Race and Democratic Decay in the United States: A Historical Institutionalist Analysis

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Abstract
Democratic decay has become a worrying trend in many democracies, including in the United States. Many democratic erosion scholars note a concern for systemic racism as a contributor to the decline in democratic institutions, but there is currently a gap in this scholarship for nuanced theoretical conceptualizations of the role race plays in the erosion of democracy. In response to this gap, I will utilize some historical institutionalist theoretical concepts to frame the ways in which racism contributes to democratic erosion. Namely, path dependence is the causal mechanism necessary to evaluate intra-institutional forces and their impacts, especially in the case of racism. Further, I will draw on historian Isabel Wilkerson’s lens of racialized caste rather than a more traditional and one-dimensional conceptualization of racism as prejudice for its analytical strength to explain the incentive structure behind democratic decay. My argument is that caste ought to be considered both an institutional path and a destructive causal mechanism. I apply these theoretical insights to the history of racialized voter suppression, including prison labor and Jim Crow laws, felon voting rights, mass incarceration, and restrictive voting laws which work together to form and justify a continuously unequal voting system in the US. Ultimately, caste has led the United States down an entrenched institutional path and threatens the longevity and strength of its democracy.

Keywords: Democracy, Democratic Decay, Racism, Caste, Historical Institutionalism, Institutions, The United States

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Introduction
Wolfgang Streeck and Kathleen Thelen define institutions as the “building-blocks of social order… [that] represent socially sanctioned… [and] collectively enforced expectations with respect to the behavior of specific categories of actors or to the performance of certain activities.”

Institutions typically “involve mutually related rights and obligations for actors, distinguishing between appropriate and inappropriate, ‘right’ and ‘wrong’, ‘possible’ and ‘impossible’ actions and thereby organizing behavior into predictable and reliable patterns.” This investigation focuses on US voting institutions, i.e., systematic processes through which voting is conducted in the US, and the “rules governing the electoral process.”

Ballots, election certification, voting spaces, registration and restrictions all comprise US voting institutions.

The field of Democratic Erosion is dedicated to exploring why and how democratic nations and institutions break down over time.

Opposite to the process of democratization, nations around the world such as Turkey, Poland, Hungary, and the United States have seen deliberate dismantling of both formal democratic institutions and informal norms. There are two main ways of conceptualizing how democracies can decline: erosion and decay. Scholars such as Johannes Gerschewski argue that erosion implies a more exogenous source of the breakdown. In the natural sciences, for instance, the erosion of a rock is done by external factors such as wind, water, and heat.

Conversely,

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2 Streeck and Thelen, 9.
the term decay implies a more endogenous source of breakdown from within. A decaying piece of fruit starts to soften and the internal structure gives in. Ripening is also a positive feedback loop, where the riper the fruit gets, the faster the process of ripening occurs. Democratic backsliding is another phrase used synonymously in the literature with democratic erosion. The notion of democratic decay is far less understood in democratic erosion literature and will be the focus of this investigation.

The concept of path dependence and positive feedback loops in socio-political institutional dynamics come from the historical institutionalist academic tradition, which is a research tradition that examines how temporal processes and events influence the transformation of institutions, including political institutions. In other words, historical institutionalist scholars are mainly concerned with the relationship between time and change within systems, and argue fundamentally that history matters.

Paul Pierson and James Mahoney theorize about social forces and argue that existing institutional patterns will “often generate self-reinforcing dynamics.” In plain terms, path dependence recognizes the tendency for some institutions to become locked into a certain direction, which becomes increasingly difficult to change over time. The classic example of path dependence is the use of the QWERTY keyboard. Once typewriters and computers first began using this keyboard layout, it became increasingly difficult to consider using a

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different key arrangement. People began learning to type in this particular way, and new generations were passed on the QWERTY keyboard. This entrenchment makes it so that keyboard design has not changed significantly over time, and the perceived ‘costs’ of change increase over time. While this is a simplistic example of path dependence, the same principles can be theoretically applied to other institutions to explain why change has or has not occurred.

This theory of institutional paths can be applied to the continuously relevant structure of racism in the US. In particular, the seminal work of Isabel Wilkerson, titled *Caste: The Origins of Our Discontents* grapples with the systemic and long-lasting nature of racism. In this book, Wilkerson proposes an alternative conceptualization of race and racism in the United States. Rather than mere prejudice and hate, Wilkerson locates a “caste” system at the foundations of US socio-political life. Brilliantly, she uses analogies of caste working as the bones of a social body, or the studs and joints of an institutional house. She identifies eight pillars in this theory of caste, including: divine will and the laws of nature, heritability, endogamy and the control of marriage, purity and pollution, occupational hierarchies, dehumanization and stigma, terror as enforcement and cruelty as a means of control, and, lastly, inherent superiority and inferiority. This is a particularly convincing understanding of race because it has much greater explanatory value than racism as prejudice has alone. As a departure from traditional notions of race and racism, there are many places where Wilkerson’s notion of caste implicitly utilizes notions of path dependence and stasis.

In contrast to Wilkerson’s theory of caste, existing democratic erosion scholarship rarely understands race as caste, as a causal mechanism, or as an institutional path. Political scientists such as Robert Lieberman et al. recognize a seemingly paradoxical state of race in US politics in their influential work called *Trumpism and American Democracy*. Partisanship, the authors note, has increasingly correlated
with race in recent decades. This suggests that race is politically salient because it covaries with major voting cleavages. However, the authors also find that Americans’ racial attitudes changed dramatically during this period.” Whereas a “belief in black inferiority was … mainstream” among white Americans for much of the twentieth century, data reveals that such sentiments are “unquestionably less widespread and virulent” than they once were. An understanding of racism as just another form of prejudice like sexism, homophobia, and xenophobia would make these findings contradictory. How can changing racial attitudes towards inclusion yield deeper racial voting cleavages?

Lieberman et al. do not explicitly use a caste-based framework for understanding race in the US. They argue that political alienation of rural poor white people in the US from the political process and their perceived loss of privilege explain Trump’s political success. While partisan polarization can explain some of the above question,

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11 Lieberman et al., 17
12 Lieberman et al., 17
13 There are many theoretical frameworks toconceptualize race and racism in societies. Wilkerson's work provides an alternative to mainstream understandings of race that, while robust and exceptional, is not the only critique that exists. Sociologist Eduardo Bonilla-Silva, for instance, wrote about the concept of ‘Color Blind Racism’ to understand racism in the modern era. Bonilla-Silva’s scholarship theorizes about the (in)visibility of racism and the ways in which all members of society can participate in structural racism. Traditionally held one-dimensional racism-as-prejudice frameworks do not have the explanatory power to fully grasp at a systems-level the interactions of systems of racism and systems of democracy and politics, thus making Wilkerson’s analysis of the institutions of caste particularly useful in this analysis.
the role of race remains thoroughly under-conceptualized by Lieberman and democratic erosion scholars widely. Caste is a foundational system that decides who is included in the political community and what their participatory rights are. Overall, Lieberman et al. represent this gap in democratic scholarship for a theoretical and substantial understanding of race’s position in democratic systems and as a foundational incentive structure for unequal access to democracy.

Another example of this gap is the way that race is understood by scholars like Steven Levitsky, who briefly cited race politics as an important factor in US democratic politics. Namely, in an interview on the topic of polarization and democracy, he argues that voting disenfranchisement in modern US politics can be traced back to the failure of the Lodge Bill in 1890 in the Senate, which would have created stronger federal oversight of elections. The lack of success of this bill, Levitsky argues, allowed for Jim Crow Laws to be passed in the South, leading to a long stretch of voting discrimination for Black Americans that is relevant to this day. What is missing from Levitsky’s argument is a full-bodied understanding of the positionality of race and racism in the democratic machine. He treats the issue of race to be less foundational to US politics and society and as a more unfortunate situation based on the passing or failing of legislation. Yes, policy is a very important component of the democratic machine, but the gravity of the pervasive system of caste is not understood in this analysis. The existing incentive structures for the erosion of democratic opportunities along racialized lines are currently not well theorized. Levitsky, like virtually all democratic erosion scholars, can benefit from conceptualizing racism in democracy as a system of caste, a path, and a mechanism of decay.

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14 Lieberman et al., 15
15 ““There is no easy out”: Why America's deep political divide will continue for 20 years - video Dailymotion.” 2021. Dailymotion. https://www.dailymotion.com/video/x84uvqb.
Theoretical Analysis: Paths and Mechanisms

In this section, I explain what it would mean to conceptualize caste as a path and a mechanism. Caste theorized as a path reflects the implicit theories of stasis in Wilkerson’s analysis, whereas caste as a causal mechanism relates to the ways in which democratic erosion scholars understand race to work as a factor that is changing significantly over time. Bringing both theories together proves analytically useful and clarifying for the further research of democratic decay.

Paths and Causal Mechanisms

Baked into Wilkerson’s writing is a theory of stasis in regard to changing the fundamental structure of caste. Wilkerson traces through history the eight pillars of caste and the ways in which racialized hierarchies are maintained over time. She writes about the dehumanization of enslaved Black people through public showcases and auctions in the first centuries of the United States, and ties them with more modern displays of dehumanization like psychologist Stanley Milgram’s 1963 electric shock study. Both demonstrate in distant periods of time the ways in which degrading the humanness of a person can facilitate and justify harm. For Wilkerson, the methods of dehumanization might have changed, but the foundational principles of caste remain. Wilkerson also writes anecdotes from her own life and examples of her interviewees mis-casting her and expressing disbelief that she, a black woman, could be the esteemed writer for the New York Times that they were scheduled to meet with. This ideology of innate inferiority and white supremacist hierarchy runs incredibly deep in our shared history.

By stasis, I do not mean that ideas and institutions of race have remained exactly the same over time. The mechanisms of upholding and reproducing caste have changed over time, yet the ideological foundations remain. The particular strategies by which Black Americans are dehumanized has changed, yet the motivations and

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justifications for oppression continue. From this, it is reasonable to conclude that Wilkerson’s theory of caste has an implicit theory of stasis, in which caste is continuously sustained over time.

A theory of static caste connects well with ideas of institutional change, namely the concept of path dependence. Pierson argues that path dependence can explain about social history both the cost of change and the importance of timing and sequence. Regarding the cost of change in positive feedback, “the probability of further steps along the same path increases with each move down that path.”17 This is because “the relative benefits of the current activity compared with once-possible options increases over time.”18 In other words, as history unfolds on a path, the more entrenched in that path history’s dynamic gets and it becomes increasingly difficult for deviation to occur.

Jean-Philippe Vergne and Rodolphe Durand argue that “path dependence [is] a property of a stochastic process which obtains under two conditions (contingency and self-reinforcement) and causes lock-in in the absence of exogenous shock.”19 Vergne and Durand invoke the condition of contingency to mean that the start of path dependence is unpredictable and not pre-determined in its origin. The far-future outcome of a path dependent dynamic is indeterminate up until the dynamic begins. It’s only when the not predetermined processes and events (also cited as ‘critical junctures’) initiate the dynamic, that the system moves towards equilibrium or the ‘path.’20 The outcome or result of path dependence is termed ‘lock-in,’ which is “a state of the system that cannot be escaped endogenously.”21 That is, social

17 Pierson, 21.
18 Pierson, 21.
20 Vergne and Durand, 743.
21 Vergne and Durand, 743.
dynamics in an institution that become entrenched in a path can only be disrupted by an outside force, which becomes increasingly difficult over time as the path becomes rooted. The ‘costs’ of exiting the path for endogenous forces increase over time, making exogenous change increasingly the only source of change available. Thus, the concept of path dependence maps on well with the decay notion of democratic backsliding.

Moreover, the concept of ‘causal mechanisms’ is also key to understanding how institutional change or stasis can happen. Causal mechanisms are “[pathways] or [processes] by which an effect is produced… [and] complex systems of interlocking and interacting parts.” In simpler terms, there are ‘cogs and wheels’ that work together to produce an outcome. Many different inputs to a system yield different systemic results. Democracies, and in particular, democratic institutions, also have smaller parts that work together to create the institutional outcomes. Understanding caste as only a static path does not recognize the ways in which caste is continuously erosive to democratic rights. While caste serves as a deep path for democratic institutions, it is not exclusively maintaining institutional equilibrium, but rather also causing changes.

Also, caste is only one component of democratic decay out of many causes. While caste is incredibly important, “a complex phenomenon like democratic regression is not mono-causal.” Rather, “a conjunction of several streams and mechanisms that might partially overlap temporally and substantially, that affect each other, be it in a mutually reinforcing or mutually undermining way.” Scholars of democratic erosion have worked to identify many of these other causes such as party gatekeeping, populism, and informal norms amongst others. The following section will demonstrate a long history of attempts to disenfranchise Black voters, with changing strategies over

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22 Gerschewski, 51.
23 Gerschewski, 45.
24 Gerschewski, 45
time. The principles of racialized exclusion remain, which over time consistently undermine democratic access.

Historical Analysis
The tentacles of caste reach far into US democratic institutions, and shape both barriers and access points to democracy. Access to voting is a key tenet of liberal democracy, and a way in which the strength of democracies is measured. Specifically, free voting rights should include “universal suffrage [and] granting all adult citizens the right to vote regardless of ethnicity, sex, property ownership, race, age, sexuality, gender, income, social status, religion, etc.”25 The legacy of caste in the US has entrenched deeply a ranking of human value that underlies democratic institutions such as the institution of voting. While racial discrimination is by no means a new phenomenon in the US, caste has set US democracy up to experience modern democratic decay. In many ways US democracy has always been deeply flawed and exclusionary, but increasingly troublesome and regressive in recent years. For instance, “the US score in Freedom in the World fell by 11 points on a 100-point scale in the decade from 2010 to 2020, with an accelerated deterioration of 6 points during the presidency of Donald Trump.”26 Techniques of the maintenance of caste have resulted in antidemocratic systems, political thought, and legislation, which have led to this decline in US democracy. The modern US democracy sits at a point of rapid decline as a result of forces and structures that were sowed centuries ago.

This historical analysis will investigate the ways in which prison labor and Jim Crow laws, imprisoned voting rights, mass incarceration,

and restrictive voting laws work together to form and justify a continuously unequal voting system in the US. These sites of race-based democratic backsliding exemplify the ways in which democratic decay supports the system of caste both historically and in the modern day.

**Prison Labor and Jim Crow Laws**

In 1870, the 15th Amendment to the Constitution was ratified, which made voting restrictions on the basis of race unconstitutional. It states that “the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”

Further, the 13th Amendment was passed soon after the end of the Civil War. This amendment reads: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

Only a few years since the Civil War, these amendments provided legal entitlements to voting for millions of Black Americans that were starkly different from the legal statuses of slaves. However, the social dynamic of race was not meaningfully changed by these amendments. Rather, as Wilkerson theorizes, the socio-political structure of caste remained, which dehumanized and ranked Black Americans as the subordinate caste. As a protection of whiteness and white entitlements to the kinds of rights that Black Americans had newly won, caste-based discrimination changed forms in order to maintain the social hierarchy.

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After the 1865 passage of the 13th Amendment, Southern states that profited from slavery found a loophole: Prisoners were not legally protected from slavery-like conditions. From this, people convicted of a crime could be used to do the labor previously forced onto slaves. In broad strokes, a single clause of this amendment “carved out an exception that enabled incarcerated people to be used as free and forced labor and paved the way for mass incarceration, particularly of Black Americans, that we still see to this day.”

Legal mechanisms were formed to capitalize on this potential of prison labor. In particular, Jim Crow laws, which were “designed to limit the freedoms of newly emancipated slaves… [and] imposed curfews on Black people, prevented them from getting certain kinds of jobs, and kept them out of certain neighborhoods.” Importantly, the legal consequences for breaking severe Jim Crow laws was often time in prison. During this time, the imprisoned were frequently “leased out” as labor to private businesses, including plantations and mines, under a system known as “convict leasing.” This system “incentivized the mass incarceration of Black people to create a supply of cheap, if not altogether free, prison labor to replace the slave labor upon which the plantations and other industries had previously relied.” While forced convict leasing in this form has since been banned, imprisoned people to this day perform an immense amount of labor for little to no wages. In most states, the imprisoned “are paid a nominal wage (in the range of cents per hour) for their work; however, a few states, including Texas, Georgia, and Florida, do not pay prisoners at all, and private companies save millions of dollars each

30 Selby
31 Selby
32 Selby
year by contracting prison labor.” Essentially, the form of slavery that was abolished by the 13th Amendment was its most severe form – chattel slavery. Other forms of slavery were allowed to flourish, such as that in prisons.

A harrowing example of this phenomenon in the modern day is the Louisiana State Penitentiary, also referred to as Angola. Previously a plantation with enslaved laborers, this penitentiary now provides its laborers. People who are incarcerated at Angola “are paid a few cents an hour to work the same fields, picking cotton, corn, and more, from the same land slaves were forced to work 200 years ago… [and] some incarcerated people are even tasked with fishing, cooking, and doing repair work for the “free men” — as people imprisoned at Angola call the prison staff.”

75% of people incarcerated at Angola are black, and 70% of the prison population are sentenced to life in prison. Thus, Jim Crow laws amongst other discriminatory laws are mechanisms by which Black Americans disproportionately enter the US justice system, incentivized by the abilities for corporations to extract prison labor.

Mass Incarceration
Anti-racist and abolitionist scholar, Angela Davis, coined the term ‘Prison Industrial Complex’ to describe the “overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social and political problems.” In other words, a complex system has been developed in the US, in which legal and policing apparatuses work to manage the population. The reinforcement of caste and racialized hierarchy is a particular effect of this system, and its intended goal. Drug laws are

33 Selby
34 Selby
35 Selby
some of the most commonly cited areas of racialized discrimination. In *The New Jim Crow*, Michelle Alexander writes that “convictions for drug offenses are the single most important cause of the explosion in incarceration rates in the United States…more than 31 million people have been arrested for drug offenses since the drug war began… [and] nothing has contributed more to the systemic mass incarceration of people of color in the United States than the War on Drugs.”

Mandatory minimum sentencing is another way in which the US legal system could produce racialized disparities. For example, in “1986, before the enactment of federal mandatory minimum sentencing for crack cocaine offenses, the average federal drug sentence for African Americans was 11% higher than for whites … [but] four years later, the average federal drug sentence for African Americans was 49% higher.” Different forms of drugs had different mandatory minimum sentences that justified harsher sentencing for people of color. The Omnibus Anti-Drug Abuse Act of 1988 “created a 5-year mandatory minimum and 20-year maximum sentence for simple possession of 5 grams or more of crack cocaine…. [while] the maximum penalty for simple possession of any amount of powder cocaine or any other drug remained at no more than 1 year in prison.”

Crack cocaine was disproportionately used by people of color, including Black Americans, whereas powder cocaine tended to be used by white people. Thus, a whole embodied system of imprisonment was born in the 20th century, with incentives for the incarceration of Black and Brown bodies as a maintenance of the ‘social order’ of caste. This social ordering sets the stage for anti-democratic political exclusion in modern times.

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39 *American Civil Liberties Union*
Incarceration and Voting Rights

The exclusion of imprisoned peoples in the democratic process is another reaction to the 13th Amendment’s legal abolition of slavery and the 15th Amendment’s expansion of voting rights. Namely, a loophole was found in the amendment that would make it possible to revoke voting rights from citizens convicted of felonies. In the past 25 years, many US states have revised these laws to allow people with felonies access to voting, which is important progress. Nevertheless “as of 2020, an estimated 5.17 million people are disenfranchised due to a felony conviction.”\(^{40}\) The number of people disenfranchised is also increasing because of the growth of the US prison populations, which will be discussed in the next section. Essentially, “there were an estimated 1.17 million people disenfranchised in 1976, 3.34 million in 1996, 5.85 million in 2010, and 6.11 million in 2016.”\(^{41}\)

Despite the fact that most incarcerated people are legally eligible to vote- either because the felony restriction laws are not in effect in their state or they have been charged with a misdemeanor- very few people in prisons vote.\(^{42}\) There are structural barriers within prisons and jails that prevent many people from voting. Namely, “jail administrators often lack knowledge about voting laws, and bureaucratic obstacles to establishing a voting process within institutions contribute significantly to limited voter participation.”\(^{43}\) Moreover, acquiring voter registration forms or absentee ballots while incarcerated is incredibly challenging for folks who cannot use the internet or easily contact the Board of Elections in their voting jurisdiction.\(^{44}\) Many persons in jail also do not know they maintain the right to vote while incarcerated, and there are few programs to

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\(^{41}\) Haynes

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guarantee voting access. The obstacles that incarcerated people face to voting have been present throughout US history and continue today. This Prison Industrial Complex results in political disenfranchisement (whether de facto or de jure) both historically and into the modern era.

Felon voting rights in the state of Florida exemplifies the intentional restriction of voting for political agendas. In 2018, “nearly 65 percent of Florida voters approved Amendment 4, a constitutional amendment that automatically restored voting rights to most Floridians with past convictions who had completed the terms of their sentence.” However, in 2019, “Gov. Ron DeSantis signed Senate Bill 7066 into law, prohibiting returning citizens from voting unless they pay off certain legal financial obligations (LFOs) imposed by a court pursuant to a felony conviction.” Senate Bill 7066 has worked to curb the voting capabilities of felons, as a kind of modern day poll tax despite the measure being unpopular with Floridians. Caste as an engrained social hierarchy informs this decision by DeSantis, which is in conflict with the principles of equal participation that are central to democracies.

**Voter ID Laws and Gerrymandering**

The criminal justice system is certainly not the only site of racialized voter disenfranchisement. Rather, many states with large Black populations, including the South, have a history of repressive voting laws that disproportionately exclude Black voters. Voter ID laws, in particular, make it very complicated and difficult to vote both in-person and through the mail. In the aftermath of the 2022

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45 Haynes


47 Brennan Center for Justice

presidential election, mail-in voting opportunities have also been attacked, which also impacts access for incarcerated people to vote. Notably, former president Donald Trump attempted to invalidate votes coming from cities with large Black populations such as Detroit, Milwaukee, Philadelphia, and Atlanta. Even the Big Lie, or the false claim that Donald Trump won the 2020 presidential election, has an explicit dismissal of Black political voices and agency.

The Big Lie also rejects democratic norms surrounding the loss of an election. Candidates in democracies are typically expected to accept election results, especially after thorough investigation into the accuracy of the election count. This is a clear departure from the normal conduct of political candidates, in the direction of suppressing those who did not vote for him, which are disproportionately Black voters and voters of color. The ordering of human value in the form of political voice is reflected in the Big Lie, which directly threatens democratic order and contributes to its decay. Election denialism also contradicts one of the most important democratic norms, namely accepting the peaceful transfer of power between different parties after democratic elections.

Strategic partisan gerrymandering is another way in which voting institutions systematically reduce the political power of Black Americans, and people of color largely. Gerrymandering is the drawing of political district maps by politicians, which determines the geographic constituency of elected positions. These map drawings are a strategic way in which politicians from any party attempt to leverage their voter base to get elected. Specifically, “in recent redistricting plans, Republicans have “packed” and “cracked” Black communities

Packing and cracking are strategies of district map manipulation used by politicians that divide or concentrate communities of color, and especially Black communities, on district maps in order to decrease the political pull of their votes. Packed districts contain a higher percentage of Black voters with the surrounding districts containing far fewer Black voters. This artificially limits the reach of Black votes to one or few districts rather than having Black voters have political sway in many districts. Cracked districts deliberately disperse Black voters and divides communities to ‘water down’ the potency of Black votes. The effects of these tactics are that “gerrymandered maps dilute the voting power of people of color and their neighbors.”

The same casting of ballots could yield a different winning politician based on the drawing of these maps, which is fundamentally informed by the ideology of caste and who is thought to be deserving of political representation.

In the 2022 midterm elections, for instance, Republicans in the House of Representatives won a majority by a margin so small that “the GOP could not have reclaimed control without their redistricting advantage.” While both Democrats and Republicans engage in gerrymandering, the advantages won by Republicans to control redistricting allowed for an immense increase in political control that otherwise wouldn’t be possible. Caste has informed the kinds of votes that are prioritized and seen as most important in US elections, which has in turn, facilitated anti-democratic behavior in order to uphold racialized hierarchy. These attempts by mainly Republican-led legislatures significantly contribute to the contemporary democratic

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decay by diluting the representation of people of color, and even potentially entrenching the power of a minority voting bloc over the majority.

Thus, the 13th and 15th Amendments, while initially progressive, initiated legal loopholes through which ‘racial order’ or caste could be maintained and thereby democracy eroded. It is no coincidence that imprisonment and convict leasing both targeted Black Americans and led to slavery-like labor conditions in prisons. From this, people convicted of felonies in some cases have no voting rights, and in others still have limited access to voting within prisons. This is all made exponentially worse because of the ways in which the Prison Industrial Complex disproportionately leads to the imprisonment and thereby disenfranchisement of Black Americans. The incentive structures for imprisoning massive amounts of peoples, especially Black Americans, is abundantly clear. Both the extraction of labor and the racialized exclusion from sites of social and political power are central to caste ideology. Black Americans that are not imprisoned also face significant obstacles to their political participation, such as Voter ID Laws and Gerrymandering amongst others. The path of political disenfranchisement along racial lines is maintained throughout the history of the US, which also from its foundations has caused the continual breakdown in access to voting.

Ultimately, the ideologies and structures of the US caste system marginalize Black Americans and put severe limitations on their access to democratic institutions, such as voting. It is a system designed to manage Black Americans in order to extract labor and prevent meaningful contribution to democracy. In *Caste*, Wilkerson recounts a profound interview with historian Taylor Branch that articulates well the status of the US democracy in light of racialized oppression. He asked “if people were given the choice between democracy and whiteness, how many would choose whiteness?”

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54 Wilkerson, 352.
Conclusion and Limitations

Voter exclusion has been a feature of the US democracy from its inception. From Jim Crow Laws to gerrymandering, theoretically inclusive democratic institutions have been rife with racialized marginalization, which lead to their internal breakdown. This article uniquely advances our understanding of democratic decay in the US specifically by connecting theories of caste and path dependence. Firstly, Wilkerson’s analysis provides a convincing conceptualization of racism as a system of caste with an underlying theory of stasis that is fundamentally different from the way that race politics tend to be treated by scholars of democratic erosion. Secondly, the historical institutionalist concepts of path dependence help to make sense of how caste can be sustained over time, yet also be a mechanism of larger institutional changes. Thus, racism as caste is both a sustained institutional path and a caustic causal mechanism for decay. The case of US democracy is somewhat paradoxical because it represents a set of systems that has created a deeply engrained path of systemic caste, while this path also shows signs of deep decay due its internal contradictions. The dream of US democracy as a system of radical equality of power has consistently been at odds with caste as a structure of human ranking. Modern gerrymandering, for instance, shows a way in which structures of democracy, such as voting, are intended to be equal, yet decay due to the co-articulating system of caste, which seeks to diminish the political power of some on the basis of race, and thereby caste. Democracy and caste are deeply intertwined and interdependent in the US, yet they pose existential threats to each other. There is no conceivable institution in the US that is outside of race, and democracy has been a main tool of maintaining the inequalities of caste, while being theoretically in deep opposition to caste. Path dependence and caste as frameworks aid in unpacking the complexities of democratic decay in the US.

Further, I applied these theoretical take-aways to a brief overview of the history of voting disenfranchisement in the US to demonstrate its fundamental ties to the upholding of caste power.
relations. It was only through caste as a socio-political framework that produces hierarchy and inequality in favor of whiteness that these kinds of democratic barriers were erected. The democratic promises of equality and recognition are fundamentally at odds with deeply entrenched systems and ideologies of anti-Blackness, leading to restrictions in Black political agency. A developed understanding of caste’s role in democratic institutions indicates that decay is not a coincidence that happens to marginalize voters on racial lines. Rather, in the process of upholding caste inequalities, democratic institutions suffer. In sum, whiteness has been chosen in many instances in the US, above democracy.

Moreover, scholars of historical institutionalism argue that without an ‘exogenous shock’ to an increasingly entrenched path, it is very unlikely that the path’s course can be disrupted. Internal action under a historical institutionalist framework, would always tend to work to further establish the path. It is only when the positive feedback loop is shunted off of its course that the system falls off of its trajectory. When applied to this analysis, there are implications for the kinds of solutions that would be potent enough to interrupt the path that US democracy and society are on. The potential solutions to democratic decay in the US ought to be studied further, considering both exogenous and endogenous options. When this component of path dependence theory is applied to the case of US democracy, it implies that anti-racist democracy efforts ought to use exogenous and shocking strategies rather than endogenous and incremental ones. Angela Davis argues that for an authentic democracy to emerge, an “abolition democracy must be enacted- the abolition of institutions that advance the dominance of any group over any other.”

Abolition of institutional forces of exclusion within US democracy appears to be the way we can disrupt caste’s democratic decay project and move towards a more just and equal nation.

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“"There is no easy out": Why America’s deep political divide will continue for 20 years - video Dailymotion.” 2021. Dailymotion. https://www.dailymotion.com/video/x84uvqb.


