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The *Harvard Journal of African American Public Policy* is a student-run publication that facilitates informed public policy decision-making processes by providing innovative analyses of and solutions to the problems facing the African American community. We are currently accepting submissions for Volume XXI to be published in spring 2014.

We seek to open dialogue on various policy sectors as well as topics ranging from philosophy, urban planning, and even literature, as they all inform our sensibilities when it comes to developing policy that affects African Americans as well as all Americans. Manuscripts are accepted from all policy areas, academic disciplines, and related organizations. In addition to articles, the journal welcomes essays, lectures, speeches, community-based initiative profiles, symposia, position papers, art, poetry, interviews, short stories, photo essays, and book reviews. The journal seeks innovative and solution-oriented strategies that address the relationship between policy making and the political, social, and economic environments affecting African Americans at local, state, and national levels in the United States. The deadline for submission is December 15, 2013.

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- All submissions must be formatted according to *The Chicago Manual of Style*.
- Citations must be formatted in the author-date system via running text, according to the guidelines in *The Chicago Manual of Style*. Footnotes are not accepted.
- All submissions must include a cover letter with (1) author's name, (2) mailing address, (3) e-mail address, (4) phone number, and (5) a brief biography of no more than 300 words.
- Research articles should be 4,000 to 7,000 words in length and include a 100-word abstract.
- Commentaries should be 1,500 to 3,000 words in length.
- Book reviews should be 1,500 to 3,000 words in length and include a full citation for the book, including publisher and year of publication.
- All figures, tables, and charts must be clear, easy to understand, and submitted as separate files.
- Authors are required to cooperate with editing and fact-checking and to comply with journal-mandated deadlines.
- Authors who fail to comply with these requirements may not be published.

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# EDITOR'S NOTE

*Coming back from a one-year hiatus, the Harvard Journal of African American Public Policy is proud to once again become a platform for discussion on policy issues that affect the African American community and, subsequently, America as a whole. This year's journal is a marked departure from previous editions, not necessarily in content but certainly in design. It is especially hard to justify continuing to print new editions of the journal with so many available high-tech devices.*

With that in mind, we wanted to make this year's journal special by focusing on pushing the boundaries of print design and creating a beautiful product that our readers will be happy to own and share. Our hope is that the Harvard Journal of African American Public Policy continues to evolve and bring a new experience to our readers. Complementing our visual change, we have also opened our submission format to accommodate new voices that capture the evolution and interconnectedness of what were previously considered to be separate ways of thinking about African Americans and public policy.

Our editorial board is pleased to present a series of articles, commentaries, and interviews that provide important insight and opinion on current topics. Derecka Purnell offers an in-depth and robust analysis of the discrimination that ex-offenders face, highlighting their difficulties in multiple areas of citizen life. Jonathan Collins looks at what it would take to expand access to higher education and improve outcomes for urban schools. We have equally strong commentaries from several authors. Leonard Horne explores the possibility of passing gun control legislation while Darnell Moore delves into the remaining challenges that advocates face in ensuring marriage equality in New York State. Miriam Edelman advocates for an expansion of the Congressional Black Caucus that



includes other equally relevant representative voices for the Black community. Nyle Fort examines the state of the nation's Black prison population in this year that marks the one-hundred-and-fiftieth anniversary of the Emancipation Proclamation, and Vince Rogers focuses on the misallocation of education to Black Americans since the end of slavery.

We also feature interviews with Jamelle Bouie and Ta-Nehisi Coates, both of whom give excellent insight into today's political discourse. In both conversations, readers will gain some understanding into key issues specific to African Americans. Senior Editor Deloris Wilson interviews Professor Timothy McCarthy on his experiences rebuilding Black churches, and Wilmot Allen interviews Professor William Julius Wilson on the anniversary of the publication of *The Truly Disadvantaged*, exploring the evolution of issues found in the book in more modern times.

The 2013 Harvard Journal of African American Public Policy is deeply grateful to all of the contributors who have played such a key role in its revival. We are also indebted to our staff of editors, copy editors, layout designers, and Harvard University administrative support. Without their contributions, this publication would not exist. Our most sincere hope is that the voices found in this journal serve as catalysts for productive discourse that can lead ultimately to outcomes that improve circumstances for all of us.

Patrick Boateng II, Editor-in-Chief  
Harvard Journal of African American Policy



# EXAMINING DISPARATE IMPACT DISCRIMINATION ON EX-OFFENDERS OF COLOR ACROSS VOTING, GOVERNMENT POLICY AND AID RECEIPT, EMPLOYMENT, AND HOUSING

BY DERECKA PURNELL

*Derecka Purnell is a cum laude graduate of the University of Missouri-Kansas City, where she studied Black studies and political science. She held leadership roles at the Black Law Students Association: Collegiate Student Division and investigated disparate impact discrimination on ex-offenders in housing in the Civil Rights Division of the City of Kansas City. Purnell is a former fellow of the National Black Law Students Association, a Coca-Cola Scholar, a Sidley Prelaw Scholar, and a University of California Berkeley Public Policy and International Affairs Law Fellow. Purnell currently teaches at the Ewing Marion Kauffman School in Kansas City and is a member of the Young Advocate Leadership Training Program through the Children's Defense Fund. Her commitment to people stems from her personal experiences as a member of marginalized communities, as well as her belief that advocacy for such groups through law, education, and policy provides liberation, protection, and empowerment.*

**Abstract:** Ex-offenders of color face disparate impact discrimination as a societal consequence of inadequate policy, private market attitudes, and post-incarceration punishment. A tactful balancing act is required of policy makers, government, and private entities as they make decisions on factors affecting the reintegration of ex-offenders. Alleviating obstacles causing disparate impact discrimination on ex-offenders of color will beneficially impact their communities and advance their transition back into society.

## INTRODUCTION

Ex-offenders of color face disparate impact discrimination as a societal consequence of inadequate policy, private market attitudes, and post-incarceration punishment. A tactful balancing act is required of policy makers, government, and private entities as they make decisions on factors affecting the reintegration of ex-offenders. On the one hand, these decisions must be protective of current systems, institutions, practices, and businesses. On the other, they must also be cognizant of discrimination that may occur as a result of practices that limit the opportunities of individuals who have paid their debt to society. In this, race is an inescap-

able variable. People of color are disproportionately represented in prisons and as ex-offenders, therefore the consequences of all actions taken threaten their status as a protected class under civil rights laws and can lead to disparate impact discrimination. Once society understands how certain factors and actions can lead to discriminatory practices against ex-offenders, then effective policies and measures can be employed to combat such discrimination.

Disparate impact discrimination disproportionately affects ex-offenders of color, even though race, ethnicity, and color are typically protected class categories under the law. Considering this idea of disparate impact discrimination against this group is extremely important because such discrimination further disenfranchises groups that have been marginalized in society throughout history. Such discrimination grants disenfranchisement across voting, government policy and aid receipt, employment, and housing. If an ex-offender is shunned from these areas, the impact is felt across families, neighborhoods, and communities. Unfortunately, capturing the totality of individuals impacted is difficult because the attitude of those governing each respective institution toward ex-offenders varies greatly. Regarding being denied receipt of government aid, substantial research has not been conducted on how ex-offenders, whether of color or not, are affected. Even so, data can be pieced together to display a broad view of disparate impact discrimination. For example, there are studies that have shown the effects of being denied employment as a person of color and how this can be exacerbated if coupled with a criminal record.

Before examining solutions to discriminatory practices, this article defines the disparate impact theory as well as the practices as they relate to policies affecting ex-offenders of color. Using disparate impact theory, this article then addresses discriminatory policies affecting ex-offenders across voting, government policy and aid receipt, employment, and housing. Next, challenges and obstacles to addressing such policies are explored, including their social and political shortcomings. Finally, alternative solutions, policies, and consistent standards are presented to address discriminatory practices. This article examines these issues through race, gender, socioeconomic status, educational attainment, and environmental setting as a platform to dismantle the civil rights, participation, and engagement of ex-offenders of color. The article shows that policy makers, government, and private entities can successfully conduct a balancing act and be fair to ex-offenders who are trying to reintegrate into society.

## **DISPARATE IMPACT DISCRIMINATION**

Disparate impact theory describes situations in which a policy is created that appears neutral on its face but that ultimately impacts a particular group more than others (Community Legal Services 2009). Thus, disparate impact discrimination occurs when policies are created that appear neutral but that negatively impact protected citizens more than the general population. For example, if a bakery implements a policy to prohibit the hiring of applicants with beards, some men of African descent with folliculitis (a condition prevalent in men of African descent in which shaving causes skin and hair follicle inflammation) are automatically excluded; the policy is discriminatory in nature by its disparate impact on men of African descent relative to men of other descent who are less likely to have the condition. The bakery may argue that such a policy constitutes a business necessity to maintain a sanitary and healthy environment while producing its goods. However, if the bakery implements a policy mandating employees with beards to wear face nets, then the new policy demonstrates an alternative where discrimination is minimized and tolerable.

Disparate impact discrimination, unfortunately, poses a much more alarming threat to people of color than does a medical condition's potential impact on bakery production. As underrepresented groups gained civil rights and participation to the social and political sphere in the United States, an agenda has been created to remove them fragmentally (Alexander 2011). One example surrounds the initiatives for a voter identification requirement to prevent voter fraud, an illegal act that

most believe is virtually nonexistent. This legislation would have a tremendous disparate impact on people of color, the elderly, the disabled, and the poor, who typically do not possess a state-issued identification card. However, disparate impact discrimination has another consequence for an even more vulnerable group: ex-offenders of color.

### ISSUE AREAS AND SOCIETAL RETURN

Upon reentry to society, ex-offenders face multiple barriers as they attempt to regain a normal life. As seen below, incarceration demographic figures predict the implications of disparate impact discrimination on ex-offenders of color:

- \* Blacks make up 13 percent of the general U.S. population, yet they constitute 28 percent of all arrests, 40 percent of all inmates held in prisons and jails, and 42 percent of the population on death row (Hartney and Vuong 2009).
- \* Whites make up 67 percent of the total U.S. population and 70 percent of all arrests, but constitute 40 percent of all inmates held in state prisons or local jails and 56 percent of the population on death row (Hartney and Vuong 2009).
- \* According to a study by Lora McDonald and Alex Holsinger (n.d.), “1 out of 11 African American adults are under correction control (prison, jail, or community supervision), while the rates are 1 out of 29 . . . for Caucasian adults.”
- \* Three-quarters (76 percent) of federal prisoners are people of color: 39 percent African American, 33 percent Latino, 2 percent Native American, and 2 percent Asian (Mauer 2011).
- \* American Indians and Alaska Natives have an incarceration rate 25 percent higher than the national rate (Minton 2011).
- \* Latinos/as are the fastest-growing group of prisoners today and have experienced a tenfold increase in federal and state prisons (Morin 2008).
- \* Black drug defendants are 62 percent more likely to be sentenced to prison than White drug defendants (Beckett 2008).
- \* Each year, approximately 700,000 ex-offenders are released from jail or prison. Blacks constitute 31 percent and 41 percent of those on probation and parole, respectively, in this population (Schmitt and Warner 2010).

Notably, the massive number of ex-offenders reentering society are of color, and they face setbacks in areas that are necessary to enjoy full citizenship in the United States. Given the racial and socioeconomic demographic of individuals in prisons in the United States, the historical context and institutionalism of racism, and the lack of urgency to address such issues, people of color experience such barriers at a heightened level. For purposes of discussing disparate impact discrimination, this article begins with an essential barrier to successful ex-offender societal reentry: voting.

### VOTING

The impact of being denied the right to vote as an ex-offender of color can be measured through a history of disenfranchisement, strong state complexes, and the role of civic engagement. The Voting Rights Act of 1965 was passed by Congress and signed by U.S. President Lyndon B. Johnson to address the discriminatory practices that barred Blacks from voting and was expanded to include race, color, or membership in a language minority group (U.S. Department of Justice n.d.). Prior to the act's passage, several obstacles existed to prevent those members from voting through social and legal forces. In *The New Jim Crow*, Michelle Alexander (2010) relays the generational exclusion of Blacks from voting:

[Jarvious] Cotton's great-great-grandfather could not vote as a slave. His great-grandfather was beaten to death by the Ku Klux Klan for attempting to vote. His grandfather was prevented from voting by Klan intimidation. His father was barred from voting by poll taxes and literacy tests. Today, Jarvious Cotton cannot vote because he, like many black men in the United States, has been labeled a felon and is currently on parole. (Alexander 2010)

Although today poll taxes and literacy tests are absent from polling sites, criminal records and status do impede the voting rights of many Blacks. For example, more than five million U.S. citizens cannot vote due to their criminal record or status as an ex-felon, which includes 1.4 million Black men (The Sentencing Project 2006).

The strong support for states' rights in deciding voting capacity disenfranchises ex-offenders of color in different ways depending on the particular state's laws. For example, forty-eight states deny the right to vote to prisoners; eight states have lifetime voting bans for specific felons; and thirty-five states ban those on probation or parole from voting (The Sentencing Project 2006). In their state, Alaskan Natives make up a prison demographic (16 percent) that is twice the size of their state population (37 percent) and are subsequently disenfranchised through state law (Murray 2006). Latinos, the nation's fastest-growing underrepresented group, also face disenfranchisement across states. In a study conducted by the Mexican American Legal Defense and Education Fund, researchers found that Latinos have disproportionately higher rates of disenfranchisement compared to their presence in the voting age population (37 percent compared to 28 percent) (Demeo and Ochoa 2003). Juan Cartenga (2008) notes similar disparities of Latinos in Texas (30 percent felony disenfranchisement), New York (34 percent felony disenfranchisement, 14 percent voting age population), and Florida (only can vote with a gubernatorial pardon).

Cartenga also discusses the "body snatching" phenomenon, where Blacks and Latinos are targeted, then "snatched" from their neighborhoods in New York City and sent to upstate New York prisons where they will be included as part of the rural population count for political representation (Cartenga 2008). Although these individuals do not yield any voting or other political power as prisoners in upstate New York, the political complex of the state limits their permanent communities through representation loss due to the prisoner's temporary incarceration.

Securing the right to vote for ex-offenders is a key area in addressing the disenfranchisement of people of color. The dismantling of this civil right is no mistake: the right to vote allows access and choice toward representation, ballot initiatives, and civic power. Voting, excluding jury duty, is a citizen's only direct and measurable participation in government. The loss of this right

*When the War on Drugs escalated in the mid-1980s, prison admissions for African Americans skyrocketed, nearly quadrupling in three years.*

limits the ability of the ex-offender to choose advocates that will support his or her agenda, which would likely include improving societal reentry. Without access to representatives with an aligning agenda or platform containing successful societal reentry efforts, the ex-offender is subsequently excluded from the public policy arena as a participant.

#### **GOVERNMENT POLICY AND AID RECEIPT**

Ex-offenders of color encounter barriers of paramount significance when seeking the receipt of government aid through public assistance. The discrimi-

natory impact becomes even more disparate when ex-offenders are filtered by the nature of their offense, sex, and socioeconomic status. The policies affecting ex-offenders of color permeate their family structure and communities to the core, often dismantling their stability and severing their access to government aid.

The war on drugs is the sine qua non of policy leading to the mass incarceration of people of color and to the subsequent obstacles that ex-offenders face upon reentry. This campaign began during the Reagan administration and included a host of policies that swept the nation, such as a concentration of mandatory sentencing laws, searches and seizures, police stops, and arrests; all of this also impacted an increase in police brutality—brutality in mainly communities of color (NAACP 2011). Michelle Alexander presents this radical and racial policy shift as a backlash against the rights protected as a result of the civil rights movement:

When the War on Drugs escalated in the mid-1980s, prison admissions for African Americans skyrocketed, nearly quadrupling in three years, then increasing steadily to a level in 2000 more than 26 times the level in 1983. In some states, 80 to 90 percent of all drug offenders sent to prison have been African American. (Alexander 2011)

In *The New Jim Crow*, Alexander (2010) holds that such policy permits a cycle of incarceration, reentry, and re-incarceration of people of color, notably Black men. With such harsh penalties as a result of drug use and/or possession, the prison system becomes financially dependent and sustainable on inmates committing these offenses. With crime originally on the decline during the policy shift, the war on drugs has not led to a decrease in crime but to an increase in punishment (Alexander 2010).

The ineffective drug policies that have had a disparate impact on people of color have affected female ex-offenders in a unique way. Geneva Brown explains that “massive incarceration reincarnation of African-Americans leads to massive reentry into communities” (2010). In her brief on the impact of mass incarceration on the inter-sectionality of race, class, and gender for Black women ex-offenders, Brown shows that this group is disproportionately affected in reentry efforts through the limit of government aid. She first notes that as mothers, these women have children who are the most likely to be in the foster care system for the longest period of time. Brown also notes that as ex-offenders, Black women are more likely to be in need of government aid like Temporary Assistance for Needy Families (TANF) and food stamps but can be banned for life from receiving such aid under the Personal Responsibility and Work Opportunity Reconciliation Act (PROWORA) if the crime is a drug offense. In fact, she says that Black and Latino women are primarily banned for life in seven states, and another 35,000 are prevented in states with lighter sanctions (Brown 2010). Although Black (and Latina) women are disproportionately banned from food stamps and TANF, all ex-offenders convicted of drug-related criminal activity are subject to these bans (Tramontano 2006).

Policies stemming from the war on drugs and PROWORA become even more destructible if ex-offenders are parents. Brown demonstrates a number of connections between child policy and ex-offenders. For example, the 1997 Adoption and Safe Families Act (ASFA) shortens the time span for child foster care placement to twelve months before the biological parents’ rights are severed (Brown 2010). For parent inmates of all races, many serve sentences exceeding twelve months; in this parent inmate population, 54.4 percent of inmates are Black and 57.8 percent are Latino (Glaze and Maruschak 2010). Given the time imbalance, ASFA is more likely to constitute a disparate impact on ex-offenders of color with children.

In terms of the pursuit of financial aid, laws also prevent or limit access for ex-offenders. For example, ex-offenders of color are more likely to be banned from receiving financial aid for post-

secondary education than White ex-offenders due to rules surrounding drug usage. In a 2003 study measuring drug usage across race of college students, researchers found that Whites abused drugs at a significantly higher rate than Blacks and Latinos (National Institutes of Health 2011). In *Dorm Room Dealers*, Rafik Mohamed and Erik D. Fritsvold (2011) argue that White, middle-class college students are engaged in the sale and use of drugs (including prescription drugs) at a much higher rate than Black students, but are protected from law enforcement illegally or because they do not fit the stereotypical description of a drug dealer. Despite these statistics, Blacks are arrested at a rate up to eleven times higher than that of Whites for drug offenses (Quigley 2010). Therefore, ex-offenders of color are disproportionately subject to the following penalties under the Higher Education Act of 2008:

- \* From the date of conviction for possession, students are ineligible to receive financial aid for one year for a first offense, two years for a second offense, and indefinitely with a third offense.
- \* From the date of conviction for sale, students are ineligible to receive financial aid for two years after the first offense and indefinitely with a second offense.
- \* If drug conviction occurred while student was receiving financial aid, he or she will be ineligible to receive financial aid until a drug rehabilitation program is completed.

Notwithstanding the barriers that they may face during their disclosure of a criminal record during the admissions process, the attacks on financial aid receipt serve as another significant obstacle that ex-offenders, who are disproportionally non-White, face as they attempt to reenter society.

## **EMPLOYMENT**

Employment security remains a huge issue in the United States. Ex-offenders, especially those of color, have been in a permanent recession, experiencing a decreasing 35 to 30 percent employment rate (Holzer et al. 2003). Barring part-time work with some exceptions, employment provides income, stability, insurance, retirement and investment opportunities, and mobility. The reality of inaccessible employment severely limits the ability to obtain these benefits. Employment and subsequent benefits are particularly scarce due to the usage of various practices that employers and policy makers have implemented that have a disparate impact on ex-offenders of color. The U.S. Equal Employment Opportunity Commission (EEOC) enforces Title VII of the Civil Rights Act of 1964, which prohibits “intentional discrimination based on race, color, religion, sex, or national origin.” This policy includes a disparate impact, however, as people of color essentially lose this protection as ex-offenders and are still subject to discriminatory policies.

Attitudes, background checks, and personal bias prevent employers from hiring ex-offenders. First, attitudes provide an arbitrary basis for which employers will or will not hire an ex-offender. According to a study measuring the willingness to hire across industries and cities, researchers found that at least 40 percent of employers were definitely not willing to hire ex-offenders for a position that did not require a college degree (Holzer et al. 2004). Furthermore, a study on the willingness of employers to hire ex-offenders of different races found that the double social stigma of ex-offenders and racism toward Blacks led to a significant difference in terms of an employer’s willingness to hire Blacks compared to their White counterparts (Pager et al. 2009). In the absence of policy direction, the decision to hire ex-offenders is left to the discretion of the employer without penalty if that employer chooses to discriminate on the basis of race and uses a criminal record as a proxy.

The discriminatory practices of employers become increasingly skewed during criminal background checks. States allow access to criminal records, which include but are not limited to arrest



records, cases, and conviction information. Employers using arrest records, which may or may not have resulted in convictions, in addition to conviction records have not been identified (Holzer et al. 2003). Since arrest records do not necessarily convey a conviction, the EEOC objects to the use of arrest records as a basis for denying or approving an applicant unless the arrest record is a testament of the applicant's conduct (U.S. Equal Employment Opportunity Commission 2006). Although a district court ruled that the use of arrest records is a violation of Title VII under the Civil Rights Act of 1964 (Community Legal Services 2009), the EEOC does not have a process or penalty for employers that continue this practice (Tramontano 2006).

Finally, as mentioned above, bias allows employers to use criminal records as a proxy for racial discrimination when deciding not to employ an ex-offender. For example, a field study in Milwaukee showed that 60 percent of Black men with a criminal record were less likely to be hired compared to 30 percent of White men (Pager et al. 2009). Devah Pager also found that Black males without a criminal record received callbacks at the same rate as White males with a criminal record (Pager 2007).

Government policy does not ease the transition for ex-offenders to obtain employment. Ex-offenders can be denied professional and trade licenses as well as financial aid for school. Geneva Brown (2008) explains that records as well as moral, character, and fitness components prevent ex-offenders from obtaining professional and occupational licenses:

The U.S. government restricts financial aid and State government restricts occupational licensing of offenders . . . Because of the high rates of incarceration of African-American males, it is mostly this population of individuals who are left with few opportunities to participate in the U.S. economy and subsequently have high recidivism rates. (Brown 2008)

This policy impedes on the opportunity for ex-offenders to restart their lives as nurses, tradesmen/women, contractors, barbers, and a plethora of other careers requiring licensing (Tramontano 2006). As mentioned earlier a similar impediment is apparent in the financial aid process for federal grants and loans for college, where applicants must directly supply information regarding drug convictions. During the initial stage of the Free Application for Federal Student Aid, applicants face questions regarding a history of drug convictions but not for any other crime.

Employment provides a major step toward societal reentry for ex-offenders (McDonald and Holsinger n.d.). However, the discriminatory practices in the employment process further expand institutional racism through the use of arrest and criminal records. Considering the number of ex-offenders released every year, the racial demographics of that population, and the nature of offenses of the ex-offenders, the economy loses workforce participation due to the disparities facing people of color. According to a report by the Center for Economic and Policy Research, between 12 and 14 million ex-offenders are of working age, and in gross domestic product terms, the shunning of ex-offenders from employment costs the U.S. economy between \$57 and \$65 billion (Schmitt and Warner 2010). Without adequate societal reentry measures in the economy, the entire nation suffers.

## HOUSING

Access to housing yields a basic necessity for ex-offenders returning to society. Where Brown describes housing covenants as causes of racial segregation, criminal records serve as surrogates of the same purpose (Brown 2008). Through private-sector domination, restrictive policies in public housing, and the lack of successful transitional housing programs, ex-offenders of color encounter inopportune circumstances disproportionate to their majority counterparts.

Policies that have disparate impact on ex-offenders of color overwhelmingly exist in the housing sector. Private business dominates the housing sector, controlling well over 90 percent of all housing (Petersilia 2003). Because they account for so much of the market, private-sector companies maintain the status quo of discriminatory practices against ex-offenders of color. Housing providers conduct criminal background checks when deciding to approve or deny an applicant with the results of the checks being the determinant. Whereas Section 8 housing vouchers can be used for private housing, they remain under the same penalties for screening conveyed in the next section for public housing (Tramontano 2006). Just as in employment criminal background screening and policy, housing providers may have absolute bans on ex-offenders.

Restrictive policies in public housing also impact ex-offenders of color by limiting their residential options. Public housing authorities have the power to deny public housing to ex-offenders with drug convictions and to evict families if a household member has a criminal record or if a public agent speculates a household member is a drug user without a criminal conviction (Tramontano 2006). Federal law permanently bans persons convicted of drug-related activity involving methamphetamine on the grounds of federally funded housing and further prohibits the admission to federally funded housing of persons convicted of illegal drug activity within the last three years (U.S. Department of Housing and Urban Development 2003b). If the majority of prisoners of color in federal prisons are there as a result of the war on drugs, the ramifications of post-incarceration policies remain heightened at a punitive level as they attempt to secure housing.

Leasing policies and practices in privately owned apartment complexes prove to have a disparate impact on ex-offenders. The nature of these policies may deter ex-offenders from even applying to be tenants (Commission on Violent Crime 2006). Researchers Lora McDonald and Alex Holsinger (n.d.) note that the lack of access to employment and housing programs are among the top barriers facing Kansas City ex-offenders who are trying to reintegrate into society. A 2006 report on Kansas City crime revealed that 7,000 ex-offenders are located in the area (Commission on Violent Crime 2006). The report continues to explain that Kansas City's ex-offenders are returning to specific areas of the city:

High concentrations of ex-offenders are returning home to Kansas City neighborhoods that are largely within the same high-violence areas. These environments are not conducive to the ex-offender's agreement with the State Department of Corrections to not re-offend while on parole. (Commission on Violent Crime 2006)

According to reentry organization Second Chance, 15,000 Kansas City residents were on parole or on probation in 2008. Furthermore, the Sentencing Project reveals that Blacks in Kansas City receive sentences significantly longer than Whites for the same types of drug offenses (fourteen months longer) and property crimes (six-and-a-half months longer) (Kansal 2005). The racial inequities facing Kansas City's ex-offenders reflect the national trend of disparate impact discrimination.

### **ISSUE AREA CHALLENGES**

The intent of measures impacting ex-offenders of color is extremely important when evaluating discriminatory challenges. For example, voter disenfranchisement challenges often perish due to arguments of intent, rights, and privilege. Employment and housing both share liability issues for customers, employees, and tenants, as well as the protected rights of business to hire or lease. Overall, arguments of business necessity and bottom line further obscure the disputation, which contends to support claims of liability and access. The challenges to disparate impact discrimination are necessary for understanding institutional platforms affecting ex-offenders of color.

## VOTING

Protecting the right to vote for ex-offenders has turned into a discussion based on privilege and intent. Although initially protected by the Fifteenth Amendment, Brown suggests that voting rights are not absolute, as demonstrated through the power of the courts and states rights (2008). In *Richardson v. Ramirez* (1974), the California Supreme Court found ex-felon disenfranchisement in violation of the Equal Protection Clause (Brown 2008), but the U.S. Supreme Court decided under strict scrutiny, ex-felons do not receive equal protection under the Fourteenth Amendment and their voting rights are not protected (Cartenga 2008). In other court cases, such as *Cotton v. Fordice*, *Howard v. Gilmore*, and *City of Mobile v. Bolden* (Murray 2006), the Supreme Court has maintained that disparate impact discrimination claims are only valid if laws or policies in place were created with the intent to racially discriminate (Brown 2008). The New Jersey Supreme Court followed the same precedent in *NAACP v. Harvey* for Blacks and Latinos on parole (Brennan Center for Justice 2005). This precedent has mercilessly struck down many attempts in obtaining rights for ex-offenders.

## GOVERNMENT AID RECEIPT

No clear trajectory of reasoning exists to explain the limitation on ex-offender receipt of government aid, which suggests its may be merely punitive. Given the socioeconomic and racial demographic that is mostly affected, targeted ex-offender discrimination toward poor people of color is also suggestive of a civil rights dismantling platform. Further research must be conducted to measure the effects of government policy affecting ex-offenders of color in education, parental rights, and aid receipt.

## EMPLOYMENT AND HOUSING

Employers and housing providers validate their use of disparate impact discrimination for ex-offenders of color through business necessity measures and “bottom line theory.” Business necessity arguments allow employers and housing providers to “reasonably” discriminate against persons who have committed particular crimes that may affect the business and/or its customers. An example of such is a school district policy that prohibits the hiring of registered sex offenders as teachers. Reasonable discrimination under business necessity is sanctioned by the EEOC under the following conditions (Equal Employment Opportunity 2006):

1. The nature and gravity of the offense or offenses.
2. The time that has passed since the conviction and/or completion of the sentence.
3. The nature of the job held or sought.

However, the EEOC does not provide absolute protection to ex-offenders of color in the screening process for employment but only to those who have been discriminated against in comparison to White ex-offenders of like circumstances (U.S. Equal Employment Opportunity Commission 2006). Liability issues under business necessity are also apparent as employers opt to prevent criminal activity in the workplace as well as protect their business reputation (Holzer et al. 2004). Although not regulated by the EEOC, housing providers can use business necessity claims to argue for the protection of their tenants, property, and/or other capital.

## BOTTOM-LINE THEORY

Another major argument for the use of policies that are discriminatory in nature is the bottom-line theory. According to this supposition, if an employer or housing provider has a number of members of a protected class relative to or greater than that of the general population, then they argue that

their policies and/or practices are not discriminatory because of the racial balance (Fee 1983). The question becomes: are discriminatory practices acceptable if members of the protected class are proportionately represented? Housing providers and employers have used this rationale and excluded ex-offenders of color from their selection processes because they have a tenant or employee of a particular race.

### **BUSINESS NECESSITY**

A proposed validation of using disparate impact discrimination by businesses and housing providers is that of “business necessity.” Apartment complexes explain that if such a policy, however discriminatory, does not exist, then their tenants and property may be at risk for liability suits if an ex-offender causes harm or damage. Public housing authorities cannot approve housing for approved sex offenders with lifetime registry (U.S. Department of Housing and Urban Development 2003a). These cases are reasonable applications of the business necessity rule. The California Apartment Association, however, explains that the issue of liability in housing is not substantially supported by any law, case precedent, or ruling, and that some courts are reluctant to allow housing providers to warn or “take other action based on behavior for which the ex-offender has been already punished” (California Apartment Association 2005). Such practices go a step further than the use of business necessity.

Business necessity arguments are valid within reasonable use, but some applications have been taken beyond measure. Some apartment complexes completely ban all applicants with a criminal record, without regard to the nature of the crime, elapsed time, or rehabilitation. Lifetime bans on ex-offenders are directly related to ex-offender recidivism and reentry (Bushway and Sweeten 2007). If an ex-offender served time for a crime committed while transitioning from adolescence and has proven good behavior and rehabilitation without any subsequent offenses, he or she is still automatically excluded from the applicant pool. According to the Georgia State Department of Corrections, lack of access to stable housing for ex-offenders increases their likelihood of rearrest by 25 percent (Council of State Governments 2006). Housing entities must have standards in addressing their practices against ex-offenders.

### **ISSUE AREA POLICY REBUTTALS AND ALTERNATIVES**

In spite of the rationales offered by policy makers, lawmakers, employers, and housing providers with regard to discriminatory practices causing a disparate impact on ex-offenders of color, data regarding and current advances toward less inequitable practices are taking place. The status quo of such advances across voting, government aid receipt, housing, and employment provides an indistinct future for ex-offenders of color. Nevertheless, these starting points contribute some consistency as alternatives to the mainstream.

### **VOTING**

Despite the U.S. Supreme Court ruling that ex-offenders are not protected under the Equal Protection Clause, policies impeding the right to vote are unsubstantiated and illegitimate (Wood 2009). Courts that have decided to burden plaintiffs with finding such policies to be created with the intent to racially discriminate are fanatical, as the outcomes of voter disenfranchisement laws have an obvious racial impact. It can be argued that African slave labor was not created with a racist intent but with one of labor sustainability and economics; however, slavery’s condonation, outcomes, and impact were inherently and obviously racist. Courts must dismiss the burden of proving racial intent, and Congress must explicitly act to extend equal protection to ex-offenders to resolve disparate impact discrimination on ex-offenders, particularly those of color (Price 2002).

After scrutinizing the demographics and implications of people of color disenfranchised because

of a criminal record, some efforts to countermand discriminatory voting policies have transpired. In *Hunter v. Underwood*, the Supreme Court ruled against a section of Alabama's constitution that was purposefully discriminatory and prompted a disparate impact on a protected class under the Fourteenth Amendment (Price 2002). Martine J. Price submits that courts have ruled similarly in few instances due to the hardships of proving racial intent (2002). A 2010 decision from a circuit court in Washington State affirmed that disenfranchisement laws there violated the Voting Rights Act of 1964 on the basis of race because of the "racial discrimination in the state's criminal justice system" (Brennan Center for Justice 2010). While some courts have ruled administratively through unequal enforcement, many courts have ruled for the loss of voting rights for misdemeanors and decisions of arbitrary and specific crimes (Liles 2007). Policy advocates and ex-offenders have also concerted participation, creating legislation to restore voting rights upon release across the country. According to a report by the Sentencing Project, approximately 90,000 ex-offenders are imploring Florida's government for voting rights restoration; 11 percent of 31,000 ex-offenders with restored civil rights have reoffended (Sentencing Project 2011). These efforts, coupled with overwhelming public opposition to lifetime voting disenfranchisement for ex-offenders, signal the right move toward civic justice.

### GOVERNMENT AID RECEIPT

The most substantial change to government aid receipt and policy for ex-offenders has come as a revision of drug policies. For example, in a 2011 interview with the author, Anthony Lowery noted that federal student aid ineligibility for drug convictions has been increased from one conviction to two convictions. In 2011, President Barack Obama reduced the crack to cocaine sentencing disparity from 1:100 to 1:18, where penalties for convictions around crack are now eighteen times harsher than those involving cocaine (McCurdy 2011). States also have the option to choose whether to implement lifetime bans affecting ex-offenders in all areas (Tramontano 2006). Although minimal progress has been made to address unequal treatment, these strides have been insufficient in offering widespread protection to those most affected.

### EMPLOYMENT

People of color, especially Blacks, face a double social stigma with both race and their ex-offender status when seeking employment (Pager et al. 2009). However, race and status have not deterred members from applying to companies that are willing or unwilling to hire ex-offenders (Holzer et al. 2004). However, a significant barrier to obtaining employment has been the extensive use of criminal background checks, which precludes potentially qualified individuals from working and dehumanizes the application process (Holzer et al. 2004). If ex-offenders are denied without an option to interview, they lose the potential to develop an affinity with the employer; such impersonal denial has proven to be detrimental to Black ex-offenders (Pager et al. 2009).

A number of approaches exist to minimize the consequences of disparate discrimination. New York State has made strides toward addressing the number of ex-offenders barred from employment by issuing certificates of rehabilitation. Devah Pager argues that such certificates, job referral services, and forms of public education can reduce employers' prejudices (Pager et al. 2009). The EEOC has confronted measures as well, outlawing employment practices such as blanket non-hiring of ex-offenders, drafting policy guidelines for employers to follow, and allowing ex-offenders to file complaints of disparate impact discrimination under Title VII under the Civil Rights Act of 1964 (Community Legal Services 2009). However, the EEOC must appeal for more power to act through a system of accountability for employer's use of arrest records and other unmethodical practices. The exclusion of ex-offenders from the workforce must be addressed through law and policy.

## HOUSING

Public housing authorities should not be the lone participant in efforts to extend housing to ex-offenders. Private-sector apartment complexes should model their leasing policies in a way that mirrors the guidelines used for business necessity. For example, the guidelines should consider: the nature of the offense; the nature and amount of subsequent offenses since initial offense, if any; the amount of time that has elapsed since the conviction; and evidence of rehabilitation. With regard to these elements, Rebecca Oyama (2009) offers:

When other more reliable information is available, such as a court- or parole board-issued certificate of rehabilitation, the private housing sector should be obligated to consider it before reaching such a crucial determination. (Oyama 2009)

Unless private housing modifies its discriminatory leasing practices that have an absolute ban or a disparate impact on ex-offenders, those trying to reenter society will be forced into the 3 percent of housing owned by the public sector or ultimately risk being homeless. The California Apartment Association warns against disparate impact in leasing policies prohibiting ex-offenders:

[E]ven if the screening criteria is neutral and applied objectively to all applicants, it may have the impact of disqualifying members of a particular legally protected group (race or gender) at a significantly higher rate than others. (California Apartment Association 2005)

Just as in employment, policy and legal courses of action are necessary to protect ex-offenders of color from unjust measures in housing. Currently, the U.S. Department of Housing and Urban Development does not provide regulatory policy, guidance, or enforcement remedying housing discrimination and criminal records (Clark 2007). Because the Department of Housing and Urban Development's policies remain absolute against those with criminal records, it is dangerous to assume that people of color are only being denied on account of a prior conviction and not on account of race (Clark 2007). Similar to employment, certificates of rehabilitation could provide a reduction in discriminatory practices that take place in the housing sector.

## BOTTOM-LINE THEORY

The Supreme Court decided in *Connecticut v. Teal* that "bottom line" approaches in hiring are discriminatory and in direct violation of Title VII. In this case, an employer used a test that significantly decreased the number of African Americans considered for supervisor positions; many Blacks were hired into those positions, but the Court decided that the effects of the test (which measured skills unrelated to the duties required for the position) were still considered discriminatory. Policies that specifically discriminate against members of a protected class with an ascribed status (such as being an ex-offender) are unlawful despite whether other members of the same protected class are proportionately represented.

The decision of *Connecticut v. Teal* applies to housing providers as well. Although an apartment complex may have a significant number of African Americans as tenants, the arbitrary use of ex-offender status is a discriminatory practice if it has a disparate impact. According to the California Apartment Association, "disqualification for residency based on criminal background could be considered unlawful arbitrary discrimination unless it relates to the prospective resident's ability to meet tenancy obligations" (California Apartment Association 2005). An echo of the California Supreme Court's decision in *Marina Point v. Wolfson*, the CAA explains arbitrary discrimination is not exclusive to protected categories. "Bottom line" practices have no place in an ex-offender's pursuit of housing and employment.



## CONCLUSION

Ex-offenders are barred from accessing sustainable lifestyles due to discriminatory policies and practices. After leaving a severely flawed criminal justice system, ex-offenders, especially those of color, are reentering society only to find limited access to voting rights, government aid receipt, housing, and employment as a means of survival. In order to challenge and change these practices, society must grant ex-offenders of color status as members of a protected class to protect their voting rights and access to aid. Furthermore, consistent standards must be created in leasing and hiring practices and policies. With status as a protected citizen, ex-offenders have the opportunity to vote, find sustainable employment and housing, and defy areas that lead to recidivism (Brown 2010). Alleviating obstacles causing disparate impact discrimination on ex-offenders of color will beneficially impact their communities and advance their transition back into society.

ARTICLE

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# RUMBA BABY

You have  
Spanish blood.  
This does not  
make your  
skin light  
or your hair straight.

Your Papa  
is Dominican.

That means  
he comes from  
black folks  
with rolled  
tongues.

Your mama  
grew in  
Alabama weeds,  
tongue thick as  
cotton.

You can say  
ain't and it's  
all right.  
You can turn  
r's like tumbleweed.  
It's all right.

Soon, your hips  
will sprout  
and you won't know  
why you can't  
stop dancing, as  
Papa keeps time  
with his songs,  
rumba,  
baby,  
rumba.

— *Ashley M. Jones*

# TOWARD THE GREAT SOCIETY: AN ANALYSIS OF THE RELATIONSHIP BETWEEN POLITICS AND UNDERPERFORMING URBAN SCHOOLS

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**Abstract:** Engaging in issues concerning access to higher education and economic opportunities has the potential to change the educational experience of and the outcomes for students in underperforming urban schools. This article converges on three concepts drawn from the political science discipline—ideology, conflict resolution, and coalition building—that are critical for improvement in these schools. These concepts are presented within the normative framework of three theories from the education discipline: miner’s canary theory, the urban regime theory, and the political feedback model.

## INTRODUCTION

In 1965, U.S. President Lyndon B. Johnson, the leading architect of a social program agenda aimed at making America the “Great Society,” stood up to give what might have a typical, mundane speech on education. However, in this seemingly ordinary moment, he articulated an idea that would complicate national discourse on education for the next half century:

Education is “the guardian genius of our democracy.” Nothing really means more to our future, not our military defenses, not our missiles or our bombers, not our production economy, not even our democratic system of government. For all these are worthless if we lack the brain power to support and sustain them.” (Johnson 1965)

Channeling Mirabeau B. Lamar, a politician who was sworn in as president of the Republic of Texas in 1838 as well as a poet, Johnson adjudicated that education presents the tallest order for an America thrusting itself into a future that would be inundated in social change (Texas State Historical Association n.d.). Johnson’s remarks represent not only a sense of augury but also a marker for the beginning of a new level of federal involvement with education. Attempting to wrestle education away from the grips of state power, Johnson set a trend for the executive office that would continue for years to come.

Fast-forwarding almost half a century to the year 2008, Americans watched U.S. President Barack Obama emerge to the national stage, and like his post-Johnson predecessors, he presented yet another new plan for the American educational system: Race to the Top. Race to the Top (R2T) is not as much a federal mandate as it is a contest designed by the U.S. Department of Education to create a “race” between states—and consequently schools and school systems—for \$4.35 billion appropriated by President Obama under the American Recovery and Reinvestment Act of 2009. While R2T highlights a plethora of educational issues (college and career readiness, teacher effectiveness, English language learning, curriculum balance, community support, and reform construction as well as scaling), I focus my analysis on policy most closely pertaining to the first item on the previous list: college and career readiness.

Assessments for college and career readiness are currently being shaped by standards set for universities, which causes such criteria to effectively serve as a litmus test for all American students’ access to college and economic opportunities (Geiser and Atkinson 2010). Through this analysis, I argue that engaging in issues concerning access to higher education and economic opportunities has the potential to change the educational experience of and the outcomes for students in underperforming urban schools. As discussed here, improvement can take place in these schools through the convergence of three critical concepts: ideology, conflict resolution, and coalition building. I present these concepts within the normative framework of three theories from the education discipline: miner’s canary theory, the urban regime theory, and the political feedback model.

## A REVIEW OF THE THEORETICAL FRAMEWORKS

In order to conceptualize my argument that improvement can take place in underperforming urban schools through the convergence of ideology, conflict resolution, and coalition building, I must first construct a theoretical skeleton from which to build this argument. Through theory, I grapple with the normative implications of education including what the purpose of education is and what schools should really be. Through the implementation of three theories—miner’s canary, urban regime, and political feedback—I establish education and schooling as a rather broad institutionalized process that should provide children, adolescents, and even young adults of all backgrounds with equal probability of access to all opportunities available in our society, mainly higher education and high-skilled labor. I employ these three theories not only because they reconstruct how the public should think about schools, but also because they guide researchers toward implementing the policy needed to create these institutions dedicated to providing equal opportunity.

Political race theory, for instance, bases itself on this notion of collective action. In describing the genesis of their miner’s canary model, which focuses on the idea that issues of race point to conditions in American society that endanger us all, Lani Guinier and Gerald Torres (2002) lament the way in which colorblind ideology trickles down to the structures of the American educational system. Nonetheless, the authors argue that race needs to be placed at the center of political action. They call for what they define as a political race project—the notion of a race-based social movement aimed at combating continuing, and arguably growing, issues with educational inequality. Because they loosely define Blackness as a relatively fluid identity, they develop the political race project as one of inclusion and unification formed against forces impeding the access to good schools and opportunities, forces such as privatization of education (Boyd 2007), school system decentralization (Björk and Blase 2009), and at times, growing local executive power exercised by city mayors (Edelstein 2008). Borrowing from the literary concept of magical realism, the political race project moves to both imagine and create this educational system unbound by those obstacles of equity. Miner’s canary theory, therefore, provides the basis for the type of ideology that can help improve the ability of underperforming urban schools to produce more college- and career-ready students.

Urban regime theory focuses more on framing the behavior of public officials and civic leaders in relation to education and schools. Seeking to explain as well as construct governing arrangements in schools formed through conflict and cooperation, urban regime theory is both descriptive and predictive in its orientation. Tracking how public officials and civic leaders cooperate, develop relationships, form institutions, and set the agendas for those institutions, urban regime theory enables scholars and researchers to predict the consequences of different reform strategies. One sees how studying group behavior can lead to policy predictions because of already existing investigations in the way in which education policy is affected by interest groups (Opfer et al. 2008), conservative evangelical Christians (Myers and Cibulka 2008), and different factions that exist within the schools themselves (Malen and Cochran 2008). From this sort of theoretical framework, I display how the right behavior leads to the sort of conflict resolution that can position American school systems to provide students of underperforming schools with access to better education and more college opportunities.

I also draw on Lorraine McDonnell's (2009) political feedback model as a theoretical framework to buttress the coalition-building component of my argument. Unlike a traditional policy model, political feedback engineers a first stage of investigation that focuses not on the actual actors or the politics but on the actual policies. By beginning with education policy in evaluating urban schools, researchers and scholars become forced to re-evaluate schools and education as a whole, based on the type of policy public that officials and other policy makers choose to implement instead of on appropriating more blame to the underperformance of students and teachers—performance of both students and teachers that is often measured with disturbing amounts of bias due to these individuals' multivariate natures. The political feedback model, therefore, positions communities to form coalitions that address problems apparent in the actual education policies instead of ideological differences and conflicting self-interests. By concentrating the focus of communities around education policy and its effects, researchers and scholars can use their knowledge and skills as policy experts to better inform communities about the policy process as they advocate for creating the educational structures that produce higher volumes of college- and career-ready students. The educational structures, for which they advocate, can lead to greater access because they can redefine college and career readiness to be more in line with the ideology of what Guinier and Torres (2002) would refer to as their racial project.

#### **POLICY AREA: COLLEGE AND CAREER READINESS**

According to the federal document outlining R2T, "The goal for America's educational system is clear: every student should graduate from high school ready for college and a career" (U.S. Department of Education n.d.). The purpose of my analysis is not to malign this overall vision presented by President Obama and his administration. My aim, however, is to add a level of depth to a key component of college and career readiness: access to higher education. Because the goal of R2T appears to be an effort to mold elementary and secondary school policy around college and university standards, examining policy on higher education access emerges as a point of analysis that provides substantive information about the direction in which policy toward urban schools must venture in order to succeed under this college- and university-driven system. However, in order to understand the policy, one must highlight the role of politics—more specifically, ideology, conflict resolution, and coalition building—involved in higher education access.

Higher education policy is currently one of the most grueling ideological battles taking place within the realm of education politics. Because ideology is creating such a stern wedge between Americans and their views on education, one must consider the implications for underperforming urban schools, since they too are being forced to comply with standards based off of higher education policy. Just focusing on the partisan divide between current Democrats and Republicans,

I find distinct differences in ideology when it comes to higher education. While Democrats as a whole seem to be in favor of opening up access to higher education through larger investments in federal Pell Grants and tax credits for college tuition, the Republicans seem intent on limiting access by removing the federal loan program, directing aid toward high-performing students, and incentivizing those who cannot afford college to explore alternative options (Gordon 2012). These political contrasts foster two forms of ideology that see higher education access in conflicting ways: one that believes that access should be for all and another that believes that access should be for some. Thus, when the federal policy aspires for all schools to produce “college and career ready” students and a conservative ideological group believes access should be restricted, underperforming urban schools (with students who conservatives may argue should not be given high priority for higher education access) must find ways to equip students with tools to be “career ready” for low-skilled jobs that do not require college degrees.

In order to combat conservative ideology, underperforming urban school communities must, therefore, construct and assert their own ideology. Miner’s canary theory, a framework based on collective action and mass mobilization, serves as the most compelling launchpad for an underperforming urban school ideology. Because political race theory calls for an imagined reality, underperforming urban school officials and policy makers can use this ideology to increase underperforming urban school student access to higher education. This ideology can also be used to envision high-skilled, high-wage, and high-social-impact careers that do not require college degrees. Activists, scholars, and members of the urban education communities can then begin to mobilize around the concept of higher education access. This mobilization puts pressure on colleges and universities to consider seriously the capital of students of color and other groups of students that have higher probabilities of coming from disadvantaged backgrounds. Community organizing also helps the urban schools reclaim autonomy, moving it away from the college and university standards by empowering urban schools to have a voice in the discussion of access to higher education, high-skilled labor, and white-collar career opportunities.

In the process of politics, voicing an ideology tends to invite conflict (Schattschneider 1960). Thus, as urban school communities push a miner’s canary-based, racial project ideology, they face the risk of confronting an opposing ideology seeped in what Eduardo Bonilla-Silva identifies as colorblind racism, an ideology that promotes refrain from the acknowledgement or consideration of race (2006). This colorblind ideology assumes that equal opportunity already exists, and as such, access is a matter of merit instead of life circumstance and institutional structures. Urban school communities, however, could argue that access is not a matter of merit but of privilege. The question then becomes one of how urban school communities handle this rising conflict against those who could play a role in limiting their children’s access to higher education and economic opportunities. They must take control of the discussion of access during the conflict-resolution process.

In order to resolve conflict, the parties involved must find ways to address the heart of contention. Through an urban regime theory approach, underperforming urban school communities position the debate on access so that it becomes a focus for decisions made by local leaders and policy makers, including agendas they set concerning access, institutions they form, and relationships they develop with secondary schools, community colleges, and four-year colleges and universities. The underperforming urban school communities can, then, challenge those adopting opposing ideologies on access and push agreement on the way in which the behavior of policy makers has the ability to restrict access for far more than just students of color and of low socioeconomic backgrounds. Thus, in order to resolve conflict, regardless of one’s ideology on how access should be administered, a large majority of the populations within the American communities should be able to reach agreement that more access lies in the best interest of all parties involved. Therefore, by

adopting education and economic opportunity access as a racial project and directing conflict toward the actions undertaken by policy makers, urban school communities can strategically develop a resolution that fully embraces access.

Once conflict resolution takes place, it is important for urban school communities to begin forming the right coalitions within their respective geographic areas. The strength of these coalitions is important for a number of reasons. First, because the conflict resolution only involves streamlining ideological differences into a point of agreement instead of asserting one group's ideology over another's, the coalition needs to operate as a social structure that creates long-term stability within the ideology alignment. The coalitions also must be stout enough to provide urban schools with the leverage to define the parameters of college and career readiness *with* the colleges, universities, and policy makers instead of remaining at the mercy of these actors. These alliances must provide urban schools with the support needed to create a critical third space: the epistemological terrain where students are "empowered to be critical of institutional systems . . . which they are both products of and participants in" (Cooper and Huh 2008). With which community agents these coalitions form will vary from community to community. Structured stability, leverage, and the critical third space are imperative to any bloc that will ensure access to urban school students within a college- and career-readiness context.

Although I have established the importance of forming coalitions, the political feedback model provides a framework through which we can outline *how* to form the coalitions that urban school communities need. Again, the purpose of this model is to address problems by appropriating primordial attention to the policies in and of themselves; therefore, if the answer is the sort of coalition previously illustrated, the political feedback model challenges urban school communities to start with the policy goals they want to achieve and construct a coalition based upon those goals. Because the policy goals at hand are access to higher education, high-skilled labor, and white-collar career opportunities, the political feedback model most obviously prescribes an alliance between urban schools, colleges and universities, and elected officials. However, if one really exhausts the implications of policy surrounding access, one realizes that forming policies with these involved actors is insufficient. Arguably the major antagonist to urban schools due to intense levels of school re-segregation—suburban schools—must be involved in the coalition as well in order to maintain the ideological alignment stressed earlier (Frankenberg and Orfield 2012). They must also partner with media outlets, financial institutions, and any other entity that plays a role in expanding, or even retracting, access to higher education and economic opportunity. By beginning the coalition formation process with the policy at hand, urban schools can arrive at an extensive set of agents that they must persuade toward a consensus on underperforming urban schools' terms (their racial project) in order to reach the stable coalition needed to ensure that college and career readiness actually becomes equally probabilistic for all students.

## CONCLUSIONS

Through this analysis, I have argued that engaging in issues concerning access to higher education and economic opportunities has the potential to change the educational experience of and the outcomes for students in underperforming urban schools. As discussed here, improvement can take place in these schools through the convergence of three critical concepts: ideol-

*In order to combat conservative ideology, underperforming urban school communities must construct and assert their own ideology.*



ogy, conflict resolution, and coalition building. Through political race theory, one finds the way to construct an ideology that promotes access. Urban regime theory provides the framework for underperforming urban schools to resolve ideological conflict toward a solution that embraces the ideology that they should champion through miner's canary theory. Furthermore, the political feedback model operates as a theoretical structure that can direct the formation of coalitions to take place around the formation and reformation of actual education policy. Thus, as my analysis suggests, the improvement of underperforming schools heavily depends on the type of political action undertaken by all of the actors involved within the process of urban schooling.

### SIGNIFICANCE

My analysis, while not exhaustive, provides a relatively in-depth investigation of the way in which the practice of politics through ideology, conflict resolution, and coalition building has the tremendous potential to affect the future of students attending underperforming urban schools. Ideologically, the Race to the Top federal policy promotes a concept—college and career readiness—that can better the chances of success for students coming from disadvantaged backgrounds. The significance of my research is that it addresses the way in which underperforming urban school communities must act in order to make the goal of producing college- and career-ready students equally as possible and likely for them as for any other public school in America. However, as my research suggests, underperforming urban school communities must be active in the debate over academic standards that is currently being dominated by college and university administrators and elected officials. This idea of what the college- and career-ready student looks like needs to be defined *with* underperforming urban schools instead of *for* them.

Back in the mid-1960s, President Lyndon B. Johnson made education a vital organ in the body that is the Great Society he envisioned America becoming. Since Johnson augured the importance of education, American presidents have all approached the country with their own visions for education in the United States. This is a trend that is unlikely to change. The purpose of my research, however, is not to change this trend but to change how we respond to the federal initiatives. It is up to the communities that are suffering the most to organize and redefine not just education but what it means to achieve the “Great Society.” They must redefine these ideas on their own terms.

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# WHY WE CAN'T WAIT: CONFRONTING OUR NATION'S UNHEALTHY ATTACHMENT TO GUNS

BY LEONARD HORNE II

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We've read the script. The one in which an apparently crazed man with an arbitrarily lethal arsenal (semiautomatic rifles, pump-action, twelve-gauge shotguns, and 9 or 10mm handguns) enters a place of learning with little to nothing standing in his way. The man proceeds to shoot with reckless abandon at anything that's moving. Men, women, and children prove no match for the barrage of bullets. Dozens die.

What follows is also predictable. The country is shaken to its core. The media runs with the story. Tales of heroic acts are profiled as mourning ensues. A shadow of grief lingers hauntingly for weeks. Politicians nationwide offer statements of condolence. Talking heads and citizens alike debate gun laws on the books and the germaneness of the right to bear arms in modern society and whether that right as written in the Constitution was intended as it is enforced today. Panic-stricken citizens go out in droves and buy guns at a rapid clip.

How did we get here? As with any attempt to solve a societal problem, it would behoove of us to have, at the very least, an understanding of our nation's history involving the firearm. Succinctly put, the Second Amendment, over the course of the past two centuries, has grown to be interpreted to mean the right for each individual in society to wield a weapon for the purposes of self-defense. But this was not always the case. The amendment reads as follows: "A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed." While these words might seem ambiguous in a vacuum, it is quite clear, upon examining the context in which they were made, what they meant.

The pioneers of the American project understood the importance of an armed people, with "people" understood here—just as it is in the rest of the Constitution—as a collective noun referring to those who make up the citizenry, for the purposes of, as the U.S. Constitution states, "suppressing Insurrections and repelling Invasions" at once at the individual state and national levels. While it is true that a 1792 federal law mandated that all eligible persons (those who swore allegiance to the Revolution and were not Black) purchase a military-style firearm, the mandate was for the express purpose of serving in a citizen militia, and the arms would be registered and checked upon frequently (Winkler 2011). It was, at

first, not interpreted to mean an individual person's right to own or carry a weapon of lethal force for self-defense or recreation (never mind the fact that firearms, at the time, were long arms that could let off one round before having to be reloaded, which would take quite a while to do relative to the alacrity of the pump-action weapons legal today).

Essentially, firearms belonged to the military. What's more, throughout the nineteenth century, a series of laws banned the carrying of concealed firearms in the country (Lepore 2012). Such laws were passed at the state level in: Kentucky and Louisiana in 1813; Indiana in 1820; Tennessee and Virginia in 1838; Alabama in 1839; and Ohio in 1859. In states such as Texas, Florida, and Alabama, similar laws were passed. Carrying a concealed weapon at that time was not something politicians were advocating for.

These laws, however, were often thinly veiled assaults on the rights of African Americans. Blacks were often the target, especially in the South—before and after the Civil War—of racist gun policies that prohibited them from the right to own firearms, later referred to in this article as “Black Codes” (Winkler 2011). That reality compounded with the gross abuse of and discrimination against Blacks in the United States helped to inculcate in the Black community a sense of profound mistrust of the state that exists to this day.

The stark contrast between the language of the Constitution and the treatment of Blacks (freed and otherwise) presented a moral quandary for Americans of conscience. After the Southern states lost the Civil War, they adopted what were known as the Black Codes: laws that aimed to strip Blacks of the rights guaranteed to them by the Constitution and instead to codify White supremacy. Among the codes was a ban against Blacks possessing guns (Winkler 2011).

The Northern states took notice of such legislation and eventually sought to amend the Constitution for the purposes of confirming Blacks' inalienable rights. This was done so in the form of a series of counter legislation to the Black Codes. Congress passed the Freedmen's Bureau Act of July 1866, the Civil Rights Act of 1866, and what would ultimately become the Fourteenth Amendment of 1868, all of which guaranteed certain privileges and immunities regardless of race including the right to own a gun. Blacks thenceforth would engage in the struggle to align the law with their reality, and guns would become a symbol of that struggle.

There were opponents of legislation regarding regulation, especially toward the end of the nineteenth century. Oddly enough though, the National Rifle Association (NRA) was not one of them. Quite the contrary, the NRA had actually lobbied for state laws in the 1920s and 1930s that called for waiting periods for handgun buyers and required concealed weapons permits (Lepore 2012). It also supported the 1934 National Firearms Act and the 1938 Federal Firearms Act that created a licensing system for gun dealers and taxed automatic weapons (Lepore 2012). The NRA fought for laws that made it so that only individuals justified in carrying an arm could do so and that called for gun registry. It did not support gun toting. It did not advocate for lax provisions. It *exalted* sharp restrictions. It *lobbied* for gun control and for the very things that it vehemently and vociferously opposes now.

It was not until the 1960s that national attention was reoriented on guns after a series of trends, events, and high-profile assassinations. As racial tensions rose, so too did crime rates and gun violence. The year 1967 was a watershed year. Race riots and high levels of violence in big cities due to clashes between civilians and police forces increased the death toll. The newly formed and swiftly growing Black Panthers, in response to the persistent failure of the state to treat Blacks equally under the law, had become active. Often, they would publicly wield their weaponry, legally, declaring their commitment to defending themselves and their rights. In Sacramento, California, on 2 May 1967, they invaded the California statehouse, guns in hand, to show that they would tolerate no longer the “racist power structure of America.” This roused the Republican base in the state and caused the state legislature to go on the offensive, led by Don Mulford of Alameda County. The

Mulford Act was a direct response to the Black Panthers, barring anyone but law enforcement from carrying weapons in public (Winkler 2011). This act would be signed into law by none other than then-California governor, Ronald Reagan, who was at the time outspoken in his support of tight gun control and regulation.

Malcolm X had spoken publicly of the need for Blacks to arm themselves and propagated the tenets of Black militancy to take back the power that had been gifted to them by the Constitution and diminished by law enforcement. Dr. Martin Luther King Jr., although he championed a philosophy of nonviolence and demonstration, decided that he should err on the side of sensible self-defense, applying for a permit to carry a concealed weapon after his house had been bombed in 1956 (Winkler 2011). He was not granted the permit.

Nevertheless, the gun for the Black community had become not solely a tool of defense but of symbolic (and sometimes literal) offense. For Blacks to brandish the firearm was to reject the notion that they were unequal and that they ought to be silent about injustice (as if, they contended, silence would eventually bring about change). The murders of U.S. President John F. Kennedy in 1963 and Dr. Martin Luther King Jr. and Robert F. Kennedy in 1968 sparked the national debate anew. A 1968 federal report identified the availability of guns as a primary factor in the spike in violence and domestic unrest and suggested that more effective firearms restrictions would be the only path to reductions in gun violence. Two days after the death of Robert Kennedy, Congress passed the Omnibus Crime Control and Safe Streets Act of 1968, and two months after that, the Gun Control Act of 1968 amended and expanded its scope (Winkler 2011).

Slowly, the NRA had begun to pivot toward less regulation, even though it supported the Gun Control Act of 1968 after the murder of the president perpetrated by Lee Harvey Oswald. The completion of the pivot occurred when the NRA crossed the leader of its own lobbying branch, Harlon Carter, in deciding to cease its political lobbying operations and focus instead on its outdoor and environmental operations. An incensed Carter, and a group of other irate NRA members, rebelled and led a coup d'état of the NRA at its national membership meeting. The NRA, under new leadership with Carter as vice president, would proceed to co-opt the mission of the Black Panthers in a sense, radically shifting its neutral position on the Second Amendment to one that brazenly supported the notion of the right for individuals to bear arms. Like the Black Panthers, the National Rifle Association promoted distrust in the federal government. The two groups, strangely enough, had become two sides of the same coin. Today, however, the Black Panther Party exists no more, and the NRA runs the show, virtually puppeteering the multibillion dollar gun lobby and serving as the vocal opponents on any new (or sensible, for that matter) gun control provisions.

The NRA and gun rights activists everywhere celebrated *District of Columbia v. Heller* in 2008 as the U.S. Supreme Court affirmed the government's inability to take guns away from its citizens. Never before had the court explicitly guaranteed and protected the right for an individual to have a firearm. In doing so, the Supreme Court brought our nation's journey with guns full circle, officially changing the essence of the gun control conversation.

Today, in the Black community young Blacks do not nobly fix their guns on the enemy of racial discrimination and White supremacy; rather, they have ignobly fixed them on one another. Young Black men are killing each other. Kids in the streets exchange bullets as they take justice into their own hands. Deeply rooted distrust in government and law enforcement that dates back to America's Original Sin—slavery—is kept alive by everyday failures of the justice system for Americans of color on the streets and in the courts.

As a result, for Black youths across the country, what should be often becomes what could have been. Their dreams are deferred indefinitely. Tragically, this isn't news. The number of gun-related murders in cities with high numbers of African Americans is, if anything, eyebrow raising: Chi-

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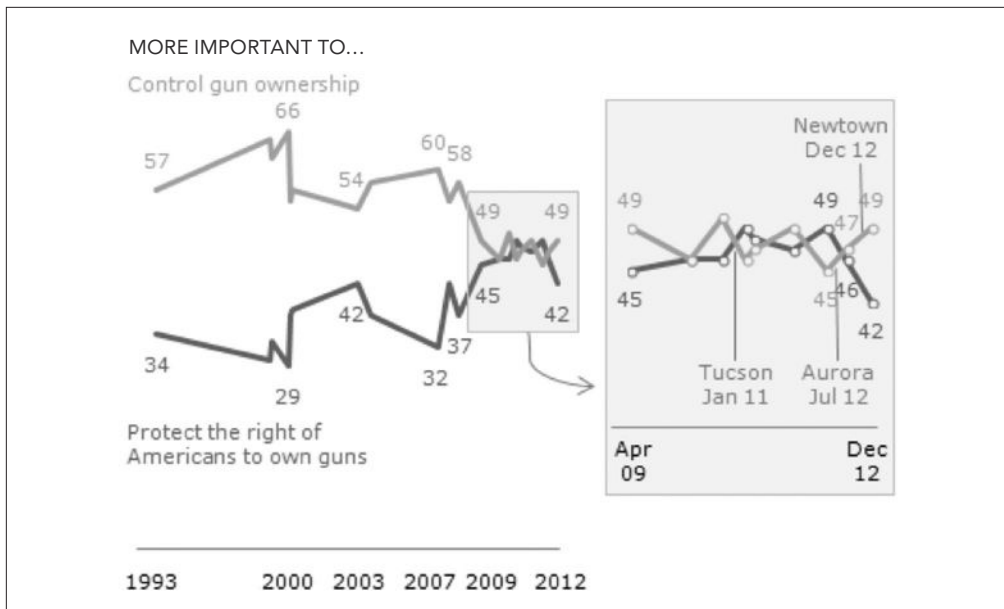
Chicago saw 500 dead by homicide in 2012—more have died by gunfire there than American soldiers in combat in Afghanistan (Edelman 2012).

To its credit, the media has not been silent on this. But it’s been whispering. And the universal, visceral reaction to what transpired in Newton, Connecticut, has not occurred for young Black kids in Philadelphia, Chicago, New York City, and Los Angeles (Lysiak and Kemp 2012). The latter two cities have seen low rates of homicides in 2012 but they still number in the hundreds. That’s unacceptable.

We ask ourselves why such tragedies are permitted to occur and why our distrust and skepticism for law enforcement grows. We find ourselves incapable of fathoming what could possess a man to shoot up an elementary school. And for some strange reason, in an effort to shift blame from ourselves, we question the inherent character of the guns themselves as if to say, “it wasn’t us, it was the gun that did it.” But it wasn’t. It was the man or woman behind the trigger that decided to pull it. And while it is true that any man or woman who commits a mass murder ought to be held accountable, we have got to examine exactly what it is that drives or inspires that individual. For honesty’s sake, we must not merely blame the weaponry. We need to examine the system we have in place to treat the mentally unwell and the society within which these atrocities occur.

Of course, while it is true that we could and should put more effort into bettering our understanding of mental illness, it is intimidatingly complex to do so. Was Adam Lanza “mentally unbalanced” as U.S. President Barak Obama put it in his statement on gun control following the Sandy Hook Elementary School tragedy? At the time of the act, perhaps. But are all people who use guns on other people disturbed mentally? What does that really mean? And what exactly is the role that the guns themselves play in these tragedies? Does our culture that glorifies violence by firearm in its music and film play a role in this? Indeed, it is difficult to answer these questions, and the issues aren’t black and white.

**VIEWS OF GUN CONTROL, 1993–2012**



PEW RESEARCH CENTER, DEC. 17-19, 2012

**FIGURE 1** — Pew Research Center data shows that Americans favor more responsible gun regulation (2012).

One thing seems to be certain: each national tragedy tends to bring about very little efficacious policy. Despite all the tears shed, the cries of “never again,” the impassioned debate, the presidential addresses, and the arguments against and in favor of stricter gun regulation, the health care system as it is today is broken and incapable of dealing with those with mental illness without tagging them with a criminal record (Long 2012). The gun industry continues to flourish and yield billions of dollars for a small few. Tens of millions of Americans will continue to own guns. Efforts at keeping guns out the hands of criminals, the mentally unwell, and children through inhibitive legislation have not given us the desired outcomes. Background checks no matter how well enforced are only so effective: while it’s true that many persons who would not pass a criminal background check end up with guns in this country, it remains true that a person isn’t a criminal until they commit a crime. What’s more, there are millions of already sold guns that will be in circulation and susceptible to being intercepted by the criminal market if we repeal the right to bear arms for all Americans tomorrow.

Considering what our nation has gone through on the gun policy front throughout its history, we have come up with unsettlingly few sustainable solutions. So we know, then, that we cannot eradicate gun violence completely (at least not in the near future) purely by the implementation of good policy. But good policy is where we ought to begin.

Indeed, we can do better. The social mores of this country are shifting (see Figure 1). America is tired. We are tired of feeling afraid and of having the same sad story being told time and time again. We are sick of the gross simplifications of mass atrocity promulgated by men like NRA Chief Executive Wayne LaPierre. The gun show loophole still exists. In general, 87 percent of Americans support background checks on private sales of guns, including sales at gun shows. And 87 percent of non-NRA gun owners and 74 percent of NRA gun owners support requiring a criminal background check of anyone purchasing a gun (Brady Campaign n.d.). Mental illness and addictions plague our country, and those of us who might be afflicted are often brushed under the rug.

There are doable and reasonable changes to our policy toward guns that can and should be made. On the mental health front, smart people have devised smart solutions that are waiting to be implemented. A brilliant example is the National Council on Behavioral Health. The council has introduced the Excellence in Mental Health (S. 2257) bill to Congress in the past only to have it be sent to committee. As a result of the most recent mass shootings, however, strong interest and consideration is being given to the bill.

The bill’s aim is to build strong community treatment networks, to increase systematic support for reforming persons trying to change their lives, and to preserve public health. It would do so by allowing community mental health and addictions organizations to opt to become federally qualified community behavioral health centers (FQCBHCs). The FQCBHCs would be mandated to deliver specified services and meet requisites related to reporting of results, standards of care, and responsible oversight. Should they execute these mandates, they would receive significant federal government assistance to expand access to mental health and addictions care, reduce the use of emergency rooms for routine care, improve the management of chronic health conditions, and ultimately save payers money through integrated care strategies and the promotion of prevention before treatment. We, the citizens of the United States, ought to get behind such efforts and use our collective voice to drown out the voices of special interests (i.e., the pharmaceutical lobby).

Beyond health care reform, there are various measures to reduce gun violence that can be advocated for today. Corrupt and negligent licensed gun dealers need to be held accountable. Let’s create a more effective system that traces the sale and movement of guns, illegal or not. The selling of semi-assault weapons and large capacity clips to civilians should be outlawed—that class of weaponry, frankly, is overkill. There ought to be policies that mandate training programs for gun owners so that they might be adequately prepared to handle firearms, concealed or otherwise.

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The costs of gun violence place a burden on our economy. According to the Pacific Institute for Research and Evaluation, the cost in work lost, medical care, insurance, criminal justice expenses, and pain and suffering as a result of gun violence was as much as \$174 billion in 2010. Further, per the institute's study, the societal cost of one gun homicide averages \$5 million and the cost to society of each civilian-owned firearm in the United States is more than \$644 (Goldman 2012). With our national debt continuing to skyrocket, we literally cannot afford to ignore these monetary realities.

The buck stops with us. The onus is on us. It always has been. The power to determine legislation in this country rests in the hands of its citizens, despite threats from relentless lobbyists, big corporations, and greedy and power-hungry CEOs and presidents. We cannot wait. Let us summon the power that we as citizens inherently wield—that same power that our founders entrusted to us and crystallized in our Constitution. We must work to prevent guns from getting into the wrong hands. We must decide that now is the time to have the difficult conversations about our unhealthy attachment to guns and to come up with the appropriate policy prescriptions. We must do it for those of us who are living, for those who have fallen to gun violence, and for those who have yet to come.

As a consequence of the tragedy that occurred in Newtown, we have been afforded an opportunity to cast a new light on the issue of gun proliferation and violence in our country. We can't change the past. But we have the popular and political will necessary to bring about the change we're looking for. And that can mean a better tomorrow for our often ignored domestic war zones. That can mean a better, more functional, and more economically efficient health care system for not only the mentally ill but for all Americans. That can mean a better tomorrow equally for children in places like Newton and the South Side of Chicago.

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# THE PINK DAYS: LIVING HAPPILY EVER AFTER THE NEW YORK STATE GAY MARRIAGE BILL?<sup>1</sup>

BY DARNELL L. MOORE

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Since its ratification in June 2011, progressives (and neoconservatives alike) have cited the Empire State's Marriage Equality Act as a case for New York's movement in the direction of social democratic ideals and progressive policy making. Some contend that the state of New York, like Washington, DC, and the other eight states with similar gender-neutral marriage laws, serves as the nation's laudable example of "fairness," "equity," "justice," and—dare I say—"human rights" as they relate to lesbian, gay, bisexual, transgender, and queer (LGBTQ) constituents. The Marriage Equality Act has become the cause célèbre of New York-based and national gay rights "activists," ostensibly distracting the state's citizenry from centering on policies, practices, and legislation that further concretize the lack of rights, freedoms, access, power, and safety in the lives of some queer others.

And while I have never deemed myself a seer, I predict that 2011's passage of the Marriage Equality Act will result in a localized posture and practice of "pinkwashing" in the near future. A term generally taken up by pro-Palestinian activists to illuminate and critique the Israeli government's emphasis on state sanctions granted to LGBTQ citizens, "pinkwashing" has been isolated as a liberalist method used to distract Israeli citizens from their complicity in international human rights injustices like the ongoing occupation of the West Bank and the stronghold on Gaza. Yet I foresee the days when pinkwashed politics will be played out similarly in the state of New York, perpetuating the hyper invisibility of the bodies of, as well as material conditions in the lives of, certain marginalized folk in New York and beyond. In response, we will need an intersectional analytical framework to assess the extent to which marriage equality is used to render policies and practices that harm some marginalized others illegible.

But let me start at another beginning, lest I be found guilty of offering an admonitory commentary without including any words of commendation on behalf of the historic undertaking on the part of the New York state government. I am elated that my home state's governing body has provided the civil marriage option for those LGBTQ folk who wish to be afforded the same 1,324 rights granted to married couples in our state. Indeed, the passage of this landmark legislation is no small feat. Yet I am of the opinion, as poignantly articulated by some LGBTQ and feminist scholar activists like Rich Blint and Lisa Duggan, that civil marriage

is but one option that should be made available to those who desire the state's qualification of and benefits toward their relationships (Cornell 2004). And as many feminist and/or LGBTQ activists have argued before me, I contend that the sole focus of some LGBTQ advocates and straight allies regarding the reified "institution" of marriage as the chief arrangement among intimate partnerships (situated along the moral hierarchy above civil unions, domestic partnerships, and other forms of non-married, non-monogamous relationships) is extremely myopic and dangerously so.

I am thinking, as I write, of my young, Black, poor, single mother who raised me and my three younger sisters amidst intimate partner violence, alone in the city of Camden, New Jersey, during its media heyday in the 1980s (the days of looming welfare reform), a city marked as one of the most "dangerous" and economically distressed in the country. My mother—not unlike other poor, Black and Brown women in New Jersey cities like Camden, Trenton, Paterson, Newark, and elsewhere—was imagined as the amoral, non-married, capital-sucking, welfare queen who raised children alone, without a man/head of the household. I am certain that the "institution" of marriage as conjured in the national imaginary, in all its moral splendor, did more to instantiate my mother's presumed inferiority than the possibility of difference.

The singular investment (capital, ideological, and corporeal) in "gay marriage" advocacy work short-circuits the emancipatory potential of a queer politic, praxis, and public policy platform that seeks the overall destabilization of any such "institution," real or imagined, that furthers state-ordained, heteronormed, patriarchal, and neoliberal modes of "relationality." Such institutions are modes of normativity (made proper by way of state policies) that disqualify other modes of non-heteronormative relationships. It is assimilationist posturing that moves us away from University of Chicago Professor Cathy Cohen's (2009) suggested trajectory of queer activism in the direction of anti-assimilationist and transformational coalition work. And it is founded upon a politic of "benign disembarkation" into the realm of the "normal" rather than a politic of "radical departure" from the normative that simultaneously moves us in the direction of equalized, diverse forms of relationality. But for what it is worth, we in New York now have our 1,324 rights should we want them, even if that means the homonormativation of marriage is the end result. The many lived experiences, the diverse ways that LGBTQ people orient themselves in the world and in their bedrooms, and the varied forms of intimacy and relationship will be disappeared under the guise of "gay marriage." And that, I'm afraid, will be but another form of pinkwashed politics.

Black queer writer and activist Kenyon Farrow (2011) posed the following question in response to the politics governing the support of marriage equality in the state of New York: "What does it mean when progressives celebrate a victory in large part won by GOP-supporting hedge fund managers, Tea Party funders, and corporate conglomerates?" Farrow's important question is cause for serious contemplation now that we are past the celebrations among gay rights workers that occurred in the aftermath of the act's passage. The ideological slippages and leaps that were made (and will be made) to ensure that an agenda centered on normalizing the gay married couple/family was pushed will surely trouble the necessary work that remains to be done, as Farrow similarly contends, in the areas of (urban) education, immigration and prison reform, women's rights, economic justice, environmental justice, and more.

Yet I doubt that it will haunt many of the organizations and individuals—LGBTQ or straight—for whom access, rights, and privileges, as granted per their privileged social and economic locations, are primary positions of concern. Maybe that's a leap, but when we consider that millions of dollars were raised and leveraged toward the pro-gay marriage bill and more dollars were made post-ratification (Huffington Post 2012), we also have to contend with the reality that such capital rarely lands (if at all) in the coffers of those committed to doing work on behalf of and with those with limited access (e.g., LGBTQ youth of color projects; educational programs for LGBTQ urban youth; social and economic justice programs focused on ameliorating and removing the conditions

impacting poor, jobless, homeless queers; etc.) and/or those with limited state rights and privileges (e.g., those queers in non-married relationships whether monogamous or polyamorous; sex workers; etc.). This is the work and the representations that might easily be covered in pink and left unnamed behind the marker of celebratory gay marriage.

*Again, as I write, I am left to consider, as a colleague reminded me, a news report posted in the Crime section of the Daily News a week or so after the passing of the Marriage Equality Bill entitled, "Chaos on Christopher: Iconic Village Stretch Overrun by Drug Dealers, Prostitutes, Violent Youths." The revolting article, which caricatures the mostly Black and Brown queer youth and adults who take to Christopher Street, typically at night and on the weekends, as societal pestilence, is silent regarding the conditions (i.e., tools of surveillance including the placement of very bright flood lights on highly populated intersections; increased police presence in car and on foot; White male guards protecting shops; etc.) that produce certain results (i.e., creation of a "high risk" area; performances of presumed "criminality" in response to the watchful gaze of citizens and police; antagonism between buyers and store owners, "visitors" and residents; etc.). This report presented an opportunity for gay activists invested in gay uplift to step in and redirect attention to a larger problem—namely, the lack of safe spaces—affecting the lives of LGBTQ urban youth of color. As of yet, I have not witnessed such a response, even on the joyous heels of celebration. Such is the distance between Stonewaller's Christopher Street (the Christopher Street of our past) and the Christopher Street that is a safe space for our queer youth of color today who are too young to marry.*

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The work of LGBTQ advocates in New York state must be recalibrated such that we are prepared to brush away the pink and illuminate the many shades of colors situated beneath limited liberalist argumentation and politics. Our analyses of laws, public policies, and practices cannot center on the "out-there-ness" of oppressions alone, but now is the time to insist upon the movement of advocates, policy makers, and thought leaders (whether focused on gay marriage alone or health care) into matrices of interwoven oppressions that activists might, ourselves, be complicit in maintaining. Yes, we are complicit in acts of oppression if by the celebration of one thing ("gay marriage") we further the disinvestment of our time, sweat, dollars, and thought leadership away from advocacy work in other key areas. The national gay movement has been very adept at assessing the many interconnected "feet" that daily we feel or see pounce on the backs and necks of LGBTQ folk. But what about the need to assess the location of our own queer "feet" and the need to envision the necks and backs upon which our feet comfortably settle daily? When we look, we might find some of those necks and backs painted in pink. And that ain't queer.

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## ENDNOTE

1. This is an updated version of an essay previously published on the Feminist Wire on 14 July 2011.



# CONGRESSIONAL BLACK CAUCUS SHOULD BE MORE INCLUSIVE

BY MIRIAM EDELMAN

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**Abstract:** To represent African Americans' views more adequately, the Congressional Black Caucus (CBC) should include as regular members non-African American congresspeople who represent majority African American districts. In addition, any non-African American should be able to join the CBC as an associate member. The CBC equates descriptive representation with substantive representation. The CBC is bipartisan. However, despite briefly having an associate membership program for Caucasians, the CBC has a history of not being completely inclusive to non-African American congresspeople. Although full CBC membership of non-African Americans contradicts a major unwritten rule of the CBC, non-African Americans could still contribute greatly to the CBC.

In order to represent the views of African Americans more adequately, the Congressional Black Caucus (CBC) should include as regular members non-African American congresspeople who represent majority African American districts. In addition, any non-African American should be able to join the CBC as an associate member. The CBC equates descriptive representation with substantive representation (as noted by Cornell University Professor Michael Jones-Correa in a 2010 e-mail exchange with the author). In descriptive representation, the representative and most of his or her constituents share certain characteristics, including race, gender, religion (Pantoja and Segura 2003), and/or experiences (Mansbridge 1999, 629). Substantive representation is when elected officials represent the interests of their constituents (Canon 1999a, 353). Like the Congressional Asian Pacific American Caucus (CAPC), the CBC is bipartisan, meaning it is open to members of both major political parties. However, despite briefly having

an associate membership program for Caucasians, the CBC has a history of not being completely inclusive to non-African American members of Congress. Even though full CBC membership of non-African Americans contradicts a major unwritten rule of the CBC, non-African Americans could still contribute greatly to the CBC.

The CBC is a congressional caucus, otherwise referred to as congressional member organization (Singh 1997). A main goal of caucuses is to bring together members of Congress who share similar interests, backgrounds, and policy objectives (Singh 1997). The CBC is one of the national constituency caucuses whose members are thought of as representing groups in the United States, as opposed to party caucuses, personal interest caucuses, regional caucuses, state/district caucuses, and state/district industry caucuses (Singh 1997).

In 1971, thirteen African American members of the U.S. House of Representatives formed the CBC so that they could better address the legislative concerns of African Americans and minorities. The following factors led to the CBC's creation: the increase in the number of African American congresspeople, the political backgrounds of the new members, the election of Richard Nixon to the U.S. presidency in 1968, and the leadership vacuum among African Americans (Singh 1997). The CBC's founders felt that such a caucus, which would have one voice, would have more influence beyond the number of caucus members. The CBC's vision is to "promote the public welfare through legislation designed to meet the needs of millions of neglected citizens" (African American Voices in Congress n.d.). Although some wanted the CBC to be open to Chicano, Puerto Rican, and Jewish members, the CBC decided that only African Americans could be CBC members (Tate 2003). Throughout CBC's history, people have expressed a desire for the CBC to expand beyond its solely African American membership rule.

#### **DESCRIPTIVE VERSUS SUBSTANTIVE REPRESENTATION**

The CBC considers descriptive representation and substantive representation to be equal (Jones-Correa e-mail exchange with the author, 2010). Minorities may like to have descriptive representation because of mistrust between groups, unarticulated interests, a history of potential inability to govern, and a group's "low de facto legitimacy" (Mansbridge 1999, 628). However, individuals within groups often have different views from one another. In this way, an African American cannot automatically represent all African Americans (Dovi 2002, 730, 731). Therefore, descriptive representation sometimes, but not always, results in substantive representation (Tate 2003). However, it is this sense of equivalency between descriptive representation and substantive representation that serves as the basis for the CBC allowing all African Americans to join while prohibiting any non-African Americans from becoming full participants.

The issue of descriptive and substantive representation is often a topic when discussing representation of and by African Americans. As the "only Blacks can represent Black interests" (Swain 1993) argument states, African Americans should be represented descriptively. Many times, when a non-African American represents a majority-African American congressional district, some people will say that only African Americans can represent African Americans (Swain 1993). This trend toward "essentialism" (Mansbridge 1999) implies that African Americans all share an essential characteristic and that African Americans cannot satisfactorily represent others (Mansbridge 1999).

This implication might be a reason why during the past two decades, African Americans have represented just 1 percent of Caucasian-majority districts. Although these cases have become less exceptional as recent court cases have made majority-African American districts become majority-Caucasian, these new majority-Caucasian districts might not necessarily have an overwhelming majority of Caucasians (Tate 2003, 66). Therefore, it might be slightly less significant that African Americans are winning in these areas.

Likewise, even though Caucasians can represent the interests of African Americans (Swain 1993, 211), many Caucasians are not successful in getting elected in majority-African American districts. Some potential Caucasian candidates may feel there is a degree of fairness in their unsuccessful election bids, thinking that it is African Americans' turn to hold office. Meanwhile, some of them may feel that they would be unable to win in such districts. At times, Caucasians are discouraged from running in majority-African American congressional districts. For example, pressure from African Americans was a reason why Caucasian incumbent Congressman Robin Tallon (Canon 1999b) (D-SC) did not run for reelection when his South Carolina sixth congressional district became a majority-African American district (Canon 1999b) in 1992 (Biographical Directory of the United States Congress n.d.; Washington Post n.d.). Due to the political importance of descriptive representation, African Americans represent most of the majority-African American districts.

### **CBC REMAINS MAINLY DEMOCRATIC**

Despite being nonpartisan in its organization, the CBC has consisted of mainly Democratic African Americans and is widely known as being de facto Democratic. In fact, the CBC's Democratic ties are shown by the caucus's initial name choice: the "Democratic Select Committee" (Tate 2003, 104). The CBC is described as "a reliably liberal voting bloc" (Diemer 2010). The Democrats and the CBC support a path of citizenship for the approximately 11 million illegal immigrants in the United States (Houston Chronicle 2010). Moreover, the CBC is known to provide a reliable African American voting bloc for the Democratic Party in order to move the party's policy agenda closer to the needs of the African American community (Tate 2003, 106).

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Most likely, the CBC's liberal slant is because the majority of African Americans are Democrats. Between 1964 and 2004, more than 70 percent of African Americans voted Democratic in U.S. presidential elections (FactCheck.org 2008). However, all African Americans are not poor and/or liberal. There is a growing African American middle and professional class (Swain 1993). Even though increasingly more African Americans are doing well socioeconomically, the CBC's liberal actions still represent the views of the majority of African Americans. Hence, in this way, descriptive representative leads to substantive representation.

Despite the CBC's Democratic leanings, it invites Republican African American members of Congress to join. However, while all Democratic African American members of Congress have joined the CBC, the same cannot be said of Republicans. Since its formation in 1971, the CBC has only had three Republican members, and with the 113th Congress, starting in January 2013, it reverts to having a Democratic-only membership. The most recent Republican member, Allen West (R-FL), failed to win his 2012 reelection bid. The other Republican CBC members include Melvin Evans (R-VI, 1979-1981) and Gary Franks (R-CT, 1991-1997) (Cogan 2010c). However, even though Franks joined the CBC, he criticized the group for adhering to the Democrats (BlackPast.org n.d.).

Congressman J.C. Watts (R-OK, 1995-2003) became the first African American to choose not to join the CBC and said about the group: "[T]hey said that I had sold out and [am an] Uncle Tom. And I said well, they deserve to have that view. But I have my thoughts. And I think they're race-hustling poverty pimps" (Hawkins 2013). Tim Scott (R-SC), invited along with West in 2010, also declined to join the CBC. In an interview discussing the invitation in 2010, then CBC Chair-Elect Emanuel Cleaver (D-MO), said that the CBC "doesn't want to come across as exclusionary" (Lillis 2010; Ellison 2010). Rejecting CBC's offer, Scott said, "While I recognize the efforts of the CBC and appreciate their invitation for me to caucus with them, I will not be joining at this time. My campaign was never about race" (Cogan 2010b). He stated that race is not an issue and that African Americans and all other communities can benefit from ideals that he thinks cannot be advanced by centering on one group (Dirner 2010).



In contrast, West wanted to join the CBC in an effort to change the organization, saying “[The CBC] has been a monolithic voice in the body politic for far too long. There is a growing conservative Black voice in this country” (Cogan 2010a). West became a member of the CBC, but his time with the CBC had its problems. In August 2011, West threatened to quit the CBC over attacks on Republicans (Kleefeld 2011). In 2012, West offended the CBC by sending food from Chick-Fil-A to a CBC meeting when it was his turn to bring lunch to the group. According to U.S. Congressman Alcee Hastings (D-FL), the CBC was offended because the members felt that West was making a statement supporting the conservative views of the heads of Chick-Fil-A (Bendery 2012). As the only Republican CBC member at the time, West did not affect the policy stances of the CBC much. As noted above, with West’s defeat in his race for reelection in November 2012, the CBC will consist of a completely Democratic membership (Before It’s News 2012).

By including Republicans, the CBC shows that it equates descriptive representation with substantive representation. Groups such as the CBC would like to include a variety of viewpoints in its membership in order to, among other factors, increase synergy and internal diversity (Man-bridge 1999, 637). Diversity would allow for better representation of various racial and ethnic groups. For example, since African Americans are both Republicans and Democrats, this shows that members of the same minority can share the same fate but have different goals (Dovi 2002, 738). This suggests that it might be useful to have Republicans as members of the CBC. However, since Republicans and Democrats often have radically different goals, having Republicans on the CBC might affect how the caucus operates, which may be seen as a negative by the Democratic membership.

The CBC is not the only bipartisan and race-based congressional caucus. Two Republican Asian American members of Congress—Joseph Cao (R-LA) and Charles Djou (R-HI)—were executive board members of the Congressional Asian Pacific American Caucus. Interestingly, perhaps since there is a more balanced number of Hispanic Democratic and Republican members of Congress compared to African American Democratic and Republican members of Congress, the membership of the Congressional Hispanic Caucus Institute (CHCI) differs from that of the CBC. Some Republican Hispanic members formerly belonged to the CHCI. However, they stopped participating in the caucus for political reasons, including the group’s support of improved relations with Cuba. In March 2003, Congressman Mario Diaz-Balart (R-FL) and four other Hispanic Republican representatives founded the Congressional Hispanic Conference, which counterbalances the CHCI. Hispanic aides have been concerned that the new group would divide the Hispanic population (Recio 2003). However, some Hispanics want to work across partisan lines; then-Congressional Hispanic Caucus Chair-Elect Charlie Gonzalez (D-TX) recently said he would try to

work with Hispanic Republican members of Congress for the good of all minorities (Houston Chronicle 2010).

*By including Republicans, the CBC shows that it equates descriptive representation with substantive representation.*

#### **FULL MEMBERSHIP TO AFRICAN AMERICANS ONLY**

Meanwhile, the CBC continues to show its sense of equivalence with regard to descriptive representation and substantive representation by only allowing African Americans to be full members of the CBC. Congressman William Lacy Clay Jr. (D-MO) said that African American membership in the CBC is “an unwritten rule” (Associated Press 2007). Hence, the CBC has not been completely inclu-



sive to non-African American members of Congress. Throughout the CBC's history, non-African Americans have been unable to fully participate in the CBC (Associated Press 2007).

Multiple times, including in recent years, the CBC has excluded non-African American members of Congress who represented large numbers of African Americans and who would have liked to have joined the caucus. Some recent examples include former Congressmen Pete Stark (D-CA), Steven Cohen (D-TN), and former Congressman Joseph Cao (R-LA).

In 1975, the CBC did not allow Stark to become a member. Stark was a Caucasian man who represented a large African American population in Oakland. In rejecting Stark, the CBC defended the decision on the basis of the caucus symbolizing the political development of African Americans in the United States. At that time, the CBC felt that maintaining that symbolism was important (U.S. House of Representatives n.d.).

Although the CBC has been increasingly supportive of Cohen, the group's continued refusal to let him become a member shows that the group views descriptive representation as equal to substantive representation. Since 2007, Cohen has represented the majority-African American ninth congressional district of Tennessee (Bacon 2010). The demographic breakdown of that district is: 60 percent African American, 33.5 percent Caucasian, 3 percent Latino or Hispanic, 2 percent Asian American, and 1.5 percent Native American or Pacific Islander (Cohen n.d.). When Cohen joined Congress, he made it clear that he wanted to join the CBC because he represents a majority African American district. However, the CBC made it obvious that it would not let him join because Cohen is not an African American. As Congressman Lacy Clay stated, "He does not, and cannot, meet the membership criteria, unless he can change his skin color. Primarily, we are concerned with the needs and concerns of the Black population, and we will not allow White America to infringe on those objectives" (Laska 2009).

Since 2006, Cohen has faced at least two African American opponents in the Democratic primary, and on both occasions, people debated whether an African American should represent this district. In 2008, many CBC members supported Cohen's African American opponent. However, in 2010, many CBC members chose to support Cohen. No CBC members endorsed Cohen's primary opponent. Even though Cohen still has an interest in joining the CBC, the caucus continues to deny him membership. Commenting on Cohen, Congressman John Lewis (D-GA) sums up the CBC's desire to have only African American members even though non-African American members would benefit the CBC: "He's a wonderful member, he's a solid and good Democratic vote. That district had a Black representative, they had a father and later a son. And the voting record of Steve Cohen is just as good as any African American member . . . [but] the CBC is made up of Black members. Maybe he can become an honorary member" (Perry 2010).

In 2009, the CBC also prohibited Congressman Cao from joining the CBC because he is not African American. Like Cohen, Cao represented a majority-African American congressional district. Cao's second congressional district of Louisiana was drawn so that an African American (hence, a Democrat) would be elected from that area. In 2008, Cao defeated then-Representative William Jefferson, who had been indicted on charges of public corruption and bribery (Krupa 2008). If Jefferson had not been involved in a scandal, he would have won that election. Thus, in normal circumstances, the Republican Cao would not have been elected from that district.

Cao wanted to join the CBC for the same reasons that Cohen did; however, the CBC had identical responses to both congressmen. Despite Cao's voting with Democrats on many issues (WDSU.com 2010) and being the only Republican to vote for the health care bill on the floor of the House of Representatives in November 2009 (Tilove 2010), Cao lost to Cedric Richmond,

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an African American Democrat in the following November election (WDSU 2010). Although Richmond represented the same population as Cao had, unlike Cao, Richmond joined the CBC (Crew of 1942 2010). Since Richmond is an African American, unlike Cao, once again, the CBC's actions imply that it views descriptive representation as automatically equaling substantive representation.

However, for a brief period of time, the CBC did permit Caucasians to join as nonvoting associate members (U.S. House of Representatives n.d.). In 1988, at the request of Congressman Alan Wheat (D-MO), the CBC began associate memberships. This membership made the CBC appear more mainstream and allowed Caucasians to participate in the caucus, with the restriction that associate members were prohibited from attending closed-door meetings (Swain 1993). The restrictions placed on associate members correspond with the CBC's main concept that descriptive representation is equivalent to substantive representation.

Interestingly, Caucasian associate membership appeared to depend more on ideological orientation than the district's racial structure. Caucasian members were about as liberal as African American ones. The median African American voting age population of the Caucasian members was under 13 percent (Singh 1997). These ideological and district composition-related aspects show that non-African Americans (who cannot join the CBC now) could participate well in the CBC.

Some people might argue that the CBC is inclusive in that some of its members have been of mixed ancestries. For example, the current U.S. president and former CBC member Barack Obama's (D-IL) mother was Caucasian and his father was African. In addition, former CBC member Hansen Clarke (D-MI) is the son of an African American mother and an Indian father. However, the CBC does not include anyone who is [NOT] at least part African American.

## RECOMMENDATIONS

The CBC should be more inclusive by allowing as regular members non-African American congressmen who represent majority-African American districts. Even though such membership would break the CBC's all-African American unwritten rule, the new members would be able to contribute significantly to the CBC. They are an example of substantive representation because, most likely, they would represent the views of African Americans. Since non-African American members of Congress representing majority-African American districts share the goals of the majority of CBC members, they could help the CBC achieve its goals more effectively than some Republican African American members of Congress.

Even though African Americans are more satisfied with their elected officials when they share the same racial identity (Tate 2003, 131) and believe that African Americans represent them better than Caucasians would (Tate 2003, 159), the race of a congressman does not make a difference to African Americans from a policy standpoint. Although African American congressmen appear to hold policy preferences more consistent with their own views (Gay 2001, 599), liberal Caucasians are able to represent African Americans just as well as African American representatives.

Only non-African Americans who represent majority-African American congressional districts should be invited to join the CBC. Even though all African Americans can join the CBC (regardless of the percentage of African Americans in their districts), a restriction should be placed on non-African Americans as a way of recognizing the importance of descriptive representation to the CBC. It is understandable that non-African Americans representing mainly African American districts would like to join the CBC. Unlike other non-African Americans, these representatives likely want to join the CBC as a way of helping them represent their constituents. Some people are so understanding of this argument that they think that the CBC is racist for not allowing membership of these congressmen (Tigerdroppings.com n.d.).

Even though non-African Americans who represent a large percentage but not a majority of African Americans could make the same argument, they should not be able to join the CBC as full members because there needs to be some sort of cutoff. Research done by a recent Cornell University graduate student, Sophia Wallace, found that members of Congress whose districts included a substantial minority of Hispanics were less likely to represent Hispanic interests than Hispanic congressmen (Jones-Correa e-mail exchange with the author, 2010). As descriptive representation between different racial and ethnic minorities has similarities, such trends could potentially be applied to non-African Americans representing significant minorities of African Americans. Since those members of Congress would most likely not represent African American interests completely, they should not be allowed to join the CBC as full members. However, as those representatives likely share many of the views of African Americans in general, they should still be able to participate in the caucus.

Consequently, the CBC should allow other non-African Americans to join as associate members. This proposal would recognize the importance of both descriptive representation (by not allowing everyone to join the CBC) and substantive representation (by allowing similarly valued non-African Americans the opportunity to participate in the CBC). Even though associate members would have fewer rights to participate, this arrangement would be a compromise that would let non-African Americans participate in the CBC. Given the history of the CBC's associate membership program, which seemed to attract like-minded individuals, the CBC would not have to worry about congressmen trying to join the CBC in order to make it less liberal (even though the CBC might have that concern due to people like West joining the CBC).

Although these proposals would make it harder for the CBC to handle its descriptive representation-related components, the benefits of these proposals outweigh the costs. As stated earlier, a reason for descriptive representation is mistrust between groups. Thus, people feel that the CBC is necessary due to the general mistreatment of African Americans by Caucasians throughout American history. Despite potential Caucasian members of the CBC contradicting that driving reason for the caucus's existence, those Caucasian members would help, not hurt, the CBC and African Americans in general.

Descriptive representation plays another role in the CBC. Even though the caucus consists of members from certain areas of the United States, it also serves as the voice of African Americans nationwide. As such, collectively the CBC is the surrogate representative of the greater African American community (Mansbridge 1999, 642). It might be harder for a multiracial CBC to maintain that voice, but the non-African American members would have many of the same views of that larger population. Hence, these descriptive representation arguments for the exclusion of non-African Americans by the CBC should be overlooked.

Aside from the CBC already having had an associate membership program in the past, such an association would not be unprecedented now. Unlike the Congressional Black Caucus and the Congressional Hispanic Caucus Institute, the Congressional Asian Pacific American Caucus (CAPC) and the Congressional Hispanic Conference both have such a membership. In fact, as of late 2010, in the CAPC and Congressional Hispanic Conference, each of the racial groups of those organizations was outnumbered by people not in those groups. In addition, the CAPC is even more inclusive to non-Asian Americans, as around three non-Asian Americans serve on its executive board.

Recognizing the importance of descriptive and substantive representation, the CBC should be more inclusive by allowing non-African American members who represent majority-African American districts to join the CBC as full members and by permitting all other non-African Americans to join the CBC as associate members.

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COMMENTARY

# THE FIRST TIME I HEARD

was in 1993, sitting on our scratchy yellow couch, sandwiched between Mom and Dad. Every February, even now, we watch Alex Haley's "Roots" on TV, and, every year, I leave the room before Kunta Kente's inhuman wail announces the weight of Massa's hatchet on his runaway anklebone. That first night, I was three years old. My eyes were too small to swallow that far-off bright country where Kunta lived. Too small to open around the whole sea and its ships that sailed and sailed. No one explained that I would not become a slave, too, that my skin was not a modern-day marker of things to come.

# ABOUT SLAVERY

My fingers had never bled, so I did not understand the pain of picking cotton. I did not understand the meaning of light skin and the after-dark work of house slaves. I did not understand the curse of soft breasts peeking, brightly, through a cotton dress. I only knew the couch and the TV and my parents who didn't seem to fear the whips. That night, I felt alone in my bedroom. I could barely hear my older sister breathing in the bunk above me, and that darkness meant that tomorrow, it might all come true. So I didn't sleep. I keep my small eyes wide and guarded the life I had come to know.

— *Ashley M. Jones*





# PRISONS, POT, AND PROFIT: THE PLIGHT OF POST-EMANCIPATION

BY NYLE FORT

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“The degree of civilization in a society can be judged by entering its prisons.”  
— Fyodor Dostoevsky

If Dostoevsky is right, then America is the most uncivilized nation on earth. As the age-old wave of American exceptionalism plagues the shores of mainstream discourse, the hard rock of reality continues to smudge our portrait of the American dream. While politicians boast about our nation's “exceptional” character, the American people are left to live with certain dispiriting facts. As Michael Moore enumerates in a *Huffington Post* article, America's students rank seventeenth in science and twenty-fifth in math, our nation is thirty-fifth in life expectancy, and we are last in voter turnout of any Western democracy (2012). However, there is an area where America is unequivocally, exceptionally, and indisputably number one. As Michael Kelley reveals in a *Business Insider* article, while America possesses 5 percent of the world's population, it incarcerates 25 percent of the world's prisoners (2012). In other words, approximately one out of every four prisoners worldwide is incarcerated in an American prison, jail, or juvenile detention center. While mass incarceration is indisputably an American characteristic, it is a crisis in the African American community.<sup>1</sup> According to recent reports:

- \* One out of every three African American men is currently under the control of the criminal justice system, that is, on parole, on probation, or in prison (Alexander 2010).
- \* Black males are incarcerated at a rate six and a half times that of White males, and Black females are incarcerated at approximately three times the rate of White females (Bonczar 2003).
- \* In Chicago, young Black men have a better chance of going to prison than to college (Alexander 2010).

Sadly, these statistics are exacerbated everyday as America's war on drugs and prison-industrial complex rage on. Together, the war on drugs and the prison-industrial

complex have created the most catastrophic carceral situation in modern history. Considering our carceral situation in the wake of the one-hundred-and-fifty-year anniversary of the Emancipation Proclamation, African Americans are left to not only celebrate its legacy, but also consider its legitimacy.

### **MARIJUANA AND MASS INCARCERATION**

Since President Richard Nixon declared the war on drugs in 1971, America's prison system has grown astronomically. Despite relatively consistent crime rates, the prison population mushroomed from less than three hundred thousand to more than two million in three decades (Alexander 2010). Capitalizing on Nixon's momentum, President Ronald Reagan and his political contemporaries sought public support by implementing policies that appeared to be tough on crime. Interestingly, crime often constituted nonviolent drug possession and/or distribution. Furthermore, contrary to Reagan's drug war rhetoric, which included infamous welfare queens and crack babies, the most popular drug offense was and still is cannabis, or marijuana, rather than crack cocaine.

The criminalization of marijuana, a drug many argue is less harmful than tobacco and alcohol, has transformed nonviolent drug users into stigmatized criminals. Out of the 2.7 million prisoners, five hundred thousand are nonviolent drug offenders, with the majority being arrested for simple marijuana possession (Alexander 2010). For example, in the 1990s, marijuana accounted for approximately 80 percent of all growth in drug arrests (Alexander 2010). And in 2005, four out of every five drug arrests were for possession rather than distribution (Alexander 2010). According to a 2013 *Huffington Post* article, "In 2011, marijuana possession arrests totaled 663,032—more than arrests for all violent crimes combined" (Hall and Spurlock 2013). While the drug war affects Americans of all races, African Americans are overwhelmingly impacted and disproportionately incarcerated for possession and distribution of illegal drugs. Comparing drug arrest rates between Blacks and Whites reveals the racialized nature of America's drug war:

- \* In 2000, African Americans throughout seven states constituted 80 to 90 percent of all drug offenders sent to prison (Alexander 2010).
- \* In at least fifteen states, African Americans are admitted to prison on drug charges at a rate from twenty to fifty-seven times greater than that of White men (Alexander 2010).
- \* Although the majority of illegal drug users and dealers are White, 75 percent of all prisoners convicted for drug offenses are African American or Latino (Alexander 2010).

Within this framework, the war on drugs is not only a public failure but also a political fraud. Instead of eliminating dangerous drugs and dealers, the drug war has destroyed countless African Americans' educational opportunities, right to vote, ability to receive welfare, and overall capacity to pursue the "American dream."

### **DECRIMINALIZATION**

Since the marijuana movement began in the 1970s, nearly half of all U.S. states have either allowed it for medical use, decriminalized it for recreational use, or partially legalized it. In 1973, Oregon became the first state to decriminalize marijuana possession. By 1978, eight other states including Mississippi and Nebraska passed some form of a marijuana decriminalization bill. In 2012, two states, Colorado and Washington, legalized the recreational use of marijuana. Nevertheless, as Charles Lane (2005) affirms in a *Washington Post* article, marijuana use and distribution remain illegal on the federal level via the Commerce Clause of the U.S. Constitution, which gives federal law enforcement the power to regulate state commerce.

It is important to note that decriminalization and legalization are not synonymous. To legalize is to make the use of a substance or the participation in an activity legally permissible. To decriminal-

ize is to make a substance or an activity a noncriminal offense. While marijuana advocates push for legalization, many mass incarceration opponents opt for marijuana decriminalization, viewing it as more immediate and less politically intimidating.

Considering the effects of marijuana on mass incarceration, it makes sense for opponents of mass incarceration to also be proponents of marijuana decriminalization. The decriminalization of marijuana has many potential positive effects including reducing the amount of nonviolent offenders in prison, freeing funds that can be used for catching serious criminals, and saving taxpayers the cost of incarcerating nonviolent offenders.

While we witness a new wave of marijuana decriminalization across several states, countless individuals—primarily African American—continue to be swept into local and state penitentiaries. It is obvious that a state-by-state decriminalization approach is not enough to counterbalance the severity of America's incarceration rate. Therefore, it will take nothing less than a federal drug policy decriminalizing marijuana to substantially improve our dismal carceral crisis. If a federal drug policy were passed today, the prison population would decrease substantially. But more than decrease the prison population, this will increase social, economic, and political opportunities for African Americans. This will allow more African American youth to take advantage of educational opportunities and allow more African American parents to remain at home and take care of their children and families. Ultimately, a federal drug policy decriminalizing marijuana will demonstrate the American government's willingness to fulfill, at least partially, the Emancipation Proclamation and its promise to the Black community.

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## FROM PLANTATIONS TO PRISONS

Before the abolition of slavery, the American prison system was more or less nonexistent. During this period, state-sanctioned punishment primarily consisted of physical torture—corporal or capital. After President Abraham Lincoln signed the Emancipation Proclamation in 1863 and Congress ratified the Thirteenth Amendment in 1865, prisons sprang up all over the South as a form of White backlash to Black reconstruction (Alexander 2010). A new way to maintain the old system of slavery, prisons quite literally became the new plantations, and ipso facto, convicts became the new chattel. Through the system of convict leasing, White Southern plantation owners purchased prisoners to live on their property and work under their control, many times in harsher conditions than slavery. During this time, prisoners were purchased or “leased” for numerous hard jobs including coal mining, iron forging, steel making, and railroad building (Alexander 2010). As Nancy Heitzeg (2010), professor of sociology at St. Catherine University, says, Louisiana's infamous Angola Prison is a modern manifestation of this horrifying history. Once an eight-thousand-acre family plantation, Angola was purchased by the state of Louisiana and converted into a state prison in 1880. Currently situated on eighteen thousand acres of land, the Angola prison plantation is maintained by its inmates who live in cell units formerly used as slave quarters.

Due to public criticism of the convict leasing system, private corporations were barred from purchasing prison labor for decades. However in 1979, Congress began to deregulate government restrictions on corporate access to convict labor. Consequently, thirty-seven states over the past thirty years have implemented laws providing private corporations access to prison labor. Prison corporations are now able to lease factories in prisons as well as lease prisoners out to their factories (Browne 2007). Currently, prison labor is one of the most lucrative industries in America, generating billions of dollars annually. For example, two of the biggest private prison corporations generated \$3.3 billion last year alone; the biggest three prison companies spent \$45 million lobbying over the last ten years (Browne 2007). Meanwhile, as Drew Kukorowski (2012) reveals, the biggest prison telephone company, Global Tel Link, was recently purchased for a billion dollars by a private equity firm. This prison-to-profit phenomenon has become known as the prison-industrial complex (PIC).

While the PIC is a multifaceted matrix made up of myriad factors and players, its central purpose is to convert convict labor into corporate profit. Thus, the nucleus of the PIC is neither correction nor rehabilitation but rather capital and revenue. Within this carceral-capital construct, prisoners become a type of corporate property—a chilling formulation of modern-day chattel slavery. Similar to late nineteenth century prisoners, current inmates perform a host of hard jobs, from farm work and metal production to working in call centers and making office furniture. While many PIC proponents cite the benefits prison labor provides for inmates, research suggests that the corporations (rather than the convicts) are the true beneficiaries. For example, the Tennessee-based, private-prison company Corrections Corporation of America (CCA) was awarded more than \$300 million in government contracts just last year (Petrella 2012). Despite the enormous profits made by prison corporations such as CCA, the Prison Policy Initiative reports that inmate wages in some states are as low as ninety-three cents an hour (Prison Policy Initiative 2003). Prisoners are not only cheap, but they are easy to control since they are never late or absent because of family problems, cannot demand vacation time or raises, and are prohibited from unionizing. And to top it all off, prisoners are subject to martial discipline. Clearly, a prison corporation’s dream is any convict’s nightmare.

### **PRISON ABOLITION**

Justifying exploitation in the name of economic opportunity is part and parcel of the American project. What abolitionists considered immoral, slave owners called profitable. Today, what PIC proponents consider opportunity, PIC opponents call oppression. Sadly, for-profit prisons are not only attractive to large corporations but also to poor rural communities plagued by unemployment. For-profit prisons to these communities are not a matter of justice but a mechanism for jobs, as these corporations bring employment to local residents as well as inmates. In this sense, prison proliferation is America’s new jobs program. While the PIC may look attractive to the economic eye, it is anathema to the African American community. For many intellectuals and activists, prison abolition is not only progressive it is also practical. For many others, prison abolition is too extreme and not realistic. No matter where one stands on the issue, one must confront certain historical facts. At the height of American slavery, abolition was viewed more as a fantasy than a policy. So deeply embedded in the fabric of American society, chattel slavery was considered both normal and “natural” while abolition was viewed as extreme and unrealistic. However, if history has revealed anything at all, it is that “normal” is not always moral and “unrealistic” is not always unattainable. As radical as prison abolition may seem to some, centuries from now, citizens of this country may laugh at how astonishingly normalized and immoral the American prison system once was.

### **THE EMANCIPATION PROCLAMATION IN AN INCARCERATION NATION**

To be clear, African Americans are not the only victims of America’s drug war and PIC. For instance, members of Latino and low-income White communities are also subject to relatively high incarceration rates and drug arrests. However, no other racial group in America is more disproportionately affected than the African American community. From incarceration rates and drug arrests to felon percentage and number of death-row inmates, African Americans are disproportionately represented in every facet of the criminal justice system. Ironically, the drug war and PIC collectively have done more to create crime than to prevent it (Alexander 2010). Cloaked in “tough on crime” rhetoric, the drug war masquerades as a political remedy to public degeneration while actually operating less as a remedy and more as a strategy to ensure social control and eradicate America’s undesirables. Focused on capital, PIC beneficiaries understand that more prisoners means more profit. The primary problem of the PIC is that its goal of profit maximization incentivizes lobbying for stricter crime and drug laws, which inevitably lead to more drug arrests and higher incarceration rates. In this sense, the drug war and PIC share a symbiotic relationship—the drug war feeding the PIC and the PIC reinforcing the drug war.

In light of this carceral crisis, African Americans are left to commemorate the one-hundred-and-fifty-year anniversary of the Emancipation Proclamation somewhat ambiguously. On the one hand, it is an emblem of hope emerging from an epoch of horror. On the other hand, it is a broken promise, failing to materialize the true meaning of its message. No matter the perspective, the Emancipation Proclamation is a political document symbolizing a people's dream—a dream of freedom, liberty, and justice. As the nation both celebrates and critiques Lincoln's landmark piece of legislation, African Americans must never forget the words of freedom fighter and slave abolitionist Frederick Douglass, who said during a West India emancipation speech on 3 August 1857, "without struggle there is no progress." What Douglas understood in 1857, African Americans are left to understand today: freedom is not granted by the stroke of a pen but by the struggle of a people. The pen has been stroked, but the struggle is not over. If the Emancipation Proclamation has any relevance in twenty-first century America, it is to challenge us to bridge the gap between an old promise made and a new policy manifested.

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## ENDNOTE

1. The terms African American and Black are used interchangeably in this article.



# THE SPECTER OF SLAVERY: THE MISALLOCATION OF EDUCATION TO BLACK AMERICANS AND ITS CONTRIBUTION TO DECLINING AMERICAN ECONOMIC VIABILITY

BY VINCE ROGERS

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"One of the crucial areas of discrimination by government has been in the quantity and quality of education made available to different groups, for this can have lasting effects on their productivity and career potential in the private sector as well." — Thomas Sowell (1994, 98)

On 1 January 1863, U.S. President Abraham Lincoln issued the executive order known as the Emancipation Proclamation. The proclamation asserted "that all persons held as slaves" within the Confederate States of America "are, and henceforward shall be free." In response, many states passed concrete legislation to create a separate and unequal educational system for Black people. The most notable feature of this system was its deficiency in providing Blacks with the quantity and quality of education sufficient to transform this specific group into a productive segment of the advancing American economic system.

A dissimilar educational system for Whites and freed slaves was initially intended to preserve a certain social order. However, it would also end up guaranteeing that Whites and Blacks would experience a relatively inequitable level of prosperity into the foreseeable future (Starkey 2005). As a result, a significant portion of the population would henceforth lack the ability to fully contribute to society.

The legacy of this misallocation of education to Blacks (and other minorities over time) has been the creation of a persistent human capital deficit in America



(Kodrzycki 2002). The nation does not possess as many well-educated, well-prepared units of human capital as it would if education were not historically misallocated to specific groups in society based on the sole factor of race. In terms of the specific influence on Black individuals, the ways in which this misallocation of education has undermined the efforts of Black America to achieve economic viability are manifold (Allard 2007, 7). The lack of skills necessary to achieve success in the workplace has necessitated the creation of various anti-poverty programs and social services initiatives to assist members of this group.

### SLAVES AND EDUCATION

How education was treated and viewed during the time of enslavement in America continues to have implications today. During that time, it was deemed necessary to deny slaves access to reading, writing, and education for many reasons. It was feared that slaves who could read and write could better organize revolts, hatch escape plans, and instigate deadly plots against their masters. Because such activities would result in punitive measures like being whipped, sold, or maimed, even the slaves considered education dangerous (Cornell University Library n.d.).

Today, those Blacks who aspire to uplift themselves through education are still in nuanced and overt ways regarded as seeking to challenge the accepted status quo of the American social order. As stated by Asa Hilliard, noted educational psychologist, “In order for one group . . . to control the institution of socialization . . . [the other group must] prevent [African] people from educating their own children” (Hilliard n.d.).

However, for the institution of slavery to be successful, the systematic denial of education was functional, not racial, in origin. As slave owners sought to maximize their return on investment, it was not racist misanthropy that drove the practice of denying slaves education. The reality is that an educated people would not willingly engage in slave labor.

On Southern plantations, slaves worked using either a gang system or a task system. Under the gang system (often employed on plantations that were engaged in primarily agrarian enterprises), slaves worked in unison, led by one or two workers who set the pace. They worked from sunup to sundown. The work did not require much intellect. In contrast, the task system set work quotas. After the work was completed the slaves’ time was theoretically their own.

The task system was a less brutal and more specialized system. Slaves worked semiskilled trades similar to artisans and craftspeople in non-slave environments. Slaves working under this system had the capacity to benefit from specialized learning, exhibited management skills, and had the ability to make intellectual contributions to the organization (Littlefield n.d.). However, these slaves who might have benefitted from a more liberal application of education were still denied any formal instruction (Littlefield n.d.).

After the emancipation, things changed, and the racial concerns of slavery prevailed over more practical matters. Rather than organize the post-slavery economy in a way that might have resulted in maximized productivity, it was regarded as more important to organize society so that Blacks and Whites would be segregated. The economic benefits that could have been derived from the contributions of educated Blacks to a diverse society were ignored.

Once the Civil War ended and the Emancipation Proclamation began to take effect, the nation was presented with several opportunities that could have dynamically enhanced the economy. Among these was the prospect of uniting the fractured nation into a cohesive, dynamic, productive economic unit based solely on merit and the desire for enterprise. The opportunity to enhance the overall stock of human capital by providing quality education to the newly freed slaves was possible as well. This investment would have allowed these freed slaves to make contributions in all aspects of the American economy.

In fact, there were some dissenting factions that fought for the empowerment of the Black com-



munity. In Tennessee, the legislature established a system of public education for Blacks in 1867. However, funds were later diverted elsewhere. In Tennessee in 1869, when the Democrats eventually won control of the General Assembly from the Republicans, the law was repealed (Van Zelm n.d.).

### CONTRIBUTIONS DESPITE LACK OF EDUCATION

Ultimately, as a matter of law, America chose to marginalize Blacks rather than invest in their uplift through education. This was done despite the existence of significant examples of Black people making contributions in every aspect of society. As early as the 1700s, Black people made important contributions to the economic prosperity of the emerging nation. These contributions went far beyond the product of their physical labor. And even prior to the end of slavery Black people were making contributions to the sciences, technology, and medicine.

In 1716, the venerable colonial era figure Cotton Mather wrote about a method he learned for treating smallpox from Onesimus, a noted medical pioneer of the times. Onesimus just happened to be a former slave (Sandifer 1969, 78). Medical practitioners in the colonies employed this method until a smallpox vaccine was discovered in 1796 (Sandifer 1969, 78). There were of course numerous other Black inventors and pioneers with limited or no education such as Benjamin Banneker, who built the first working clock produced in America (Sandifer 1969, 81), and Lewis Temple, who invented "Temple's Toggle," a type of harpoon that doubled the catch of the New England whaling industry (Sandifer 1969, 78).

In due course, even greater modern contributions were made by Black Americans who had very little formal education. Lewis Latimer assisted telephone inventor Alexander Graham Bell and contributed to Thomas Edison's invention of the electric light (Sandifer 1969, 140, 363). On the subject of the significant economic possibilities of fully including Blacks in the economic life of America, U.S. President Thomas Jefferson wrote in a 1791 letter to Banneker:

Sir, I Thank you, sincerely, for your letter of the 19th instant, and for the Almanac it contained. No body wishes more than I do, to see such proofs as you exhibit, that nature has given to our black brethren talents equal to those of the other colors of men; and that the appearance of the want of them, is owing merely to the degraded condition of their existence, both in Africa & America. I can add with truth, that no body wishes more ardently to see a good system commenced, for raising the condition, both of their body and mind, to what it ought to be, as far as the imbecility of their present existence, and other circumstances, which cannot be neglected, will admit. (Sandifer 1969, 81)

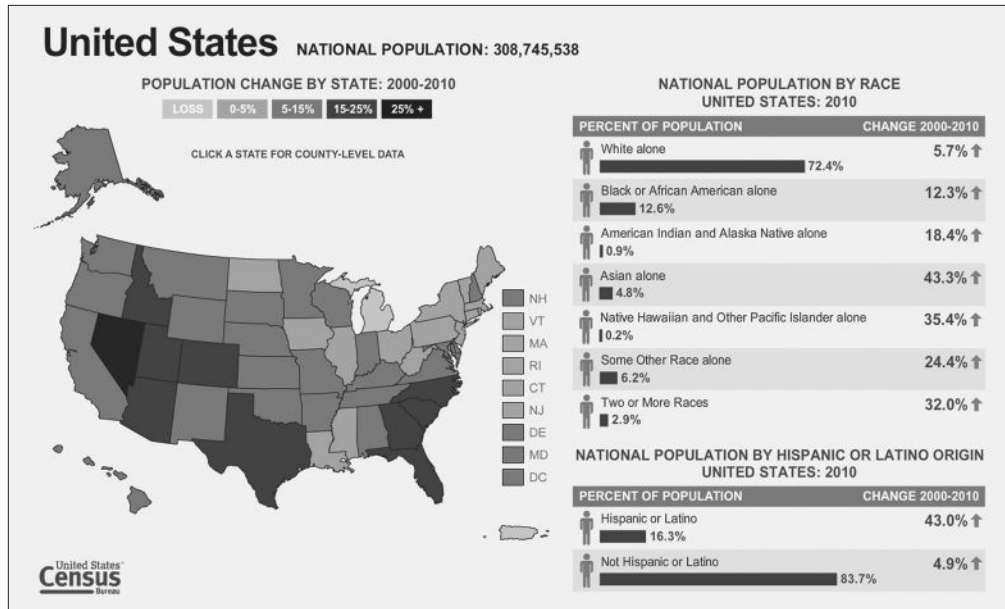
### WHAT CONTRIBUTIONS HAVE BEEN LOST?

Numerous other examples of significant contributions by Black people during and after slavery could be cited here. However, there is a more thought-provoking issue than examining what Black people have accomplished. That question is what Black people would have been able to achieve had they been provided with the same education as all other Americans. Had the equal quality and quantity of education been allocated to Blacks, in what other ways might they have been able to exponentially contribute to enhancing the American standard of living? How many other George Washington Carvers, Granville T. Woods, and Jesse Eugene Russells have been lost? How many industries, enterprises, and global opportunities has America sacrificed to racism?

In general, available data shows that the contribution of education to U.S. productivity growth between the years 1948 and 1990 is somewhere between 14 to 20 percent (Decker et al. 1997, 10). The quality of education received by Blacks relative to Whites after *Brown v. Board of Education* is difficult to evaluate. However, it is unquestionable that before *Brown* it was substandard. Further,

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## 2010 CENSUS RESULTS



**FIGURE 1** — U.S. 2010 Census results, national population.

it is not much of a stretch to extrapolate from the available data that losses in productivity due to potential workers receiving a substandard education would be considerable. Such losses in productivity do not just affect Black citizens, they affect the overall society.

As was so ineloquently posited by the 2012 Republican presidential nominee Mitt Romney, arguably as many as half of Americans receive some form of income replacement or enhancement from the federal government (Samuelson 2012). U.S. 2010 Census data validates that the percentage of the U.S. population that identifies as White only is 72.4 percent, while Blacks or African Americans make up 12.6 percent and people claiming Hispanic or Latino heritage contribute 16.3 percent to our “more perfect union” (see Figure 1). The census also illustrates that the percentage of children living in poverty for these same groups is 12.4 percent, 38.2 percent, and 35 percent, respectively (see Figure 2). According to the U.S. Department of Health and Human Services, in 2009 the Temporary Assistance for Needy Families’ rolls were 31.2 percent White, 33.3 percent Black, and 28.8 percent Hispanic (Waldman 2012). Therefore, the share of these benefits received by Black Americans and the number of Black children living in poverty is significantly disproportionate to their share of the U.S. population. This anomaly has been a source of political and racial rancor for decades.

The question of how this condition came into existence is no less important than the question of why, historically, Blacks are disproportionately poorer than Whites (U.S. Census Bureau 2010). Anecdotally, laziness has become accepted as a more adequate answer to this question than an examination of the historical misallocation of education to Black Americans. I believe that the legacy of American public policy aimed at maintaining the trappings of slavery and educational inequity is a more plausible explanation than laziness.

## CHILDREN UNDER 18 LIVING IN POVERTY, 2010

CATEGORY	NUMBER (IN THOUSANDS)	PERCENT
All children under 18	16,401	22.0
White only, non-Hispanic	5,002	12.4
Black	4,817	38.2
Hispanic	6,110	35.0
Asian	547	13.6

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**FIGURE 2** — U.S. 2010 Census results, children under eighteen living in poverty.

### PUBLIC POLICY AND EDUCATION

As stated by Stanley Lebergott, the prominent American economic historian, the ultimate aims and eventual results of the Civil War were that it “ended slavery and expanded the scope and potential of the economy” (Lebergott 1984, 226). Immediately after slavery ended, the United States entered the period that would come to be known as “Reconstruction.” Historians George Tindall and David Shi write that Southern legislators, by establishing “Black Codes” regulating the freedom of Blacks, “boldly revealed that they intended to preserve the trappings of slavery as nearly as possible” (1999, 456). Certain rights were granted to Blacks yet they were prevented from owning property, farm lands, or city lots. Also, according to Tindall and Shi, Blacks entered into labor contracts and dependent children were subject to compulsory apprenticeships that they could be punished for violating (1999).

The Fourteenth and Fifteenth Amendments to the U.S. Constitution were supposed to supplant the “Black Codes.” They were also supposed to replace the weaker Civil Rights Act of 1866. However, eventual Supreme Court decisions narrowed their application to Blacks. Ultimately, the Compromise of 1877 signaled the end of any commitment to equality of Blacks in the South (Tindall and Shi 1999, 456-457).

In fact, some referred to the compromise as “the betrayal of the Negro.” However, Tindall and Shi conclude that “Betrayal implies that a promise was ever made in the first place. The reality is that Reconstruction never offered more than an uncertain commitment to racial equality before the law” (1999, 478). Therefore, by restricting the free pursuit of economic opportunities for Black people, the South and consequently the nation had up until that point sacrificed the potential for fully expanding the economy at every turn following the end of slavery.

In 1954, the landmark U.S. Supreme Court case *Brown v. Board of Education* decided that state laws establishing separate public schools for Black and White students were unconstitutional. However, because of numerous other cultural, social, and economic factors, most schools remained segregated (Boozer et al. 1992). The racial makeup of most neighborhoods and school districts did not change despite the lack of legal impediments to integration.

In 1973, another landmark case was heard before the U.S. Supreme Court that sought to level the playing field for government spending on education. In the case of *San Antonio Independent School District v. Rodriguez*, the Court upheld that allocating school funding based on each community's share of property tax paid was not unconstitutional (Sutton 2008). Investment in schools is directly related to the economic viability of the community. Therefore, the lesser resources available to invest in these often poor, segregated but theoretically equal schools was normally not enough to elevate the quality of the education delivered to the students (Frankenberg 2007). While the justices may have been correct in their interpretation of the Constitution in their ruling on *Rodriguez*, the effect can be seen as the possibility of empowering the equitable pursuit of happiness for many citizens being disregarded yet again.

By the 1980s, many Black communities responded to the persistent education gap by challenging the "Eurocentric" nature of the education Black students were receiving. Lack of cultural relativity was cited as the reason why Black students underperformed (Hoskins 1992). However, the issue of a culturally relevant curriculum, while important, did not fully address the deficits that underperforming schools faced in math and basic literacy. These under-resourced attempts at establishing community control did shine a light on the problem of cultural differences in education. Nevertheless, they may have also highlighted failing Black schools as a wedge issue that mainstream Conservative factions would seize upon henceforth as a reason to further misallocate education to "minorities" (Feehery 2010).

The "Afrocentric" movement was perceived by many in mainstream America (and to some degree, rightfully so) as an outright rejection of American values (Hill 1993). More importantly, as the idea of fiscal conservatism re-emerged and began to grow under the tenure of U.S. President Ronald Reagan, spending on failing Black schools became unpalatable. In addition to education equity, affirmative action was also identified as an excess burden that contributed to a struggling economy (Jackson 1985). Despite a century of outright neglect and

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they can tie their own shoes.*

just a couple decades of lip service to educational parity after *Brown*, mainstream America had decided that time was up for Black people to close the education gap.

By the mid-1990s a resurgent conservative faction of the Republican Party resulted in their reclamation of the U.S. Congress led by Speaker Newt Gingrich. In *To Renew America*, Gingrich began to outline a blueprint for stifling diversity based on fears of American economic decline due to global competition (1999). This strategy revealed attitudes toward inclusiveness and education that would result in the further marginalization of "minority" populations. The nation began to adapt a recalcitrant attitude toward diversity and immigration. As business was becoming more international in

scope, rather than embrace the opportunity to leverage diversity as a tool, Americans began to see it as a threat (Iwata 2007).

The question of America's economic decline is debatable. As David McCloskey, another noted American economic historian stated, the idea of American decline is "nonsense because it is a relative decline, caused by the wholly desirable enrichment of the rest of the world" (1993). However, as McCloskey also asserts, certain attitudes and prescriptions for solving America's competitiveness debacle may be "dangerous because it leads us to blame foreigners for our real world failings in high school education" (McCloskey 1993, 173).

Failure to invest in education in a way that results in transforming the economic prospects of all minorities affects the American economy in various and complex ways. In addition to the problems of entitlements, unemployment, and competitiveness, the excess burden of funding an exploding (or imploding) penal system is also a threat to American economic viability (López 2010).

According to a 2002 study, "Over the last two decades, the U.S. prison population has quadrupled." In response to this occurrence, the study concludes that "corporations are seeking profit-making opportunities from this prison population" and there are "two major areas through which corporations are capitalizing on prison labor: prison privatization and prison industry" (Chang and Thompkins 2002, 45). This is in spite of solid evidence such as that from a 2012 study conducted by the Justice Policy Institute, an organization located in the nation's capital, that concluded, "As education is correlated with crime rates and incarceration, addressing shortcomings in the [D.C.] education system should be part of a comprehensive public safety strategy" (Ashton 2012, 6).

Rather than estimating how to invest in transformative education reform, the business community has positioned itself to capitalize on the robust incarcerated population as a source for cheap labor. The public sector has settled on promoting a "tough on crime" rhetoric rather than education policy.

As stated in a report by Associated Oregon Industries *Business Viewpoint*, "Although it is adults that go to prison, the likelihood that a child will ultimately end up there can be predicted before they can tie their own shoes. Some prison systems have noted a correlation: they have started to project the number of beds needed in the future based on current 3rd grade reading scores" (Mathews 2006). A progressive nation just simply should not adapt to such a cynical vantage point. Working to create and implement policies that would diminish dropout rates and institute relevant curriculums that prepare students for the economic realities of today and the future are better solutions.

## CONCLUSIONS

The aforementioned issues raised during the Afrocentric 1980s are certainly valid. A relevant and engaging curriculum must also be culturally relevant if it is to energize diverse students. At the same time, minority communities must continue to demand that the resources to provide quality education come from public investment in education. Rather than reject such funding as government intrusion, they must demand that there be both adequate funding and respect for diversity in their communities.

Investing in failing schools is a bad investment, and the time limit has run out for them to perform. Such attitudes are abominable. Despite receiving disparate allocations of education, Black Americans have successfully elevated themselves into the mainstream in a relatively short period of time. In fact, without the various benefits of privilege, providence, and preference that other non-Black groups have experienced, Black people have successfully used education as a primary tool for upward mobility.

The two most recent presidential candidates identified budget deficits, currency manipulators,

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and other abstractions as national security issues (Lowrey 2012). Intensive investment in education that will elevate minorities into the mainstream of the America of the future is also a national security issue. It is a goal that should be viewed as strategically vital to America's continued economic viability.

The prospects of the American economy may not be as gloomy as some media pundits and political factions suggest. One challenge that the economy faces is the continued coexistence of diverse populations. This is an immutable reality. The only way to transform this relationship from a perceived burden into a realized benefit is to elevate the standard of living of all American citizens.

Public and private investment in quality education that elevates the living standards of Blacks, Hispanics, and women should be one of this nation's top priorities. America can only gain from providing equivalent educational resources that lead to equitable economic opportunities for all. Otherwise, the issues of unemployment, entitlements, incarceration, and competitiveness will continue to plague society.

"Of all forms of slavery there is none that is so harmful and degrading as that form of slavery which tempts one human being to hate another by reason of his race or color. One man cannot hold another man down in the ditch without remaining down in the ditch with him." — Booker T. Washington (1909)

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COMMENTARY



# SUNDAY MORNING

Clara knows  
that she should be hot,  
that the church's  
wooden pews should  
stick to her legs, her arms.  
she knows that,  
like the other women  
of the church,  
she should take up her paper fan,  
the one with  
white-Jesus  
and Martin Luther  
printed like commandments,  
and fan  
in time with the choir,  
shout amen and shake her head  
like she's really been through it.

But her skin was slick  
and dry. No hands  
warmed her here,  
no lips and breath to make her sweat.

What would the pastor think  
if he caught her grinning  
under her wide-brimmed hat?  
If the sisters in pastel suits  
smelled the scent  
of her man on her breath, her neck?

What would they think  
if they knew that her husband  
was still in bed,  
sleepily calling her name,  
reaching for her body  
in the dim bedroom  
just two miles down the  
road?

— *Ashley M. Jones*



# REVEALING TRUE ELECTORAL PATTERNS AND WHAT THEY MEAN: A CONVERSATION WITH JAMELLE BOUIE

INTERVIEWED BY PATRICK BOATENG II

*Jamelle Bouie is a staff writer at the American Prospect and a Knobler Fellow at the Nation Institute. In addition to the Prospect, his work has appeared in the Nation, the Atlantic, CNN.com, the Washington Independent, and the Washington Post. He is based in Washington, DC, where he covers campaigns and elections.*

*Patrick Boateng II is a 2013 Master in Public Policy candidate at the John F. Kennedy School of Government at Harvard University. He is the editor-in-chief of the Harvard Journal of African American Public Policy.*

In today's charged political atmosphere, finding clear analysis on major policy issues is extraordinarily difficult. Oftentimes, it's hard to know what's really going on both in terms of the positions that real policy makers hold and what this means for Americans going forward. Jamelle Bouie is one of the most prescient writers on today's national political discourse, delving into numerous policy topics and providing thoughtful insight. Bouie is also quite young in comparison to many prominent writers in the policy arena.

During our 29 October 2012 conversation, we covered several aspects of the not-yet-held 2012 presidential election, looking at election numbers and projections as well as African Americans in the context of the national electoral landscape.

**HJAAP:** *People talk about the impact of the Black vote on the upcoming national election, and I wanted to get your thoughts on that. It seems like African Americans tend to be concentrated in diverse, highly populated states. Even though they make up a sizable proportion of the population regionally, it is hard to see what impact that can have on the national electoral landscape, especially when thinking about the Electoral College. Are people overstating the impact of the Black vote?*

**BOUIE:** No, I don't think so. Obviously the election for president is hinged on the Electoral College, but the popular vote has as much legitimacy to the outcome. So with that in mind, the fact that African Americans are concentrated in the Southeast and in urban centers in the North and Midwest, having high turnout and support among those voters nudges you closer towards a popular vote victory.

Right now [on 29 October 2012, when this interview was conducted], Barack Obama is polling 47 percent, roughly. Polls show his African American support either in the very high 80s, which is about average for a Democratic presidential candidate, or at best 91 to 92 percent, which is close to the 95 percent he received in the 2008 election. If Obama repeats that performance among African Americans, and if they make up 13 percent of the overall electorate, then that adds nearly a point to Obama's overall popular vote total, which is really significant. It puts a place like Ohio out of reach for Romney, and it makes Virginia all of a sudden a slightly leaning Obama state. I think the African American vote matters a lot even if the election is being fought in seven or eight states—North Carolina, Virginia, Florida, Pennsylvania, Ohio, to a lesser extent Wisconsin and Michigan, which isn't so much a swing state but depending on the year can be a bit closer. These are states with moderate to high African American populations. Even granting that the election is being fought in a bunch of swing states, high African American support is as much a crucial thing for a Democratic candidate. Overall, if a Democrat can't count on winning 85 percent of the Black voters, then they can't win most elections.

**HJAAP:** *It seems within the media and with other prominent commentators, the general opinion is that African Americans support Barack Obama because he too is an African American. We know that's obviously not the case because of the policy preferences that the Democratic Party has coupled with the fact that there are certain racial undertones in some of the Republican Party's discourse that drive away minorities. Why is this idea so intractable?*

**BOUIE:** I think the notion that African Americans are supporting Barack Obama because he is Black requires a really steady blindness to the last forty to fifty years of political history. I mean, that's less forgivable—I can forgive someone for not knowing about Black voting power going back to Reconstruction, but this is not the same. African Americans vote for Barack Obama because he is a Democrat first and foremost. I think earlier, referencing the average Black support for a Democratic candidate, that's going back to [Lyndon B.] Johnson in 1964 and forward. Trying to explain that is a better question than why Obama is liked by all these Black people.

Obama is a Democrat, most African Americans are Democrats, and if he is winning a greater share of the Black vote, it is because he is also winning a greater share of all voters than past Democratic candidates. Black support for Barack Obama didn't really outpace the support from other groups. If you want to ask the question, ask, "Why aren't more Catholics supporting Obama?" or "Why aren't more working-class White women supporting Obama?"

There are a bunch of reasons as to why African Americans support Barack Obama, one of them being the concept of linked fate. The basic idea is that there are minority groups historically in the electorate that perceive a mutual fate, like a group-based fate linked together, such that if a political party courts them separately, then they are likely to support that party as a group because they understand that the political party is looking out for them as a group as a whole. You saw this during Reconstruction, where African Americans were fervent supporters of the Republican Party, and well into the early twentieth century for the simple reason that they understood correctly, at first then to a lesser extent as time went on, that Republicans were their best option in the electoral system. The shifts came with the New Deal and then when the Democratic Party endorsed the civil rights plank over the objections of Southern Democrats, so they became closely tied with civil rights, and African Americans accordingly began voting for Democrats in large numbers because they understood correctly that Democrats were the party that were going to look out for their interests. You can ask, "Why are African Americans understanding their interest as a group?" and the answer is usually that they understand things in terms of a group identification. African Americans, obviously, think about things individually, but the fact is also that they are treated as a

group, and so it makes the most sense to approach the issue from perception that whichever party is better for African Americans as a group is the one that deserves the most support.

I don't know if you remember earlier in [2012] when Barack Obama endorsed same-sex marriage, and there were all of these pieces written about will African Americans leave Obama because of that issue because they're more likely than other groups in the population to oppose same-sex marriage. All of those pieces were based on this weird fallacy that African Americans are unusually homophobic. The smarter take should have been that they are far more religious than any other group in the country and religiosity explains the shift, not the Blackness as most opinions stated. But that aside, the simple fact is that even with things like same-sex marriage, the Democrats are still the political party more likely to support the things African Americans hold valuable, so it's a strategic move. Those African Americans that oppose same-sex marriage, there are other overriding interests.

**HJAAP:** *In this election, the economy has come up as the key issue. What do you think are the key economic concerns right now for African Americans, and what can the executive level accomplish? Is it tax policy, trade policy, or some other combination of public policy?*

**BOUIE:** I think it's the economy very broadly speaking. Obviously, mass unemployment among African Americans is a key issue. The last time I checked, the Black unemployment rate was about 14 percent or somewhere in that range. African American men and teenagers have a higher unemployment rate than their counterparts of other groups. I would say that is the key concern. The unfortunate thing is that there is not that much at the executive level that can be done. You can have certain interventions in areas like housing policy, where you can help people with underwater mortgages and help stabilize the housing market and provide relief to mortgage debt. That implies better housing policy that can be directed from the administration by a few key appointments Obama could make. Appointed people could, for example, change the scope of what Fannie Mae and Freddie Mac can do. Outside of that preserve, simply appointing fewer inflation hawks to the Federal Reserve or pushing the Fed to do more to get the economy going, I think that's what you can accomplish with the executive branch. Honestly, the Affordable Care Act remains the key thing that will improve the day-to-day lives of most African Americans. The Medicaid expansion, the exchanges, and providing access to health care coverage, these are some of the most important things you can do to stabilize the economic situation of most African Americans and provide a really serious measure of security.

**HJAAP:** *It seems like a lot of those policy interventions are the kind that can help African Americans but also are great opportunities to help all Americans.*

**BOUIE:** Ideally you could just target things for African Americans because there are things faced by African Americans that don't have close analogues with the rest of the country at large. So, for example, finding a way to break up residential segregation would be a huge boon for African Americans because a lot of Black segregation is because of capital access and people leaving areas. So finding some way to at least alleviate the effects of residential segregation, like funneling money back into schools or capital infusions for businesses, building mass transit stations in these neighborhoods, these are all things that revitalize the economy and give economic vibrancy to what are often low-income neighborhoods. There's no way to do that at the national level without attracting a lot of opposition. You have these broad-based policies that help all Americans including African Americans. In an ideal world you could say this is a problem, but it's particularly bad among this particular group of people, and there are interventions you can take to improve it.

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**HJAAP:** *What are some policy areas that African Americans and other affinity or minority groups have that are possible points of cohesion?*

**BOUIE:** I think this goes back to the previous discussion where, when it comes down to it, a lot of these alliances have occurred on economic issues. You can see that Latinos in the United States tend to be of lower income, so that's of interest. There are similar issues among lower- and middle-class White counterparts, so there are some opportunities there to push for policies like better public schools, better access to health care, higher transfers of income tax for better programs, so on and so forth, that help lower-income people disproportionately. Beyond that, you get the less concrete economic stuff and political inclusion or representation. I think you have mutual interest that all formerly marginalized groups want some degree of respect and representation in public life. You can have cooperation for things like affirmative action and efforts to bring more non-Whites into public positions, whether they're elected officials or party activists. I think those are the lines of cooperation. Social marginalization and economic marginalization create the opportunities among these groups.

**HJAAP:** *Is it possible that in the future you could see African Americans who are wealthier splitting from the Democratic Party? Are there opportunities for the Republican Party, with a more moderate social policy stance, to pick up Black voters who want more low-tax, low-government spending policies among other things?*

**BOUIE:** I honestly can't say that I'm sure. It depends on all of that happening. It can't just be, this goes back to the linked fate thing, if some disproportionate percentage of African Americans are still low-income, there's a good chance you'll see African Americans as a whole vote for the party that's most trying to best spur their economic advancement. If the GOP still has an agenda of tax cuts and cuts on social or public services, then I doubt you'll see much support from African Americans for the GOP because a lot of those services, like public schools and Pell Grants, are aspirational services. They are things that middle-class families want so that their children have better opportunities. If that changes, if the GOP changes, then you might see a change.

African Americans occupy this unique place in American life where they are unlike other marginalized groups like Latinos or Asian Americans. There's a particular stigma associated with Blackness that's not quite associated with the others. Latinos can assimilate. There are plenty of Latinos that look White, while Asian Americans have the "model minority" stereotype and high rates of intermarriage, particularly with Americans of European descent. So, it's easy to imagine several generations from now Asian Americans pretty well integrated in the "hierarchy" as it were. African Americans are not desirable partners for interracial marriage, and the rates of interracial marriage among Blacks and Whites are very low. The most likely partners for African Americans in interracial marriage remain Latinos. African Americans will remain a band apart from other minority groups.

The Republican Party historically represented the cultural majority in the country. It isn't hard to imagine a future in which the party isn't hostile towards Blacks but isn't really interested in representing their interests because they represent the White class plus assimilated Latinos plus assimilated Asian population of the country, while the Democratic Party represents African Americans, lower- and middle-income Whites, lower- and middle-income Latinos. This is just to say, a lot can change, so it's hard to say what will happen. If you asked someone in the 1950s, "would twenty years from now Italian Americans be a reliable Republican bloc of voters?" you'd say that's ridiculous because Italian American voters have been reliable Democratic voters for decades. By 1980, Italian Americans were increasingly Republican voters.

# A JOURNEY TO REBUILD AND RESTORE: AN INTERVIEW WITH TIMOTHY McCARTHY

INTERVIEWED BY DELORIS WILSON

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*Deloris Wilson is a Senior Editor of the 2013 Harvard Journal of African American Public Policy. Originally from Birmingham, Alabama, Wilson received a BA in political science from Spelman College and is currently a first-year Master in Public Policy candidate at the John F. Kennedy School of Government at Harvard University.*

The interview, conducted on 3 January 2013, offers personal reflections on McCarthy's commitment to social justice and examines the importance of combining academic pursuit with on-the-ground action.

**HJAAP:** *Can you give an overview of your church rebuilding work, explaining what inspired you to pursue it and how your scholarship has contributed to your experience as well as that of your students?*

**McCARTHY:** In 1997, I began going down South to help rebuild Black churches that had been burned in racially and religiously motivated arson attacks. I'm someone who has long been devoted to civil rights and interfaith work. I grew up in a Catholic, social justice household, where we interpreted the teachings of Jesus Christ to direct us to help those in need and to treat our brothers and sisters as we treat ourselves. Guided by these teachings, I learned to respond to any kind of oppression—whether it is based on prejudice, or poverty, or what have you.

I first heard about the wave of church burnings taking place predominantly in the South in 1995 and 1996. There was an enormous amount of political and media attention to this issue during the 1996 presidential election season. Although there were church burnings before then, and ever since, the campaign of former

President Bill Clinton and Vice President Al Gore, both Southerners, brought national attention to these burnings. In the mid-1990s, they were clustered primarily in Alabama, Tennessee, and other places in the South where race relations were historically tense and even violent.

I remember first reading about the church burnings during that election season, but a year after, a group of multifaith leaders at Columbia—a Jewish rabbi and two Christian chaplains—put together an “alternative spring break” trip for students to rebuild a church that had been burned down. That year, we traveled to Greensboro, Alabama, where there’s a big water tower that reads: “Greensboro: Catfish Capital of Alabama.” I remember thinking, “I’ve never had catfish” . . . but I’ve had a lot of catfish since then!

I was a graduate student at Columbia University at the time, studying American history and focusing on African American history, which is something I had focused much of my undergraduate studies on as well. I had a long-standing interest not only in civil rights work and interfaith work, but also in African American history, culture, and politics, not merely as an academic pursuit, but also as something that had inspired in me a broader activist commitment to social justice. I was feeling at the time, as many graduate students feel, a little isolated from the so-called real world. When I heard of this trip, I thought, “wow, what an amazing opportunity to walk the walk”—something I had always tried to do, but that I was doing less and less of as I got more and more involved in my graduate studies. I had just started as a teacher’s assistant, and a student of mine at the time, who has since become a very good friend, signed up for the trip but was unable to go. She came to me and said, “You seem so miserable in graduate school, why don’t you go on this trip in my place?” I didn’t even hesitate. I’d never been to Alabama before and certainly had never done any work like this before. I felt like this would be a great way to do public service work, social justice work, and civil rights work at the same time that I was studying all of these things in an academic setting. So I flew to Birmingham with thirty or so other students, and we made our way by bus to Greensboro.

That trip changed my life. First, it gave me a way to “walk the walk,” to put into practice what I was studying. Secondly, it gave me an opportunity to interact with my students, with like-minded public servants and social justice advocates, *outside* of the classroom. This is something that has become even more important to me over my teaching career. Thirdly, it allowed me to do civil rights work in the 1990s, at a time when there were still a great number of challenges with regard to racial justice that were still very much present in the United States. Those of us who study this history and are inspired by it always wish we had the opportunity to march with Dr. [Martin Luther] King and work alongside those great women and men who were part of the long Black freedom struggle that changed the country and the world. A generation removed from the civil rights movement itself, this work gave me the opportunity to do this in my own life, in a way that I had never done before, so that was really inspiring and important to me.

When I made the decision to “go South,” I was, in a sense, heeding the words of my former Harvard professor and mentor, Dr. Robert Coles, who told me as an undergraduate: “Nobody in this country can possibly understand race, racism, and race relations in the United States, particularly the relationship between Black people and White people, if you don’t go South and spend some time in the South.” This was my chance, so that’s what I did. It’s not too much to say that this experience was transformational for me.

The year after our first trip, students asked if I would help to lead another trip. I decided that I would absolutely do it. So the next year, and the year after, we rebuilt churches in both Summerton and Columbia, South Carolina—two other Black churches that had been burned down by arsonists. This, for me, was important because, all of a sudden, it placed us in this long tradition of Northern college students, Black and White and otherwise, who were moved to go South to participate in the racial reconciliation of the country, which of course is an ongoing, unfinished



project. I was able to lead those trips at Columbia, and then, when I moved to Harvard, I decided to start an alternative spring break program here as well.<sup>1</sup> That program has been going on now for the last fifteen years. Each year, we take twenty to twenty-five students down South to help rebuild churches. Unfortunately, there's still a lot of work that we need to do because churches still burn. This is an ongoing problem, just as the problem of race and racism in the United States is an ongoing problem.

**HJAAP:** *In addition to the hands-on experience that the students receive during the church rebuilding process, how do you incorporate an educational component that discusses the role of the Black church? With such a diverse set of students, some may not understand the magnitude of the role that the Black church has played throughout history. How do they become aware of this during the rebuilding process?*

**McCARTHY:** Over the years, I have developed a very deep appreciation for the historical and ongoing importance of the Black church—not just during the civil rights movement, but going back to the founding of the African Methodist Episcopal Church and the African Methodist Episcopal Zion Church in the late eighteenth and early nineteenth centuries. These churches were real catalysts for Black abolitionism and the broader abolitionist movement in the nineteenth century. That social justice influence continues to the present day, where Black churches are instrumental in mobilizing people against the so-called stand your ground laws and other forms of racial injustice and bias that continue to exist in our society. I've always had an appreciation for that going back to my early years as a student and an activist, but I've developed a much deeper appreciation over the years working with these churches directly.

The vast majority of our trips have been to the South, with six or seven in Alabama—there is a particular crisis in Alabama. It's been very important for me to prepare students—particularly students from the North who constitute the majority of the students who go on these trips—to understand not only the historical and political role of the Black church going back to the eighteenth and nineteenth centuries through the civil rights movement and to the present day, but also what it's like to be *in* the Black church: to worship, to hear the word, to bear witness. Obviously, it's also important to understand that Black churches are immensely diverse institutions and no two Black churches are the same. Oftentimes we talk about “the Black Church” as if it's a kind of monolith or some kind of uniform institution, which it is not. There are very large Black churches, very small Black churches; some are Pentecostal, some evangelical, others less so; some have congregations that are predominantly middle class, others are impoverished and working class; some have women leaders who preside over the congregations, others are more patriarchal in their power structure and dynamic. So we've experienced that diversity over the years.

I'm very grateful for having such a diverse experience because it's one that can help my students understand the current role of the Black church in relation to the broader history and politics of the Black church going back two centuries. So I try to do both: I teach my students by giving them readings and bringing in speakers who can talk about the Black church, historically and politically, but I also insist that they experience what it's like to actually worship in a Black church in contemporary America. We do as good a job as we can to prepare students for that. I have a growing reading packet of scholarly essays. In addition, I include literary works, like the *Autobiography of an Ex-Colored Man*, *Souls of Black Folk*, *Narrative of the Life of Frederick Douglass*, James Baldwin's essays, and other kinds of works that will help them understand how the Black church has been imagined in fictional and literary spaces, as well as more contemporary cultural works. I started this reading packet in the late 1990s, and every year, I keep adding to it. Some students read every page, others skim, but I try to use these readings to inspire reflective discussions and conversations, not only before we go but also during and after the trip.

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In addition to the readings and discussions, over the years, I have brought in a variety of speakers, like the late Rev. Peter Gomes, Evelyn Brooks Higginbotham, a scholar of gender relations in the Black church, Cornel West during his time as a professor here at Harvard, and the late historian Howard Zinn, the legendary civil rights activist who spent his early career at Spelman College in Atlanta, Georgia.

Many students who go on the trip also enroll in my courses taught at [Harvard College]: “Stories of Slavery and Freedom” and “American Protest Literature from Tom Paine to Tupac.” A lot of students have opted to incorporate their church re-

building experiences into their academic work. This thrills me because it allows for us to not only have that relationship outside of the classroom, doing work on the ground, but also to come back to the classroom and analyze the meaning and significance of that work. It establishes bridges between the academic work and the activist work that they’re deeply committed to.

I think the greatest educational experience for them comes from these one-on-one conversations and opportunities to worship with the congregations. We always arrive on Saturday night so we start the week by worshiping with the congregation, breaking bread with the congregation after services are over, and having a reflection session Sunday evening before we begin the rebuilding work on Monday morning. We always meet as a group on Sunday evening where students are able to reflect upon their experience of going to church and getting to know members of the congregation. I think it’s really important for students to understand what these communities and congregations are like and to reflect on how they feel in them and with them.

I must say that over the years, we’ve had really exceptional, though sometimes difficult, conversations with students who feel a little uncomfortable in these settings—particularly students who have no connection to the Black church, those who have never shared these experiences, or those who have no faith tradition or are from a non-Judeo-Christian religious background. This is often a teachable moment for everyone involved. Having all of these diverse people come together is always, I think, the best kind of education that the students get from these trips.

I should also note that [the students] get an education from having to work their [butts] off over the course of a week! Harvard students are not often in a seminar where they learn how to Sheetrock. That’s an education in and of itself: getting their hands dirty, not having a fancy internship or some kind of experience that’s office-based but rather one that requires them to roll up their sleeves and do work for someone else, to follow the lead of someone else. That, too, is a kind of education in what it means to be part of a community, part of an act of reconciliation and redemption in the face of what is very real racism and religious prejudice. The combination of those things—racial hatred and religious hatred—often serves as a dual motivation for these violent acts of arson. This [combination] is something that students have had to contend with over the years, often in quite powerful and transformational ways.

**HJAAP:** *How do you reconcile the phrase “preaching hate from the pulpit” with students of various backgrounds and what does the political influence of the Black church, through its evolution, mean for today?*

**McCARTHY:** That’s a great question with a complicated answer.



As I mentioned, I grew up in the Catholic Church. Although my family was a social justice Catholic family, the churches that I went to were not always social justice Catholic institutions. Oftentimes, in my own church experience, there was a lot of stuff preached from the pulpit that I found quite distasteful, that I interpreted to be in direct violation, frankly, of the teachings of Jesus Christ, which is my particular faith tradition. I've also found that to be the case in some of the Black churches that we've worked with over the years. It's always a tough thing to navigate when you are sitting in someone else's church, as their guest, there to help them rebuild their community, and you hear some things from the pulpit that don't align with your particular worldview.

Over the years, we've had lots of conversations about gender dynamics in the Black church and about the Black church's sometimes strained relationship with the LGBT [lesbian, gay, bisexual, transgender] equal rights struggle. LGBT rights, women's rights, gender and sexuality, those have been some of the most robust conversations we've had in relation to this experience. That said, I'll be honest, while I think there is a pervasive perception in a lot of American culture that the Black church is somehow more homophobic, say, than other kinds of churches, my experience in the Black church, which now goes back almost two decades, has not necessarily reinforced that. It's interesting that my experience does not often line up with that perception in the broader culture. That said, there are certainly elements of conservatism that are very much part of the Black church tradition that don't always line up with the fact that the Black church has also been a crucial player in a variety of progressive struggles for social justice throughout American history. So we need to tease out these tensions and tease out these realities that the church can be, on the one hand, a catalyst for very progressive social change with respect to racial or socioeconomic justice, and on the other hand, not always the catalyst it could be for more progressive ideas and practices with respect to the role of women in churches or the status of LGBT people in the larger society.

[Editor's note: McCarthy then discussed an experience in 2009 where, during a rebuilding trip, a deacon introduced him to the church as an "advisor to the Obama campaign" when, in fact, McCarthy was an advisor *on LGBT issues* for the Obama campaign. Following the service, McCarthy talked with the deacon to ensure he knew the area in which McCarthy had advised. The deacon responded, "Brother, we're all in this together."]

[The conversation with the deacon] was a really important moment for me, my students, and his congregation. While our expressions of solidarity may not always be as explicit or specific as we want them to be, we also need to be open to the possibility that moments of solidarity, empathy, and connection are very much possible in places that we may not always expect them to be. That moment marked a certain kind of evolution for me, because it was the first time that I had spoken in any direct way to a member of a congregation about my own identity as a gay man. I never foregrounded that in the work we'd been doing, at that point, for well over a decade. That wasn't why I was there. I was there to rebuild churches that had been burned down. And for me, the work was more important than forcing a part of my own identity on a situation that may have potentially undermined our collective ability to do the work we were there to do. On the other hand, had I—or one of my students—been treated unfairly based on sexual orientation or some other aspect of identity, I would have taken a different approach. But we've almost always felt respected by the congregations we were working with.

Over the years, it's become very clear to me that when you walk the walk, people will usually get to where they need to go. For me, it's been more important that I—as a gay, White man who grew up in New York—keep going back to this work so that people understand that I am devoted to the work and the people with whom I do the work, regardless of what worldview or faith or identity they happen to have. Hopefully, the work itself will lead to deeper understanding, empathy, and solidarity among peoples that I believe can serve as a model for a different kind of world that many of us would like to live in. But we need to work hard to create this world. That, for me, is really im-

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portant. I wish more White LGBT folks would do work on behalf of racial justice. Do I also wish more Black folks would do work on behalf of LGBT justice? Yes, of course I do. And I wish all of us would listen to and respect the voices of queer people of color who are best positioned to broker these intersecting—but too often segregated—identities and experiences. I think we are getting there, we're certainly moving in that direction, and I just hope that the work we've been doing has helped, in some small way, to bend the arc of history towards justice.

I think that most institutions—religious or otherwise—are by nature conservative. Even if they are engaged at times in progressive kinds of work, institutions are always going to be motivated by self-preservation, particularly when they're religious institutions. All religious institutions have a certain kind of conservatism at their core; it's very rare that they don't. I've seen it in Catholic churches, Black churches, and other religious faith institutions, particularly those that rely on certain kinds of hierarchies to structure their governance. What we need to do is constantly engage these institutions and the people who belong to them in the broader work of politics. We must understand that religion and politics are not mutually exclusive things—they never have been and never will be. Religious institutions have been central to both progressive and conservative social change. That has been true since before the founding of the nation and it will always be the case. I'd much rather wrestle with the challenges that emerge from that reality—to see religion and politics not as enemies or oppositional forces, but as twins, or siblings, part of the same family. Though I'm not a regular churchgoer, per se, I've been a member of Catholic church institutions and Black church institutions throughout my life. At this point, neither of these institutions are places I choose to worship in regularly, but they both have had a profound influence on the way that I see the world, act in the world, and dream of a better world. So, I continue to engage them and to embrace those tensions that emerge as a result of the sibling rivalry between religion and politics.

One of the big challenges in this church rebuilding work is getting undergraduate students to open themselves up to wrestling with these tensions and what they sometimes perceive to be irreconcilable contradictions. I try to encourage them to open themselves up to see these issues more clearly, to sit with the tension, to explore it. That's how I see my work as a teacher being brought to bear on this work of rebuilding churches.

**HJAAP:** *In closing, do you think there is more the Black church could do while working within this “sibling rivalry” of religious and political influence? Do you think it is doing enough?*

**McCARTHY:** Frankly, I think that's primarily a conversation for the Black community and the Black church to have with itself. I do not like it when people come into my world and tell me how to run my institutions, or my classroom, or my life, or my marriage. While I think it's important for us to have these broader conversations where everyone is involved, I also think it's important for us to have internal conversations within our own communities, within our own institutions, so that we are always trying to move forward and be as honest as we can be about our own human limitations and possibilities.

There are a lot of conversations that Black folks are having with themselves, within their church congregations, about all sorts of political issues and the ways they could be better or more deeply engaged in the social justice issues of our time. I do think there's more of a conversation going on than many people recognize or acknowledge. I think it helps when other kinds of historically important institutions within the African American community, like the NAACP, National Urban League, and others, step into the political light and advocate on behalf of other issues and groups within the broad context of social justice and equal rights struggles. I think we are seeing more and more of that.

That said, I always think institutions could be doing more. I think all of us can always be doing more. Can Black churches do more to further all the different causes that might be grouped

under the umbrella of “social justice”? Of course. But so can Catholic churches, Jewish temples, and Muslim mosques. Every religious institution in the world could and should be doing more to further the cause of social justice. So I refuse to single out the Black church, as if it’s the only religious institution dropping the ball, especially given its history. We must all challenge our own communities and institutions during those moments where we feel like they aren’t doing enough. Sometimes these challenges take place in the church, and sometimes they take place outside of it.

Let me share one more story.

When I moved back to Cambridge in 1998, I became the guardian of a young, Black boy named Malcolm who I’d been mentoring through Big Brother Big Sister since I was nineteen. Once I became his guardian, I started going to church with his family—a Black, evangelical church in Central Square. That became my regular Sunday routine for quite a number of years. It was very important to [his mother] that when I came back to help raise Malcolm, I would go to church with them on Sunday. That was around the same time that I had decided to stop going to Catholic Mass, for a variety of reasons, including the priest abuse scandal that was starting to unfold around the same time. So these Black churches—the ones I was helping to rebuild down South and the one I was attending every Sunday in Cambridge—became *my* churches.

While attending church one Sunday, a visiting minister was there to preach a sermon on youth empowerment—the message was “break the chains” and “embrace your freedom.” It was all very inspiring stuff; he was a profoundly gifted preacher. However, at one point in the sermon, the visiting minister started railing against homosexuals, saying some of the most hateful, homophobic stuff I had ever heard in any church setting since my childhood. I just shut down in the middle of the service. I was in the closet at the time, and his words really hurt me. After church, I couldn’t attend regular Sunday dinner with Malcolm’s family because I was too upset by what had just happened. Part of this had to do with the profound disappointment I felt from being rejected by a new church community that had embraced me with open arms and much love, despite the fact that I was the only White guy there. I had thought the love was unconditional. When I heard the minister with whom I very much identified—he was about my age, was clearly raised on hip-hop, connected easily with youth—say such hateful things within the context of “breaking chains” and “embracing freedom,” I was so let down. On one level, I felt personally attacked, but I was also very disappointed that this preacher—who clearly connected with the young people in the congregation—had resorted to a kind of prejudice that seemed to have no place in the Black church given its long history of being on the right side of history. Once again, I felt that I had no church, no place to worship and be a person of faith.

It was in the aftermath of that unfortunate experience that Malcolm actually asked me if I was gay. He came home from school one day and asked, “Tim, are you gay?” I replied, “No.” He asked again. I replied, “No,” and got very angry. Then he said something I will never forget: “Tim, it’s a simple question: if you asked me if I’m Black, I’d say ‘yes.’” And so I broke down, and I came out of the closet. It was the first time I had told him or anyone in our family that I was gay. When I asked him why he asked me, he said, “Well, you haven’t been to church since that minister came and said all that stupid shit.” So here was Malcolm, one of the young people [the minister] was trying to “empower,” who I had been trying to help raise, who had basically turned around and said, “Look, what he was saying was not right but I want you back at church because having you back at church is more important to me than any sermon.” That was a profoundly transformational moment for both of us, and in retrospect, a life-saving one for me.

Malcolm and I still have immense faith. We’ve been together for nearly twenty-three years now. I met him when I was nineteen and he was four. Over the years, he’s gone on six of these church rebuilding trips with me, and they have been a central part of our education, our relationship, and our history. When I think of how much these experiences have contributed to making him a better

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Black man who loves gay people, and me a better gay White man who loves Black people, it's impossible for me to take myself, or him, out of those church contexts simply because there are some people who aren't on the same page as we are. To me, this is all part of a larger journey of freedom, justice, and liberation.

So as long as there are churches burning, I will continue to go South. As long as there are Christians who are willing to open their hearts, souls, and minds to the real teachings of Jesus—which, when you get down to [it], is really a universal call to love your neighbor as yourself—my heart and soul and mind will be open as well. And if all institutions, both sacred and secular, can somehow put into action the mandate to be each other's keeper, then we will all have a much better chance of finding the kind of liberation we both seek and deserve.

#### **ENDNOTE**

1. Editor's note: McCarthy also helped to start an alternative spring break church rebuilding program at the University of North Carolina, Chapel Hill, where he was a visiting scholar at the Center for the Study of the American South between 2003 and 2005.

# PERSPECTIVES ON THE FIRST BLACK PRESIDENCY: A CONVERSATION WITH TA-NEHISI COATES

INTERVIEWED BY PATRICK BOATENG II

*Ta-Nehisi Coates is a senior editor at The Atlantic and a Martin Luther King Jr. Visiting Scholar at MIT. He lives in New York with his wife and son.*

*Patrick Boateng II is a 2013 Master in Public Policy candidate at the John F. Kennedy School of Government at Harvard University. He is the editor-in-chief of the Harvard Journal of African American Public Policy.*

Ta-Nehisi Coates is an important and well-respected voice when thinking about current political issues. His writing on politics and culture reflect a clear and, more importantly, realistic perspective on history's influence on our modern political conversation. Coates has also managed to create a particularly welcoming space through his blog for the free exchange of ideas on current events involving politics and the media.

Our 22 October 2012 conversation touched on a number of topics, including some of his recent writing for *The Atlantic*, race-related issues, and thinking about African Americans in the greater political context.

**HJAAP:** *In your September 2012 Atlantic article "Fear of a Black President," you touched on the highly politicized and racially motivated reaction after President Barack Obama waded into the Trayvon Martin case, in which an unarmed, seventeen-year-old Black boy was killed by a neighborhood watch member in Florida. What is it about the president that makes issues like the Trayvon Martin case almost untouchable?*

**COATES:** I think the thing you have to understand is what the president is. The president commands the guns; the president is your commander in chief. One of the things I tried to make apparent in the piece is that we are very comfortable with Black people protesting. The president of the United States doesn't protest. He says, "This is what's gonna happen," and if he can get it through Congress, it does happen. But this is not an appeal to power. This is power itself. It's not an attempt to shame anybody, which we're very comfortable with. It's not a moral appeal. This is what it is. So if he says the FBI is going to go look [into the case], then they're going to go do it. I think that [issue], more than anything, is the big difference. There have been a lot of comparisons between this and Emmett Till.<sup>1</sup> I tell people all the time, "No, this is not like Emmett Till at all," because when Emmett Till was killed, there was not a Black man in the White House who could make sure that the Feds went down there and made sure that the state was doing

its job. It's a big, big shift—a huge change. The thing you have to understand about American history is you're not just looking at White supremacy. You're not looking at a fear of Black people per se. There's this long narrative of Black people eventually taking power and using that power to effect revenge upon White people. This goes back before the Civil War, after the Civil War, and so it's a constant thing. You see it in reporting on Obama, where it's often said that “he's gonna hook Black people up, at *our expense*,” and “he's gonna somehow do something to us,” so this is deep-seated. When you talk about a killing with racial overtones and a dude who's in charge of the guns, the arsenal, with fingertips on the launch codes, that is different. That's not Al Sharpton walking down there with a sign, God bless him. That ain't Jesse down there protesting. There's no moral appeal. That's straight-up American power, and it's being wielded by a Black man. It's not just any Black man. It's a Black man who likes being Black. He's not running from Black people, even though he may run from the issues. As an identifier of who he is personally, he doesn't flee from it.

**HJAAP:** *In the article, you talked about the immaturity in both the media and the public to deal with racial issues in light of the fact that there is a Black man in office, but the office itself is unchanged.*

**COATES:** In some ways it's transformative, and in some ways it's not. The great power of Obama being in the White House is the humanity that you see when you see him. You see his wife and his kids and the ordinariness of Black life. I think it's something that people are unprepared for. There was a great piece in *The New Yorker* [“The Hit Man's Tale” by Nadya Labi on 15 October 2012] about a guy who's a hit man in Detroit. It's just a profile of him and the havoc he wreaks across the neighborhood. Now he's biracial. His mother was White, but him being biracial is of no particular import to the story. You have a biracial president and everyone asks, “What does it mean that his mother is White?” It does mean something; I'm not telling you it doesn't mean anything. It certainly means something. It means quite a bit, in fact, but Black people have been dealing with this for years, even centuries. There have been biracial Black people in the Black community since there have been Black people here. Fredrick Douglass was biracial. It's a list, a lengthy list of people before Barack Obama whose parents were White. That's not true for the rest of the country. They're not used to facing up to or having to deal with that. They don't really have a dialogue or a conversation around it. So I think it's very hard for them to understand how a guy who could have, presumably, gotten out from where his mother was. “Why are you going to Chicago? Why are you marrying a Black woman? What are you . . . what's in this is for you?” They don't quite see it. They haven't been there, not yet. I think that's part of the immaturity.

**HJAAP:** *We have traditionally seen the president as a father figure. How has that changed with Barack Obama in office? We see him as a very contemplative, very morally direct and deliberate person. How does that affect our understanding of the way in which he engages in politics, the way he thinks about major social issues like same-sex marriage, where he was ambivalent then supportive?*

**COATES:** There is all this debate about his position [on same-sex marriage] having an effect on the Black community or in broader America. I am not quite convinced. It may well be true that him coming out in favor of it has some kind of effect, but I don't know. I do know that polling in the African American community shows us trending that way, so maybe he gave a push to it. I actually think the way to understand Barack Obama is the other way around, to look at African American history and look up and see him as the result of trends that were long percolating in the community. You can't look at Obama and say, “what is his effect on the community?” He's a representation of the debates that have been going on in the community for years. He is not the first Black politician to try to thread that needle and vacillate. But I think it's very important to look at him as the result of a process.



**HJAAP:** *When we're thinking about Barack Obama as a Black politician on the national stage, we know that he is certainly not the first and definitely won't be the last. Do you think he has made some inroads at the national level beyond the Senate, Congress, and the cabinet level?*

**COATES:** No, because you have not had enough Black senators, you definitely have not had enough Black governors, and the fact of the matter is [in] an entire swath of the country where a great number of Black people live, that being the South, you can't really have a Black governor or Black senator. You can't with the way their politics are now. That may be a different story ten or twenty years from now. Consider Virginia, which did have a Black governor, or a state like North Carolina maybe. Some of these states might flip, but right now it's not possible. After Obama, I would not expect there to be another for a while. The closest person you could point to would be a Deval Patrick, but he's coming from Massachusetts. So it's really tough.

**HJAAP:** *You touched on the way in which President Barack Obama as a public figure is a manifestation of many threads that have existed within the African American community for a very long time. It seems that the media's political and electoral analysis struggles to decouple race and policy preference, often offering the conclusion that African American support for the president is primarily driven by him also being an African American.*

**COATES:** Yeah, I don't know. Again, Barack Obama is not the first Black person to run for the presidency. He's not even the first Black person from the Democratic Party. I always tell people to look at history. Do you think that Black people will support anyone all willy-nilly? Go back to South Carolina in 2004 when Al Sharpton and both John Edwards and John Kerry got more Black votes. We know when folks are serious and when they are not. We always talk about Obama winning Iowa and that being the sea change, but that was very canny. It was the smart thing to do. You're not going to waste your vote. You are a Black person, and therefore you are the last group of people who can have the luxury of wasting a vote on an experiment.

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**HJAAP:** *Or even using a protest vote.*

**COATES:** Exactly. You don't have that advantage. You need to win. Again, we don't really know. These are places that don't have much knowledge of the Black community.

**HJAAP:** *Do you think that racial demographics will be as important as political analysts project in the coming years?*

**COATES:** Well, I think it's two things: Yes, it probably will be important, but whenever we talk about racial demographics, I think it's extremely important to understand that race has not been a static thing in American history. There's no guarantee that who we consider not to be White today is not going to be White one-hundred years from now. Whiteness has proved very malleable and very adaptive throughout American history and that has yet to change. With that said, just as important is the age of the White population. I think as folks die off, you'll see more and more change.

**HJAAP:** *Many people thought that the 2008 election defeat for Republicans would force them to fundamentally alter the way in which they thought about issues, both economic and social, and which voters they targeted. They might have to look inward and reflect on the loss. The last four years might have shown us otherwise.*

**COATES:** They did look inward, and they decided that they needed to go harder. These predictions about what's going to happen, nobody really knows.

**HJAAP:** *Some might say the perspective would be different in the case of a second-term President Obama, where there is ultimately an endpoint in his presidency.*

**COATES:** Yeah, I think people who bank on radical conservatism dying because a Democrat won the election . . . I mean, this is a force in history. When you start talking about White resentment and racism, these are forces in history that are old. They won't be defeated by a single election. Or even two elections.

**HJAAP:** *So you talk fairly often about raising your son, who is a member of the post-millennial generation, some of the things he experiences, and the comparison between your upbringings.*

**COATES:** They're very different.

**HJAAP:** *What are some of the things that are so different?*

**COATES:** Most significantly, he has White friends. I didn't have any White friends at all. None. I didn't know any White people. My parents didn't have White friends. His environment is much more integrated. His life is much more integrated than mine ever was. It's not even close. That sounds like a small thing, but it's actually a huge thing. His construction of race will probably be very different than mine. For me, that's the biggest thing. I couldn't have conceived of anything like that at all.

**HJAAP:** *Growing up in Baltimore, it's a different place now than it was but even more than New York City, which also features a lot of crosstown movement.*

**COATES:** I think that was the other thing. Geographically it was very different too. New York is different in that sense.

**HJAAP:** *You recently returned from Nashville and talked about your appreciation of the South. Can you talk about what it's like thinking about the historical and cultural aspects of the South and how it informs you?*

**COATES:** As much time as I spend analyzing Obama, politics is not really the most important thing to me. . . . I understand what the politics are in the South. Obviously, I'm not a fan. But that's not the whole definition of what a place is.

**HJAAP:** *It's much deeper.*

**COATES:** It is, particularly for Black people, where the South is like their mother country. It is our mother country. It is where we're from. It was in the South where we were invented. I resist the notion that a place is defined by its politics, fully.

**HJAAP:** *What was the personal experience like for you?*

**COATES:** It's like a cultural thing. You do speak to people. You hold the door. Everybody doesn't do that around the country. Southern hospitality is kind of cliché, but I kind of believe in it. Vir-



ginia is a place where I've spent much more time. I don't know how to explain that a place feels like home. My family is from the eastern shore of Maryland. It's all really familiar in a way that, as much as I love it, New York is not or the way Cambridge definitely is not. Not even close.

**HJAAP:** *You look up to Jim Fallows, Atlantic national correspondent, who writes on China and has very astute analysis of national political issues. Do you think that you might want to write more about foreign affairs?*

**COATES:** All the time. I was writing this piece about Barack Obama and Joe Louis and one of the things that I was channeling in that piece is that I think there's something with all Black people with any degree of accomplishment in any professional field.

**HJAAP:** *The weight of the "community" and the weight of the world.*

**COATES:** Exactly. It's like, "Why do I have to talk about this? It's not all I'm interested in. Why can't I just go and be a writer? What must I discuss this?" I find that I have those moments all the time. There is this illusion out here that Black people like talking about racism. White people often say, "You guys are always reminding us about racism. Why are you always talking about it?" Nobody wants to talk about it at all! Black people least of all! I'm sure Obama would like to just be a president. It would be nice. Joe Louis would have liked to just go into the ring and fight. It would have been really, really nice. That's why I love that Warren Moon quote I used in there.

I was watching Warren Moon [Hall of Fame football quarterback] when I was a kid, and he had this game playing against the Kansas City Chiefs. That year the Kansas City Chiefs had a great defense. Not just a great defense, but also an incredible secondary. The Oilers [currently the Titans] were using the run-and-shoot with five wide receivers. It was supposed to be a bad matchup against Kansas City, who had this great defense and this great secondary, and Warren Moon just picked them apart. He threw for like five-hundred-something odd yards. He was actually within about seventy yards of the all-time record, which was Joe Namath's, and we went out of the game! He went out of the game, and Black folks around the country were like, "Why?! All of these illusions they have about us—the inability to think—you could have proved them wrong!" I believe they asked him about that the next day and he said, "For what? You know what I can do." But that's our expectation to put on him. Warren Moon the person just wants to come out of the game. "I've already showed what I can do, I'm out. I'm done." We put this stuff on people. That's one side, right? The other side, in fact, is people who do their craft for reasons beyond the craft I believe also have access to great power in the way that people who just do the craft do not. When you understand that other people are thinking about you, so much in life comes down to motivation. "Do I feel like doing this?" The history of Black people in America is incredible motivation and it gives my writing an amount of force and urgency. I'm not speaking abstractly. Whenever I talk to you, I'm talking about my son, about my wife, I'm talking to you about my dad, mom. Even if that's not what I'm saying, that's who I'm talking about. So it's always immediate for me.

**HJAAP:** *You've touched on the recent Fisher v. University of Texas case, which centers on the questions of whether and how race may be used in college-admissions decisions, largely in your writing, seeming to conclude that the case won't change much even if the Supreme Court rules against affirmative action. Elite private colleges won't care much and it will become more informal, but do you think it will have any effect on historically Black colleges and universities (HBCUs)?*

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**COATES:** I know when I was at Howard, there was a great degree of talk about affirmative action that I couldn't really relate to. I don't think people understand where the Black middle class comes from. I think they think somehow it comes from Berkeley, Harvard, and Yale. These are all great institutions, and I mean no disparagement, but at Howard something like 50 or 60 percent of all Black dentists came from Howard's dentistry school. Historically, this has been the engine of the Black middle class. Not affirmative action. That's not an attack on it, but this sense that somehow—

**HJAAP:** *It's going to make some kind of significant difference today . . .*

**COATES:** Right. I'm sure it'll make some difference, so I'm not trying to downplay that. But we don't really have a whole understanding of how things happened in the Black community. My African American friendships are virtually all indirectly through an HBCU. That's where my social circle comes from. I have seven brothers and sisters. Only two of them didn't go to an HBCU. My mom and dad both went to HBCUs. My aunts and uncles, everybody I know went to HBCUs. I don't really know people who went to Berkeley on affirmative action or UT-Austin. I don't know those Black people. I'm not saying they don't exist, but there needs to be a level of context in terms of what we're talking about here.

I actually think HBCUs have a great opportunity here. The Black experience is bigger than Black people proper. There's a human component here, and that is people who were down, people who were in a particular spot in America, deserve opportunities through education. At this point in our history, that purpose includes a lot of people, and there's no reason why that mission can't be carried out beyond the Black community. I don't know why you wouldn't be. I don't know why you wouldn't be going into Appalachia recruiting or down in Hispanic communities in Texas recruiting. I don't know why you wouldn't do that. The lessons of the Black experience are not just for Black people. Our greatest institutions are not just for Black people. We have in New York the Jewish Community Center. You don't have to be Jewish to go to the Jewish Community Center. They do all sorts of programs for all sorts of people. There is no reason why they would say, "We're only for Jewish people." In fact, the great power of what they do is the fact that it's not just for Jews, but it is in some way formed by the experience and may carry forth that way. There's no reason it can't be like that, and it's not to the exclusion of Black people either. So I think that the idea that we can get as many Black people as we can into Florida's flagship schools, Texas's flagship schools, California's, Michigan's, that's great, but it's just one avenue of the fight. There are many other avenues, and they deserve as much exploration.

#### ENDNOTE

1. Emmett Till was a fourteen-year-old boy murdered in 1955 in Mississippi by White men reportedly for flirting with a White woman.

# REFLECTIONS ON THE TRULY DISADVANTAGED: A CONVERSATION WITH WILLIAM JULIUS WILSON

INTERVIEWED BY WILMOT ALLEN

*William Julius Wilson is the Lewis P. and Linda L. Geysler University Professor at Harvard University. He is one of only twenty university professors, the highest professional distinction for a Harvard faculty member. He is the author of numerous publications, including The Declining Significance of Race, winner of the American Sociological Association's Sydney S. Spivack Award; The Truly Disadvantaged, which was selected by the editors of the New York Times Book Review as one of the sixteen best books of 1987; and When Work Disappears: The World of the New Urban Poor, which was selected as one of the notable books of 1996 by the editors of the New York Times Book Review.*

*Wilmot Allen is the founder of 1 World Enterprises, a consulting firm that advises on economic development and emerging market investing. Allen works in emerging market private equity with an international financial institution and is cofounder of the Partnership for Urban Innovation, a social innovation enterprise and research institution that addresses challenges confronting urban America through innovative approaches leveraging best practices, intellectual capital, and partnerships from around the world. He holds an MBA from the Wharton School and an MPA from the John F. Kennedy School of Government at Harvard University.*

*The Truly Disadvantaged*, written by Harvard University Professor William Julius Wilson, was first published in 1987. It significantly impacted the debate on both the causes of urban (ghetto) poverty and the potential public policy solutions. Wilson argued fundamentally that changes in the structure of the U.S. economy were the primary drivers of increased social and economic dislocation of the urban poor, which would require comparable solutions based on national and regional economic reforms. Wilson presented a public policy agenda based on this economic analysis, informed by an assessment of adverse behavioral norms and discrimination as factors facilitating the persistence of an urban “underclass.”

Twenty-six years later, given that most of these challenges have been exacerbated by the global recession, high rates of unemployment, and the increased social isolation of poor urban areas, Wilson’s work remains relevant.

Wilmot Allen interviewed Wilson about the contemporary relevance and legacy of *The Truly Disadvantaged* in light of responses to the book from academics and policy makers, contemporary ideological narratives framing the discourse on urban poverty, current trends in the U.S. economy, the then-impending fiscal cliff confronting America at the end of 2012, the fiftieth anniversary of Dr. Martin

Luther King's "I Have a Dream" speech in 2013 and the social vision for America that it proclaimed, and more.

**HJAAP:** *When discussing the liberal and conservative explanations for the rise in Black poverty rates and associated problems in the very first chapter of *The Truly Disadvantaged*, you mention that the momentum of the arguments shifted from liberal to conservative prior to and with the advent of the Reagan era. Have the ideological narratives and explanations differed from what you originally pointed out or have they remained mostly the same?*

**WILSON:** The ideological narratives and explanations shifted from conservative to liberal following the publication of *The Truly Disadvantaged* in 1987. As [Malcolm Wiener Professor of Social Policy at the Harvard Kennedy School] Christopher Jencks pointed out, liberals retreated from studying Black poverty following the controversy over the Moynihan report on the Black family, which was released in 1965. "Describing Black family life could get you branded as a racist," Jencks stated; liberals "ran for cover"; and for two decades, research on inner-city families produced "quite a bit of heat and almost no light." However, Jencks notes, "the publication of *The Truly Disadvantaged* in 1987 really ended this dismal era, and that was a fabulous thing for scholarship and for life in the university as well. It was sort of like the fall of the Berlin Wall. It sent a message that the era of fear and silence and lies was over."<sup>1</sup> I am pleased and proud that my book led to a liberal revival. As Jencks pointed out, it encouraged liberal social scientists to address sensitive issues associated with urban Black poverty, including cultural responses to chronic racial and economic subordination.

**HJAAP:** *The almost complete restructuring of the American economy, from a predominantly manufacturing-driven one to a service-driven one, in a very short time had tremendous adverse consequences on the urban underclass just as you and others predicted when the book was written. As this continues it will undoubtedly only exacerbate the joblessness that is at the heart of the perpetuation of the underclass. How has this radical restructuring of the economy affected social dislocation and poverty in the cities since the time the book was written in general?*

**WILSON:** The first edition of *The Truly Disadvantaged* was published twenty-six years ago. However, the economic processes emphasized in the book have continued—the loss of manufacturing jobs, the movement of jobs from cities to the suburbs and overseas, and even greater internationalization of the economy, especially through trade liberalization facilitated by free trade agreements in the 1990s. Moreover, given the expansion of low-wage jobs lacking fringe benefits and the polarization between high-wage and low-wage occupations, higher education is even more critical for social advancement in the labor market today. Furthermore, the adverse effects of deindustrialization on inner-city Black employment continue to be severe. Moreover, there are still major racial differences in concentrated poverty. Although the country experienced dramatic declines in concentrated poverty in the 1990s, including declines in urban Black neighborhoods, the substantial decreases may simply have been blips of economic boom in the 1990s rather than permanent trends. Unemployment and individual poverty rates have increased since 2000, and there is every reason to assume that concentrated poverty rates are on the increase again, although complete data on concentrated poverty will become available only after a more thorough analysis of the 2010 Census.

The problems of joblessness have continued and have even gotten worse for low-skilled Blacks. The racial employment disparities have persisted. The Black/White unemployment ratio seemed essentially fixed at 2.0 or greater, which means that even through economic upturns and downturns the Black unemployment rate has been at least twice that of the White unemployment rate—al-

though during this current economic crisis the rate dipped below 2.0 because of the sharp increase in joblessness among Whites.

**HJAAP:** *The discourse about reclaiming the American Dream for middle-class Americans has received wide attention. Do the urban poor matter in America today? Is it possible to pursue “both/and” approaches instead of making a choice to focus on one group or the other?*

**WILSON:** Despite all the rhetoric about reclaiming the American Dream for middle-class Americans, the Obama administration has done more for lower-income Americans than any president since Lyndon Baines Johnson. Quite frankly, I think that Obama’s programs have prevented poverty, including concentrated poverty, from rapidly rising, considering the terrible economy. Obama’s stimulus package [the American Recovery and Reinvestment Act of 2009] earmarked \$80 billion for low-income Americans, which included such things as an extension of unemployment benefits, a temporary increase in the earned income tax credit, and substantial additional funds for food stamps [what is now called the Supplemental Nutrition Assistance Program]. It also included nearly \$4 billion in job training and workforce enhancement programs and \$2 billion for neighborhood stabilization efforts.

Moreover, I consider the health care legislation [the 2010 Patient Protection and Affordable Care Act] as an antipoverty program. Over the long term, the health care legislation will significantly benefit lower-income Americans. Indeed the share of Americans who are uninsured declined between 2010 and 2011. And this improvement was in part due to a provision of the health care bill that allows children to remain on their parents’ health plan until they reach age twenty-six.

Also, Obama worked out a deal with Republicans to address the impact of the recession on lower-income Americans, a negotiation, which, although resulting in an extension of the Bush-era tax cuts, led to a thirteen-month extension of federal unemployment benefits for more than seven million jobless workers, as well as the continuation of programs that benefit the poor and working classes, including the earned income tax credit, the refundable component of the child tax credit, and the 2 percent reduction in the Social Security payroll tax for one year, all of which put more money in the hands of ordinary Americans. Finally, I should mention the \$144 billion package passed in early 2012 by Congress to extend the payroll tax cut and unemployment insurance to the end of 2012—programs that Obama pushed.

Now when you consider how these policies fit into the broader sweep of policy changes over the last few decades, one has to acknowledge that the legislation enacted was in response to the extraordinary economic situation that now plagues this country. Taken together, they far exceed any legislation beneficial to low-income Americans passed during either the Carter, Ford, Reagan, George H. W. Bush, Clinton, or George W. Bush administrations.

**HJAAP:** *In The Truly Disadvantaged, you highlighted the nexus between economic restructuring, long-term joblessness, and individual behavior to underscore the emergence and persistence of a group of people in society who share a social milieu that is outside of the mainstream in terms of economic, social, and political attainments. The impending fiscal cliff means that more social spending programs may have to be cut. What is your advice to the Obama administration about addressing urban poverty?*

**WILSON:** Poverty is very closely associated with joblessness. So I would first recommend legislation that would target areas of high unemployment with job-creation strategies, including the creation of public-sector jobs in these areas. Such a program would not only address unemployment in, say, Black inner-city neighborhoods, which feature high rates of joblessness, but also unemployment in White, Hispanic, and Asian areas marked by high jobless rates.

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I would also recommend several bills recently introduced in Congress that feature such programs. First of all, Congressman George Miller of California introduced a bill before the House in 2010 [the Local Job for America Act] that sets aside \$75 billion over two years to save and create a million public and private jobs in states and municipalities with the highest jobless rates. His bill calls for, among other things, the creation of public-sector jobs and funds salaries for private-sector, on-the-job training. In the spring of 2010, Senator Sherrod Brown of Ohio introduced a companion bill in the Senate. Also, Representative Jan Schakowsky of Illinois introduced the Emergency Jobs to Restore the American Dream Act in August 2011, which would create more than two million jobs over a two-year period, including 650,000 jobs building and maintaining schools and 750,000 green jobs in areas such as housing construction, weatherization, and other tasks. But no action has been taken on any of these bills.

I suggest these bills with few illusions that they are politically feasible, given that Republicans control the House of Representatives, but with the hope that such bills will receive serious consideration by members of Congress and the America public in the future, perhaps during President Obama's second term of office. However, a new agenda to combat poverty and problems in the labor and housing markets should also include an even sharper focus on traditional strategies to ensure that the benefits from any economic upturn are widely shared among the various racial groups and that the more disadvantaged groups, such as African Americans, become less vulnerable to downward swings in the economy. Aside from the need to continue monitoring and combating racial discrimination in employment and improving public education to prepare disadvantaged youngsters for higher-paying and stable jobs in the new economy, I suggest the following two actions.

For one, a revitalization of poor urban neighborhoods, including the elimination of abandoned buildings and vacant lots, to make them more attractive for economic investment and thereby help improve the quality of life and create jobs in the neighborhoods. But since revitalization can also result in displacement, as higher property taxes and the escalating price of rentals exceed the budgets of many residents, initiatives to reclaim abandoned and vacant properties must also include strategies to sustain housing affordability and make certain that current residents

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benefit from neighborhood improvement. This could be accomplished by using some of the mechanisms developed to deal with neighborhood change in desirable market areas, including community land trusts, which are private, nonprofit corporations created to provide affordable land and housing for community residents through the acquisition of vacant land and the construction of housing and other buildings on it.

Second, the promotion of job-training programs to enhance employment opportunities for low-income residents, including connections to businesses to ensure that youth gain the kinds of apprenticeship that will provide them with real marketable skills. And also developing sector-specific partnerships among schools, colleges, employers, and community-based organi-



zations to prepare people for the decent paying jobs that are projected to be most available in upcoming years.

Unlike the employment bills, these two policy proposals could be pursued immediately by the Obama administration in partnership with state and local governments, as well as community organizations.

**HJAAP:** *In the afterword to the 2012 edition, you cited Kevin Gotham's work, especially on Kansas City, showing how changes in the national economy interact with federal housing policies to create and maintain uneven development and residential patterns. What are the outcomes of new initiatives like the Choice Neighborhood program on ghetto neighborhoods? Have these policies had any significant effect in mitigating the social isolation of the underclass or have these been too restrictive and not ambitious enough?*

**WILSON:** The Department of Housing and Urban Development's Choice Neighborhood program, which in effect is designed to replace HOPE VI, launched in the early 1990s to help overcome the adverse effects of public housing projects in blighted neighborhoods. The Choice Neighborhood program goes beyond the rehabilitation of physically deteriorated public housing neighborhoods—the focus of HOPE VI—and includes comprehensive neighborhood investments ranging from early childhood education to employment, safety, and transportation components. The problem is that the program is seriously underfunded and requires matching funds from local, state, or private sources. The program has yet to be seriously evaluated, and therefore we have no definitive judgment on how effective the program has been in mitigating the effects of social isolation.

**HJAAP:** *How culture mediates the effects of poverty and racial segregation was not effectively dealt with in The Truly Disadvantaged, but as you mentioned in the afterword to the latest edition, you do deal with it in your 2009 book More Than Just Race. How much of an impact is the media and entertainment industry having on issues that you raised in the book? What approaches can best address the enduring effects of culture, particularly the long-term effects that are further disempowering?*

**WILSON:** I have no informed opinion on the impact of the media and entertainment industry on the issues I raised in *More than Just Race*. However, I do have very strong views on how to address the enduring effects of cultural traits—such as shared outlooks, beliefs systems, values, skills, styles of presentation, and linguistic patterns—that emerge in settings created by discrimination and segregation. Let me say, first of all, that it would be very hard to argue that the cultural factors in the poor Black community are equally as important in determining life chances or creating racial group outcomes as structural factors, ranging from those that are racial such as segregation and discrimination to those that are nonracial such as impersonal changes in the economy. For example, the sharp decline in employment in many inner-city neighborhoods cannot be explained using cultural arguments.

Nonetheless, cultural traits that reinforce poverty have to be addressed. Among the effects of living in poor, segregated neighborhoods over extended periods is repeated exposure to cultural traits that emerge from or are the products of racial exclusion that may impede social mobility. However, attempts to address such cultural traits, for example, reframing attitudes, must take place in conjunction with programs that confront structural inequities. Take the problem of Black male fatherhood. I would argue that programs focusing on the cultural problems pertaining to fatherhood, including attitudes concerning paternity, without confronting the broader and more fundamental issues of restricted economic opportunities have limited chances to succeed. In my view, the most effective fatherhood programs in the inner city will be those that address the framing of attitudes, norms, and behaviors in combination with local and national attempts to improve job prospects.

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Only when Black fathers have a realistic opportunity to adequately care for their children financially will they be able to envision a more family-centered life for themselves and their children.

**HJAAP:** *The year 2013 marks the fiftieth celebration of Dr. Martin Luther King's "I Have a Dream" speech. All of the economic indicators have shown that social mobility has fallen in the United States, and it is more so for ethnic minorities. In light of these findings, what are the prospects for the future in terms of the Black underclass? What is the contemporary relevance of King's dream regarding poverty alleviation in America?*

**WILSON:** Let me first emphasize, before I address this question directly, that a substantial segment of the African American population does not live in poverty. Many African Americans have done quite well in terms of education and employment during the last few decades. Indeed there is a widening gap between the haves and have-nots in the Black community. And I first called attention to this economic schism in my book *The Declining Significance of Race: Blacks and Changing American Institutions*, published in 1978 by the University of Chicago Press, with a second edition in 1980. I noted in that book that while the conditions of the Black poor have deteriorated as reflected in increasing joblessness, slower movement out of poverty, and increasing welfare receipt since the early 1970s, the conditions of the Black middle class, those Blacks who are trained and educated, have improved. One of the legacies of previous racism and discrimination is that a disproportionate number of Blacks are still poor, lacking skills and education. And in this day and age, that is a recipe for failure, because unlike in previous years, social mobility is increasingly based on educational qualifications.

And given the poor educational training that so many Black youngsters receive in the public schools and their high school dropout rates, many are in danger of becoming permanent economic proletarians. Why? Because of the effects of fundamental technological changes in our economy. More specifically, the computer revolution rewards skilled workers, including skilled workers who are Black, and displaces low-skilled workers and the growing internationalization of economic activity places low-skilled workers in this country, including low-skilled Black workers, with low-skilled workers in Third World countries. So if you don't have skills or a decent education in this global economy, your chances for mobility are minimal. This is a problem for all low-skilled workers, but it is even more of a problem for low-skilled Blacks because of the problem of race and employer racial preferences, not to mention the added problem of segregation, which decreases access to areas of employment growth. The problem is especially acute for low-skilled Black males, and many turn to crime and end up in prison, which further marginalizes them and decreases their employment opportunities.

As the late Vivian Henderson pointed out, it is as if historic racism and discrimination put Blacks in their economic place in the sense that a disproportionate percentage of the Black population is poor and unskilled. The unfortunate thing is that those poor Blacks who have lost their jobs to technological innovations and growing internationalization of low-skilled labor are unlikely to get them back.

**HJAAP:** *What is your outlook on the study of urban poverty? What new questions or ideas does the research indicate hold promise for understanding and effectively addressing urban poverty in the twenty-first century? What are you currently researching and why?*

**WILSON:** I think that studies on urban poverty that hold promise, studies like Robert Sampson's *Great American City: Chicago and the Enduring Neighborhood Effect*, will be those that continue to demonstrate the powerful effects of ecologically concentrated disadvantage, such as the inner-city



ghetto, on both individual outcomes and rates of social behavior across neighborhoods—including poverty, joblessness, single-parent families with children, verbal ability, violence, incarceration, and collective efficacy. And these studies will continue to show how these effects are magnified by racial segregation.

I think that you will also see more studies on how historical, macroeconomic, and global forces have impacted poor neighborhoods. However, there will continue to be a great deal of emphasis on the “lower order” mechanisms of neighborhoods that help account for variations in concentrated inequality, including social-psychological mechanisms that interact with broad cultural processes—for example, stereotypes and shared expectations and perceptions of disorder—and have played a role in shaping the long-term identities and trajectories of neighborhoods.

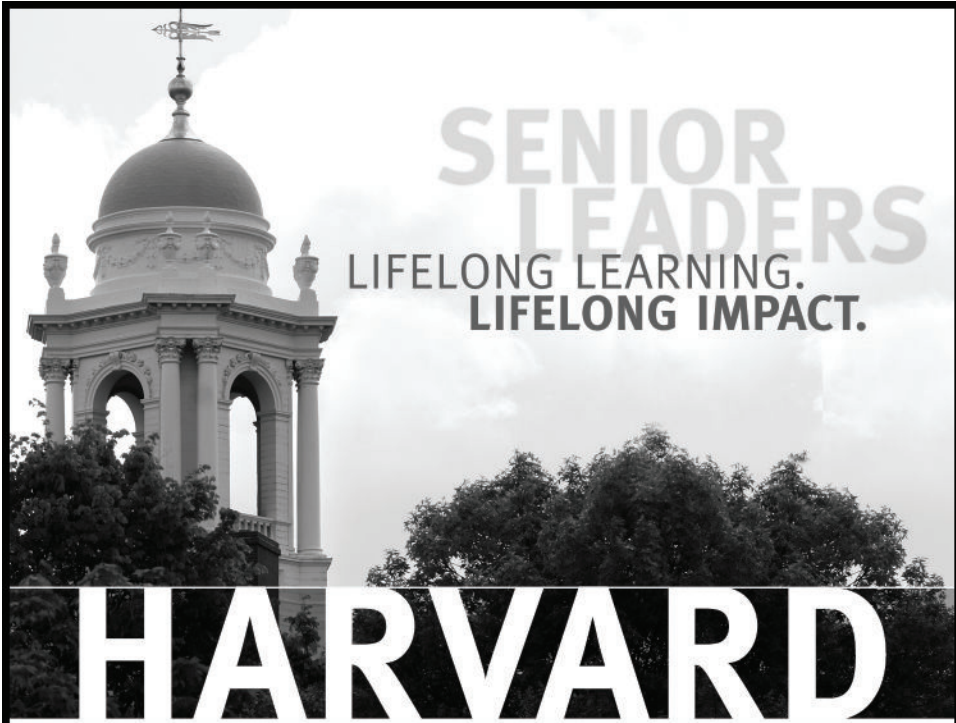
My current research focuses on a cultural analysis of life in poverty. By that I mean the strategies that individuals and families used to negotiate or combat the experiences of conditions of poverty. This research features extensive ethnographic research in low-income neighborhoods in three cities—San Antonio, Boston, and Chicago—and includes in-depth interviews with families living in poverty. I think this study is important because we really lack adequate information on how people cope with poverty, and it is important to inform the general public and policy makers about the deleterious conditions of poverty in a society that lacks an adequate safety net as well as about how families struggle to survive. I would hope that our study would demonstrate the importance of programs like the Patient Protection and Affordable Care Act—Obamacare—and the need to strengthen, not weaken, the safety net in this country.

#### ENDNOTE

1. Quoted in Parry, Marc. 2012. The neighborhood effect. *The Chronicle Review: The Chronicle of Higher Education*, November 5.

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