (Gen 1:27),<sup>72</sup> every human being, no matter his/her racial background, deserves not only a place of dignity and respect within God's creation, but also the fundamental right to political, economic, cultural and environmental self-determination. Such a biblical principle affords every person the ability to participate, as equal partners, in decision making regardless of race, color, national origin or income.<sup>73</sup> In

<sup>&</sup>lt;sup>71</sup> Hammer, Peter J. "The Flint Water Crisis, the Karegnondi Water Authority and Strategic–Structural Racism." *Critical Sociology* 45, no. 1 (2019): 103–119.

<sup>&</sup>lt;sup>72</sup> Clyde 2007.

<sup>&</sup>lt;sup>73</sup> Hammer 2019.

fact, this biblical principle can even lead us to raise certain questions: How would Flint's water management be different if Christians in the decision-making process saw, with resolute clarity, the image of God in the minority residents? How would the health of minority children of Flint, Michigan, be different if Christians in the Governor's office were to show reverence to that image of God in everything they thought and decided? This is to say that the emergency management decision violates the divine principle by not allowing the Flint residents to voice their concerns with respect to water contamination or lead poisoning.

Furthermore, the body of theological Christian doctrine demonstrates that every single community on the surface of the earth is valuable to God, who continues to create, sustain, and redeem the whole. That said, the environmental racism that affects the Flint residents is antithetical to the theological truth of the Christian doctrine. Mark 12, 30-31 says the following: "Love the Lord your God with all your heart and with all your soul and with all your mind and with all your strength. 'The

second is this: 'Love your neighbor as yourself.' There is greater these."74 commandment than The no decision-makers, governmental if they identify themselves as Christians, are basically challenged by these two basic commandments. However, empirical evidence has shown that those charged with guarding the public good, including public health, have not let the realization of these commandments sink into their consciousness 75 76

Environmental racism, which occurs when people of color in Flint Michigan repeatedly suffer disproportionate risks and harm from policies and decisions that equally benefit all, is antithetical to the biblical Johannine corpus letter of love. In 1 John 4:7, John says: "Beloved, let us love one another, for love is from God, and whoever loves has been born of God and

<sup>&</sup>lt;sup>74</sup> Clyde 2007.

<sup>&</sup>lt;sup>75</sup> Muhammad, Michael, E. Hill De Loney, Cassandra L. Brooks, Shervin Assari, DeWaun Robinson, and Cleopatra H. Caldwell. ""I think That's All a Lie... I Think It's Genocide": Applying a Critical Race Praxis to Youth Perceptions of Flint Water Contamination." *Ethnicity & Disease* 28, no. Suppl 1 (2018): 241-46.

<sup>&</sup>lt;sup>76</sup> Michigan Civil Rights Commission 2017.

knows God."<sup>77</sup> Even before that, 1 John 2:4 says: "If anyone says, 'I know Him,' but does not keep His commandments, he is a liar, and the truth is not in him. Although not explicit, the Johannine love must be an experiential love.<sup>78</sup> How experiential should this love principle be during the Flint water management crisis? The antidote of experiential love is the ecological sin perpetrated against the Flint residents. The injustice is even greater when the benefits of those policies and decisions harm people of color while disproportionately benefiting others. Certainly, the top-down decisionmakers exercised in the authority management have failed to respect the Flint residents' right to participate as equal partners at every level of decision-making, including planning, implementation, needs assessment. enforcement, and evaluation. In addition to the Johannine experiential love, John's Gospel helps us assess the lack of relational love in the Flint water management process. John 4, 1-26 speaks of such a relational love when Jesus tries to talk with a marginalized Samaritan woman. Here,

\_

<sup>&</sup>lt;sup>77</sup> Clyde 2007.

<sup>78</sup> Ibid.

The Johannine periscope raises a real challenge to white Christians who are blind of environmental systemic racism:

"7 When a Samaritan woman came to draw water, Jesus said to her, "Will you give me a drink?" 8 (His disciples had gone into the town to buy food. The Samaritan woman said to him, "You are a Jew and I am a Samaritan woman. How can you ask me for a drink?" (For Jews do not associate with Samaritans.) 10 Jesus answered her, "If you knew the gift of God and who it is that asks you for a drink, you would have asked him and he would have given you living water."

Basically, this periscope through which we view John's Gospel shows that God does not have a racially motivated agenda in God's creative act. Rather, God expects human creatures to treat one another as equal partners with dignity. The truth is that Jesus breaks the racial divide between the Samaritans and the Jews in the Bible by asking the Samaritan woman for some fresh water. Jesus can be assumed to come to the Flint residents'

<sup>&</sup>lt;sup>79</sup> New International Version 2011.

door and ask for some fresh water, a water full of toxins and environmental hazards. If the water management authority does not take Flint residents' concerns into consideration, where would they find fresh non contaminated water to give to him? What is clear is that Jesus urges white Christians in the top decision making process in the Governor's office to make environmental racism a major theological issue and center their practice and theology "on holistic justice" -a "quality existence not just for Whites or for Blacks but for all, not just for human beings but for nonhuman creatures too. 80 Also, John 13:34 says: "A new commandment I give you: Love one another. As I have loved you, so also you must love one another."81 Here John shows that God is relational, not individualistic or egoistic. Here, Sittler's writings confirm John's relational love: Panu Pihkala<sup>82</sup> explains: "God gave humans and the rest of nature the ability 'to respond

<sup>&</sup>lt;sup>80</sup> Spencer, Marguerite L. "Environmental Racism and Black Theology: James H. Cone Instructs Us on Whiteness." *University of Saint Thomas Law Journals* 5, no. 1 (2008): 288-311.

<sup>&</sup>lt;sup>81</sup> Dennis, Clyde H. *ESV: Study Bible: English Standard Version*. Wheaton, Ill: Crossway Bibles, 2007.

<sup>&</sup>lt;sup>82</sup> Pihkala, Panu. "Recognition and Ecological Theology." *Open Theology* 2, no. 1 (2016).

to each other in love." Again, Sittler's writings continue to implicitly confirm John's Gospel: "If humans behave justly towards a place or an environment, 'according to its given ecological structure as a place for multiple forms of life ... then in a blunt and verifiable way we are [justified] by grace even in our relation to the things of nature."83 In the logic of Sittler's integrated ideas, environmental justice requires the ongoing desire to do more justice to the "other" and to be ready to critically examine one's own conscience with respect to the distribution of environmental hazards and air pollution. The lack of response to the concerns of Flint's residents is a clear antidote to Christian love, which is rooted in God's relational love, and that is a reasonable extension of love to the whole creation. It is a question of environmental collective responsibility for one another in terms of respect and acknowledgement of the difference between self and others. Therefore, the environmental racism against Flint's residents presupposes an intrinsic moral evil because it leads to a limited understanding of the

<sup>83</sup> Pihkala 2016, 945.

otherness and characteristics of the other.

indicated, insights from the Bible and theological thoughts suggest that there is a relationship environmental justice and human responsibility. It means that examples from the Bible show that environmental systemic racism, which denies a marginalized population the right to enjoy respect and recognition in the decision-making process of things that implicate their livelihoods, is an intrinsic moral evil. Interestingly, as for the case of the Flint water crisis, there is a "What if" question that emerges in the whole process. What if it were in the white neighborhood--would the concerns of white citizens be ignored? Such a "what if" question presumes the existence of racial prejudice in the whole process of Flint's water management. The Michigan Civil Rights Commission<sup>84</sup> empirically claims that historical, structural, and systemic racism, combined with implicit bias, played a role in the Flint water crisis. Coincidentally, when the state took over the management of Flint but did not address the economic inequities

<sup>&</sup>lt;sup>84</sup> Michigan Civil Rights Commission 2017.

between suburban Flint and urban Flint, or accept any input from the residents of Flint, the residents lost trust in their government.85 From the Biblical perspective, this environmental justice issue is antithetical to the corpus of Christian beliefs. There is a relationship between the Flint community members and environmental justice, which is rooted in the Bible. It means that our Christian praxis requires Christians should celebrate that the interconnection and interdependence of all beings and recognize our human responsibility to co-exist in harmony for the well-being of everyone in the community. Insights from the Bible and Christian teachings suggest that Christians promote human dignity, the self-determination of all persons. It is a question of environmental justice that no one should be treated poorly based on environmental systemic racism. Ecological [Environmental] justice rests on the principle that "everything is interrelated," and that ethical action in the environmental sphere is central to equity at a social level. 86 Shortly, insights from the Bible and theological

<sup>85</sup> Ibid.

<sup>86</sup> Paul 2019.

thoughts remind all Christians--specifically white Christians on the top of the decision-making process of the Flint water management authority--that God is relational and experiential in the many ways that governmental institutions implicate people's livelihoods. It means that there is a series of environmental ethics which must be respected and that the human person, endowed with the capability of choosing freely, has a grave responsibility to preserve this order for the well-being of the entire earth and of future generations.<sup>87</sup> Our goal is to identify and combat immoral and inequitable practices within institutions where the Flint water crisis is replicable.

## **Racial Inequality in the Criminal Justice System**

Frank Fuller and the other authors of this paper state that innocent until proven guilty is the common thread that runs throughout the Bill of Rights and the Constitution and has, in theory, been applied equally to every citizen. The reality, however, is that from the early days of our nation up to the present time, the march

162

<sup>87</sup> Ibid.

towards greater equality for all has led to a bumpy ride, far from being the smooth transition that many had hoped for to the point of actually realizing these goals in today's world. Many gains over the years, however, have been The criminal justice system has gone through made. several Supreme Court cases, civil rights legislation, and to empower women and minorities amendments throughout our history. However, it was landmark civil rights acts in the mid to late 1960s that truly brought us further along this path that thrust us into the modern era. Some of the unpleasantries that resulted from the Jim Crow era's laws stayed on the books in many parts of the South until at least 1968, with the fact that other discriminatory policies simply replaced old ones that were wiped out. For example, mass incarceration continues to disproportionately affect black and Latino men more than other populations in the present day. Part of this rapid increase in prison populations is due to what has often been called the prison industrial complex, 88 which refers

\_

<sup>88</sup> Schlosser, E. "The Prison-Industrial Complex." *The Atlantic Monthly* 282, no. 6 (1998): 51-77.

to the growth of for-profit private prisons in the United States, as well as the decrease in funding of publicly funded prisons in an effort to reduce burdens on governments at all levels.<sup>89</sup>

However, the standard of quality in many of these private prisons becomes a challenging issue to discuss, as some recent studies have shown that private prisons are not run as efficiently as publicly funded ones. In fact, one University of Wisconsin study<sup>90</sup> suggests that private prisons hold inmates longer and do not necessarily reduce future crime.<sup>91</sup>

-

https://www.brown.edu/Departments/Economics/Faculty/Glenn\_Loury/louryhomepage/teaching/Ec%20222/The%20Prison-Industrial%20Complex.pdf

<sup>&</sup>lt;sup>89</sup> Taslitz, A. E. "The Criminal Republic: Democratic Breakdown as a Cause of Mass Incarceration." *Ohio St. J. Crim. L.* 9 (2011): 133.

Mukherjee, Anita. "Impacts of Private Prison Contracting on Inmate Time Served and Recidivism." *American Economic Journal: Economic Policy* 13, no. 2 (2021): 408-38. <a href="https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2523238">https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2523238</a>

<sup>&</sup>lt;sup>91</sup> Kerwin, P. "Study Finds Private Prisons Keep Inmates Longer, Without Reducing Future Crime." *W News*, June 10, 2015. <a href="https://news.wisc.edu/study-finds-private-prisons-keep-inmates-longer-without-reducing-future-crime/">https://news.wisc.edu/study-finds-private-prisons-keep-inmates-longer-without-reducing-future-crime/</a>

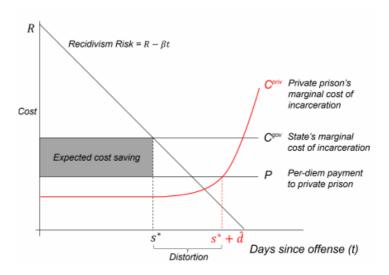


Figure 2: Theoretical Framework

92

Prison labor has been a staple of Southern jails since the post-Civil War period and beyond, allowing states to save money and use such labor at low cost, creating economic incentives and even factory output and production for underrepresented groups.<sup>93</sup> We have also

92 Mukherjee 2021

<sup>&</sup>lt;sup>93</sup> Mancini, M. J. *One Dies, Get Another: Convict Leasing in the American South, 1866-1928.* Univ of South Carolina Press, 1996. https://books.google.com/googlebooks/images/kennedy/insert\_link.png

seen more jail time and more falsely accused black men serving more prison time, creating the perception that black men are more likely to commit crimes than their This also results from forced white counterparts. confessions to help speed up cases and release prisoners or reduce punishments, to inadequate representation, as well as racial bias within the decision-making process of the judicial system. 94 Many minority and poverty-stricken defendants are overwhelmed and intimidated to the extent that they receive substandard legal representation that is not in their best interest overall. In addition. complications arise when researchers try to investigate such wrongful conviction cases because of a lack of transparency or cooperation by judicial system authorities on getting solid information as to the specifics of these cases themselves.95

<sup>&</sup>lt;sup>94</sup> Taslitz, A. E. "Wrongly Accused Redux: How Race Contributes to Convicting the Innocent: The Informants Example." *Sw. UL Rev.* 37 (2008): 1091.

https://heinonline.org/HOL/LandingPage?handle=hein.journals/swulr37&div=54&id=&page=

<sup>&</sup>lt;sup>95</sup> Gross, S. R., & O'brien, B. "Frequency and Predictors of False Conviction: Why We Know So Little, and New Data on Capital Cases." *Journal of Empirical Legal Studies* 5, no 4 (2008): 927-962.

Furthermore, we have even seen cases where defendants with mental illnesses are forced into false confessions, and ultimately, wrongful convictions, which exacerbates the idea of bringing justice to all. 60 Unfortunately, other areas of injustice remain a gaping hole with respect to timely police response to emergency situations, such as 911 calls, which also requires some significant academic analysis. The average time for black emergency response calls versus white residential calls in a 2020 Greater Cincinnati/Northern Kentucky Stroke Study 1.3 million resident sample size), for example, from the time of a 911 call to arriving at the hospital, in fact, does appear to show small delays:

-

https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1740-

<sup>1461.2008.00146.</sup>x

<sup>&</sup>lt;sup>96</sup> Redlich, A. D., Summers, A., & Hoover, S. "Self-Reported False Confessions and False Guilty Pleas Among Offenders with Mental Illness." *Law and Human Behavior* 34, no. 1 (2010): 79-90. <a href="https://link.springer.com/article/10.1007/s10979-009-9194-8">https://link.springer.com/article/10.1007/s10979-009-9194-8</a>

<sup>&</sup>lt;sup>97</sup> Kleindorfer, Dawn O., Christopher J. Lindsell, Joseph P. Broderick, Matthew L. Flaherty, Daniel Woo, Irene Ewing, Pam Schmit et al. "Community Socioeconomic Status and Prehospital Times in Acute Stroke and Transient Ischemic Attack: Do Poorer Patients Have Longer Delays from 911 Call to the Emergency Department?." *Stroke* 37, no. 6 (2006): 1508-1513.

 $<sup>\</sup>frac{https://www.ahajournals.org/doi/full/10.1161/01.STR.0000222933.9}{4460.dd}$ 

There was a longer transport time for blacks, independent of SES; there was no significant interaction between SES and race. Unlike the poorer communities, EMS was delayed in every time interval considered for blacks, and the overall effect of race was a statistically significant delay of  $\approx$ 5.0 minutes (P<0.001) when compared with whites.<sup>98</sup>

TABLE 2. Comparisons of EMS Prehospital Times for Acute Stroke Patients by Demographic Variables								
	Difference in Minutes	Cls	P Value					
Dispatch time (time from call to arrival on scene; n=808)								
% below poverty (poorest vs richest)	1.34	0.09-2.60	0.036					
On-scene time (time from arrival on scene to depart scene; n=779)								
Black vs white	1.40	0.13-2.93	0.07					
% below poverty (poorest vs richest)	-3.41	1.46-5.36	0.001					
Transport time (time from depart scene to arrival at hospital; n=779)								
Black vs white	2.46	0.96-3.96	0.001					
Age (per decade)	0.44	0.09-0.79	0.01					
Distance per mile	1.52	1.39–1.65	<0.001					
% below poverty (poorest vs richest)	4.22	2.29-6.15	<0.001					
Time from 911 call to arrival at hospital (n=753)								
Black vs white	5.04	2.65-7.43	<0.001					
Distance	1.82	1.61-2.03	<0.001					

99

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

Lesli Skolarus et al.<sup>100</sup> also show evidence of greater prehospital delays for black vs. non-Hispanic white patients, as well as a need for greater awareness of stroke preparedness to prevent delays. Whites also show a higher survival rate in cardiac arrest incidents versus black residents (2.6 to 0.8 percent for black patients in one study), leading to an overall skewed result, slower response and lower survival rate (CPR Chicago Project statistics in this particular study below):

In our analysis of racial differences in cardiac arrest, there were two major findings. First, the incidence of cardiac arrest was significantly higher among blacks in every age group than among whites. Second, the survival rate after an out-of-hospital cardiac arrest among blacks was only 31 percent of that among whites. Even among

<sup>&</sup>lt;sup>100</sup> Skolarus, Lesli E., Jillian B. Murphy, Marc A. Zimmerman, Sarah Bailey, Sophronia Fowlkes, Devin L. Brown, Lynda D. Lisabeth, Emily Greenberg, and Lewis B. Morgenstern. "Individual and Community Determinants of Calling 911 for Stroke Among African Americans in an Urban Community." *Circulation: Cardiovascular Quality and Outcomes* 6, no. 3 (2013): 278-283. <a href="https://www.ahajournals.org/doi/full/10.1161/circoutcomes.111.000">https://www.ahajournals.org/doi/full/10.1161/circoutcomes.111.000</a>

patients admitted to the hospital, survival for blacks was 52 percent of that for whites. 101

In addition, an analysis of 2 million 911 calls in 2 cities show that white police use force 60 percent more often than black officers and the use of firearms twice as often as black officers. The off-cited quote that blacks are more likely to be subject to excessive use of force or any use of force than whites has some validity, as a 2018 Harvard study shows that "With all controls, blacks are 21 percent more likely than whites to be involved in an interaction with police in which at least a weapon is drawn and the difference is statistically significant." In addition, non-lethal force (putting hands on someone with slapping, grabbing, etc. or pushing people into a wall or to the ground, etc.) shows that Blacks and "Hispanics are

•

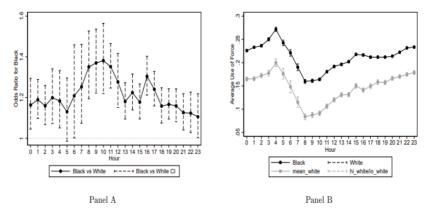
<sup>&</sup>lt;sup>101</sup> Becker, Lance B., Ben H. Han, Peter M. Meyer, Fred A. Wright, Karin V. Rhodes, David W. Smith, John Barrett, and CPR Chicago Project. "Racial differences in the Incidence of Cardiac Arrest and Subsequent Survival." *New England Journal of Medicine* 329, no. 9 (1993):600-606.

https://www.nejm.org/doi/full/10.1056/NEJM199308263290902

<sup>&</sup>lt;sup>102</sup> Hoekstra, M., & Sloan, C. *Does race matter for police use of force? Evidence from 911 calls* (No. w26774). National Bureau of Economic Research, 2020. <a href="https://www.nber.org/papers/w26774">https://www.nber.org/papers/w26774</a>
<sup>103</sup> Fryer 2016.

more than fifty percent more likely to have an interaction with police which involves any use of force," with an overall figure that shows that "On non-lethal uses of force, blacks and Hispanics are more than fifty percent more likely to experience some form of force in interactions with police." 104

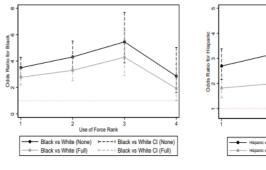
Figure 2: Odds Ratios of Any Use of Force (Conditional on an Interaction) by Time of Day, NYC Stop Question and Frisk



171

<sup>104</sup> Ibid.

Figure 3: Odds Ratios by Use of Force (Conditional on an Interaction), Police Public Contact Survey



Use of Force Rank F - - - - + Hispanic vs White CI (None Hispanio vs White (Full) -- - Hispanic vs White CI (Full)

Panel B

Panel A

105

Blacks tend to be arrested overall, on average, more than whites for similar crimes. In addition, the black incarceration rate against total black population remains higher percentage wise across the nation: incarceration rate for black men is seven times the rate for white men--3,250 per 100,000 compared with 461 per 100,000."106 107

105 Ibid.

<sup>&</sup>lt;sup>106</sup> Beck and Karberg et al. 2001.

<sup>&</sup>lt;sup>107</sup> Browning, Sandra Lee, R. Robin Miller, and Lisa M. Spruance. "Criminal Incarceration Dividing the Ties that Bind: Black Men and Their Families." Journal of African American Men 6, no. 1 (2001): 87-102. https://link.springer.com/article/10.1007%2Fs12111-001-1016-0

Table 14. Number of inmates in State or Federal prisons and local jails, by gender, race, Hispanic origin, and age, June 30, 2001

Number of inmates in State or Federal prisons or local jails Male Female Total\* White<sup>b</sup> Black Hispanic Total\* White<sup>b</sup> Black<sup>b</sup> Hispanic Age 1,800,300 684,800 803,400 67,700 69,500 Total 283,000 161,200 19,900 1,400 84,200 27,400 37,800 18-19 15,700 4,100 2.000 500 20-24 326,900 104,700 151,400 61,900 21,000 9,100 7,700 3,800 25 - 29340,800 110,300 163,600 59,200 31,300 12,000 13,700 4,100 30-34 339,900 129,900 150,700 53,900 40,100 15.900 19,100 4,200 35-39 296,400 120,300 136,100 38,000 31,800 13,400 14,400 3,300 40-44 195,100 82,200 82.800 27,400 17,300 7,600 7,400 1,900 45-54 160,700 77,600 61,100 20,400 12,100 5,800 4,500 1,600 55 or older 47,400 29.200 12,700 5.100 2.600 1.800 800 200

Note: Based on custody counts from National Prisoners Statistics (NPS-1A), 2001, and Annual Survey of Jails, 2001, and estimates by age from Survey of Inmates in Local Jails, 1996, and Survey of Inmates in State Correctional Facilities, 1997 and Federal Justice Statistics Program (FJSP) for immates on

September 30, 2000. Estimates were rounded to the nearest 100.

\*Includes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

\*Excludes Hispanics.

Table 15. Number of inmates in State or Federal prisons and local jails per 100,000 residents, by gender, race, Hispanic origin, and age, June 30, 2001

_	Number of inmates per 100,000 residents of each group								
	Male					Female			
Age	Total	White <sup>b</sup>	Black <sup>b</sup>	Hispanic	Total	White <sup>b</sup>	Black <sup>b</sup>	Hispanic	
Total	1,318	705	4,848	1,668	113	67	380	119	
18-19	1,984	986	6,201	2,439	101	77	236	90	
20-24	3,349	1,641	11,232	4,005	225	149	544	270	
25-29	3,699	1,821	13,391	4,140	338	200	1,007	303	
30-34	3,420	1,934	11,973	3,692	401	238	1,389	313	
35-39	2,637	1,511	10,054	2,671	282	169	965	252	
40-44	1,719	983	6,356	2,303	151	91	510	164	
45-54	882	551	3,351	1,309	64	40	205	99	
55 or older	184	138	604	310	8	7	25	8	

Note: Based on the latest available estimates of the U.S. resident population for July 1, 2000, from the 1990 census and adjusted for the census undercount. \*Includes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders. \*Excludes Hispanics.

108

In addition, murder crimes tend to result in a lopsided outcome for black persons, especially when considering

<sup>&</sup>lt;sup>108</sup> Beck and Karberg et al. 2001

prison time versus capital punishment (48% of death row inmates were black in one study), as results show that statistically, black defendants are more likely to appear on death row for the same crime category when compared with whites also facing death row instead of life imprisonment.<sup>109</sup> This goes along with more overall prison time for black inmates statistically.<sup>110</sup>

Considering use of force, as mentioned earlier, with trends going back to the 1970s, black suspects (and minorities in general) are also statistically more likely to be mortally wounded, resulting in death, when a confrontation does occur amidst an attempt to arrest black versus white suspects for various crimes (and involving police use of force).<sup>111</sup>

\_

<sup>&</sup>lt;sup>109</sup> Bowers, William J., Benjamin D. Steiner, and Marla Sandys. "Death Sentencing in Black and White: An Empirical Analysis of the Role of Jurors' Race and Jury Racial Composition." *U. Pa. J. Const. L.* 3 (2001): 171.

https://heinonline.org/HOL/LandingPage?handle=hein.journals/upjc 13&div=9&id=&page=

 $<sup>\</sup>overline{1}$  1bid.

Goldkamp, J. S. (1976). "Minorities as Victims of Police Shootings: Interpretations of Racial Disproportionality and Police Use of Deadly Force." *The Justice System Journal* (1976): 169-183. https://www.jstor.org/stable/20877501?seq=1

# Theological Analysis of Racial Inequality in the Criminal Justice System

A theological reflection, according to Guyma Noel and the other co-authors of this paper, requires that the Christian faith be understood from the very reality of those who have been oppressed by the structural racism in the criminal justice system. Robert Jones<sup>112</sup> has recently reported that in public opinion polls, a clear pattern has emerged: White Christians are consistently more likely than whites who are religiously unaffiliated to deny the existence of structural racism. The author suggests a serious and provocative examination of the historical indifference of white American Christianity toward the poignant realty of the people of color. The reality of structural racism is notable in the management of the criminal justice system establishing mass incarceration, free labor, higher jail times, higher fines, crime levels,

<sup>&</sup>lt;sup>112</sup> Jones, Robert P. "Racism among white Christians is higher than among the nonreligious. That's no coincidence." *Think: Opinion, Analysis, Essays* (2020).

https://www.nbcnews.com/think/opinion/racism-among-white-christians-higher-among-nonreligious-s-no-coincidence-ncna1235045

higher false accusation and lower response results compared to whites. Basically, this racial inequality in criminal justice outcomes is explained, then, by the fact that certain behaviors in which minority groups [people of color] are more likely to participate, due to the lack of power and resources in society, are defined by those with power as criminals; conversely, certain behaviors in which specific majority groups are likely to participate, which in many ways are equally or perhaps more costly to society, are treated in fundamentally different ways. 113 The point is that the core biblical Christian message and structural racism do not mix because God's justice is impartial, fair and does not tolerate racial inequalities in the justice system. Thus, the Bible informs us on two of the most significant moral evils that do not fit God's creative act: the Sin of inequity and the sin of partiality.

<sup>&</sup>lt;sup>113</sup> Valez, William. *Race and Ethnicity in the United States: An Institutional Approach*. Dix Hills, New York: Rowman & Littlefield, 1998.

## The Sin of inequity in Sacred Scriptures

Guyma Noel and his colleagues in this paper state that the Bible suggests that God punish evil and reward good. However, a couple of questions emerge as to whether God punishes out of proportion or discriminates in terms of who is to be punished with respect to another's social status. Simply put, does the Bible suggest that God favor some groups over others? Does God consider racebased retributive justice? These are theologically pertinent questions that Judeo-Christians, specifically whites, need to respond to in the context of urgent social issues, such as structural racism.

The sacred scriptures indicate that the punishment should fit the crime, and that race cannot be the determinant of penalty attributed to an individual or a community. God is equitable in God's' dealings with all humankind. It means that equitable justice is evidence that God treats the marginalized with fairness and cares a great deal not to punish them out of proportion. For instance, Isaiah 11:3-4 says:

And He will delight in the fear of the LORD, And He will not judge by what His eyes see, Nor make a decision by what His ears hear; 4 But with righteousness He will judge the poor, And decide with fairness (mishor) the afflicted of the earth; And He will strike the earth with the rod of His mouth, And with the breath of His lips He will slay the wicked.<sup>114</sup>

What is important is that equitable justice is the very emblem of authority for God's kingdom. The remarkable words "fairness" and "righteousness" from Isaiah convey the message of justice that should be part of the United States' judicial system. Christians who are hearers of these words would be strongly convinced to put them into the praxis of their lives. It means that the existing "mass incarceration that continues to disproportionately affect black and Latino men more than other populations in the present day." 115 is antithetical to what the United States' justice system represents as the

<sup>&</sup>lt;sup>114</sup> Dennis 2007.

<sup>&</sup>lt;sup>115</sup> Fuller, Frank. Personal notes on Racism is a Sin Paper Topics. 2021.

land of freedom for all. As Michelle Alexander<sup>116</sup> might have said, the disproportionality in mass incarceration of blacks is not just "a problem of politics or policy," but exists "as a profound moral and spiritual crisis as well. The same is true for any other issues including free labor, higher jail times, higher fines, crime levels, higher false accusation and lower response results compared to whites."

### The Sin of partiality in Sacred Scriptures

Guyma Noel and the authors of this paper note that the literature on biblical theological studies shows that partiality is an anathema in the spirit of divine law. For instance, Tommy Powell's notes of Christopher Wright's literature, *Old Testament Ethics for the People of God*, reports that God makes impartiality a mandate for the Judges of Israel.<sup>117</sup> In reference to Wright's literature, Powell notes that although the social structure of Israel

<sup>&</sup>lt;sup>116</sup> Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: The New Press, 2012.

<sup>117</sup> Powell, Tommy H. "The Equity of God in his Dealings with Mankind." PhD diss., Rice University, 2015.

http://www.lgministries.org/hp wordpress/wp-content/uploads/2016/01/The-Equity-of-God.pdf

was that of a social hierarchy, the equality and dignity of all human beings was embedded in the judicial and ethical attitude of the Old Testament, which was considered the treatment of those less fortunate to be a direct reflection of one's attitude toward God Himself. In Proverbs 14:31, it says: Whoever oppresses the poor shows contempt for their Maker, but whoever is kind to the needy honors God."118 It means that Judges should never show favoritism under any circumstances. Also, according to Wright's literature, the code of the Israelite makes it mandatory that impartiality be established for the poor in the judicial justice system. 119 Leviticus 19:15 states that: "You shall do no injustice in court. You shall not be partial to the poor or defer to the great, but in righteousness shall you judge your neighbor."120 Thus, on the basis of the Old Testament Ethics, one should agree with James Cone<sup>121</sup> on the irony of America that prides itself to be a Christian nation that is yet to show no

<sup>&</sup>lt;sup>118</sup> Dennis 2007.

<sup>&</sup>lt;sup>119</sup> Powell 2015.

<sup>&</sup>lt;sup>120</sup> Dennis 2007.

<sup>&</sup>lt;sup>121</sup> Cone, James S. *A Black Theology of Liberation*. Fortieth Anniversary Edition. Maryknoll, New York: Orbis Books, 2010.

disproportional partiality toward blacks and other minorities compared to the Whites. The prophets, Isaiah and Amos, speak to God's people directly about what matters to God and link God's worship to the praxis of social justice:

(Isaiah 1:11, 17) "I am sick of your sacrifices," says the LORD. "Don't bring me any more burnt offerings! I don't want the fat from your rams or other animals. I don't want to see the blood from your offerings of bulls and rams and goats." 17 Learn to do good. Seek justice. Help the oppressed. Defend the orphan. Fight for the rights of widows."122 (Amos 5:21-24) I hate all your show and pretense, the hypocrisy of your religious festivals and solemn assemblies. I will not accept your burnt offerings and grain offerings. I won't even notice all your choice peace offerings. Away with your hymns of praise! They are only noise to my ears. I will not listen to your music, no matter how lovely it is. Instead, I want to see a mighty flood of justice, a river of righteous living that will never run dry." 123

<sup>122</sup> Dennis 2007.

181

<sup>123</sup> Ibid.

Basically, both Isaiah and Amos link God's worship to the social praxis of justice. These words of revelation from the prophets are certainly relevant to the current practice of faith of Christians who remain silent to injustices perpetrated against blacks and other minorities. It is thus clear that God himself mandated the principle of impartiality in the judicial laws of the Old Testament.

Furthermore, the repetition of the word partiality in the New Testament Ethics suggests the absence of God's favoritism. The early Christians were exhorted by the letter of James to add impartiality in their collective consciousness:

(James 2, 1-9) 2 My brothers, show no partiality as you hold the faith in our Lord Jesus Christ, the Lord of glory. <sup>2</sup> For if a man wearing a gold ring and fine clothing comes into your assembly, and a poor man in shabby clothing also comes in, <sup>3</sup> and if you pay attention to the one who wears the fine clothing and say, "You sit here in a good place," while you say to the poor man, "You stand over there," or, "Sit down at my feet," <sup>4</sup> have you not then made distinctions among yourselves and become judges with evil thoughts? <sup>5</sup> Listen, my beloved brothers, has not God chosen those who are poor in the world to

be rich in faith and heirs of the kingdom, which he has promised to those who love him? <sup>6</sup> But you have dishonored the poor man. Are not the rich the ones who oppress you, and the ones who drag you into court? <sup>7</sup> Are they not the ones who blaspheme the honorable name by which you were called? <sup>8</sup> If you really fulfill the royal law according to the Scripture, "You shall love your neighbor as yourself," you are doing well. <sup>9</sup> But if you show partiality, you are committing sin and are convicted by the law as transgressors. <sup>124</sup>

Basically, according to James' letter, partiality is a sin. When blacks and other minorities are treated unfairly, or at least when we favor one group over another in the criminal justice system, we do not reflect the reality of God as justice nor do we honor the Christ who came to save all men to be inclusive of one another; Jesus made it possible for anyone to be included by acknowledging what Jon Nilson<sup>125</sup> might have called the "hermeneutical privilege of the oppressed" (e.g., notably the people of color). In fact, based on empirical investigation, white

\_

<sup>&</sup>lt;sup>124</sup> Dennis 2007.

<sup>&</sup>lt;sup>125</sup> Nilson, Jon. "James Baldwin's Challenge to Catholic Theologians and the Church." *Theological Studies* 74, no. 4 (2013): 884-902.

Christians are to raise their consciousness level on the fact that black men are more likely to be falsely accused and serve more jail time based on the perception of racial profiling of blacks and other minorities. That said, if Christians want to make a difference in terms of social justice (rooted in the sacred scriptures) in favor of black monitories, they cannot remain indifferent by avoiding addressing this moral and spiritual crisis related to the partiality of our judicial system. Again, the very act of showing favoritism toward a specific group over another is a sin against God, and an expression of moral evil (James 2.4).

Additionally, Mark 12:31 says: 'You shall love your neighbor as yourself.' There is no other commandment greater than these. Should this commandment become more and more pervasive in the daily lives of white Christians when dealing with blacks and other minorities as their neighbors? It is a fact that white supremacy constitutes the US society's most persistent, damaging, and hidden social sin. 126 From the

13

<sup>126</sup> Nilson 2013..

perspective of this word of revelation, it is not possible to live in peace when white Christians know that their black neighbors are more likely to be treated with partiality than their counterparts as a result of the unhealthy ideologies of white supremacy. Whenever white Christians choose to remain silent on pressing moral issues such as high mass incarceration of blacks, free labor, higher jail times, higher fines, false accusations, lower response results compared to whites' police violence and brutality toward blacks and people of color, the culture they produce is death, and for that they sin against God and their neighbors.

As has been discussed, I have laid out the moral evil of racism in a so-called Christian nation where Christian observance and the obligation of worship have not integrated enough the praxis of social justice. From the biblical theological perspective, the failure to link our worship space and discourse to the principle of impartiality and equity is in and of itself a sin against the character of God. The Holy Scripture shows that God does not tolerate unfairness and partiality in the current system, which suggests that the likelihood of blacks and other

minorities to experience the disproportionate effects of discrimination in the judicial system is greater than whites. For instance, God would be concerned about whether the penalty received is identical to the harm perpetrated in the case of blacks and other minorities. As James Cone might have argued, our Christian faith is more than going to heaven when I die. 127 While contemplating a future destination when we die, we are certainly faced with the moral obligation to represent the character of God on this earth. It means that Christians are to dispel the sin of racism and increase the liberating presence of God's character of justice among the blacks and other minorities right now in their midst, building them up where they are torn down and propping them up on every leaning side. 128 The point is that a white Christianity would have to face the following question: What would Jesus say about the current atmosphere of racial inequality in the criminal justice system? Are we

<sup>&</sup>lt;sup>127</sup> Cone 2010.

<sup>128</sup> Ibid.

willing to re-authenticate God's promise of liberation to the marginalized, notably blacks and other minorities?

#### **Political Racial Discrimination**

Howard Smith and his author colleagues assert that a large part of criminalizing African Americans has been linked to political power. During the 1890 to 1908 period, state constitutions were altered to disenfranchise African Americans. 129 Different forms of discrimination, such as "poll-taxes, literacy tests, arbitrary registration practices, felony disenfranchisement (for only those crimes that blacks disproportionately committed)" were used to suppress the African American vote. In 1922, the white establishment dominated the political system to enforce white supremacy. This domination remained unchallenged for 30 years. 130 The study shows further how additional forms of fraud at the polls through ballot box stuffing, throwing out votes, or counting votes incorrectly "was the norm in Southern states. The U.S.

<sup>129 &</sup>quot;Techniques of Direct Disenfranchisement, 1880-1965." University of Michigan. Accessed July 2021. <a href="http://websites.umich.edu/~lawrace/disenfranchise1.htm">http://websites.umich.edu/~lawrace/disenfranchise1.htm</a>
130 Ibid.

Supreme Court dismissed indictments in U.S. v. Reese, 92 U.S. 214 (1875) for refusing to count votes cast by African Americans in the city elections."131 This ruling also "weakened congressional power to regulate elections."132 From "1868-1888, the principal techniques of disenfranchisement were illegal, based on violence and massive fraud in the vote counting process. Starting in 1877, when Georgia passed the cumulative poll tax, states implemented methods ofstatutory disenfranchisement."133 In addition, from "1888-1908, states cemented these legal techniques in their constitutions. Disenfranchisement among African Americans has been defined as the failure of congress to exercise federal power," while Congress also "did not restrict congressional proportional representation in disenfranchising states."<sup>134</sup> The right to vote historically offers socio-economic inclusion and progress for African Americans. According to a study conducted by the

<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

<sup>133</sup> Ibid.

<sup>134</sup> Ibid

Roosevelt Institute, racial disparities in voting are the result of racial rules. 135 One way for those to be rewritten is to elect politicians that support racial inclusion. These politicians' continued tenure in office must be dependent on African American voters to support their reelection. African Americans having a substantial influence on who is elected into office is "circumscribed by three types of racialized rules: the increased disenfranchisement of individuals with a criminal record, the 2013 Supreme Court decision effectively gutting the Voting Rights Act (VRA)," and "the subsequent passage of 'voter suppression' laws that are making it increasingly difficult for progressive-leaning individuals to cast their vote, and by extension, rewrite the rules that govern their lives." 136

The study goes on to explain how states have enacted laws that prevent incarcerated individuals and those who have been convicted of a felony from voting. There is systematic indication that African Americans are

\_

<sup>&</sup>lt;sup>135</sup> Flynn, Harry J. "In God's Image, A Pastoral Letter on Racism. Center for Ministry." 2003. <a href="https://www.archspm.org/in-gods-image-pastoral-letter-on-racism/">https://www.archspm.org/in-gods-image-pastoral-letter-on-racism/</a>

<sup>136</sup> Ibid

more likely to lose their ability to vote due to criminal charges. Today, all but 4 states prevent convicted felons from voting while incarcerated; 32 states bar felons on probation or parole from voting; and in 11 states, convicted felons are disenfranchised for life. This is noted as systematic electoral silencing. Research shows that through suppressing the votes of African Americans, less public support and resources were distributed to these communities, including schools. "This disparate distribution of resources reinforces racial inequities that make it all the more likely that black Americans will come in contact with the criminal justice system." 137

Immense discrimination continues today, as noted:

The Supreme Court's 2013 decision in Shelby County v. Holder significantly debilitated the strength of the VRA. Within 24 hours after that decision, five of the nine states that had been required to acquire preclearance from the DOJ before changing electoral rules introduced new voter suppression laws. As the LA Times reported

<sup>&</sup>lt;sup>137</sup> Ibid.

in the wake of the 2016 election, in jurisdictions that were previously covered by the VRA, "voters saw 868 polling places closed, forcing too many people to travel as far as 25 miles just to be able to vote." It is now clear that the changes to what was once heralded as the most important legislation to come out of the Civil Rights movement will have long-term effects on black Americans' access to the ballot box, and therefore on the very issues that impact their lives. <sup>138</sup>

According to the research study conducted by the Sentencing Project, felony disenfranchisement prevented 6.1 million Americans from being able to vote. The Center for American Progress shows that felony disenfranchisement and the denial of suffrage in other U.S. Territories contribute largely to political, structural racism. The research reveals that "together, these policies affected 9.5 million Americans in 2016—more than the total number of eligible voters in Wyoming, Vermont, Alaska, North Dakota, South Dakota, Delaware, Rhode

<sup>138</sup> Ibid.

<sup>&</sup>lt;sup>139</sup> Uggen, Christopher, Ryan Larson, and Sarah Shannon. "Million Lost Voters: State-Level Estimates of Felony Disenfranchisement, 2016." Washington, DC: The Sentencing Project (6). <a href="https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/">https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/</a>

Island, Montana, Hawaii, New Hampshire, Maine, and Idaho combined."<sup>140</sup> The U.S. Supreme ruling in *Husted* v. A. Philip Randolph Institute allowed for Ohio's decision to purge 846,000 voters, mostly African American, from its voter rolls for infrequent voting over a six-year period. According to the study, Florida enacted a modern-day poll tax that disproportionately targets African American residents. Republican legislators in Tallahassee imposed new financial restrictions for individuals with prior felony convictions to vote. 141 This is seen as strictly similar to political oppression during the Jim Crow era, as modern-day financial requirements target African American "residents and present a barrier to voting."<sup>142</sup> The disenfranchisement of African Americans voting is connected to wage and wealth inequities, health disparities, and the reemergence of segregation in American schools. 143 What became known

<sup>&</sup>lt;sup>140</sup> Hanks, Angela, Danyelle Solomon, and Christian E. Weller. "Systematic inequality: How America's structural racism helped create the black-white wealth gap." *Center for American Progress* 21 (2018).

<sup>&</sup>lt;sup>141</sup> Ibid.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

as American Slavery is systematic racism. This was not capitalism—it was chattel slavery, exploitation of labor. Overall, then, racism allows for structural discriminative disparities facilitated by a dominating faction within society that negatively affects an identified distinctive group socially, politically, economically, physically, or environmentally. Racism, which looms large and contains significant obstacles, will have to be corrected through all of these forms. Further justification occurred through religious theology that aligned with the idea of white supremacy. This helped to justify the enslavement of African persons, later noted as Negro, Black, or African American, and established a system of racism. This exploitative system of greed and oppression should be addressed through a theology that explicitly declares racism a sin without following the same norms.

#### **Summary**

Racism was institutionalized in the United States through slavery and segregation. It helped propel the ideal that one race was superior to another simply because of physiology. This is known as scientific racism. Due to

this, a longstanding socioeconomic structure has been in place and affected every aspect of those groups who have been historically discriminated against. The way forward is to first educate and alert every contributor, participant, beneficiary, and those affected by this structure. This should be accompanied by policies and laws that correct these social mishaps and ills, helping to resolve longstanding issues and concerns in our communities, as well as the country, along with constant advocacy that creates structures that consistently takes heed to the needs of these marginalized groups.

#### SELECTED BIBLIOGRAPHY

- Skolarus, L. E., Murphy, J. B., Zimmerman, M. A., Bailey, S., Fowlkes, S., Brown, D. L., ... & Morgenstern, L. B. (2013). "Individual and Community Determinants of Calling 911 for Stroke Among African Americans in an Urban Community." *Circulation: Cardiovascular Quality and Outcomes* 6, no. 3 (2013): 278-283. <a href="https://www.ahajournals.org/doi/full/10.1161/circoutcomes.111.000017">https://www.ahajournals.org/doi/full/10.1161/circoutcomes.111.000017</a>.
- Spencer, Marguerite L. "Environmental Racism and Black Theology: James H. Cone Instructs Us on Whiteness." University of Saint Thomas Law Journals 5, no. 1 (2008): 288-311.
- Stepan, Nancy Leys, and Sander L. Gilman."3.

  Appropriating the Idioms of Science: The Rejection of Scientific Racism." In The Bounds of Race, pp. 72-103. Cornell University Press, 2018.
- Sze, J. Noxious New York: The Racial Politics of Urban Health and Environmental Justice. MIT Press, 2006.

  <a href="https://books.google.com/googlebooks/images/kennedy/insert\_link.png">https://books.google.com/googlebooks/images/kennedy/insert\_link.png</a>
- Taslitz, A. E. "The Criminal Republic: Democratic Breakdown as a Cause of Mass Incarceration."

Ohio St. J. Crim. L. 9 (2011): 133. https://heinonline.org/HOL/LandingPage?handle =hein.journals/osjcl9&div=10&id=&page=

Taslitz, A. E. "Wrongly Accused Redux: How Race Contributes to Convicting the Innocent: The Informants Example." Sw. UL Rev. 37 (2008): 1091.

https://heinonline.org/HOL/LandingPage?handle=hein.journals/swulr37&div=54&id=&page=