CHAPTER TWO

THEORETICAL FRAMEWORK

In order to conduct this study, the writer needs previous studies and related theory as the guidance to answer formulated research questions. In this study, the writer uses five previous studies which discuss racial profiling. Besides, there are several theories used as the main guidance to answer research questions which are, critical race theory, racial profiling theory and movie theory.

2.1.Previous Studies

In order to help the writer analyses the object of this study, here the writer would like to give brief previous studies about racial profiling that has been conducted by several researchers.

The first study entitled *Racism on Spike Lee's Blackkklansman Movie: A Critical Discourse Analysis* by Rezky Alviniyanti 2017 in Universitas Islam Negeri Maulana Malik Ibrahim Malang. The objective of this study is to reveal the way move actors represent the element of racist scene in the movie by using discursive strategy theory from Van Dijk and racist theory by Jones (2018). This study typical descriptive qualitative research and used movie analysis theoretical framework to analyze the object of the study. The result of this study shows that there are 34 scenes that contained elements of racism in the movie based on discursive theory and racist theory. This study helps the writer to be the guidance in using method of research and movie analysis theoretical framework.

The second study come from Jones 2017 entitled The Policing Strategy of Racial Profiling and its Impact on African Americans. The objective of this study is to give a gap of knowledge by analyzing the impact of Racial profiling on african American to the contribution of unintetntional violence in Racial and minority communities. The method used in this study is purposeful sampling from partipants, the data collected from interview with participants experiencing Racial profiling in their life. The result show that participants believed that they were discriminated by them, harrassed, treated like criminal and threatened by l

skin colour. This study gives broader understanding about racial profiling and its impact towards the minority who experience racial profiling.

The third study come from Kamalu 2016 *entitled African Americans and Racial Profiling by U.S.* Law Enforcement: An Analysis of Police Traffic Stops and Searches of Motorists in Nebraska, 2002 – 2007. The objective of this study is to discuss about the history of Racial profiling, analyze the position of court in this case, define Racial profiling and analyze the data from Nebraska's law enforcement toward Racial profiling. This research involve literature review and empirical research of significant practice of Racial profiling from Nebraska traffic data as a case study, the data obtained from Legislature of the state of Nebraska from 2002 to 2007. The result shows that the high incident of car stopping and arrest of minorities which are black/african-American, hispanic or native American in comparison to white people is driven by race or Racial profiling initiated by Police officer, drug enforcement agency. Later this stereotypical method of law enforcement was upheld with the US supreme. This study recommend serious reform of Law enforcement of how they treat native American or african-American

people to improve law enforcement and to enhance the relation between citizen and law enforcement in the state of nebraska. This study helps the writer to understand about the motives behind racial profiling on the factors such as cultural, environment, physical surrounding, time of day, and danger.

The fourth study done by Wortley and Bempah 2011 entitled *The usual suspects: Police stop and search practices in Canada*. The objectives of this study is to see that black respondents are more likely view Racial profiling as major problem in Canada than whites or asians, while whites and asians believe that Racial profiling is a tool to fight criminal and mostly blacks is reported to stopped and arrested because of Racial profiling. The data used in this research obtained in 2007 by Hitachi Research Centre in the University of toronto and use two probability selection technique used to select respondents and produce sample of black people, whites and asians representative with the age of 18 or more that living in Metropolitan of Toronto. Interviews are conducted between October and December. A 78% rate of responses was achieved and the interviews are conducted in English or Chinese (Mandarin or Cantonese dialects) and took for about 35 minutes averagely. The result shows that black people are experiencing multiple Police stops and deep interrogation than whites or asians people, while asians or chinese specifically are no more likely to be stopped and interrogated and it gives one conclusion that Racial profiling are not targetting all minorities because mostly chinese imiggrant are become a role model and free of negativity from native majorities. This study gives broader understanding about how racial profiling is often happen towards black minority than any other racial minority in the USA.

The last study written by Jeffrey and Greg 2010 entitled *Testing for Racial Profiling in Traffic Stops from Behind a Veil of Darkness*. The objective of this study is to estimate the risk or benchmark of race distribution of stopped drivers in certain location. The method used in this study are residential population and traffic surveys that both functioned as the method and resulted a theory called as "veil of darkness" stand for Police are less likely to know the race of a drivers before making a stop after dark than during daylight. The result of this study show that among drivers stopped during daylight 49% of them are black while it comes to the dark 65% of driverrs stopped are black. This study helps the writer to find the motives of racial profiling done by police that correlated with the day times.

2.2 Critical Race Theory

Critical race theory (CRT) is a collection of activist and scholars who examine the relationship among society and culture related to race, racism and power. CRT focuses on the experiential knowledge of ethnic minorities and their communities of origin with respect to race and race relations (Delgado & Stefancic, 2001, p. 2). They also stated CRT questions the basic foundation of liberal order such as the theory of equality, legal reasoning, Enlightenment rationalism, and neutral principles of constitutional law (Delgado & Stefancic, 2001, p. 3). In their theory it is stated that racism is ordinary of normal science, specifically, usual way of society to run business, common and everyday experience of most of people in America. It makes racism is something difficult to be cured because it is considered as social construction, in which, races are products of social thought and relations. Thus, racism issues are categories as society invents and manipulations.

Delgado with other main writers of CRT such as Freeman and Bell agreed that CRT offers significant view points towards the landscape of race and racism in American culture since the theory occurred in the mid of 1970s when number of lawyers, activist and legal scholars across the country stand for the advancement of civil right era of the 1960s (Jones D. P., 2017, p. 19). Further Jones explained based on Freeman that CRT has its purpose to show how laws, legal system, and the criminal justice are running bias and impartial against people of color (Jones D. P., 2017, p. 21). Therefore, it is stated that commonly in reality, lawyers use critical race theory ideas to advocate on behalf of victims to expose the bias within the law system since most American put the front of their racist and judgment towards people based on their skin color (Delgado & Stefancic, 2001, p. 3).

Critical race theory address the issue of welfare and poverty of black people that is exist and have different from any other kind of society especially white people (Delgado & Stefancic, 2001, p. 3). Another set of contemporary issue relates racism in the criminal justice system, such as decreasing voting power and less political representation. On behalf of racial profiling, critical race theory addressing racial profiling in which the police stop minority-looking motorist and driver to search for drugs or other possible violent done by black people. This is even categorized as "statistical discrimination" since black people are believed as members of group who mostly arrested compared with whites to be perpetrators of crime. Critical race theory also stands as the struggle to ease the disproportionate of justice towards young black men (Delgado & Stefancic, 2001, p. 3). It could be seen that racial profiling is widespread and less likely than Whites to believe the practice is justified (Gabiddon, Higgins, & Wilder-Bonner, 2012). Therefore, Afro-American

criminality became one of the most widely accepted bases for justifying prejudicial thinking, discriminatory treatment, and acceptance of racial violence as an instrument of public safety (Gabiddon, Higgins, & Wilder-Bonner, 2012).

Jones described four significant themes within CRT according to Freeman: 1. Race and racism are eternal, widespread, and forever matted in American society; 2. CRT exists to challenge created beliefs and racial sympathy and maintains that such ideas are protections for authoritative practice by governing groups in America; 3. CRT is dedicated to social righteousness and the extermination of racial suppression; and the last 4. CRT exists to support the realistic knowledge of women and people of color as genuine and crucial to be considered as dominated individual. Therefore, it could be said that CRT is the ideal theoretical framework since it is connected with racial profiling with the apparent state of racism in the criminal justice system specifically in the law enforcement (Jones D. P., 2017, p. 7). Thus, the understanding of this critical race theory is the most appropriate to be used in order to conduct the analysis regarding to racial profiling practice.

2.3 Racial Profiling

The phrase Racial Profiling refers to the use of race or skin colour as an indicator in Police decisions to stop and interrogate citizens, most of the cases of Racial profiling focuses of how Police initiated traffic stops, although it can also occur in other context like searchers, arrests, detention and charges. In general racial profiling consists of practice or strategy that used to targeting person based on their skin color, origin, religion, or place of birth because of stereotype that are linked with specific suspicion or evidence of criminal behavior. Racial profiling has

become an issue in the world especially in America where there are so much complains about racial bias and racial profiling that has been done by mostly white Police officer toward african-American people. In other words, racial profiling known as the use of race or skin colour as an indicator for Police officer to stop and interrogate black people. It is a strategy of identifying or detaining person based on race rather than specific case of criminal activity an d evidence (Jones D. P., 2017, p. 16).

Filimon stated that racial profiling is a practice that disproportionately affects people of color, poor or homeless in several ways. It leads to discrimination and brutality towards minority through white supremacy system of control and domination. Refers to him, racial profiling is considered as police abuses that could perceive as state violence. According to the data provided in the study based on Bureau of Justice Statistics' report on the "*Prevalence of Imprisonment in the U.S. Population, 1974-2001*" that one of three young African-American men will serve time in prison, and if the current trends continue, and happen in some cities, thus, more than half of all young black men are currently under correctional control in prison or jail, on probation or parole (Filimon, 2015, p. 191).

Filimon (Filimon, 2015, p. 90) further stated that racial profiling is strategy of constitutionality that could bring huge impacts towards individuals of color, law income and those without a place to live. She also believes that racial profiling is unconstitutional policing strategy since it violates victims' constitutional rights against unreasonable search and arrest. It arrogates citizen's right to be treated equal under the law. People who subjected become victim of racial profiling

unfortunately get small amount of oppo rtunity to be heard on the perception of police (Jones D. P., 2017, p. 15).

On the other hand, racial profiling cannot be separated from the racial prejudice that occurs because of the basic reason of criminal statistics data that shows certain minorities are often disproportionately arrested or convicted for crime (Cleary, 2002). According to Journal of Black Studies written by Joseph and Pearson (2002) mentioned that black youth community committed on drug involvement under the basic reason of social environment. For example, many of young Black drug dealers or users lived in inner-city slums with depressed neighborhoods and intolerable social conditions. They face discrimination from White people and lived with lack economic opportunity. Thus, many of them involve as drugs dealers because of financial reason. Since the drug is the biggest business available that could pay them with bigger amount of money compared with working at fast food restaurant in a month (Joseph & Pearson, 2002).

Therefore, this theory will be used as the understanding and to analyze the object of the analysis through the scenes and dialogues that represent every explanation about racial profiling theory through the movie entitled The Hate U Give that potray how white people especially cops doing Racial profiling to black people while driving.

2.4 Movie Analysis

The same with literature, movie is an artwork that used to deliver message to society, however, through audiovisual form. Alviniyanti in her study (Alviniyanti, 2019, p. 23) stated that movie nowadays functioned as mass media and

entertainment tool. Besides, movie also could be a tool to learn and understand things surround the society such as history and biography. According to Jowet in Alviniyanti (Alviniyanti, 2019, p. 24) movie has such powerful instrument to spread and generate ideas and messages. It could portrayed the landscape of reality. In her study it is stated that movie is considered as a text that contains series of photographic of images, it results the illusion of motion and action in real life. A movie which is involving human actors generally attracts and entertain the audience to think about the meaning inside the movie (Alviniyanti, 2019, p. 24).

It is supported by Del Casino and Hanna (Del Casino & Hanna, 2000, p. 29) that movie could representation form of certain national identity. Therefore, analyzing movie is important to see portrayal of racial profiling that commonly happen in the US since movie could be form of mass media that conveying certain picture of reality. Moreover, Diawara in Alviniyanti (Alviniyanti, 2019, p. 24) stated that several movies often assigned black people as slaves, people in the kitchen, or criminals on the screen. Meanwhile white people act as the main characters who commit racism. This racism issue could be said it can raise both in reality and movie since movie is a depiction of reality. Alviniyanti (2019) clearly explained in her study that movie is powerful media and instrument that generating and spreading ideas which useful for producing mental landscape or the way of thinking about reality.

Therefore, at the present times, it is believed that movie becomes both of mass media which convey knowledge but also tools of entertainment. It also becomes the means to learn and understand things that happened in the past such as biography, history, and social issue. Meanwhile, Simatupang in Alviniyanti (2019) divided into

two types which are fiction and non-fiction. Fiction is closely related to fine arts, dramatic arts, which consists of drama, horror or thriller, comedy, action, mystery, animation, sci-fi, musical, and historical drama. Meanwhile, non-fiction movie consists of one type of movie which is called documentary. Those types of movie can be also the director's interpretation of reality about certain issue.

According to Petrie and Boggs, movie focus may be within several elements, it may be on the movie's plot, emotional effect or mood, character style or texture, or ideas. Additionally, movie's plot concentrates on the plot and detective tale adventure, the main focus being on case. Since the aim of several films in this case is to provide escape in every single life from the boredom and drabness of everyday life. Characters, ideas and emotional effect can support this, and the ultimate outcome is important. Meanwhile, emotional effect or mood is the most influential in every single country within a film in the film industry. Usually this sense occurred inside the horror film as well as the thriller film. Because the authors believe in this kind of film that if the audience can catch the emotional based on the effect inside the film. Besides, character is related to each other through both action and dialogue, as it becomes the way the character within the film or film focuses on the stories to the audience. Either action or dialog can be the way to help them understand the character being developed too easily in this case. Further, style or texture is clearly, the author's way of sharing their work with different ways, so in case it might sometimes be the memorable thing that can keep the mind within the audience. There are several unique things that have been produced that relate to each other: look, feel, rhythm, atmosphere or tone that can be the style that our mind catches for a long time after the audience leaves the theater.

However in this study, the writer will analyze the movie that focus on its idea in which it usually this section occurred in the serious movie, action movie, which is a correlation between the character and also the action in the form of the film's own context (Boggs & Petrie, 2008). This theory has several categories of ideas which are:

a. Every single film has its own moral statement or moral principle that can be implemented in real life by someone. But in another hand, for a moral statement, we need to be careful about moral implications.

b. The truth of human nature, this term is quite different from film focusing on unique characters in case it focuses on the real of idea as a theme in the beyond of character study.

c. Social problems, in case this related to social society. Usually they concentrate instead on defining the problem and emphasizing.

d. In this case, the complexity of human relationship, some of the film in the film industry, focuses on the problems, frustrations, pleasures and joys of human relationships: love, friendship, marriage, divorce, family interactions, sexuality, etc.

e. Coming of age or loss or growing awareness of innocence. The main character in such a film usually involves young people going through experiences that force them to mature or gain some new self-awareness in relation to the world around them.

Further, this movie analysis theory is useful as the guidance to analyze the object of analysis, since this study will discuss society and its social problems which is

racial profiling practice and the motives of racial profiling itself that portrays in the movie.