

AFFIRMATIVE ACTION: MYTHS AND MISCONCEPTIONS*

by

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At the University of Wisconsin Madison, at the University of Michigan, at Boston University, at the University of California-Los Angeles, at Columbia University, and at more than a few other fine institutions—all Yankee institutions, by the way—one increasingly witnesses the open, and sometimes violent expression of racial animosity. On the American campus of higher education, of all places, and then in those very institutions which only twenty years ago were the very emblems of progressive, indeed, radical thought, we watch the dream of racial harmony gradually disintegrate before our very faces.

A generation ago we held to a very simple proposition for working change in America. We would co-opt our youths—ever so malleable, so willing to experiment. We would take even the brightest of these, from the best of homes and the best schools, and we would make them the apostles of integration for the entire country. As they moved out of young adulthood into careers, they would carry racial justice into court rooms, hospitals, corporate offices, and government bureaus. And they would produce children free of racial animus, accustomed to move around easily in a multicultural Eden.

So powerful was the dream that it is perhaps not so surprising that, today, we do little more than stand around in open-mouthed shock at the reality we must live with but are unprepared to accept. Nor do we have any idea how it came to be so—though America had Jeremiah's enough who warned of such a coming.

So we stand about open-mouthed, some heedless soul every now and again hurling accusations against “the tenor of the Reagan Administration”—as if all it takes to disintegrate a powerful dream is for someone to have a counter-dream, like turning over a record on a phonograph! Our situation would be poor indeed, if the most liberal and talented, offspring of the most advantaged families, America's best and brightest could be turned into foaming racists by the mere imagination that Ronald Reagan were so. And certainly no one has pointed to a “racist call to arms” from the President.

No. Our problems are much deeper than seven years of intense debate over the country's civil rights future could have produced. And if we mean to do something about it, we had better start acknowledging that deeper cause. Our Jeremiah's had better be heard, before their dying voices fade out amidst distant stars. For twenty years they have uniformly warned—as the new Chancellor at the University of Wisconsin Madison today acknowledges—that affirmative action would breed contempt, disrespect, and hatred.

It is time for us to ask how this might have happened and what we can do about it. I am mindful in turning to our recent past of a warning I received from the late Clarence Pendleton, to

the effect that “historians begin by looking backward and often end by thinking backward.” My goal is to emerge on the forward side.

Put aside the facts and figures—the stale debates over who (and how many) were helped and harmed by affirmative action. There is no end to the question whether federal contractors, under Office of Federal Contract Compliance Program regulation, who from one period to another increased their hiring of minorities in fact only shifted minority hires away from non-federal contractors. Nor need we resolve the question, whether women since the mid-70s have closed the earnings gap with males at a faster pace than have black males with white males. And the mystery of whether Asians are rather victims than beneficiaries of affirmative action may await a later unfolding.

The question now is whether affirmative action per se constitutes wise policy. If it does not, how did it come to prevail? And how might the legitimate goal of racial harmony and equality be pursued otherwise?

The answer to these questions, I believe, is tied up in the wrong turn we took some years back, when we combined the politics of civil rights with the politics of poverty—we confused the issue of justice for all with the issue of relief for the poor. That move predisposed us to develop a policy which would treat minorities—blacks in particular—as specific objects of governmental concern and manipulation.

When “simple justice” called not for treating all commonly, but for commonly distinguishing some, then did we step on the slippery slope—then did we officially divide the country into Americans and aliens, the aliens being the persons who are the specific objects of Americans caring. For a while we even forgot that there were poor people besides blacks—so much had the terms black and poor become synonyms.

By the time we had been reminded by other groups—women, Asians, Hispanics, etc.—clambering for Great Society largesse, it was too late. Affirmative action meant targeted relief for the needy—not justified recognition of the worthy! Affirmative action had been captured by the psychology of charity, with the result that whoever came to be touched by it came thereby to be stigmatized as deficient.

Good people will still argue that this perspective is not necessary—that we can see affirmative action merely as changing older patterns of discrimination. I sympathize with the naiveté which is seduced by the idea that, because a thing can be expressed, it then might also exist. But such people in reality are only spitting into the wind. The course is set. Affirmative action does not integrate Americans; it alienates Americans.

I know, for I am the “other American.” What we are discussing has everything to do with the rumor that there are unseen aliens in the United States, a rumor current in this country for some 28 years now. Michael Harrington started the rumor with his book, “The Other America.” He foisted on the country a mind-set toward me and people like me, which has caused not only great confusion but also much actual harm ever since. The rumor has now turned ugly, evolving to the form of anguished concern for the so-called “permanent underclass.”

Affirmative action officers do not often have occasion to take into account the “permanent underclass” while carrying out their official duties. But permit me to show you how intimately connected the ideas of affirmative action and disadvantaged aliens are. For I believe that your jobs were impossible from the start on account of that nexus. The goal today is to break that nexus in order to arrive at a more coherent expression of the contributions which you should be able to make to the personnel practices of your several and respective organizations.

I need, therefore, to speak of affirmative action, not as a job (your job) but as a national policy—situating your tasks amid the shifting demands of national policy. The reason to do this is quite straightforward. While national policy per se must take it as a goal that policies such as affirmative action be only temporary at best, I affirm that your jobs, properly understood, ought to constitute a permanent dimension of every enterprise in our society.

Thus, we face a paradox, inasmuch as I advocate the abandonment of national (and all governmental) affirmative action regulation, while I predict that organizations will always need the service which you are capable of providing. The key to untangling this paradox is to begin by refuting the notion that minorities and the poor are aliens in America—“other Americans.”

Supply side economics was much belittled five—even three—years ago still. But we hear little laughter now, as the evidence becomes irrefutable that the worse off improve their lots in an expanding economy far more (relatively speaking) than any other group and, more importantly, more than they could from transfer payments in a shrinking economy. The significance of this fact lies in its implications for how we look at society; whether as warring factions grappling with one another for limited resources, or as one community jointly embarked in a voyage which will end well or ill for all or none.

The view of the country as locked in class warfare is especially pernicious. Its exponents end up borrowing, whether knowingly or no, from the concordance of Karl Marx. In the case of Professor Derrick Bell, the borrowing is certainly knowing. In his book, *And We Are Not Saved*, he describes “a delegate” at the Constitutional Convention, who declared that the “aim of this society” is “the protection of property.” That has a nice ring to it, producing the impression of a conscious bourgeois plot to exploit the proletariat. What Professor Bell did not reveal, however, is that “a delegate” is actually Governor Morris of Pennsylvania, one of the staunchest anti-slavery delegates to the Convention. Further, Morris did not declare the protection of property the aim of this society; he rather asserted the general principle that the protection of property is the aim of civil society. From this general principle he meant to deduce the relevant specific applications for the United States. Before he got very far in that process, however, he had to recant the statement. For, you see, he discovered that the existence of slavery in the United States complicated the analysis. Morris refused to permit his general theory of human nature to lend aid and comfort to the institution of slavery!

Morris insisted on seeing one community in a joint voyage, even though he knew that practical problems with that view existed. I too take the second choice, to see America whole and not fragmented. The idea that the poor were ever invisible, spurned in America has always

been a lie. The poor are not just as American as apple pie, but they suffer or profit as America itself suffers or profits.

This last fact was never so clear as in the simultaneous “feminization of poverty” and the dramatic increase in women’s participation in the labor force. For not only are women working more, but they are being paid more and are doing more important work (between just 1977 and 1984 women jumped from holding only 7% to 28% of all U. S. companies!). How comes it to be, then, that poverty focuses on women and children now more than ever? Simply put, while women are better off, that group of women who are always worse off (unmarried heads of households) has mushroomed! In short, changing social dynamics (in part spawned by economic dynamism) have focussed child-rearing burdens on the most slender resources, even while virtually all are better off.

If one were to insist (as I would not) that affirmative action had contributed to the great strides women have made (for example, in just twenty years, a jump from 2% to 33% of MBAs and from 2% to 14% of engineering degrees), one would also then have to point to affirmative action for the feminization of poverty. Note, though, given the current low unemployment rate, that if every unmarried head of household were married to the father or mother of his children, without any increase in the wages or income of either, poverty in the United States today would stand at its lowest level ever.

The situation of black men differs markedly from that of women in recent years. Though black men have made considerable progress in closing the earnings gap with white men, black men actually progressed at a faster rate in the period 1940-1960 than they have in the period since, when civil rights laws have been enforced. Of course, there could be explanations for that, which could show that, but for civil rights laws, black men would have suffered an even slower rate of progress in decreasing the wage gap. Similarly, women have greatly increased their labor force participation in recent years, while the labor force participation of black men has fallen off steadily. Indeed, some critics speculate that the improvement in the black-white male wage gap is largely spurious, since the falling labor force participation rate largely removes black low wage earners from the comparison.

In the most recent period we have witnessed a sharp fall-off in black enrollment and graduation from college, especially in professional or advanced degree programs. This trend alarms folk who realize that, if trained personnel are not available, preference hiring will make no difference in the composition of the work force. In that context, to speak of affirmative action hiring for blacks becomes a cruel joke serving only to mask continuing effects of labor force discrimination as well as the absence of qualified personnel. Insofar as the market itself undermines discrimination practices (save where they are protected by the state), it follows that so long as we can identify labor force deficiencies, we are probably describing the effects of governmental policies or, at least, publicly sanctioned private policies which aim precisely to discriminate (acknowledged or not).

One hundred years ago, in the immediate aftermath of slavery, American blacks were almost uniformly poor and ill educated. On top of those liabilities, they had to be restrained by the laws and regulations of Jim Crow to hold them down, for otherwise they had already shown

that they would carve out an independent place of respect in the American economy and society. Indeed, the miracle which had taken place already by 1940, which saw dramatic increases in the education and the earnings of black men, despite restrictions, testifies well to the native talent and promise of American blacks. In the face of that history, the most recent set backs for blacks, in the presence of affirmative action, can only seem all the more ominous. That is the fact which makes it urgent that we reconsider the impact and meaning of affirmative action—and that we detach policies meant to guarantee equal rights from welfare policies which generate plantation attitudes.

Does affirmative action serve as a veiled form of Jim Crow? I, at least, would not be surprised to have to deal with the argument, that the emergence of a woman's movement aimed at jobs and education, at precisely that moment when the civil rights movement seemed poised to offer expanding opportunities to American blacks, was no accident. When one reflects that the new women in the labor force are primarily the wives, sisters, and daughters of the white males who dominated theretofore—that is, the same families who dominated—one will see that the net result has been to blunt the force of black advances (if one makes family by family comparison).

But there is no evidence in public opinion of such a “conspiracy.” Consider the evidence of last year's Gallup Poll, in which some 29 of 30 categorizations of Americans express hostility toward or disagreement with affirmative action. Dividing them up almost any way you wish, you find them opposed, save in the one case of American blacks! The consequence: blacks are isolated in terms of opinion, in politics, and by law. When the question of affirmative action comes up, it is not in the context of how to encourage excellence. It is generally in the context of entitlement claims, and sounds more like a welfare grant than an acknowledged right.

In this context the expression “color blind Constitution” takes on an entirely different meaning. That goal is actually aimed at eliminating the kinds of legal and market restraints which limit black participation. It is therefore a most intriguing question, why national policies which seem to operate against the interests of American blacks are sustained by blacks alone. The question is more than just intriguing, however, when the toll of such policies begin to show up in the form it is doing on our campuses in the north today. While apparently receiving little if any particular benefit from the policy, blacks nevertheless receive blame for all of the ostensible consequences of the policy. One would expect such a pattern to lead soon to the replacement of that policy.

Ask yourself how your organization approaches affirmative action considerations. You do not have to say it out loud, so you may be candid. Is the foremost question the candidate's peculiar and highly valued contribution to the organization's mission? Do you speak of it as a highly efficient means of auctioning up the talent pool to guarantee the best choice? a way of forcing personnel searches out of beaten paths and unreflective habits? Or, is it first a means of record-keeping and game-playing designed to ward off the bureaucrat's inquiry? Does your organization talk affirmative action while hypocritically knowing—perhaps intentionally—that all it needs are some statistics to satisfy EEOC?

If your situation corresponds to the latter questions, you're at the crossroads. For in that case, you are implementing affirmative action as welfare—our national policy. Not only will you

make no valuable contribution that way, but you are actually sowing the winds of future whirlwinds of discord.

I commend to you instead the attitude, that there is no one who belongs in your organization who needs any special help from you to get there. Indeed, you probably need to put on your best behavior to entice them, for such candidates (whether for employment or studies) are the people who will spell the difference between an organization's success or failure. And they do exist, in every color, shape, and gender. Why does your company need an affirmative action officer to find such people? For that question I must leave you and your company to search your own souls.

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