

# Institutional Bias

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## ABSTRACT

This chapter focuses on conceptual and theoretical issues surrounding the study of institutional bias, those institutionally ingrained prejudices and discriminatory practices that lead to inequality across social groups. The first section of the chapter looks at the history and background of the conceptualization of institutional bias, from its relatively recent inception as a construct for scientific analysis. The next section covers a select representation of research domains and theoretical perspectives relevant to the causes and perpetuation of institutional bias. The chapter continues with a proposed two-dimensional model for conceptualizing institutional bias, and concludes by suggesting how such a model may be useful for future theory and practice in the service of ameliorating this poorly understood social problem.

## INSTITUTIONAL BIAS

Institutional bias involves discriminatory practices that occur at the institutional level of analysis, operating on mechanisms that go beyond individual-level prejudice and discrimination. It would be easy to conclude erroneously that negative discrimination toward an outgroup could be eliminated if individuals' negative associations, stereotypes, and prejudices toward that outgroup were eliminated, but even in ideal settings where individuals hold no stereotypes or prejudices toward a group, discrimination may still occur. That scenario describes institutional bias at its most insidious, where blame for unequal treatment can be found in no individual, at least not very easily. Of the types of intergroup processes that exist, institutional bias is one of the least understood by

social scientists (Bonilla-Silva, 1997; Feagin, 2006) and remains relatively untouched by theoretical approaches, particularly in social psychology (Berard, 2008).

Examples of institutional bias are practically boundless, as the domains where it is found and the groups it affects are considerably varied. Name just about any social institution and likely there will be institutional bias, in some form against some social group. Historically, it has been around for thousands of years, with slavery being arguably its oldest manifestation. Domains of institutional bias include those covered in Part V of this text, 'Social Impact of Prejudice, Stereotyping, and Discrimination,' which includes analyses of discrimination in the labor market, education, law, health care, and politics, but institutional discrimination has been documented also in the criminal justice

system (Walker et al., 1996), environmental management (Cable et al., 2002), the retail and housing markets (Sidanius and Pratto, 1999), and (for gays and lesbians) the military (Shawver, 1995), among others. Groups negatively affected by institutional bias include virtually any group that experiences prejudice and discrimination at the individual level, such as groups based on race and ethnicity, nationality, sex, religion, sexual orientation, age, disability, body size, etc.

The goal of this chapter is not to focus on the consequences of institutional bias, because this type of research is reviewed elsewhere in this volume. Instead, the goal here is to focus on abstract, generalizable conceptual issues surrounding institutional bias, and theoretical issues concerning its cause and perpetuation, areas that have received much less research focus. The hope is that by having a clear idea of what institutional bias is, what causes it, and what perpetuates it, the scientific community will be better equipped to find solutions for it.

## **HISTORY AND BACKGROUND OF THE CONCEPTUALIZATION OF INSTITUTIONAL BIAS**

Although institutional bias has probably existed as long as there have been groups to oppress, the history of the scientific study of institutional bias as a construct has been relatively short. An important milestone in the study of institutional bias probably was not the recognition that institutional bias or discrimination exists as a social problem. The fact that institutions can be biased, discriminatory, or racist is not especially surprising or enlightening (Jones, 1972).

Rather, I speculate that the important milestone for the social sciences came in recognizing that institutional bias could operate from mechanisms separate from individual bias, and that institutional bias is not merely based on the sum of discriminatory actions of prejudiced individuals. Credit for the term 'institutional racism' (an early variant of

the term institutional bias used here) that incorporates this distinction has been given to the famous civil rights activists Stokely Carmichael (a.k.a. Kwame Ture) and Charles Hamilton, particularly for its use as a concept distinguishable from individual racism, in their 1967 book 'Black Power' (see Berard, 2008; Bowser, 1995; Jones, 1972).<sup>1</sup> However, earlier scientific research recognized that discrimination at an institutional level can be examined separately from individual prejudices. For example, a report in 1964, with the informative title 'Discrimination Without Prejudice' published by the Institute for Social Research (ISR) at the University of Michigan, discusses at length a study of 'organizational discrimination' against the hiring and promotion of racial and religious minorities in the American workplace (Kahn et al., 1964). Nevertheless, Carmichael and Hamilton helped trigger the scientific treatment of the problem of institutional bias (in the form of institutional racism; Jones, 1972; Knowles and Prewitt, 1969). Early conceptualizations of the construct have had considerable longevity, even with the passage of time and the fact that work on institutional bias has become a highly interdisciplinary endeavor, including work done in sociology, economics, law, political science, social work, and social psychology. The conceptualization of institutional bias presented here builds directly off this early legacy.

### ***Conceptualizing institutional bias***

The definition of institutional bias I provide here is borrowed directly from the definition of institutional racism used by Jones (1972: 131), modified to include a broader range of social groups: Those established laws, customs, and practices which systematically reflect and produce group-based inequities in any society. An institution may be biased whether or not the individuals maintaining those practices have biased intentions.

The distinction between institutional and individual bias can be seen in this definition, and helps to explain differences between changes in expressions of prejudice among

individuals in a culture that are not met by commensurate changes in group-based disparities. This distinction is related to (and compounded by) the fact that individual-level prejudices are not strongly related to individual-level discriminatory behaviors anyway (Dovidio et al., 1996), but goes even further by illustrating the discrepancies that exist across individual and institutional levels of analysis. For example, there has been documented an important decline in individually expressed prejudice and endorsement of negative stereotypes against Blacks in the United States (Devine and Elliot, 1995; Schuman et al., 1998), but this decline has occurred despite the fact that discrimination against Blacks is still widespread, and in some domains unchanged or even worse decades after the civil rights era (Sidanius and Pratto, 1999; Walker et al., 1996). For example, there were over nine times as many Blacks incarcerated in the United States in 2003 ( $N = 884,500$ ) compared to 50 years earlier, 1954 ( $N = 98,000$ ; Mauer and King, 2004), and by 2007, Blacks were incarcerated at a rate over four times that of Whites.<sup>2</sup> In other words, negative outcomes for Blacks in domains like the criminal justice system in the United States may have *worsened* since the civil rights movement. Although there are many plausible explanations for these kinds of disparities, they nevertheless point to the fact that changes in individual-level bias may not be met by the same changes in institutional group-based differences.<sup>3</sup>

### ***Identifying institutional bias from its outcomes***

From the very beginning, institutional bias has been defined by its outcomes, by noting domains along which some groups have advantages over others, and speculating that the source of the disparity is in group-based bias (like racism; Carmichael and Hamilton, 1967). Conceptualizing institutional bias in this way may be necessary due to its invisibility, particularly to dominant groups who are not victimized by it or who do not experience it first-hand (Bonilla-Silva, 1997). Institutional

bias reveals itself when studies document group-based disparities in society, or during disasters like Hurricane Katrina, when ethnic minorities were disproportionately harmed by their general location in low-lying (and flood prone), less expensive parts of New Orleans without a means of escape (Henkel et al., 2006); or the war between African ethnic groups in Rwanda, when international attention that could have prevented the massacre of hundreds of thousands failed to do so (Barnett, 2002). In other words, institutional bias may be revealed perhaps only through its negative consequences. This legacy of early definitions of institutional racism continues with the definition of institutional bias presented above ('practices which systematically reflect and produce group-based inequities'), and is consistent with current approaches to the problem (e.g., Jones, 1997; Sidanius and Pratto, 1999; Walker et al., 1996).

But following this initial conceptualization of institutional bias as based on outcomes came contentious reactions, especially during the more conservative era of individual responsibility during the Reagan–Thatcher 1980s (e.g., Block and Walker, 1982). Defining institutional bias by its outcomes makes the definition circular: Group-based differences are a sign of institutional bias, which is defined by group-based differences. Scientists began wondering if a distinction should be made between bias and inequality. As put by one British law professor,

To what extent should we distinguish between discrimination and 'inequality'? Confusion may arise between process and product . . . Inequality may be used as one index by which the presence of discrimination is assessed, but is an act to be regarded as discriminatory simply when minority group members are disproportionately adversely affected? (McCrudden, 1982: 304)

The alternative is that group-based disparities in outcomes may be caused by other factors, such as features of the disadvantaged group itself (Block and Walker, 1982; Scott, 1979), including the group members' attitudes, choices, and motivation (Hoffman and Reed, 1982). For example, one study showed that the

personalities and tastes of underrepresented minorities (e.g., women, ethnic minorities) explain much to all of the variability in differences in wages between the groups (Filer, 1986). These kinds of findings shift the responsibility for group-based differences to the group itself rather than to institutions.

These different perceptions of the causes of group-based disparities, whether caused by the victimized group versus a victimizing society, are reflected in social attitudes. In the United States, Blacks and Whites differ greatly in these attributions of the source of group-based disparities, with Whites putting far more responsibility on Blacks than on society for their disadvantaged status (Kluegel and Smith, 1986). Conservative opposition to programs like affirmative action is mediated most strongly by beliefs that Blacks as a group are responsible for group-based disparities that harm them (Reyna et al., 2006).

This thorny issue concerning responsibility for inequality goes beyond the analysis provided here. A softer stance for the identification of institutional bias would note that group-based differences in outcomes may be a sign of institutional bias at least in part, although they cannot be viewed as a perfect indicator.

### ***Power and legitimacy***

A conceptualization of institutional bias would not be complete without some discussion of two further constructs: power and legitimacy. Both play an important role in the identification of institutional bias and who is affected by it.

Issues of power existed in the first conceptualization of institutional racism (Carmichael and Hamilton, 1967) and researchers since then have agreed that power probably plays just as important a role in institutional bias as it does in individual bias (Henry and Pratto, in press; Jones, 1997). Institutional bias is much more likely to occur at the hands of groups in society who hold power, because those groups will be the ones who control the institutions and therefore determine and carry out the policies that are part of those institutions

(Pincus, 1999). Perceptions of power may also play an important role in determining what is and what is *not* institutional bias. For example, policies that favor some minority groups, such as the pre-boarding of airplane passengers with disabilities, are not seen as biased against those without disabilities because fully physically able people are relatively more powerful than the disabled. Similarly (borrowed from Block and Walker, 1982), left-handed Westerners (like myself) have to write in languages that move from left-to-right (which is awkward and occasionally messy) and otherwise have to navigate through a world built for right-handed people. But this example, too, is not considered institutional bias because left-handed people are not relatively powerless compared to right-handed people. An important condition for institutional bias seems to be the relatively lower power of the disadvantaged group.

Legitimacy, too, has been studied extensively as an intergroup construct (Jost and Major, 2001), and may have special utility for understanding institutional discrimination. The legitimacy of institutional bias involves perceptions that a particular institutional policy is fair, deserved, or justifiable in some manner. Some institutional policies that harm groups with less power go uncontested because of perceptions of legitimacy (Walker et al., 1996). For example, drinking laws in the United States prohibit alcohol consumption by people under the age of 21, which is arguably a form of age-based institutional bias against a relatively powerless group. However, this bias goes almost entirely uncontested because Americans generally believe the legally enforced drinking age is legitimate, given the shared cultural belief that teenagers are especially vulnerable to negative consequences of drinking (see, e.g., the website *Why 21?*, summarizing research on the special effects of alcohol on teenagers, [www.why21.org/teen/](http://www.why21.org/teen/)).

Issues of legitimacy become much more controversial concerning other policies like racial profiling, which many also perceive as legitimate (Glaser, 2005). If Blacks are statistically disproportionately more likely

to commit crime, why not have the police disproportionately target them? If terrorists are statistically disproportionately more likely to be of Muslim or Arab descent, why not disproportionately search or question them at airports? Because perceptions of legitimacy, responsibility, and deservingness can be directed toward groups as a whole (e.g., Reyna et al., 2006; Weiner et al., 1988), they provide an explanation for the interpretation of some institutional policies as biased and others as not. Issues of legitimacy no doubt play a critical role in determining what forms of institutional bias are worth fighting against, and which are not (cf. issues of fairness and justifiability, McCrudden, 1982).

### REVIEW OF THEORIES CONCERNING THE CAUSES AND PERPETUATION OF INSTITUTIONAL BIAS

As suggested throughout this text, not all institutional bias is the sum of individual-level prejudice processes, and consequently processes underlying individual-level theories concerning prejudice and discrimination may be different from processes at broader social levels of analysis (see also Henry and Pratto, in press). Theories designed to ameliorate individual-level prejudice, including contact theory, recategorization theory, education and socialization, motivations to control prejudice, confronting individual acts of prejudice, among many of the theories and methods proposed in Part VI of this handbook, may be ill-equipped for reducing some forms of institutional bias.

Consequently, the theories presented here concerning the causes and maintenance of institutional biases focus on societal-level influences. Theories at this level are limited in number and empirically thin. Where theorizing does exist, it comes largely from perspectives in sociology, economics, and law. The following perspectives were selected as being particularly relevant to the context of societal-level discrimination patterns.

Space limitations prevent a more exhaustive inclusion of approaches and allow for only a superficial treatment of those included. Each approach described here could easily compose its own chapter.

### ***Constructed groups and constructed memories***

Sociologists have made several claims that the establishment and perpetuation of institutional bias would not be possible without collective social constructions. Although there is little empirical evidence to support the claims, the sheer logic is persuasive. First, social groups must be socially constructed and consensually perceived for institutional bias to exist (Bonilla-Silva, 1997). This idea goes beyond individual tendencies to categorize individuals as suggested by social cognition theories (Fiske and Taylor, 1991) to involve socially shared categories and labels (e.g., social identity theory, Tajfel, 1981). For example, the well-known phenomenon of participants expressing bias toward invented groups labeled as 'Wallonian,' 'Pirenean,' and 'Danirean' (Hartley, 1946; cited in Allport, 1954) is important for understanding individual-level prejudice processes, but does not capture the qualities of socially shared constructions. Social constructions will not always cause institutional bias, but they are a necessary condition. There would be no institutional bias without socially shared constructions of groups.

Adding to this point is the notion of social construction of memories, especially the idea of 'collective memory' and, especially, 'collective forgetting' that may contribute to institutional bias (Feagin, 2006). Members of powerful groups collectively leave out of their cultural memory the extent and intensity of historical discrimination and bias against less powerful groups in society, and as a consequence such forgetting assumes that all social groups currently are operating on an equal playing field. Collective forgetting can happen, for example, by leaving the history of discrimination and oppression out of the education system, or through rewriting texts

to gloss over or ignore past mistreatment of disadvantaged groups. Again, there is little empirical evidence that directly connects collective forgetting to institutional bias, but the idea mirrors the important role that constructs such as denial of discrimination play as a key component of individual-level modern and symbolic racism (Henry and Sears, 2002; McConahay, 1986).

### **Cultural bias**

Social constructions such as shared social categorizations and collective forgetting may be part of a larger syndrome of cultural bias that bestows greater social value and worth to people and products of one culture over others. Cultural discrimination has been distinguished from institutional discrimination (e.g., Jones, 1997), and although cultural bias is covered in greater detail in the next chapter (27) it is worthwhile to discuss its operation in the context of institutional bias.

Cultural racism has been defined as a biased cultural worldview that benefits the dominant group through its suffusion 'throughout culture via institutional structures, ideological beliefs, and personal everyday actions of people in the culture,' and is 'passed on from generation to generation' (Jones, 1997: 472). By this definition, cultural bias works its way into institutional bias. For example, in locations where the dominant culture is individualistic, rules and procedures will be built around individualistic values. In a culture with more collectivistic values, there would likely exist different policies, laws, and procedures. A collectivistic person living in an individualistic culture might struggle, then, with an instinctive pull toward following collectivistic traditions (e.g., priority on the family) within procedures that are individualistically based.

There are a variety of dimensions on which cultural bias may emerge to benefit groups in power. Jones (1986) identifies several along which Black culture may differ from White, including ideas about the use of time, the pacing and patterning of behavior, and

approaches to problem solving and creativity. Many cultures worldwide value a White conception of these dimensions and when those values work their way into institutions, policies, laws, and procedures they can disadvantage people from different cultural backgrounds.

Some of the clearest evidence for the entrenchment of cultural bias comes from social psychological research on the Implicit Association Test (IAT; Greenwald et al., 1998), the tool used to determine how quickly a person pairs positive or negative words with names or faces of people from a particular social group. The ability to pair positive words more quickly with names or faces from one group compared to another group suggests an implicit positive bias toward that group. Although there is a great deal of controversy surrounding the interpretation of these effects (e.g., Blanton and Jaccard, 2006) at the least these effects show cultural biases favoring groups in power over other social groups (Karpinski and Hilton, 2001; Uhlmann et al. 2006).

Cultural bias is an international phenomenon as well, to be found in international agencies like the United Nations, which appears to have a European bent. One may compare, for example, the number of cultural sites the United Nations (through UNESCO) deems worthy of protection as a World Heritage Site across different regions of the globe. These sites of outstanding universal value are located mostly in major Western European countries like Italy, Spain, France, and Germany, compared to other regions of the world whose cultures are valued less, like Southeast Asia, South America, or sub-Saharan Africa. For example, an examination of the list up to the year 2008 shows that Italy alone has nearly as many sites as the combined countries of sub-Saharan Africa, despite the fact Italy has less than 2 percent of the land mass of sub-Saharan Africa. Surely many factors contribute to these discrepancies, including the historical global influence of the sites in Europe, their superior state of preservation, the infrastructure supporting their maintenance, etc. Nevertheless, the

discrepancy is vast. It is worth raising the question of the possible influence of bias on such discrepancies even if non-biased policies contribute in part to the discrepancy.

As suggested by the definition, cultural bias is rooted in historical patterns of intergroup relations that result in beliefs and ideologies favoring the higher power group, and which are passed from one generation to the next (Jones, 1997). This cultural bias creates a circle of self-fulfilling prophecies of failures for people who do not benefit from the cultural bias, in which failure to meet criteria or requirements based on cultural biases (e.g., standardized academic admissions tests; Jenson, 1980) often perpetuates further failures (Feagin, 2006). For example, immigrants who do not meet requirements for higher level employment positions may be placed in lower positions that may lead to greater rates of turnover, decreased morale, and decreased ambition. These kinds of patterns help to explain one way cultural biases may transform into the kinds of outcomes that reveal institutional biases.

### **Economics**

The idea of the rational and economically driven actor has been criticized in social psychology, based on the array of evidence suggesting that humans do not operate on purely economic principles, such as the rational weighing of costs and benefits (see, for example, Mansbridge, 1990; Strack and Deutsch, 2007). Although the frame of the rational and self-interested actor may have limitations for understanding individuals and the decisions people make, it may describe general market forces much better, including those involved in institutional bias.

Perhaps the most logical argument of an economics approach is that institutional biases have an economic advantage for business, especially if these biases are based on objectively fair, non-group based policies. For example, businesses have a financial incentive to hire people who are more likely to stay in the job, who are geographically mobile, and who are generally more productive, who in

turn tend to be members of more powerful groups in society (Larwood et al., 1984). In the banking industry, it is financially safer for banks to give loans with lower interest rates only to people with higher incomes and who provide larger down-payments, which rules out multitudes from disadvantaged groups.

Additionally, institutional agents need to placate others, especially clients who may be operating off biases (Larwood et al., 1984). For example, an unbiased manager in a consulting firm, in order to increase profits, may hire only White men if he knows that clients will react poorly toward female or ethnic minority representatives. Profit-driven decisions may therefore elicit bias even from otherwise unbiased individuals. This argument was the defense taken by the CEO of Shoney's Incorporated, Ray Danner, who, when confronted with an employment discrimination lawsuit, claimed that market forces dictated that White customers do not want to see Black restaurant employees (Watkins, 1993, cited in Whitley and Kite, 2006).<sup>4</sup>

This point of the economic advantages of institutional bias has been challenged by Nobel Prize-winning economist Gary Becker in his classic *The Economics of Discrimination* (1971), particularly in the labor and retail markets. His basic argument is that institutional bias is generally disadvantageous for both the perpetrators of discrimination and the victims. An employer may lose out on productive or skilled workers by discriminating against them, and consequently lose out on profits. Institutional bias continues, then, only when the costs associated with discrimination match the 'tastes' or prejudices that the perpetrator has. If the costs of discrimination do not outweigh the preferences for discrimination, there will be no change and bias will continue.

By extending this argument, economic factors alone may help reduce institutional bias, and there appears to be evidence for this proposition. For example, the integration of the armed forces was partly due to the inefficiencies and costs of maintaining a segregated force (Mershon and

Schlossman, 1998). Use of Spanish in advertising in the United States is probably not so much due to cultural sensitivity and inclusion as it is to the massive collective purchasing power of Latino Americans (Korzenny and Korzenny, 2005). Furthermore, many companies are offering domestic partner benefits as a strategic means of hiring and retaining competitive skilled gay and lesbian employees (Gunther, 2006).

Perhaps driven by the influence of economic factors, much research on diversity seems to have the goal of revealing its benefits to productivity, creativity, and problem solving (Antonio et al., 2004; Christian et al., 2006; Cox et al., 1991; Leung et al., 2008). Persuading a business to make more fair policy changes may require appeals not so much to moral issues as to profits and the bottom line.

### ***Group-based interests and legitimizing ideologies***

In a related vein, one major movement in the social sciences has considered the influence of rational interests based on groups. This argument suggests that bias and (especially) racism is a function of different social groups competing over resources (e.g., competition for jobs, for government resources like good schools), in what have been called theories of realistic group conflict (Bobo and Hutchings, 1996; LeVine and Campbell, 1972). Institutional biases fulfill the function of depleting resources from another group and adding those resources to one's own. If you are an agent of an institution, or otherwise are in a position to make and change policy, you may be likely to develop procedures that favor your group especially when faced with perceived threats from another group (e.g., Huddy et al., 2005).

Extending this idea further is the theory of social dominance (Sidanius and Pratto, 1999), which assumes that groups in power have a vested interest in maintaining that power and will rely on a range of strategies for doing so. One strategy is the use of legitimizing ideologies, or beliefs that help to justify

discriminatory and biased policies in a society (Pratto et al., 1994; Jost and Hunyady, 2005). Legitimizing ideologies draw from a range of moral, biological, religious, and group-based beliefs and attitudes to help explain and justify group-based differences in society. For example, stereotypes represent one broad category of legitimizing ideologies, as in the belief that women are not skilled in math, which helps justify keeping women out of the sciences (and therefore reserving those positions for men). As another example, the belief in a just world (Lerner, 1980) suggests that people get what they deserve in life, putting the responsibility for social disparities on members of low-status groups. These legitimizing ideologies are so pervasive that even members of society who are harmed by them often will endorse them (Jost et al., 2004).

Regardless of the form the legitimizing ideology takes, they all serve the same function of ensuring the group-based hierarchy maintains itself. Legitimizing ideologies can work their way into institutions by justifying policies and procedures that allow for differential treatment of minority groups, influencing the perceptions of legitimacy that can determine if a policy even can be called biased at all, as described earlier.

### ***Social capital***

The concept of social capital, more commonly used in sociology and political science, refers to the breadth and effectiveness of a community's social networks and organizational capacity, which can allow members of that community to efficiently accomplish goals and gain resources in a variety of domains (Coleman, 1988). Importantly for the study of institutional bias, social capital is associated with social control, providing its beneficiaries with greater access to jobs and promotions, family support, academic achievement, and status more generally (Portes, 1998).

Members of disadvantaged groups may face institutional biases in part because they lack social capital. That is, members of disadvantaged groups simply may not

have the connections, the mutually beneficial interpersonal relationships, and the trust of others as those groups with power in a society (Feagin, 2006; Kao, 2004), particularly the kind of ‘bridging’ social capital that crosses social groups (Putnam, 2000) that would provide important advantages especially for people of disadvantaged social groups like ethnic minorities (Braddock and McPartland, 1987). Furthermore, whatever social capital disadvantaged groups have may not translate into the same kinds of benefits as the social capital of those who have power (Dunham and Wilson, 2007). Conversely, members of more powerful groups in society have the capacity to continue the transmission of their privileged status through such networks of their families, friends, and professional colleagues, a capacity that embeds itself into institutions and perpetuates itself across generations. Group-based disparities in these forms of social capital contribute to inequalities between groups.

### A FRAMEWORK FOR CONTEXTUALIZING RESEARCH AND THEORY ON INSTITUTIONAL BIAS

One important challenge faced by theoretical approaches to institutional bias is that it is not a uniform construct and can take different forms. A key goal here is to integrate conceptualizations of the different forms of institutional bias into a useful model for contextualizing theory and research. This model focuses on different dimensions of

institutional bias that have been raised in the literature.

### *Two dimensions of institutional bias*

Social scientists have identified different dimensions of institutional bias, including how deeply embedded the bias is within larger organizations (Feagin and Feagin, 1978; Sidanius and Pratto, 1999), how intentional the bias is (Feagin and Feagin, 1978; Jones, 1997; Pincus, 1999), and how overt or covert the prejudice is (also identified as, respectively, ‘de jure’ and ‘de facto’ discriminatory practices; Jones, 1997).

The model in Table 26.1 provides an integration of these approaches, identifying two dimensions involved in institutional bias and the different qualities of bias that emerge from them. The goal is not simply to enumerate descriptive differences, but to provide dimensions with scientific and theoretical utility through revealing types of bias that may have different causes and mechanisms, yet which nevertheless result in the same consequences of differential group outcomes. The model includes two dimensions, labeled (1) sum-of-individuals versus standards-of-practice forms of bias, and (2) intentional versus unintentional bias. These dimensions create four quadrants that reveal four manifestations of institutional bias. Each leads to group-based disparities, but may require different approaches for resolving or mitigating their effects on intergroup inequality.

**Table 26.1** Dimensions of institutional bias

	Intentional (explicitly group-based)	Unintentional (not explicitly group-based)
	<u>Examples:</u>	<u>Examples:</u>
Sum-of-individuals	<ul style="list-style-type: none"> <li>• Hiring choices based on candidate’s sex</li> <li>• Police harassing African Americans based on race</li> </ul>	<ul style="list-style-type: none"> <li>• Hiring choices based on networking</li> <li>• Police pulling over drivers who appear suspicious</li> </ul>
	<u>Examples:</u>	<u>Examples:</u>
Standards-of-practice	<ul style="list-style-type: none"> <li>• Slavery</li> <li>• Apartheid</li> <li>• Military policy and marriage laws that exclude gays and lesbians</li> </ul>	<ul style="list-style-type: none"> <li>• Insurance policies</li> <li>• Bank lending policies</li> <li>• University enrollment</li> <li>• Economically justified business practices</li> </ul>

*Note:* Adapted from Feagin and Feagin (1978); Jones (1997); Sidanius and Pratto (1999)

### *Dimension #1: Sum-of-individuals versus standards-of-practice*

Institutional bias may be created by the sum of discriminatory actions by individuals, or may be created by standards of practice in use by the institution (see Sidanius and Pratto, 1999). Institutional bias that is created by the sum of individuals would lead to major group-based inequalities through the discriminating actions of a critical mass of individuals who are agents of public or private institutions, across time and geographical space in a society.

Institutional bias created by standards-of-practice involves the written or unwritten rules, laws, or procedures that lead to differential outcomes for members of different groups. For example, apartheid laws in South Africa that required Blacks to use separate restrooms, restaurants, and other public facilities were forms of standards-of-practice bias. This type of institutional discrimination is particularly problematic because even entirely unprejudiced or unbiased agents could still produce inequalities simply by following company or institutional protocol. For example, a personnel director responsible for hiring prison guards or fire fighters could be completely free of individual bias, but could perpetuate institutional discrimination against women and some ethnic minorities simply by adhering to the company's minimum height requirements.<sup>5</sup>

Many uses of the term institutional bias (or institutional discrimination/racism) are restricted to describe only bias that is involved in standards of practice (Knowles and Prewitt, 1969; Mayhew, 1968), such that individuals need not be prejudiced or discriminatory for institutional bias to have its insidious effects. However, if institutional bias is defined by outcomes reflecting group-based inequalities, then institutional bias needs to include both standards-of-practice and sum-of-individuals forms of bias.

### *Dimension #2: Intentional versus unintentional institutional bias*

The distinction between intentional and unintentional institutional bias mirrors similar

distinctions made for individual bias, namely explicit versus implicit expressions of prejudice (e.g., Dovidio et al., 2002). Intentional institutional bias is conducted for the purpose of excluding a particular group from receiving a certain form of benefit or positive outcome, and may be written into policies (e.g., slavery, anti-gay marriage legislation) or part of the unwritten rules of an institution (e.g., hiring practices that keep immigrants in the kitchen instead of the front of a restaurant). Unintentional biases also may be written into policies (e.g., university enrollment based on performance on culturally biased standardized tests) or may be part of the unwritten rules of an institution (e.g., promotions based on networking ability).

### *The most dangerous quadrant?*

As shown in Table 26.1, these two dimensions produce four quadrants or types of institutional bias: (a) sum-of-individual bias that is intentional, (b) sum-of-individual bias that is unintentional, (c) standards-of-practice bias that is intentional, and (d) standards-of-practice bias that is unintentional. One quadrant stands out as being especially dangerous, and controversial: standards-of-practice bias that is unintentional. In a vacuum these standards of practice are based on entirely rational and superficially unbiased policies and procedures that do not target specific groups directly. However, within certain contexts, especially contexts where historically a group has faced discrimination, they promote continuing bias. For example, medical school admissions are based typically on academic preparation, a completely rational policy to ensure success in a rigorous training program. However, if some social groups (e.g., ethnic minorities) have a history of being disproportionately underrepresented in education, especially the kind of education needed to prepare one for medical school, then such objective admissions policies will necessarily lead to less representation of those groups in the field of medicine. Similarly, insurance companies use actuary tables based on objective, economically driven standards for determining their policy premiums. But if

some social groups are more likely to fall under a 'risk' category (e.g., have homes in lower-income locations with little access to services, as is disproportionately the case for ethnic minorities; Squires, 2003), then the members of that group are more likely to pay higher premiums despite the rational and objective nature of the policy. These policies are dangerous for the perpetuation of inequalities precisely because of the lack of direct evidence of bias.

### **THE FUTURE OF THEORY AND APPLICATION CONCERNING INSTITUTIONAL BIAS**

There seems to be a great deal of room for the development of theories concerning the causes and mechanisms of institutional bias. Notably missing from the social-scientific picture are data concerning these mechanisms, especially how the mechanisms are linked to the disparate outcomes observed in societies across the globe and affecting a wide variety of social groups. Indeed, forecasting the future of institutional bias in social psychology research is challenging because there are not strong foundations concerning its mechanisms. Because of this need for a clearer, empirically driven understanding of these mechanisms, the study of institutional bias is wide open for directing research energy.

An additional challenge arises in forecasting how existing theory on institutional bias can be applied to providing solutions to the problem of institutional bias. The theoretical approaches summarized earlier provide some clues for understanding the mechanisms and conditions necessary for the creation and persistence of institutional bias, but they do not easily point to readily available solutions to the problem. For example, how does one counter the socially shared construction of groups, or cultural biases that have roots in centuries-old intergroup relations? Nevertheless, as suggested throughout this chapter, it seems clear that the solution to institutional biases will require different

approaches compared to those used to solve individual bias.

### ***Theoretical and practical solutions to institutional bias***

The strategy for changing institutional bias will depend on the type of institutional bias that is at work. As Table 26.1 shows, institutional bias can take many different forms, and the form it takes will determine how best to manage it. Solutions need to be sensitive to these different manifestations.

The one form of institutional discrimination that would seem most amenable to bias-reduction strategies based on individual-level theories would be that found in the sum-of-individuals/unintentional quadrant in Table 26.1. If group-based disparities are caused in part by the sum of the actions and decisions of individual agents who do not intend to act in a biased fashion, then education, prejudice awareness programs, diversity training, the employment of minorities in decision-making roles, etc., would all be plausible ways of reducing, even if piecemeal, this form of institutional bias. If these individual agents of bias do not intend to be biased, then strategies that collectively reveal their biases and increase their awareness may be effective.

Not all individual agents of institutions, however, are so interested in equality between groups. For example, research indicates that people with dominance motives may be especially attracted to powerful social roles (Sidanius et al., 1991). The forms of institutional bias found in the sum-of-individuals/intentional quadrant of Table 26.1 might be resistant to individual-level efforts to reduce bias. Rather, such acts of bias might need to be dealt with in a legal fashion, resorting to discrimination lawsuits or formal reprimands by superiors. Of course, resorting to discrimination lawsuits will be effective only to the extent that a social group is protected by law. Many groups are not so protected, including gays and lesbians, the obese, or many individuals with concealable stigmas like mental illness or depression.

Not all forms of institutional bias can be easily traced to individual actions, however, as suggested by the standard-of-practice forms of institutional bias. These institutional biases will require bias-reduction strategies that are not rooted in individual-level theory. Considering the quadrant of standards-of-practice/intentional bias shown in Table 26.1, strategies could involve civil rights legislation, or change through popular protest, or minority agitation (see, e.g., Feagin and Feagin, 1978; Feagin, 2006).

Finally, there is the Table 26.1 quadrant of standards-of-practice/unintentional bias. Strategies for reducing institutional bias in this quadrant may need to be directed at the institutional level, through reparations policies such as affirmative action, welfare policies, minority recruitment programs, as well as through involvement of minority input in decisions about policies and procedures (Feagin, 2006; Jones, 1997). Repairing this form of institutional bias is especially tricky because it involves repairing the consequences of policies that do not have clear group-based implications. As suggested earlier, at the root of the controversy are perceptions of who is responsible for such repair: society, or the groups themselves.

### *Fighting institutional bias through reforming institutions*

There are other institutional-based approaches that could help reduce all forms of institutional bias. One solution may be to target leaders of institutions. Because leaders of organizations or institutions have power in determining the policies and procedures that may be biased, as well as help set the corporate norms and culture, they present an important source of change (Crain et al., 1982; Reskin, 1998). For example, in one major corporation, after a simple discussion by a CEO with the supervisors concerning minority recruitment, the hiring of women and ethnic minorities in the corporation increased substantially (reported in Dovidio, 1993). This idea is consistent with the important role that authority figures can play in ensuring the effectiveness of reducing

intergroup prejudices through intergroup contact (Pettigrew and Tropp, 2006).

Organizations also can be formed to help monitor institutional bias and enforce its change, and in the United States various public and private organizations have emerged. The federal government established the Commission on Civil Rights and the Equal Employment Opportunity Commission (EEOC) to help monitor employment discrimination, and private organizations such as the American Civil Liberties Union (ACLU) help prosecute illegal cases of institutional bias.

Civil rights legislation and the passage of laws establishing the illegality of institutional discrimination is another means through which institutional bias may be fought (see Henry, in press), and at the very least sends the message from an overarching institution (i.e., the government) that group-based bias is unacceptable. Because many laws in the United States are based upon a constitution that was written during an inherently racist historical period, sociologist Joe Feagin has even proposed rewriting the US Constitution with the input of disadvantaged groups as a necessary beginning for the legislative battle of institutional biases (Feagin, 2000, 2006).

In sum, it seems clear that if institutional bias is to be reduced, it needs to be approached as a system that operates independently from individual biases. Solutions that target prejudice and bias reduction strategies in individuals may not be very effective for reducing the biases in institutions that result in large group-based disparities. One important step for social scientists will be having a better understanding of the different forms that institutional biases can take, recognizing that different types of institutional bias may have different mechanisms driving them, and understanding that those different mechanisms may require different solutions.

## NOTES

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1 The word 'bias' is used in this chapter because social psychological conceptions of discrimination focus mostly on behaviors. Bias is a broader term meant to capture any attitude, belief, or behavior that might contribute to the problem of differential, group-based outcomes.

2 Data from 2007 were made available from the US Department of Justice, Bureau of Statistics, available on the internet at <http://www.ojp.usdoj.gov/bjs>.

3 The reverse also may be true, that improvements in institutions may not be met by improvements in individual attitudes. For example, policies like school integration programs designed to improve individual-level intergroup attitudes have sometimes had no effect or have worsened individual-level intergroup attitudes (Amir, 1969). Although contact theory has since developed enough for us to understand why (e.g., Pettigrew and Tropp, 2006), these kinds of institutional-policy versus individual-attitude discrepancies further illustrate the complexities of the mechanisms of bias operating at both levels.

4 Notably, Danner lost the case.

5 The issue of responsibility for bias on the part of individuals following biased institutional protocol is murky. For example, Adolf Eichmann, as part of his defense at the Nazi war crimes tribunal in Jerusalem, insisted that he was merely following the protocol of his job of transporting Jews to death camps, and could not be held individually responsible for animosity toward Jews (indeed, not following through on his job could have had lethal consequences for him in the Nazi regime). The jury held him responsible anyway, and he was hanged (Arendt, 1963/1994).

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