

Racial Profiling

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As stated by U.S. Rep. John Conyers, "Since September 11, our nation has engaged in a policy of institutionalized racial and ethnic profiling... If Dr. Martin Luther King Jr. were alive today...he would tell us we must not allow the horrific acts of terror our nation has endured to slowly and subversively destroy the foundation of our democracy."(ACLU2, 11). Despite the civil rights movements in the United States in the 1950s and 1960s, discrimination and racism towards minorities is still prevalent, particularly in racial profiling. Law enforcement officials and other citizens have partaken in this act of suspecting individuals as criminals due to race, ethnicity, religion, or country of origin. Despite many efforts to prevent racial profiling in the United States by the federal government and each of the fifty states, it continues to sweep the nation. Racial profiling is a major human rights violation occurring in the United States, affecting millions of people of diverse nationalities, ethnicities, and religions. Resolving this immense issue is a difficult task.

Racial profiling is best defined as the targeting of individuals and groups by law enforcement officials on the basis of race, ethnicity, national origin, or religion. On many occasions, individuals associated with law enforcement, who are said "to protect and to serve," have used racial profiling when attempting to locate individuals breaking the law. For example, race has been used as a factor to determine which drivers to stop for minor traffic violations (referred to as "driving while black or brown"). It has also been used to determine which pedestrians to search for illegal contraband (ACLU1, 1). These and other acts have affected people such as: Native-Americans, Asians, Europeans, Hispanics, African-Americans, and Muslims. These acts of discrimination date back to the civil rights movement, and many believe they are a result of the war on drugs and the war on terror. Due to events such as the attacks on September 11 and many drug related crimes, Americans have much suspicion towards foreigners and they feel a lack of security. Many stereotypes have fueled law enforcement to harass and discriminate against specific ethnic groups. With stereotypes such as all terrorists are Muslim, all criminals who are drug dealers are African-American, and all illegal immigrants are Hispanic, about thirty two million people have been victims of racial profiling. As law enforcement officials specifically concentrate on

searching and interrogating African-Americans, Hispanics, and those who look Muslim, their sights are taken away from capturing the real criminals.

What makes racial profiling a human rights violation is that it violates many international treaties that the United States has signed related to discrimination and the promotion of racial equality. Such agreements include the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the International Covenant on Civil and Political Rights (ICCPR). The ICERD states that “human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin.”(UN High Commissioner for Human Rights, 1) Similarly, the ICCPR directs all member countries to promote and respect civil and political freedoms, like freedom of religion, freedom of speech, and the right to a fair trial. Racial profiling is in violation of each of these treaties. The Declaration of Independence states that “all men are created equal,” however acts of racial profiling demonstrate that not all citizens are treated equally. A great number of people have had their rights taken away by the police, who interrogate them simply because of the color of their skin or their name. This practice not only violates the United States’ constitutional commitment of equality before the law, but it also violates the country’s international obligations to eliminate racism and racial discrimination.

Often times racial profiling by police officers has led to searches of cars, individuals, or homes for drugs and weapons. When these searches do not provide any evidence for police officers to arrest individuals, traffic tickets or warnings have been given. Sometimes these searches have resulted in brutal beatings, humiliation, and violent protests towards the police. Sadly, racial profiling has led police to take the lives of innocent, young people. In various cases, police officers have shot and killed African-American or Hispanic males as they were wrongfully suspected of being criminals or carrying a weapon. Such instances have occurred when police see a minority driving an expensive car, wearing nice clothes, or “in the wrong neighborhood.” Ignorance, and jealousy, is the cause of most racial profiling. In 2009, one of the biggest Bollywood movie stars, Shahrukh Khan, came face to face with the unfair treatment towards minorities in the United States. Khan was taken by security guards in Newark Airport, and

interrogated for almost two hours because of his Muslim name. The former President of India Abdul Kalam, Nobel laureate Amartya Sen, and countless other travelers have endured such treatment in airports as well. (Bhatnagar, 1) Law enforcement officials do not have specific reasons to single out certain people other than their assumptions that skin color, culture, religion, nationality, or last name is an indication of criminal intent.

It is difficult to find resolutions for racial profiling. A U.N. reporter once stated, “Racism and racial discrimination have profoundly and lastingly marked and structured American society. The United States has made decisive progress...however, the historical, cultural and human depth of racism still permeates all dimensions of life of American society.”(ACLU2, 10). The United States government has been passing legislation for years to help put an end to racial profiling. The Obama administration has been working on passing a racial profiling act to send a strong message that the United States believes that people should not be scrutinized by law enforcement simply because of their last name, their faith, or their racial, ethnic or national origin. The government needs to create more programs, organizations, and local activities to promote equal treatment for all. Educating people, specifically children, will help people begin to understand that there is a need to start treating each other equally in spite of differences. Even with legislation and education, the racial profiling issue will not be resolved unless changes are made in law enforcement. Law enforcement officials have to be trained so that their duty is to protect every American no matter what they look like. Police officers need to be tested to see whether they are biased, racist, or have any hatred of particular ethnic or religious groups, or nationalities. Those who partake in racial profiling need to be punished; mere slaps on the wrist will not help the problem.

Throughout the United States, the issue of racial profiling is a serious human rights concern that needs to be addressed. The United States is a fusion of many different ethnic groups and religions who have been affected by the discriminating methods of law enforcement. Seen as criminals or terrorists because of their name or the way that they look, racial profiling has swept the nation in the past several years. With changes in law enforcement, and an increase in government action, the issue of racial profiling can eventually be put to an end.