
THE INTERNALIZATION OF ANTI-RACIAL DISCRIMINATION NORM IN THE UNITED STATES OF AMERICA

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ABSTRACT

KEYWORDS

African-American, Norm
Internalization, Racial
Discrimination

Racial discrimination is one of the most crucial global issues to be addressed because it is against democracy principles and human rights. One of the countries that still faces the problem of racial discrimination is the United States of America (USA). This article discusses the reasons why racial discrimination against African-Americans persists in the United States of America in this 21st century. This study applies an explanatory qualitative approach and a literature study data collection. By using the concept of the norm life cycle by Kathryn Sikkink and Martha Finnemore, this study argues that the internalization of anti-racial discrimination norms in the United States (U.S.), especially adopted from the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), has not been fully completed. This research analyzes three aspects of norm internalization: actors, motives, and mechanisms. From those aspects, this study found that the actors' efforts to internalize norms are hampered by the RUDs (Reservations, Understandings, Declarations) in the ratification of ICERD. The existence of white supremacy in the United States also disrupts the conformity (motive) needed for internalization. The last, in the aspect of mechanism, especially when it is viewed within the scope of the issuance of laws, there are certain legal decisions or policies which indirectly interfere with the implementation of the mechanism in the form of laws and regulations made by the United States before. The results of this study will benefit by providing a reflection on the issue of racial discrimination that also occurs in Indonesia.

INTRODUCTION

When the values of democracy and human rights have spread widely in this world, racial discrimination should no longer exist. However, this old issue continues to exist in many parts of the world, including the United States of America. In general, racial discrimination in the United States occurs against minorities based on race, gender, and others. Particularly in this article, the discussion focuses on discrimination against African-American race.

Racial discrimination against African-Americans has occurred since the 18th century in the era of slavery ([Washington Post, 2019](#)). At that moment, the United States was a North American colony belonging to the British Empire. Many black people from Africa were traded and sent to North American colonies as slaves ([Britannica, 2021b](#)). They were

stigmatized as inferior people and were treated like a property by the slaveholders. Since then, white people have discriminated against black people in almost all aspects of life.

Although the United States had achieved its independence and enslavement had been abolished, racial discrimination against African-Americans keeps occurring in various forms, such as segregation in public accommodations, discrimination in job recruitment, discrimination in education, and others (Pager & Shepherd, 2008, p. 182).

The United States government has tried to eliminate racial discrimination by releasing some regulations and policies. For example, Civil Rights Act 1965 which eliminates racial discrimination in jobs, Voting Rights Act 1965 which eliminates racial discrimination in voting, and Fair Housing Act 1968 which eliminates racial discrimination in housing. Those regulations give significant impacts on African-Americans, especially when they can vote and be voted safely in elections. Since the Voting Rights Act 1965 was issued, many African-Americans have been elected as a governor, police chief, and even president like Barack Obama.

Although African-Americans have obtained access to the public sector, racial discrimination against African-Americans has occurred in many places in the United States in this 21st century. For example, African-Americans are twice more likely to become unemployed than white people. Besides, while working, African-Americans only get around 25% lower salaries than white people (Bertrand & Mullainathan, 2004, p. 991).

In response to the racial discrimination against African-Americans, one big movement was driven by Black Lives Matter (BLM) in 2020. Black Lives Matter is an international organization headquartered in the United States whose mission is to eliminate racial discrimination and build local power to intervene government's violence against black people (Black Lives Matter, 2020). Black Lives Matter was formed in 2013 and started their action from social media (Yonita & Darmawan, 2021, p. 2).

On May 26, 2020, the BLM and its supporters protested police violence and discrimination against George Floyd, an African-American, who died on May 25, 2020 (The New York Times, 2021). This movement received a lot of support from other countries, such as France, the United Kingdom, Australia, and others. They held the same protest as they feel the same issue happens in their own country (BBC, 2020).

There are many cases similar to Floyd's case in earlier period in the United States protested by the BLM. The existence of BLM indicates that racial discrimination, especially against African-Americans, persists in the United States.

Despite the prolonged issue of racial discrimination in the United States and the government has done a lot of actions to eliminate this problem, racial discrimination persists against African-American race in this 21st century. Some previous researches has discussed the racial discrimination against African-Americans in the United States, such as research by Kullaszewicz (2015), Hinton et al. (2018), Pallok et al. (2019), and Lang & Spitzer (2020).

They analyzed the racial discrimination issue through historical perspectives, social structures, and psychological in the form of prejudice and implicit bias. In contrast to previous studies, this study discusses the reasons for racial discrimination within the scope of implementation of international norms. This study uses the norms life cycle concept from Kathryn Sikkink and Martha Finnemore which explains three steps in which international norms can emerge and be implemented in a country. By using the concept, this article tries to find which step the United States has missed or less fulfilled in accepting a new norm, which is the international anti-racial discrimination norm. It should provide data to answer why racial discrimination against African-Americans persists in the United States in this 21st century.

The concept used in this research is the norm life cycle by Sikkink and Finnemore. This concept derives from the international norm's perspective. There are three stages or processes for an international norm can emerge and be implemented in each state party. These three stages are explained below:

This study will benefit by providing a reflection of racial discrimination or discrimination by ethnicity that also occurs in Indonesia.

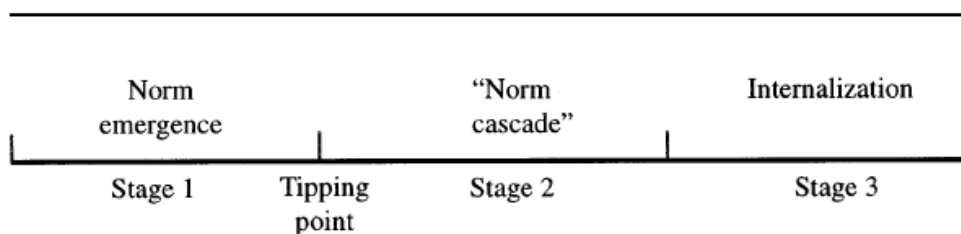
1. Norm Emergence

In this stage, there are two important elements used to create norms: norm entrepreneurs and organizational platforms. Norm entrepreneurs are the actors who try to convince countries to become norm leaders in the world and adopt the new norm, while organizational platforms are the vessel where the norm entrepreneurs do their act to emerge the new norms (Finnemore & Sikkink, 1998).

Norm entrepreneurs are the subjects or the people who have a strong understanding of what behavior is appropriate for the community (Finnemore & Sikkink, 1998). Their strong understanding has a significant role in observing phenomena and even in "creating" problems. It means, they can frame issues to emphasize which problems should be prioritized in the world. Whenever norm entrepreneurs succeed to frame a new problem, the problem will spread and create public understanding. Then, it will be adopted and solved by the society immediately.

While doing their duties, norm entrepreneurs are usually pushed by some motives, such as empathy, altruism, and ideational commitment. Empathy arises when actors can participate in the other's feeling or idea. Meanwhile, altruism arises when actors take actions to benefit others even at the very high risk of loss to the actors' well-being. Then, ideational commitment arises when actors put a norm or ideas forward just because they believe in the ideal and values contained in the norm (Finnemore & Sikkink, 1998).

The next element is organizational platforms. Organizational platforms become the place needed by the norm entrepreneurs to promote their designed norms. One of the predominance of many modern organizational platforms is their expertise and their beneficial information to change other people's behavior. However, in order to successfully change people's behavior, the actors and their organizations need other parties' support, especially from the state actors to implement the norm. Furthermore, they also need other different organizations to provide various types of mechanisms for norm entrepreneurs to promote new norms (Finnemore & Sikkink, 1998).



Source: Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization* 52, no. 4 (1998): 887–917

Figure 1 The Tipping Point of The Norm Life Cycle

After the norm entrepreneurs succeed to influence some state parties to become norm leaders and adopted the new norm, the norm will arrive at a tipping point. A tipping point occurs when a minimum of 1/3 of state parties have adopted the new norm (Finnemore & Sikkink, 1998). After it is achieved, the process of norm emergence can continue to the next stage: norm cascade, to start the implementation.

2. Norm Cascade

After the tipping point is achieved, usually the countries that have not adopted the norm will adopt it faster than the other countries did before. It happens because there are active international socialization and "peer pressure" in international relations (Finnemore & Sikkink, 1998). The norm entrepreneurs seek to change the violators of the norms to become the followers by socializing the new norms. While peer pressure influences the country to follow the norms because other states have adopted the norms.

In response to peer pressure, states are often pushed by the motives of international legitimacy, conformity, and esteem. International legitimacy becomes an important aspect to form the perception of domestic legitimacy. In order to get international legitimacy, states shall interact with other states in international organizations. The international organization plays an important role in establishing and ensuring state compliance with norms. If any state does not comply with the norms, the state will potentially get a stigma as a rogue state in international interaction. That kind of stigma may throw the reputation, trust, and credibility of the state (Finnemore & Sikkink, 1998).

Besides, there are conformity and esteem motives that usually push actors in the norm cascade. According to Robert Axelrod, conformity becomes social proof that the state has adopted and complied with the norms. While the esteem motive is a deeper motive than the others. With the esteem motive, state leaders can show that they have complied with the norm so that people can think positively of them

3. Norm Internalization

This stage has a characteristic of the "taken for granted" stage. It means the norms that are being promoted by actors have already been accepted and implemented. The conformity with the norms almost occurs automatically (Finnemore & Sikkink, 1998).

The actors in this stage are the governmental entities or the norm experts, such as policymakers, scientists, police, bureaucrat, and many more. The motive that is needed here is conformity or the willingness of people to conform to the new norm. The mechanism in this stage is a habit. After the new norm is accepted, it requires trust to create a habit for the internalization process. After that, people can influence identity and then norms will change (Finnemore & Sikkink, 1998).

METHOD RESEARCH

This article applies a qualitative method and literature study data collection technique. Qualitative research method refers to "meanings, concepts, definitions, characteristics, metaphors, symbols, and exposure of everything" (Salim & Syahrums, 2012, p. 28). The study collects and analyzes non-numerical data. The data source used in this research is from secondary sources including books, journal articles, websites, online news, magazines, and others (Scribbrs, 2020). The data is analyzed by organizing the data and choosing which data

that is important and can be studied, as well as making conclusions so that it can be easily understood by others.

RESULT AND DISCUSSION

The Norm Life Cycle of Anti-Racial Discrimination

Norm Emergence

The norm emergence of an international anti-racial discrimination norm is started with The Declaration of the Elimination of All Forms of Racial Discrimination on November 20, 1963. The declaration is held by the United Nations to call on the issue of racial discrimination which violates the Universal Declaration of Human Rights ([UN General Assembly, 1963](#)). After that, the United Nations released more actions to eliminate racial discrimination because it happens in many countries.

One of the actions taken by the United Nations is holding the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) on December 21, 1965 ([OHCHR, 1996](#)). Through the mechanism of persuasion, the actors interact each other in the convention meeting in New York to align the understanding and take action towards it together. At the same time on December 21, 1965, ICERD is adopted by the UN General Assembly through the General Assembly Resolution 2016 (XX). Then, this convention came into force on January 4, 1969, right after the tipping point is achieved when 27 state parties ratified the convention ([OHCHR, 1991](#)).

Norm Cascade

In general, the norm cascade of ICERD started after the tipping point of this convention is achieved on January 4, 1969. The deployment of norms through international socialization is carried out by the United Nations with the support of networks like Non-Governmental Organizations (NGOs) or International Non-Governmental Organizations (INGOs) as well as other countries that aspires to become norm leaders ([Finnemore & Sikkink, 1998](#)).

In the case of the United States, the ICERD started to institutionalize when the United States signed the ICERD on September 28, 1966. After signing, many local demonstrations were held in order to push the U.S. government to ratify it immediately. For example, SNCC (Student Non-Violent Coordinating Committee) urged the implementation of ICERD to the U.S. government by demonstrating and sending a position paper to the United Nations in 1967 which stated the conditions of racial discrimination in the United States ([ABA, 2020](#)).

After facing much pressure, both national and international, the United States ratify ICERD on October 21, 1994, under the administration of Bill Clinton. At that time, the U.S. Senate had just reached 2/3 votes in terms of the ICERD ([Congress Government, 2021](#)). In ratifying ICERD, the United States declared its willingness to be the norm leader ([ABA, 2020](#)). The statement aims to increase its international legitimacy and esteem as one of the world leaders.

However, the United States ratified the ICERD with proposing Reservations, Understandings, Declarations (RUDs). RUDs are some rights of the state parties in the United Nations to modify or clarify the text of a treaty or change its legal consequences for the countries that ratify it ([Swaine et al., 2015, p. 4](#)). It gives the rights to protect the state's sovereignty. The RUDs are submitted to the UN General Assembly to be considered on its suitability for the purpose of the convention. When the RUDs are agreed upon by the UN General Assembly, the RUDs will be applied to the country proposed ([ABA, 2020](#)).

The United States ratified ICERD by proposing the following RUDs:

1. Reservations:

The United States proposed three reservations, including:

- a. The United States will not accept any obligation through the application of laws or other measures under articles 4 and 7 that potentially restrict freedom of speech, expression and association. It is because the Constitution and the United States Law protect those rights.
- b. The United States will not accept any obligations through the application of laws or other measures under Article 1 of personal conduct due to the rights of individual privacy and freedom from the government interference.
- c. The United States concerning Article 22 and states that there is no dispute involving the United States can be brought into the jurisdiction of the International Court of Justice before the United States approved the specific consent about it.

2. Understandings:

The United States understands that this convention will be implemented by the Federal Government.

3. Declarations:

The United States declare that the convention is ratified as a not self-executing agreement or do not apply alone.

Since the RUDs were approved by the UN General Assembly, it means that the United States decides to not fully adopt the new norms on anti-racial discrimination under ICERD. The United States claims that the U.S. Constitution and the U.S. Law, which includes the Civil Rights Act 1964, Voting Rights Act 1965, and others, have embodied the norms or provisions contained in ICERD (ABA, 2020). Thus, the United States feels unnecessary to add some new norms to its domestic laws. Therefore, racial discrimination problems will be first addressed with the U.S. domestic law, not ICERD. If at any time there is a legal case that cannot be handled by the U.S. Court, then the convention mechanism can be applied by the UN.

Norm Internalization

After going through the norm cascade, the next stage is norm internalization. In this stage, the actors or agents of norms who play a more dominant role are domestic actors. The actors are usually experts, governmental entities, and law. The stage is characterized by being "taken for granted" in implementing these norms. With the "taken for granted" characteristic, the mechanism at this stage is a habit or a repeated action in conforming to the norm (Finnemore & Sikkink, 1998).

The process of internalizing anti-racial discrimination norms, especially ICERD, in the United States has begun after the ratification. About 25 years after the United States ran the internalization, racial discrimination against African-Americans remains high in various regions. This phenomenon shows that there are obstacles faced by the United States in internalizing the norms. The obstacles can be traced from these three aspects in this stage:

1. Actors

In international relations, ICERD is the norm that countries have agreed on to overcome racial discrimination. The United States ratified it on October 21, 1994, by proposing several RUDs (OHCHR, 2021b). RUDs are things that are legally allowed as long as they are in accordance with the objectives of the convention, but RUDs can indirectly limit the efforts of actors to internalize norms. As previously mentioned in the norm cascade, there are several RUDs proposed by the United States, one of them is reservations under the provisions of article 4 and article 7 of the ICERD.

Article 4 of ICERD contains the prohibition for all propaganda and all organizations that are founded on the ideology of a particular racial superiority and which promote racial

hatred ([OHCHR, 2021a](#)). Meanwhile, article 7 of ICERD contains a call for states parties to take immediate and effective steps, especially in education and culture to combat the prejudice leads to racial discrimination ([OHCHR, 2021a](#)). The reason for the United States to submit reservations on these articles is to protect the rights of freedom of speech, expression, and association as stated in the Constitution and the U.S Law ([OHCHR, 2021a](#)).

The principles of freedom of speech, expression, and association in the United States are one of the fundamental values. However, the reservations on article 4 and article 7 to protect these freedoms end up biasing the process of internalizing anti-racial discrimination norms. Under article 4 of ICERD which prohibits propaganda and organizations that promote racial hatred, the principles of freedom of speech, expression, and association may result in hate speech being allowed. This is because hate speech is basically speech. If there is a legal case that claims the existence of hate speech, while it has not led to a hate crime, then the hate speech is still within the scope of the freedom of speech and expression which is protected in Article 1 of the First Amendment to the U.S. Constitution ([American Library Association, 2017](#)).

This can be proven by examples of hate speech and hate rhetoric done by the president of the United States, Donald Trump. When there was the case of George Floyd's death due to police brutality, President Trump called the Black Lives Matter's demonstrators as terrorists, anarchists, and thugs ([NBC news, 2020](#)). Besides, Trump ever called the Corona virus as Chinese flu and Kung-flu as a slur to Chinese people ([The Guardian, 2020](#)).

In addition, the right of association can give rise to the meaning that all organizations, including racial hate organizations or organizations with white supremacist ideology, can exist in the United States. It is also because they are protected by the U.S. Constitution. The police will not conduct further investigations or action if: no threats or advocacy of violence are found, the organizations are not found to have the actual capacity to carry out the dangerous actions proclaimed, and their actions do not have the potential to violate federal law ([American Library Association, 2017](#)).

This can be proven by the existence of white supremacy organizations in the United States, for example, the Ku Klux Klan (KKK). The Ku Klux Klan is an extreme right-wing and racist organization based on white supremacist ideology ([Britannica, 2021a](#)). Based on data from the Southern Poverty Law Center (SPLC), the Ku Klux Klan exists in several states in 2020. See the map below,



Source: SPLC. "Ku Klux Klan." *splcenter.org*. Last modified 2020. <https://www.splcenter.org/hate-map?ideology=kkk>.

Figure 2 Ku Klux Klan Map

From the map image, it is known that in 2020 there were 25 Ku Klux Klan organizations standing in the United States. The areas that currently have an active Ku Klux Klan organization as seen from the image are Pennsylvania, Ohio, Indiana, Kentucky, Texas, Arkansas, Alabama, Florida, North Carolina, South Carolina, Tennessee, Georgia, Maryland and Virginia (SPLC, 2020).

The Ku Klux Klan and other extreme right-wing organizations often hold parades to express their ideology. They also often participate in black people's parades to disturb them. One of the parades that was held by the KKK was the Roxboro Parade, North Carolina in 2016. The agenda was to celebrate the election of Donald Trump as a president. The KKK is proud of Trump's election because Trump brings agenda which are in line with their aims, such as immigration restrictions and tackling terrorism both domestic and international (The Huffington Post, 2016).

In the parade, participants waved the United States flag, the Confederate flag, the Donald Trump's flag, and conveyed "White Power" and racist things that sparked other people's emotions (The Times-News, 2016). The polices as professionals working in the legal bureaucracy who is in charge of guarding the parade saw the insults against certain races. However, the police did not stop the parade, because they did not have the official authority to stop the parade that is protected by the freedom of speech, expression, and association (The Huffington Post, 2016).

Besides, the United States also makes reservations under Article 7 of the ICERD regarding measures in education and culture to reduce racial prejudice (OHCHR, 2021a). The reason for this reservation is still the same, which is to protect the freedom of speech, expression, and association. The United States does not want the measures in Article 7 to be determined by the UN, especially the CERD (Committee of the Elimination of Racial Discrimination) without the freedom of the domestic actors. With the reservations in article 7, teachers in the United States have the freedom to teach what materials are important to be learned by the students as long as it is aligned with the existing curriculum.

However, the protection of freedom of speech, expression, and association in the reservation of Article 7 has gone contradictive by government policies in several states. In 2021, several states enacted legislation and took administrative action to abolish curricula related to Critical Race Theory or those related to discussing specific concepts of race and gender in public schools (BBC, 2021). From the latest data in July 2021, 28 states in the United States have legislated restrictions on education related to race and gender. Examples of such states are Arizona, Iowa, Tennessee, South Carolina, Texas, Oklahoma, and others (Chalkbeat, 2021). States that decide to abolish race-related curricula argued that teaching critical race theory potentially embarrasses the white community for its past and ultimately divide the United States into racial groups (AP news, 2021).

Because of those policies, many teachers in public schools are afraid to speak and explain things related to race in the classroom due to its risky nature. In the legislation, teachers who are judged teaching improperly about race or saying that racism is ingrained in the system in the United States can be legally prosecuted with suspension, dismissal, and reduced funding for the school concerned (AP news, 2021). This is seen by many teachers as oppression of free speech.

In Oklahoma, a coalition of teachers and civil rights groups such as the ACLU have sued the state of Oklahoma in the federal state over the House Bill of 1775 (US news, 2021). The lawsuit states that the decision to remove Critical Race Theory material in public schools limits the teaching of racism and gender to students (AP news, 2021). In addition, the decision violates the teachers and the students' freedom of speech, denies students of color and women from studying their history (US news, 2021).

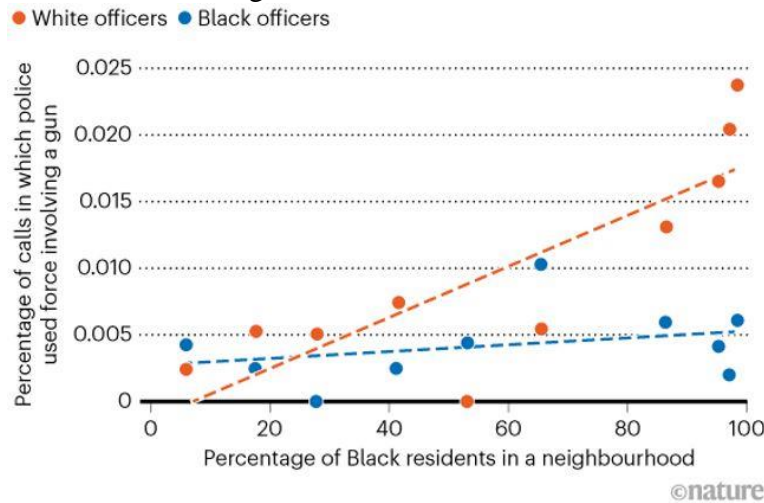
Apart from the reservations in article 4 and article 7 of ICERD, the United States also declare that the ratifications are not self-executing (Congress.Gov, 1994). The purpose of a not self-executing agreement is that an international agreement or convention cannot be enforced directly in the U.S. domestic court because it needs to be converted into domestic law first (Gise, 1998, p. 2297). Therefore, in handling cases such as a claim to the U.S. court that the provisions of ICERD have been violated due to racial discrimination, the U.S. court cannot act or make decisions regarding punishment or anything against the perpetrator and victim, except the claim also has implications for the U.S. domestic law.

The declaration for not self-executing is also similar to the United States reservation at the third point in the U.S. Senate ratification text which refers to Article 22 of ICERD. The article contains that before any case or dispute involving the United States can be submitted to the International Court of Justice, it requires special approval from the United States in each case (Congress Government, 2021). As a result of the RUDs, the international anti-racial discrimination norm, ICERD, cannot do much to decrease racial discrimination in the United States.

2. Motives

According to Sikkink and Finnemore, the motive for the internalization of norms is conformity (Finnemore & Sikkink, 1998). In this case, each actor in the internalization of norms needs the same motive to comply to the new norms so that the goals of internalization can be achieved. In fact, the motive to conform to anti-racial discrimination norms is hampered by the White Supremacy that has persisted in the United States. The persistence of White Supremacy, consciously or unconsciously, affected the conformity motive needed to internalize the anti-racial discrimination norms. It is because the society is divided into racial groups: in-group (white racist) and out-group (other than white people, in this case, African-Americans).

There is some evidence that racial discrimination due to white supremacy has occurred against the African-American racial community in the United States. One of them can be seen in the use of weapons by police in police operations in the United States. A scientific journal, Nature, presents data from Mark Hoekstra’s research that analyzes the police use of force based on race. He compared responses to the 911 emergency call sourced from the data of more than two million calls in two cities in 2020 (Nature, 2020). The results of his research can be seen in this figure below,



Source: Nature. “Brutality and Racial bias: What the Data Say.” *Nature*, 2020. <https://www.nature.com/articles/d41586-020-01846-z>.

Figure 3 Police Answers to the 911 Call

Based on the graph, it shows that the greater the number of African Americans in an area, the greater the number of white police officers carrying guns into the area rather than the number of black police officers carrying guns. It also concludes that white police officers who are sent to conduct operations in African-American or black communities fired five times more guns than black police officers sent to the same area on similar calls (Nature, 2020).

3. Mechanisms

The mechanism for internalizing norms is a habit or a repetitive action to conform to the new norm (Finnemore & Sikkink, 1998). The mechanism in this context is how the actors of internalizing norms in the United States carry out various ways or actions in the domestic sphere to implement norms so that these norms can become a habit. One way that can be done by the state government is to issue laws and regulations regarding the prohibition of racial discrimination.

Looking at the issue of racial discrimination in the United States, especially against the African-American race, the mechanism for internalizing norms carried out by internalization actors in the United States has been carried out quite well. The United States has issued laws and regulations in the effort to overcome racial discrimination in its country. The mechanisms that has been done by the government in the form of the issuance of legislation can be seen in the following table,

Table 1 Racial Discrimination Legislation

Era	Issuance Year	Legislation	Content
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Pre-ICERD	1865	13 th Amendment	Abolishing slavery in the United States
	1866	14 th Amendment	Granting citizenship status to African Americans (black people)
	1870	15 th Amendment	Granting the right to vote to all citizens of the United States (The first time African Americans have the right to vote)
	1964	Civil Rights Act 1964	Prohibiting discrimination in the field of work
	1965	Voting Rights Act 1965	Prohibiting discrimination in elections
After the ICERD Signing in 1966	1968	Civil Rights Act 1968/Fair Housing Act 1968	Prohibiting discrimination in housing
After the ICERD ratification in 1994	2013	Amendment to the Voting Rights Act 1965 under section 4(b) and section 5	Removing section 4 (b) and Section 5 of the Voting Rights Act 1965 regarding the requirement to obtain preclearance on any changes to election procedures in areas that have been designated by the United States federal government as areas prone to racial discrimination.

Source: Patterson, T. E. (2010). *The American Democracy* (M. Ryan (ed.); 10 ed.). McGraw Hill.

From the table above, it can be seen that the United States has implemented a mechanism or method to overcome racial discrimination even before the ICERD was held in 1965. From the first, there are 13th Amendment, 14th Amendment, 15th Amendment, Civil Rights Act 1964, Voting Rights Act 1965, and Civil Rights Act 1968. The United States as an independent country since 1776 has had self-awareness of the problems.

However, these laws and regulations have become less than perfect with the existence of other legal decisions or policies that affect the effectiveness of the laws that have been issued. One of the legal decisions that have an indirect negative impact on African Americans is the 1965 Voting Rights Act Amendment in section 4(b) and section 5 which was passed in 2013.

The decision to abolish section 4(b) and section 5 which contains the "preclearance" requirement for any changes to the general election procedure in areas that have been designated by the United States federal government as areas prone to racial discrimination, resulting in less supervision from the federal government. As a result, racial discrimination

practices in elections can still be carried out by some individuals and ultimately undermine the norm internalization process in the United States. This article argues that racial discrimination continues to occur in the United States because of the obstacles faced in the process of internalizing anti-racial discrimination norms. This is in contrast to previous research which has explained implicit bias and prejudice as reasons why racial discrimination, especially against African Americans, persists in the United States in the 21st century.

This research can reflect the problem of racial discrimination that also occurs in Indonesia. Since the founding of the state of Indonesia, Indonesia has not escaped the problem of racial discrimination that occurs against certain races or ethnicities in Indonesia. One example is the riot or major conflict between Chinese and Javanese ethnic in Surakarta in 1972 to 1998 (Atmaja & Sodiq, 2017, p. 66). The conflict occurred because one of the factors was the gap in economic welfare between ethnic groups. The incident caused great chaos and claimed many lives. Currently, inequality in the field of public life is still experienced by some Indonesians. Economic inequality and lack of access to education, for example, are experienced by people in eastern Indonesia, such as Papua and its surroundings. Therefore, if the issue of racial discrimination is not immediately addressed gradually by the government and community support, it can have a negative impact on human life.

CONCLUSION

This research finds that the reason why racial discrimination against African-Americans persists in the United States of America in this 21st century is that the process of internalizing anti-racial discrimination norms, especially adopted from ICERD, has not been fully implemented. There are obstacles in all aspects at the stage of norm internalization. First, from the aspect of actor, the actors' efforts to internalize the norm are hampered by the RUDs in the ratification of ICERD. RUDs can change the legal consequences of the conventions or treaties. Therefore, the existence of RUDs limits many aspects in the application of ICERD provisions in the United States. Second, from the aspect of motives, the conformity motive to comply with the norm that is needed in the norm internalization process is hampered by the existence of the white supremacy ideology in some areas in the United States. The existence of the white supremacy ideology and white supremacy organizations, such as the Ku Klux Klan, causes the division of the community identity into in-group (white) and out-group (other than white, including black or African-American) groups in the United States. Third, from the aspect of mechanisms, there are certain legal decisions or policies which indirectly interfere with the implementation of the mechanism in the form of laws and regulations made by the United States before, even before signing the ICERD. For example, the decision of the 1965 Voting Rights Amendment Act to remove sections 4 (b) and section 5. The decision resulted in the potential for re-emergence of racial discrimination practices in state or local elections due to less supervision from the federal government.

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