A puerile and vacuous issue emerged during the Obama/Clinton battle to become the 2008 Democratic Party nominee for President. Polls were taken, and discussions and disagreements took place about whether sexism is a bigger problem than racism in the United States. When asked about the race for the nomination during the primary season, most registered voters said that women candidates had to overcome more obstacles when seeking the presidency than black candidates. Voters thought that Hillary Clinton was “judged more harshly because of her gender” than Barack Obama was judged because of his race. (There were no questions about black women candidates even though three black women have run for the presidency - Shirley Chisolm, Lenora Fulani and Cynthia McKinney. Nor were respondents asked to consider the advantages that women candidates may enjoy if they are white.)

Some of our nation’s most privileged white women argued that sexism is more pervasive and enduring than racism. They were adamant about the decline of racism in U.S. society and what they described as the intractable persistence of sexism. It seems, however, that at least when it is directed against white women, sexism is not as serious a problem as racism (whether the racism is directed against men or women), because white women are likely to talk about the sexism they face. People of color are not as free to talk about the racism that stains their professional aspirations. For example, Hillary Clinton spoke openly and often about the sexism she faced during her bid for the Democratic Party’s nomination. Barack Obama spoke far less about the racism he faced.

In this article, I compare discourse about racism and sexism in the corporate workplace. The discourse during the primary season is relevant because it was a discussion about who gets to compete for the nation’s top job. Much of this dynamic is replicated when white women and people of color compete with each other, and with white men, for the jobs at or near the top of corporate hierarchies. I have examined the workplace discrimination and harassment policies of the top 100 U.S. corporations. Most of the policies provide detailed discussion about sexual harassment. Very few companies mention racial harassment in their policies, even though workplace racial harassment continues to be a serious twenty-first century problem.

Discussions about discrimination (as opposed to harassment) do not differ very much when comparing race and gender. It seems, however, that the advances of white women in corporate workplaces have far exceeded the advances of people of color. Feminist Legal Theory has helped to advance the employment status of white women in the private sector. The white women at the top of corporate hierarchies have much in common with the privileged and militant women who concluded that racism is less of a problem than sexism during the primary battle. They have freely talked about sexism and have climbed corporate ladders. People of color, many of whom are reticent about the racism they face, have ascended corporate hierarchies at a slower pace. Moreover, pay disparities between people of color and white men are wider than pay disparities between white women and white men.

Every Fortune 100 company has established workplace diversity initiatives, but racial inequities in the employment context are far too complex to be resolved by the superficial approach of most initiatives. Feminist legal theory has transformed corporate culture, corporate governance and diversity initiatives. White women have benefitted, but people of color have not.