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United Nations watchdog blasts US for persistent racism

Panel rejects US government's positive assessment of progress
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by [Lauren Carasik](#) [@LCarasik](#)

On Aug. 28 the United Nations Committee on the [Convention on the Elimination of All Forms of Racial Discrimination](#) (CERD) slammed the United States for persistent racial and ethnic discrimination. The watchdog said Washington has failed to meet its treaty obligations under the convention, one of only three core human rights accords that the U.S. has ratified. The 18-person panel of experts based its findings on review of official submissions from the U.S., reports from [numerous civil society organizations](#) and testimonies by U.S. officials and advocacy groups over several days of hearings earlier in August.

The revelation comes as the country continues to reel from racial turmoil after the tragic death of unarmed black teenager Michael Brown from six gunshots fired by white police officer Darren Wilson in Ferguson, Missouri.

The U.S. government concedes there is [still much work left](#) to achieve racial equality. In its official submission to the CERD, however, the State Department [painted a sanguine picture of progress](#). Yet the committee found that minority communities in the U.S. are disproportionately disadvantaged in all areas of life, including education, criminal justice, voting, housing and access to health care.

Meanwhile, many Americans think we have made substantial progress in overcoming our shameful legacy of racial discrimination. Last year the Pew Research Center found that [nearly half of Americans](#) surveyed said they believed the U.S. had made “a lot” of progress toward achieving racial equality, although only about 32 percent of African-American respondents believed that to be the case.

Separate and still not equal

While alarming, the panel's conclusions are hardly surprising. During the U.N. hearing, one committee member noted that despite "several decades of affirmative action," segregation in U.S. schools is worse today "than it was in the 1970s."

African-American children are deeply disadvantaged in accessing educational opportunities. Minority students are not provided with equal facilities, many attend single-race classrooms, and their limited access to rigorous curriculums contributes to disparate levels of academic achievement and access to jobs.

Unfortunately, 60 years after the Supreme Court proclaimed separate was not equal in [Brown v. Board of Education](#), de facto segregation is still alive and well in many U.S. school districts. For example, the [Chicago public schools were frequently mentioned](#) in the U.N. review to illustrate the disparity in access to education. In 2013, Chicago Mayor Rahm Emmanuel closed a number of schools in response to budget constraints despite vigorous opposition from the community. He promised that all the relocated students would [receive a better education](#). After the closings, 34 percent of students were placed in underachieving schools, and more than half were forced to attend a school that was on probation for poor performance. To be fair, public school segregation is not confined to Chicago.

In March a [study](#) by U.S. Department of Education found that African-American students face harsher discipline [as early as in preschool](#) and through high school. For many of these children, this heralds the beginning of a [school-to-prison pipeline](#). Suspended or expelled students are more likely to drop out of schools, and those who leave school are more likely to enter the criminal justice system — a trajectory that is hard to escape.

Inequality before the law

Similarly, from racial profiling to sentencing, race has a disparate effect on minority communities at [every stage](#) of the criminal justice system. As a result, minorities, particularly blacks, are vastly overrepresented in the ever-expanding U.S. prison system. The U.N. lauded the passage of the 2010 Fair Sentencing Act, but the act only reduced and did not eliminate the disparity in sentencing for crack versus powder cocaine that disproportionately affects African-Americans. Sentences of life without parole for juveniles and the racially discriminatory imposition of the death penalty also drew the committee's ire. The CERD reiterated its condemnation of police brutality, the use of excessive force that affects minorities (including unarmed youth) and impunity for police misconduct. The panelists [expressed grave concern about the circumstances of Brown's death](#) during the review.

African-Americans cannot transcend entangled structural prejudice through sheer force of will, nor should they carry the burden of dismantling centuries of discrimination.

These persistent disparities in the criminal justice process contribute to the breakdown of communities and [reverberate through generations](#). Children suffer adverse physical and psychological distress from having an incarcerated parent, which often leaves them vulnerable to a life of poverty. Incarceration also destabilizes family finances, fueling a vicious cycle of generational economic instability.

African-Americans do not fare any better in the civil legal system, where, according to the CERD, equal access to justice is still an unrealized ideal. When indigent minorities face threats such as eviction, foreclosure, termination of benefits or discrimination in employment, [inadequate access to lawyers](#) leaves them at yet another disadvantage. African-Americans hoping to change the system through elections face [retrenchments in voting rights](#) that chill participation. With the criminal justice system stacked against them, the disenfranchisement of felons further marginalizes communities of color.

The U.N. report offers yet another reminder that racial discrimination in the U.S. extends far beyond schools, courts and law enforcement. It notes that housing segregation persists, as does the concentration of poverty and substandard housing stock in minority neighborhoods. This in turn leads to inadequate access to jobs and health care, creating a favorable environment for higher rates of violence and other crimes. [Predatory, subprime and high-risk loans](#) have been particularly devastating for African-American and Latino communities, resulting in high eviction rates. The displacement is compounded by the [criminalization of homelessness](#) — with a growing trend of laws across the country imposing punishment for acts such as begging, eating in public and sleeping in a car, in a park or on the street.

A postracial society

An abundance of evidence paints a stark and undeniable picture of the cumulative and mutually reinforcing effect of structural racism in the U.S. But public opinion on whether the U.S. has surmounted its sordid racial past is mixed. For instance, a [Pew poll](#) earlier this month found racially disparate views on the relevance of race in Brown's death. About 80 percent of surveyed African-Americans said Brown's shooting raises important issues about race that warrant further discussion, while 47 percent of white respondents felt the issue of race relations was receiving unmerited attention.

During the CERD hearing one panelist observed, "Some 39 million African-Americans [are] affected by structural racial discrimination in the United States" as "part of the broader heritage of slavery." The report exhorted the U.S. to engage with civil society organizations working to realize human rights. Yet constructive dialogue and unflinching reflection is derailed by incendiary debates that refuse to even consider the effects of structural racism. For example, Fox News host [Bill O'Reilly recently ignited a firestorm](#) by summarily dismissing white privilege and prodding African-Americans to focus on personal responsibility. His comments embody the discredited presumption that we all operate on a level playing field.

African-Americans cannot transcend entangled structural prejudice through sheer force of will, nor should they carry the burden of dismantling centuries of discrimination. The U.N. committee made concrete recommendations, including legislative changes, policy initiatives, resource allocations and the development of a national action plan to combat structural racial discrimination. Until we take meaningful steps to implement these recommendations, deeply embedded racial biases will continue to exact a toll on communities of color, no matter how hard they grasp at their bootstraps.

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The views expressed in this article are the author's own and do not necessarily reflect Al Jazeera America's editorial policy.