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RESEARCH 05

Racial Equality

From Formal Rights to Substantive Equality

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Abstract

Racial equality is frequently discussed through differences in income, education, health, housing, employment, policing and political representation. These differences are essential evidence, but they do not by themselves explain how inequality is produced. This study develops a framework that distinguishes racial disparity, racial discrimination and structural racial inequality. It treats race not as a biological essence but as a social classification whose meaning and institutional consequences vary across societies and over time. The analytical question is therefore not whether racial categories describe fixed human types, but how racialisation can become attached to resources, opportunities, treatment, exposure and social status.

The paper argues that formal equality and anti-discrimination law are indispensable but incomplete. Substantive racial equality requires attention to historical endowments, spatial organisation, institutional gateways and cumulative processes that can reproduce unequal conditions after explicitly discriminatory rules have been removed. Evidence from the United States, the European Union and Latin America shows persistent differences in wealth, labour-market outcomes, educational experience, health, housing, policing and exposure to discrimination. At the same time, substantial heterogeneity within racial and ethnic categories cautions against treating statistical group differences as proof of a single cause.

A central methodological distinction runs throughout the analysis. A disparity is an observed difference; discrimination is unequal treatment attributable to race or ethnicity; structural inequality refers to durable patterns generated through the interaction of institutions, histories and distributions of resources. Disparities can motivate investigation but do not establish discrimination on their own. Conversely, formally race-neutral rules do not establish substantive equality where institutions systematically expose groups to different opportunities or risks. Experimental audit studies, longitudinal data, institutional records and self-reported experience each illuminate different parts of this causal problem.

The paper proposes a Racial Equality System organised around six connected domains - Equal Status and Rights, Historical Endowments, Institutional Access, Treatment and Exposure, Voice and Recognition, and Outcomes and Intergenerational Transmission. Geography, class, gender, migration status and other social positions operate across the system. The framework extends the Equality at Large research programme by showing how racial inequality can persist without requiring a single discriminatory actor or a single explanatory mechanism, while preserving the distinction between evidence of disparity and evidence of causation.

Keywords: racial equality; racism; racial discrimination; structural inequality; substantive equality; wealth; housing; education; labour markets; health; policing; social mobility; participation; intersectionality

1. Introduction

Racial equality begins with a legal and moral proposition: rights, dignity and public institutions should not depend on a person's race, colour, descent or ethnic origin. The International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination broadly as distinctions, exclusions, restrictions or preferences based on race, colour, descent, or national or ethnic origin that impair equal enjoyment of

human rights and fundamental freedoms. This formal commitment is now embedded in international law and in the constitutional and statutory systems of many states.¹

The difficulty lies in translating equal status into equal social conditions. Explicit racial classifications in law can be abolished while inequalities persist in wealth, housing, schooling, employment, health, exposure to violence or political influence. The persistence of these patterns raises a question that is both empirical and conceptual: when does a group difference reflect different choices or circumstances, when does it reflect discriminatory treatment, and when is it produced by the accumulated operation of institutions whose individual rules may appear formally neutral?

The problem cannot be solved by assuming that every racial disparity is caused by racism. Group averages can differ because of age structure, geography, migration history, education, occupation, family structure, selective migration, measurement error and many other factors. Scientific analysis requires mechanisms and, where possible, causal identification. Yet the opposite inference is equally weak. The absence of an explicitly discriminatory rule, or of provable discriminatory intent by a particular decision-maker, does not establish that opportunities are substantively equal. Institutional rules can interact with historically unequal endowments and produce durable patterns without a single contemporary act explaining the whole result.

This distinction has become central to contemporary equality scholarship. Sandra Fredman argues that substantive equality cannot be reduced to identical treatment; it must also address disadvantage, stigma and stereotyping, participation, and structural change. Eduardo Bonilla-Silva similarly shifted attention from racism understood only as individual prejudice toward racialised social systems in which social relations and institutions can reproduce racial hierarchy. These approaches do not eliminate individual discrimination from the analysis. They locate it within a wider system of resources, institutions and social meaning.²

The international comparison is important because racial categories are not universal. The category Black in the United States, Afro-descendant in Latin America, visible minority in parts of Europe, caste- or descent-based classifications in other societies, and national or ethnic categories elsewhere are not interchangeable. They arise from different histories and administrative systems. A global research framework must therefore distinguish the general phenomenon of racialisation from the specific categories through which different societies measure it.

This study asks four questions. First, what distinguishes formal racial equality from substantive racial equality? Second, through which mechanisms can racial inequality persist across generations? Third, what forms of evidence allow researchers to distinguish disparities from discrimination and structural causation? Fourth, how can the wider Equality at Large framework be adapted to analyse racial inequality without reifying race as a fixed biological category?

¹United Nations, International Convention on the Elimination of All Forms of Racial Discrimination, 660 UNTS 195 (1965), art. 1(1).

²Sandra Fredman, "Substantive Equality Revisited," *International Journal of Constitutional Law* 14, no. 3 (2016): 712-738, <https://doi.org/10.1093/icon/mow043>. Eduardo Bonilla-Silva, "Rethinking Racism: Toward a Structural Interpretation," *American Sociological Review* 62, no. 3 (1997): 465-480, <https://doi.org/10.2307/2657316>.

The answer developed here places institutions between history and outcomes. Historical processes shape endowments and geography; institutions distribute access and exposure; individual and organisational decisions influence treatment; these processes affect capabilities and participation; outcomes then become resources for the next generation. Racial equality is therefore best understood not as statistical sameness, but as a social condition in which racialised classification does not systematically determine status, treatment, opportunity, security or the capacity to participate as an equal.

2. Scope and Method

This paper is an interdisciplinary conceptual and empirical review. It draws on equality law, sociology, economics, political science, public health and social policy. The evidence base combines foundational theory with contemporary institutional data from the United Nations, the European Union Agency for Fundamental Rights, the OECD, the World Bank, the U.S. Federal Reserve, the U.S. Bureau of Labor Statistics, the U.S. Department of Education and other public bodies, together with peer-reviewed experimental and longitudinal research.

Three methodological principles guide the analysis. First, racial disparities are treated as descriptive facts requiring explanation, not as automatic proof of discrimination. Second, causal evidence is strongest when research designs hold relevant characteristics constant or exploit longitudinal, experimental or quasi-experimental variation. Correspondence studies, for example, can isolate differential employer responses to otherwise comparable applications. Third, no single method is sufficient. Experiments identify treatment effects in defined settings; administrative data reveal population patterns; historical research identifies path dependence; and surveys capture experiences that administrative systems may fail to record.

Cross-national comparison requires particular caution. Countries define race and ethnicity differently, and some collect little or no official data. Categories can change over time and may combine ancestry, nationality, colour, religion, language or self-identification in different ways. Measurement is therefore part of the substantive problem: inequality that is not measured can remain institutionally invisible, but classification can also oversimplify heterogeneous populations.

The analysis focuses principally on racial and ethnic inequality as manifested in social and economic institutions. It does not attempt to provide a comprehensive history of racism in every region, nor does it assess every form of ethnic, religious, caste or indigenous inequality. The cases are used analytically to identify mechanisms that can travel across contexts while preserving differences in history and classification.

3. Conceptualising Racial Equality

3.1 Race as a social classification

Modern social science generally treats race as a social and political classification rather than a set of discrete biological human types. Michael Omi and Howard Winant describe racial formation as the sociohistorical process through which racial categories are created, inhabited, transformed and destroyed. This perspective is essential because the meaning of racial categories changes across time and place. Classification is not merely

descriptive: once attached to law, property, neighbourhoods, schooling, employment or social status, it can influence material outcomes.³

Recognising race as socially constructed does not imply that racial inequality is unreal. Social classifications can have powerful consequences precisely because institutions and people act upon them. Currency, citizenship and property are also socially constructed institutions; their social construction does not make their effects imaginary. The relevant question is therefore how classifications acquire consequences.

This approach also avoids biological determinism. Differences in group outcomes should not be interpreted as evidence of innate group capacities. Observed outcomes are produced through the interaction of individuals with histories, institutions, environments and opportunities. The Equality at Large framework is concerned with these social mechanisms rather than with claims of biological hierarchy.

3.2 Formal equality and substantive equality

Formal racial equality requires equal legal status and prohibits differential treatment based on protected racial or ethnic grounds. It is foundational. Without equal citizenship, equal protection and enforceable anti-discrimination rules, other forms of equality remain precarious.

Substantive equality asks whether equal legal rights translate into comparable practical freedom. Fredman's four-dimensional account is useful here: substantive equality should redress disadvantage, address stigma and stereotyping, enhance voice and participation, and accommodate difference while facilitating structural change. Applied to race, the framework directs attention beyond the text of rules toward the distribution of resources, institutional processes and the status relationships in which people interact.⁴

This distinction does not imply that substantive equality requires identical racial outcomes. Statistical parity can be informative, but populations differ in many characteristics and choices. The stronger proposition is that race should not systematically alter access to fundamental institutions or the treatment of otherwise comparable people, and that historically accumulated disadvantage should not be mistaken for a neutral starting point.

3.3 Disparity, discrimination and structural inequality

Three concepts should be separated. A racial disparity is an observed difference between groups. Racial discrimination is unequal treatment or disadvantage attributable to race, colour, descent or ethnic origin. Structural racial inequality is a durable pattern generated through the interaction of institutions, distributions and histories, potentially including but not limited to direct discrimination.

The distinction can be represented analytically as follows.

Concept	What is observed?	What can be inferred?	Primary research task
Disparity	A difference in average outcomes or exposure between groups.	The groups differ on the measured outcome; cause remains open.	Describe size, persistence, composition and context.
Discrimination	Otherwise comparable people receive different	Race or ethnicity causally affects treatment within the	Identify treatment effects through experiments, audits,

³Michael Omi and Howard Winant, *Racial Formation in the United States*, 3rd ed. (New York: Routledge, 2014).

⁴Fredman, "Substantive Equality Revisited," 712-738.

Concept	What is observed?	What can be inferred?	Primary research task
	treatment because of racial or ethnic classification.	studied setting.	adjudicated cases or strong causal designs.
Structural inequality	Institutions and accumulated endowments jointly produce persistent group differences.	No single decision may explain the pattern; mechanisms operate across domains and time.	Trace institutional pathways, feedback loops and historical accumulation.
Substantive equality	Racialised classification ceases to systematically determine status, access, treatment or capability.	Equality must be assessed across several domains rather than one outcome.	Evaluate rights, resources, institutions, participation and intergenerational transmission together.

This framework guards against two symmetrical errors: inferring discrimination from every disparity, and inferring equality from formally neutral rules. The appropriate question is what mechanism generated the observed difference.

4. Historical Accumulation and Path Dependence

Racial inequality is unusually sensitive to history because many of the relevant resources are durable and transferable. Property, housing, education, business ownership, social networks, citizenship status and political power can persist across generations. Historical exclusion can therefore continue to affect present opportunity even after the original legal rule is abolished.

The United States offers a clear example. Slavery, racial exclusion from citizenship, legally enforced segregation, discriminatory housing practices and unequal access to public institutions operated across different periods and jurisdictions. Massey and Denton showed how residential segregation became a mechanism concentrating disadvantage spatially, linking housing patterns to schools, employment access and neighbourhood conditions. The precise historical mechanisms differ elsewhere, but the general principle of path dependence is wider: institutions allocate resources in one period, and those resources become starting conditions in the next.⁵

Latin America provides a different historical trajectory. A World Bank study estimated that roughly one quarter of Latin Americans identify as Afro-descendants and documented their disproportionate presence in chronic and extreme poverty, lower educational attainment, weaker labour-market returns and underrepresentation in decision-making positions. The report stresses both common legacies of slavery and exclusion and substantial heterogeneity across countries and communities.⁶

History is not destiny. Institutions can change, groups can experience upward mobility and disparities can narrow. The analytical point is that equal contemporary rules do not reset inherited distributions to zero. Historical processes matter insofar as they remain embodied in current assets, geography, institutional design or social expectations.

⁵Douglas S. Massey and Nancy A. Denton, *American Apartheid: Segregation and the Making of the Underclass* (Cambridge, MA: Harvard University Press, 1993).

⁶German Nicolas Freire et al., *Afro-descendants in Latin America: Toward a Framework of Inclusion* (Washington, DC: World Bank, 2018), 16 and executive summary.

5. Wealth, Housing and Place

Wealth is a particularly important transmission mechanism because it connects historical accumulation to contemporary capability. Income supports current consumption; wealth provides security, housing, collateral, access to education, entrepreneurial finance and the capacity to withstand shocks. It can also be transferred directly between generations.

Data from the U.S. Federal Reserve's 2022 Survey of Consumer Finances illustrate the scale of contemporary racial wealth differences. The typical White family held roughly six times the wealth of the typical Black family and five times the wealth of the typical Hispanic family. Those ratios narrowed between 2019 and 2022 as home, stock and business ownership rose relatively more among non-White families, but substantial gaps remained.⁷

A wealth gap is not itself a measure of discrimination in 2022. It is the cumulative result of many processes: earnings, saving, inheritance, housing appreciation, business ownership, debt, family structure, geographic markets, taxation and historical access to assets. Precisely because the stock of wealth embodies past flows, it is a useful indicator of accumulated advantage but an insufficient diagnosis of any one mechanism.

Housing connects wealth to geography. Residential location affects access to schools, transport, environmental quality, healthcare, employment networks and public services. Historical segregation can therefore persist through property markets and neighbourhood institutions even when direct racial exclusion is unlawful. In Europe, the 2023 FRA survey found that discrimination experienced by people of African descent had increased particularly in housing, employment and education, with the 12-month prevalence of racial discrimination in housing rising sharply compared with 2016.⁸

Place thus operates both as an outcome and as an institutional gateway. Where a household can live affects the institutions to which its members are exposed. Housing inequality can consequently translate economic resources into educational, health and mobility differences without any one institution independently producing the entire chain.

6. Education and Capability Formation

Education is central to racial equality because it converts childhood circumstances into later capabilities. Formal access to schooling is not equivalent to equal educational opportunity. School quality, expectations, disciplinary climate, curriculum, peer composition, neighbourhood resources and access to advanced courses can differ substantially within the same legal system.

Experimental and administrative evidence suggests several possible mechanisms. Gershenson, Holt and Papageorge found that student-teacher racial mismatch affected teachers' expectations for Black students, with Black teachers reporting higher expectations for Black students than non-Black teachers in the data they studied. Okonofua and Eberhardt demonstrated experimentally that racial stereotypes can

⁷Aditya Aladangady, Andrew C. Chang, and Jacob Krimmel, with Eva Ma, "Greater Wealth, Greater Uncertainty: Changes in Racial Inequality in the Survey of Consumer Finances," FEDS Notes (Washington, DC: Board of Governors of the Federal Reserve System, 18 October 2023).

⁸European Union Agency for Fundamental Rights, *Being Black in the EU - Experiences of People of African Descent* (Luxembourg: Publications Office of the European Union, 2023), key findings and chapter 4, <https://doi.org/10.2811/327480>.

influence how teachers interpret repeated misbehaviour, producing escalating disciplinary responses to Black students in otherwise comparable scenarios.⁹

National administrative data provide a different type of evidence. In the U.S. Department of Education's 2020-21 Civil Rights Data Collection, Black students represented 15 per cent of K-12 enrolment but 22 per cent of students subjected to school-related arrests and 18 per cent of those referred to law enforcement. These disparities do not by themselves establish discrimination; the Department explicitly notes that disparities can have multiple causes. They nevertheless identify institutional outcomes that require explanation.¹⁰

Educational processes can also compound over time. Expectations affect course placement; disciplinary exclusion affects instructional time; school quality affects qualifications; qualifications influence employment. The significance of education therefore lies not only in attainment at the end of schooling but in the sequence of institutional experiences through which capability is formed.

7. Labour Markets and Economic Opportunity

Labour markets provide some of the strongest causal evidence on racial discrimination because correspondence experiments can hold applicant qualifications constant while varying signals associated with race or ethnicity. Bertrand and Mullainathan famously sent matched fictitious resumes to employers in Boston and Chicago and found that applications with White-sounding names received substantially more callbacks than otherwise comparable applications with African-American-sounding names.¹¹

A later meta-analysis by Quillian, Pager, Hexel and Midtbøen examined field experiments over time and found little evidence of declining discrimination against African Americans in U.S. hiring during the period studied. More recently, Kline, Rose and Walters sent more than 83,000 fictitious applications to 108 large U.S. employers. Distinctively Black names reduced employer contact on average, but the size of the gap varied substantially between firms, suggesting that organisational practices matter rather than discrimination operating uniformly across the labour market.¹²

Aggregate labour statistics show the resulting distribution but not its cause. In 2022, U.S. unemployment averaged 6.1 per cent for Black workers compared with 3.2 per cent for White workers and 2.8 per cent for Asian workers; median weekly earnings for full-time workers were also lower for Black and Hispanic workers than for White and Asian

⁹Seth Gershenson, Stephen B. Holt, and Nicholas W. Papageorge, "Who Believes in Me? The Effect of Student-Teacher Demographic Match on Teacher Expectations," *Economics of Education Review* 52 (2016): 209-224, <https://doi.org/10.1016/j.econedurev.2016.03.002>. Jason A. Okonofua and Jennifer L. Eberhardt, "Two Strikes: Race and the Disciplining of Young Students," *Psychological Science* 26, no. 5 (2015): 617-624, <https://doi.org/10.1177/0956797615570365>.

¹⁰Office for Civil Rights, U.S. Department of Education, *Student Discipline and School Climate in U.S. Public Schools: 2020-21 Civil Rights Data Collection* (Washington, DC: U.S. Department of Education, 2023), fig. 5 and accompanying text.

¹¹Marianne Bertrand and Sendhil Mullainathan, "Are Emily and Greg More Employable Than Lakisha and Jamal? A Field Experiment on Labor Market Discrimination," *American Economic Review* 94, no. 4 (2004): 991-1013, <https://doi.org/10.1257/0002828042002561>.

¹²Lincoln Quillian, Devah Pager, Ole Hexel, and Arnfinn H. Midtbøen, "Meta-analysis of Field Experiments Shows No Change in Racial Discrimination in Hiring over Time," *Proceedings of the National Academy of Sciences* 114, no. 41 (2017): 10870-10875, <https://doi.org/10.1073/pnas.1706255114>. Patrick M. Kline, Evan K. Rose, and Christopher R. Walters, "Systemic Discrimination Among Large U.S. Employers," *Quarterly Journal of Economics* 137, no. 4 (2022): 1963-2036, <https://doi.org/10.1093/qje/qjac024>.

workers. The Bureau of Labor Statistics cautions that such comparisons do not control for education, occupation, experience and other relevant factors.¹³

The European evidence points to similar concerns about treatment. In the FRA survey of people of African descent in 13 EU countries, 34 per cent reported racial or ethnic discrimination when seeking work during the preceding five years and 31 per cent reported discrimination at work over that period. Self-reports cannot isolate causation in the same way as an audit experiment, but they reveal the frequency with which affected individuals perceive racialised treatment across institutions.¹⁴

The analytical lesson is that labour-market inequality combines pre-market and in-market mechanisms. Education, location, networks and wealth influence who reaches an employer; employer behaviour influences how otherwise comparable applicants are treated; occupation and firm structure affect pay and progression after entry. Racial equality in work therefore cannot be reduced either to hiring discrimination or to qualifications alone.

8. Health, Environment and Exposure

Health inequality demonstrates why racial disparities cannot be interpreted through medical care alone. Health reflects housing, income, work, environmental exposure, stress, nutrition, safety, access to preventive care and the quality of treatment received within health systems. Structural accounts therefore ask how these exposures are distributed over the life course.

Bailey and colleagues synthesised evidence on structural racism and health in the United States, identifying residential segregation as a central mechanism linking race to neighbourhood conditions, environmental risk, schooling, employment and healthcare. The argument is not that race itself biologically causes health differences; rather, racialised social conditions alter exposure to determinants of health.¹⁵

Recent U.S. maternal mortality data illustrate the scale of some disparities. In 2022, the maternal mortality rate for non-Hispanic Black women was 49.5 deaths per 100,000 live births, compared with 19.0 for non-Hispanic White women, 16.9 for Hispanic women and 13.2 for non-Hispanic Asian women. These figures are descriptive. Age, health status, access, quality of care and wider social determinants all require analysis. Their importance lies in demonstrating that equal formal entitlement to healthcare does not necessarily produce equal health risk.¹⁶

European evidence also links perceived discrimination to well-being. An OECD analysis published in June 2024, using EU survey data, found discrimination associated with constraints on income opportunities, housing and financial stress, fear, low self-esteem and mental ill-health among groups at risk of discrimination, including racialised communities. The association does not imply that every well-being gap is caused by

¹³U.S. Bureau of Labor Statistics, Labor Force Characteristics by Race and Ethnicity, 2022, BLS Reports 1105 (Washington, DC: U.S. Department of Labor, November 2023), sections on unemployment and earnings.

¹⁴European Union Agency for Fundamental Rights, Being Black in the EU, chapter 4 and findings Q&A.

¹⁵Zinzi D. Bailey et al., "Structural Racism and Health Inequities in the USA: Evidence and Interventions," *The Lancet* 389, no. 10077 (2017): 1453-1463, [https://doi.org/10.1016/S0140-6736\(17\)30569-X](https://doi.org/10.1016/S0140-6736(17)30569-X).

¹⁶Donna L. Hoyert, Maternal Mortality Rates in the United States, 2022, NCHS Health E-Stats (Hyattsville, MD: National Center for Health Statistics, 2024), fig. 2 and table, <https://doi.org/10.15620/cdc/152992>.

discrimination, but it reinforces the need to treat social treatment itself as a potential health exposure.¹⁷

9. Policing, Criminal Justice and Security

Criminal justice is a distinctive domain because the state directly exercises coercive power. Racial equality therefore concerns not only aggregate incarceration rates but also the sequence of encounters through which individuals enter and move through policing, charging, bail, sentencing, imprisonment and re-entry.

Large-scale analysis of nearly 100 million U.S. traffic stops found substantial racial disparities in stops and searches and used threshold tests to examine differential search standards; the authors found evidence consistent with racial bias in search decisions in many jurisdictions. Such studies demonstrate the value of moving beyond raw stop rates toward behavioural thresholds that more directly test decision-making.¹⁸

The consequences of criminal justice involvement can then spill into other institutions. Pager's field experiment showed that a criminal record sharply reduced employment callbacks and that race and criminal record interacted in the labour market. This illustrates cumulative disadvantage: unequal exposure in one institution can alter opportunity in another.¹⁹

In 2023, The Sentencing Project estimated that one in five Black men born in 2001 was likely to experience imprisonment during his lifetime, down from approximately one in three for Black men born in 1981, while documenting continuing racial disparities in incarceration. The decline matters because it demonstrates institutional change; persistence matters because convergence remains incomplete.²⁰

European survey evidence raises related questions about policing. Among FRA respondents of African descent who had been stopped by police in the year before the 2022 survey, 58 per cent perceived their most recent stop as racial profiling. Perception is not identical to an adjudicated finding of unlawful profiling, but low trust and repeated perceived unequal treatment can themselves affect participation and institutional legitimacy.²¹

10. Voice, Representation and Participation

Substantive racial equality concerns who participates in defining institutions as well as how institutions treat individuals. Political rights can be formally universal while barriers to participation, underrepresentation, distrust or unequal access to decision-making weaken substantive voice.

¹⁷Suzana Hardy and Tom Schraepen, "The State and Effects of Discrimination in the European Union," OECD Papers on Well-being and Inequalities, no. 26 (Paris: OECD Publishing, 2024), <https://doi.org/10.1787/7fd921b9-en>.

¹⁸Emma Pierson et al., "A Large-scale Analysis of Racial Disparities in Police Stops across the United States," *Nature Human Behaviour* 4 (2020): 736-745, <https://doi.org/10.1038/s41562-020-0858-1>.

¹⁹Devah Pager, "The Mark of a Criminal Record," *American Journal of Sociology* 108, no. 5 (2003): 937-975, <https://doi.org/10.1086/374403>.

²⁰Nazgol Ghandnoosh, *One in Five: Ending Racial Inequity in Incarceration* (Washington, DC: The Sentencing Project, 2023), executive summary.

²¹European Union Agency for Fundamental Rights, *Being Black in the EU*, section on police stops and racial profiling.

The 2023 report of the UN High Commissioner for Human Rights on racial justice placed particular emphasis on the right of Africans and people of African descent to participate in public affairs. It argued that meaningful participation requires more than formal eligibility and called attention to representation, consultation, protection of civic space and the inclusion of people of African descent in decision-making institutions.²²

Voice matters instrumentally and intrinsically. Instrumentally, institutions are more likely to identify problems that are visible to those affected by them. Intrinsically, participation is part of equal social status: people are not fully equal if they are persistently governed without comparable capacity to influence public decisions.

Representation should nevertheless not be treated mechanically. Descriptive representation does not guarantee substantive policy agreement, and members of any racial group hold diverse political preferences. The equality question is whether barriers associated with racialised status systematically restrict participation or access to decision-making, not whether groups act as homogeneous political blocs.

11. Intersectionality and Within-Group Heterogeneity

Racial categories are internally heterogeneous. Income, gender, age, disability, migration status, religion, nationality, education and geography can substantially alter the experience associated with a racial classification. Treating group averages as complete descriptions therefore risks replacing one form of simplification with another.

Crenshaw's concept of intersectionality is especially relevant to racial equality because legal and statistical categories can miss harms experienced at the intersection of race and gender. The maternal mortality data discussed above provide an obvious example of why racial and gender analysis cannot always be separated. Policing patterns likewise differ by gender and age; labour-market penalties can differ by occupation, class and migration history.²³

The FRA survey found higher reported experiences of racism among some subgroups, including young respondents, people with higher education, people with disabilities and those wearing traditional or religious clothing. This variation demonstrates that racialisation interacts with visibility, status and institutional context.²⁴

Heterogeneity also has a methodological implication. An average gap between broad categories can conceal substantial upward mobility, disadvantage or variation within them. Racial equality research should therefore disaggregate where sample size and privacy permit, while resisting an endless multiplication of categories that makes comparison unstable or reifies classifications beyond their analytical value.

²²United Nations High Commissioner for Human Rights, Promotion and Protection of the Human Rights and Fundamental Freedoms of Africans and of People of African Descent against Excessive Use of Force and Other Human Rights Violations by Law Enforcement Officers through Transformative Change for Racial Justice and Equality, A/HRC/54/66 (Geneva: United Nations, 7 August 2023), summary and annex.

²³Kimberlé Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," University of Chicago Legal Forum 1989, no. 1 (1989): 139-167.

²⁴European Union Agency for Fundamental Rights, Being Black in the EU, key findings.

12. Measurement, Data and Causal Inference

12.1 Why measurement is difficult

Racial inequality is unusually difficult to measure because the categories themselves vary. Census classifications, self-identification, observer classification, ancestry, nationality, colour and ethnicity can produce different populations. A category that is salient in one country may not exist in another. Longitudinal comparison can be affected when classification rules change.

Data scarcity creates a second problem. Some jurisdictions collect extensive racial and ethnic data; others restrict collection because of privacy, historical experience or legal tradition. The result is a paradox: avoiding racial classification can reduce the risk of reification, but it can also make discriminatory patterns harder to detect. FRA explicitly identifies equality data as necessary for assessing racial discrimination in Europe, while also requiring safeguards around collection and use.²⁵

12.2 Evidence hierarchy

Different methods answer different questions. Descriptive data establish whether outcomes differ. Regression models estimate conditional associations. Longitudinal data show mobility and persistence. Field experiments identify differential treatment under controlled conditions. Historical evidence identifies institutional origins. Surveys reveal lived experience and unreported events. Administrative records show the operation of institutions at scale.

The strongest research programmes triangulate these methods. A correspondence experiment may establish hiring discrimination but say little about promotion. Administrative data may reveal a discipline disparity but not whether differences in behaviour, school context or decision-making produced it. Historical housing research may explain spatial concentration without measuring present-day individual treatment. Each method illuminates a different part of the system.

Evidence type	Strongest inference	Main limitation	Example in this paper
Descriptive administrative data	Size and persistence of group disparities.	Does not establish cause by itself.	Labour-market, school discipline and health statistics.
Field or audit experiment	Causal effect of perceived race in a defined decision.	Setting may be narrow; does not capture full career or life course.	Hiring correspondence studies.
Longitudinal data	Intergenerational persistence and mobility.	Mechanisms require additional identification.	Race and economic opportunity research.
Survey of lived experience	Prevalence, context and reporting of perceived discrimination.	Self-report cannot by itself adjudicate legal causation.	FRA Being Black in the EU.
Historical and institutional analysis	Path dependence and rules shaping current distributions.	Causal weight of individual mechanisms may be difficult to quantify.	Housing segregation and accumulated wealth.

²⁵European Union Agency for Fundamental Rights, Being Black in the EU, recommendations on equality data and monitoring.

12.3 Disparity is a question, not a conclusion

A scientifically defensible approach treats a disparity as the beginning of an inquiry. If groups experience different outcomes, researchers should ask whether composition, geography, prior resources, institutional exposure, treatment or measurement can explain the pattern. The explanation may involve several mechanisms simultaneously.

This principle is especially important in contested public debates about race. Over-attribution weakens analysis by treating correlation as proof. Under-attribution weakens analysis by assuming that formally neutral rules are causally irrelevant. Substantive racial equality requires empirical attention to both individual treatment and system-level transmission.

13. Evidence of Racial Inequality in the Early 2020s

By 2024, evidence from several institutional systems pointed to persistent racial and ethnic differences, although the available categories and measures were not internationally uniform. Selected indicators are summarised below. They are not intended as a global index of racial equality; they illustrate different mechanisms and measurement types.

Domain	Evidence	Geography / year	Interpretation
Wealth	Typical White family held about 6x the wealth of the typical Black family and 5x the typical Hispanic family.	United States, 2022 SCF	Accumulated resource disparity; not a single-mechanism measure.
Employment	Unemployment averaged 6.1% for Black workers, 3.2% for White workers and 2.8% for Asian workers.	United States, 2022	Outcome disparity requiring compositional and treatment analysis.
Discrimination	45% of surveyed people of African descent reported racial discrimination in the previous five years; only 9% of recent victims reported it.	13 EU states, survey 2021-22	Self-reported prevalence and under-reporting.
Education / discipline	Black students were 15% of K-12 enrolment but 22% of school-related arrests.	United States, 2020-21	Institutional disparity; descriptive, not causal by itself.
Maternal health	Maternal mortality: 49.5 per 100,000 live births for Black women versus 19.0 for White women.	United States, 2022	Health disparity shaped by clinical and social determinants.
Economic inclusion	Afro-descendants estimated 2.5x more likely to be chronically poor than other Latin Americans in the World Bank study.	Latin America, multi-country evidence	Long-run inclusion and poverty disparity.
Criminal justice	Lifetime imprisonment risk estimated at 1 in 5 for Black men born in 2001, down from 1 in 3 for those born in 1981.	United States, 2023 estimate	Persistent disparity alongside measurable improvement.

The table demonstrates why a multidimensional framework is necessary. Wealth concerns accumulated resources; employment combines opportunity and treatment; discrimination surveys measure experience; health reflects exposure and care; criminal

justice concerns state coercion. No single indicator can stand in for racial equality as a whole.

14. The Racial Equality System

Building on the Equality at Large framework, this paper proposes a six-domain Racial Equality System. The purpose is not to create a numerical index, but to organise causal analysis across institutions and time.

1. Equal Status & Rights	2. Historical Endowments	3. Institutional Access	4. Treatment & Exposure	5. Voice & Recognition	6. Outcomes & Transmission
Citizenship; equal protection; anti-discrimination; access to justice.	Wealth; property; geography; inherited networks; prior exclusion.	Schools; labour markets; housing; finance; health; public services.	Bias; discrimination; policing; environmental exposure; service quality.	Representation; participation; social status; trust; recognition.	Income; wealth; health; security; mobility; next-generation starting conditions.
Question: Are rules and rights equal?	Question: What unequal starting conditions were inherited?	Question: Who reaches which institutions and on what terms?	Question: Are comparable people treated or exposed differently?	Question: Can people participate as peers and influence institutions?	Question: What patterns persist, narrow or reproduce across generations?

The dynamic logic can be written as:

Historical Endowments -> Institutional Access -> Treatment & Exposure -> Capabilities & Participation -> Outcomes

Outcomes feed forward into the resources and geography of the next generation; rights, voice and recognition shape every stage.

The model clarifies why individual and structural explanations should not be treated as mutually exclusive. Individual discrimination can operate within institutional gateways. Institutional rules can amplify inherited endowments without discriminatory intent. Geography can concentrate exposure. Outcomes can then reproduce starting conditions. The empirical task is to identify the relative importance of these mechanisms in a particular context.

The model also clarifies what racial equality is not. It is not a requirement that every racial group display identical averages in every domain. Nor is it satisfied solely by formally neutral rules. The substantive test is whether racialised classification systematically changes status, access, treatment, security, voice or the capacity to convert effort into opportunity.

15. Institutional Conditions for Substantive Racial Equality

The evidence reviewed above suggests five institutional conditions that are relevant to substantive racial equality. These are analytical conditions rather than a universal policy prescription; different legal systems will implement them differently.

15.1 Equal and enforceable rights

Formal equality remains the foundation. Anti-discrimination rules require accessible enforcement, effective remedies and institutions capable of investigating unequal treatment. Rights that cannot be exercised have limited substantive effect.

15.2 Visibility without essentialism

Institutions need sufficient data to identify persistent disparities and evaluate interventions, while classification should remain proportionate, privacy-protective and open to revision. Measurement should reveal inequality rather than convert administrative categories into claims about biological human types.

15.3 Institutional diagnostics

Aggregate gaps should be decomposed institution by institution. Hiring, mortgage lending, discipline, policing, healthcare and political participation each involve different decision processes. Audit studies and administrative review can identify where treatment differs and where pre-existing resource disparities explain more of the gap.

15.4 Attention to accumulation

Where inequality is embedded in wealth, housing or geography, equal present-day treatment may be insufficient to explain or change outcomes rapidly. Researchers and institutions must distinguish current discrimination from inherited distributions while recognising that the two can interact.

15.5 Voice and legitimacy

Participation affects both institutional knowledge and legitimacy. The OHCHR emphasis on participation reflects a wider principle of social equality: those affected by institutions should have meaningful opportunity to influence them, without assuming that any group has a single collective preference.

16. Directions for Further Research

Three lines of inquiry follow directly from this analysis. The first concerns intersectionality. Racial inequality is mediated by gender, class, age, disability, migration status, religion and geography. The next stage of the research programme should examine when inequalities compound, when they offset one another and how empirical methods can identify interactions without turning social categories into fixed identities.

The second concerns institutional transmission. More research is needed on how disadvantages move between domains: from housing to schools, from criminal justice to employment, from health to earnings, and from parental wealth to neighbourhood and educational opportunity. These cross-domain transitions are where structural inequality becomes cumulative.

The third concerns economic design. Racial inequality is often analysed through redistribution or anti-discrimination after market institutions have produced outcomes. The broader Economy of Equality question is whether ownership, access to capital, labour-market institutions, public services and technological systems can be designed so that inherited classification plays a smaller role in the production of opportunity in the first place.

17. Conclusion

Racial equality cannot be understood through a single statistic or a single theory of discrimination. Race is a socially constructed classification whose consequences arise through history, institutions and social practice. Formal equality removes explicit legal

hierarchy and is indispensable. Substantive equality asks the further question of whether racialised status continues to shape resources, opportunity, treatment, security, participation or intergenerational mobility.

The evidence reviewed here demonstrates persistent disparities across several domains. Wealth remains highly unequal by race in the United States. Experimental studies identify differential treatment in hiring. European survey evidence records widespread experiences of racial discrimination in employment, housing and policing. Educational and criminal-justice data show disparities in institutional exposure. Health data reveal major differences in outcomes that require explanation through clinical, social and environmental mechanisms. Latin American evidence demonstrates that Afro-descendant disadvantage is neither uniquely American nor institutionally identical across countries. Scientific caution is essential. A disparity does not establish its cause. Race categories vary, populations are heterogeneous and group averages can conceal important within-group differences. Yet caution should operate in both directions. Formally neutral rules do not prove that opportunities are equal, and the absence of a single discriminatory actor does not exclude cumulative institutional mechanisms.

The Racial Equality System developed in this paper therefore links six domains: Equal Status and Rights, Historical Endowments, Institutional Access, Treatment and Exposure, Voice and Recognition, and Outcomes and Intergenerational Transmission. It treats racial inequality as a dynamic system rather than a static gap.

The resulting definition is demanding but precise. Racial equality is a social condition in which racialised classification does not systematically determine a person's legal status, access to institutions, treatment, exposure to risk, capacity to participate or prospects across generations. Achieving identical outcomes is neither the criterion nor the expectation. The criterion is whether people can participate as equals without racial classification operating as a durable structure of advantage or disadvantage.

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