



---

---

**HARVARD JOURNAL  
OF  
AFRICAN AMERICAN  
PUBLIC POLICY**



John F. Kennedy School of Government  
Harvard University

---

---

***TOWARD A PROGRESSIVE BLACK AGENDA***

---

**ARTICLES**

**Race as a Plus Factor in Undergraduate Admissions:  
The Public Seeks an Alternative**

*Carol M. Swain*

**The Trouble with Black Boys:  
The Role and Influence of Environmental and Cultural Factors  
on the Academic Performance of African-American Males**

*Pedro Noguera*

**State-Level Outcomes and Multiracial Category Legislation**

*Kimberley Williams*

**COMMENTARY**

**Little House in the 'Hood**

*Patricia Williams*

**PROFILE**

**The Prison Moratorium Project**

*Kate Rhee and Rashid Shabazz*

**SPEECHES**

**The 21st Century Urban League Movement**

*Hugh B. Price*

**Color-Blindness Is Not the Same Thing as Racial Justice**

*Glenn C. Loury*

---

VOLUME VII • SUMMER 2001



# Kennedy School Review 2001



## *New Administration, New Directions: Policy Proposals for a Bush Presidency*

KSR is a generalist policy review with a fresh annual theme, featuring public policy articles written entirely by Kennedy School students on the cutting edge of their disciplines.

Policy topics covered in this year's volume include:

- Education
  - Criminal Justice
  - Housing
    - Information Technology
    - Welfare
    - Campaign Finance Reform

To obtain a copy of KSR 2001, please mail a check payable to "Harvard University" for \$24 (price includes shipment within the U.S.) to the following address:

Kennedy School Review  
79 John F. Kennedy Street  
Cambridge, MA 02138

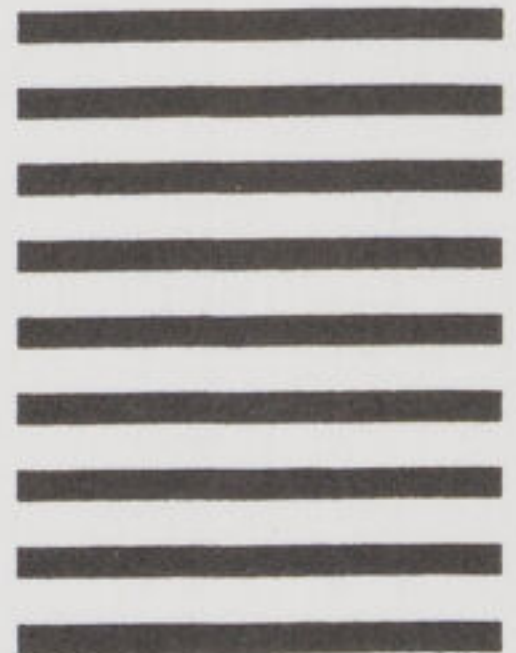
To view a sample of articles in last year's volume,  
please log onto the KSR website at:

**<http://www.ksg.harvard.edu/ksr>**





NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



**B U S I N E S S   R E P L Y   M A I L**

FIRST-CLASS MAIL PERMIT NO.3 BOSTON, MA

POSTAGE WILL BE PAID BY ADDRESSEE

Harvard Journal of Hispanic Policy  
79 John F. Kennedy Street  
Cambridge, MA 02138-9949







Subscribe NOW to the Harvard Journal of African American Public Policy, the premier journal in African American policy studies.

*"An informed, innovative, solution-oriented forum on public policy"*

**YES**, please sign me up as a subscriber to the Harvard Journal of African American Public Policy — America's leading journal on African American policy.

\$40 individuals (2 issues)     \$80 institutions (2 issues)

Renew my subscription     I'm a new subscriber

Payment enclosed     Bill my     VISA     MC

Card # \_\_\_\_\_ Exp date: \_\_\_\_\_ / \_\_\_\_\_

Signature \_\_\_\_\_

Name (print) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_



YES, please sign me up as a subscriber to  
the Harvard Journal of African American Public Policy —

America's leading journal on African American policy.

\$40 individuals (2 issues)  \$80 institutions (2 issues)

Renew my subscription   New subscriber

Card # \_\_\_\_\_ Exp. date \_\_\_\_\_ / \_\_\_\_\_

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_



## NOTES TO CONTRIBUTORS

*Harvard Journal of African American of Public Policy*, founded in 1989 at John F. Kennedy School of Government, Harvard University, is committed to a comprehensive and interdisciplinary examination of the interactions between public policy and the lives of African Americans. It specifically aims to:

- Provide an arena for sound, methodologically diverse and solution-oriented policy discourse on issues affecting the African American community
- Encourage scholarly dialogue and communication among academics, policy makers, community leaders and practitioners; and
- Improve the public policy process by integrating the perspectives of African Americans into the formulation, implementation and evaluation of public policy.

The *Harvard Journal* addresses an array of policy areas, including law, economics, health, education, business, labor, electoral politics, poverty, community development, media, science and technology.

In addition to articles, the *Harvard Journal* features essays, lectures, community-based initiative profiles, symposia, position papers and book reviews.

### SUBMISSION GUIDELINES

#### *Manuscripts*

Submit three copies of your manuscript to: Harvard Journal of African American Public Policy, John F. Kennedy School of Government, 79 John F. Kennedy Street, Cambridge, MA 02138.

- (a) Type manuscripts on one-sided 8.5" × 11" paper in 12-point, double-spaced font.
- (b) Number pages consecutively and include the title of the manuscript on every page.
- (c) Tables and figures should be numbered and printed each on a separate sheet of paper with an indication in the text where corresponding tables and figures should be inserted.
- (d) Manuscripts are not to exceed 15,000 words (50–60 double spaced pages).

#### *Computer and Paper Files*

Include the following with your manuscript:

- (a) In addition to a printed manuscript, the manuscript should be saved as an ASCII text file on 3.5" floppy diskette. This can be done by using the "Save As..." feature in most word processors, and selecting file type "DOS Text File." Tables and figures should be included as files in table format in Microsoft Word, Microsoft Excel, or WordPerfect, or as a tab-delimited text file.
- (b) An article abstract of no more than 100 words should be included.
- (c) A cover page with: author's name, 50-word biography, and article title and subtitle.



## References

References should be written as footnotes, with a bibliography included at the end of the manuscript. The style for references is as follows:

## Style

Following are some style minutiae regarding your submissions for HJAAPP. For more detailed information on the journal's style, refer to the *Chicago Manual of Style* (14th ed.)

- (a) Numbers one through ten and multiples of ten should be spelled out, unless they are being presented as part of a calculation or table of data. All other numbers should be written as figures.
- (b) The word "percent" should be spelled out if it appears in text and written as % if it appears in a table.
- (c) Periods and commas following quotations should appear within the quotation marks.
- (d) Bold face and underlining should not appear in the article text. Use italics to indicate word emphasis, book titles, or words in foreign languages.
- (e) Titles of people's positions (i.e., senator, president) should be capitalized only if they appear in conjunction with a person's name.
- (f) Titles of agencies (i.e., Department of Commerce, the Department) should be capitalized whether they are in full or short form.
- (g) The letters s's should never appear at the end of a word. A word ending in s that calls for an apostrophe should leave off the final s following the apostrophe.
- (h) Subheadings and paragraph headings may be used at the author's discretion to break up the text.

The deadline for submissions is November 1. Upon receipt, an editor will be assigned to provide any editorial and research assistance you may need. If you have any questions or concerns during your deliberation, please contact the *Harvard Journal* at (617) 492-0517 or via email [hjaap@ksg.harvard.edu](mailto:hjaap@ksg.harvard.edu).

---

*Harvard Journal of African American Public Policy* (ISSN# 1081-0463) is published bi-annually by students of the John F. Kennedy School of Government, Harvard University. An annual subscription is \$25 for individuals and \$40 for libraries and institutions. Subscriptions will be automatically renewed unless notice to the contrary is received at office. Additional copies of volumes 1-6 may be available for \$10 each from the Subscriptions Department, *Harvard Journal of African American Public Policy*, 79 JFK Street, Cambridge, MA 02138.

**DONATIONS:** Donations provided in support of the *Harvard Journal* are tax deductible as a non-profit gift under the JFK School of Government's IRS 501(c) (3) status. Please specify intent.

**POSTMASTER:** Send address changes to *Harvard Journal of African American Public Policy*, 79 JFK Street, Cambridge, MA 02138, or email [hjaap@ksg.harvard.edu](mailto:hjaap@ksg.harvard.edu)

COPYRIGHT © 2001 BY THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE.  
ALL RIGHTS RESERVED

*The Harvard Journal does not accept responsibility for the views expressed by individual authors. No part of the publication may be reproduced or transmitted in any form without the expressed written consent of the Editors of the Harvard Journal of African American Public Policy.*

Printed by Pitney Bowes, Woburn, MA



## FORTHCOMING ARTICLES IN VOLUME VIII

### SYMPOSIUM

#### *The African Diaspora: A Common Destiny?*

#### SELECT ARTICLES INCLUDE:

**If I Die Here Least I'll Be Free: Black Women "Mules" and the Transnational Prison Industrial Complex**

*Dr. Julia Sudbury*

**A Case for Reparations to Black America: A Literary-Legal Analysis**

*Tiffany McKinney*

**Digital Divide: Domestic and International Implications for Policy Development**

*Carol Means*

**Fighting Corruption in Africa: Lessons from Malawi**

*Bruce R. Bolnick*

**Does Senegal's Political "Alternance" Portend Improved Economic Performance?**

*Clive S. Gray*

Editor's Note: The deadline for submissions for Vol. VIII is November 1, 2001. Articles that span the breadth of issues facing the African Diaspora are welcome.



HARVARD JOURNAL  
OF  
AFRICAN AMERICAN  
PUBLIC POLICY

JOHN F. KENNEDY SCHOOL OF GOVERNMENT  
HARVARD UNIVERSITY

*SUMMER 2001*

Cambridge, Massachusetts

The Editorial Board of the Harvard Journal acknowledges the generous support and contribution to the publication of this issue.

- Robert Wood Johnson Foundation
- Kennedy School Student Government
- Dorothy Gilliam
- Gwen Ifill
- Richard Parker
- William Julius Wilson



---

# HARVARD JOURNAL OF AFRICAN AMERICAN PUBLIC POLICY

2000–2001 Editorial Board

*Editor-in-Chief*

GRACE IMANI DUNCAN

*Managing Editor*

REYNELLE BROWN

*Production Editor*

LORELEI WILLIAMS

*Subscriptions Editor*

JEAN-MARTIN BAUER

*Finance Editor*

JOHN KELLEY

*Assoc. Managing Editor*

RODRICK MILLER

*Assoc. Production Editor*

TARYN CARTER

*Assoc. Subscriptions Editor*

ERICA SWIFT

*Articles Editors*

EARL ADAMS

MICHELLANA JESTER

GAVIN SAMMS

DORINA BEKOE

TRAVIS LEBLANC

*Associate Editors*

NEELUM ARYA

TONYA BANKS

ANDRE BYERS

ZACHARY KIDD

JULIUS BABBITT

MELISSA BROWN

CRAIG JACKSON

ANIKA TOUSSANT

*Fundraising Associate*

ALBERT GEORGE II

*Faculty Advisor*

WILLIAM JULIUS WILSON

**EXECUTIVE ADVISORY BOARD**

LERONE BENNET, JR.

*Ebony Magazine*

FRANCES BRISBANE

*State University of New York*

HENRY LOUIS GATES, JR.

*Harvard University*

DOROTHY GILLIAM

*The Washington Post*

ROBERT HOLLAND

*WorkPlace Integrators*

GWEN IFILL

*WETA*

JAMES LLORENS

*Southern University*

CHARLES J. OGLETREE, JR.

*Harvard University*

DAVID THOMAS

*Harvard University*

CORNEL WEST

*Harvard University*

WILLIAM JULIUS WILSON

*Harvard University*

---



## TABLE OF CONTENTS

### ARTICLES

- 1 **Race As a Plus Factor in Undergraduate Admissions:  
The Public Seeks an Alternative**

*Carol M. Swain*

What criteria should be used for undergraduate admission to state universities? This article presents the results of a vignette embedded in a national survey designed to explore this question. The author shows that the American public has a more expansive definition of merit than the leading protagonists do in the affirmative action debate in higher education. The evidence of a shared definition of merit that goes beyond grades and test scores implies more flexibility for admissions committees than commonly assumed. Americans draw the line, however, on the use of racial preferences when socio-economic disadvantage is not present.

- 23 **The Trouble with Black Boys:  
Role and Influence of Environmental and Cultural Factors on the  
Academic Performance of African-American Males**

*Pedro A. Noguera*

There is considerable confusion regarding why black males are over-represented in categories typically associated with negative behavioral outcomes. This article explores the influence of environmental and cultural factors on the academic performance of black males. The factors that influence the ways in which black males come to perceive schooling and how those perceptions influence their behavior and performance in school are also examined. Drawing on research from a variety of disciplines, the author analyzes the factors that place black males at risk in school settings. This is combined with an analysis of the ways in which environmental and cultural forces interact and influence academic outcomes—with a focus on the factors that shape the relationship between identity—particularly related to race and gender and school performance. Finally, strategies for countering harmful environmental and cultural influences, both the diffuse and the direct, are explored with particular attention paid to recommendations for educators, parents, and youth service providers who seek to support young African American males.



47 **State-Level Outcomes and Multiracial Category Legislation**

*Kimberley Williams*

Given the fact that 16 U.S. states actively enforced anti-miscegenation laws until 1967, it is quite remarkable that less than 30 years later, a reverse trend has begun to emerge: the passage of multiracial category legislation at the state level. Since 1992, six states have passed such legislation into law, and similar legislation is currently pending in four others. The legislation requires the addition of a multiracial category on state documents such as school forms, employment applications, and birth and death certificates. While we can attribute these legislative outcomes to the game of conventional politics, the author argues that the game has not been played according to the conventional rules. In other words, the multiracial category issue defies analysis along the lines of customary cleavages in state legislatures. The cleavages of importance at the state level are not Democrat vs. Republican or Black vs. White, but rather, more uncommonly regarded cleavages such as suburban vs. urban and "old generation" civil rights black leadership vs. "new generation" leadership.

## COMMENTARY

73 **Little House in the 'Hood**

*Patricia Williams*

Historically black Harlem has become increasingly multiethnic. However, as New Yorkers "discover uptown," will wealthy whites supplant middle and low-income residents of color? In this brief but insightful essay, Patricia Williams contemplates whether the diversity currently present in Harlem is here to stay. The same policies used to drive most affluent white families out of Harlem are now being reversed. Incentive programs are spurring investment in the area. Yet, empowerment zones and other strategies meant to encourage interest in the Harlem community may induce unintended consequences-families who weathered the crack epidemic of the '80s may now be priced out of their own neighborhoods.



## PROFILE

- 75 **The Prison Moratorium Project: Challenging the Prison Industrial Complex**  
*Kate Rhee and Rashid Shabazz*

As an organization, the Prison Moratorium Project responds to economic and political developments that have impacted what has been called the Prison Industrial Complex. The first of these was the “war on drugs and crime,” which has failed in deterring drug use and distribution. The second was the growth of transnational corporations and their impact on what has been termed “globalization.” Finally, the third development was the overrepresentation of people of color in prisons due to the passage of racist legislation. At a time when the nature of the job field is changing, African Americans, Latinos, and others are being confronted with an educational system that is ill equipped to teach or train the skills needed to become part of the “new economy” being created through globalization. Thus, any true analysis of the prison industrial complex and the work of the Prison Moratorium Project must include a thorough analysis of sexism, racism, and class exploitation within the context of globalization. Key to this analysis is the central question of, how do we understand these developments that are sure to keep the new prisons being constructed filled with brown bodies?

## SPEECHES

- 81 **The 21st Century Urban League Movement**  
*Hugh B. Price*

The National Urban League has played a significant role in American policy making for nearly a century. This speech by Urban League President Hugh Price not only highlights the organization’s achievements but also lays out its general strategy for the near term. Specifically, Price addresses four areas in which the Urban League takes a leadership role. These include: narrowing the digital divide, reform of the criminal justice system, a firm stand against capital punishment, and encouragement of political participation.

- 93 **Color-Blindness Is Not the Same Thing As Racial Justice**  
*Glenn C. Loury*

In this speech, the lecturer reflects on the interconnections between economic marginalization and racial discrimination in the United States, focusing on the case of African Americans. Loury’s concerns are normative—seeking to evaluate the public morality of alternative policy responses to the scourge of racial inequality—and conceptual—seeking to clarify our understanding of the subtle processes that create and sustain durable racial inequality. The lecturer explores the overarching philosophical commitments that inform and structure thinking about this problem, especially in the industrial democracies of Europe and North America. Specifically, Loury questions the adequacy of liberal individualism as a philosophical paradigm for addressing questions of racial justice, in U.S. society and beyond.



Faint, illegible text, likely bleed-through from the reverse side of the page.

Second section of faint, illegible text, continuing from the first section.



# RACE AS A PLUS FACTOR IN UNDERGRADUATE ADMISSIONS: THE PUBLIC SEEKS AN ALTERNATIVE

CAROL M. SWAIN\*

---

## INTRODUCTION

On December 13, 2000, U.S. District Judge Patrick Duggan issued a ruling supportive of the University of Michigan's current use of race as a plus factor in university admissions.<sup>1</sup> However, Duggan declared as unconstitutional the dual-track admission system that the university had in place between 1995 through 1998 that spawned the nation's first undergraduate affirmative action suit. The case of *Gratz v. Bollinger*<sup>2</sup> was filed in 1997, when white applicants Jennifer Gratz and Patrick Hamacher challenged the admissions policies of the undergraduate College of Literature, Sciences, and Arts at the University of Michigan at Ann Arbor.<sup>3</sup> The Sixth Circuit Court of Appeals will eventually hear appeals of Duggan's decision.<sup>4</sup> The U.S. Supreme Court, however, will most likely be the final arbiter of the underlying issue.

In defense of the continued use of race as a plus factor in its admissions policies, the University of Michigan assembled an impressive team of researchers from a variety of different fields who conducted original studies designed to provide an empirical justification of the tangible and intangible benefits of maintaining racial diversity in institutions of higher learning. Complementing their efforts was a massive study (authored by two former Ivy League university presidents, Derek Bok of Harvard and William Bowen of Princeton) that vigorously defended "race-sensitive admission policies" as being good both for the institutions implementing them and for the long-term career success and happiness of the individuals who had been admitted under such policies over the last few decades. According to Bok and Bowen, race-conscious admission policies are "an impres-

---

\* Professor of law and professor of political science, Vanderbilt University.

1. The vignette discussed in this chapter was previously published as Swain, Carol M., Robert R. Rodgers, and Bernard W. Silverman. "Life after Bakke Where Whites and Blacks Agree: Public Support for Fairness in Educational Opportunities." *Harvard BlackLetter Law Journal* 16 (Spring 2000), 147:184.
2. *Gratz v. Bollinger*, no. 97-75231 (E.D. Mich. Filed October 14, 1997).
3. Within months Barbara Grutter, another white applicant, charged the University of Michigan Law School with racial discrimination in its admissions policies. See *Grutter v. Bollinger*, no. 97-75928 (E.D. Mich. December 3, 1997).
4. Closer in the lineup for a Supreme Court resolution are anticipated appeals in *Smith v. University of Washington Law School*, where the Ninth Circuit Court of Appeals concluded that diversity can be an adequate justification for using race as a plus factor in admissions. See *Smith v. University of Washington Law School*, civ. no. C-97-335 (W.D. Wash. Filed March 5, 1997), interlocutory appeals filed: no. 99-35209, 9935347, 9935348 (9th Cir).



sive example of how venerable institutions with established ways of operating can adapt to serve newly perceived needs.”<sup>5</sup> Indeed, leaders of public and private institutions of higher education have united to defend race conscious admission policies, while still others have sought alternative means of boosting minority enrollment, including increased outreach and recruitment efforts.

Despite the University of Michigan’s initial victory and the near unanimous support among leaders of institutions of higher education for the continued use of race as a plus factor in university admissions, much of the media framing of the issues in the Michigan case has focused on the perceived unfairness to white Americans and the possible illegality of racial preferences. Duggan’s favorable ruling in the Michigan case will probably do nothing to change the very widespread perception of unfairness that seems to attach to the use of race in university admissions. On October 29, 2000, the very popular and influential CBS *60 Minutes* program featured a segment quite sympathetic to the white plaintiffs that were interviewed—both Gratz and Grutter—and portrayed them as victims of racial discrimination.<sup>6</sup> A few months earlier, *Time* magazine reported on the situation of minority students in California after the passage of Proposition 209, which ended affirmative action in state-supported programs.<sup>7</sup> Although minority enrollment dropped at the most elite institutions, the article argued that the downward cascading of minority students from top-ranked programs could be beneficial for them since it might lead to higher graduation rates.

Because competition for admissions at major universities is growing and not expected to abate in the near future, and because the decision in the Michigan case could be overturned by the U.S. Supreme Court, this paper will argue that it is especially crucial for policy makers to identify selection criteria that would be less contentious and less constitutionally vulnerable than current procedures. It behooves policy makers and opinion leaders, it is suggested, to diligently search for consensus among Americans. Focusing on undergraduate admissions, the article will seek to answer the following questions: Do most Americans believe that institutions of higher education should always select the applicants with the highest test scores and grades? Who should be accepted when two applicants with unequal levels of preparation compete for the same freshman seat? Should the least academically accomplished student always lose in a zero sum situation? Is it legitimate to interpret academic achievement within the context of the obstacles that a disadvantaged candidate has had to overcome in life?

The article will report on the results of a vignette embedded in a national survey designed to allow a random sample of ordinary Americans to weigh in on the

---

5. Bok, Derek, and William Bowen. *The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions*. Princeton, N.J.: Princeton University Press, 1998, 290.

6. *60 Minutes*. CBS Television Broadcast, October 29, 2000.

7. Cohen, Adam. “When the Field is Level.” *Time Magazine* (July 5, 1999); White, Jack E. “Help Yourself-Why a Defender of Affirmative Action is Quitting.” (July 5, 1999).



question of what criteria should be used for undergraduate admission to state universities.<sup>8</sup> This data show that the American public has a more expansive definition of merit than the leading protagonists in the affirmative action debate in higher education. Evident among the respondents is a shared understanding of merit that cuts across racial lines, implying that the public might be willing to give admission committees far more flexibility than is commonly assumed. Americans seem to draw the line, however, on the aggressive use of race as a plus favor when socio-economic disadvantage is not present. Using socio-economic disadvantage as a plus factor in university admissions seems to garner substantial public support. Moreover, there is biracial support for helping poor and working-class white Americans who are perceived as losing out to lower-scoring Blacks or other minorities who come from more affluent backgrounds.

Related to the issue of academic admissions are conflicting notions of what constitutes merit.<sup>9</sup> Determinations of merit usually involve an examination of an individual's past actions and behaviors, which can be used to assess worthiness for future rewards. Political scientist Jeremy Waldron distinguishes backward-looking merit, which takes into consideration a person's past acts and achievements, and forward-looking merit, which focuses more on what a person might become in the future.<sup>10</sup> In the context of admissions, these two conceptions of merit may lead to the selection of different students. Although merit is often conflated with standardized test scores and grades, it can also be conceptualized in a manner that would acknowledge the strategic advantages that some persons bring to the table to place them in unbalanced competition with others who may be more deserving of an opportunity and in the long run more likely to do well in their chosen field. A growing number of college applicants invest in test preparation courses and employ tutors for advice about their applications and essays. As this practice becomes more and more widespread, higher scores on standardized tests will increasingly be a reflection of gamesmanship and abundant financial

---

8. Response Analysis Corporation (RAC), a highly regarded public polling firm based in Princeton, N.J., conducted the national telephone survey of 1,875 English-speaking adults. RAC used two sampling strategies for the study: One to represent the general population of the continental United States as a whole and a second to collect data on an over-sample of African Americans. The survey included a nationwide random-digit sample of 1,070 adults, and a second sample of 805 African Americans. Overall, the sample combined 920 whites with 900 blacks and 55 members of other races. Pretests of the questionnaire were conducted in March and April of 1996. Interviewing took place during the summer and early fall of 1996.

9. The notion of merit comes from the Greek word *axia*, which refers "to any quality or value that is the basis for differential behavior, such as praise, rewards, and income." Pojam, Louis P., and Owen McLeod, eds. *What Do We Deserve?: A Reader on Justice and Dessert*. New York: Oxford University Press, 1999.

10. See Jeremy Waldron. "The Wisdom of the Multitude." *Political Theory* 23 (November 1995), 563:584.



resources. Students from working-class backgrounds such as Jennifer Gratz and her numerous black and Hispanic counterparts will be placed at a disadvantage. Does a merit-based admissions policy require university admissions officers to be oblivious to these facts?

### THE COLLEGE ADMISSIONS VIGNETTE

To answer such questions we presented half of a random sample of 850 Americans with a vignette profiling two high school seniors with very different social class backgrounds and test scores who were applying for admission to a state university.<sup>11</sup> The vignette allows us to test the hypothesis that Whites and Blacks, given a similar set of circumstances, can agree on what is fair in the allocation of scarce educational opportunities. To capture the zero sum nature often inherent in decisions involving preferences, the vignette always has the applicants competing for the very last admissions slot.

In creating the student applicant profiles, we tried to present respondents with information similar to what an admissions committee might encounter. We asked survey respondents the following question: "Please suppose that a state university is deciding between two high school seniors who have applied for admission. I will read you a brief description of these two students. Then I will ask you to decide, if the college has space for only one more student, which of these do you think they should admit?" The interviewer then explains that:

The first student attends a local public high school where [he or she] has maintained a 'B' average. [He or she] is a [black or white] student from a low-income family and has held a job throughout high school to help support [his or her] family. [He or she] scored slightly below average on [his or her] college admission tests. The second student attends a well-respected private school, where [he or she] has been an 'A' student. [He or she] comes from a prominent [white or black] family and has spent two summers studying abroad. [He or she] scored well on [his or her] college admission tests.

The interviewer next asks, "Based on what I have told you about these two students, which one do you think the college should admit?" After respondents have given their answer, they are asked: "Regardless of who you think should be admitted, which student do you think the college would probably admit?"

---

11. The national survey included a single questionnaire that was designed to detect hidden racism and determine attitudes about affirmative action policies, discrimination, and race. The first part of the questionnaire consisted of core questions asked of all respondents. The second part, which focused on affirmative action issues, was administered to approximately half the sample, randomly chosen, while the third part, which dealt with other race-related issues, was asked of the remaining half of the sample. The survey was designed to minimize framing effects of question wording, order, and context. Respondents encountered general questions before coming across vignettes designed to elicit information about their attitudes toward criteria for college admissions and job promotions.



The vignette is deliberately complex to mirror the complexity of the real world, but the basic structure of the question remains constant.<sup>12</sup> Whatever specific race and gender combination is assigned, the vignette always describes one individual as a hardworking "B" student from a low-income family, with *slightly* below average college admissions scores, whereas the other student is always an "A" student from an affluent family who scored well on the college admissions test. The vignette combines the indicators of social class and academic merit so that the low-income student is always depicted as less academically prepared. The question that asks respondents which student they think the college should admit is followed by an additional question that asks which student they think the college would actually admit.

Because the indicators of academic preparation (grades and test scores) and social class are always combined in the same way, it is not possible to disentangle the two. What this means is that we cannot say how respondents would have reacted if we had designed the vignette to rotate the social backgrounds of the students so that in some cases the B student was affluent and in other cases the A student was from the poorer background. For the purposes of this study, however, there is no need to do so, since the goal is to determine if Whites and Blacks, given a similar set of circumstances, can reach agreement on principles of fairness in admissions decisions.

We specifically chose a state university rather than a private college because state universities are supported by the tax dollars of state residents and are usually thought to be more constrained in their choice of student bodies than private institutions. Similarly, we avoided a sharp contrast in the qualifications of the students because we believe that this mirrors more closely the real life situation. In pitting a working class applicant against a wealthy applicant, it is likely that a given respondent's perception of the opportunities available to the respective students will affect their final selection of which applicant is more deserving of the educational opportunity in this zero sum situation. No doubt some respondents used a forward-looking conceptualization of merit that could easily cause them to decide that the wealthy student has more opportunities in the educational marketplace. The vignette captures some of the complexity of the real world where students from disadvantaged backgrounds often work while in high school and they often score less well on standardized tests and other traditional indicators of merit than more affluent students.

---

12. With the assistance of computer technology, the races and genders of the hypothetical students were randomly varied so that the sixteen possible combinations of race and gender were presented to equal numbers of respondents randomly assigned to answer the question. It was possible, therefore, to remove race from consideration in some of the scenarios to see how respondents would react to two white students or two black students competing for the last slot. Similarly, I was able to compare reactions to male and female students, as well as mixed race and sex combinations. From this design, it was also possible to assess whether respondents would be more likely to lean toward a member of their own racial group.



### FINDINGS FROM THE COLLEGE ADMISSIONS VIGNETTE

Overall, the respondents were almost equally divided over which student the college should admit, with a small majority (450 of the 850 expressing a view) favoring the admission of the "B" student over the more academically prepared "A" student. This proportion is not significantly different from 50 percent.<sup>13</sup> The interesting question for the purposes of this analysis is: How is the proportion in favor of admitting the "B" student affected by the particular vignette or by the characteristics of the respondent? An analysis of deviance reported in detail in the appendix shows that the most significant effect ( $p=0.0003$ ) is the combination of races assigned to the hypothetical students in the vignette. The age of respondents is also a significant factor ( $p=0.012$ ). Younger respondents, especially those under twenty, generally have less sympathy for the "B" student than do their older counterparts.<sup>14</sup>

Further analysis of the results shows that the gender of the hypothetical students is not significant.<sup>15</sup> Neither are the respondent's race, gender, income, or educational background (considered as main effects) significant factors. It is remarkable that none of these characteristics of the respondents, especially race, has any significant effect on the proportion favoring the "B" student. Interactions between the races assigned to the hypothetical students and the characteristics of the respondents were also considered, and the only significant interaction ( $p=0.012$ ) that was found is with respondent's income.

- 
13. The questions about college admission each have a binary response (i.e., the choice of which student should or would be admitted). Therefore we used linear logistic modeling to assess the effects of the various factors; within this standard generalized linear model framework, the significance of any particular effect can then be assessed by an analysis of deviance. This plays the same role in the linear logistic modeling of a binary response as an analysis of variance does in the linear modeling of a continuous response. See McCullagh, P., and J. A. Nelder. *Generalized Linear Models*. 2nd ed. New York: Chapman and Hall, 1989. Only the 850 respondents who expressed a definite response (more than 90 percent of those who were interviewed in detail on this topic) were considered in the analysis.
  14. It is interesting that these respondents, those closest in age to those affected by college admission policies, exhibit opinions that are apparently based more on examination performance. Nonetheless, the pattern of dependence on the races attributed to the hypothetical students is similar to that in the older population, but in every case more skewed towards preference for the "A" student.
  15. The genders of the students have no effect comparable to that of race, and the preference pattern holds constant for each of the gender combinations. Respondents' attitudes are not affected whether the hypothetical students are two females, two males, or either mixed-gender allocation. There is no mixed gender effect comparable to what we observed in the mixed-race scenario. There is no significant interaction between the effect of the gender allocation and that of the race allocation (after main effects have been fitted, the deviance due to the interaction of the two factors is 10.95 on 9 df, which is clearly insignificant), or any characteristic of the respondents. We dropped, therefore, the gender allocation from the subsequent analysis.



**Figure 1. Which Student Should the College Admit?  
Preferences Broken down by the Races of the Hypothetical  
Students and the Race of the Respondent**

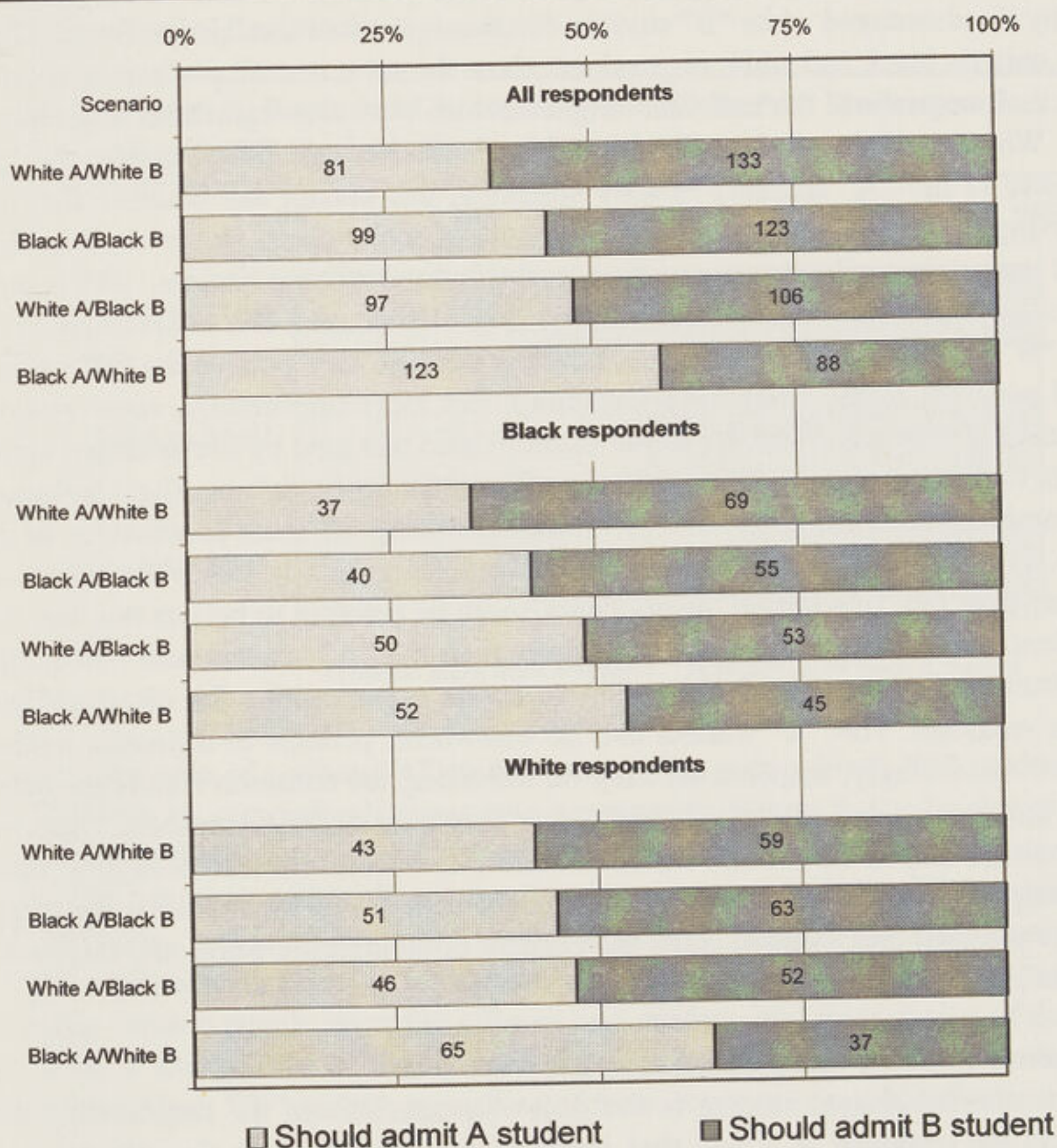


Figure 1 presents the results broken down by the races of the hypothetical students, showing for each combination whether respondents believe that the college should admit the disadvantaged "B" student or the more affluent "A" student. The figure shows that the strongest support for the "B" student is in the case when both students are white. If both students are black, then the "B" student also receives majority support, but by a narrower margin. In the mixed-race scenarios, support for the "B" student drops; indeed, a majority of respondents select the black "A" student over the disadvantaged white "B" student.

Because of the pivotal role that race plays in the study, we also broke down the choice of student by the respondent's race in Figure 1. The same general pattern remains for each of the scenarios. As already noted, the variation in patterns of sup-



port is not significantly different; not only is the effect of respondent's race insignificant as a main effect, but there is no significant interaction between the respondent's race and the races assigned to the students. A slightly larger proportion of Whites think that the college should admit the black "A" student over the economically disadvantaged white "B" student, but this is not statistically significant. Thus, not only do black and white respondents show the same overall preference pattern, but their response to the individual vignettes also shows no significant difference.

Why would respondents (particularly those over age thirty) prefer the "B" student to the "A" student? Strictly speaking, one cannot say whether they are reacting to the students' grades or indicators of social class. However, it is clear that many respondents are reacting to the individualizing factors, which have encouraged them to champion the "underdog." No doubt a few people may favor the "B" student over the "A" student simply because they believe the "B" student will get more value from the opportunity. But more importantly, some respondents may have a broader definition of merit than that held by the principal actors (both opponents and proponents) in the affirmative action debate. Their definition of merit allows them to see the "B" student as being the more meritorious of the two. The "B" student has done relatively well academically while holding down a part-time job. In addition, respondents could be reacting to beliefs that the "B" student has a more limited set of options than the "A" student and that public institutions have a special obligation to create opportunities for disadvantaged state residents. The "A" student can go elsewhere, perhaps to a private institution.<sup>16</sup> Accordingly, respondents may be reflecting the common American belief that universities and colleges should try to "help their students transcend whatever subculture they are born and raised in, and move them out into a slightly more cosmopolitan world ... giving young people with a yen for mobility the diplomatic passport they need to cross the borders of their racial, religious, economic, sexual, or generational parish."<sup>17</sup>

#### CONSIDERING THE RACE SCENARIOS INDIVIDUALLY

As mentioned above, income is the only characteristic of the respondents that affects the response in a way that interacts significantly with the allocation of races to the hypothetical students. To probe further, we carried out individual analyses for each of the allocations separately, testing for significant effects of all five individual respondent variables: income, race, education, age, and gender. In the same-race scenarios (i.e., whenever there were two white students or two black students), none of the characteristics of the respondents had a significant

---

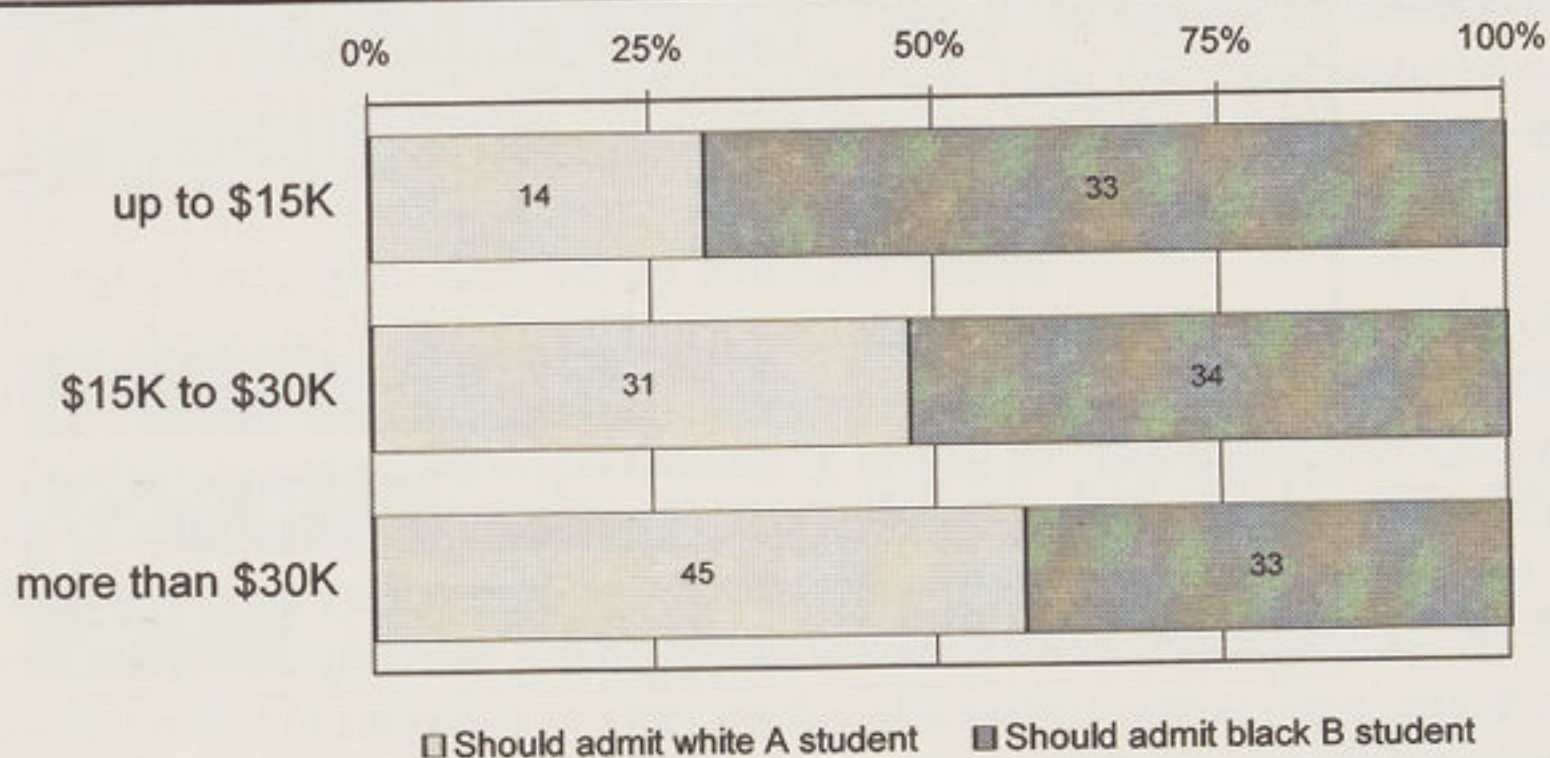
16. The notion that a state institution might have a special obligation to open doors for the disadvantaged is reflected, for example, in the University of Michigan's mission statement.

17. Jencks, Christopher, and David Riesman. *The Academic Revolution*. Garden City, N.Y.: Doubleday, 1968, 26.



impact on choice. In the case where the "A" student is white and the "B" student is black, income was highly significant ( $p=0.002$ ),<sup>18</sup> but no other variables were significant. In the other mixed-race scenario, where the "A" student is black and the "B" student is white, income is not significant, but respondents' education is just barely significant at the 5 percent level.<sup>19</sup>

**Figure 2. Preferred Choice between White "A" Student and Black "B" Student, Broken down by Respondent's Income**



In the case of a white "A" student competing with a black "B" student, the breakdown by respondent's income is presented in Figure 2. By far the greatest support for the disadvantaged "B" student comes from people earning less than \$15,000 per year. Although our low-income category includes more minorities than Whites, and relatively more women than men, these demographic variables have no significant effect or interaction with income on the response in this case. Higher-income people favor the affluent "A" student, and their choice of the "A" student is irrespective of their race. Likewise, low-income respondents tend to favor the black "B" student, regardless of their own race or gender.<sup>20</sup>

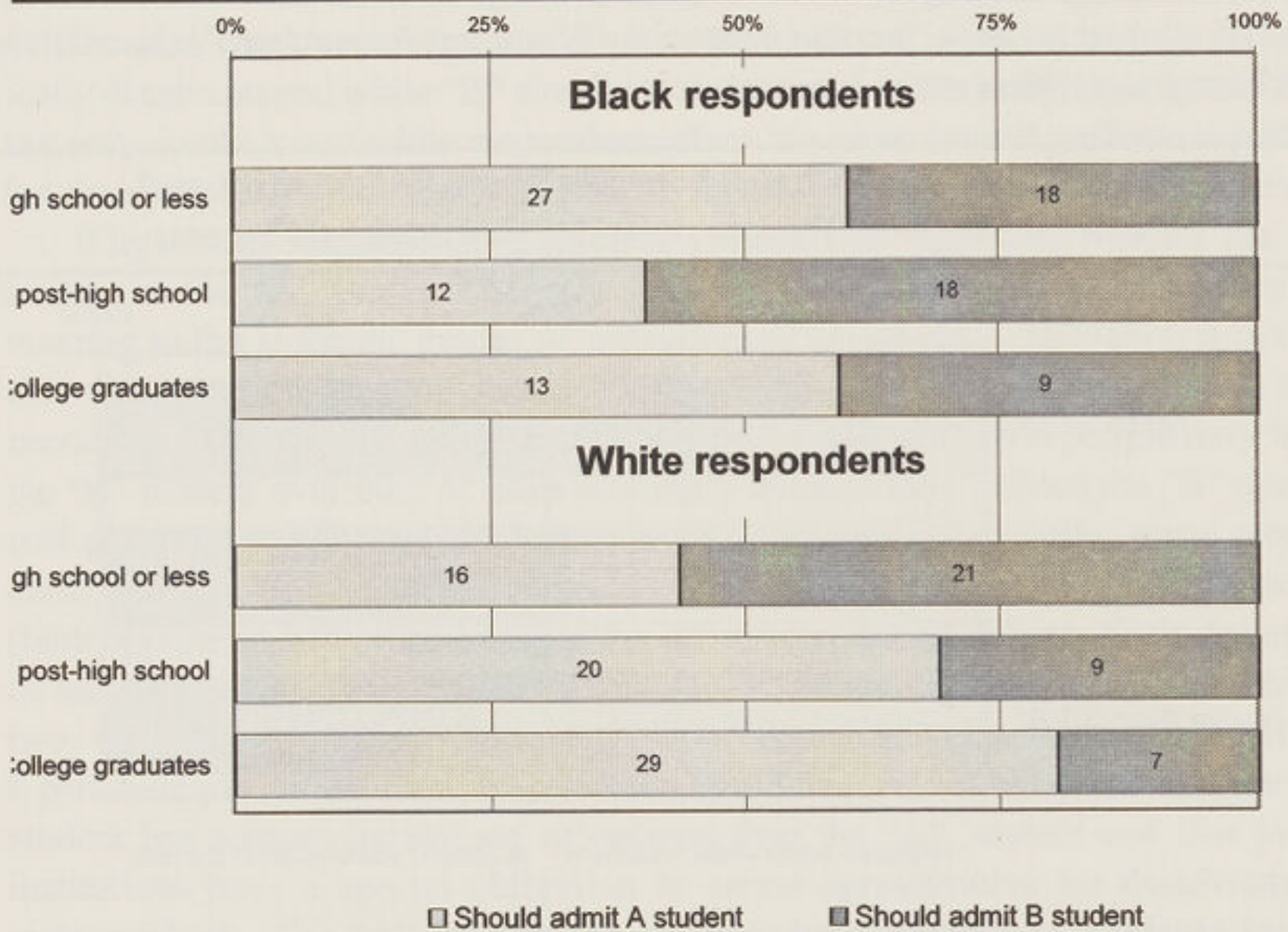
18. Given that the effect of five factors in each of the four scenarios was assessed, a conservative approach to multiple comparisons would multiply this value by 20. It remains significant, but not overwhelmingly so.
19. This conclusion should be treated with some care because of the large number of tests carried out, but it will be investigated further below.
20. To further identify this pattern, we fitted a logistic regression model that predicts the probability of preferring the "B" student:

$$\log[\text{Prob}(\text{prefer B}) / \text{Prob}(\text{prefer A})] = 0.95 - 0.027 \times (\text{income in } \$000).$$

This estimator predicts that a high-income respondent (income=\$50K) would have probability 0.4 of preferring the "B" student, while a low-income respondent (income=\$10K) would support the "B" student with probability 0.66. The coefficient of income in this equation has standard error 0.009, and so has a highly significant t-value.



**Figure 3. Preferred Choice between Black “A” Student and White “B” Student, Broken down by Race and Education of Respondent**



The scenario in which a black “A” student competes against a white “B” student is the one in which most respondents support the “A” student. As noted above, respondent’s education has a significant main effect. Furthermore, noticeable differences between respondents appear once we control for education, and in particular there is a very significant interaction between education and race in this scenario ( $p=0.008$  on an analysis of deviance based on a linear logistic model). Figure 3 presents the results broken down by race and educational level of the respondents. Less educated and highly educated Blacks now prefer a black “A” student to a white “B” student, but not by much. Their preference for the black “A” student is mild, and educational level has little effect among black respondents; the variations are not statistically significant. Among white respondents, however, educational level has a strong and highly significant effect. Whites with a high school education or less prefer the “B” student by a margin of 21 to 16 (57 percent), which is similar to the general population’s preferences in the same-race scenarios. On the other hand, 81 percent of white college graduates (29 out of 36) select a black “A” student over a white “B” student. The behavior for moderately educated Whites is intermediate.<sup>21</sup> It is particularly interesting that

21. The chi-square cross-tabulation of preference against respondent’s race and a three-level education variable is 21.6 on 2df ( $p=0.00002$ ).



white college graduates are much more supportive of the black "A" student in this case than their black counterparts.

Why should white college graduates show such a strong preference for the black "A" student in this case? This may simply be class solidarity for one of their own in a situation where both students are perceived as being disadvantaged. However, other explanations may be relevant here. Some Whites may regard all black students as disadvantaged even if they come from privileged backgrounds. Moreover, the black "A" student has defied the stereotype of the academically challenged black student and, therefore, has earned admission to the institution based on high achievement and broad experience. Thus, the disadvantaged white student loses out to the affluent high-achieving black student. It is only in competition with a more affluent white student that the disadvantaged white student would get a break from most highly educated Whites.

This discussion shows that Blacks are more consistent in their support of the hardworking "B" student from the underprivileged background *even when the "B" student is white*. When preference is shown for the black "A" student as opposed to the white "B" student, the data shows that it is strongly affected by the interactive effects of the race and education of the respondents. The black student's strongest supporters are highly educated *Whites*.<sup>22</sup> Considering the racial polarization that is supposed to exist on the affirmative action issue, and the tendency of groups to prefer one of their own, this is truly an astounding finding. However, it becomes somewhat less so once we analyze these findings in light of other surveys.

The highly educated Whites that strongly favor a black "A" student over a white "B" student are acting in accordance with their general disdain for racial preferences in higher education. For decades social science studies have documented that well-educated Americans are more tolerant of diversity, more accepting of broad democratic values than the poorly educated, and more racially liberal.<sup>23</sup> However, recent studies show well-educated Whites to be especially disapproving of minority pref-

---

22. Indeed, if we pool across all four scenarios, black college graduates are significantly more sympathetic to the "B" student (61 percent support) than are white college graduates (only 45 percent). For non-graduates, on the other hand, there are no significant differences between races.

23. Campbell, Angus, Phillip Converse, Warren E. Miller, and Donald E. Stokes. *The American Voter*. New York: Wiley, 1960; Key, V.O. *Public Opinion and American Democracy*. 1961; Jackman, Mary R., and Michael J. Muha. "Education and Intergroup Attitudes: Moral Enlightenment, Superficial Democratic Commitment, or Ideological Refinement?" *American Sociological Review* 49 (1984), 751:769; McClosky, Herbert. "Consensus and Ideology in American Politics." *American Political Science Review* 58 (1964), 361:82; Sniderman, Paul M., Richard Brody, and Phillip E. Tetlock. *Reasoning and Choice: Explorations in Political Psychology*. New York: Cambridge University Press, 1991.



erences in college and university admissions.<sup>24</sup> In fact, James Glaser found them more opposed than poorly educated Whites to preferences in higher education, even though they are more liberal on issues such as minority representation in legislatures, hiring for public works jobs, and set-asides in public contracting.<sup>25</sup> Using the theory of group conflict to explain his counterintuitive findings, Glaser postulates that well-educated Whites are sensitive to context and especially racial preferences on their own turf, which in this instance is higher education. It is their preferences for more traditionally defined merit-based criteria that lead them to support the higher-achieving student irrespective of that student's race. Admissions criteria and practices directly affect this group, since the limited number of freshman seats at first-, second-, and third-tier institutions has meant the downward cascading of thousands of middle-class and affluent white students who have been prepared since preschool to matriculate at elite institutions.

#### WHICH STUDENT WILL THE INSTITUTION ACTUALLY ADMIT?

We now turn to the respondents' expectations of the way the college will actually behave. The results displayed in Figure 4 demonstrate that the vast majority of respondents (around 90 percent in the same-race scenarios and 80 percent in the mixed-race scenarios) believe that the college will admit the "A" student. Although more than half the respondents think that the institution should admit the low-income "B" student, respondents nonetheless expect the opposite to occur. They overwhelmingly expect the institution to use traditional indicators of academic merit and exclude the lower-achieving student.

The overall pattern is very similar among Whites and Blacks, but there is an interesting effect in the mixed-race scenarios.<sup>26</sup> In the "white A/black B" case, the majority of Whites that believe that the "A" student will be admitted goes down from around 90 percent to around 70 percent. Exactly the converse happens in the "black A/white B" case among black respondents! This finding suggests that there is a fairly small proportion (around 20 percent of each race) who think that the

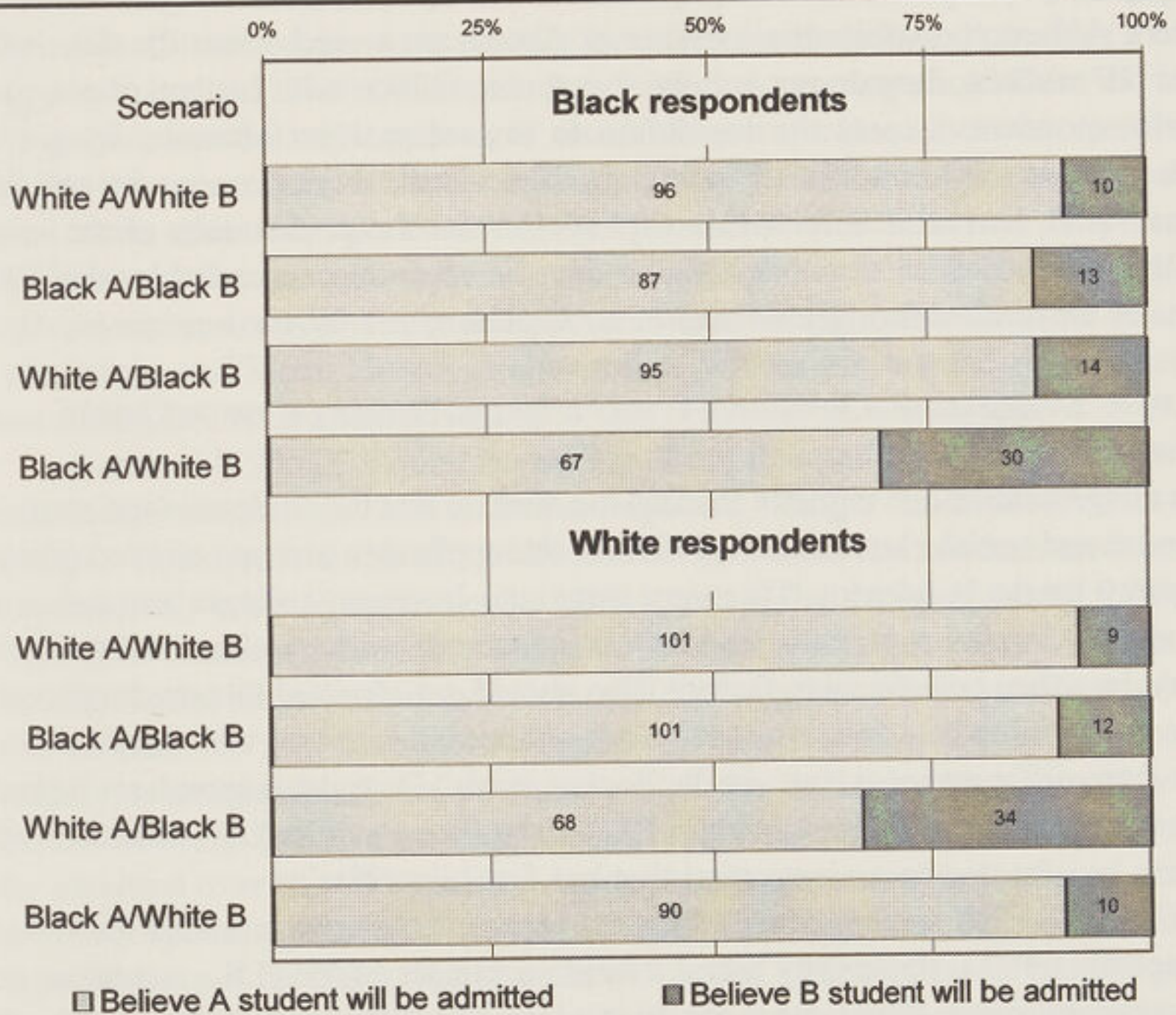
24. Schuman, Howard, Charlotte Steeh, Lawrence Bobo, and Maria Krysan. *Racial Attitudes in America: Trends and Interpretations*. Cambridge, Mass.: Harvard University Press, 1997.

25. Glaser, James M. "A Quota on Quotas: Educational Differences in Attitudes Towards Minority Preferences." Unpublished manuscript, Tufts University political science department, 1999.

26. Just as in the case of the respondents' own preferences, the genders of the hypothetical students have no effect comparable to that of their races. A female "B" student in the mixed-sex allocation "male A/female B" is given the same likelihood of admission as a male in the "male A/male B" combination. Insofar as the pattern observed in Figure 4 is a perception of the college's preference for the other race, there is no corresponding effect for gender. Respondents do not believe nowadays that gender is regarded by the institution as a relevant issue in a college admissions slot in a zero-sum situation.



**Figure 4. Expectations of Institutional Behavior,  
Broken down by Race of Respondent**



college will normally select on academic merit, but will choose a “B” student of the other race against an “A” student of their own race.<sup>27</sup> When phrased in this way, even this finding can be seen as an example of an area where Whites and Blacks still agree—although this agreement exists only in a perverse sense. In any case, both groups expect the institution to place far more emphasis on grades than they themselves would.

The vast majority believes that the “A” student will be admitted, regardless of their own view as to which student should be admitted. How are the perceptions of individuals about the institution’s likely behavior related to their own preferences for what it ought to do? There is a fairly small, but significant, negative interaction between the two;<sup>28</sup> the belief that the “A” student will be admitted over

27. The fact that whites give a black “B” student a much greater likelihood of admission than blacks do could be influenced by their perceptions of how affirmative action preferences might operate in higher education. Likewise, the beliefs that blacks hold about the pervasiveness of discrimination may lower their expectation of the black “A” student’s chances of gaining admission.

28. The measure of this interaction is  $p < 0.005$  on a chi-square test.



the "B" student is even more overwhelming among the supporters of the "B" student. The majority of respondents do not expect that the institution will operate in the way they consider most fair. Again, Whites and Blacks both agree on these matters. Although a substantial number of Americans would admit the disadvantaged "B" student, they do not believe that the institution will. Instead, the majority of respondents expect the institution to reward past performance by giving greater weight to the traditional indicators of academic merit (i.e., grades and test scores). And, as noted before, this expectation fits the preferences of the more highly educated white respondents who thus far seem un-persuaded by the arguments of those who strongly advocate racial preferences in admissions.

### **HOLDING EVERYTHING CONSTANT EXCEPT RACE: EVIDENCE FROM OTHER SURVEYS**

The college admissions vignette stacked the deck so that the students were unequal in grades and social class. The depiction of the applicants perhaps elicited greater sympathy for the "underdog." In many situations, however, colleges and universities are confronted with two middle class students with similar backgrounds. Should race then be a decisive factor? Who should get admitted to a predominantly white institution when decision-makers are confronted with two well-prepared students from different races, but similar backgrounds? Do most respondents believe that an institution should favor a black "A" student over a white "A" student if only one can be admitted to an institution that has few minorities?

The NYT/CBS polling data allow us to approach the answer to this question.<sup>29</sup> In December 1997, the survey asked a random sample of the U.S. population the following question: "Suppose a white student and a black student are equally qualified, but a college can admit only one of them. Do you think the college should admit the black student in order to achieve more racial balance in the college, or do you think racial balance should not be a factor?" By similar margins, Blacks and Whites decisively reject the use of race as a tiebreaker between two equally qualified students competing for a single slot. Of those expressing a view, 77 percent of white respondents (644 out of 831) and 72 percent of black respondents (119 out of 156) said that the race of the student should not be a factor. Clearly, these people felt that the institution should find some other way to choose. For them, perhaps, flipping a coin would be a better method.

These results are surprising for Blacks, but not for white Americans. Laura Stoker has shown that white Americans consider diversity enhancement a poor justification for giving preference to one racial group over another.<sup>30</sup> I obtained a

29. *New York Times/CBS News Poll*, December 6-7, 1997.

30. Stoker, Laura. "Understanding Whites' Resistance to Affirmative Action: The Role of Principled Commitments and Racial Prejudice." In *Perception and Prejudice: Race and Politics in the United States*. Edited by Jon Hurwitz and Mark Peffley. (New Haven, Conn.: Yale University Press, 1998).



similar result in regard to employment preferences with the following random assignment question asked on the 1996 RAC survey: "Suppose that a company that has few minority employees was choosing between two people who applied for a job. If both people were equally qualified for the job and one was a minority person and the other a White, do you think the company should hire the minority person, hire the white person, or should they find some other way to choose?" Eighty-two percent of Whites and 71 percent of Blacks said the company should find some other way to choose. Only 20 percent of Blacks and 12 percent of Whites said that an underrepresented minority person should be selected. Such agreement between Whites and Blacks that race should not be a factor in college admissions and hiring decisions shows that Whites are not the only Americans uncomfortable with affirmative action that uses race as a tie-breaker.

A second NYT/CBS question asking about unequal college applicants in an interracial scenario met with a similar response. Using a decision rule that seems to favor objectivity, a majority of both races preferred the admission of the most academically talented student even when it meant less racial diversity for the college. The question provided: "Suppose there is a white student who has an A average and a black student who has a B average, but a college can admit only one of them. Do you think the college should admit the black student in order to achieve more racial balance, or do you think that racial balance should not be a factor?" A very decisive majority of both races say that the "A" student should be admitted over the "B" student. Among those expressing an opinion, the proportion expressing the view that racial balance should not be a factor is more than 75 percent for black respondents (95 out of 126) and more than 90 percent for Whites (718 out of 793). These additional results suggest that respondents in the College Admissions Experiment are indeed reacting to individualizing characteristics of the two students that extended beyond their gender and race. In the above example, however, a representative sample of Americans presented with two students, portrayed as equal in every respect except race, agreed that the higher-achieving student was the one who deserved admission in the zero-sum situation described.

#### IMPLICATIONS OF THE PUBLIC OPINION DATA AND THE COLLEGE ADMISSIONS VIGNETTE

These data show that the majority of Americans oppose the use of race even as a tiebreaker between two similarly advantaged students. However, a substantial proportion of Americans—indeed, a majority—are committed to principles that allow for a substantially broader definition of merit than that held by the leading protagonists whose views seem to dominate the affirmative action debate. The general public's broader and more forward-looking conceptualization of merit includes consideration of the obstacles and hurdles that a given person has had to overcome as part of whatever record is presented to the admissions committee. But, as we have also seen, highly educated Whites are more likely to favor a back-



ward-looking system of merit, which protects their vast accumulation of social and economic capital and their ability to transmit advantages to their offspring.

Competition for admission to elite institutions is not expected to decline over the next decade; instead, it is expected to grow even more intense.<sup>31</sup> How should admissions decisions be made in such an increasingly competitive milieu? One way would be for decision-makers to adopt a computer selection system that would randomly choose among the exceptionally qualified based entirely upon objective criteria of past academic performance. Or they could operate in accordance with their mission statements by factoring in variables that go beyond grades and test scores. Or they could continue the present system of racial preferences.

A computer program would remove some human subjectivity from the selection process, but the more mechanical process would come at the expense of the well-rounded student bodies that experienced admissions directors can assemble by actively poring over essays and letters of recommendation in search of those rare diamonds in the rough. Given the data examined, it is not too idealistic to think that a substantial percentage of Americans would favor some flexibility. Admissions based solely on grades and test scores would seem to be anathema to the widely held Horatio Alger vision of American society. Clearly, the public's general dissatisfaction with racial preferences should *not* be interpreted as a desire to award admission to the highest-scoring applicants without consideration of other factors. Indeed, Americans do not seem to have any serious problems with accepting bonus points granted on a nonracial basis to alumni children, athletes, persons with special talents, and those applicants from distant places.

The real debate, therefore, is not about Americans clamoring for a mass move toward a meritocratic system that favors numbers to the exclusion of all else. If anything, the American people are asking institutions to really practice what they often purport to do in their lofty mission statements—that is, create opportunities for students of widely different social, economic, and educational backgrounds. However, the available data show that this is not what many of the nation's premier universities and colleges have done with their admissions policies. The vast majority of the nation's elite institutions have had dual admissions systems providing blanket preferences to certain minority groups while disadvantaging large numbers of non-minorities not positioned well enough in the social system to exploit other sources of preference.<sup>32</sup>

Searching for a middle ground, the Educational Testing Service (ETS) has sought to identify students that it labels as "strivers" and has offered this information to colleges and universities on either a race-neutral or race-conscious basis. The experimental ETS formula uses fourteen characteristics of student background to

---

31. Bronner, Ethan. "College Applicants of '99 are Facing Stiffest Competition." *New York Times* (June 12, 1999), A1.

32. Welch, Susan, and John Gruhl. *Affirmative Action and Minority Enrollments in Medical and Law Schools*. Ann Arbor, Mich.: University of Michigan Press, 1998.



compare a student's actual SAT score with the score that a student of this type would be expected to earn given his or her socioeconomic background and the quality of the high school attended. Any student who scores 200 points above what would be expected from someone with that background is identified as a "striver." Consequently, a striver with an actual SAT score of 1200 would be given an adjusted score of 1400, which takes into account the background handicap.<sup>33</sup> Although the Strivers Index would seem to comport with the type of class-based system that the majority of Americans approve, it has come under heavy criticism because of fears that it is or will become an effort to advantage racial minorities at the expense of Whites and Asians. However, the Strivers Index is also disadvantageous to middle class African-American students with below-average test scores and academic records.

The Strivers Index would do little to help middle class racial and ethnic minorities who under-perform on standardized tests relative to lower income Whites and Asians. Of the nearly 100,000 Blacks who took the Scholastic Achievement Test (SAT) in 1992, for instance, only 109 scored over 700 on the verbal section, and only 430 scored above 700 on the math section.<sup>34</sup> Black children from families with annual incomes greater than \$50,000, for instance, average no higher on the SAT than Asians and Whites with family incomes in the \$10,000 to \$20,000 range.<sup>35</sup> An awareness of this persistent racial and ethnic gap has caused Harvard University sociologist William J. Wilson to advocate the implementation of "flexible, merit-based" criteria that would encourage institutions to weight grades and test scores less, by taking into consideration other factors including an applicant's initiative and leadership abilities, ability to overcome personal hardship, self awareness, civic and cultural awareness, honors, awards, and specialized knowledge. According to Wilson, opportunity enhancement programs can bridge racial gaps by leading to the formation of sustainable multiracial policies.<sup>36</sup>

While public support has waned for blanket policies of racial preferences in higher education, there is support for helping persons deemed as meritorious on the basis of factors extending far beyond grades and test scores. The data in this study have shown that Americans believe that state institutions should weigh a broader set of variables when they select their students. Nevertheless, they seem to draw the line at racial preferences for purposes of diversity enhancement, the policy that the 9th Circuit Court of Appeals unanimously upheld in *Smith v. University of Washington Law School*.

---

33. Marcus, Amy D. "Education: New Weights Can Alter SAT Scores." *Wall Street Journal* (August 31, 1999), B1.

34. Cross, Theodore. "Suppose There Was No Affirmative Action at the Most Prestigious Colleges and Graduate Schools?" *Journal of Blacks in Higher Education* (Spring 1994), 49.

35. Hacker, Andrew. *Two Nations: Black and White, Separate, Hostile, and Unequal*. New York: Random House, 1992, p. 146.

36. Wilson, William J. *The Bridge Over the Racial Divide: Rising Inequality and Coalition Politics*. Berkeley, Calif.: University of California Press, 1999, pp. 95-110.



Despite favorable rulings in support of the use of racial preferences, a majority of Americans and perhaps a majority of Supreme Court members seem to be staunchly against them. This does not mean that they are in favor of admitting students purely on the basis of grades and test scores. Many Americans who value diversity broadly defined are opposed to racial preferences that seem to disadvantage other applicants who seem more deserving of admission. As Anthony Carnevale, vice president of Educational Testing Service, remarks, "People don't want to give the rich daughter of an African-American lawyer special treatment. But the poor African-American woman from the wrong part of town and the poor school is a different story."<sup>37</sup>

The University of Michigan plan that Judge Duggan found constitutional is an improvement over the older system that accorded much greater weight to race. However, it is still likely to generate intense opposition because on a scale that reaches a maximum of 150 points, it gives 20 points for race to African Americans, Native Americans, and Hispanics—Whites and Asians get none—while it gives only 12 such additional points for a perfect SAT score and only a few points for outstanding essays, legacy status, and extracurricular activities. The system also gives up to 20 additional points to those from socio-economically disadvantaged backgrounds. Although the new system could be potentially beneficial to poor minorities because they can now get as many as 40 additional points, it is not clear how working-class Whites will benefit from a point system that gives their African American, Hispanic, and Native American counterparts such a huge advantage over them.

Not surprisingly, some of the loudest complaints against racial preferences in college admissions have come from Whites of relatively modest means. Jennifer Gratz's parents lacked college degrees, and Cheryl Hopwood, the successful lead plaintiff in *Hopwood v. Texas*, was from a disadvantaged background.<sup>38</sup> Unlike most of the students admitted to the University of Texas Law School, Hopwood had attended a community college and had an undergraduate degree from a non-distinguished state institution.<sup>39</sup> It is not clear how the University of Michigan would have handled an applicant like Hopwood, though as a white person, she surely would have been at a disadvantage competing with minority applicants similarly situated as herself, since disadvantaged minority group members would receive twice the amount of bonus points that she would receive. And she would be at a disadvantage competing with minority group members from the most privileged backgrounds since they would receive as many additional points because of their race as she would for her underprivileged status.

---

37. Carnevale, Anthony, vice president of Educational Testing Service, quoted in Marcus, "Education: New Weights Can Alter SAT Scores," p. B1.

38. 78 F. 3d 932 (5th Cir. 1996) cert. denied, *Hopwood v. Texas*, 116 S. Ct. 2580 (1996).

39. Bell, Derrick. "Segueing Toward 70: The Rewards and Regrets of a Race-Related Life." *Harvard Journal of African American Public Policy* 6 (Summer 2000), 147.



As previously suggested, media stories like the October 2000's *60 Minutes* segment interviewing white "victims" of racial preferences has no doubt helped crystallize spoken and unspoken grievances about the perceived unfairness and possible illegality of admissions policies at selective institutions. Also fueling white dissatisfaction are the newspaper articles that feature affluent minority students seemingly boasting of a glut of riches in the form of multiple offers of admissions and multiple offers of scholarships. Resentment against racial preferences by the white majority shows no inclination of abating.

Unless they are rendered moot by a prior ruling in *Smith v. University of Washington Law School*, appeals of *Gratz v. Bollinger* will eventually reach the Supreme Court. Given the current ideological balance on the U.S. Supreme Court, with five of the nine justices in recent years taking a skeptical view of most race-based affirmative action policy, some Americans have concluded that the handwriting is on the wall for racial preferences. Others are not so sure given the possibility of changes in court personnel or the defection of one of the two swing voters (Sandra Day O'Connor and Anthony Kennedy) to the pro-affirmative action camp. As insurance, a few states have wisely started to develop admissions policies less likely to be vulnerable to legal challenges. Colleges and universities are aggressively seeking alternative ways of ensuring demographic diversity, and some creativity is being shown.<sup>40</sup> Some of the racial diversity that is desired, we can see, can be achieved through class-based strategies or other policies that build upon rather than contravene the race-neutral views of basic fairness that are shared by many Blacks and Whites alike. To the extent that we can move beyond racial conflict in university admissions, we will all become winners in a battle that has gone on for too long and claimed too many casualties.

---

40. Cooper, Kenneth J. "Colleges Testing New Diversity Initiatives." *The Washington Post* (April 2, 2000), A4; O'Neill, James M. "Colleges Consider a 15 Percent Solution." [s23.pni.philly.com/inquirer/2000/Apr/01/city/HIEDO1.html](http://s23.pni.philly.com/inquirer/2000/Apr/01/city/HIEDO1.html).



## Appendix: Statistical Analysis of the College Admissions Vignette

**Table 1. Analysis of Deviance for All Cases.**

**The Notation Scenario: Race Refers to Interactions between the Scenario and the Race of the Respondent, and Similarly for the Other Factors Depending on Characteristics of the Respondent.**

Factor	df	Deviance	p value
scenario (race of students)	3	18.77	0.0003
sex of students	3	0.48	0.92
race of respondent	1	2.10	0.15
income of respondent	1	1.41	0.23
education of respondent	1	0.01	0.92
sex of respondent	1	1.43	0.23
age of respondent	1	6.27	0.012
scenario:race	3	2.71	0.44
scenario:income	3	11.86	0.008
scenario:education	3	7.31	0.06
scenario:sex	3	1.15	0.77
scenario:age	3	0.96	0.82

The data on which student the respondents thought should be admitted were treated as binary responses. The analyses reported in this appendix are all based on linear logistic models for the probability of preferring the "B" student. An analysis of deviance, shown in Table 1, was carried out to test for the significance of main effects, and of interactions between attributes of the respondents and the races attributed to the two hypothetical students. The model was fitted in the S plus statistical language, with terms added sequentially. The linear dependence of predictor on education was on a three-point scale with 1=high school or less, 2=some post-high school or trade school education, 3=four-year college degree or higher. Income was coded in thousands of dollars to the accuracy available from the questionnaires.

The total degrees of freedom in this table is 781, because the few cases where some relevant feature of the respondents was unknown were omitted. The factor "scenario" refers to the races attributed to the hypothetical students in the study. It can be seen that the scenario has a highly significant effect, and the age of the respondent has a significant effect. The only factor that has a significant interaction with scenario is the income of the respondent, but education has an effect



**Table 2. Analyses of Deviance Carried out on Subsets of the Original Data, Broken down According to the Races of the Hypothetical Students. The Factors Are All Characteristics of the Respondents, with : Denoting Two-factor Interactions.**

Scenario	Factor	df	Deviance	p value
both students white	Income	1	0.39	0.53
	Education	1	2.03	0.15
	Race	1	1.75	0.19
	Income:education	1	0.55	0.46
	Income:race	1	2.33	0.13
	Education:race	1	0.01	0.93
	both students black	Income	1	1.21
Education		1	0.24	0.62
Race		1	0.13	0.72
Income:education		1	0.39	0.53
Income:race		1	0.15	0.70
Education:race		1	0.48	0.49
white A student, black B student		Income	1	9.78
	Education	1	0.06	0.81
	Race	1	0.64	0.43
	Income:education	1	0.31	0.58
	Income:race	1	0.34	0.56
	Education:race	1	1.33	0.25
	black A student, white B student	Income	1	0.72
Education		1	5.20	0.02
Race		1	2.96	0.09
Income:education		1	1.43	0.23
Income:race		1	0.06	0.81
Education:race		1	4.97	0.03



approaching significance at the 5 percent level. The interaction of age with scenario is remarkable for its low deviance value.

In order to investigate further the effect of scenario, separate analyses of deviance were carried out for the four possible allocations of race to the hypothetical students. In each case reported here, income and education were considered as main effects. Respondent's race was also included because of its pivotal role in this study. The interaction of age and sex with scenario was also investigated in separate tests not reported here; no significant effects were found. The only significant effects are those of income in the "white A/black B" scenario and of education and the education/race interaction in the "white B/black A" scenario. Both of these were discussed in more detail (and tested by analysis of contingency tables, which are sensitive to non-linear effects) in the main text. In the "black A/white B" scenario, education and race together account for a deviance of 13.13 on three degrees of freedom, a value significant beyond the  $p=0.005$  level.

We now turn to logistic regression models based on the effects found to be significant in the analysis above. In each case, let  $p(B)$  be the probability of preferring the "B" student. The logistic regression model fits a linear model to the logit of  $p(B)$ , i.e.,  $\log( p(B) / ( 1 - p(B) ) )$ , the log odds of preferring the "B" student. The logistic regression models fit to the data were as follows. For the "white A/black B" scenario, based on a sample of size 189, the model is  $\text{logit } P(B) = 0.95 - 0.027 I$ , where  $I$  is the income in thousands of dollars, over the range from \$5000 to \$60,000. The standard error in the slope coefficient is 0.009.

In the "black A/white B" scenario, let  $E$  be the education level measured on a three-point scale, and let  $Wh$  and  $Bl$  be dummy variables for the race of the respondent (so that  $Wh = 1 - Bl$ ). A logistic regression allowing for interactions between education and race gives  $\text{logit } p(B) = 0.22 Wh + 0.11 (Bl \times E) - 0.86 (Wh \times E)$ .



# THE TROUBLE WITH BLACK BOYS: THE ROLE AND INFLUENCE OF ENVIRONMENTAL AND CULTURAL FACTORS ON THE ACADEMIC PERFORMANCE OF AFRICAN-AMERICAN MALES

PEDRO A. NOGUERA\*

---

## INTRODUCTION

All of the most important quality of life indicators suggest that African-American males are in deep trouble. They lead the nation in homicides, both as victims and perpetrators,<sup>1</sup> and, in an alarming trend, they now have the fastest growing rate for suicide.<sup>2</sup> For the last several years black males have been contracting HIV and AIDS at a faster rate than any other segment of the population,<sup>3</sup> and their incarceration, conviction, and arrest rates have been at the top of the charts in most states for some time.<sup>4</sup> Even as babies, black males have the highest probability of dying in the first year of life,<sup>5</sup> and as they grow older they face the unfortunate reality of being the only group in the United States experiencing a decline in life expectancy.<sup>6</sup> In the labor market they are the least likely to be hired, and in many cities, the most likely to be unemployed.<sup>7</sup>

Beset with such an ominous array of social and economic hardships, it is hardly surprising that the experience of black males in education, with respect to attainment and most indicators of academic performance, also show signs of trouble and distress. In many school districts throughout the United States, black males are more likely than any other group to be suspended and expelled from school.<sup>8</sup> From 1973 to 1977 there was a steady increase in African-American enrollment in college. Since 1977, however, there has been a sharp and continuous decline, especially among males.<sup>9</sup> Black males are more likely to be classified as mentally retarded or suffering from a learning disability and placed in special education,<sup>10</sup> and more likely to be absent from advanced placement and honors

---

\* *Judith K. Dimon Professor in Communities and Schools, Graduate School of Education, Harvard University.*

1. Skolnick and Currie, 442-424; Earls, "Violence and Today's Youth," 6.
2. National Research Council, 416-420; Poussaint and Alexander, 22.
3. Kaplan et al, 141; Centers for Disease Control, 17; Auerbach et al, 2.
4. Roper, 12; Skolnick and Currie, 416.
5. Auerbach et al, 3; National Research Council, 417.
6. Spivak et al, 12.
7. Wilson, *The Truly Disadvantaged*, 31; Massey and Denton, 17-41; Moss and Tilly, 27; Hacker, 26-29; Feagin and Sikes, 33-42.
8. Meier, Stewart, and England, 40-57.
9. National Research Council, 339; Carnoy, 61.
10. Milofsky, 63.



courses.<sup>11</sup> In contrast to the most other groups where males commonly perform at higher levels in math- and science-related courses, the reverse is true for black males.<sup>12</sup> Even class privilege and the material benefits that accompany it fail to inoculate black males from low academic performance. When compared to their white peers, middle class African-American males lag significantly behind in both grade point average and on standardized tests.<sup>13</sup>

It is not surprising that there is a connection between the educational performance of African-American males and the hardships they endure within the larger society.<sup>14</sup> In fact, it would be more surprising if black males were doing well academically in spite of the broad array of difficulties that confront them. Scholars and researchers commonly understand that environmental and cultural factors have a profound influence upon human behavior, including academic performance.<sup>15</sup> What is less understood is how environmental and cultural forces influence the way in which black males come to perceive schooling and how those perceptions influence their behavior and performance in school. There is considerable evidence that the ethnic and socioeconomic backgrounds of students have bearing upon how students are perceived and treated by the adults who work with them within schools.<sup>16</sup> However, we know less about the specific nature of the perceptions and expectations that are held toward black males and how these may in turn affect their performance within schools. More to the point, there is considerable confusion regarding why being black and male causes this segment of the population to stand out in the most negative and alarming ways, both in school and the larger society.

This paper is rooted in the notion that it is possible to educate all children, including black males, at high levels. This idea is not an articulation of faith, but rather a conclusion drawn from a vast body of research on human development and from research on the learning styles of black children.<sup>17</sup> Therefore, it is possible for schools to take actions that can reverse the patterns of low achievement among African-American males. The fact that some schools and programs manage to do so already is further evidence that there is a possibility of altering these trends.<sup>18</sup> To the degree that we accept the idea that human beings have the capacity to resist submission to cultural patterns, demographic trends, environmental pressures, and constraints, bringing greater clarity to the actions that can be taken by schools and community organizations to support the academic achievement of

---

11. Oakes, 74; Pollard, 341-356.

12. Pollard, 345.

13. Jencks and Phillips, 45-62.

14. Coleman et al, 16-33.

15. Brookover and Erickson; Morrow and Torres.

16. Brookover and Erickson; Meier et al, 23.

17. Lee, 43-48.

18. Edmonds, 4.



African-American males could be the key to changing academic outcomes and altering the direction of negative trends for this segment of the population.<sup>19</sup>

This paper explores the possibility that the academic performance of African-American males can be improved by devising strategies that counter the effects of harmful environmental and cultural forces. Drawing on research from a variety of disciplines, the paper begins with an analysis of the factors that place certain individuals (i.e., African-American males) at greater risk than others. This is followed by an analysis of the ways in which environmental and cultural forces interact and influence academic outcomes and how these factors shape the relationship between identity, particularly related to race, gender, and school performance. Finally, strategies for countering harmful environmental and cultural influences—both the diffuse and the direct—are explored with particular attention paid to recommendations for educators, parents, and youth service providers who seek to support young African-American males.

### THE NATURE OF THE “RISK”

The good news is that not all black males are at risk. I was reminded of this fact on my way to work one morning. While driving to San Francisco with another black male academic, we stopped to pick up a commuter so that we could make the trip across the Bay Bridge in the faster carpool lane during rush hour. As it turned out, the first carpooler to approach our car was another black male. As we drove across the bridge we made small talk, going from basketball to the merits of living in the Bay Area, until finally we approached the subject of our careers. The rider informed us that he managed a highly profitable telecommunications firm, and if his plans progressed as he hoped, he would be retiring on a very lucrative pension in Hawaii before the age of 50. Contemplating his financial good fortune and that of my colleague and myself (although the two of us had no plans for early retirement), I posed the question, “What explains why we are doing so well, and so many brothers like us are not?”

The answer was not obvious. All three of us were raised in working class families, had grown up in tough neighborhoods, had close friends and family members who had been killed while they were young, and knew others who were serving time in prison. What made our lives, with our promising careers and growing families, so fortunate and so different? All three of us were raised by both of our parents, but further exploration revealed that none of us had regular contact with our fathers. We all attended public schools, but each of us felt that we had succeeded in spite of, and not because of, the schools we attended. With time running out as we approached our rider's stop, we threw out the possibility that the only thing that spared us the fate of so many of our brethren was luck—not getting caught for past indiscretions and not being in the wrong place at the wrong time.

---

19. Friere, 88.



Viewed in the context of the negative social patterns cited previously, the explanation for our apparent good luck does not seem mysterious. While it is true that many black males are confronted with a vast array of risks, obstacles, and social pressures, the majority manages to navigate these with some degree of success. The good news is that most black males are not in prison, do not commit suicide, and have not contracted HIV/AIDS. These facts do not negate the significance of the problems that confront black males, but they do help to keep the problems in perspective. Understanding how and why many black males avoid the pitfalls and hardships that beset others may help us to devise ways to protect and provide support for more of them.

The effects of growing up in poverty, particularly for children raised in socially isolated, economically depressed urban areas, warrants greater concern—especially given that one out of every three black children is raised in a poor household.<sup>20</sup> Here the evidence is clear that the risks faced by children, particularly African-American males, in terms of health, welfare, and education are substantially greater.<sup>21</sup> A recent longitudinal study on the development of children whose mothers used drugs (particularly crack cocaine) during pregnancy found that when compared to children residing in similar neighborhoods from similar socioeconomic backgrounds, the children in the sample showed no greater evidence of long term negative effects. This is not because the incidence of physical and cognitive problems among the sample was not high, but because it was equally high for the control group. The stunned researchers, who fully expected to observe noticeable differences between the two groups, were compelled to conclude that the harmful effects of living within an impoverished inner-city environment outweighed the damage inflicted by early exposure to drugs.<sup>22</sup>

A vast body of research on children in poverty shows that impoverished conditions greatly increase the multiplier effect on risk variables (i.e., single-parent household, low birth weight, low educational attainment of parents, etc.).<sup>23</sup> Poor children generally receive inferior services from schools and agencies located in the inner city, and poor children often have many unmet basic needs. This combination of risk factors makes it nearly impossible to establish cause and effect relationships among them. For example, research has shown that a disproportionate number of poor children suffer from various sight disorders.<sup>24</sup> Throughout the country black children are over-represented in special education programs, and those most likely to be placed are overwhelmingly black, male, and poor.<sup>25</sup> However, the disabilities experienced by children are often related to poverty, rather

---

20. Carnoy, 105-11.

21. Taylor-Gibbs, 212.

22. Jackson, 14.

23. Garbarino, 67.

24. Harry et al, 14.

25. *Ibid.*, 7.



than a biological disorder. For example, because poor children often lack access to preventative health care, their untreated vision problems are inaccurately diagnosed as reading problems, and as a consequence large numbers are placed in remedial and special education programs.<sup>26</sup>

The situation in special education mirrors a larger trend in education for African Americans generally and males in particular. Rather than serving as a source of hope and opportunity, schools are sites where black males are marginalized and stigmatized.<sup>27</sup> Consistently, schools that serve black males fail to nurture, support, or protect them. In school, black males are more likely to be labeled as behavior problems and less intelligent even while they are still very young.<sup>28</sup> Black males are also more likely to be punished with severity for violating school rules, even for minor offenses,<sup>29</sup> often without regard for their welfare. They are more likely to be excluded from rigorous classes and prevented from accessing educational opportunities that might otherwise support and encourage them.<sup>30</sup>

Changing academic outcomes and countering the risks experienced by black males, however, is not simply a matter of developing programs to provide support or of bringing an end to unfair educational policies and practices. Black males often adopt behaviors that make them complicit in their own failure. It is not just that they are more likely to be punished or placed in remedial classes, it is also that they are more likely to act out in the classroom and to avoid challenging themselves academically. Recognizing that black males are not merely passive victims but may also be active agents in their own failure means that interventions designed to help them must take this into account. Changing policies, creating new programs, and opening new opportunities will accomplish little if such efforts are not accompanied by strategies to actively engage black males and their families in taking responsibility to improve their circumstances. Institutionally, this may require programmatic interventions aimed at buffering and offsetting the various risks to which black males are particularly vulnerable. However, to be effective, such initiatives must also involve efforts to counter and transform cultural patterns and what some have called the "oppositional identities" adopted by black males that undermine the importance they attach to education.

As I will illustrate, one of the best ways to learn how this can be done is to study those schools and programs that have proven successful in accomplishing this goal. Additionally, it is important for such work to be anchored in a theoretical understanding of how the pressures exerted upon black males in American society can be contested. Without such an intellectual underpinning it is unlikely

---

26. *Ibid.*, 23.

27. Meier et al, 47.

28. Hilliard, 23-34.

29. Sandler, S., 16.

30. Oakes, 53.



that new interventions and initiatives will succeed at countering the hazardous direction of trends for African-American males.

### STRUCTURAL VERSUS CULTURAL EXPLANATIONS

Epidemiologists and psychologists have identified a number of risk factors within the social environment that, when combined, are thought to have a multiplier effect upon risk behavior. Lack of access to health care, adequate nutrition, and decent housing; growing up poor and in a single-parent household; being exposed to substance abuse at a young age; and living in a crime ridden neighborhood are some of the variables most commonly cited.<sup>31</sup> Similarly, anthropologists and sociologists have documented ways in which certain cultural influences can lower the aspirations of black males and contribute to the adoption of self-destructive behavior. John Ogbu has argued that community-based "folk theories" that suggest that because of the history of discrimination against black people, even those who work hard will never reap rewards equivalent to Whites, can contribute to self-defeating behaviors.<sup>32</sup> There is also evidence that many black males view sports or music as more promising routes to upward mobility than academic pursuits.<sup>33</sup> Finally, some researchers have found that for some African-American students, doing well in school is perceived as a sign that one has "sold out" or opted to "act white" for the sake of individual gain.<sup>34</sup>

Despite their importance and relevance to academic performance, risk variables and cultural pressures cannot explain individual behavior. Confronted with a variety of obstacles and challenges, some black males still find ways to survive, and in some cases to excel. Interestingly, we know much less about resilience, perseverance, and the coping strategies employed by individuals whose lives are surrounded by hardships than we know about those who succumb and become victims of their environment. Deepening our understanding of how individuals cope with and respond to their social and cultural environments is an important part of finding ways to assist black males with living healthy and productive lives.

In the social sciences, explanations of human behavior, especially that of the poor, have been the subject of considerable debate. Most often the debate centers on those who favor structural explanations of behavior and those who prefer cultural explanations of behavior. Structuralists generally focus on political economy—the availability of jobs and economic opportunities, class structure, and social geography.<sup>35</sup> From this perspective, individuals are viewed as products of their environment, and changes in individual behavior are made possible by

31. Earls, "Not Fear, not Quarantine, but Science," 14; Garbarino, 26.

32. Ogbu, "Opportunity Structure, Cultural Boundaries, and Literacy," 23.

33. Hoberman, 48-49.

34. Ogbu, "Literacy and Schooling in Subordinate Cultures," 29; Fordham, 12.

35. Wilson, *The Declining Significance of Race*, 22-46; Wilson, *The Truly Disadvantaged*, 12-35; Massey and Denton, 7-24; Tabb, 11-36.



changes in the structure of opportunity. From this theoretical perspective, holding an individual responsible for their behavior makes little sense since behavior is shaped by forces beyond the control of any particular individual. Drug abuse, crime, and dropping out of school are largely seen as social consequences of inequality. According to this view, the most effective way to reduce objectionable behavior is to reduce the degree and extent of inequality in society.

In contrast, culturalists downplay the significance of environmental factors and treat human behavior as a product of beliefs, values, norms, and socialization. Cultural explanations of behavior focus on the moral codes that operate within particular families, communities, or groups.<sup>36</sup> For example, the idea that poor people are trapped within a "culture of poverty" that has the effect of legitimizing criminal and immoral behavior has dominated the culturalists' perspective of poverty.<sup>37</sup> For the culturalists, change in behavior can only be brought about through cultural change. Hence, providing more money to inner-city schools or bussing inner-city children to affluent suburban schools will do little to improve their academic performance since their attitudes toward school are shaped by the culture brought from home and the neighborhood.<sup>38</sup> According to this view, culture provides the rationale and motivation for behavior, and cultural change cannot be brought about through changes in the governmental policy or by expanding opportunities.

A growing number of researchers are trying to find ways to work between the two sides of the debate. Dissatisfied with the determinism of the structuralists, which renders individuals as passive objects of larger forces, and with the "blame the victim" perspective of the culturalists, which views individuals as hopelessly trapped within a particular social/cultural milieu,<sup>39</sup> some researchers have sought to synthesize important elements from both perspectives while simultaneously paying greater attention to the importance of individual choice and agency.<sup>40</sup> From this perspective, the importance of both structure and culture is acknowledged, but so too is the understanding that individuals have the capacity to act and make choices that cannot be explained through the reductionism inherent in either framework.<sup>41</sup> The choices made by an individual may be shaped by the available opportunities and by the norms present within the cultural milieu in which they are situated. However, culture is not static and individual responses to their environment cannot be easily predicted. Both structural and cultural forces influence choices and actions, but neither has the power to act as the sole determinant of behavior because human beings also have the ability to produce cultural forms that can counter these pressures.<sup>42</sup>

---

36. Anderson, 34.

37. Lewis, 74-88; Glazer and Moynihan, 221-267.

38. Murray, 147-254.

39. Ryan, 32-46.

40. McLeod, 25.

41. Morrow and Torres, 112-134.

42. Willis, 62-81; Levinson et al, 21-26, etc.



This is not to suggest that because individuals have the capacity to counter these forces that many will choose or be able to do so. The effects of poverty can be so debilitating that a child's life chances can literally be determined by a number of environmental (e.g., the quality of prenatal care, housing, and food available to his mother) and cultural factors that are simply beyond the control of an individual or even of concerted community action. It would be naive and a mistake to conclude that strength of character and the possibility of individual agency can enable one to avoid the perils present within the environment, or that it is easy for individuals to choose to act outside the cultural milieu in which they were raised. Even as we recognize that individuals make choices that influence the character of their lives, we must also recognize that the range of choices available are profoundly constrained and shaped by external forces. For this reason, efforts to counter behaviors that are viewed as injurious—whether it be dropping out of school, selling drugs, or engaging in violent behavior—must include efforts to comprehend the logic and motivations behind the behavior. Given the importance of agency and choice, the only way to change behavioral outcomes is to understand the cognitive processes that influence how individuals adapt, cope, and respond.

In a comprehensive study of teen pregnancy, Kristen Luker demonstrates the possibility for synthesizing the two perspectives—structural and cultural explanations of human behavior that have traditionally been seen as irreconcilable. Teen pregnancy, which for years has been much more prevalent among poor minority girls than middle class white girls, has traditionally been explained as either the product of welfare dependency and permissive sexual mores (the culturalist), or the unfortunate result of inadequate access to birth control and economic opportunities (the structuralist). Through detailed interviews with a diverse sample of teen mothers, Luker puts forward a different explanation that draws from both the cultural and the structural perspectives and acknowledges the role and importance of individual choice. She points out that while both middle class and lower class girls engage in premarital sex and sometimes become pregnant, middle class girls are less likely to have babies during adolescence because they have a clear sense that it will harm their chance for future success. In contrast, when confronted with an unexpected pregnancy, poor girls are more likely to have babies because they do not perceive it as negatively affecting their future, since college and a good job are already perceived as being out of reach. In fact, many girls in this situation actually believe that having a baby during adolescence will help them to settle down since they will now be responsible for another life.<sup>43</sup>

Given the importance of individual "choice" to this particular behavior, any effort to reduce teen pregnancy that does not take into account the reasoning that guides decision-making is unlikely to succeed. Similarly, efforts to improve the academic performance of African-American males must begin by understanding the attitudes that influence how they perceive schooling and academic pursuits.

---

43. Luker, 223-236.



To the extent that this does not happen, attempts to help black males based primarily on the sensibilities of those who initiate them are unlikely to be effective and may be no more successful than campaigns that attempt to reduce drug use or violence by urging kids to "just say no."<sup>44</sup>

Investigations into the academic orientation of black male students must focus on the ways in which the subjective and objective dimensions of identity related to race and gender are constructed within schools and how these influence academic performance. Although psychologists have generally conceived of identity construction as a natural feature of human development,<sup>45</sup> sociologists have long recognized that identities like social roles are imposed on individuals through various socialization processes.<sup>46</sup> The processes and influences involved in the construction of black male identity should be at the center of analyses of school performance since it is on the basis of their identities that black males are presumed to be at-risk, marginal, and endangered in school and throughout American society.<sup>47</sup>

Structural and cultural forces combine in complex ways to influence the formation of individual and collective identities, even as individuals may resist, actively or passively, the various processes involved in the molding of the "self." The fact that individuals can resist, subvert, and react against the cultural and structural forces that shape social identities compels us to recognize that individual choice, or what many scholars refer to as agency, also plays a major role in the way identities are constructed and formed.<sup>48</sup> For this reason, research on identity must pay careful attention to the attitudes and styles of behavior that African-American males adopt and produce in reaction to the social environment, and how these influence the way they are seen and the way they see themselves within the context of school. Writing on the general importance of identity to studies of schooling, Levinson, Foley, and Holland argue that "student identity formation within school is a kind of social practice and cultural production which both responds to, and simultaneously constitutes, movements, structures, and discourses beyond school."<sup>49</sup>

Students can be both unfairly victimized by the labeling and sorting processes that occur within school, in addition to being harmed by the attitudes and behavior they adopt in reaction to these processes. For this reason, it is important to understand the factors that may enable them to resist these pressures and respond positively to various forms of assistance that may be provided within school or in the communities where they reside. By linking a focus on identity construction to an analysis of cultural production, it is my hope that we can gain greater insight

---

44. Skolnick and Currie, 429.

45. Erickson, 32; Cross, 13-19.

46. Goffman, 23-34.

47. Taylor-Gibbs, 113-124; Kunjufu, 23; Anderson, 23-36.

48. Giroux, 23-36.

49. Levinson et al, 12.



into how schools can be changed and how support programs can be designed to positively alter academic outcomes for African-American males.

### IDENTITY AND ACADEMIC PERFORMANCE

It has long been recognized that schools are important sites of socialization. Schools are places where children learn how to follow instructions and obey rules, how to interact with others, and how to deal with authority.<sup>50</sup> Schools are important sites for gender role socialization,<sup>51</sup> and in most societies they are primary sites for instruction about the values and norms associated with citizenship.<sup>52</sup>

For many children, schools are also places where they learn about the meaning of race. While this may occur through lesson plans adopted by teachers, it is even more likely that children learn about race through the hidden or informal curriculum<sup>53</sup> and through non-structured school activities such as recess.<sup>54</sup> Even when teachers do not speak explicitly about race and racial issues with children, children become aware of physical differences related to race quite early.<sup>55</sup> However, children do not become aware of the significance attached to these physical differences until they start to understand the ideological dimensions of race and become cognizant of differential treatment that appears to be based on race.<sup>56</sup> Name calling, including the use of racial epithets, serve as one way of establishing racial boundaries even when children do not fully understand the meaning of the words that are used.<sup>57</sup> Similarly, school practices that isolate and separate children on the basis of race and gender also send children important messages about the significance of race and racial differences.<sup>58</sup> Schools certainly are not the only places where children formulate views about race, but because schools are often sites where children are more likely to encounter persons of another race or ethnic group, they play a central role in influencing the character of race relations in communities and the larger society.<sup>59</sup>

As young people enter adolescence and develop a stronger sense of their individual identities,<sup>60</sup> the meaning and significance of race also change. Where it was once an ambiguous concept based largely upon differences in physical appearance, language, and styles of behavior, race becomes a more rigid identity construct as children learn the historical, ideological, and cultural dimensions

---

50. Spring, 34; Apple, 47.

51. Thorne, 22.

52. Spring, 16; Lowen, 43-51.

53. Apple, 64.

54. Dyson, 21.

55. Troyna and Carrington, 18.

56. Miles, 32-47.

57. Troyna and Carrington, 73.

58. Dyson, 34; Thorne, 45.

59. Peshkin, 65.

60. Erickson, 18.



associated with racial group membership.<sup>61</sup> Even children who once played and interacted freely across racial lines when they were younger often experience a tightening of racial boundaries and racial identities as they get older and begin following patterns of interaction modeled by adults.<sup>62</sup> Peer groups play a powerful role in shaping identity because the desire to be accepted by and "fit in" with one's peers often becomes a paramount concern for most adolescents. Research has shown that in secondary school peer groups assume a great influence over the orientation young people adopt toward achievement,<sup>63</sup> and they profoundly shape the way identities are constituted in school settings.<sup>64</sup> As adolescents become clearer about the nature of their racial and gender identities, they begin to play a more active role in maintaining and policing these identities. Peer groups are also likely to impose negative sanctions upon those who violate what are perceived as established norms of behavior and who attempt to construct identities that deviate significantly from prevailing conceptions of racial and gender identity.<sup>65</sup>

Despite the importance that several researchers have placed upon the role of peer groups in the socialization process, peer groups are by no means the only forces that shape the social construction of identity within schools.<sup>66</sup> The structure and culture of school plays a major role in reinforcing and maintaining racial categories and the stereotypes associated with them. As schools sort children by perceived measures of their ability and as they single out certain children for discipline, implicit and explicit messages about racial and gender identities are conveyed. To the degree that white or Asian children are disproportionately placed in gifted and honors classes, the idea that such children are inherently smarter may be inadvertently reinforced. Similarly, when African-American and Latino children are over represented in remedial classes, special education programs, or on the lists for suspension or expulsion, the idea that these children are not as smart or as well behaved is also reinforced.<sup>67</sup> Such messages are conveyed even when responsible adults attempt to be as fair as possible in their handling of sorting and disciplinary activities. Because the outcomes of such practices often closely resemble larger patterns of success and failure that correspond with racial differences in American society, they invariably have the effect of reinforcing existing attitudes and beliefs about the nature and significance of race.

For African-American males, who are more likely than any other group to be subjected to negative forms of treatment in school, the message is clear: individ-

---

61. Tatum, 39; Cross, 34-49.

62. Metz, 221; Peshkin, 46.

63. Phelan et al, 10-18.

64. Steinberg.

65. Peshkin.

66. Fordham, 47; Ogbu, "Opportunity Structures, Cultural Boundaries, and Literacy," 87; Solomon, 22; Steinberg, 185.

67. Ferguson, 134.



uals of their race and gender may excel in sports, but not in math or history. The location of black males within schools—in remedial classes or waiting for punishment outside the principal's office—and the roles they perform within school suggests that they are good at playing basketball or rapping, but debating, writing for the school newspaper, or participating in the science club are strictly out of bounds. Such activities are out of bounds not just because black males may perceive them as being inconsistent with who they think they are, but also because there simply are not enough examples of individuals who manage to participate in such activities without compromising their sense of self. Even when there are a small number of black males who do engage in activities that violate established norms, their deviation from established patterns often places them under considerable scrutiny from their peers who are likely to regard their transgression of group norms as a sign of "selling out."

Researchers like John Ogbu and Signithia Fordham have attributed the marginality of black students to oppositional behavior.<sup>68</sup> They argue that black students hold themselves back out of fear that they will be ostracized by their peers. Yet, what these researchers do not acknowledge is the dynamic that occurs between black students, males in particular, and the culture that is operative within schools. Black males may engage in behaviors that contribute to their underachievement and marginality, but they are also more likely to be channeled into marginal roles and to be discouraged from challenging themselves by adults who are supposed to help them. Finally, and most importantly, Ogbu and Fordham fail to take into account the fact that some black students, including males, find ways to overcome the pressures exerted upon them and manage to avoid choosing between their racial and gender identity and academic success. Even if few in number, there are students who manage to maintain their identities and achieve academically without being ostracized by their peers. Understanding how such students navigate this difficult terrain may be the key to figuring out how to support the achievement of larger numbers of black students.

A recent experience at a high school in the Bay Area illustrates how the interplay of these two socializing forces—peer groups and school sorting practices—can play out for individual students. I was approached by a black male student who needed assistance with a paper on *Huckleberry Finn* that he was writing for his 11th grade English class. After reading what he had written, I asked why he had not discussed the plight of Jim, the runaway slave who is one of the central characters of the novel. The student informed me that his teacher had instructed the class to focus on the plot and not to get into issues about race since, according to the teacher, that was not the main point of the story. He explained that two students in the class, both black males, had objected to the use of the word "nigger" throughout the novel and had been told by the teacher that if they insisted on making it an issue they would have to leave the course. Both of these students

---

68. Fordham, 46; Ogbu, "Opportunity Structures, Cultural Boundaries, and Literacy," 34.



opted to leave the course even though it meant they would have to take another course that did not meet the college preparatory requirements. The student I was helping explained that since he needed the class he would just "tell the teacher what he wanted to hear." After our meeting I looked into the issue further and discovered that one student, a black female, had chosen a third option: she stayed in the class but wrote a paper focused on race and racial injustice, even though she knew it might result in her being penalized by the teacher.

This example reveals a number of important lessons about the intersection of identity, school practices, and academic performance. Confronted by organizational practices, which disproportionately place black students in marginal roles and groupings, and pressure from peers, which may undermine the importance attached to academic achievement, it will take considerable confidence and courage for black students to succeed. The four black students in this English class were already removed from their black peers by their placement in this honors course. In such a context, one seemed to adopt what Fordham has described as a "raceless" persona (the student I was assisting) to satisfy the demands of the teacher, but this is only one of many available options. Two others responded by choosing to leave for a lower-level class where they would be reunited with their peers with their identities intact but with diminished academic prospects. The option exercised by the female student in the class is perhaps the most enlightening yet difficult to enact. She challenged her teacher's instructions, choosing to write about race and racism, even though she knew she would be penalized for doing so. Yet she also had no intention of leaving the class despite the isolation she experienced to seek out the support of her peers.

This case reveals just some of the ways black students may respond to the social pressures that are inherent in school experiences. Some actively resist succumbing to stereotypes or the pressure of peers, while others give in to these pressures in search of affirmation of their social identity. For those who seek to help black students and males in particular, the challenge is to find ways to support their resistance to negative stereotypes and school sorting practices and to make choosing failure a less likely option for them. The teacher described in the case just described may or may not have even realized how her actions in relation to the curriculum led her black students to make choices that would profoundly influence their education. As I will show in the following section, when educators are aware of the social and cultural pressures exerted on students, the need to choose between one's identity and academic success can be eliminated.

#### LEARNING FROM STUDENTS AND THE SCHOOLS THAT SERVE THEM WELL

Fortunately, there is considerable evidence that the vast majority of black students, including males, would like to do well in school.<sup>69</sup> Additionally, there are schools where academic success for black students is the norm and not the excep-

---

69. Kao and Tienda, 36; Anderson, 249.



tion.<sup>70</sup> Both of these facts provide a basis for hope that achievement patterns can be reversed if there is a willingness to provide the resources and support to create the conditions that nurture academic success.

In my own research at high schools in northern California, I have obtained consistent evidence that most black students value education and would like to succeed in school. In response to a survey about their experiences in school, nearly 90 percent of the black male respondents (N=147) responded "agree" or "strongly agree" to the questions, "I think education is important," and, "I want to go to college." However, in response to the following questions: "I work hard to achieve good grades," and, "My teachers treat me fairly," less than a quarter of the respondents, 22 percent and 18 percent respectively, responded affirmatively. An analysis of just these responses to the survey suggests a disturbing discrepancy between what students claim they feel about the importance of education, the effort they expend, and the support they receive from teachers.<sup>71</sup> Similar results were obtained from a survey of 537 seniors at an academic magnet high school. African-American males were least likely to indicate that they agreed or strongly agreed with the statement, "My teachers support me and care about my success in their class." (Table 1).

**Table 1. "My Teachers Support Me  
and Care about My Success in Their Class."**

	<b>Black Male</b>	<b>Black Female</b>	<b>Asian Male</b>	<b>Asian Female</b>	<b>White Male</b>	<b>White Female</b>
Strongly Agree	8%	12%	24%	36%	33%	44%
Agree	12%	16%	42%	33%	21%	27%
Disagree	38%	45%	16%	15%	18%	11%
Strongly Disagree	42%	27%	18%	16%	28%	18%
N=537						

Rosalind Mickelson's research has found similar discrepancies between expressed support for education and a commitment to hard work. Her research findings have led her to conclude that some black students experience what she refers to as an "attitude-achievement paradox." For Mickelson, the reason for the discrepancy is that while many black students say they value education, such an expression is little more than an "abstract" articulation of belief. When pressed to state whether they believe that education will actually lead to a better life for them, however, the black students in Mickelson's study expressed the "concrete" belief

70. Sizemore, 45; Edmonds, 11.

71. Noguera.



that it would not. Mickelson concludes that the contradiction between abstract and concrete beliefs toward education explains why there is a discrepancy between the attitudes expressed by black students and their academic outcomes.<sup>72</sup>

While Mickelson's findings seem plausible, I think it is also important to consider how the experiences of black students in schools, especially males, may result in a leveling of aspirations. If students do not believe that their teachers care about them and are actively concerned about their academic performance, the likelihood that they will succeed is greatly reduced. In the *Metropolitan Life* annual survey on teaching, 39 percent of students surveyed (N=3,961) indicated that they trust their teachers "only a little or not at all." When the data from the survey was disaggregated by race and class, minority and poor students indicated significantly higher levels of distrust (47 percent of minorities and 53 percent of poor students stated that they trusted their teachers only a little or not at all).<sup>73</sup> Though it is still possible that some students will succeed even if they do not trust or feel supported by their teachers, research on teacher expectations suggests that these feelings have a powerful effect on student performance.<sup>74</sup> Moreover, there is research that suggests that the performance of African Americans, more so than other students, is influenced to a large degree by the social support and encouragement they receive from teachers.<sup>75</sup> To the extent this is true, and if the nature of interactions between many black male students and their teachers tends to be negative, it is unlikely that it will be possible to elevate their achievement without changing the way in which they are treated by teachers, and the ways in which they respond to those who try to help them.

There are, however, schools where African-American male students do well and where high levels of achievement are common. For example, a recent analysis of the academic performance indicators (API) of public schools in California revealed that there are 22 schools in the state where black students comprise 50 percent or more of the student population and have aggregate test scores of 750 or greater (1000 is the highest possible score).<sup>76</sup> Most significantly, when the test score data for these schools was disaggregated on the basis of race and gender, there was no evidence of an achievement gap. Though schools like these are few in number, given there are more than 2,000 public schools in California, the fact they exist suggests that similar results should be possible elsewhere.

Researchers who have studied effective schools have found that such schools possess the following characteristics: (1) a clear sense of purpose; (2) core standards within a rigorous curriculum; (3) high expectations; (4) commitment to educate all students; (5) safe and orderly learning environment; (6) strong

---

72. Mickelson, 42-49.

73. MetLife, 184.

74. Weinstein et al, 124-125.

75. Ladson-Billings, 36; Foster, 122; Lee, 57.

76. University of California Report of Black Student Achievement (unpublished manuscript by Michelle Foster, February 2001).



partnerships with parents; and (7) a problem-solving attitude.<sup>77</sup> Though the criteria used to determine effectiveness relies almost exclusively on data from standardized tests and ignores other criteria, there is no disagreement that such schools consistently produce high levels of academic achievement among minority students. Researchers on effective schools for low-income African-American students also cite the supportive relations that exist between teachers and students, and the ethos of caring and accountability that pervades such schools as other essential ingredients of their success.<sup>78</sup> Educational reformers and researchers must do more to figure out how to adopt strategies that have proven successful at schools where achievement is less likely. As Ron Edmonds, formerly one of the leading researchers on effective schools, has stated, "We already know more than enough to successfully educate all students."<sup>79</sup> The challenge before educators and policy makers is to find ways to build upon existing models of success.

Unfortunately, most African-American children are not enrolled in effective schools that nurture and support them while simultaneously providing high-quality instruction. Even as pressure is exerted to improve the quality of public education so that the supply of good schools is increased, other strategies must be devised at the community level to provide black children with support. There are long-standing traditions within Jewish and many Asian communities to provide children with religious and cultural instruction outside of school.<sup>80</sup> In several communities throughout the United States, black parents are turning to churches and community organizations as one possible source of such support.<sup>81</sup> In northern California, organizations such as Simba and the Omega Boys Club (both are community-based mentoring programs), provide African-American males with academic support and adult mentors outside of school.<sup>82</sup> Organizations like these affirm the identities of black males by providing them with knowledge and information about African and African-American history and culture, and by instilling a sense of social responsibility toward their families and communities.<sup>83</sup> Unfortunately, these organizations are small and are largely unable to serve the vast numbers of young people in need. Moreover, it is unlikely that such organizations can completely counter the harmful effects of attendance in unsupportive and even hostile schools because they are designed to complement learning that is supposed to go on in school. Still, the model they provide demonstrates that it is possible to work outside of schools to have a positive influence on the academic performance of African-American youth. Given their relative success but small size, it would be advisable to find ways to replicate them elsewhere.

---

77. Sizemore; Murphy and Hallinger.

78. Sizemore.

79. Edmonds, 20.

80. Cite Jewish and Asian Saturday schools.

81. McPartland and Nettles.

82. Watson and Smitherman.

83. Ampim; Myers.



Drawing from the research on mentoring and student resilience that has identified strategies that are effective in supporting the academic achievement of African-American students, community organizations and churches can attempt to compensate for the failings of schools. Through after-school and summer school programs, these groups can provide young people with access to positive role models and social support that can help buffer young people from the pressures within their schools and communities.<sup>84</sup> While such activities should not be seen as a substitute for making public schools more responsive to the communities they serve, they do represent a tangible action that can be taken immediately to respond to the needs of black youth, particularly males who often face the greatest perils.

#### CONCLUSION: THE NEED FOR FURTHER RESEARCH

Although I have made reference to the cultural forms, attitudes, and styles of behavior African-American males may adopt and produce, which can diminish the importance they attach to academic achievement, the emphasis of this paper has been on the ways in which schools mis-serve and under-serve this population of students. I believe that such an emphasis is appropriate because research on effective schools has shown that when optimal conditions for teaching and learning are provided, high levels of academic success for students, including African-American males, can be achieved. Put differently, if we can find ways to increase the supply of effective schools, it may be possible to mitigate against some of the risks confronting black males. This does not mean the question of how to influence the attitudes, behaviors, and stances of black males toward school and education generally does not need to be addressed or that it does not require further investigation. To the extent that we recognize that all students are active participants in their own education and not passive objects whose behavior can be manipulated by adults and reform measures, the importance of understanding how to influence behavior cannot be understated. It is my belief that learning how to influence their attitudes and behaviors must begin with an understanding of the ways in which structural and cultural forces shape their experiences in school and influence the construction of their identities. In this regard, it is especially important that future research be directed toward a greater understanding of youth culture and the processes related to cultural production.

Like popular culture, youth culture and all the styles and symbols associated with it is dynamic and constantly changing. This is particularly true for inner-city African-American youth whose speech, dress, music, and tastes often establish trends for young people across America. For many adults this culture is also impenetrable and oftentimes incomprehensible. Yet, despite the difficulty of understanding and interpreting youth culture, it is imperative that efforts to help black youth be guided by ongoing attempts at understanding the cultural forms they produce and the ways in which they respond and adapt to their social and cul-

---

84. Boykin.



tural environment. Without such an understanding, efforts to influence the attitudes and behaviors of African-American males will most likely fail to capture their imaginations and be ignored.

I was reminded of the importance of understanding youth culture when I embarked on research on how the popular media influences the attitudes of young people toward violence. As part of this research, I attempted to study how young people react to violent imagery in films by watching segments of popular movies with groups of middle school students, and discussing their interpretations and responses to the ways violence was depicted. Following a series of discussions focused on their moral and ethical judgments of the violence conveyed in the films, the students asked if we could watch the film *Menace to Society* as part of the research exercise. To my surprise, several of the students owned copies of the film, and many had seen the film so many times that they had memorized parts of the dialogue. The film, which tells the story of a young man growing up in south central Los Angeles, is filled with graphic images of violence. After viewing it, I was certain that there might be some truth to the idea that violent films did condition young people to rationalize violent behavior as a legitimate and appropriate way for resolving conflicts and getting what they wanted. When discussing the film, however, it became clear that most were repulsed by the violence even though they were entertained by it, and rather than identifying with perpetrators of violence in the film, they identified most strongly with those characters who sought to avoid it.<sup>85</sup>

This experience and others like it made me realize how easy it is for adults to misinterpret and misunderstand the attitudes and behavior of young people. Generational differences, especially when compounded by differences in race and class, often make it difficult for adults to communicate effectively with youth. Many adults are aware of the chasm that separates them from young people, yet, adults typically take actions intended to benefit young people without ever investigating whether the interventions meet the needs or concerns of youth. There is a need to consult with young people on how the structure and culture of schools contribute to low academic achievement, and to enlist their input when interventions to improve student performance are being designed and implemented.

In addition to research on youth culture, there is a pressing need for further research on how identities—especially related to the intersection of race, class, and gender—are constructed within schools and how these identities affect students' attitudes and dispositions toward school, learning, and life in general. Presently such an analysis is largely absent from the policies and measures that are pursued to reform schools and improve classroom practice. Consistently, the focus of reform is on what adults and schools should do to improve student achievement, while students are treated as passive subjects who can easily be molded to conform to our expectations. To devise a policy that will enable successes achieved in a particular program, classroom, or school to be replicated

---

85. Noguera.



elsewhere, we must be equipped with an understanding of the process through which identities are shaped and formed within schools. There is also a need for further research on peer groups and their role in influencing the academic orientation of students.

Much of what I know about the plight of African-American males comes from my personal experience growing up as a black male and raising two sons. I have an intuitive sense that the way we are socialized to enact our masculinity, especially during adolescence, is a major piece of the problem. Researchers such as Geneva Smitherman and others have argued that black children, and males in particular, often behave in ways that are perceived as hostile and insubordinate by adults.<sup>86</sup> Others suggests that males generally, and black males especially, have particularly fragile egos and are susceptible to treating even minor slights and transgressions as an affront to their dignity and sense of self-respect.<sup>87</sup> Such interpretations resonate with my own experience, but it is still not clear how such knowledge can be used to intervene effectively on behalf of African-American males.

As a young man I recall that I often felt a form of anger and hostility that I could not attribute to a particular incident or cause. As a teacher I have observed similar forms of hostility among black male students, and for the last three years, I witnessed my eldest son exhibit the same kinds of attitudes and behavior. Undoubtedly, some of this can be explained as a coping strategy: Black males learn at an early age that by presenting a tough exterior it is easier to avoid threats or attacks.<sup>88</sup> It may also be true, and this is clearly speculation, that the various ways in which black males are targeted and singled out for harsh treatment (at school or on the streets by hostile peers or by the police) elicits postures of aggression and ferocity toward the world.

Given the range and extent of the hardships that beset this segment of the population, there is no doubt that there are some legitimate reasons for young black males to be angry. Yet, it is also clear that this thinly veiled rage and readiness for conflict can be self-defeating and harmful to their well being. One of the consequences of this hostility and anger may be that such attitudes and behaviors have a negative effect upon their academic performance. Adults, especially women, may be less willing to assist a young male who appears angry or aggressive. A colleague of mine has argued that what some refer to as the "fourth grade syndrome"—the tendency for the academic performance of black males to take a decisive downward turn at the age of nine or ten—may be explained by the fact that this is the age when black boys start to look like young men.<sup>89</sup> Ron Ferguson has found in his research in Shaker Heights that black students were more likely than white students to cite "toughness" as a trait they admired in others.<sup>90</sup> If these

---

86. Smitherman, 234.

87. Kunjufu, 16; Madhabouti, 88; Majors, 92; West, 47.

88. Anderson, 38.

89. Kunjufu, 18; Hilliard, 113.

90. Ferguson, 23.



researchers are correct, and if the toughness admired by black males evokes feelings of fear among some of their teachers, it is not surprising that trouble in school would be common. Gaining a clearer understanding of this phenomenon may be one important part of the process needed for altering academic trends among black males.

Still, it would be a mistake to conclude that until we find ways to change the attitudes and behaviors of black males, nothing can be done to improve their academic performance. There is no doubt that if schools were to become more nurturing and supportive students would be more likely to perceive schools as a source of help and opportunity, rather than an inhospitable place that one should seek to escape and actively avoid. Changing the culture and structure of schools such that African-American male students come to regard them as sources of support for their aspirations and identities will undoubtedly be the most important step that can be taken to make high levels of academic achievement the norm, rather than the exception.



## References

- Ampim, M. *Towards An Understanding of Black Community Development*. Oakland, CA: Advancing the Research, 1993.
- Apple, M. *Education and Power*. Boston: ARK, 1982.
- Anderson, E. *Street Wise. Race, Class and Change in an Urban Community*. Chicago: University of Chicago Press, 1990.
- Anderson, J. *The Education of Blacks in the South, 1860-1935*. Chapel Hill: University of North Carolina Press, 1988.
- Auerbach, J., B. Krimgold, and B. Lefkowitz. *Improving Health: It Doesn't Take a Revolution. Health and Social Inequality*. Washington, DC: Kellogg Foundation, 2000.
- Baker, D. *Race, Ethnicity and Power*. London: Routledge, 1983.
- Boykin, W. "On the Academic Task Performance and African American Children." In *Achievement and Achievement Motives*. Edited by J. Spencer. (Boston: W.H. Freeman Company, 1983).
- Brookover, W., and E. Erickson. East Lansing, Mich.: Michigan State University Press, 1969.
- Carnoy, M. *Faded Dreams. The Politics and Economics of Race in America*. New York: Cambridge University Press, 1994.
- Centers for Disease Control. "Distribution of AIDS cases by racial/ethnic group and exposure category: United States, June 1, 1981-July 4, 1988." *Morbidity and Mortality Weekly Report* 55 (1988), 1:10
- Coleman, J., E. Campbell, C. Hobson, J. McPartland, A. Mood, F. Weinfeld, and R. York. *Equality of Educational Opportunity*. Washington, D.C.: Government Printing Office, 1966.
- Cross, W., T. Parnham, and J. Helms. *Shades of Black: Diversity in African American Identity*. Philadelphia: Temple University Press, 1991.
- Dyson, A. "The Ninjas, the X-Men, and the Ladies: Playing With Power and Identity in an Urban Primary School." *Teachers College Record* 96 (Winter 1994).
- Earls, F. "Not Fear, nor Quarantine, but Science: Preparation for a Decade of Research to Advance Knowledge about Causes and Control of Violence in Youths." *Journal of Adolescent Health* 12 (1991), 619:629.
- Earls, F. "Violence and Today's Youth." *Critical Health Issues for Children and Youth* 4 (Winter 1994).
- Edmonds, R. "Effective Schools for the Urban Poor." *Educational Leadership* 37 (1979), 15:27.
- Erikson, E. *Identity, Youth and Crisis*. New York: W.W. Norton, 1968.
- Feagin J. R., and M. P. Sikes. *Living With Racism: The Black Middle-Class Experience*. Boston: Beacon Press, 1994.
- Ferguson, R. "A Diagnostic Analysis of Black-White GPA Disparities in Shaker Heights, Ohio." Washington, DC: Brookings Institute, 2000.
- Foster, M. *Black Teachers on Teaching*. New York: The New Press, 1997.
- Fordham, S. *Blacked Out: Dilemmas of Race, Identity, and Success at Capital High*. Chicago: University of Chicago Press, 1996.
- Friere, P. *The Pedagogy of the Oppressed*. New York: Continuum Publishing, 1972.
- Garbarino, J. *Lost Boys: Why Our Sons Turn to Violence and How to Save Them*. New York: Free Press, 1999.
- Giribaldi, A. "Educating and Motivating African American Males to Succeed." *Journal of Negro Education* 61 (Winter 1992).



- Giroux, H. *Theory and Resistance in Education*. New York: Bergin and Harvey, 1983.
- Glassgow, D. *The Black Underclass: Poverty, Unemployment and Entrapment of Ghetto Youth*. New York: Vintage Books, 1980.
- Glazer, N., and D. Moynihan. *Beyond the Melting Pot*. Cambridge, Mass.: MIT Press, 1963.
- Goffman, E. *The Presentation of Self in Everyday Life*. Garden City, N.Y.: Doubleday Anchor, 1959.
- Greenberg, M., and D. Schneider. "Young Black Males is the Answer, but What was the Question?" *Social Science Medicine* 39 (1994).
- Hacker, A. *Two Nations: Black and White, Separate, Hostile, Unequal*. New York: Charles Scribner and Sons, 1992.
- Hale, J. *Black Children: Their Roots, Culture and Learning Styles*. Provo, Ut.: Brigham Young Press, 1982.
- Harry, B., J. Kingner, and R. Moore. "Of Rocks and Soft Places: Using Qualitative Methods to Investigate the Processes that Result in Disproportionately." Presented at the Minority Issues in Special Education, Harvard University, November 17, 2000.
- Hauser, R., and D. Anderson. "Post High School Plans and Aspirations of Black and White High School Seniors: 1976-1986." *Sociology of Education* 64 (1991), 140:165.
- Hilliard, A. "Do We Have the Will to Educate All Children?" *Educational Leadership* 49 (1991), 31:36.
- Hoberman, J. *Darwin's Athletes*. New York: Houghton Mifflin, 1997.
- Jackson, Janine. "The Myth of the Crack Baby." *Family Watch Library* (Sept./Oct. 1998).
- Jencks, C., and M. Phillips. *The Black-White Test Scores Gap*. Washington, D.C.: Brookings Institute, 1998.
- Kao, G., and M. Tienda. "Educational Aspirations Among Minority Youth." *American Journal of Education* 106 (1998), 349:384.
- Kaplan, H., R. Johnson, C. Bailey, and W. Simon. "The Sociological Study of AIDS: A Critical Review of the Literature and Suggested Research Agenda." *Journal of Health and Social Behavior* 28 (June 1987), 140:157.
- Kunjufu, J. *Countering the Conspiracy to Destroy Black Boys*. Chicago, Ill.: African American Images, 1985.
- Ladson-Billings, G. *The Dreamkeepers*. San Francisco: Josey Bass, 1994.
- Leake, D., and B. Leake. "Islands of Hope: Milwaukee's African American Immersion Schools." *Journal of Negro Education* 61 (Winter 1992).
- Lee, C. *The State of Knowledge about the Education of African Americans*. Washington, DC: Commission on Black Education, American Educational Research Association, 2000.
- Levinson, B., D. Foley, and D. Holland. *The Cultural Production of the Educated Person*. Albany, N.Y.: SUNY Press, 1996.
- Lewis, O. *La Vida: A Puerto Rican Family in the Culture of Poverty-San Juan and New York*. New York: Random House, 1966.
- Loewen, J. *Lies My Teacher Told Me*. New York: New Press, 1995.
- Luker, K. *Dubious Conceptions: The Politics of Teenage Pregnancy*. Cambridge, Mass.: Harvard University Press, 1996.
- Majors, R., and M. Billson. *Cool Pose. The Dilemmas of Black Manhood in America*. New York: Simon and Schuster, 1992.
- Madhubuti, Haki. *Black Men, Obsolete, Single, Dangerous?* Chicago: Third World Press, 1990.



- Massey, D., and N. Denton. *American Apartheid*. Cambridge, Mass.: Harvard University Press, 1993.
- MacLeod, J. *Ain't No Makin' It*. Boulder, Colo.: Westview Press, 1987.
- McPartland, J., and S. Nettles. "Using Community Adults as Advocates or Mentors for At-Risk Middle School Students: A Two-Year Evaluation of Project RAISE." *American Journal of Education* (August 1991).
- Meier, K., J. Stewart, and R. England. *Race, Class and Education: The Politics of Second Generation Discrimination*. Madison, Wis.: University of Wisconsin Press, 1989.
- Metropolitan Life. *The American Teacher, 2000*. Metropolitan Life Insurance Company, 2000.
- Metz, M. *Classrooms and Corridors*. Berkeley, Calif.: University of California Press, 1978.
- Mickelson, R. "The Attitude Achievement Paradox among Black Adolescents." *Sociology of Education* 63(January 1990).
- Miles, R. *Racism*. London: Routledge, 1989.
- Milofsky, C. "Why Special Education Isn't Special." *Harvard Educational Review* 44(2).
- Morrow, R., and C. Torres. *Social Theory and Education*. Albany, N.Y.: SUNY Press, 1995.
- Moss, Phillip, and Tilly, C. "Raised Hurdles for Black Men: Evidence from Interviews with Employers." Working Paper, Department of Policy and Planning, University of Massachusetts-Lowell, 1993.
- Murphy, J., and P. Hallinger. "Effective High Schools-What Are The Common Characteristics?" *NASP Bulletin* 69 (January 1985), 18:22.
- Murray, C. *Losing Ground*. New York: Basic Books, 1984.
- Myers, L. J. *Understanding an Afrocentric World View: Introduction to an Optimal Psychology*. Dubuque, Ia.: Kendall Hunt Publishers, 1988.
- National Research Council. *A Common Destiny: Blacks and American Society*. Washington, D.C.: National Academy Press, 1989.
- Noguera, P. "Reducing and Preventing Youth Violence: An Analysis of Causes and an Assessment of Successful Programs." In *1995 Wellness Lectures*. Oakland, Calif.: University of California Office of the President, 1995.
- Oakes, J. *Keeping Track*. New Haven, Conn.: Yale University Press, 1985.
- Ogbu, J. "Opportunity Structure, Cultural Boundaries, and Literacy." In *Language, Literacy and Culture: Issues of Society and Schooling*. Edited by J. Langer. (Norwood, N.J.: Ablex Press, 1987).
- Ogbu, J. "Literacy and Schooling in Subordinate Cultures: The Case of Black Americans." In *Going to School*. Edited by K. Lomotey. (Albany, N.Y.: SUNY Press, 1990).
- Peshkin, A. *The Color of Strangers, the Color of Friends*. Chicago: University of Chicago Press, 1991.
- Phelan, P., A. Davidson, H. Cao Ya. *Adolescent Worlds*. Albany, N.Y.: SUNY Press, 1998.
- Pollard, D.S. "Gender, Achievement and African American Students' Perceptions of their School Experience." *Education Psychologist* 28 (1993).
- Poussaint, A., and A. Alexander. *Lay My Burden Down: Unraveling Suicide and the Mental Health Crisis Among African Americans*. Boston: Beacon Press, 2000.
- Ryan, W. *Blaming the Victim*. New York: Vintage Books, 1976.
- Roper, W. "The Prevention of Minority Youth Violence Must Begin Despite Risks and Imperfect Understanding." *Public Health Reports* 106 (May 1991).
- Sandler, D.P., A.J. Wilcox, and R.B. Everson. "Cumulative Effects of Lifetime Passive Smoking on Cancer Risks." *Lancet* 1 (1985): 312.



- Sandler, S. *Turning to Each Other, Not on Each Other: How School Communities Prevent Racial Bias in School Discipline*. San Francisco: Justice Matters, 2000.
- Sizemore, B. "The Madison Elementary School: A Turnaround Case." *Journal of Negro Education* 57 (1988).
- Skolnick, J. and E. Currie. *Crisis in American Institutions*. New York: Harper Collins, 1994.
- Smitherman, G. *Talkin' and Testifyin': The Language of Black America*. Boston: Houghton Mifflin, 1977.
- Solomon, P. *Black Resistance in High School*. Albany, N.Y.: SUNY Press, 1992.
- Spivak, H., D. Prothrow-Stith, and A. Hausman. "Dying is No Accident." *Pediatric Clinics of North America* 35 (December 1988).
- Spring, J. *American Education*. New York: McGraw Hill, 1994.
- Steinberg, L. *Beyond the Classroom*. New York: Simon and Schuster, 1996.
- Tabb, W. *The Political Economy of the Black Ghetto*. New York: W.W. Norton Co, 1970.
- Tatum, B. "Talking About Race, Learning About Racism: The Application of Racial Identity Development Theory in the Classroom." *Harvard Educational Review* 62 (Spring 1992).
- Taylor-Gibbs, Jewell. *The Black Male As An Endangered Species*. New York: Auburn House, 1988.
- Thorne, B. *Gender Play*. New Brunswick, N.J.: Rutgers University Press, 1993.
- Troyna, B. and B. Carrington. *Education, Racism and Reform*. London: Routledge, 1990.
- Watson, C. and G. Smitherman. *Educating African American Males: Detroit's Malcolm X Academy*. Chicago: Third World Press, 1996.
- Weinstein, R., S. Madison, M. Kuklinski. "Raising Expectations in Schooling: Obstacles and Opportunities for Change." *American Educational Research Journal* 32 (Spring 1995).
- West, C. *Race Matters*. Boston: Beacon Press, 1993.
- Willis, P. *Learning to Labor*. New York: Columbia University Press, 1977.
- Wilson, W. *The Declining Significance of Race*. Chicago: University of Chicago Press, 1978.
- Wilson, W. *The Truly Disadvantaged*. Chicago: University of Chicago Press, 1987.



# STATE-LEVEL OUTCOMES AND MULTIRACIAL CATEGORY LEGISLATION\*

KIMBERLEY WILLIAMS\*\*

---

## INTRODUCTION

In the small amount of existing literature addressing the political implications of the multiracial category issue, attention has been devoted overwhelmingly to developments at the federal level. It should come as no surprise to students of American social movements, however, that the multiracial movement first made inroads at the state level. Much literature documents the merits of federalist systems for relatively weak and/or disorganized challengers. What might be surprising is what this state-level analysis reveals: The cleavages of importance at the state level are not Democrat vs. Republican, or Black vs. White. Rather, a more unconventional set of factors is salient at the state level, including minority suburbanization trends, "new" generation vs. "old" generation black leadership divisions, and the role of minorities in general (not just Blacks) in impacting the legislative outcomes in question.

The discussion is organized as follows: First, I will discuss the different stakes involved in the multiracialists' policy battles at the state level vis-à-vis the federal level. Next, I will draw upon several strands of social movement theory, as well as complementary aspects of the American state politics literature, to evaluate the lines of reasoning that these dominant theoretical frameworks generate about the outcomes in question. After considering and rejecting a number of competing explanations, I demonstrate that the best line of explanation for understanding these state-level outcomes involves close attention to an important and newly emerging intersection of class, race, and suburbanization in the post-civil rights era.

## THE STAKES

### *Stakes at the Federal Level*

Racial statistics in the United States are linked to the enforcement of a wide body of civil rights and voting rights law. Since the 1960s, data on race and ethnicity have been used extensively by federal agencies to monitor civil rights enforcement in areas such as employment, housing and mortgage lending, and educational opportunities. Not only do racial statistics impact the allocation of material resources, they also affect the distribution of political power. The Voting Rights Act of 1965 mandated the creation of political boundaries that would allow

---

\* This article is an excerpt of Professor Williams' dissertation, "Boxed In: The U.S. Multiracial Movement," Cornell University, 2001.

\*\* Assistant Professor of Public Policy, John F. Kennedy School of Government, Harvard University.



minority groups to concentrate their vote, and racial statistics provide the basis from which the Voting Rights Act has been enforced.

### *Stakes at the State Level*

The lion's share of analysts' attention to the multiracial movement has focused on federal level developments. Meanwhile, since 1992, six states have passed multiracial category legislation, two have added a multiracial category designation by Administrative Mandate, and similar legislation is currently pending in four other states. The states' legislation requires the addition of a multiracial category on state documents such as school forms, employment applications, and birth and death certificates. But in light of the fact that the Office of Management and Budget (OMB) dictates the official racial categories used in nationwide data collection, these developments have been all but ignored in media coverage, and in the nascent literature on the multiracial movement. Undoubtedly, this is because, *for the purposes of federal reporting, those identifying as multiracial on state forms are necessarily "re-collapsed" into the standard racial and ethnic categories mandated by the OMB.* In this sense, adding a multiracial category at the state level does not carry substantive material or political stakes: Federal monies and/or the composition of legislative districts are not at risk.

This fact has facilitated the successful packaging of the multiracial category issue at the state level as a feel-good measure related to personal identity and expression. In other words, at the state level, the multiracial category issue can be regarded as a matter of symbolic representation. My concern in this paper is to identify the elected officials most receptive to such a message, for even the Census Bureau admits that the multiracial issue will not go away, but rather, it will likely intensify as the country becomes more racially diverse. Thus, through analyzing the relevant legislative activity at the state level, we are also asking which elected officials are most receptive to this country's inexorable, and yet still-nascent shift away from a binary definition of race.

Most of the state legislatures that have passed multiracial category legislation to date did so in the mid-1990s, when the OMB was in the midst of its aforementioned review of federal racial categorization. Although the multiracial category debate has had a strong partisan dimension at the federal level, at the state level, given that the stakes are much lower materially speaking, multiracial legislation has passed with bipartisan support. Since 1992, Ohio, Illinois, Indiana, Michigan, Maryland, and Georgia have passed multiracial category legislation. Florida and North Carolina have added a multiracial designation by Administrative Mandate, and multiracial category legislation is currently pending in Minnesota, Texas, Oregon, and Massachusetts. Finally, a multiracial category initiative was introduced (but failed) in California. In other words, fully one-fourth of U.S. states (N= 13) have either passed or introduced multiracial category legislation over the past nine years. What accounts for these developments?



### EXISTING THEORIES AND THE EXPLANATIONS THEY GENERATE

A number of theories have been advanced to account for the development of social movements, but far less attention has been devoted to explaining the impact of such movements on public policy. Although linking social movement pressure to policy outcomes is not a new concept, it is an endeavor that, surprisingly, students of social movements have often avoided undertaking until relatively recently. The reasons behind this avoidance are well documented elsewhere. The basic premise is that it was only with the U.S. protest movements of the 1960s that the concept of social movements as amorphous and irrational was finally shattered. Until that time, many analysts regarded social movements as fundamentally opposed to and separate from organized, purposeful behavior. This orientation left little conceptual room to seriously consider and explore the ways in which social movements might significantly impact public policy. For this and other reasons (including the fact that most analysts continue to demonstrate much more sustained interest in the *emergence* of movements than in their longer term, institutional impact), outcomes have often been neglected in the study of social movements.

Unfortunately, at the other end of the spectrum, the American, state politics literature generally remains much less developed than research on federal-level politics. Although analysts do occasionally examine the impact of social movements on the formulation of state legislative policy, the literature on state politics in the United States does not devote much attention to such matters. This is likely due to a couple of factors. First, there is difficulty in obtaining comparable data from state to state.<sup>1</sup> Secondly, there is the overwhelming tendency of American state politics analysts to emphasize endogenous factors (e.g., partisan breakdown of the legislature, competitiveness between the parties) over exogenous ones (e.g., social movements, interest groups) in explaining state policy outcomes.

Although my particular concern in this paper—the intersection of a social movement and state legislative outcomes—is not expressly emphasized in either body of work, the respective literatures nevertheless provide us with strong theoretical cues. In the following section I consider the most promising of these cues/approaches in turn and evaluate the effectiveness of each with appropriate data. I concentrate on major approaches from the social movement literature (resource mobilization and the political process model) and the American politics literature. The first of the American politics explanations involves attention to what can broadly be termed “partisan/party-related” factors (i.e., the relative degree of control that either party exerts on the political process), and the second encompasses what I term “state political culture explanations,” focusing on state ideology.

---

1. Some state legislatures are much more professionalized than others, which can result in wide discrepancies in the availability of detailed information about legislative processes.



### **Resource Mobilization**

Resource mobilization (RM) emphasizes the preexisting organizational and material resources available to social movements and movement entrepreneurs. RM predicts that social movements and organizations (SMOs) with a preponderance of resources (i.e., money, large memberships, and relatively high levels of internal professionalization) will enjoy the most success. Again, although RM has steadily fallen out of favor among students of social movements it is worth considering for our purposes, as there is certainly some relationship between multiracial movement advocacy and these state legislative outcomes. Had it not been for the agenda-setting role of multiracial activists and their organizations, it is unlikely that these outcomes would have been realized. That is to say, before the multiracial movement began to assert itself politically in the late 1980s to early 1990s, there was no momentum whatsoever on the part of state legislatures to formally recognize multiracial people. Therefore, we must seriously consider the possibility that the multiracialists' efforts, as a function of their organizational and material resources, might best explain the relevant outcomes.

RM stresses both activated and potential resources. Therefore, the first step in applying the RM framework to the case at hand would involve underscoring the fact that there has been an exponential rise in the overall number of multiracial people and families in the United States over the past 30 years.

**Table 1. The Multiracial Trend in the United States**

<b>Year</b>	<b>Interracial Marriages (in millions)</b>	<b>Year</b>	<b>People choosing "other" as their racial category (in millions)</b>
1960	0.2	1960	0.2
1970	0.3	1970	0.7
1980	1	1980	6.8
1990	1	1990	9.8
1993	1.2		

Data are from MacManus, Susan, and Lawrence Morehouse. *Race and Representation*, p. 122. Note: The number of interracial marriages in the United States grew from .3 percent of all couples in 1960 to 2.2 percent in 1993. Likewise, the number of people who fit into the "other" category for race on Census Bureau surveys grew from .1 percent of the population in 1960 to about 4 percent in 1990 (about 1 in 25 Americans).

As Table 1 indicates, the number of people to whom a "multiracial movement" would most likely appeal has risen dramatically over the past few decades. Although the number of interracial marriages in the United States still represents a small fraction of total marriages, this should not detract from our understanding



of the epochal shift that is presently taking place. One-quarter to one-third of all marriages involving Japanese Americans are now out-group marriages, more indigenous people marry outside the indigenous population than marry within it, and marriages between Blacks and Whites have increased by 300 percent since 1970.<sup>2</sup> By the Census Bureau's own admission, the "growing racial and ethnic diversity of the American population, as well as changing attitudes about race and ethnicity" have converged to render the current categorical schema "in danger of becoming obsolete."<sup>3</sup>

The increase in the number of multiracial SMOs over the past 20 years lends further support to the RM line of reasoning. In 1979, there was one active multiracial organization: Interracial-Intercultural Pride, based in Berkeley, Calif. By 1984, approximately 12 multiracial SMOs existed across the country; by 1994, there were 20; by 1999, 40.<sup>4</sup> Although many of these groups have formed and since disbanded, the overall trend demonstrates that the number of multiracial organizations in existence has continued to grow. And, the biggest increase in multiracial SMOs occurred in the years between 1994 and 1999, precisely when many states began to consider the addition of a multiracial category on state forms. Similarly important for a RM rationale is the fact that the resources of most multiracial organizations have grown (albeit modestly) over the past two decades in terms of membership, professionalization, and financial reserves.<sup>5</sup>

Yet insofar as state-level policy outcomes are concerned, no evidence suggests that multiracial movement activists have been able to convert the aforementioned potential resources into actual ones. For if this were the case, we should expect to find evidence supporting at least one of two trends: successful outcomes are more prevalent in what can be considered the most "multiracial" states (relating to potential resources), and/or successful outcomes are more likely to occur in states with the "strongest" multiracial groups (relating to actual resources). Yet Table 2 demonstrates no such pattern.

Table 2 demonstrates no identifiable pattern of relationships between policy outcomes and either the potential or tangible resources of multiracial SMOs. In short, the resource mobilization approach ultimately grants us little leverage in terms of explaining state-level outcomes. Consider these facts:

- In only two out of the eight successful cases has multiracial category legislation passed in what can be identified as the states with the strongest and most politically active multiracial organizations (Illinois and Georgia);
- In one of these two cases (Illinois), the main activists were not affiliated with a multiracial organization;

---

2. Hollinger, 42.

3. Edmonston and Schultze, 140.

4. Deduced from my efforts to identify, research, and survey these organizations from 1997-1999.

5. Deduced from my efforts to identify, research, and survey these organizations from 1997-1999.



**Table 2. Multiracial Category Outcomes vis-à-vis "Multiracial" States and Multiracial SMO Strength (by State)**

State	Multiracial State*	Strong Multiracial Group(s)	Policy Outcome S= Success P= Pending F= Failure
Ohio	No	No	S
Illinois	Yes	Yes	S
Georgia	No	Yes	S
Indiana	No	No	S
Michigan	No	No	S
Maryland	No	Semi (governor vetoed bill first time around)	F then S
N. Carolina	No	No	S
Florida	Yes	No	S
Minnesota	No	No	P
Oregon	No	No	P
Massachusetts	No	No	P
Texas	Yes	Semi	P
California	Yes	Yes	F

\* I define a "multiracial state" as one in which at least two or more minority groups each make up at least 10 percent of the population. Source: Russell, Cheryl. *The Official Guide to Racial and Ethnic Diversity* (Ithaca, NY: New Strategist Publications, Inc., 1996).

- The most extensive advocacy campaign launched at the state level to add a multiracial category was in Georgia, but a rally on the steps of the Georgia capitol building that drew approximately 20 supporters was the extent of the "popular pressure" that the multiracialists in that state were able to muster.
- In five of the 13 cases in which we see the introduction and/or passage of multiracial category legislation, local multiracial groups played absolutely no role in introducing multiracial category legislation in their states (Indiana, North Carolina, Florida, Oregon, and Massachusetts).

While the overall multiracial population in the United States is growing rapidly, and though the membership of active multiracial organizations has grown over time, we cannot explain the state-level policy outcomes as a function of these general developments. The evidence overwhelmingly indicates that the multira-



cialists' resources cannot account for the implementation of multiracial category legislation in *any* of the states in question. We move then to another possibility, the political process approach.

### *Political Process Explanations*

The political process approach (like resource mobilization) registers the importance of grievances and existing organizational resources. This framework, however, emphasizes *the relevance of political opportunities that permit the movement some prospect of success*. In other words, the crucial difference between the resource mobilization and political process approaches is that in the latter, the institutional structure in which a movement operates is viewed as a crucial determinant of the timing and fate of that movement, while the former places more emphasis on the group's internal resources. Unfortunately, in the recent literature, the concept of political opportunities has been stretched to encompass such a wide range of "opportunities" that the original idea is in danger of losing its analytical bite. Thus, I regard political opportunities here as they were originally conceived, i.e., in terms of structural changes and power shifts. This requires placing attention on the role of elites, in particular, the stability or instability of electoral alignments, and the presence or absence of other elite allies.<sup>6</sup>

Addressing the issue of electoral alignments first, the most striking development to consider is the dramatic shift in power that took place in state legislatures in 1994. At first blush, the Republican ascendance in state legislatures in that year would seem to explain the outcomes of concern. This is so because Republicans in Congress have shown much more support for the multiracial category effort than Democrats, which would reasonably lead us to think that we might find a similar pattern of partisanship at the state level. Yet Table 3 shows that it is difficult to interpret these state-level outcomes as a function of the partisan power shift that took place in state legislatures in 1994.

Table 3 brings two important facts to light: First, far more Democrats (9) have sponsored multiracial category legislation at the state level than Republicans (2). Second, the roll-call votes on multiracial category legislation have, in most cases, been unanimous or close to unanimous. I will return to both of these issues shortly. Before doing so there is one point to emphasize. *It is impossible to view the success of state-level multiracial category legislation as a result of the Republicans' strong showing in the 1994 elections, given that decidedly more Democrats have initiated such legislation than Republicans*. Moreover (with the exceptions of the Michigan House and the Ohio Senate), the roll-call votes make it difficult to view this issue as having a partisan dimension at the state level.

Turning to the presence/absence of other elite allies/opponents, the multiracial movement has managed to garner endorsements from two nationally recognized advocacy and political groups: the Libertarian Party and the Japanese

---

6. McAdam et al.



**Table 3. Multiracial Category Legislation: Party Sponsorship and State Roll-Call Votes\***

State	Party/Leg. Sponsor	Party of Gov.	Roll-Call Vote
Ohio (passed in 1992)	Democrat (Czarcinski)	Republican 19-12 (Senate)	90-7 (House)
Georgia (passed in 1994)	Democrat (Abernathy)	Democrat	175-5 (House) 52-0 (Senate)
Indiana (passed in 1995)	Republican (Server)	Democrat	99-0 (House) 47-0 (Senate)
Michigan (passed in 1995)	Republican (Voorhees)	Republican	62-41 (House) 34-2 (Senate)
Illinois (passed in 1996)	Democrat (Carroll)	Republican	115-0 (House) 53-0 (Senate)
California (introduced 1996)	Democrat (Campbell)	N/A (did not make ballot)	N/A
Minnesota (introduced 1997)	Democrat (Betzold)	N/A (has not come up for a vote)	N/A
Oregon (introduced 1997)	Democrat (Beyer)	N/A (has not come up for a vote)	N/A
Massachusetts (introduced 1997)	Democrat (Keating)	N/A (has not come up for a vote)	N/A
Texas (introduced 1997)	Democrat (Ellis)	N/A (has not come up for a vote)	N/A
Maryland (passed in 1998)	Democrat (Healy)	Democrat	124-10 (House) 46-0 (Senate)

\* North Carolina and Florida: Administrative Mandate; no vote or legislative sponsor.

American Citizens League (JACL). Moreover, a number of other groups have endorsed the multiracial movement, including the International Institute for Interracial Interaction, in Minneapolis, Minnesota; the National Coalition to End Racism, in Taylor, Michigan; and Healing Racism, located in St. Louis, Missouri. Most of these external elite allies, as well as the external elite opponents (including, most prominently, the NAACP, the Urban League, LaRaza, and the National Coalition of American Indian Tribes) have focused their energies on federal-level developments, by and large ignoring state-level multiracial category legislation. Interestingly, my research shows that at the state level, local NAACP officials had very little, if any, knowledge of the multiracial category issue in their states.<sup>7</sup>



While both external allies and opponents have demonstrated overwhelming concern with the federal-level developments, it would be reasonable to assume that their efforts might have also had some impact, indirect or otherwise, on the state-level developments under consideration here. However, upon consideration of the timing of these endorsements, the allies with the highest profile (i.e., the Libertarian Party and the JACL) did not express support of the multiracialists until 1997—well after most of the successful state-level legislative activity had taken place. Moreover, neither of these organizations favored a multiracial category, *per se*. The Libertarian Party wanted to eliminate racial classifications from all government forms, but the organization was not in favor of instituting a multiracial category. “If millions of Americans withheld their racial data from the government,” Steve Dasbash, the Libertarian Party’s national chairman, wrote in a press release in July 1997, “the politicians’ framework for American Apartheid would crash to the ground.”<sup>8</sup> In short, the Libertarian Party viewed the multiracialists’ cause as a step toward ending the “handing out of favors”<sup>9</sup> based on racial preferences.

The JACL also did not endorse the addition of a multiracial category on the 2000 Census *per se*, but for different reasons than the Libertarian Party. The JACL supported the OMB’s ultimate MATA decision as a way to “acknowledge the rights of multiracial people to identify *truthfully and accurately*, without hurting minority groups that need accurate reporting of race and ethnic data for civil rights purposes.”<sup>10</sup> In other words, JACL support must be viewed as an endorsement for the MATA decision, not for the addition of a multiracial category on the census. And again, both of these endorsements came after much of the state level legislation had already been passed.

### *Partisan-Related Explanations*

At this juncture, there is no compelling evidence to suggest that either the “strength” of multiracial SMOs, or electoral alignments/external elite allies provide us with promising lines of explanation to account for the outcomes in question. Moving from social movement lines of inquiry to those often advanced in the American politics literature, however, we find that the latter takes the study of partisanship a step further. In order to explain why bills succeed or fail, the primary factor of initial importance here is partisanship in the legislature. Should we find, for example, a strong pattern of *party control* in the states in question, we might still have reason to view the multiracial category issue within a partisan framework. This is because, in spite of the fact that the roll-call votes are generally unanimous, such votes are generally more likely to materialize in state legis-

---

7. This was the case even in cities that would seem to have particularly powerful/active NAACP branches, such as Atlanta and Chicago.

8. Libertarian Party Press Release, July 10, 1997. Unpublished.

9. *Ibid.*

10. JACL Policy Position on the Multiracial Category, July 9, 1997. Unpublished. Emphasis in original.



latures that are overwhelmingly dominated by one or the other party. This is not necessarily because Democrats and Republicans always agree, it is because the weaker party often realizes the futility of trying to assert an alternative agenda.<sup>11</sup>

**Table 4. Party Control in State Legislatures**

State	Senate		House		Gov.	Party Control
	Dems./ Repubs.	Senate Control	Dems./ Repubs.	House Control		
Florida	20/20	split	71/49	Dem.	Dem.	.83
Georgia	45/11	Dem.	145/35	Dem.	Dem.	1.00
Illinois	31/28	Dem.	72/46	Dem.	Repub.	.67
Indiana	22/28	Repub.	55/45	Dem.	Repub.	-.67
Maryland	32/15	Dem.	49/41	Dem.	Dem.	1.00
Michigan	16/22	Repub.	55/55	split	Repub.	-.83
N. Carolina	36/14	Dem.	81/39	Dem.	Dem.	1.00
Ohio	14/19	Repub.	59/40	Dem.	Repub.	-.67
Massachusetts	30/10	Dem.	121/33	Dem.	Repub.	.67
Minnesota	43/24	Dem.	69/65	Dem.	Repub.	.67
California	21/17	Dem.	39/41	Repub.	Repub.	-.67
Texas	17/14	Dem.	87/63	Dem.	Repub.	.67
Oregon	11/19	Repub.	26/34	Repub.	Dem.	-.67
<b>MEAN PARTY CONTROL</b>						<b>.23</b>

As Table 4 demonstrates, however, no prevailing pattern emerges upon consideration of party control during the legislative sessions in which multiracial category legislation has been introduced and/or voted upon in the respective states.<sup>12</sup> But perhaps rather than party control, the factor of interest might better be identified as

11. Gray, see Ch. 3.

12. We can think of party control in terms of a continuum, i.e., from full Democratic control (Democratic control of the House, Senate, and governorship) to full Republican control (Republican control of the House, Senate, and governorship). If +1 is full Democratic control and -1 is full Republican control, the mean party control score for our cases (N=13) is .23. Thus, we can say that Democrats hold a slight advantage in terms of party control in these states as a whole, but in no way can this be characterized as a pattern of Democratic dominance.



*party competition.* Most of the state legislatures in which multiracial category legislation has been introduced can in fact be characterized as competitive, i.e., as states in which neither party exhibits overwhelming party control. Moreover, the literature on party competition suggests that symbolic legislation is most often raised in legislatures exhibiting relatively high levels of party competition, as legislators are arguably more entrepreneurial under these conditions. Nevertheless, there are many more states in which party competition is a salient factor<sup>13</sup> than there are cases of multiracial category legislative activity. In short, neither party control nor party competition takes us very far toward understanding the outcomes in question.

### *State Political Culture Explanations*

The "political culture" of a state is another factor often evoked in the American politics literature to help understand policy outcomes across states.<sup>14</sup> Political culture refers to "the particular pattern of orientation to political action in which each political system is imbedded" and is important as "the historical source of differences in habits, perspectives, and attitudes that influence life in the various states."<sup>15</sup> Elazar identifies three basic political cultures in the United States: individualist, moralist, and traditionalist. Individualist states are those that embrace a view of politics as a marketplace, whereby the government plays a strictly utilitarian role. Moralist states are those which view politics as "one of the great activities of humanity in its search for the good society."<sup>16</sup> In such states, government is considered as a positive instrument with a responsibility to promote some notion of the general good and general welfare. Finally, in traditionalist states the emphasis is on maintaining the status quo, i.e., preserving the existing social order.

Clearly, a moralist (i.e., progressive) political culture would present the most conducive environment for the multiracialists' advocacy efforts. The multiracial movement has deftly presented itself as an issue related to the self-esteem of multiracial children and families, and as an undertaking that can help reduce racial tension and polarization on a broader scale. Both emphases would ostensibly be in accord with states embracing moralist cultures. Applying Elazar's typology to the matter at hand, however, we see that all three political cultures are more or less equally represented in regard to the states in question. There has been activity surrounding multiracial category legislation in four individualistic states (Illinois, Indiana, Ohio, and Maryland), five moralistic states (Michigan, Minnesota, Oregon, Massachusetts, and California), and in four traditionalistic states (Georgia, Florida, Texas, and North Carolina).<sup>17</sup>

13. See for example Holbrook et al., who rank all U.S. states according to levels of party competition.

14. Elazar; Fitzpatrick and Hero.

15. Elazar, 109-110.

16. Ibid., 117-118

17. List of U.S. states by political culture type can be found in Gray, 26.



## NEW COALITION, NEW CLEAVAGE: SUBURBANIZATION AND THE MULTIRACIAL TREND

None of the explanations discussed above can be systematically applied toward understanding the dynamics involved in the introduction and/or subsequent fate of multiracial category legislation at the state level. I first focus attention on a factor that the alternative explanations (previously discussed) would not have us readily consider—shifting trends in, and emerging cleavages related to, minority suburbanization. The first set of relevant data is presented below, in Table 5. *The one constant that we find across all of the cases involved is that multiracial category legislation has only been initiated in cases where the legislative sponsors of multiracial category bills represent middle class, suburban constituencies.*

Table 5 strongly indicates that legislators have initiated multiracial category legislation at the state level if their constituencies embody a profile of racial and class characteristics largely found in (predominantly black or white) suburbs. This raises a number of interesting questions. Namely, why are legislators representing wealthy, suburban districts apparently the most inclined to sponsor multiracial category legislation? Why does such support transcend racial and party lines? How do we move from bill sponsorship to an understanding of the legislative outcomes in question? These questions will be addressed momentarily, but first, I review some perhaps surprising statistics related to the characteristics and composition of contemporary American suburbs.

Although U.S. suburbs are generally thought of as essentially white and largely conservative, the most recent demographic data on U.S. suburbs undermine these assumptions. Over the past 20 years, there has been an increasingly rapid departure from urban areas by middle and working class minorities. "From 1980 to 1990, the black population in U.S. suburbs grew on average in the United States by 34.4 percent, while the Hispanic population grew by 69.3 percent and the Asian population by 125.9 percent (the comparable figure for Whites was 9.2 percent)."<sup>18</sup> Projections indicate that minority out-migration to suburbs will continue in the coming years.

What do suburbanization trends have to do with the outcomes in question? The above data on the class and racial composition of the bill sponsor's district in each state, vis-à-vis comparable data for the closest metropolitan city, demonstrate a strong pattern. Multiracial category legislation has only been introduced by legislators representing one of two types of state legislative districts:

*District Type 1:* Wealthy suburban districts with a large or medium-sized black middle class (Georgia Maryland, Michigan, and Texas); or

*District Type 2:* Wealthy suburban districts with very few Blacks at all (Illinois, Indiana, California, Minnesota, Massachusetts, Ohio, and Oregon).

Recall that irrespective of district type, the stakes involved in the multiracial category issue at the state level are low from a material standpoint. State-level

---

18. McManus and Morehouse, 119. My emphasis.



**Table 5. The Class/Racial Composition of Multiracial Category Bill Sponsor's Districts vs. Class/Racial Composition of the Nearest City**

State	Legislative Sponsor	Median Income and %age Black in Bill Sponsor's District*	Median Income and %age Black in Closest Metropolitan City**
Georgia	Abernathy black Dem.	\$39,221 80% black	\$22,275 Atlanta 67.1% black
Illinois	Carroll White Dem.	\$41,141 3%	\$26,301 Chicago 39.1%
Maryland	Healey Black Dem.	\$45,407 41%	\$24,045 Baltimore 59.2%
Indiana	Server White Repub.	\$41,497 3%	\$29,006 Indianapolis 22.6%
Michigan	Voorhees White Repub.	\$33,453 11%	\$18,742 Detroit 75.7%
Ohio	Czarcinski White Dem.	\$45,790 2%	\$21,006 Cleveland 46.5%
Calif.	Campbell White Dem.	\$65,914 2%	\$30,925 Los Angeles 14.0%
Minn.	Betzold White Dem.	\$45,627 1%	\$25,324 Minneapolis 13.02%
Mass.	Keating White Dem.	\$57,799 1%	\$29,180 Boston 25.6%
Oregon	Beyer White Dem.	\$27,093 1%	\$25,369 Eugene 1.25%
Texas	Ellis Black Dem.	\$29,872 14%	\$26,261 Houston 28.1%

\*Average income and percentage black data are from: Barone, Michael, et al. *State Legislative Elections: Voting Patterns and Demographics*. (Washington, D.C.: Congressional Quarterly Inc., 1998).

\*\* Data are from the U.S. Bureau of the Census. *County and City Data Books*. (Washington, D.C.: Office of Management and Budget, 1994).

*Note:* Florida and North Carolina are not noted in the table because in these states, multiracial category legislation was passed by Administrative Mandate. Therefore, there is no legislative sponsor: such measures are approved by the Dept. of Education in the respective states.

*Note:* Shaded districts=Suburban districts.



multiracial category legislation is largely a symbolic gesture, which explains the generally low levels of partisanship and political conflict surrounding this issue at the state level. But why does this symbolic gesture take root in some contexts, as opposed to others? What we can learn on a broader scale from the patterns of support/opposition therein?

### *District Type 1*

These suburban districts with a large/medium sized black middle class (Atlanta, Baltimore, and Houston) are, not surprisingly, adjacent to cities consisting of a large or medium-sized black population. With the exception of Detroit (see Table 6, below), however, Blacks in these cities are moving to the suburbs at a higher rate than that of Blacks in the United States as a whole.

**Table 6. Minority Suburbanization Trends**

<b>Closest city center</b>	<b>Latino Suburban Population Growth (1980-1990) Average U.S. growth: 69.3%</b>	<b>Black Suburban Population Growth (1980-1990) Average U.S. growth: 34.6%</b>	<b>Asian Suburban Population Growth (1980-1990) Average U.S. growth: 125.9%</b>
Atlanta	—**	94.5%	386.1%
Chicago	93.9 %	64.6%	103.7%
Baltimore	146.8%	42.8%	108.3%
Indianapolis	—	—	—
Detroit	—	28.7%	82.5%
Cleveland	—	27.5%	—
Los Angeles	52.7%	12.8%	153.9%
Minneapolis	—	—	135.1%
Boston	110.3%	—	189.3%
Eugene	—	—	—
Houston	117.2%	108.2%	239.7%

\* Data are from Frey, William (1994, 1996).

\*\* Cells with “—” indicate that these cities are not among the top 40 metropolitan areas in the country for Latino, black, or Asian growth in surrounding suburbs.

Furthermore, Table 6 shows that Blacks are not the only minority group outpacing nationwide suburbanization trends in Type 1 cases (again, with the exception of Detroit). In the suburbs of Atlanta, Baltimore, and Houston, the growth of other minority groups is also increasing at a much faster rate than that of suburbs



as a whole. In all three of these metropolitan areas, suburban minority growth among either Asians or Latinos (and in the case of Houston, both groups) is more than double the national average from 1980 to 1990. Finally, these cases (Detroit excluded) represent all of the instances in which we see black legislative sponsors of multiracial category legislation. Not incidentally, all of these black legislators are young, "new generation,"<sup>19</sup> black elected officials.

Multiracial category bills are likely to be initiated by legislators representing a large/medium-sized black middle class; this is the baseline definition of Type 1 cases. But the evidence suggests that in addition to a critical mass of middle class blacks, multiracial category legislation (for Type 1 cases) is most likely to emerge from districts governed by young, "new generation," black legislators, representing fast-growing, racially diverse suburbs that are adjacent to high-growth metropolitan areas. Furthermore, Table 7 provides evidence to support this pattern from the reverse angle: While there has not been opposition in all of the states that have introduced multiracial category legislation, *where there has been opposition, it has come exclusively from older black legislators representing urban (city center) districts with a large proportion of poor blacks.*

**Table 7. Proponent/Opponent District Characteristics**

State	Proponent's District		Opponent's District	
Maryland	Healey 22A (House)	\$45,407 41% black	Boston 41st (House)	\$29,345 84% black
Michigan	Voorhees 77th (House)	\$33,453 11% black	Vaughn 4th (House)	\$18,602 88% black
Ohio	Czarcinski 46th (House)	\$45,790 2%	Mallory 31st (House)	\$20,230 60% black
Texas	Ellis 13th (House)	\$29,872 14% black	Jefferson 143rd (House)	\$21,223 45% black

\* Source: Barone et al.

Because the N is small, it is impossible to generalize beyond the data. However, the opponents are all older black legislators, who, in general, tend to be motivated by traditional civil rights issues.<sup>20</sup> What I suspect that we are seeing in

19. "New generation" is a term used to distinguish between the first cadre of blacks elected to office just after the implementation of the Voting Rights Act, and those elected more recently, over the past 10 to 15 years. The latter have been less driven by traditional civil rights issues and are more inclined to adopt biracial, entrepreneurial modes of operation. See for example, Singh, esp. Ch. 6, and Canon.

20. The only data currently available on this possible new cleavage is at the federal level. See for example, Cohen; and Walton.



Table 7 is preliminary evidence of a cleavage that has recently become discernible in minority Congressional politics and is likely to transform minority politics over time (as older black legislators retire or otherwise vacate their posts). *The cleavage relates to the increasingly contested issue, among minority elites, regarding what is in the "minority interest."* In other words, I suspect that in general, "new generation" black legislators are more inclined to support multiracial category legislation because they do not view civil rights issues in the traditional sense that older black legislators do, and because they are more apt to embrace biracial coalition formation strategies.

I will return to the issues of minority interests and new cleavages in the next, and final, section. First, however, let us look more closely at the case of Detroit, which is the exception in all of the factors that I have identified as salient for Type 1 cases. Detroit exhibits lower than average levels of black suburbanization, lower than average levels of minority suburbanization in at least one other minority group (Latinos or Asians), and the legislative sponsor is a white Republican. While my Type 1 typology fails to explain why we see multiracial category legislation emerging from suburban Detroit, it is not surprising that subsequently, the most conflict surrounding the multiracial category issue *in all states* centers around the case of Detroit, as is clearly reflected in the Michigan roll-call votes. Black State Representative Ed Vaughn led the opposition to the multiracial category bill in that state. In a telephone interview with this author, Rep. Vaughn expressed the following about multiracial category legislation at the state level:

On the surface it seems harmless, but there are mean-spirited people who want to scuttle black power. I fought the bill very hard. I argued that it was strictly an effort to destroy black economic power. The black representatives (in Michigan) were jumping on board until I came along. So many Blacks don't want to be black. Why would Abernathy [the black legislative sponsor of the Georgia multiracial category bill] support it? Abernathy is confused. These Negroes are totally confused. If I could have talked to Abernathy, I'd have changed his mind. The issue did not become controversial in other states because they didn't have me in other states. It sounded okay to them.<sup>21</sup>

Although Detroit does not fit my typology for Type 1 cases, it does lend support to my broader argument about a potential cleavage emerging between older generation and "new generation" black legislators. For Vaughn, the new generation is confused; for Abernathy, the old generation is "living in the past."<sup>22</sup>

### *District Type 2*

Type 2 districts typify the common public perception of suburbs as being significantly wealthier and whiter than the closest city center. Although Type 2 districts

21. Rep. Ed Vaughn, Interview by the Author, December 3, 1998.

22. Sen. Ralph Abernathy III, Interview by the Author, December 15, 1998.



resemble those of Type 1 in terms of income disparity, vis-à-vis city centers, the resemblance stops there. Contrary to Type 1 cases, there is no thematic characteristic that binds Type 2 bill sponsors. The only potential pattern involves the fact that many of these bill sponsors are white Democrats from states that, according to Elazar's typology discussed earlier, tend to be moralistic in orientation. California, Oregon, Massachusetts, and Minnesota fit this characterization; Indiana, Ohio, and Illinois do not. I will bracket this discussion momentarily, as the significance of moralist cultures in these states is discussed more extensively in the coming sections.

#### FROM BILL SPONSORSHIP TO LEGISLATIVE OUTCOMES

While legislators representing middle class suburban districts *introduced* multiracial category legislation, the success or failure of these initiatives ultimately depended on the votes of all legislators in those states. In moving from bill sponsorship to legislative outcomes, it is useful to think of the multiracial category issue as a sort of barometer of legislative responsiveness, at least on symbolic matters, to minority interests. Conceptualizing the multiracial category issue within this rubric allows us to link this study to the broader literature on minority representation. This body of work is fundamentally concerned with explaining the conditions under which elected officials promote or thwart the interests of minorities in the legislative arena.<sup>23</sup>

Although, as discussed below, the minority representation literature guides us in the right direction, two engaging problems become immediately apparent in tying this paper to that body of work. First, this literature overwhelmingly rests on the notion that there are monolithic minority interests. Hence, the interesting and important question is, *is multiracial category legislation in the "minority interest" or opposed to it?* As discussed earlier, the black legislators who have become involved in this issue appear to be divided on this point. The problem that I am identifying here is that the minority representation literature does not deal well with the possibility of divergent visions for the representation of racial interests, though empirically, different visions are becoming increasingly observable.<sup>24</sup> The second interesting problem involved in applying the insights of the minority representation literature, particularly to the case at hand, is that by and large "minority interests" have been used in this body of work to denote "black interests."<sup>25</sup> This paper raises questions about that assumption as well, in that it is difficult to view multiracial category legislation as relating exclusively to the interests (however defined) of one and only one minority group. However, albeit with some modifications, the minority representation literature takes us the furthest in understanding the outcomes in question.

My first concern about the need to problematize "interests" is in practice mediated by the fact that, except in Michigan, no excessively vocal minority

---

23. See for example, Swain; Lublin.

24. See for example, Canon, 331-385; MacManus and Morehouse.

25. See Canon; Lublin.



opponents emerged at the state level. By and large then, the multiracial category issue has been accepted as a feel-good, cost-free measure related to, as State Senator Howard Carroll (D-IL) put it, the "quality-of-life interests of minorities."<sup>26</sup> As such, multiracial category legislation has evoked little controversy at the state level in general, and the largely unanimous roll-call votes support this view. In other words, the question of whether or not this sort of legislation is in the "interest" of minorities has provoked more contention among minority legislators than it has in the broader context of the state legislatures involved. Thus, in terms of the way in which multiracial category legislation has been viewed by state legislative bodies as a whole, we may aptly regard the issue as most legislators seem to have viewed it: as a symbolic gesture related to minority interests.

Along these lines, a number of models predominate in the minority representation literature to explain legislative responsiveness to black interests.<sup>27</sup> Figure 1 schematizes the relationships predicted by the most prevalent models.

All of these models share the view that legislative responsiveness to black interests is in some way related to the racial composition of the state, namely to the percentage of black residents therein. Relating the patterns of multiracial category legislative activity at the state level to these models, we see that provisionally, a modified majoritarian model holds the most promise in terms of explaining the outcomes in question. The hypothesis advanced by this model in its original formulation is as follows: Blacks will have little influence on the voting behavior of their representatives until they constitute a majority, at which point, voting behavior will take a discrete jump toward minority-favored policies.

The first modification that we should make to this model relates to the fact that we are concerned with a symbolic issue, and as such, the threshold for legislative responsiveness to minority issues is likely to be lower than on substantive issues related to the allocation of resources.<sup>28</sup> Canon (1999) suggests a threshold of at least 20 percent<sup>29</sup> for legislative responsiveness to symbolic racial issues. Applying this first adjustment to the majoritarian model, we could explain the outcomes of interest as follows: We see multiracial category legislative activity in Georgia, Maryland, and North Carolina because these are states that reach the threshold for legislative responsiveness to black interests. We see activity in California, Minnesota, Massachusetts, and Oregon because these are generally moralistic culture/progressive states that are more likely to pay attention to symbolic

26. State Sen. Howard Carroll, Interview by the Author, November 17, 1998.

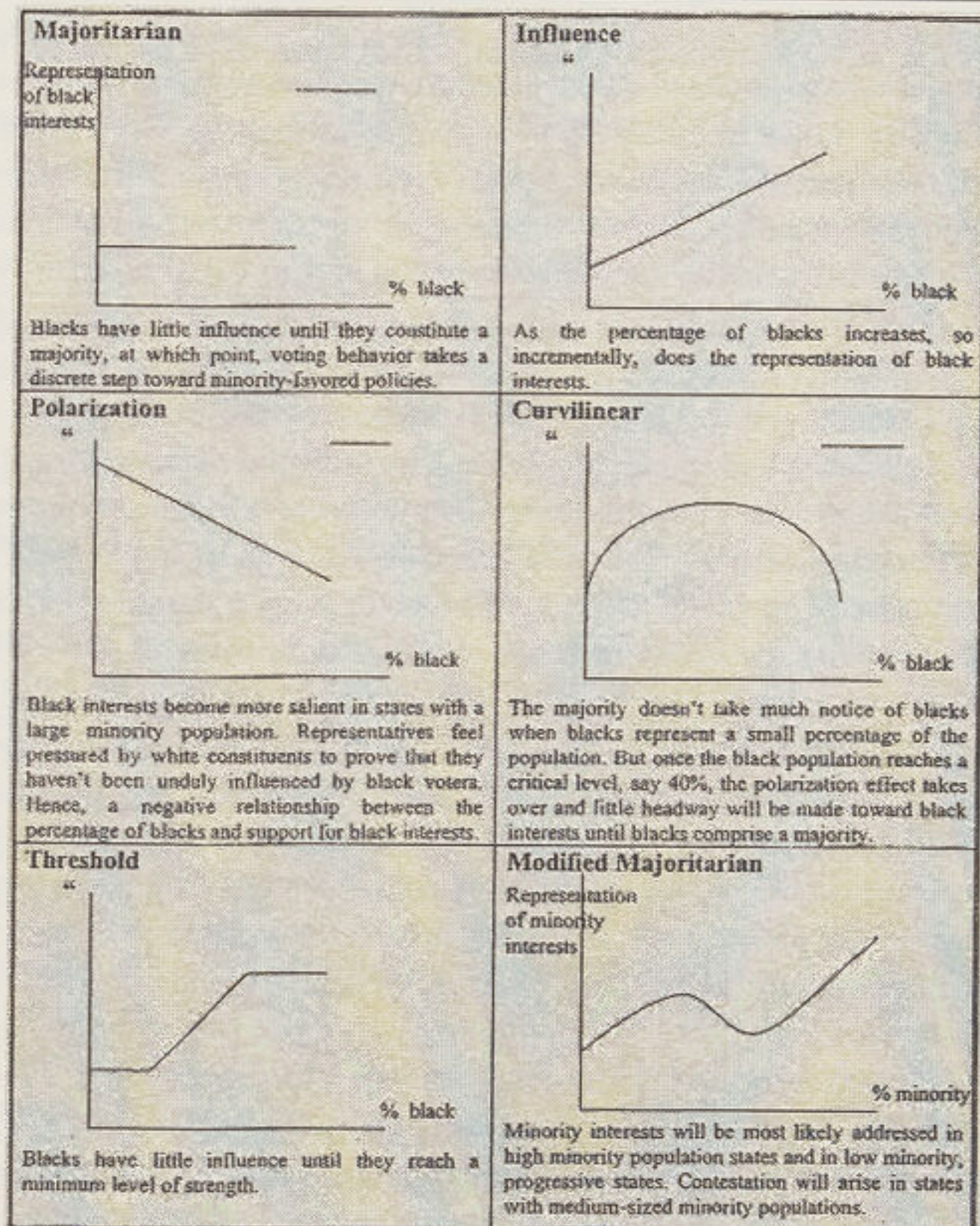
27. Note: the *minority* representation literature is predominantly concerned with *black* interests.

28. Canon.

29. Analysts disagree as to the actual tipping point at which black interests begin to be viewed differently in legislatures. Some (e.g., Lublin) argue that at least 40 percent black is necessary. However, given that this is a symbolic issue, and given that a number of other analysts have settled on percentages hovering around 20 to 25 percent, e.g., Grofman, Griffin, and Glazer, I use the latter figure here.



Figure 1. Models of Minority Representation



black interests than conservative, low-population black states, such as Idaho or Montana. But why do we see multiracial category legislative activity in Georgia (27 percent black) and Maryland (25 percent black) as opposed to other states with large black populations, e.g., Alabama (25 percent black) and Mississippi (35 percent black)? At the other end of the spectrum, why do we not see legislative activity in a number of other low-minority population, progressive states (e.g., Vermont, Wisconsin)? Finally, how do we explain all of the cases with medium-sized black populations (Illinois, Florida, Michigan, Texas, Ohio, and Indiana)?

Most of these questions can be resolved if we view multiracial category legislative activity as related to the *total minority population* of the states involved, not just the black population.

Looking at the total minority population as opposed to solely the black population renders a dramatically different picture in some cases, and a negligible difference in others. Not surprisingly, in the south, most of the minorities are Blacks.



**Table 8. Percent Minority in States with Multiracial Category Activity**

<b>More than 20% Minority Population</b>		<b>Less than 20% Minority Population</b>	
California	<b>47.3% minority</b> 7% black 12.1% Asian 28.2% Latino	Michigan	<b>18% minority</b> 14% black 1.5% Asian 2.5% Latino
Texas	<b>42.8% minority</b> 12% black 2.5% Asian 28.3% Latino	Massachusetts	<b>13.7% minority</b> 5% black 3% Asian 5.7% Latino
Maryland	<b>32% minority</b> 25% black 3.9% Asian 3.1% Latino	Ohio	<b>13.6% minority</b> 11% black 1.1% Asian 1.5% Latino
Georgia	<b>30.5% minority</b> 27% black 1.5% Asian 2% Latino	Indiana	<b>11% minority</b> 8% black 0.9% Asian 2.1 % Latino
Florida	<b>28% minority</b> 14% black 1% Asian 13% Latino	Oregon	<b>9% minority</b> 2% black 3% Asian 4% Latino
Illinois	<b>27.4% minority</b> 15% black 3.2% Asian 9.2% Latino	Minnesota	<b>5.9% minority</b> 2% black 2.4% Asian 1.5% Latino
North Carolina	<b>25% minority</b> 23% black 1% Asian 1% Latino		

Source: Barone et al.

Note: The American-Indian population is negligible in all of the states under consideration.

However, minority population vs. black population makes a significant difference in the way in which we might view the matter at hand in Illinois, California, Florida, Texas, and to a lesser extent, Maryland.

The overall dynamic can be explained directly. Although we have what amounts to four different case types (large minority population; large minority



population of predominantly Blacks; medium-sized minority population; very small minority population), we end up with a relatively unadorned line of reasoning to explain the outcomes in question. Multiracial category legislation is most likely to succeed under one of two circumstances: in states with a large minority population (20 to 25 percent or more), or in progressive states with a small (10 percent or less) minority population. This is because, as adapted from the majoritarian model, when the minority population is small, minority interests are not paid much attention to (except in progressive states). At the other end of the spectrum, as the percentage of minorities in a state reaches the threshold of 20 to 25 percent, minority interests are more likely to be addressed favorably.

In the cases where Blacks comprise the majority of the minority population in a state, the reasonable question was raised earlier. Why, for example, are Georgia (30.5 percent minority but of that 27 percent black) and North Carolina (25 percent minority, but of that 23 percent black) as opposed to other states with large black populations, e.g., Alabama (25 percent black) or Mississippi (35 percent black)? Note however, the southern states in which we see legislative activity: Georgia, Florida, North Carolina, and Texas. These states do not represent the classic Deep South states, and in fact, particularly over the past 10 to 15 years, analysts have found that these "New South" cases significantly diverge from Deep South states such as Arkansas and Mississippi in terms of the voting behavior of elected officials.<sup>30</sup> In fact, "since 1980, 'New South' Democrats have started to behave a lot like northern Democrats."<sup>31</sup> All of the cases in which we see multiracial category legislative activity in the south are in fact coming from New South states.

This still leaves us with the medium-sized minority population cases: Michigan, Massachusetts, Ohio, and Indiana. Not surprisingly, it is in this set of cases where we find the most contestation surrounding the multiracial category issue. The roll-call votes (Table 3) reflect this in the cases of Michigan and Ohio. To date, there has been no vote in Massachusetts, ergo the only case for which this theory conclusively does not hold is Indiana. Extending this overall line of reasoning to other states where we have not seen multiracial category legislative activity, certain predictions can be advanced. States such as New York (33 percent minority) and New Jersey (29 percent minority) would be likely candidates for the adoption of multiracial category legislation, as would Vermont and Wisconsin, two states with small minority populations but progressive political cultures. Such legislation would likely be contested in states such as Missouri (13 percent minority population) and Oklahoma (12 percent minority population).

---

30. See for example, Whitby and Gilliam; and Nye and Bullock, who find that "New South" Democrats have become more supportive of the civil rights agenda since 1965, but that the Deep South remains conservative.

31. Rhode, 56.



## CONCLUSIONS

As a low-stakes, symbolic matter resulting in negligible levels of controversy, why bother examining the multiracial category issue at the state level? My answer is this: In analyzing the legislative activity surrounding this matter at the state level, we are also asking which elected officials are most receptive to this country's inexorable and yet still nascent shift away from a binary definition of race. This paper demonstrates that at least in the initial stage of multiracial category bill sponsorship, these legislators are predominantly "new generation" black elected officials and progressive white Democrats, all of whom represent affluent suburban districts.

Furthermore, although the multiracial category issue drew minimal opposition in state legislatures in general, I have presented preliminary evidence indicating that minority legislators are divided as to whether or not this sort of legislation is in the "interest" of minorities. Although the N in my study is small, my proposition is that this division might in fact indicate an emerging cleavage between older black elected officials who embrace a traditional view of civil rights issues, and "new generation" black legislators who assess racial issues somewhat differently. This view is consistent with other recent studies identifying this sort of cleavage amongst black legislators on a range of civil rights issues.

Regarding legislative outcomes, we also uncover some dynamics that could eventually have broader implications beyond the multiracial category issue, *per se*. These include provocative questions about the appropriate definition, in the minority representation literature, of both "minorities" and "their interests." Looking beyond the Black-White dichotomy provides a fittingly multiracial approach to the future of racial politics in this country, which will be decidedly complex. Although that future may not hinge on whether multiracial category legislation at the state level succeeds or fails, it is inexorably linked to the broader issues that this paper, and more generally, this thesis has explored: rapidly changing demographics and a weakening sense of monoracial unity.



## References

- Alonso, William, and Paul Starr, eds. *The Politics of Numbers*. New York: Russell Sage Foundation, 1987.
- Anderson, Margo. *The American Census: A Social History*. New Haven: Yale University Press, 1988.
- Banton, Michael. *Racial and Ethnic Competition*. Cambridge: Cambridge University Press, 1983.
- Barone, Michael. *State Legislative Elections: Voting Patterns and Demographics*. Washington, D.C.: Congressional Quarterly, Inc., 1998.
- Bullock, Charles S., and Susan A. MacManus. "Policy Responsiveness to the Black Electorate: Programmatic Versus Symbolic Representation." *American Political Quarterly* 19 (1981), 357:368.
- Calhoun, Craig, ed. *Social Theory and the Politics of Identity*. Oxford: Blackwell Publishers Ltd., 1994.
- Canon, David. "Electoral Systems and the Representation of Minority Interests in Legislatures." *Legislative Studies Quarterly* 24 (1999), 331:383.
- \_\_\_\_\_. *Race, Redistricting, and Representation: The Unintended Consequences of Black Majority Districts*. Chicago: University of Chicago Press, 1999.
- Cohen, Cathy. *The Boundaries of Blackness: AIDS and the Breakdown of Black Politics*. Chicago: University of Chicago Press, 1999.
- Dalton, M., ed. *Challenging the Political Order*. Oxford: Oxford University Press, 1990.
- Davis, James. *Who Is Black? One Nation's Definition*. University Park, Pa.: Pennsylvania State University Press, 1991.
- Del Pinal, Jorge. "Exploring Alternative Race-Ethnic Comparison Groups in Current Population Surveys." U.S. Bureau of the Census, *Current Population Reports P23-182*. Washington, D.C.: U.S. Government Printing Office, 1992.
- Edmonston, Barry, and Charles Schultze, eds. *Modernizing the U.S. Census*. Washington, D.C.: National Academy Press, 1995.
- Elazar, Daniel J. *American Federalism: A View from the States*. 3d ed. New York: Harper and Row, 1984.
- Espiritu, Yen. *Asian American Panethnicity: Bridging Institutions and Identities*. Philadelphia: Temple University Press, 1992.
- Fitzpatrick, Jody L., and Rodney E. Hero. "Political Culture and Political Characteristics of the American States: A Consideration of Some Old and New Questions." *Western Political Quarterly* 41 (1988), 145:153.
- Frey, William, and O'Hare, William. "Becoming Suburban, and Black." *American Demographics* (September 1992), 30:38.
- \_\_\_\_\_. "Vivan Los Suburbios!" *American Demographics* (April 1993), 30:37.
- Gamson, William. *The Strategy of Social Protest*. Belmont, Calif.: Wadsworth Publishing Co., 1990.
- Giugni, Marco. "The Outcomes of Social Movements: A Review of the Literature." *New School For Social Research Working Paper Series*, #54, 1994.
- Gray, Virginia, and Herbert Jacob. *Politics in the American States: A Comparative Analysis*. Washington, D.C.: Congressional Quarterly Press, 1996.
- Grofman, Bernard, Robert Griffin, and Amihai Glazer. "The Effect of Black Population on Electing Democrats and Liberals to the House of Representatives." *Legislative Studies Quarterly* 17 (1992), 365:79.



- Hollinger, David. *Postethnic America*. Basic Books, 1995.
- Johnston, Hank, and Bert Klandermans, eds. *Social Movements and Culture*. Minneapolis: University of Minnesota Press, 1995.
- Lee, Sharon. "Racial Classifications in the US Census: 1890-1990." *Ethnic and Racial Studies* 16 (1993), 238:242.
- Lopez, David, and Yen Espiritu. "Panethnicity in the United States: A Theoretical Framework." *Ethnic and Racial Studies* 13 (1990), 198:224.
- Lublin, David. *The Paradox of Representation: Racial Gerrymandering and Minority Interests in Congress*. Princeton, N.J.: Princeton University Press, 1997.
- Marx, Anthony. "Contested Citizenship: The Dynamics of Racial Identity and Social Movements." *International Review of Social History* 40 (1995), 159:183.
- \_\_\_\_\_. "Race Making and the Nation-State." *World Politics* 48 (1996), 180:208.
- Moncrief, Gary, Joel Thompson, and William Cassie. "Revisiting the State of U.S. State Legislative Research." *Legislative Studies Quarterly* 21 (1996), 301:335.
- Morris, Aldon, and Carol McClurg Mueller, eds. *Frontiers in Social Movement Theory*. New Haven: Yale University Press, 1992.
- McAdam, Doug, John McCarthy, and Mayer Zald, eds. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. Cambridge: Cambridge University Press, 1982.
- McManus, Susan, and Lawrence Morehouse. "Redistricting in the Multiracial Twenty-First Century: Changing Demographic and Socioeconomic Conditions Pose Important New Challenges." In *Race and Representation*. Edited by Georgia Persons. (New Brunswick: Transaction Publishers, 1997).
- National Research Council Committee on National Statistics. *Spotlight on Heterogeneity: The Federal Standards for Racial and Ethnic Classification*. Washington, D.C.: National Academy Press, 1996.
- Nye, Mary Alice, and Charles S. Bullock III. "Civil Rights Support: A Comparison of Southern and Border State Representatives." *Legislative Studies Quarterly* 17 (1992), 81:94.
- Omi, Michael, and Howard Winant. *Racial Formation in the United States: From the 1960s to the 1990s*. New York: Routledge, 1994.
- Peterson, Paul, ed. *Classifying by Race*. Princeton, N.J.: Princeton University Press, 1995.
- Rhode, David W. *Parties and Leaders in the Post-reform House*. Chicago: University of Chicago Press, 1991.
- Root, Maria P.P., ed. *Racially Mixed People in America*. London: Sage Publications, 1992.
- \_\_\_\_\_. *The Multiracial Experience*. London: Sage Publications, 1996.
- Russell, Cheryl. *The Official Guide to Racial and Ethnic Diversity*. Ithaca, N.Y.: New Strategist Publications, Inc., 1996.
- Singh, Robert. *The Congressional Black Caucus: Racial Politics in the U.S. Congress*. Thousand Oaks, Calif.: Sage Publications, 1998.
- Smith, Robert C. *We Have No Leaders: African-Americans in the Post-Civil Rights Era*. Albany: State University of New York Press, 1996.
- Spencer, Jon Michael. *The New Colored People: The Mixed Race Movement in America*. New York: New York University Press, 1997.
- Spencer, Rainer. *Spurious Issues: Race and Multiracial Identity Politics in the United States*. Boulder, Colo.: Westview Press, 1999.
- Swain, Carol. *Black Faces, Black Interests: The Representation of African-Americans in Congress*. Cambridge, Mass.: Harvard University Press, 1993.



- Tarrow, Sidney. *Power in Movement*. New York: Cambridge University Press, 1994.
- U.S. Bureau of the Census. *County and City Data Books*. Washington, D.C.: Office of Management and Budget, 1994.
- U.S. House. Committee on Post Office and Civil Service. Subcommittee on Census, Statistics, and Postal Personnel. "Review of Federal Measurements of Race and Ethnicity." Washington, D.C.: U.S. Government Printing Office, 1994.
- Walton, Carl. "The Congressional Black Caucus and its Liberal Ideology: A Search for Explanation." Presented at the annual meeting of the American Political Science Association, Chicago, Ill., 1995.
- Whitby, Kenny J., and Franklin D. Gilliam Jr. "A Longitudinal Analysis of Competing Explanations for the Transformation of Southern Congressional Politics." *Journal of Politics* 53 (1991), 504:18.
- Winant, Howard. "Racism Today: Continuity and Change in the Post-Civil Rights Era." *Ethnic and Racial Studies* 21 (1998), 755:766.
- Zack, Naomi. ed. *American Mixed Race: The Culture of Microdiversity*. London: Rowman & Littlefield Publishers, Inc. 1995.



[The text on this page is extremely faint and illegible. It appears to be a full page of a journal article, but the content cannot be transcribed.]



## LITTLE HOUSE IN THE 'HOOD

PATRICIA WILLIAMS\*

---

I was wandering around Harlem recently, late on a warm Sunday afternoon: I saw Dominican families chatting on stoops. I saw African-American families walking home from church. I saw a Cuban-Chinese deli and popped in to buy a refreshing something-or-other that resembled a mango egg cream. I saw a busload of Japanese tourists. And I saw lots of young white families unloading weekend gear from Jeep Cherokees lacquered with Bridgehampton beach stickers, their tanned and tousled children wearing sweatshirts with the names of the world's most expensive private schools emblazoned upon them. It was a pleasant stroll, the sort of thing that makes me glad to be living in New York. Indeed, at this particular moment, Harlem may be the most racially, ethnically and class-integrated neighborhood in the world. This is good news. The question, of course, is whether it will stay that way.

As with all Manhattan, Harlem's real estate prices have suddenly gone through the roof. Burned-out shells of brownstones go for half a million, while pristine specimens are listed in Sotheby's International. Like most, I am glad for the increased desirability of a Harlem zip code. But I wonder if there are not a few cautionary reminders one might bring to bear.

The most obvious concern, as one reads breathless newspaper accounts of square footage, is a certain otherworldliness in tone. "Urban pioneers" is the term most often used to describe the large white families who are moving into this historically black area. No matter that Harlem has always had a substantial black middle class, a stable working class, and eminently respectable social systems; the popular imagery is that of brave white settlers in their SUVs (doors locked, windows up) traveling in cautious cavalcades to homestead the wild, heathen emptiness.

By all accounts, Harlem is "in transition." If one pokes at that terminology just a little bit—transition from what to what?—one uncovers rather broad assumptions that Harlem is progressing from a state of "blight"; that it is being "redeemed" with new faces, new stores, new investment; and that its ultimate destiny is to be "reclaimed" by those who have made the rest of Manhattan so trendy that an average apartment now costs well over \$700,000.

I guess I hope for a number of things. First, I hope that gentrification stops short of Trumpification. As invisible as it has been to many, Harlem's class diversity has always contributed to its vibrant social, cultural, and political life.

Second, I hope the new movement to Harlem signals a reversal of the abandonment of inner cities. I hope it signals an era of racial diversity, true tolerance for propinquity and not merely the corollary of white flight—the strategic displacement of black and brown populations. I do not mean to impugn the neighborliness of any of the new residents of Harlem. I am more concerned about the larger institutional manipulations that have contributed to the stark consequences both of white flight and, now, white reflux.

---

\* *Professor of Law, Columbia University School of Law.*



When Northern whites grew afraid of the migration of blacks from the South from the thirties through the seventies, it was the National Association of Realtors that calculatedly fanned that fear into a panic, realtors going door to door warning that the property values were falling, falling: Sell now while you can. In city after city, the story was the same: Whites, terrified that the end of civilization was nigh, sold low. Blacks, believing they were purchasing the dream of integration, bought high. The realtors made a killing. The newly segregated neighborhoods went into quick decline as services of all sorts were summarily withdrawn, schools, snow removal, grocery stores, bus lines, police. Banks wouldn't finance home repairs; assessments plummeted; crimes went uninvestigated and thus flourished. Insurers, if they insured at all, charged sky-high rates supposedly based on greater risk, then failed to pay for actual losses.

Today a new breed of real estate speculator has fanned the "buzz" that is changing Harlem so rapidly. Thanks to complicated incentive programs and community empowerment zoning, banks also have begun funneling money back into communities that they had historically redlined. But the degree to which these new financial policies improve the lot of Harlem's low, moderate, and middle-income populations or whether the policies simply drive them out remains to be seen.

In recent months the city of New York has sold many of its Harlem properties to developers whose interests do not always overlap with those of longtime residents. Consider the tension: I have friends struggling to find immediate financing for the house they have lived in for thirty years. I, on the other hand, received a form letter offering Columbia University faculty very favorable loan terms for housing in Harlem.

In this rush to go upscale, I hope that policy experts and institutional investors do not diminish—with such terms as "blighted"—the role of long-term stable populations, whose insistent struggles have produced the lion's share of the recent turnaround. In using the word "stable" one is often understood to mean churchgoing, college-educated, middle-class residents with steady incomes. But by "stable" I also mean to include working-class and poor families; people with extended families, with several adults in and out of work; homes where a grandparent or aunt helps make ends meet by looking after their own and the neighbors' children. These are the populations who suffered most from the lack of local grocery stores, for example, and who pressed for the new Fairway market in Harlem—a store so magnificent that Wall Streeters travel the length of the city to stock up on guavas and fresh rabbit filets. These are the families who suffered simultaneously from high crime rates and suspect profiling, and whose protests made policing tactics a national issue. These are Manhattan's messengers, hospital workers, food servers, secretaries, janitors, nannies, and security guards whose tenacious political passions about issues such as education, healthcare, and garbage removal have made them models of community engagement.

For all these good things, greater credit—both literally and figuratively—is most assuredly their due.



## THE PRISON MORATORIUM PROJECT: CHALLENGING THE PRISON INDUSTRIAL COMPLEX CANCER

KATE RHEE AND RASHID SHABAZZ\*

---

### INTRODUCTION

At the dawn of the twenty-first century, young people in New York are on the front lines of a deadly war on crime. Since 1973, the state's prison population has increased by four hundred percent to nearly 70,000, paralleling a national trend that will put two million Americans behind bars in 2001.<sup>1</sup> The bulk of the newly incarcerated are young people of color, ages 15-30, from urban neighborhoods, who have been convicted of non-violent drug offenses.

While uncontrolled prison expansion has affected all segments of American society, its impact on poor urban and rural youth in New York State has been devastating. In New York City, young people of color are targeted and criminalized by police, prosecutors, and elected officials who measure success in terms of growth in arrests, even as crime rates decline. Under Mayor Giuliani, the number of policemen deployed in schools has tripled and the number of youth suspensions leading to arrests has increased from thirty to eighty percent.<sup>2</sup> In upstate New York, where prisons have become one of the area's major forms of economic development, low-income young people are channeled into psychologically toxic prison jobs.

Over the past ten years, there has been a steep decline in New York State spending on higher education in direct proportion to the rise in state spending on corrections.<sup>3</sup> During Governor Pataki's first term, a \$750 tuition increase forced more than 10,000 students to drop out of college in the State University of New York (SUNY) system. The damage caused by policies that prioritize prisons over schools is painfully evident; there are more Blacks (34,809) and Latinos (22,421) locked up in prison than there are attending the State University of New York, where there are 27,925 Black and 17,845 Latino students. Shrinking support for higher education and a growing police state in New York City eliminate real opportunities for low-income young people, increasing the likelihood that they will spend their lives in prison as inmates or as staff.

---

\* Kate Rhee is the director of the Prison Moratorium Project. She is a graduate of the University of Chicago. Prior to joining PMP, she worked as a juvenile justice counselor at an alternative to incarceration program. Rashid Shabazz is an organizer with the Prison Moratorium Project. He is a graduate of Yale University and George Mason University.

1. Justice Policy Institute. *The Punishing Decade*. Washington, D.C.: Justice Policy Institute, 1999.
2. YouthForce. *Get NYPD out of High Schools*. Bronx, N.Y.: YouthForce, 2000.
3. Gangi, Robert, Vincent Schiraldi, and Jason Ziedenberg. *New York State of Mind?: Higher Education vs. Prison Funding in the Empire State, 1988-1998*. Washington, D.C.: Justice Policy Institute, 1998.



National economic and political trends further increase this likelihood. Globalization and the growth of transnational corporations have fueled the demand for free prison labor; poor youth of color have increasingly been used to fill this demand. The current political climate, summarized best by President Bush's recent call for thirty new federal prisons, was set in motion during the tenure of former President Bill Clinton's tenure. According to a report by the Justice Policy Institute, "policies passed during the Clinton Administration's tenure resulted in the largest increases in federal and state prison inmates of any president in American history."<sup>4</sup> In the background of this policy environment, racist stereotypes, used to identify people of color as "other, savage, dirty, or diseased," have evolved to categorize this population as "criminal super-predators." Today, as in the past, racism serves as one of the key elements propelling the growth of the prison industrial complex.

Prison Moratorium Project was born in the midst of this increasingly hostile environment. Clearly, between the police-state-like tactics of Mayor Giuliani and the growing conservatism reflected in legislation one can only assume that conditions will only get worse. As an organization, we hope to intervene in what seems to be an agenda to incarcerate working class and poor people of color.

#### **HISTORY AND MISSION**

In 1995, young New York City activists met with former prisoners to discuss the harmful impacts of high incarceration rates, including loss of funds for education and social services, erosion of civil liberties, resurgent racism, and the criminalization of youth. Those discussions resulted in the formation of the Prison Moratorium Project (PMP). Since its inception, this youth-led grassroots organization has worked to stop prison expansion and promote alternatives that strengthen low-income urban communities, where the pain of-incarceration is most acute. Over the past six years, we have worked with high school and college students to disseminate information, organize forums, develop curricula, and implement a training program. Students from City and State Universities of New York (CUNY and SUNY) have been some of our most active participants, because many of them depend on state funding to remain in school. Some have had personal experience with the prison system. PMP has also made an effort to include non-student youth in our outreach efforts, since they compose a large segment of youth at risk for involvement with the criminal justice system.

In the past five years since its inception, the Prison Moratorium Project has forged new alliances, achieved modest policy victories, and established a program that has become a national model. Our successes range from the recent expulsion of Sodexo Marriot (a business associate of the Corrections Corporation of Amer-

---

4. Feldman, Lisa, Vincent Schiraldi, and Jason Ziedenberg. *Too Little Too Late: President Clinton's Prison Legacy*. Washington, D.C.: Justice Policy Institute, 2000. ([www.cjcj.org/clinton/clinton.html](http://www.cjcj.org/clinton/clinton.html)).



ica) from American University to our successful New York State campaign that called for repeal of the Rockefeller Drug Laws.

## PROGRAM COMPONENTS

### *No More Prisons (NMP)*

In 1996, PMP began working on a small, independent Hip Hop CD on prison issues. The project generated so much interest that it was expanded to encompass a greater number and variety of artists, as well as a series of performances and educational events. In March 2000, in collaboration with Raptivism Records, we released a full-length *No More Prisons* CD featuring 23 tracks donated by more than 70 Hip Hop and spoken word artists. The CD was favorably reviewed in major publications, including *Details*, *The Source*, *Urb*, *Honey*, and *Rap Pages*, and is now available in major music stores.

NMP followed the CD release with cultural and educational events in New York, Washington D.C., Chapel Hill, Los Angeles, San Francisco, and Boston. Over the summer of 2000, NMP developed a comprehensive organizing manual for people interested in putting together similar events around the country, and worked with students and community groups to bring the "Raptivist" tour to fifteen cities by May 2001. NMP also organized five local cultural events in New York City during the summer of 2000, and we are now following up with a regular youth-oriented jam session combining art and activism.

### *Education Not Incarceration (ENI)*

Education Not Incarceration, which was initiated by PMP and developed in collaboration with Justice Policy Institute (JPI) and the Student Association of SUNY (SASU), has helped to educate and organize students and youth about the relationship between ballooning prison spending and shrinking support for public education. Since the project began in 1997, it has mobilized mainstream opposition to prison expansion, built ties between rural and urban youth, and even helped to achieve modest changes in New York state spending patterns. This spring, PMP and SASU completed the first stage in the development of a joint prison activist training program with a pilot training held at Hunter College in New York City with an attendance of thirty community and student activists. In November of 2000, PMP and SASU held our second joint prison activist training program at SUNY Binghamton, where we had more than fifty student activists from SUNY, CUNY, and other colleges and universities in New York State. We also achieved a modest policy victory when New York's legislature successfully passed the largest higher education funding increase in a decade rather than funding a proposed new prison.

Some of our current projects include the development of an intensive one-day training program for youth organizers aged 19-25 and the development of an anti-prison curriculum designed for 14-18 year-olds that is currently being implemented in conjunction with the East Side Community High School in Manhattan.



### ***Not With Our Money! (NWOM)***

While *No More Prisons* and *Education Not Incarceration* continue to be major priorities for PMP, the organization's programs have also expanded to include a greater emphasis on building ties to the global economic justice and labor movements through the *Not With Our Money!* campaign against private prison investors.

In 1998, PMP began researching various aspects of the prison industrial complex, including prison labor and prison contracting, with the goal of developing a campaign to educate the public about the role of for-profit corporations in fueling prison expansion. During the fall of 2000, PMP launched a coalition effort involving student groups, criminal justice organizations, and labor unions. We aimed to educate the public about the involvement of major corporations in the private prison business by focusing on the business ties between Corrections Corporation of America (the largest private prison company) and Sodexho-Marriott Services (the top provider of food services to U.S. and Canadian universities, public schools, and hospitals).

On April 4, 2000, students at ten campuses participated in a symbolic boycott and day of action against Sodexho-Marriott, generating attention in progressive and student press, including *The Village Voice* and *The Nation*. Today, students at over fifty colleges throughout the U.S. and Canada are working actively on the campaign, Corrections Corporation of America Founder "Doc" Crantz has resigned from the Sodexho Marriot Services board of directors, and students at four colleges (State University of New York at Albany, Goucher College, James Madison University, and Evergreen State College) have either kicked or kept Sodexho-Marriott off campus.

### **PROGRAM EVALUATION**

As an organization, we have been asking some crucial questions to help us try to improve on our programs. Some of the key questions that we have applied to our evaluation have been:

- Are we reaching our intended constituency?
- Are we empowering younger people to assume leadership positions within the organization?
- Are we tailoring our programs towards articulated concerns of the communities we serve?

#### ***Are We Reaching Our Intended Constituency?***

A significant concern for PMP has been to find ways to transcend the cultural divide present in the campaign. Although our staff represents a diverse group of young adults who bring a wealth of cultural and social experiences that add to PMP's character, we have found that the general make-up of our staff and volunteers is not always reflective of the communities we want to serve. The majority of those attracted to our work are often young, white, middle class college students. One reason for the scarcity of people of color has been the campus-based nature of the majority of our programs—particularly the *Not With Our Money!*



campaign. Since NWOM is campus based, and since ever increasingly fewer African Americans and Latinos are entering institutions of higher education, diversity within NWOM has been limited.

In an attempt to actually address this problem, we have tried to expand our outreach efforts to student organizations (African Student Associations, Latin American Student Organizations, and Black Student Associations, for example) whose constituencies are reflective of a more diverse body. We hope that the inclusion of a more diverse body of students will lead to a broadening of the NWOM campaign. Part of this would hopefully lead to students of color taking ownership of the campaign in the same way other students have on university campuses.

Our Education Not Incarceration program has given us a chance to build a more diverse base because it does not depend on a campus-based constituency. Through ENI, we conduct training workshops in a more diverse range of locations, including churches and high schools in communities of color where the prison industrial complex is exerting its most devastating impact.

Through ENI, we are also trying to build a rural base for PMP. The challenges we face with regards to this project are based on our lack of staff and offices in rural areas. Since we are based in New York City, we have usually fallen on our city base and student base to coordinate actions and build support in rural areas. Our rural efforts will be strengthened as we continue to build coalitions and recruit more volunteers in upstate New York.

### *Are We Empowering Younger People to Assume Leadership Positions within the Organization?*

Another area of concern is that we have been criticized for not being actually a "youth" organization since most of our staff is in their mid and late twenties. We have been trying to challenge this by incorporating more young people under the age of twenty-two into organizing roles where they can effect change. We have done this primarily through our training workshops on prison activism. We emphasize the idea of peer education as a means of confronting what we have identified as "knowledge monopolization"—what occurs when those possessing information do not pass on the knowledge to others. To avoid this problem, we ensure that most people who attend our training workshops are able to access the same resources and information that we utilize for our work. In this way, no one has a monopoly on the information, and power is more fairly distributed.

### *Are We Tailoring Our Programs toward Articulated Concerns of the Communities We Serve?*

Some of the organizations that we partner with have suggested that our activist training programs are not offering the necessary skills that most working class and poor people of color need. Their arguments are usually based on the fact that, while campaigns and political education are useful, most people need just basic assistance in terms of daily survival (for example food, clothing, shelter, literacy, arithmetic



skills). Therefore, we have often had to shift the basis of our work towards the sphere of technical assistance. Now, we tend to adapt our workshops and material according to the requests of our partner organizations and community members.

### CONCLUSION

Young people and students need to be a significant part of any successful grassroots movement for progressive criminal justice reform, not only because young people have so much at stake, but also because they can bring so much—passion, idealism, creativity, vitality—to the table. Young people have played a crucial role in the major movements for social justice of the last half century, and an effort must be made to make them partners in a growing movement for change in the criminal justice system.

The Prison Moratorium Project has attempted to meet the needs of New York youth by empowering participants (through workshops, organizing training conferences, and cultural events) to become active and effective around criminal justice issues that affect them and the people close to them. As a result of our activities, many have become well versed in criminal justice policy and active in local reform organizations and coalitions. This involvement not only helps to change criminal justice policy and build participants' organizing capabilities, but also helps participants overcome the fear, anger and frustration produced by current criminal justice policies.

Currently, the Prison Moratorium Project is still in the process of defining and solidifying the shape of our organization. We are beginning to create a support network both within and outside of the organization. Our vision is that one day we will enter a phase where we will be able to pass on the information for other groups and individuals to develop and challenge the prison industrial complex and the other social cancers to which it is tied.



## THE 21ST CENTURY URBAN LEAGUE MOVEMENT\*

HUGH B. PRICE\*\*

---

We meet on the ninetieth anniversary of the founding of the National Urban League, right here in New York City. Ours is a glorious story to tell. Looking back over our history, there have been four great surges by African Americans toward the economic mainstream since the Civil War.

The first occurred right after the Emancipation Proclamation, when we founded insurance companies and colleges. We elected blacks to the U.S. Senate and the House of Representatives. Given a whiff of real freedom and opportunity, we went for it and made amazing progress in just one generation. Then Jim Crow clamped down and brought Reconstruction to a screeching halt.

The second surge came in the early 1900s. Determined to escape the crushing poverty and suffocating segregation of the South, our folk packed their meager belongings and migrated to the supposed "promised land" of the big cities up North.

In fact, that's about when the National Urban League was founded. The year was 1910. And the reason was to help our people cope with the harsh challenges of urban life and gain access to the mainstream. We helped them find homes and jobs, pick schools for their children, and combat discrimination in everyday life.

World War II triggered the next great surge toward the economic mainstream. When FDR cranked up America's war machine to whip Hitler, we flocked to communities with weapons plants and aircraft factories and landed some of those good manufacturing jobs.

A decade after the war ended, the *Brown vs. Board of Education* decision in 1954 outlawed legalized segregation once and for all. But the landmark court decision didn't automatically open up the doors of opportunity: It took the synchronized efforts of Martin and Malcolm, Whitney and Roy, and the patriarch of the civil rights movement, A. Philip Randolph, to maintain the pressure on white America. And to its eternal credit, it took the much-maligned black power movement to force open those doors much wider than they'd ever been before.

This was the watershed period in American history when the nation's mainstream institutions—from the corporations to the colleges, from the unions to the universities—grudgingly began loosening their iron grip on white privilege and letting people of color into the game. It was the era when they finally saw the light.

We must never forget—nor dishonor—the name for what they did. It's called affirmative action. Affirmative action has come under withering attack in recent years. Even so, it's made an enormous difference—and does to this day. I'm certain that's the main reason it's under attack.

---

\* This speech was given as the keynote address at the 90th Annual National Urban League Conference in New York City on July 30, 2000.

\*\* Hugh Price is the president of the National Urban League.



Although the critics won't give it credit, affirmative action produced the fourth great surge by black folk into the economic mainstream. How has it done so? By opening up access to white-collar America—namely, all those Fortune 500 companies and the historically white universities that supply them with managers and executives. The growth of the black middle class really picked up steam thanks to affirmative action.

That's the bright state of black America today. But there's a bleaker side of the story as well. Millions of black families and children have yet to make the journey to the economic mainstream. The journey from welfare dependence to economic independence; from isolation to assimilation; from poverty to prosperity.

Getting the rest of our folk across the goal line and squarely into the middle class—that is the main unfinished business facing America, African Americans and our great Urban League movement at the onset of the 21st century.

Yes, I know folklore tells us we're supposed to lift ourselves up by our bootstraps. But the fact of the matter is that we've been hoisting ourselves up for four hundred years, all the while with Jim Crow and his kin sitting on our head.

Yet we keep the faith in America and we soldier on. We shall prevail. No matter how many times and how many ways they rewrite the rules. No matter how many barricades they erect in front of us. We will never turn back. Nor will we allow anyone else to turn us back, ever again. That's why we must summon the will and the resources to mount the next great surge toward the American mainstream.

There's never been a better time in U.S. history to make our move. Now, when unemployment rates hover at record lows. Now, when half of America's sixty biggest cities are basking in unemployment rates around three percent or better. Now, when my colleagues at the Orlando Urban League tell me the economy in their town is so hot that employers are hiring parolees who prove to be eager, loyal, and productive workers.

Now, when American corporations are so determined to prosper and prevail that they are importing guest workers in droves to fill empty jobs. Now, when the demand for labor is so tight that employers will care more about employees' qualifications and less about their complexion.

As I've said, economic power *is* the next civil rights frontier. To cross that frontier, we must complete our drive into the economic mainstream, into the vast American middle class.

This is Job One for America in the 21st century. This is Job One for black folk. And this, I believe to the marrow of my bones, is Job One for the Urban League.

#### **MANIFEST DESTINY OF THE URBAN LEAGUE MOVEMENT**

I call upon our great organization to lead the charge into the economic mainstream. That was our bottom-line goal the day we were founded in 1910. And that, I believe to the depths of my heart, is the manifest destiny of the Urban League movement in the 21st century.



From this day forward, when people picture Urban League, I want them to see the vigorous community-based movement that equips our youngsters for economic self-reliance by ensuring that they're well-educated. I want them to see the visionary movement that created the National Achievers Society to inspire our youngsters to excel in school.

I want them to see the Urban League charter schools, like the Leadership Academy in Springfield, Mass., where, two weeks ago, youngsters who'd been lagging badly behind in school actually learned to pilot an airplane. This shows that when the Urban League helps our youngsters believe they can fly, we can teach them to touch the sky.

When people hear Urban League, I want them to think of the movement that steers families into the economic mainstream by helping breadwinners land good jobs and become investors. I want them to know how the Washington Urban League and many other affiliates provide credit counseling and financial assistance so families finally can realize their dream of buying their first home.

When people read about the Urban League or spot us on TV, I want them to know we're out there fighting for our civil rights and battling against the discrimination and indifference that keep us from sharing fully in the American Dream.

I want the world to see the National Urban League and affiliate leaders like George Dean of the Phoenix Urban League defending the Community Reinvestment Act and affirmative action from right wing assaults. I want them to see Esther Bush of the Pittsburgh Urban League front and center in the struggle to combat police brutality.

I want them to know that Urban Leaguers from Columbia to Charleston and Greenville, S.C., linked arms with the NAACP and helped generate that huge turnout for the historic march last January to bring down the Confederate flag. I want them to see Dee Smith of the Winston-Salem Urban League spearheading her community's efforts to promote healthy race relations. I want people to see Urban League CEO Jim Buford of St. Louis, who stands up and even sits down for fairness and justice in his town.

I want them to use the crucially important research studies of our National Urban League Institute for Opportunity and Equality, which we launched just this month with a visionary grant of \$1.5 million from Nationwide Insurance.

So this is my vision for the Urban League movement in the 21st century. I dream that when anyone anywhere hears Urban League, reads Urban League, thinks Urban League or sees Urban League—right away they will picture the oldest community-based movement—the largest community-based movement—the leading community-based movement devoted to empowering African Americans to enter the economic mainstream.

I want them to picture the movement that is rooted deep in our communities—the movement that works day in and day out—from Martin Luther King Boulevard to Main Street, from the corner barber shop to the corridors of power—securing economic self-reliance, parity and power for African Americans.



I want them to picture the movement that is determined today—as we've been determined since 1910—to level the playing field in every walk of American life.

I want the world to know that the incomparable Urban League movement has no peer when it comes to getting our people—our families and especially our children—into the American mainstream.

### **MIGRATING TO THE ECONOMIC MAINSTREAM**

Since government padlocked the doorway to the American Dream for generations, it bears equal responsibility for moving our people into the economic mainstream, into the middle class. America has a moral obligation to transform the remaining “have-nots” of this country into “haves.”

There is a compelling practical reason as well. The robust American economy absorbs eager and able workers like a sponge. We attract immigrants and import guest workers, who inject energy into our economy and vibrancy into our culture.

But there's another solution to our labor shortage right under our noses. Take high technology. America's prosperity, indeed our leadership of the global economy, is driven by growth in science and engineering. Yet these industries face acute shortages of skilled workers. By some estimates, upward of 400,000 jobs are unfilled. This costs the economy \$4 billion annually in lost productivity. If America doesn't expand the talent pool for high tech, we will forfeit our leadership position.

The high-tech industry's answer is to raise the ceiling on the number of guest workers who are suited for those jobs. Don't mistake me now. As I said at the outset, immigrants are a vital source of economic energy and cultural vitality. But for all they give America, guest workers are a short-term solution to a structural labor shortage. Translated, that means it enables the high-tech industry and politicians to avoid investing in homegrown talent.

Blacks, Latinos, and other underrepresented minorities comprise a quarter of America's workforce. Yet we hold less than 7 percent of the jobs in science, engineering, and high tech.

That's why the National Urban League urged Congress to call a timeout in passing the H1-B legislation that would raise the limit on guest workers destined for high tech. We didn't throw the stick into the spokes of this legislative juggernaut just for the fun of it. We took this controversial stand because our politicians and the high-tech industry aren't serious yet about developing homegrown talent for the world of high technology.

What's the answer? It begins with organizations like our Urban League affiliates, which are rooted deeply in the very communities where the untapped young talent lives.

We stand ready to partner with leading high-tech companies to create technology centers at every Urban League affiliate. Centers where our folk will learn to master the machinery, navigate the net, and apply for jobs—now. Centers where the League will identify achievers in grade school and middle school who can be turned on to science, math, and engineering.



In addition, these centers will provide mentors to steer students towards the right courses, monitor their grades, and tutor them if they struggle academically. Finally, Urban League centers will match high-tech companies with promising youngsters early on, so that when they graduate, they have an inside track on a career in Silicon Valley.

The Urban League movement is poised to lead our people to the 21st century's "promised land" called cyberspace. If government and industry will meet us halfway, we'll get there faster—and everyone will win.

This is just one example of why Washington should unleash a new tidal wave of immigration—this one from within. A tidal wave of American citizens empowered to migrate from the economic backwaters of America—from the inner cities and barrios, from Indian country and rural enclaves—into the economic mainstream.

Yes, millions of African Americans are nestled safely in the middle class. But we must never forget that millions of our folk lead hardscrabble lives outside the mainstream. They're stranded in obsolete schools, stuck on welfare, or hanging out in limbo on the streets. They see little hope, but they aren't hopeless.

The federal government keeps wracking up record surpluses. I'm all for liquidating the federal debt and protecting social security. However, I call upon Washington to earmark some of that surplus to aid the least among us—to jumpstart their journey into the economic mainstream.

The opponents of affirmative action try to deny it, but the truth is that for generations, the government has given white Americans one jumpstart after another. They didn't reach the middle class entirely under their own steam. The G.I. Bill, low-interest home loans, sparkling new schools in sparkling new segregated suburbs—those, too, were jumpstarts financed by the federal government.

#### **EDUCATION: THE KEY TO OPPORTUNITY**

Economic self-reliance starts with the children, who equal our destiny. In the information age, education unlocks the door to the economic mainstream. Lousy education leads to economic apartheid.

Whether we're parents or grandparents, pastors or mentors, we must make absolutely certain that every youngster we take under our wing learns to read and write, reason and compute, and navigate the net.

If they can read, they can study the African Diaspora and Western civilization. They can absorb the teachings of the Bible and savor Toni Morrison, William Shakespeare, and Langston Hughes. If they can read, they can do algebra and higher math. If they cannot read, all they'll ever learn is what they see on the tube and hear on the streets. If they can't read, then forget about it.

The other day, a young brother named Travis Bristol dropped by my office to introduce himself. He had just finished his freshman year in college and is interning at the National Urban League this summer. We got to talking, and I asked him



how his first year in college had gone. He said it was really rough, but he had weathered the academic storm.

I asked Travis what had made it so hard. Mind you, he's a product of the New York City public schools who showed enough ability and potential to be admitted to one of America's best colleges.

Listen carefully to his story because there's an important lesson in it for all of us. Travis said he struggled when his college professors handed him assignments that required him to research, analyze, present, and defend his ideas. In high school, his teachers mostly told him what to think.

But the toughest adjustment by far was all the writing. His first year in college, he had to write forty papers. Travis told me that during his entire time in high school, he wrote just one paper. And it was only about four pages long. He even took several Advanced Placement courses, including English and political science. Yet the only writing assignments that his AP teachers gave him were 300-word essays.

That's shocking. It shows how the schools are imperiling our destiny by short-changing our children.

Now, I don't expect parents and pastors to teach youngsters to write term papers. That's why we pay teachers. But I do say we check whether our youngsters are getting serious writing assignments; and if not, then we should head to school and ask why not, what's going to be done about it, and what you can do to help.

It borders on child neglect for us to settle for second-class education for our youngsters. Wealthy parents don't play when it comes to quality education. Nor should we.

If we rear our children so they aren't serious about learning, if we send them off to school too agitated, too alienated, too sleepy, or too abused to learn, then we've failed our own flesh and blood.

If we allow our youngsters to grow up believing that academic achievement is above them, then we've failed them as parents and as a village.

This is why the Urban League movement launched the Campaign for African-American Achievement. It's the reason we've joined forces with the Congress of National Black Churches to create a National Achievers Society—to recognize youngsters who excel in school and to encourage "wannabe" achievers.

The Saturday before Mother's Day, I participated in the national induction ceremony organized by Bill Clark and the Kansas City Urban League, in partnership with Rev. Wallace Hartsfield of the Metropolitan Missionary Baptist Church. Rev. Hartsfield heads the CNBC.

How I wish you could have been there with us. Picture one hundred and fifty achievers sporting their snazzy Achievers Society jackets. You can't buy them at the Sports Authority or Old Navy.

It's what's on your report card, not what's in your wallet, that determines whether you get one of these limited edition jackets.



Picture two hundred grade-schoolers in special tee shirts who believe they can achieve. Picture Missionary Baptist Church packed to the rafters with thirteen hundred adoring and proud parents, relatives, and teachers.

Conventional wisdom says black boys aren't into achievement. But I'll have you know that one-fifth of the inductees that day were males and nearly half of the wannabe achievers were boys.

The credo of our "gang," fifteen thousand strong and growing like gangbusters, is, "Achievement Matters." In two dozen other cities across the country that day, we inducted more than two thousand additional achievers. Eleven thousand parents and supporters cheered them on. Our gang is spreading the new gospel of achievement all across the land. And just this Friday night, the National Urban League awarded nearly \$2 million dollars in scholarships to our achievers.

A demographer once said that children are 18 percent of the American population, but 100 percent of America's future. We Urban Leaguers say it more simply: *Our Children = Our Destiny*.

#### 21ST CENTURY SCHOOLS FOR 21ST CENTURY CHILDREN

Since education is the surest route to the middle class, the first jumpstart I propose is 21st century schools for 21st century children.

In 21st century schools, every teacher would be qualified. They'd know their stuff and believe in their students. Teaching is one of society's toughest jobs, yet their first-year salaries average just \$27,000 and only rise to about \$40,000 after 16 years. We must do much better than that if we expect a fresh infusion of talent to enter teaching as a first choice instead of a fallback career.

Washington should stop bickering and mount a bipartisan drive to enlist a teaching corps second to none for America's neediest schools. A new generation of educators whose starting salaries match those of young attorneys and MBAs, because they are equally valuable to society. To meet world-class standards, our children need world-class teachers and they need them now.

But we should demand a quid pro quo for paying teachers like real professionals. What do I mean? I say teachers should forsake those contract protections that hamstring the ability of principals to operate schools in the best interests of children. I'm talking about rigid tenure and seniority, the time-clock mindset and contract stipulations about class length and size.

In 21st century schools, principals should have the authority to assemble the faculty, set performance standards in terms of student achievement, and dismiss any teachers who don't measure up.

Last winter I spoke at the National Press Club. I called for every urban school to be "charterized." That comment set the right wing's heart aflutter because they figured I'd endorse school vouchers next.

Wrong! Let me explain what I meant.

Successful schools typically are led by highly motivated principals and teachers, who are on a mission to make certain their youngsters do well academically.



They usually are mavericks who spend much of their time fending off central office bureaucrats who try to stifle their creativity. These high-performing educators cherish their autonomy and flourish because of it. They also relish accountability and use high standards to stay on course.

Every urban school should enjoy this combination of autonomy and accountability. That's the essence of charter schools, when they work the way they should. Quality and accountability are essential features of the 21st century's schools.

And let's not overlook the physical plant itself. In most cities, many of the schools in poor neighborhoods are obsolete and overcrowded, mammoth and anonymous.

No business that's competitive in this day and age would think of manufacturing its products in crumbling buildings using ancient machines, antiquated assembly-line methods, and old-fashioned workers.

The 21st century's schools should be a modern citadel of learning, not a moldy relic of days gone by. And they should be much smaller. Just this month, Bank Street College released a study of small high schools in Chicago, schools with fewer than four hundred students. Bank Street found that, compared with students in larger schools, these students earned higher grades, dropped out less, had higher attendance rates, and failed fewer courses.

Every year, the government builds brand new prisons without giving it a second thought and replaces aging courthouses with magnificent new ones. Taxpayers even pick up part of the tab for new sports palaces. Surely, 21st century schools for 21st century students should rank at the top of America's infrastructure priorities.

And lest we forget, the youngsters aren't the only winners. Just like new prisons, a major school construction campaign will stimulate the economies of the very communities that are still saddled with high unemployment. As for the old schools, blow them up if they're too far-gone, the way HUD demolished those massive public housing projects. Or, since there's an acute shortage of affordable housing, convert the salvageable buildings into mixed-income apartments and co-ops.

Unlike prisons, there are no losers when we build 21st century schools. When the children win, everyone wins.

### **OPPORTUNITY CORPS**

Let me turn now to the second jumpstart I want to propose tonight. This one would benefit folks who've already had at least one shot at the economic mainstream, but they failed to make it.

I have in mind the young moms who cannot get off of welfare because they lack the self-confidence and savvy to hold a steady job. The school dropouts who have so few skills and so many rough edges that employers won't take a chance on them. Despite their shortcomings, society should invest in giving them a second chance. Contrary to all the cynicism about social programs, there really are approaches that work, and damn well at that.



Just giving people a dose of job training won't do the trick. Making them leave welfare won't render them self-reliant. They need a more profoundly transformational experience that enables them to reinvent themselves. The kind of transformation the military has produced in young people for years.

When I was growing up in the 1950s, many of my classmates simply weren't into school. Some of the boys were roughnecks who barely escaped reform school. As soon as they could, they dropped out of school and out of sight.

I remember encountering many of them years later. Somehow they had managed to enlist in the Army, or else they'd been drafted. Either way, they proudly strutted about in their uniforms. The Army had turned them around by teaching them a basic lesson of military life—if you do a job well, you get ahead.

That's what convinced me in 1989 to ask the National Guard to create a residential youth corps for teenagers who had dropped out of school. That conversation spawned the National Guard Youth Challenge Corps. It's the most effective turnaround program I know of. For starters, the enrollees receive a heavy dose of academic and skills training. They are steeped in leadership and "follower-ship," so they learn how to take orders without taking offense.

The Challenge Corps works. Seventy-three percent of these ex-school dropouts and expellees have earned their GED. Nearly three-quarters of them have landed solidly on their feet already. They've gotten jobs, enrolled in college or vocational school, joined the military, and even signed up to finish high school.

So this second chance program really pays off. And it only costs \$14,000 per enrollee.

Just as we've demilitarized some of what the military knows about high tech to society's eternal benefit—it's time to demilitarize what the Pentagon knows about developing people.

I propose that the federal and state governments join forces to create an Opportunity Corps for young adults who need to get their lives on track. I see the Opportunity Corps being run by military alumni who have human development down to a science. It would operate on military bases for participants who can get away. Enrollees with children would put in long days while their youngsters stay in quality day care programs provided by the Corps. The curriculum would mirror the Challenge Corps. As in the military, there'd be ranks so they learn to climb the ladder of opportunity, one rung at a time.

I envision the Opportunity Corps serving a quarter of a million participants annually. At roughly \$15,000 per enrollee, the yearly tab would come to under \$4 billion. That's easily affordable in the short term if the bill is split between Washington and the states.

I recently heard a guest on the PBS Newshour say that for World War II veterans from poor and working class families, the G.I. Bill was the magic carpet to the American mainstream. The Opportunity Corps I'm proposing would become the 21st century magic carpet for hundreds of thousands of fellow citizens who figured they would never get another shot at the American Dream.



### THE CRIMINAL INJUSTICE SYSTEM

Even as the Urban League leads the charge into the economic mainstream, we will remain vigilant in asserting our civil rights and knocking down any barriers between black folk and the economic, social, and political mainstream of America.

The antithesis of the economic mainstream is the criminal injustice system, where Jim Crow still sneaks around in some police departments, courtrooms, and prisons.

You've read the headlines about the police, so I needn't recount them. I'm proud as can be of the leadership role played by our affiliates and by the National Urban League. Do you realize that thanks to the concerted and constructive pressure brought by the Urban League around the country, the nation is slowly moving past denial and making some headway.

For instance, President Clinton has ordered federal departments to collect statistics on arrests to expose racial profiling. And he has endorsed the Law Enforcement Trust and Integrity Act, which the National Urban League had a major hand in drafting.

Exposing racial profiling isn't the only part of the criminal justice system that's been infected by Jim Crow. Earlier this spring, the Justice Policy Institute reported that in California, black and Latino teenagers are much more likely to be locked up—and for longer—than white teens who commit the same crimes. Another study, completed by Human Rights Watch, revealed that twice as many blacks as whites are being imprisoned for drug crimes, even though there are five times as many white drug users as black.

The result is mass incarceration of nonviolent offenders who aren't a danger to anyone. In New York state, for example, first-time offenders convicted of possessing as little as four ounces of heroin or cocaine can draw stiffer prison sentences than murderers and rapists. That's absurd.

Happily, here in New York state, Chief Judge Judith Kaye of the New York State Court of Appeals announced recently that the courts will start sending small-time drug abusers to treatment programs instead of sticking them behind bars. The federal government and the governors should follow suit.

Judge Kay's enlightened policy will detour upward of ten thousand nonviolent offenders from prison annually and save taxpayers about half a billion dollars each year. That alone is enough to finance 36,000 slots in the Opportunity Corps.

### TOUGHER STANDARDS FOR CAPITAL PUNISHMENT

By far the ugliest example of Jim Crow at work is the way we handle capital punishment, where minorities draw the short straw more often than whites. It's barbaric for the state to kill someone who isn't a mortal enemy.

The folks on death row may not be angels. But they are children of God. That's why repealing capital punishment—or at least imposing a nationwide moratorium on further executions—is warranted on moral grounds alone. The



only exception I'd make is for that mythical Jim Crow, who I'd happily strap in the electric chair myself.

There's a pragmatic reason as well, which the recent execution of Gary Graham in Texas really brought home. No one would ever mistake him for an angel. Even so, there were bona fide questions about the competence of his defense attorney and the existence of evidence that wasn't introduced and that might have cast a reasonable doubt on his guilt.

Recently, I devoted my *To Be Equal* column to this unsettling case. I asked why Governor Bush and the Texas parole board felt they had to kill Graham when it wasn't clear he was guilty beyond a shadow of a doubt.

A law professor friend of mine called to say that while he shared my sentiments about capital punishment, I was wrong about the burden of proof in criminal cases. It's "beyond a reasonable doubt," he reminded me, not beyond a shadow of a doubt.

His comment set me to thinking. In civil cases, where essentially all that's at stake is your money or your property, a plaintiff must prove the claim against the defendant by a "preponderance of the evidence." That's sort of like saying you need at least a 51-49 split in favor of the plaintiff.

In criminal cases, where one's basic liberty is at risk, the rule is "beyond a reasonable doubt." That's the case whether the charge is shoplifting or serial murder. Whether the punishment is community service or the electric chair.

But I believe that standard is too lax when someone's life is at stake. Politicians know full well that some innocent people are being executed. But most of them lack the courage to say what error rate they find acceptable.

So I challenge our politicians instead to muster the courage to legislate a tougher burden of proof in capital cases. Require that judges and juries find the defendant guilty "beyond any doubt whatsoever." If those who pass judgment aren't *that* convinced by the evidence, then they'd have the option of finding the defendant guilty beyond a reasonable doubt. Under those circumstances, the punishment would be anything short of execution.

#### **THE IMPERATIVE OF POLITICAL PARTICIPATION**

The bottom-line goal of black folk in the 21st century is economic self-reliance, economic parity, and economic power. We seek fairness and justice so that African Americans stand on equal footing with all Americans once and for all.

Come November we must make certain that the presidential candidates get our message loud and clear. What we think about a candidate's philosophy, about the kind of Supreme Court justices he's likely to appoint, matters little in the comfort of our living room. They must hear us loud and clear in the voting booth.

I have issued Ten Opportunity Commandments that politicians should follow so we can transform the "have-nots" of America into "haves." Use these commandments to judge whether the candidates are serious about our agenda.



And remember the first law of politics: The winner won't respect us the morning after Election Day if he doesn't fear losing our vote the night before.

### THE FUTURE STATE OF BLACK AMERICA

That, my friends, is my take on the State of Black America today. What will be the State of Black America a generation from now? I'm not clairvoyant. The best I can do is dream.

To borrow the title of Brian Lanker's soul-stirring book, I dream a world where every black child in America can read and write, reason and compute, and navigate the Internet.

I dream a world where cyberspace is the first truly integrated neighborhood on Earth—or wherever out there it is.

I dream a world where every African-American adult has a good job or a thriving business and is situated solidly in the economic mainstream.

I dream a world where we really start saving and then stashing much of our nest egg in the stock market instead of sticking it all under the mattress.

I dream a world where we're cracking the glass ceiling daily and owning more and more mainstream businesses, like Wittnauer Watches, that move us from the sidelines to the center stage of American commerce.

I dream a world where the playing field finally is level. Where our economic vital signs are identical to everyone else's—our unemployment rate and our poverty rate, and, yes, our homeownership rate and our prosperity rate.

I dream that the next time the president of the United States proclaims it's morning in America, *she* will mean that we've finally become One America.

I dream a world where every black woman, black man, and black child arrives at the destination we charted when Abraham Lincoln signed the Emancipation Proclamation. That destination is the American Dream.

That is my dream for the State of Black America a generation from now. That is the path we must follow to reach the economic mainstream in the 21st century. That is my charge tonight to our great Urban League movement on this, our 90th anniversary, in this, the city of our birth.

Sisters and brothers. Family members, partners and friends—I hereby declare the first annual conference of the 21st century Urban League movement open for business.



## COLOR-BLINDNESS IS NOT THE SAME THING AS RACIAL JUSTICE\*

GLENN C. LOURY\*\*

---

### INTRODUCTION

In this lecture, I undertake a critical examination of how liberal political theory deals with the ethical problems raised by the pronounced, durable socio-economic disadvantage of African Americans. My topic, then, is racial justice. It would be nice, if it were possible, to avoid a philosopher's quibble over my use of these words—but, alas, I expect not to get off so easily. Taking “racial” as a modifier of justice inevitably raises hackles, because doing so suggests that the wellbeing of groups of individuals—groups defined in terms of something called “race”—can have moral significance. Liberals are suspicious of such a construction. They (rightly) worry that the freedom, dignity, integrity, autonomy, and/or rights of individuals may be trod underfoot in a mad rush to obtain justice for these fictitious races. They detect, just beneath the surface of what is ostensibly progressive rhetoric about racial justice, the distinct odor of an unjustifiable essentialism—a retrograde belief in racial essences.

Now, I acknowledge that racial justice talk courts these dangers. Still, I hold that such talk is necessary for an intellectually rigorous and historically relevant social criticism in the United States. And I think it is possible to conceive of social justice, in regard to matters of race, in such a way that these pitfalls are avoided. That, anyway, is what I hope to persuade you of this afternoon.

### AXIOMS OF RACE AND INEQUALITY

The enterprise I'm about to undertake is grounded in three interrelated axioms about race and inequality in the United States:

Axiom 1. Concerning the ontological status of race, I am a constructivist. I hold that the use of perceived physical markers to divide the field of human subjects into subgroups, popularly designated as races, is a choice human beings make. A social convention, if you will, for which no deeper biological justification is to be had. Race, on this view, is better seen as a social convention than as a biological category. I will want to stress however, that this thing called race need be no less real for that.

Axiom 2. In regard to the ultimate sources of racial inequality, I am an anti-essentialist. That is, I hold that the widespread, durable, and large scale disparity

---

\* *This speech was presented at the Saturday School Program at Harvard Law School on November 6, 2000.*

\*\* *University professor of economics and director of the Institute of Race and Social Division at Boston University.*



in the social experience of different racial groups within the same society is itself a social product, not the result of systematically unequal innate human capacities between members of those racial groups.

Axiom 3. The racial "otherness" of Blacks is imbedded in America's social consciousness, primarily as a result of the historical fact of chattel slavery. This inherited stigma, even today, exerts an inhibiting effect on the extent to which Black Americans can realize their full human potential. I will now expand on these fundamental axioms on which my argument is grounded.

As one who takes race to be a social construction, I place great weight on subjective, and inter-subjective aspects of racial awareness. I take mainly a cognitive, rather than a normative, stance toward race-conscious behavior. I look at the ways that human agents process social experience, and how they organize their perceptions and examine the categories into which they sort those others whom they encounter in society. What we see in the phenomenon of race, I'm holding, is that a field of human subjects, characterized by morphological variability—difference in skin tone, hair texture, facial bone structure, and the like—comes, in a particular society, through concrete historical experience, to be partitioned into subgroups defined by some cluster of these physical markers for the purpose of social perception, by the agents who are interacting with each other in that society.

These agents are hungry for information, and they are hungry for meaning. Information-hungry agents come to hang expectations around these physical markers—beliefs that can, by processes that I have discussed elsewhere in some detail, become self-confirming. Meaning-hungry agents come to invest these markers with social and psychological significance—even spiritual significance. This vesting of reasonable expectation, affable meaning, and objectively arbitrary markings of the human body comes through social and political struggles, and is mediated by economic and institutional structures to be reproduced over the generations. It takes on a social life of its own. It comes to seem natural, not merely conventional, and ends up having profound consequences for social relations.

Now there has been, of course, much discussion among social philosophers writing in the liberal tradition about the ontological status of race. Are there any things in the world that may be taken as corresponding to the word "race"? People have taken to putting the word in quotation marks to emphasize its problematic status. Their claim, with which I agree, is that no objective criteria, cultural or genealogical, is available through which this set of human beings can be consistently partitioned into a relatively small number of mutually exclusive, collectively exhaustive subsets that may be taken as racist. According to this view, belief in the existence of races is like belief in the existence of witches—nothing more than mischievous superstition.

As I said, I don't dispute the core claim here, but I don't find this exercise in linguistic philosophy to be interesting. As a social scientist, I'm impressed by the fact that so many behaviors have come to be organized around the race category, despite its evident lack of an objective basis in human biology. This, it seems to



me, is what needs to be explained. Objective rules of racial taxonomy are not required to study subjective use of racial classifications. It is sufficient that influential observers (policemen, employers, bankers, and passersby on the street) have classificatory schemes in their minds and act on those schemes. They need not make the schemes explicit. Their classifying methods may well be mutually inconsistent with one another. These agents are unlikely to be able to give cogent reasons for adopting those methods of classification, but they are also unlikely to be asked to do so. And I'm untroubled. I am not troubled by any of this.

Still, if a person is aware that others in society are classifying him by reference to certain markers, and if these acts of classification, in turn, constitute the basis of differential actions affecting his welfare, then these markers will become important to him. He will attend to them and become conscious, and self-conscious, in regard to them. He will, at some level, understand and identify himself as raced. This will be a rational cognitive stance on his part—not a belief in magic of some kind and definitely not a moral error.

Thus, for me, the ultimate reality underlying race-conscious behavior in a given society is to be found not in biology but in social psychology. What is real here is the tendency of the persons to engage in subjective race-based classifications. I invoke this term "classification" in the decision-theoretic sense. An agent takes an action affecting others based on what he can observe about those toward whom the action is directed. An employer hires. A banker lends. A landlord rents. A suitor woos, or not. And so on. As a purely cognitive matter, this agent, surveying the field of human subjects, seeks to discern relevant distinctions among individuals in that field for the purpose of refining his actions so as better to serve his ends. The imposition of such distinctions is an act of classification in the sense in which I intended the term here.

Now, two things should be obvious. First, classifying human beings in this general way is a universal social practice—one that lies at the root of all social, cognitive behavior. There can only be the question of "how," not "whether," human agents will classify those subjects according to their actions. Secondly, at this level of generality, the normative status of even a raced-based classification cannot be definitely assessed—absent an inquiry into the purposes on behalf of which the classifying act has been undertaken. For both the racist employer bent on practicing discrimination and the diligent public servant bent on enforcing anti-discrimination laws will necessarily be guilty of classifying the field of human subjects in terms of race in order to carry forward their diametrically opposed projects. It can't be that the act of classification in and of itself is the keynote of moral significance. I think this example demonstrates that.

#### **DISCRIMINATION OR STIGMA**

I wish now to make a couple of basic observations relevant to this undertaking. One can account for racial inequality without reference to essential difference, it seems to me, in only two ways. One can show that the rewards accruing to the



members of the disadvantaged group—given their productivity—are lower than the rewards garnered by others, or one can show that through processes unrelated to their capacities, members of the disadvantaged racial group lack opportunity to realize their productive potential. These means of argument can, of course, be used in combination. It need not only be one or the other.

These, then, are two distinct modalities for my theoretical project, which might be called an exercise in “racial apologetics.”<sup>1</sup> In the first mode of argument, one undertakes to show that, systematically, productivity is rewarded differently for members of distinct racial groups. Call this the reward bias argument. In the second mode, one shows that, systematically, opportunity to acquire productivity is unequally available to the members of distinct racial groups. Call this the development bias argument. While I believe that both reward bias and development bias characterize the situation of African Americans in the United States, there is a significant distinction to be drawn between these two modes of argument.

Another name for the reward bias argument is discrimination. We are all, of course, familiar with the extensive literatures in the social sciences and in social philosophy on the problem of racial discrimination. I am not high on this concept; I would like to see it demoted, removed from its current prominent place in the conceptual discourse on racial inequality in American life. Moreover, I will argue in this lecture that the concept of racial stigma should have a more prominent place in this discourse. This is not the place for me to develop fully a theory of racial stigma, but I would like to give some general sense of the intellectual work I hope the concept can do, and the place it occupies within my larger theoretical enterprise. The basic point here is that racial discrimination, as an analytical category, deals only with the reward bias problem. It cannot effectively reach the problem of development bias. Yet, it is my conviction that the development bias argument is the more promising one, for I believe it can explain more powerfully the extent and durability of current racial inequality. (This is an empirical generalization for which evidence could be adduced if more time were available, but I must say that I do not regard the point as especially controversial.)

Thus, my belief in anti-essentialism calls me to my ministry of racial apologetics (defending the faith). But, it also makes me keenly aware of the presence amongst my fellow citizens of infidels and apostates—people who at some (not necessarily conscious) level are prepared to credit the essentialist view.

Confronted with the experience of racially disparate achievement—low test scores, racially disproportionate transgression of legal strictures, high crime rates, racially unequal development of productive potential—observers need an account. They need to tell themselves the story. They must, in effect, answer the questions: “What’s the problem here?” “Where does the problem lie?” “Does it

---

1. I borrow the term “apologetics” from Christian theology, where a rough definition might be “defending the reasonableness of the faith.” Here, I am defending the reasonableness of my racial anti-essentialism postulate.



lie with us (meaning the society as a whole)?” “Or with them (those people who seem to be laggards, not quite keeping up with the escalator of opportunity)?”

Indeed, the observers' very processes of social cognition and discernment, awareness of anomaly, capacity for empathy, and stirring of conscience, are conditioned by beliefs in this regard. Faced with manifestations of extreme marginality and dysfunction amongst some of the racially marked, will the citizenry indignantly cry out, “What manner of people are they who languish in that way?” Or will they be moved to ask, perhaps after overcoming an instinctual revulsion to ask themselves, reflectively and reflexively, “What manner of people are we who accept such degradation in our midst?”

This brings me to comment on my Third Axiom—the one that asserts the existence of inherent racial stigma. For I hold that the latter response—“What manner of people are we?”—is less likely the greater credit is given to the essentialist view. And I'm going to understand a raced population sub-group to be stigmatized in the perception of external observers, when this latter response comes less easily to that observer's mind. I am keen to distinguish between accounts of the problem of persisting racial inequality that give pride of place to racial discrimination and those that make racial stigma the main concern. I favor the latter accounts—relatively speaking, not taking this position in an absolutist way—for two reasons. As an empirical judgment, I hold that reward bias—unequal returns to equally productive contributors based on race—is now less important in accounting for the unequal social outcomes that history has bequeathed to us than is development bias—unequal chances to actually realize one's productive potential, based on race. As a moral judgment, I hold that there is a sphere of intimate social intercourse, governed to some degree by “raced” perceptions in individuals' minds, that, out of respect for liberty and the dignity of human beings should not become the object of political or bureaucratic manipulation.

I'm talking here about the spheres in which people relate with one another (inside the context of families, peer associations, friendship networks, neighborhoods and the rest), where, through processes that might be described as the development of social capital, capacities to function in the society are actually acquired by human beings. Such capacities are not acquired in a disembodied, mechanistic way. People don't go shopping for the essential skills, connections and cultural understandings of the society in which they live. Rather, these capacities are acquired to a substantial extent, I'm holding, as a byproduct of social interactions undertaken for their own sake. Much social interaction that promotes human development is simply the result of people acting on a proclivity to interrelate with others around them. When that proclivity is “raced,”<sup>2</sup> the structure of opportunities for individuals to realize their full human potential will also be

---

2. When the proclivity to interrelate is guided in the marriage market, the neighborhood market, and the friendship market, to some degree, by perceptions of the race of others, and when decisions about such matters are conditioned on racial identity.



“raced.” Access to those opportunities will not be unrelated to the racial identity of the persons who seek them.

This is why I emphasize the moral aspect of my distinction between discrimination and stigma. My worry is about stigma and the attendant development bias to which it leads. Race-preferential associative behavior helps perpetuate a regime of development bias against blacks, largely because of a protracted, ignoble history during which reward bias against blacks was the norm. The idea of discrimination is limited. It points only toward reward bias, and cannot be usefully applied to the phenomenon of race-preferential associative behavior. The idea of stigma is more flexible. It provides insight both into race-constrained social interactions, and into race-impacted processes of social cognition. It helps us see the forces at work in a “raced” society that create causal feedback loops that perpetuate racial inequality, and that impede their identification.

Now, I’m seeing a moral dilemma here, because I want to hold that, in fact, the practice of racially preferential associated behavior is something for which a political liberal is going to have to give a wide berth. A liberal must affirm the right of people to “discriminate” in choices of this kind. To do otherwise is to deny the autonomy and the dignity of the persons who are making these choices, to suggest that for political reasons the state ought to muck around in the most intimate aspects of our lives. That, of course, would be wrong for a liberal and I would have to agree. On the other hand, to the extent that the consequence of raced inter-social relations is to deny to a historically stigmatized population an equal opportunity to develop its human potential, and to create a factual circumstance in which that stigma can be reinforced—to that extent a problem of social justice is raised.

#### **COLOR BLINDNESS: INTELLECTUALLY AND MORALLY SIMPLISTIC**

So what I’ve been saying, then, is that this way of thinking has an important implication for political philosophy. In the current U.S. debate on matters of race, one encounters two conceptions of public morality. These include race-blindness—the view that racial identity should play no part in the way people are treated in public life; and race-egalitarianism—the notion that given an unjust history, effort should be taken to reduce racial disparities in wealth and power as such. I am an advocate of the latter position. I hold that race-egalitarianism ought to be the touchstone of more philosophic reflection about racial inequality in the United States. I hold that a concern to maintain color-blindness—this instinctive unhappiness, revulsion, disquiet with using race as a category for thinking about human subjects in society, which I associate with liberal theory as it applies itself to these problems—is intellectually and morally simplistic. It does not cut deep enough; it should be jettisoned; it ain’t that important; it’s a second-order consideration.

So I’m rejecting color blindness. Indeed, I’m going to hold that this quintessential icon of liberal neutrality is a superficial moral standard, one that reveals



how starkly under-socialized is the entire intellectual project within which it's embedded.

Now, I want to stress I'm not rejecting liberalism as such. The root of my claim here is not to announce a bedrock philosophic inadequacy, but to decry a sociological and historical naiveté. I long to see a liberalism enriched by taking seriously the relational structures that mediate the contacts between persons, the individuals—the monads, the atoms—who are the autonomous dignity-bearing subjects of liberal political theory. I want the socially situated context of these subjects to be taken seriously in the philosophical project itself. (In this sense, I follow the Communitarians—Michael Sandel, Charles Taylor, Michael Walzer, and others who have argued similarly.) I do not defend simpleminded racial utilitarianism<sup>3</sup>—but I want to insist that our reflection about the rights of individuals and the justness of the institutions that influence individual interactions should take seriously the “raced” historical and social structures within which those individuals function.

So, I regard myself, with due humility, as a reformer not an abolitionist when it comes to political liberalism. But I object to the sociological naiveté, and to the limited place for historical developments to enter, when liberal political theory is brought to bear on the problem of race. The core point here, for me, is that the selves that are the honored subjects of liberal political theory are not given a priori. Rather, these selves are products of social relations and of economic and political institutions. They are creatures, to not some inconsiderable degree, of the very systems of law, social intercourse, and economic relations that normative political theory is suppose to assess in the first place. Neither their ideas about the good life, nor, crucial for my purposes here, their self-understandings as “raced” subjects, come into being outside the flow of history and the web of culture. And so, the diminished selves, the self-doubting, alienated, nihilistic, self-destructive selves—these are social products.

The central thrust of my argument, necessarily stated in short compass here, is this: Stigma influenced dynamics in the spheres of social interaction and self-image production lead to putatively objective racial inequality, de-coupled from the discriminatory acts of individual, carrying-over across generations, shaping political and social cognitive sensibilities in the citizenry, making racial disparity appear natural and non-dissident, stymieing reform, and locking in inequality. These stigma-influenced social dynamics make it possible, in other words, for observers to say something like the following:

Why don't the blacks in the inner city get up off their duffs and do something like these folks who just got off the boat and labor so industriously are doing? Don't you see that the structure admits of the possibility of

---

3. I use utilitarianism to describe the idea that we aggregate the incomes or utilities of people defined by racial characteristics, and then use this sum as an indicator of the goodness of society.



people being equal? It's merely their lack of character, or capacity, that results in their laggardly status? We have nothing to apologize for about the fact that here now, some generations after the end of slavery, our jails are overfilled, overflowing with these blacks. There's nothing that we apologize for. Our laws are objective and they're objectively administered to the best of our ability. Here, these people don't keep them. We have nothing to apologize for that our elite universities, our schools of engineering and management and law are bereft of the presence of these people. We admit those who are qualified. They don't measure up.

That argument becomes plausible only if one forgets about the "raced" processes of history and culture that were rooted in a structure that was hierarchical, exploitative, de-humanizing, and defended as legitimate, explicitly in racial terms. We sit now with the product, the workings out through time of that structure. We sit now, to be concrete, with inner-city Detroit. This is a place that did not drop out of the sky, or pop up with the spring flowers one morning. Instead, it is the product of structured behavior, over decades, by race-conscious agents behaving in racially motivated ways—to the detriment of the sons of slaves who migrated to this purported "Land of Opportunity," and found themselves shunted to a backwater, put to the end of the queue, etc., etc. No, this is not a harangue or a lament about how bad the "bad old days" were. This is an observation, as dispassionate as I can make it, about the processes by which the days we are confronted with right now came to be as they are. A political theory that has no place for taking those processes seriously, that wakes up one morning after three centuries and says, "Aha, race shouldn't matter at all, we're just human beings here, let's get on with the project at hand"—such a political theory is bankrupt in my view, both as an intellectual and a moral matter.

#### A MATTER OF SOCIAL JUSTICE

Obviously, I'm evoking history here as a factor conditioning ethical assessment of contemporary social arrangements. I just made claims, for instance, about where the inner city in Detroit came from. The claims are contentious ones that I would not be able to prove to a high degree of scientific validity. Historical readings of this sort admit differences of interpretation that could not be resolved by data. What might be called an epistemological fog obscures the cause of dynamics and works across the generations, limiting our ability to know in detail how past events have shaped current arrangements. And so, it may be reasonable to assert in a general way that past racial discrimination disadvantages blacks by impeding their acquisition of skills—even into the present day. But it will be very difficult, or impossible, to say with any quantitative precision how much of current racial inequality is due to this source of disadvantage.

Now, one could take the view that this knowledge limitation short-circuits any claims for racial egalitarianism of the sort that I want to make—claims, that is, which rely on the past unjust treatment of some racial group. I reject that view.



Rather, I hold that a compensatory model—familiar from tort and liability law—is the wrong law to think about this problem. My position, contrary to what I believe are simplistic applications of liberal neutrality leading to mandates for color-blindness, is that past racial injustice is relevant in establishing a general presumption that indifference to present racial inequality is also unjust. But the degree to which social policy should be oriented towards reducing present racial inequality—the weight to be placed on this objective in a social decision calculus, if you like—is not here conceived in terms of correcting or balancing for historical violation.

I want to make a big deal of this distinction between quantitative and qualitative claims. I think the distinction is important because it casts doubt on the adequacy of purely procedural theories of justice when analyzing matters of race. Race-blindness as understood by critics of affirmative action, for example, is one such theory. In general, procedural theories of social justice turn on the answers to two kinds of questions: What are people entitled to? And, what actions affecting the distribution of claims are legitimate? Then, any state of affairs that respects individuals' entitlements and comes about from procedurally legitimate actions is held to be just.<sup>4</sup> Notice, however, that procedural theories are essentially incomplete because they cannot cope with the consequences of their own violations. Permit me to explain.

Let us suppose that we are given a set of rules about how people are to treat one another. (One of those rules might be that "color" should play no part in their intercourse.) Suppose, further, that people happen to not always follow those rules. As I just noted, history can be messy stuff, and teasing out causal implications across centuries of historic procedural violations is impossibly difficult. If procedurally just requirements are not adhered to, and at some point in time people entitled to the fruit of their labor are not rewarded accordingly, then at some later point in time (perhaps a century on), there will be consequences rife in the interstices of society. It will be difficult, in principle, to identify and quantify these effects. What, then, would a procedural account have to say about this? Simple notions about providing compensation for identifiable historic wrongs may work when individual interactions are considered. But they can't possibly work for broad, social violations—chattel slavery, for instance, second-class citizenship for a century after the Emancipation, for instance. A procedural theory leaves us with no account of justice under these circumstances, unless it is extended in some way. This is a fundamental incompleteness in the theory, one that is especially pertinent for considerations of racial justice in the United States.

So, let me call a system of rules about social justice *procedural* if it satisfies the following: Some procedures are specified about how people are supposed to deal with each other. (One of these procedures might be that race should not be a

---

4. See Nozick, *Anarchy, State and Utopia*, for an exposition of this conception of distributive justice.



factor in their intercourse.) And, a state of affairs is held to be just if it evolves from a just original state, where every step in the evolution has been brought about by the freely chosen actions of mutually consenting agents, all of which actions are consistent with the rules specified in the first part of theory.

Now I need one more definition. I will call a procedural system of rules *closed to moral deviation* if it meets the following test. Whenever some agents bring about some state of affairs through actions that breach the rules specified in the procedural theory, it is in principle possible to recover from the effects of this breach through a series of counteractions that are themselves consistent with the rules specified in the theory.

All right, enough of that formalism. Here's what I'm saying. Is color-blindness, as a way of thinking about the justice problem raised by racial difference in a society, a procedural conception that is, itself, closed to moral deviation? If, in fact, at some point in time people don't behave that way toward others, is it possible to counter the consequences of their breach of that standard through a sequence of interventions that are themselves consistent with the standard? That's the question to which, I'm asserting to you, that the answer in general is, "No." The consequences of violating color-blindness can persist forever if we restrict our counter-interventions so that they may take no cognizance of people's race. This is so because in a "raced" society like our own, people are themselves cognizant of race. There's a sphere of social intercourse that lies outside the domain of any legitimate intervention, but is nevertheless powerfully productive of the capacities of human beings to actually function in the society. As a result, access to developmental opportunities is conditioned by race. So, disadvantaged, racially identified agents can remain adversely affected for a very long time after an initial, procedurally unjust and race-conditioned act. Their protracted inequality is nurtured by venues of human development that operate less effectively than they otherwise would, if the society were genuinely color-blind—not just with respect to formal economic and governmental transactions, but across the board. Because this is not the case in our "raced" society, and because no liberal theory can compel such an environment without running roughshod over individual rights, it is a matter of straightforward dynamical analysis to show that historically engendered inequality due to violation of a person's right not to be adversely treated because of race can persist indefinitely if no one takes any further account of race after the initial violation.

This, then, is the basis of my larger argument that, as a matter of social ethics, policies should be undertaken to mitigate the economic marginality of members of historically oppressed racial groups. I'm not making a reparations argument here. I'm not saying that people should be compensated for something that happened to their ancestors in the past. I'm saying that if you want social justice now, and if you ground your wanting of such on an individualistic conception of justice, even so, if you recognize the historical backdrop, and the ongoing sociological processes within which the current society is nested, you will not affirm



color-blindness as your bedrock moral standard about how to proceed in racial matters. Rather, you will give greater weight to race egalitarianism.

### CONCLUSION

In conclusion, I wish to acknowledge that there is still an objection that could be raised to my position. A critic may say something like, "At a consequentialist level, one must concede that some departures from race blindness may be needed. But, at the most profound moral level," the critic might continue, "doesn't someone like you, Loury, who abhors the consequences of racial stigma, have to affirm a kind of moral blindness to the race of agents?" I think that this is, in fact, the case. I'm not the least bit reluctant to say so. But, even here I want to encourage clarity.

Let me distinguish between three distinct domains of concern about raced based behavior in a racially divided society to which the intuitions of color-blindness might be applied. One is the domain of *policy implementation*. Here we are admitting students to college or hiring firefighters or distributing public benefits. We're using some mechanism to do so. The mechanism might, or might not, take cognizance of the race. That's one domain—policy implementation.

A second domain is that of *policy evaluation*—assessing the consequences of public action. Here we're deciding whether to build a prison or a school. And, if building a school, at what level of elite pedagogy do you focus it? We're framing a war on drugs, and deciding on whether to focus attention on the buying or the selling side of the illicit transactions. We're determining whether it's necessary to induce a recession, in order to prevent a bout of inflation. We're building a highway through the middle of the city, or we're making it go around the perimeter, and so on. In other words, we're taking public actions, and we have to make an assessment, if you will, of the costs and benefits of the action. Now the question arises as to whether or not the impact of the public action being taken, on persons of particular racial groups—can be taken into account. That is, might we tolerate a little bit more risk of inflation if we recognize that black youth unemployment is getting down to humane levels for the first time in a half century? And if we yank on the chain of the economy to prevent inflation, we just might induce slackening of the labor market that would hurt those people—and that would be a bad thing. We're overcoming racial stigma now. We're bringing these people into the society. They are able to work and earn the respect of their fellow citizens. Can we take into account the benefit in terms of reducing racial division and racial isolation in the society to be garnered from a race blind action, but one now undertaken mindful of its racial consequences?

This assessment activity is another domain where we might affirm color-blindness. Because one might say, "We should do it or not, regardless of the racial consequence of what we undertake, but only with regard to the human consequence of our actions." We should have the War on Drugs—even though it will lead to a lot of people going to jail—because we think it's worth it. And we don't care whether all those people are black and brown, or whether they are a representative sampling of the population. One could take that position. That would be



color-blindness in the domain of the evaluation, as distinct from the implementation of public policy. So we have those two domains.

The third and final domain that I want to consider is that of the *construction of national community*. By this I mean the development of our sense of nationhood, common purpose, civic engagement (through pedagogical enterprises of all sorts: building monuments, proffering public ritual and, of course, making public policy), which is an inescapably expressive, directly instrumental undertaking. Consider capital punishment. It either does or does not deter murder. But it is most definitely the state-sanctioned killing of a human being. There's no way around that. That's a definition. So now, is the racial imbalance in the powerfully pedagogic public undertaking of killing violators of the law, a matter of any concern? Does it do anything to our self-understanding that we might take to be deleterious? Or, on the other side, consider the conscious act of integrating the elite who exercise power in the society, and who bear honor in the society—the people whom we look up to, the people to whom we delegate discretion over our lives. Consider the conscious effort to make sure that there are, visibly, African Americans amongst that elite in an effort to integrate the national community by rubbing out in the consciousness of the populace a perception of racial difference in inherent capacities, in social standing, etcetera. Is that a valid enterprise? That is, after all, a kind of color-blindness too. The project of diminishing the sense within the polity that we consist of different peoples, ranked differently, differently endowed, differently participating in all that is good and wonderful about our common public life is a project of race blindness, properly understood. It's race-blind, public civic pedagogy.

So we have these three domains. What rules are we going to use to choose people? What rules and concepts are we going to use to evaluate the alternative paths that our public policy might pursue? What consciousness are we going to have about the extent to which the conduct of our public business does or does not perpetuate, into yet another generation, the inherited stigmata associated with race?

It's in this last domain, and only there, that I want to affirm color-blindness. That is, I do not advocate color-blindness as a moral idea with respect to promulgating the rules of public action (who's admitted or hired, for example). Nor do I advocate color-blindness with respect to the evaluation of putatively race-blind undertakings (Should we not induce a recession because it's leading to a solution to a problem that has plagued us for 50 years with respect to the marginality of inner-city youth?) I would allow a cognizance of race to enter in there too. But, I do want to affirm as an ideal that we would pursue the construction of a civic self-understanding, which is to the maximal extent possible not continually marred by the historical inheritance of racial hierarchy: "those people" who endanger our freedoms, or who hold us back, for example. That kind of thinking I want to see rubbed out through public action, which might be pursued by race conscious instruments, or might be undertaken as a consequence or alternative courses of action that are themselves to some degree influenced by a cognizance of race.



# ASIAN AMERICAN POLICY REVIEW

*The Harvard Journal of Asian Pacific American Public Affairs*

ANNOUNCING THE IMMINENT ARRIVAL OF THE

## *Tenth Anniversary Issue*

This May, the latest volume of the *Asian American Policy Review* will begin coming off the presses. Devoted to the most compelling political and policy issues that affect all of us, it contains a number of important articles we are sure you won't want to miss, including:

- Commentary by Professor Brant T. Lee discussing Wen Ho Lee, race, and loyalty in the U.S.
- Commentaries by Former Lt. Governor of Delaware S.B. Woo and Professor Paul Watanabe on the 80/20 initiative
- An interview with Martha Choe and Shamina Singh on the historic President's Advisory Commission of Asian Americans and Pacific Islanders
- A survey by Angelo Ancheta, examining the Political Rights of Asian Americans and Pacific Islanders
- Powerful new research by Arthur Sakamoto and Satomi Furuichi on The Wages of Native-Born Asian Americans at the End of the 20th Century

and **much more!** You'll find other interesting book reviews, new research and thought provoking commentaries.

*Reserve your copy now!*

The 10th Anniversary Issue of the **AAPR** is yours to try **risk-free!** Please mail your name, address, and check to the address below.

If not satisfied, please return for full refund - - - - -

### SUBSCRIPTIONS

Individual: \$15  
Institution: \$40

### CALL FOR PAPERS

November 1st  
aapr@ksg.harvard.edu



### Asian American Policy Review

John F. Kennedy School of  
Government  
79 JFK Street, Cambridge, MA 02138  
Tel: (617)496-8655  
Fax: (617)495-4193





# HARVARD JOURNAL of HISPANIC POLICY

***Volume 13: Hispanic Policy  
in the 21<sup>st</sup> Century***

HJHP is a non-partisan, peer-reviewed journal that publishes interdisciplinary works on policymaking and politics affecting the Latino community in the United States.

Policy topics covered in this year's volume include:

- **Education**
  - **Voting Patterns**
  - **Immigration**
  - **Political Representation**

***and interviews with US leaders in Latino policy.***

To receive a risk-free copy of Volume 13, complete the form below and mail to:

**Harvard Journal of Hispanic Policy  
John F. Kennedy School of Government  
79 John F. Kennedy Street  
Cambridge, MA 02138**

**YES**, please sign me up as a risk-free subscriber to the Harvard Journal of Hispanic Policy.

\$25 individuals

\$55 institutions

Renew my subscription

I'm a new subscriber

Payment enclosed

Bill my  VISA  MC

**Name( print)** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

**Card #** \_\_\_\_\_ **Exp date:** \_\_\_\_\_

**Signature** \_\_\_\_\_

To order online visit our Web site at [www.ksg.harvard.edu/hjhp](http://www.ksg.harvard.edu/hjhp); by e-mail write to [hjhp@ksg.harvard.edu](mailto:hjhp@ksg.harvard.edu); by phone call (617) 495-1311; or fax to (617) 495-4777.













# “Work, Money, and Power”

The Women's Policy Journal of Harvard  
John F. Kennedy School of Government  
Proudly Announces  
The Publication of its Charter Edition

\*\*\*\*\*

Our first edition, “Work, Money, and Power: Challenges and Opportunities for Women in the 21<sup>st</sup> Century”, includes articles by Ambassador Harriet Babbitt, former Deputy Administrator of the U.S. Agency for International Development (USAID), and Anita Perez Ferguson, former President of the National Women’s Political Caucus (NWPC). It covers topics ranging from the politics of gender in the 2000 election, wage inequality in Mexico, and the role of women of color in policy-making.

Recognizing that both academic research and practitioner experience are vital to a sound understanding of complex policy issues, we’ve included articles by scholars and practitioners alike. The *Women’s Policy Journal* is dedicated to promoting discourse about the multiple social, political, and economic issues impacting women’s lives. Few journals focus specifically on the effects of public policy on women today. As such, ours promises to enjoy a unique place in the current scholarship. Use the form below to reserve your copy of this cutting-edge journal.

\*\*\*\*\*

**YES**, I want to receive the Charter Edition of *The Women’s Policy Journal*

\$10 students                       \$20 individuals                       \$40 institutions

Payment enclosed                       Bill my     VISA     MC

Card # \_\_\_\_\_ Exp date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Signature \_\_\_\_\_

Name (print) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

79 John F. Kennedy Street ♦ Cambridge, MA 02138  
Phone (617) 496-5192 ♦ Facsimile (617) 495-5500  
[www.ksg.harvard.edu/wpjh](http://www.ksg.harvard.edu/wpjh) ♦ [wpjh@ksg.harvard.edu](mailto:wpjh@ksg.harvard.edu)



Harvard Journal of African American Public Policy  
79 John F. Kennedy Street  
Cambridge, MA 02138

FORWARDING SERVICE REQUESTED