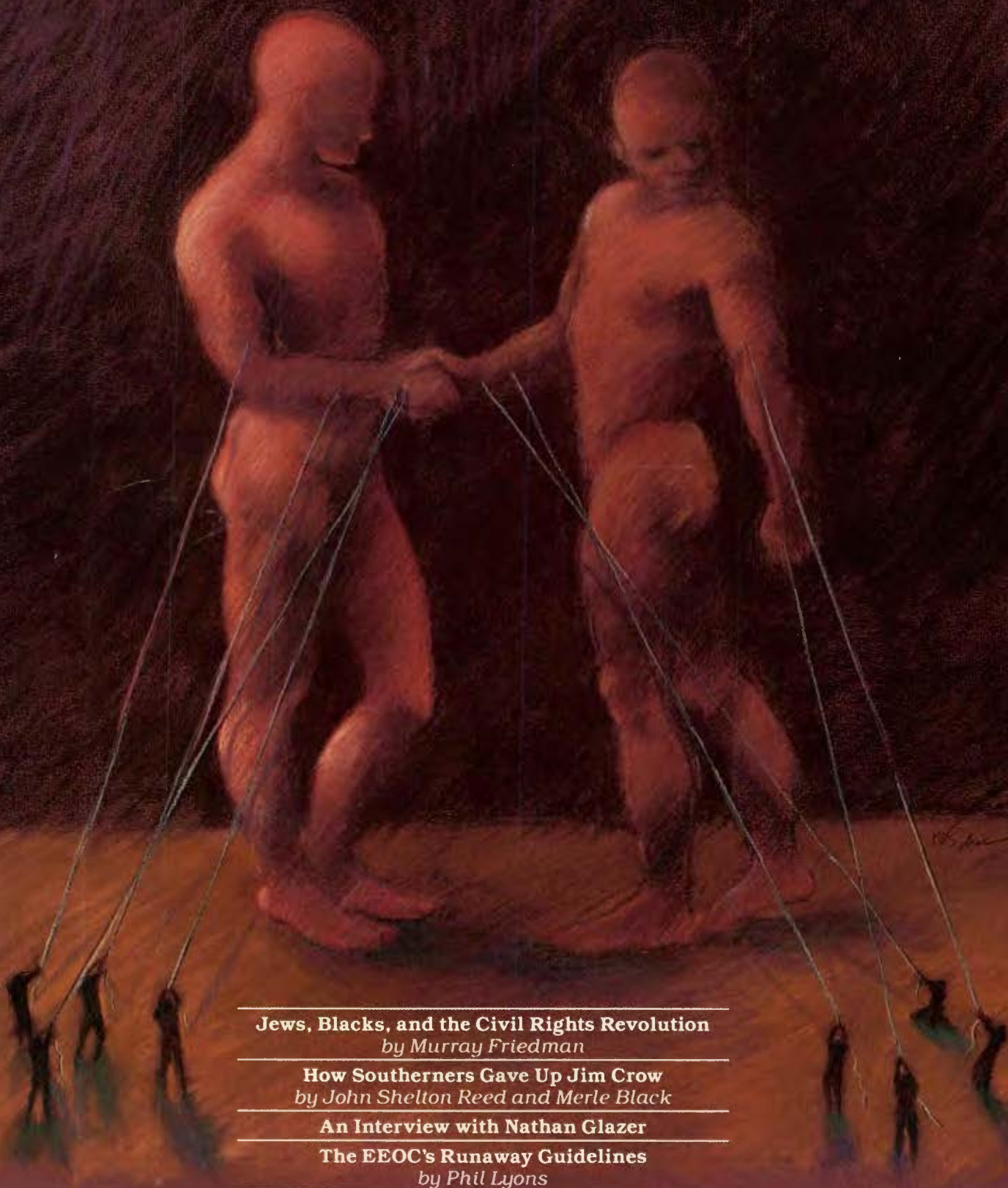


# NEW PERSPECTIVES

U.S. COMMISSION ON CIVIL RIGHTS FALL 1985



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**Jews, Blacks, and the Civil Rights Revolution**

*by Murray Friedman*

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**How Southerners Gave Up Jim Crow**

*by John Shelton Reed and Merle Black*

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**An Interview with Nathan Glazer**

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**The EEOC's Runaway Guidelines**

*by Phil Lyons*

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# Editorial

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## Civil Rights Progress: Attitudes and Alliances

It is important that the civil rights movement remember its roots. In this issue of *New Perspectives*, Murray Friedman, John Shelton Reed, and Merle Black offer histories of social change. Friedman, a member of the American Jewish Committee, goes back 80 years to trace the alliance of black leaders with American Jews—first with German-Jewish philanthropists and later with more humble (and politically radical) Jews of East European ancestry. He pieces together a genealogy of the civil rights leadership of today and sees little reason to doubt that blacks and Jews can, despite disagreements that have grown up between them, maintain their traditionally united stand against racial and religious prejudice.

Social scientists John Shelton Reed and Merle Black examine white Southern attitudes toward desegregation during the 1950s and 1960s and show how public opinion in favor of time-honored *de jure* segregation of the races ebbed away. This quiet but epoch-making revolution of attitudes was remarkable in light of hundreds of years of legally and socially ingrained racism. Die-hard resistance to the desegregation of education, public transportation, and other institutions in the South emerges in this account as an increasingly inconsequential fringe.

The acts of violence mentioned in both of these articles—beatings, lynchings, burnings—stand out as reminders that the civil rights struggle was in fact a war, with real casualties. Knowing that that war has been won is by no means a reason to end vigilance against discrimination. And as Elizabeth Marek's review of Jonathan Rieder's book on Canarsie makes clear, the threat of racial and ethnic clashes has not gone away. Yet to rehearse the turmoil of the past—particularly the social chaos of the 1960s—is also to recognize that today much of the dust has settled. We must be thankful to civil rights pioneers that we live in freer times.

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*New Perspectives* wishes to thank former Editor Max Green for his contribution to the making of this issue. ☾

S.M.

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# Jews, Blacks, and the Civil Rights REVOLUTION

by Murray Friedman

**F**ollowing the 1984 election, a confrontation took place between black and Jewish students in the letters column of the University of Pennsylvania campus newspaper. Jewish students were critical of black students who defended Louis Farrakhan's role in the presidential campaign of Jesse Jackson. Black Student Union leaders declared, in a letter entitled "Black-Jewish Coalition Cannot Be," that "when two groups of unequal power come together at the bargaining table the final analysis finds the more powerful group coming away with all the benefits."

This response echoes the view recently expressed in an article by David Levering Lewis, a biographer of Martin Luther King. Lewis declared that there never was a serious black-Jewish alliance, and to the degree that cooperation existed between the two groups, it was of "minimal potential to overcome the real world of race relations."<sup>1</sup>

A revision of history seems to be taking shape. If this new version of the historic relationship between blacks and Jews gains credibility, it will not only be a serious misreading of history, but will also inhibit continued cooperation between the two groups. Therefore it seems appropriate to ask: What was the black-Jewish alliance? What was the Jewish role and what were its successes and failures?

Individual Jews have been associated with the black struggle for freedom throughout American history. The group alliance got underway with the formation of the National Association for the Advancement of Colored People in 1909 and the Urban League a few years later. Jews played prominent roles in both organizations.

It is difficult to recall the extent of prejudice and intolerance against minorities that existed in the United States at the turn of the century. Americans believed that blacks and newly arrived European immigrants were mentally and physically inferior and responsible for rising rates of poverty and crime. Distinguished newspapers and magazines popularized vulgar caricatures, and

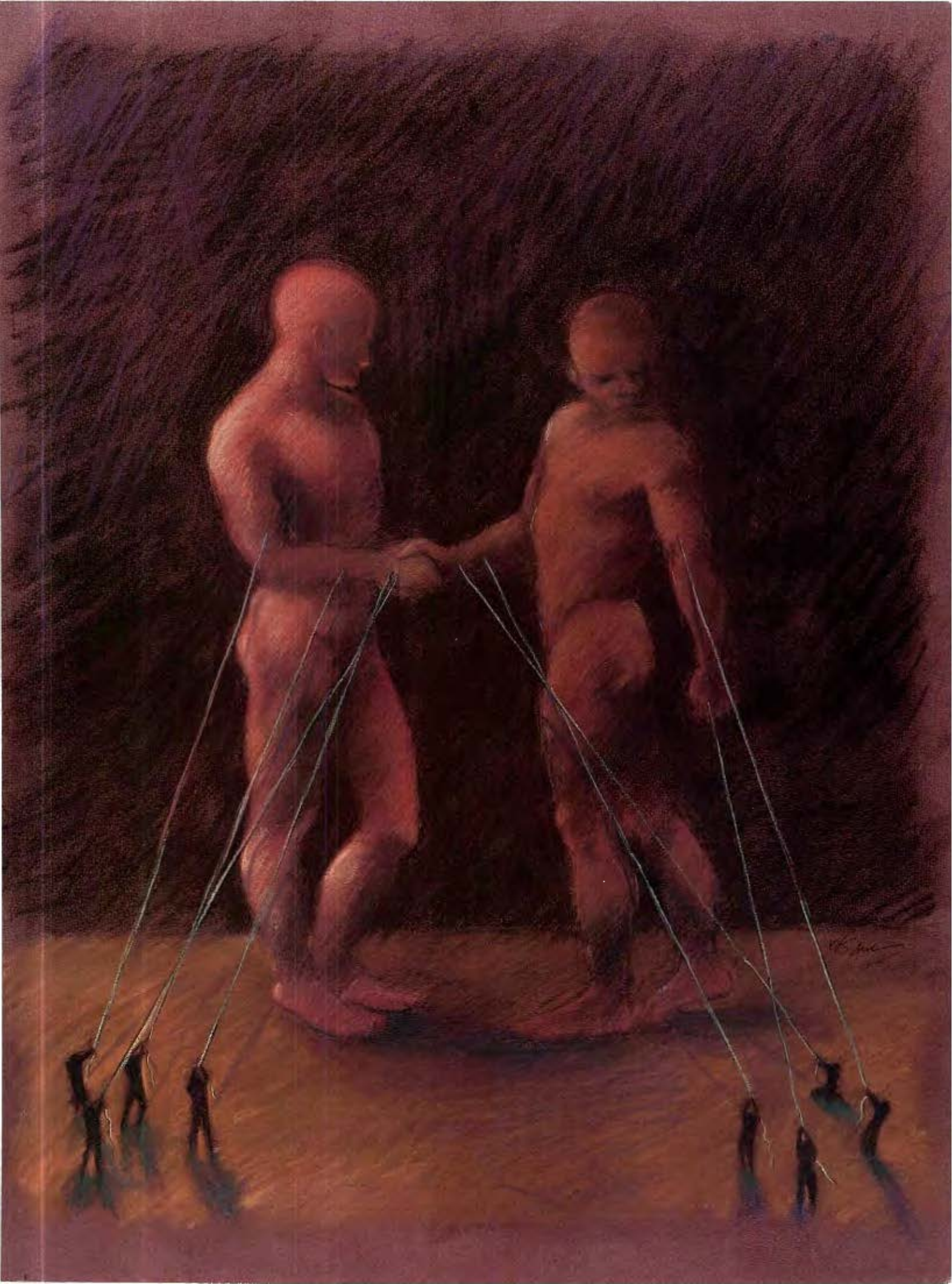
school texts accepted and passed these on as a matter of course. Even leading social scientists, many of them active in social reform movements, contributed to an ethos of racial exclusivity. Beginning in the late 19th century and reaching a climax in the 1920s, harsh and restrictive immigration laws cut back sharply on East and South European immigrants and Asian immigrants and favored fair-haired and lighter skinned peoples from Northern Europe.

Between 1890 and 1910 the disenfranchisement of blacks in the South that began following the Civil War was completed. Laws requiring segregation in education and other areas of life were enacted in the South and in other parts of the country as well. In 1896, the Supreme Court held in *Plessy v. Ferguson* that so long as facilities provided to blacks were equal to those of whites—which they rarely were—separate racial facilities were constitutionally permissible. The system was reinforced by a reign of terror. In 1907, Governor Vardaman of Mississippi warned, "if it is necessary, every Negro in the state will be lynched; it will be done to maintain white supremacy." Black soldiers returning from World War I, expecting to enjoy the fruits of winning the "battle to preserve democracy," were greeted instead with the "red summer" of 1919—there were more than twenty bloody race riots in every part of the country that summer. More than 70 blacks were lynched. Eleven black men, some of them soldiers in uniform, were burned alive. The NAACP reported that between 1889 and 1918, some 3,224 men and women had been lynched and no one know how many had disappeared without a trace.

**T**he situation in which Jews found themselves was also difficult. Morris B. Abram, an Atlanta attorney and now Vice Chairman of the U.S. Commission on Civil Rights, recalled in his autobiography growing up in a small Jewish community in Fitzgerald, Georgia unnerved by the lynching in 1915 of a young Jewish manufacturer, Leo Frank, falsely convicted of murdering a young girl. A revived Ku Klux Klan targeted Jews, Roman Catholics and blacks as foreign and evil forces. In the 1920s, Henry Ford's *Dearborn Independent* spewed forth a steady stream of anti-Semitism. While Ford appealed crudely to the passions of small-town and rural Protestantism, more sophisticated forms of prejudice and discrimina-

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*Murray Friedman, Middle Atlantic States director of the American Jewish Committee and chairman of the Pennsylvania Advisory Committee of the U.S. Commission on Civil Rights, is author of The Utopian Dilemma: American Judaism and Public Policy, 1985.*



tion were used in society's most elevated circles: major universities like Columbia and New York University limited the enrollment of Jewish students by quotas. Only a sharp reaction by Jews and others to the public announcement that Harvard planned to follow suit caused Harvard to abandon its plan. (Instead, informal quotas were used.)

It was in this social and psychological setting that Jewish defense agencies were organized. The American Jewish Committee was founded in 1906 in the wake of the Kishinev pogrom in Russia, mainly by a group of wealthy German Jews. Those unhappy with the "uptown" character of the American Jewish Committee organized the American Jewish Congress in 1918 with a constituency drawn primarily from East European Jews. The Anti-Defamation League (ADL) was formed by B'nai B'rith during the murder trial of Frank in 1913.

The Frank case sent a wave of fear surging through the Jewish community. Faced with outright anti-Semitic violence, Jews became more involved with the broader movement for civil rights in America. Philanthropists like Julius Rosenwald, Herbert Lehman, and Samuel and Mary Fels were major contributors to the NAACP, the Urban League, and other black organizations. Rosenwald emerged as the leading force in the creation of educational facilities for blacks in the South.

Not long after the formation of the NAACP, Joel Spingarn was named chairman of the board. For most of the period between 1911 and 1934, he and the social worker, Mary White Ovington, shared the NAACP board chairmanship. During this time, Spingarn was the major NAACP policy strategist and activist making eloquent public appeals for the cause of black equality. Following Spingarn's death in 1939, W.E.B. DuBois dedicated his autobiography to him. But the seeds of later conflicts were sown by this early white and Jewish involvement in black civil rights efforts. When the black nationalist Marcus Garvey visited DuBois at the NAACP's headquarters, he was "dumbfounded" that "but for Mr. Dill, DuBois and the office boy" he could not tell whether he was in "a white office or that of the National Association for the Advancement of Colored People."

In the 1920s, when there were few black attorneys, Louis Marshall—a board member of the NAACP who as head of the American Jewish Committee carried the Frank case to the Supreme Court—argued a number of the early NAACP cases before the Court. Marshall's attack on restrictive covenants was not successful in 1926, but in 1948 the Court adopted his view that restrictive covenants were not legally enforceable. In 1927, he wrote a brief for the NAACP whose arguments were later followed by the Court when it outlawed the exclusion of blacks from voting in the Texas white primary.

Jews with access to centers of power helped, also, in the development of black leadership. When Howard University President Mordecai Johnson decided to set up a law school he turned to the first Jewish justice on the Supreme Court, Louis D. Brandeis, for advice. Brandeis urged him to get a full-time and "real faculty out there or you're always going to have a fifth rate

law school." Johnson recruited Charles Houston, a student and life-long protege of Felix Frankfurter. Under Houston and later Thurgood Marshall, a brilliant group of black attorneys was trained at Howard University and fed into the NAACP and its Legal Defense Fund. This group would soon take over the assault on segregation in all areas of American life.

Welcome as it was, the role of Jews must have seemed, at times, patronizing. One wonders how Johnson felt when Brandeis told him that he could always tell when he was reading a brief prepared by a black attorney because of its poor preparation. At least one historian, Hasia Diner, has argued that an altruistic desire to help blacks was not the only thing motivating wealthy and assimilated Jews involved in early campaigns for civil rights. German Jews were reluctant to fight anti-Semitism openly, Diner suggests, for fear of being seen as too "pushy" or "demanding." So they expressed their frustration through association with a number of progressive causes, including the cause of black equality. If blacks gained greater acceptance, the position of Jews would also be improved. There is probably some truth to these assertions; self-interest of one kind or another undoubtedly played a part.

However, the new revisionism assigns a degree of almost malevolent design to the German Jews' efforts. David Levering Lewis refers to the "caginess" of elite Jews and argues that court victories that Jews helped to bring about deflected blacks from grappling with more important economic and political needs. Lewis is reading his intellectual bias into past events. Blacks and Jews agreed that certain legal barriers had to be removed before economic and political gains could even be attempted, let alone achieved. Without doubt what was truly at stake in those years, for both groups, was fulfillment of an American ideal: equality of opportunity.

The fact is that upper-class Jews still suffered from restrictions and because of this they empathized with the plight of blacks. Their philosophy, growing in part out of Reform Judaism's emphasis on social justice, was that no minority was safe until the rights of all minorities were protected. Moreover, Diner points out, Jews at all levels of the social scale identified with blacks and threw themselves wholeheartedly into the fight for their rights. The organ of immigrant Jews, the socialist *Jewish Daily Forward*, compared the East St. Louis riot of 1917 to the Kishinev pogrom of 1903: "Kishinev and St. Louis, the same soil, the same people." Jewish labor unions were among the first to accept blacks as members when other unions would not.

**P**erhaps the most significant role played by Jews now in attacking the racist thinking of the times was through the fledgling field of social science, which was devising new theories of environmental causation and new notions of equality. Two of the leading votaries of this new science in the United States were W.E.B. DuBois and Franz Boas—a black and a Jew.

DuBois's 1899 book, *The Philadelphia Negro*, was the first

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major sociological study of blacks in the United States. With extraordinary richness of detail it delineated the social circumstances that contributed to poverty, crime, and other problems among the black underclass in that city. DuBois, however, was barred from any important place in academic circles because of his color.

Boas, who had experienced anti-Semitism in Germany before coming to the U.S. in 1896, taught for four decades at Columbia. In *The Mind of Primitive Man* (1911) he attacked the "common sense" of the day that held inferior treatment of blacks to be justified because of innate inferiority. The traits of the Negro, Boas argued, were explained by his historical experience, especially his former slave status. The Negro was torn from his native soil and old standards of life and thrust into slavery, family disorganization, and severe economic struggle against great odds—all these facts provided sufficient explanation for his inferior position in society without resort to hereditary or genetic theories.

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**Working for a society in which intolerance would have no place became for Jews an almost religio-cultural obsession.**

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Boas trained a group of American sociologists and anthropologists that included Alexander Goldenweiser, Ruth Benedict, A. L. Kroeber, Margaret Mead, Melville Herskovits, Edward Sapir, and Robert H. Lowie, who became prominent figures in the broader American culture. In their zeal to assault conventional notions of racial and genetic differences, and thereby overcome prejudice and discrimination, these scholars inadvertently laid the groundwork of later difficulties. By developing important concepts of cultural evolution and societal conditioning, they seemed to be suggesting, in the words of one, that blacks were "only white men with black skins, nothing more, nothing less"—strip away extraneous barriers that limited their opportunities and they would be like anyone else. This, it has become clear more recently, ignored the long-term effects of discrimination and disadvantage. Often alienated from their own ethnic or religious backgrounds, these thinkers paid little attention to the positive aspects of group identity and seemed to be urging blacks and other ethnic outsiders to disappear into the melting pot. Thus when the civil rights revolution took a turn years later toward black nationalism and black power, it seemed as if the cultural pride of blacks was going one way and this sociological and "Jewish" emphasis on cultural assimilation and integration was going another.

**I**n the 1940s, the older generation of upper-class German Jewish leaders was passing from the scene to be replaced by full time professionals who broadened the outlook of

the Jewish defense—or, as they now came to be called, community relations—organizations. Unlike their more conservative predecessors, these lawyers, social workers, and social psychologists were generally from poor East European backgrounds and were men of the political Left. In a 1945 essay entitled, "Full Equality in a Free Society," Alexander Pekelis of the American Jewish Congress declared, "American Jews will find more reasons for taking an affirmative attitude toward being Jews as members of an organized movement, if they are part and parcel of a great American and human force working for a better world . . . whether or not the individual issues touch directly upon so-called Jewish interests." Working for a society in which economic disadvantage and intolerance would have no place became for Jews, in the words of Stephen Isaacs, "an almost religio-cultural obsession."

During World War II the American Jewish Committee under John Slawson undertook a major examination of the roots of prejudice. Utilizing a group of refugee German-Jewish scholars of the "Frankfurt School," Slawson commissioned the famous Studies in Prejudice series, the lead volume of which was *The Authoritarian Personality* (1950). These studies focused on the personality of the bigot rather than the victim and suggested that prejudice arose out of early child-rearing practices of rigid conformity. Published at the height of the McCarthy phenomenon, the works had an enormous impact. They spawned several hundred allied studies in subsequent years whose ideas soon found their way into the mainstream of American life. (When the young naval lieutenant in James Mitchener's *Tales of the South Pacific*, which became a Broadway musical and film, sang, "You have got to be taught to hate by the time you're six or seven or eight," he was surely echoing the ideas of the Frankfurt School.)

The ADL in the meantime launched massive educational efforts confronting racial and religious intolerance with films, film-strips, car cards, and radio (later television) announcements that reached virtually every nook and cranny in the land. "What difference does it make what his race or religion is," said the caption of a typical car card showing a little black boy standing on a baseball field in tears, surrounded by white children, "He can pitch can't he?"

Critical of such "brotherhood sloganeering," which they thought was ineffective, the more populist American Jewish Congress set up a Commission on Community Interrelations (CCI) in 1944 under the refugee social psychologist Kurt Lewin. Lewin and his associates were among the first to develop a comprehensive rationale for legislative efforts on behalf of civil rights. The following year, the American Jewish Congress established a Commission on Law and Social Action under Pekelis. Discrimination, Pekelis argued, had its roots in "private governments"—concentrations of power in the hands of executives of giant corporations, university trustees, real estate boards and professional associations.

The Jewish agencies with their experienced staffs—the American Jewish Congress had more civil rights attorneys at this point

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than the Justice Department—launched major campaigns across the country to break those concentrations of power. They demanded fair educational opportunities, fair employment, and later, fair housing practices. Legislation on these issues was drafted in their national or regional offices or by local Jewish community relations councils. Public campaigns were organized in cooperation with church, labor, civic, and black groups to secure its enactment. In the South, Morris Abram and Alexander F. Miller, ADL's Atlanta Director, co-authored a widely distributed pamphlet, "How to Stop Violence in Your Community." Some five states and 55 cities soon adopted two of the most important laws discussed in the pamphlet, those prohibiting the wearing of masks and the burning of crosses without permission, moves that stripped the Klan of anonymity and consequently much of its power.

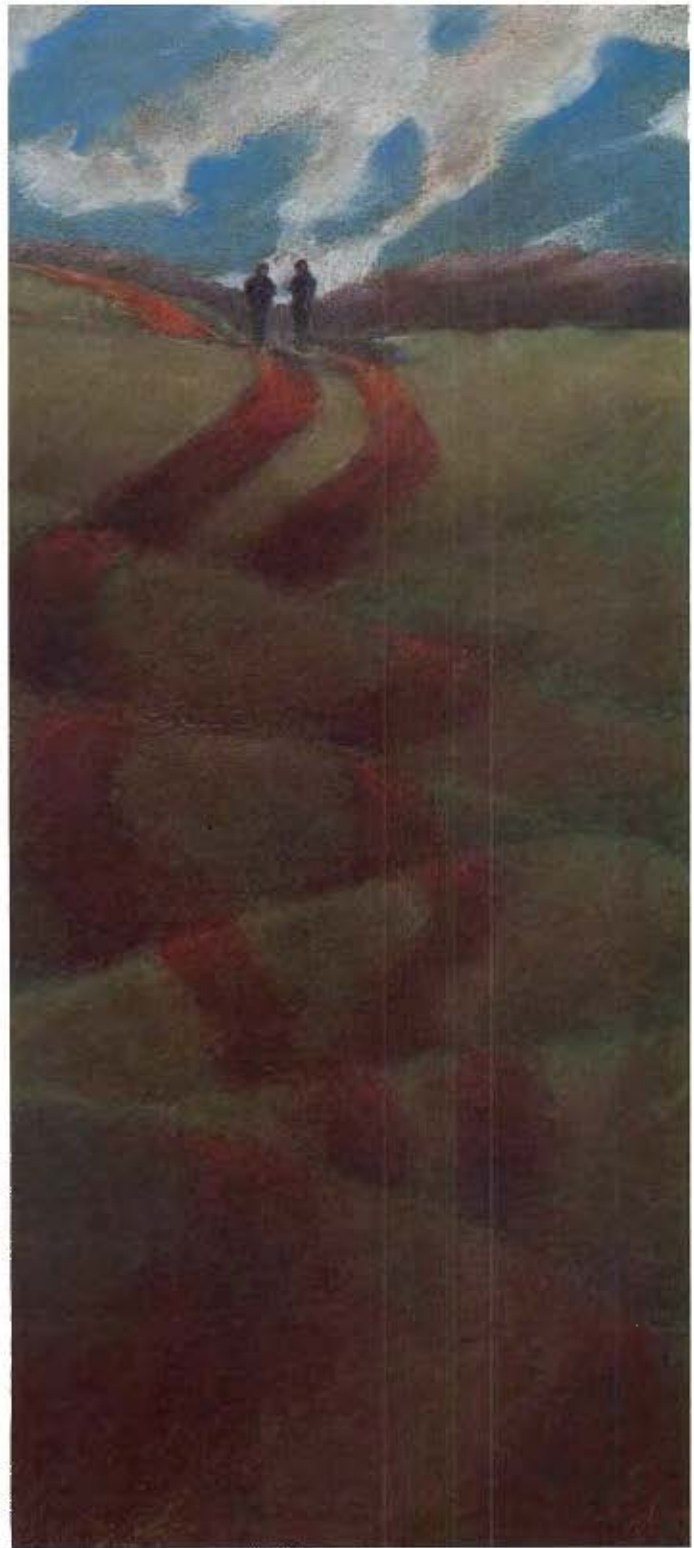
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***Howard Law School graduated a skilled group of black attorneys to lead the civil rights fight.***

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By the early 1960s, there were 20 states and 40 cities with some kind of fair employment law covering 60 percent of the total population and about 50 percent of the country's minorities. Spurred by a 1958 New York City initiative, 17 states and cities had, by 1963, enacted laws banning discrimination in the rental or sale of housing. Even as prejudice and discrimination began to ease for Jews, their funds, institutional manpower, and influence continued to press forward the civil rights agenda, to the dismay of supporters of the status quo.

**H**oward Law School by this time was graduating a skilled group of black attorneys to lead the civil rights fight, for which Jews and Jewish groups marshaled social-scientific support. In 1950, the year *The Authoritarian Personality* was published, the American Jewish Committee hired black psychologist Kenneth B. Clark to prepare a paper on the impact of segregation on children for presentation at the White House Conference on Children. Based in part on the Studies in Prejudice series, the paper showed the psychological damage that segregation caused black children. Following the conference, Clark was invited by NAACP attorneys to collaborate with them on expert testimony in three of the four cases they were preparing to argue before the Supreme Court. In its historic *Brown* decision of 1954 the Supreme Court ruled that racial segregation in public schools had a deleterious effect on the "hearts and minds" of black children. The Court based its decision, in part, on "modern authority," referring in its famous footnote 11 to the original Clark manuscript prepared for the American Jewish Committee, as well as two CCI (American Jewish Congress) investigations.





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Blacks were now charting new strategies and leading civil rights battles. Starting with the Montgomery bus boycott in 1955 led by Martin Luther King and then through sit-ins, freedom rides, and other direct action techniques, they began to challenge official systems of subordination by putting their bodies on the line. It is sometimes said that as blacks took over their fight Jews resented this and began to withdraw from it. On the contrary, Jews joined enthusiastically and in disproportionate numbers in these often physically dangerous confrontations. In the summer of 1961, they made up two-thirds of the white Freedom Riders who traveled into the South to desegregate interstate transportation. In 1964, they comprised from a third to a half of the Mississippi "Freedom Summer" volunteers led by the Student Nonviolent Coordinating Committee (SNCC). It was in Mississippi that two Jewish youths, Andrew Goodman and Michael Schwerner, were martyred along with James Chaney.

These protest tactics, it should be noted, had their basis in the earlier labor and socialist movements in which Jews were so conspicuously involved. Two products of this movement were A. Philip Randolph and Bayard Rustin. Randolph forced the Roosevelt administration to issue an executive order in 1941 creating the first Fair Employment Practices Commission and later suggested the famous 1963 March on Washington, which Rustin organized.

Recent research by Claybourne Carson, Jr. makes clear that an Afro-American-Jewish radical community survived occasional internal conflicts during the 1930s, 1940s, and 1950s to become "a seedbed for civil rights activism during the 1960's." It was in this milieu, Carson writes, that "blacks gained awareness of protest and propaganda techniques and a faith that these techniques, despite the fact that they were used by small numbers of radicals, might someday change American society." Several of the leaders of the new phase of the civil rights revolution that came forward in the 1960s were graduates of this Afro-American-Jewish radical culture. It was through Morris Milgram of the Workers Defense League, and through the Young Peoples Socialist League, that James Farmer began as a labor organizer in the South. Farmer helped invigorate a dormant Congress on Racial Equality (CORE) and led it through its most tumultuous years. Stokely Carmichael, head of SNCC, had been strongly influenced by Jews he met at the Bronx High School of Science in New York, where he associated with various Socialist and Communist youth groups. Carmichael's first demonstration—ironically, in light of his later views—was on behalf of Israel. ("Someone at the U.N. had said something anti-Semitic; I can't remember who," he recalls, "but [the Young Peoples Socialist League] drew up a big picket-line at the U.N.")

**T**he conflicts that began to take place increasingly between blacks and Jews were not caused by the Jews being displaced in the crusade for civil rights. Neither were they caused by any failure on the part of Jews to show enthusiasm for the growing black identity movement, for that

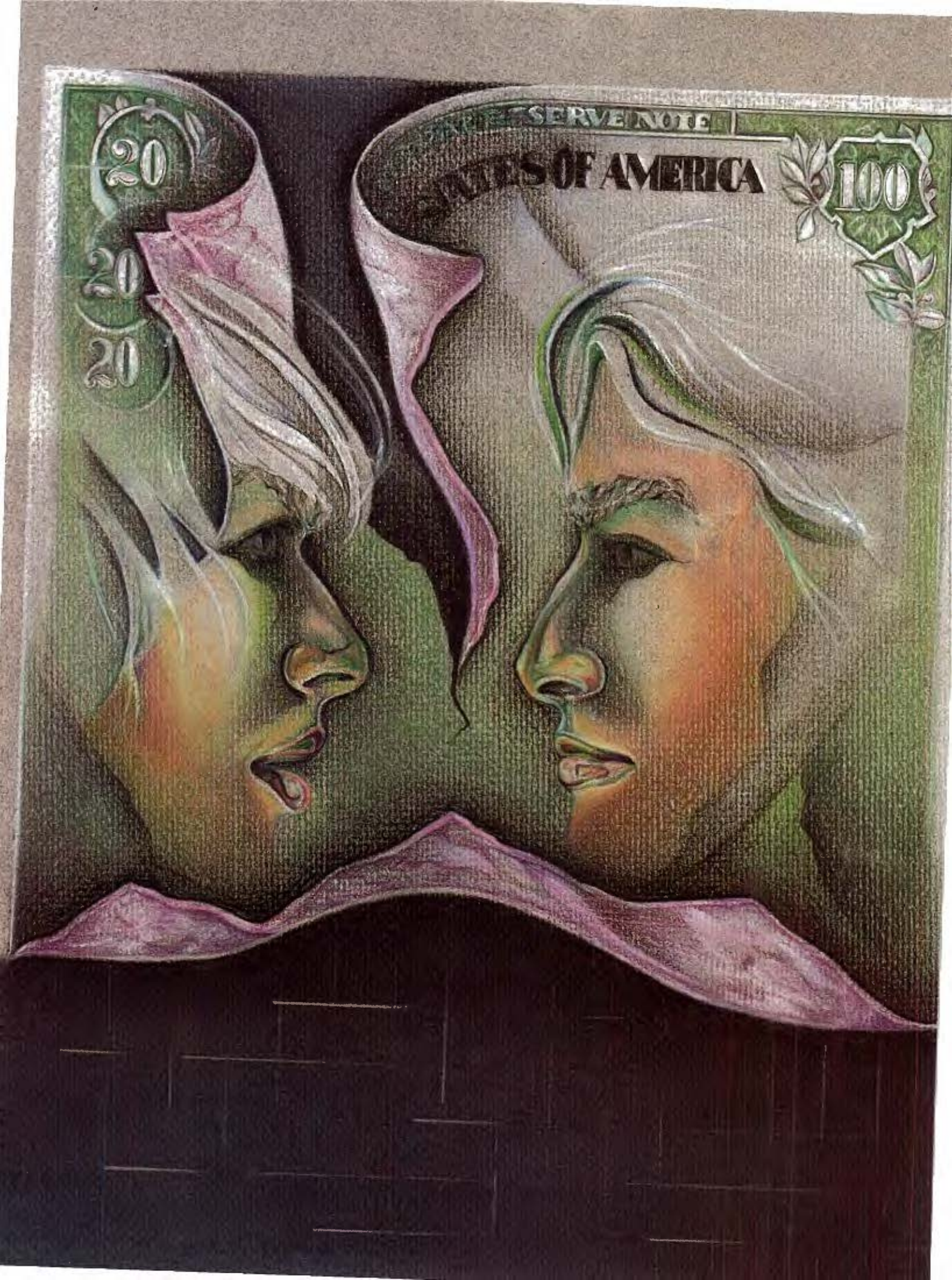
matter. Rather, there was a transformation of the civil rights revolution into a race revolution. This brought forward a new group of black leaders, men like Malcolm X, Carmichael, Eldridge Cleaver, and H. Rap Brown, who wanted to withdraw from alliances with whites in order to build black identity and black power. These men associated themselves with left-wing revolutionary movements around the world and turned away from the liberal-reformist strategies of Martin Luther King and others—strategies by which ethnic outsiders have traditionally sought and gained full entry into American life. The embattled state of Israel became, for the new breed, an-outpost of "Western imperialism" in the Middle East. This thrust was often accompanied by provocative, anti-Semitic statements, which rankled at a time when Israel was the cause of renewed Jewish pride and identity. Finally, the desire of blacks—both middle-class and radical blacks—to use racial quotas as a means of making up for past injustices worried Jews. Attempts by Jewish agencies to challenge quotas in the courts exacerbated the situation further. Jews by this time were turning inward, particularly following the Six Day War in 1967 and the Yom Kippur War in 1973. They reacted strongly, perhaps overreacted, to confrontations like the teachers strike in New York City in 1968 and the effort to put in low cost public housing in a predominantly Jewish area of Queens a few years later. Tensions have arisen in the 1980s, most notably now following appearances around the country by Louis Farrakhan, appearances that put local black leaders on the spot. Some black leaders have expressed concern about Israel's trade relations with South Africa (although they are quite minimal) and its policies on the West Bank.

But dwelling on the tensions underplays the considerable amount of good will that continues to exist in both communities today. It is reflected in the strong bonds between Jewish and black politicians on Capitol Hill in Washington. The former have been in the vanguard of legislative attacks on apartheid in South Africa while the latter have given consistent backing for economic and military aid to Israel. The bonds of good will that still hold strong provide a base to build on in the coming years, but there may be a need for a cooling-off period as blacks determine the shape of their internal agenda in the future. Whatever may happen, the fact remains that Jews, Jewish groups, and blacks, working together with other allies, have created in the 20th century what political scientist John P. Roche has called "a new ideology of civil liberty" that stands as a major expansion of the democratic idea. ☞

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#### End Note

1. David Levering Lewis, "Short-cuts to the Mainstream: Afro-American and Jewish Notables in the 1920's and 1930's," in Joseph R. Washington, Jr., *Jews in Black Perspectives* (Cranbury, N.J.: Fairleigh Dickinson University Press, 1984). See also Lewis's essay, "Parallels and Divergences: Assimilationist Strategies of Afro-American and Jewish Elites from 1910 to the Early 1930's," *Journal of American History* (December 1984).



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# *Understanding the* **GENDER GAP**

by Claudia Goldin

**T**he call for a comparable worth policy in the United States reflects women's dissatisfaction with the constancy of the ratio of female to male earnings at the same time that the female labor force participation rate has increased substantially. During the period of the greatest influx of women into the labor market, 1950 to 1985, the ratio has hovered around 0.60 (0.66 adjusted for differences in hours worked), leaving a wage gap between the sexes of 40 percent. Those who see the increase in women's participation as an encouraging sign of social progress also see the unchanging gap in earnings as cancelling out that progress. The stability of the gap is to them an indication of strong discriminatory forces at work to keep women's wages down. Women have finally entered the labor market in large numbers but have not been rewarded on a par with men, and the way to remedy the situation, as they see it, is to pay men and women equally for jobs of comparable value.

How accurate is this interpretation of events over the past several decades? Events in the labor market cannot be evaluated without knowing more about the historical evolution of women's economic role. Despite the apparent contradiction between the trends in work place participation and work place reward, the two can be reconciled. It is precisely because the female labor force has expanded that the earnings of women relative to those of men have remained the same. This result requires elaboration, and I will discuss it further below. In short, the average work experience and education of a working population are two of the most important determinants of earnings; increased labor force participation has stabilized the former, and slowed down the

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*Claudia Goldin is professor of economics at the University of Pennsylvania and editor of the Journal of Economic History.*

increase in the latter, for women. Thus a proper analysis of long-run change in female labor force participation is the first step in solving the puzzle of the stationary earnings gap. It should become clear that it is probably not increasing discrimination that caused the gap to remain fixed at 40 percent for so long.

**T**he influx of women is the most significant historical change in the American labor market in this century. A century ago only 18 percent of all prime-aged (15- to 64-year-old) women were in the labor force. The figure today stands above 60 percent. Women now constitute 43 percent of the total labor force, more than twice the percentage they constituted over the last 100 years. The female labor force participation rate has not increased in a smooth, continuous fashion. Increases have been dramatic at certain times but not at others, and have been rapid for particular age cohorts (a cohort is a group of people born in a five or ten year interval) but not others. I will suggest that factors contemporaneous with these changes, such as increases in the demand for female workers or in the wage rate women receive in the labor market, may explain only part of these changes. The evolution of the female labor force will become apparent only by considering a long sweep of history. Individuals can respond differently to the same economic factors if they differ, say, in their education or training. Therefore different age cohorts with varying amounts of educa-

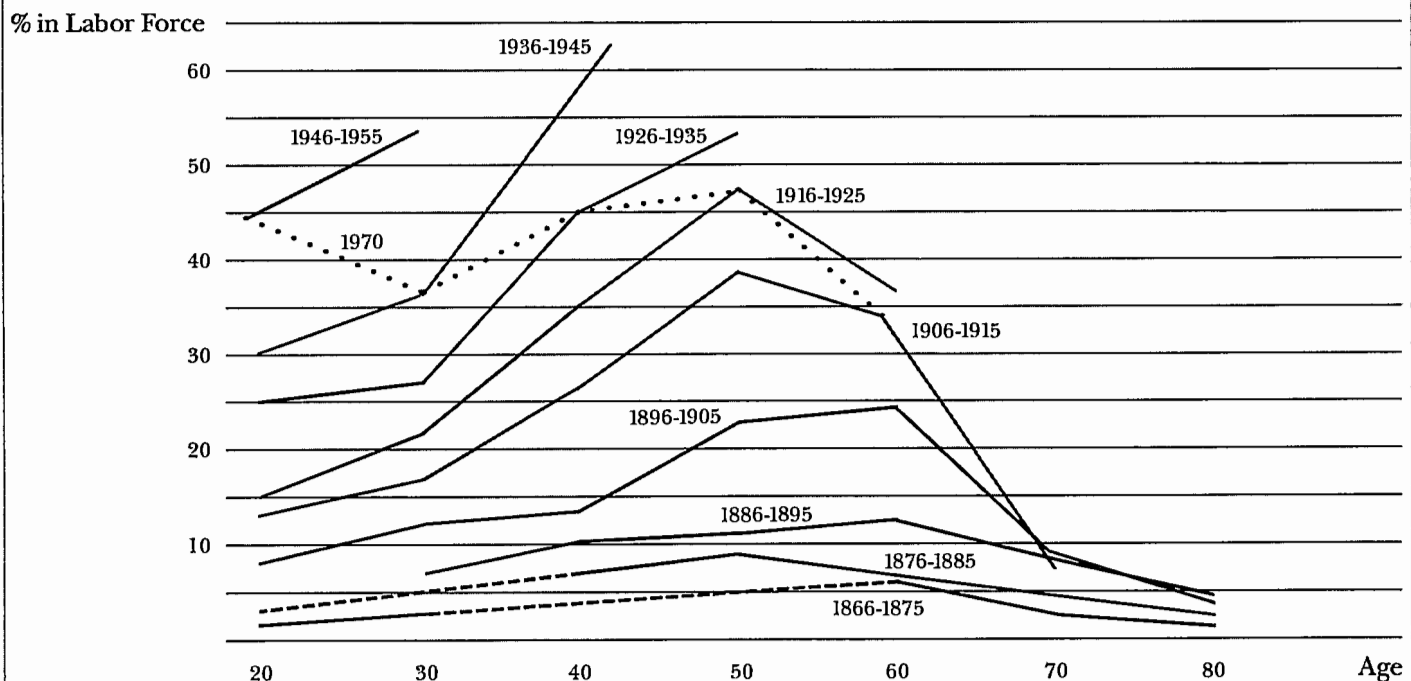
tion may respond differently to the same economic variables. Only by linking these age cohorts to their own pasts will such differences become apparent.

Given the importance accorded change for women in the economic sphere and given the consensus view that the post-World War II period represented a break with the past, it should come as a surprise that data on the female labor force are so scarce. Although participation rate data are available in the U.S. Census of Population for the last century, they are incomplete and inconsistent across most of this period. Published wage and earnings data exist only for the years after World War II. Much of my research has been directed at improving our understanding of long-term trends through the use of various statistical materials from archival and published sources.

Figure 1 gives the labor force participation of white (native-born) married women born between 1866 and 1955. The solid lines in Figure 1 give the average labor force participation rate of married, white women born in each cohort. Note that when a woman marries she enters this graph and when she is widowed she exits.<sup>1</sup>

For every cohort born after 1866, participation in the labor force has increased within marriage, at least to about age 55. What is most striking about these data is that, despite the currently accepted notion that married women universally experienced interruptions in their work careers, the majority who

**Figure 1 Labor Force Participation Rates of Cohorts of White, Married Women, Born 1866 to 1955, Entire U.S.**



Source: Derived from population census data.

Dashed lines denote missing data. Data for 1890 to 1920 are for native-born women with native-born parents. Dotted line is 1970 cross section.

entered the labor force in their thirties had not worked since they were single, if even at that time. The notion of interrupted work careers has arisen, in part, from the pattern of high labor force participation among young married women, then a lower one for those in their late twenties to early thirties, and then an increase with age, declining again near the time of retirement. Such "double-peaked" profiles are derived from cross-sectional data (the dotted line in Figure 1 is the 1970 cross section).<sup>2</sup> The labor force experience of actual cohorts in Figure 1 shows, on the contrary, a profile of increasing labor force participation throughout the life cycle. Each successive decade brought an expanded participation of married women in the market economy. Thus the cohort participation rates are substantially different from the cross section ones, as can be seen by comparing the 1970 cross section with any of the cohort lines.

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***Because participation rates for adult women were low, most women and their families would not invest heavily in their job training.***

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Three aspects of these data enable us to understand the evolution of the female labor force and its relationship to changes in the ratio of female to male earnings over time. First, because participation rates for adult women were low until the relatively recent past, most women and their families would not have found it profitable to invest heavily in their job training. In 1890, for example, when only a small minority of women were in the labor force during their married lives, a young woman would be employed for a maximum of ten years. It is unlikely that she, her family, or her employer would want to make substantial investments in job training when the pay-off time was so brief. Therefore the earnings and occupations of these women could be expected to have differed considerably from those of men, even when these women were single and had high participation rates. Second, even though participation rates for women were low, those who participated in the labor force had, on average, fairly high persistence rates. As more and more women joined the work force over time, women with little experience entered the market, joining those having more accumulated experience. Finally, because each cohort's participation rate exceeded that of each previous one, all women may have had difficulty predicting their own future labor force participation rates.

Certain cohorts had very large increases in their labor force participation rates at certain points in their lifetimes. For example, Figure 1 shows that participation rates for married women were relatively low, near ten percent, until the cohorts born around the turn of this century. The cohort born between 1906 and 1915 attained a participation rate of over 35 percent when it was 50 years old, although when these women were 20 years old, only 15 percent of them worked. The cohorts born during this 1906-1915 period set the stage, in some manner, for those who followed. Similarly, the cohorts born after the mid-1940s also experienced larger increases in participation rates over their life cycles than did their immediate predecessors.

No generation of young women could have predicted solely from the experiences of its elders what its own work history would be. Indeed, in 1930, 20-year-old daughters born in 1910 would have been off by a factor of about four in predicting their own participation rates in 25 years, had they simply assumed that their work experiences would be identical to those of their 45-year-old mothers, born in 1885. Even if they did assume they would work more than their mothers, the 1910 cohort members were probably unable to foresee entirely the changes that eventually did take place.<sup>3</sup> Thus these individuals may have underinvested in the types of job training and formal schooling whose returns could only be realized in the labor market.

**W**hat might explain the large changes in labor force participation experienced by married women during some decades but not during others, and the large changes experienced by certain age groups or cohorts at some times but not at others? A complete answer must combine economic and historical analysis, involving various forces—the increase in earnings relative to the price of home-produced goods and the increased demand for clerical and professional workers, among others—that play a part in the economic growth of most countries. There are also factors specific to each cohort, such as education, fertility, and labor force expectations, that may affect a cohort early in its life cycle and get carried with it through time. Each cohort, it would appear, has been influenced in its decision to participate in the labor force both by prevailing economic and social conditions and by early socialization and training. One particularly instructive example of a cohort-specific change is education.

Data on median years of schooling and high school graduation show a remarkable rise in the educational attainment of young Americans beginning approximately with the cohorts born between 1900 and 1910. During a very short time, the median female had increased her years of education by about one-third, from about nine to 12 years. This rapid rise in years of schooling was a product of the well-known increase in high school attendance in this country between 1915 and 1930. Recall that the cohorts achieving this educational transformation were those who experienced substantial increases in their labor force participation during their early years and even more so at the time they were 40 to 50 years old, during the 1950s. Increased education for females during the 1920s enabled them to enter a new and growing area of the economy, the clerical sector, which later became a major employer of women.

After this initial schooling increase, median years of schooling increased only gradually, that is until the most recent cohorts. New strides in educational attainment are best reflected in the percentage of women with four or more years of college. This indicator has increased most rapidly with the cohorts born after 1940, precisely those with substantially higher labor force participation in the most recent decades.

It is now possible to return to the two central questions with which I began: What accounts for the stability in the relative earnings of females to males in the post-World War II period, and can that stability be extrapolated back in time? The earnings data documenting the constancy of the gender gap have been compiled from the Current Population Reports.<sup>4</sup> It is no coinci-

dence, then, that most of the literature on the earnings gap begins in 1950, the approximate date of the first of the Current Population Surveys detailing income by sex. Long-run changes in technology, work organization, educational standards, and life-cycle labor force participation, some of which I have just discussed, should have increased female earnings relative to that of males. Yet short-run data for the past three to four decades show this did not happen. To see why not, more extensive historical data than the Current Population Reports are needed.

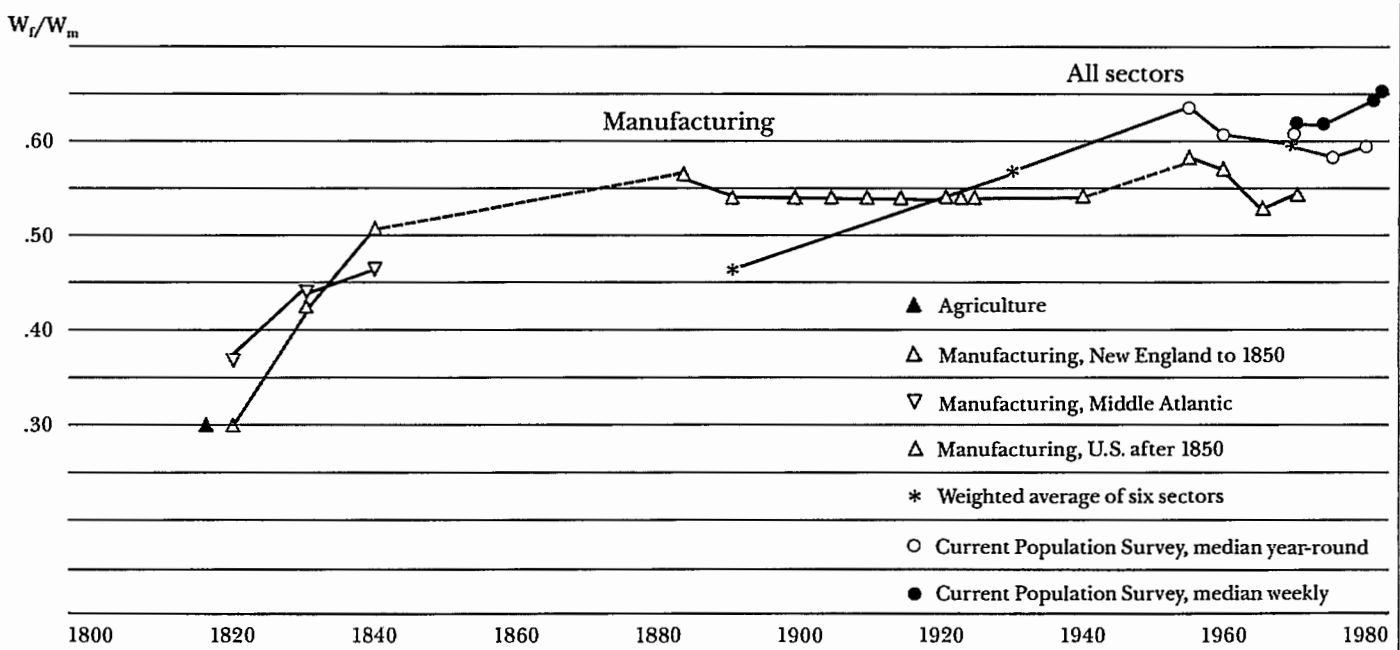
**D**ata from various sources, including archival records of manufacturing censuses, bulletins of the Women's Bureau, and Commissioner of Labor Reports at the State and Federal levels, have yielded nearly two centuries of information on the gender gap in the manufacturing sector and nearly a century of information on the gender gap in the aggregate economy. These data, given in Figure 2, indicate that early industrialization from 1820 to 1850 increased the ratio of female wages to male wages by almost 50 percent, rising from about 0.30 to 0.44 (meaning the gap had narrowed from 0.70 to 0.56). The gap in manufacturing continued to narrow until about 1885. Full-time earnings in the aggregate economy are given in Figure 2 for 1890, 1930, and 1970, constructed in the same manner, and from 1950 to the present from the Current Population Reports. Rather than being constant for the past century, female full-time earnings for the entire population increased from 0.463 of male earnings in 1890 to 0.603 of male earnings in 1970; the gap narrowed by 30 percent. Most of this earnings increase was confined to the 1890 to 1930 period, during which the ratio rose to 0.556.

It is not surprising that there was a rise in the relative earnings of females to males with industrialization—the replacement of machinery for human strength—and with the transformation of the labor force from blue collar to white collar—the replacement of formal education for on-the-job training. The reasons for the relative constancy of the ratio after the 1930s are to be found in other factors that determine earnings: the experience and education of the working population.

The data on female labor force participation examined here show that it increased very rapidly during certain periods of time. To understand the implications of such increases, one must examine in more detail what is meant by labor force participation rate. The participation rate generally measures the percentage of individuals in some age group who are in the labor force during a particular week. It is a curious statistic because it can rise either if the same individuals remain in the labor force for more weeks during the year or if more individuals work during a particular week. A labor force participation rate of 50 percent could mean, for example, that 50 percent of the population does not work at all in the labor force and 50 percent does. But it can also mean, at the other extreme, that all individuals work 25 weeks per year, or 50 percent of their time. Does a labor force participation rate of 50 percent indicate one or the other phenomenon, or does it indicate some combination of the two? The relation between the labor force participation rate of women and the gender gap will depend on which depiction is more accurate.

Let us assume, to begin with, that women who participate in the labor force tend to remain there for a substantial fraction of their lifetimes—that the first depiction is correct. If it were correct, those who entered the labor force, as participation rates

**Figure 2 The Ratio of Full-time Female to Male Earnings: United States, 1815 to 1983**



Source: Claudia Goldin, "The Gender Gap in Historical Perspective," National Bureau of Economic Research Working Paper (forthcoming).

climbed, would be individuals with limited previous work experience. Now assume, on the other hand, that working women tend to have very rapid turnover, with the same women exiting and entering the labor force with greater frequency over the year. An increase in the participation rate in the latter case would indicate that even though the same women were in the labor force, the number of weeks they remained there over the year had increased, and turnover had decreased. Surely the actual experience of working women is somewhere between these two extremes. But the degree to which it is more like the former or the latter will determine how increases in participation rates will affect the labor market experience of the average working woman.

The educational attainment of the working population also can increase or decrease with changes in labor force participation. Similar to what occurred with years of experience, the direction of change depends on the degree to which the schooling of current participants differs from that of the total population. To the extent that today's working woman is better educated than the average woman, an increase in the participation rate can depress the educational attainment of the average working woman.

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### ***The absence of change does not necessarily signify labor market discrimination.***

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The average working woman has tended in fact to have a more continuous labor force history than previously thought, and thus increases in female labor force participation have put downward pressure on her accumulated years of experience. During the period from 1930 to 1950, the average working woman's labor market experience increased very slightly, and from 1950 to 1980 it did not increase.<sup>5</sup> The average work experience of the total population of women did increase between 1930 and 1980. But earnings data are computed only for individuals who earn income in the labor force. Therefore the relevant measure is average years of experience for working men and women, and that ratio was either slowly increasing or stable for the past half century.

Educational attainment increased substantially for women over the past half century, but it increased somewhat more for men in the population. Thus the ratio of years of schooling for women compared to men actually declined even though years of schooling increased for both groups. Moreover, the ratio of years of schooling for working women to working men declined by even more. The accentuated decline in the ratio for the working population owes to the fact that working women tend to be among the more educated in their cohorts. Thus as participation rates for a given cohort climb, less educated women in that cohort enter the labor force, bringing down the average for working women in that cohort.

In this light, increases in labor force participation and a relative constancy in the earnings and occupational data to 1980 are fully consistent. The problem in reconciling the trends stems from a failure to see that they are not independent. Earnings for the average female will increase relative to those of the average

male when her work experience and education increase relative to his. But the rise in female labor force participation has, until recently, prevented such increases.

**T**here has been recent compression in the gender gap, beginning around 1981. This new advance of women's earnings relative to men's can be traced to the fact that labor force participation rates are now very high. Recent entrants are still depressing the average accumulated experience of those in the labor force, but it is by less than the increase in average years of experience for current participants. The recent narrowing in the gap will most likely continue, and can, I believe, rightly be viewed as the beginning of a new trend.

The stability of the gender gap over the last 35 years has raised questions about the significance of the increased labor market participation of women. It has also been used as evidence to support new legislation to combat discrimination in the labor market. But the historical record indicates that the greatest narrowing in the gender gap within the industrial sector took place during the period of early industrialization, and that the gender gap across all occupations narrowed until the 1930s. Just as the presence of change in the gender gap during the period from 1820 to 1940 was not an indication of social advancement, so, too, the absence of change over the more recent past does not necessarily signify increasing labor market discrimination. It was precisely because the participation rate of women increased so markedly in the post-World War II period that the gender gap failed to narrow, and the relative increase in female earnings over the last five years finally reflects the relative gains made by women in education and labor market experience. □

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#### End Notes

1. Many of the defects in these data are discussed in more detail in Claudia Goldin, "The Changing Economic Role of Women: A Quantitative Approach," *Journal of Interdisciplinary History* 13 (Spring 1983): 707-33. These cohort experiences and time-series data have been derived for the entire United States. Increases in female labor force participation over time in these data are not, however, a mere reflection of the long-run movement of the population out of agriculture and non-farm rural areas. Similar data for urban areas are virtually identical for the period after 1950, and differ before 1950 only with respect to the greater increase in the labor force participation of young married women in urban areas during the 1920s.

2. Note that the data in Figure 1 are only for married women. The participation rates for single women are much higher at each age.

3. Indeed most professional predictions of change in the economic role of married women have erred on the low side and most self-reported forecasts have underestimated future labor force participation. On the inaccuracy of professional predictions, see Claudia Goldin, "The Female Labor Force and Economic Growth, 1890 to 1980," in Stanley L. Engerman and Robert E. Gallman, eds., *Long Term Trends in the American Economy* (Chicago: University of Chicago Press, forthcoming). On the underestimation of self-reported predictions from National Longitudinal Sample data, see Steven Sandell and David Shapiro, "Work Expectations, Human Capital Accumulation, and the Wages of Young Women," *Journal of Human Resources* 15 (Summer 1980): 335-353.

4. One study which presents and analyzes these data is by June O'Neill, "The Trend in the Male-Female Wage Gap in the United States," *Journal of Labor Economics* 3 (January 1985, supplement): S91-S116.

5. James P. Smith and Michael P. Ward derived data for the work experience and education of both the working and total populations of women, 1950 to 1980, in *Women's Wages and Work in the Twentieth Century*, Rand Corporation Report, Santa Monica, California, 1984.





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# How Southerners GAVE UP Jim Crow

by John Shelton Reed and Merle Black

**I**n 1942, only two percent of white Southerners responding to a survey by the National Opinion Research Center (NORC) said that black and white children should attend the same schools. The proportions in favor of desegregating public transportation and neighborhoods were almost as small: four percent and 12 percent, respectively.<sup>1</sup> As U.B. Phillips had written 14 years earlier, a determination that the South “be and remain a white man’s country” seemed “the cardinal test of a Southerner.” It went without saying, of course, that “a Southerner” was white.

Granted, white Southerners who supported segregation in 1942 were merely endorsing an existing state of affairs; the separation of blacks from whites in public schools and on public transportation was required by law in most of the South. But even in 1956, two years after *Brown v. Board of Education* made “separate but equal” education illegal, only 14 percent of Southern whites favored school desegregation. Reporting a study conducted as late as 1961, Donald Matthews and James Prothro concluded that “only a significant change in white racial attitudes, awareness, and expectations” could insure “the prevention of a racial holocaust and the preservation of political democracy in the South.”

Nineteen years later, however, in 1980, only one white Southern parent in 20 objected in principle to sending a child to school with “a few” black children.<sup>2</sup> Even self-described conservatives among white Southerners seem to be part of the new consensus

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on race issues. To take only one striking example, a study of 41 fundamentalist ministers in North Carolina, 35 of whom favored Jesse Helms in the 1984 senatorial election, classified three-fourths of them as "liberal" or "moderate" in their racial views. Most supported racial equality as a "Christian goal" and only a bare majority opposed affirmative action (as a form of discrimination against whites). Several volunteered that they had come to admire Martin Luther King after disliking him in the 1960s, and three independently admitted that they occasionally rewrote Dr. King's sermons and preached them (though presumably without their congregations' knowledge).<sup>3</sup>

Even if people are saying what they think they should say in these survey responses and testimonials, and not what they really believe, it is significant that white Southerners now believe they ought not to object to desegregation. That is in itself a change no one would have predicted in 1942.

Andrew Greeley has argued that this breaking up of an orthodoxy—not just the destruction of a consensus, but the emergence of a new, contradictory one—is "one of the most impressive social accomplishments of modern times." Certainly it is one of the most complete turnarounds in the history of public opinion polling. Moreover, in historical and comparative terms, the change occurred very rapidly, and it can be argued that it was achieved at remarkably little cost.

**H**ow did it happen? A closer examination of public opinion data allows us to locate the change more precisely in time. Table 1 shows the responses of white Southern parents to a question often repeated by the Gallup Poll between the late 1950s and the 1980s: "Would you, yourself, have any objection to sending your children to a school where a few of the children are black?"<sup>4</sup>

As the 1950s ended, white Southern support for school segregation was decreasing, though very slowly. In the late 1950s, three-fourths of white Southern parents still told the Gallup Poll that they did not want their children in school with even "a few" black classmates.<sup>5</sup> By 1963, that figure had decreased somewhat, but three out of five still objected.

In the three years between 1963 and 1966, however, the rate of change increased abruptly. Southern white parents' opposition to the presence of black children in their own children's schools decreased by 12 or 13 percent a year. In 1963, 61 percent were opposed; by 1965 opposition had declined to 37 percent and by 1966 to only 24 percent. Put another way: each year for three years, roughly one-fourth of all remaining opponents dropped their opposition, and hard-core opposition to school desegregation became a minority view in the South as a whole.<sup>6</sup> After 1966, the rate of change slowed, in part because there were so few supporters of outright segregation left who could change.

But change merely slowed to something like its earlier rate; it did not stop altogether.<sup>7</sup>

There are two separate phenomena to be explained here: first, the gradual, long-term erosion of support for Jim Crow over the entire 40-year period; second, its abrupt collapse in the mid-1960s. Jim Crow's illness, that is, was chronic long before it was terminal.

Long-term change in white Southern racial attitudes was slow, but inexorable. One reason is that it was produced in part by massive economic and demographic changes taking place in the South. As noted, support for segregation in 1942 was virtually universal among white Southerners; no particular kind of white Southerner was less likely to support it than any other kind. By the 1950s, however, support for segregation had become less common among educated Southerners, less common among urban Southerners, less common outside the conventionally defined "Deep" South, less common among those who had lived outside the South or were often exposed to the mass media—less common, in short, among the kinds of Southerners being

**Table 1 Southern white parents objecting to desegregated schools, 1958-1980. (Responses of non-Southern white parents presented for comparison.)**

Year	Percent Answering "Yes"	
	South	Non-South
1958	72	13
1959	72	7
1963	61	10
1965	37	7
1966	24	6
1969	21	7
1970	16	6
1973	16	6
1975	15	3
1978	7	4
1980	5	5

Source: *The Gallup Report*, no. 185 (February 1981), p. 30.

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produced in ever larger numbers by urbanization and economic development.<sup>8</sup>

Also contributing to the decline in support for segregation was what is known as “cohort succession”—a polite way of saying that some people were dying and being replaced by other people with different attitudes. Beginning in the 1950s, each new wave of young white adults adhered less staunchly to white Southern racial orthodoxy than the preceding generation.<sup>9</sup> Though most young people shared their parents’ views in general, when there was inter-generational disagreement it was nearly always in the same direction. Just as it was difficult in the 1950s and 1960s to find young Southerners with fewer years of schooling than their parents, so was it hard to find ones more committed to the defense of segregation. The cumulative effect of cohort succession over 30 or 40 years was considerable. Had not a single Southerner ever changed his mind, white Southern public opinion as a whole would still have changed.

Tidal processes like these cannot be expected to produce rapid change, and they did not. But a gradual erosion of support for *de jure* segregation certainly anticipated the collapse of that support, and helped make it possible. By the early 1960s, white Southern opinion was no longer, as it had been 20 years before, virtually unanimous. A minority, substantial in some localities, favored desegregation, or was at least resigned to the prospect. And even the opposition to integration, though widespread, was no longer monolithically determined. Relatively few segregationists (unlike their opponents in the civil rights movement) were willing to risk their lives, their freedom, their jobs, or even their comfort on behalf of their views. For many segregationist Southern whites, commitment to other values—law and order, the good repute of their communities, economic development—interfered with their commitment to the preservation of racial segregation. Not many were willing to give up a great deal to preserve it.

**F**or others, fatalism may have produced the same result. A common cultural value among both black and white Southerners, fatalism has been most common among rural, poorly-educated, and older people—those sectors of the population which, if white, were most likely to oppose desegregation.<sup>10</sup> Confronted with the prospect of change, many segregationists believed their cause was lost whatever they might do. They may not have been happy about what was going to happen, but they did not believe they could prevent it.

During Little Rock’s troubles, as one observer, George McMillan, noted, 124,500 of the city’s 125,000 citizens went about their business, then went home at night and watched the other 500 on television. The political importance of ambivalence, resignation, and indifference should not be underestimated.

In fact, support for segregation was hollow at the core and ready to be kicked over. This is, of course, much clearer in retrospect than it was at the time. We should not forget the ever present atmosphere of violence: the beatings, bombings, and murders, and the constant threat of more. The Mississippi “Freedom Summer” of 1964 alone saw 80 beatings, 35 shootings, 35 church burnings, 30 house bombings, and six murders. Nor should we forget the courage it took to confront such violence. Civil rights workers and organizers were men and women who were willing to give up a great deal for their beliefs.

But we should also recognize that violent resistance came only from a small minority of the white Southern opposition. This minority, moreover, did not receive the unqualified and near unanimous support of the white community enjoyed by similar groups during Reconstruction. The relative absence of community support is reflected both in the different casualty rates and in the different outcomes of these two periods of acute racial conflict in the South. Historian Richard Maxwell Brown has emphasized that the violence deployed against the civil rights movement, though brutal and terrifying, was seldom fatal. The massive structure of Jim Crow law, designed to fix the shape of Southern race relations forever, was utterly destroyed at a cost, Brown estimates, of 44 deaths during the entire course of the civil rights movement. Those killings must be added to Jim Crow’s shameful due bill, but they must also be assessed in comparison to over 3,000 earlier deaths by lynching, not to speak of the ghastly toll taken by inter-communal violence elsewhere in the world.

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***During Little Rock’s troubles, 124,500 of the city’s 125,000 citizens went about their business, then went home to watch the other 500 on television.***

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Strategically, white resistance to change in the South amounted to little more than a holding action. White supremacy had not been an active, aggressive ideology for nearly a half-century, and whites who opposed desegregation rarely attempted to roll back change once it took place. Their response was seldom to counter-attack, and it soon shifted from hard-fought defense to strategic withdrawal—retreat—to private schools, private clubs, and the like. This could be fairly characterized as a “no win” strategy; it could even be argued that the removal of the most vociferous opponents of desegregation from the public arena where desegregation was taking place allowed the process to proceed more smoothly.

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The hollowness of much pro-segregation sentiment was made clear by how quickly a great many segregationists changed their minds. As the 1960s began, most white Southerners apparently did favor state-supported segregation and regarded theirs as the only acceptable position. But five or six years later, only a minority of white Southerners supported "strict segregation"—Jim Crow—and such support was well on its way to becoming the mark of the white-supremacist lunatic fringe.

If attitudes are deeply rooted—embedded in a supporting ideology or serving important psychological functions—this sort of change does not take place readily. Thomas Pettigrew argued as early as 1959 that most white Southerners' segregationist attitudes were not of this sort, that they reflected instead simple conformity to community norms.<sup>11</sup> And the rapidity of subsequent change suggests that Pettigrew was right: for many, those views were conventional, unstudied, and subject to change in response to experience, new knowledge, and new circumstances.

Obviously, the early years of the civil rights movement in the South presented Southern whites with a great deal of new knowledge and experience to assimilate, and a rapid change in attitudes soon followed. It seems unlikely that the movement's moral appeals persuaded many supporters of segregation to rethink their position. But one thing the movement undeniably did teach white Southerners was that Southern blacks were united in their opposition to Jim Crow. It may be hard to believe at this remove, but many Southern whites had persuaded themselves that black Southerners did not object to segregation, or even preferred it. In 1963, for example, only 35 percent of white Southerners believed that "most Negroes feel strongly about [the] right to send children to the same schools as whites."<sup>12</sup> In the face of local demonstrations, often led by local ministers, it became more difficult (though not impossible) to persist in that belief. Support for segregation could no longer be seen as a matter of polite biracial consensus; it became more clearly support for the naked imposition of inferior status on an unwilling people. Some segregationists did not shrink from that view of what they were about, but others did.

Courteous and non-violent, but courageous and firm insistence on the rights of American citizens won for the civil rights movement the overwhelming support of non-Southern public opinion. And emboldened by that support, the Federal government began increasingly to press for desegregation, especially during the first two years of the Johnson administration. As the depth and consistency of Federal commitment grew, even those segregationists who were not initially fatalistic and resigned to change came to realize that they were out-gunned (sometimes, as at Ole Miss, literally so). By the mid-1960s, however much disagreement remained among Southern whites about the desirability of desegregation, there was little disagreement about its

inevitability.<sup>13</sup> Part of the change in public opinion in the 1960s reflected such growing, if grudging, acquiescence.

Finally, the actual changes brought about by the activities of the Federal government and the civil rights movement undermined opposition. The destruction of an established and taken-for-granted social order is disconcerting. Under such circumstances, it can be a relief simply to have matters settled. Once desegregation took place, whatever contribution temperamental conservatism had made to the defense of segregation, it now made to the defense of a new status quo. That, at least, is one interpretation of the frequent finding in survey data that those who had experienced desegregation were least likely to oppose it.<sup>14</sup>

Moreover, the new status quo was one that white Southerners usually discovered that they could live with. Desegregation was simply not as bad—could not have been as bad—as many had feared it would be. The fears of some were sufficient to produce a measurable deflection in the white Southern birth rate in the wake of the *Brown* decision.<sup>15</sup> It helped that desegregation usually proceeded by degrees. When desegregating public accommodations (usually the first step) turned out to be fairly painless, the prospect of school desegregation became somewhat less threatening.

Without painting over the very real problems of human relations that remain in the South, it is certainly no exaggeration to say that the dismantling of *de jure* segregation has worked out far better than many—probably most—white Southerners thought it would. The situation is far from ideal, but it can be argued that black-white relations in the South are now different only in minor degree from those in any other part of the United States that has a significant black population. And they are as often better as worse.

**A**s for school desegregation specifically, in both urban and rural areas with black majorities or near-majorities, Southern schools (like their Northern counterparts) are often still, or once again, segregated. But to deny that segregation *de facto* is preferable to segregation *de jure* would be, if nothing else, to reject the reasoning of *Brown v. Board of Education*. And in most parts of the South, in towns and rural areas where blacks are a significant but minority presence, school desegregation is an accomplished fact which no one seriously proposes to undo, and which few would undo if they could. On a day-to-day basis, race relations are among the least of the problems most of these school systems face.

Speculation about the reasons for this success (and we should not hesitate to call it that) would have to include such factors as the community pride, athletic fanaticism, and traditions of civility common to many Southerners, black and white. In addition, as

many have suggested, the cultural gulf between blacks and whites may be smaller in the South than elsewhere in the United States. Similar accents, similar tastes in recreation, similar forms of evangelical Protestantism—these commonalities and others do no harm. Ironically, it may even be that the South's tradition of color-conscious policy has helped it to deal with post-civil rights era realities. White Southerners, after all, have never pretended to be color-blind; where desegregation has worked well, it has been attended by sensitivity to group interests and even by racial quotas in such symbolically vital matters as the selection of high school cheerleaders.

It is often said that morality cannot be legislated, and the example of Prohibition is usually adduced to prove it. But

desegregation in the South is a case in which, to put it bluntly, a fundamental change in behavior was successfully imposed by legislation on a largely recalcitrant population. The happy outcome has been that most have decided the change was for the best. Paul Sheatsley wrote in the mid-1960s that most white Americans know that "racial discrimination is morally wrong and recognize the legitimacy of the Negro protest." "In their hearts," he concluded, "they know that the American Negro is right." Sheatsley was writing about white Americans in general; it is unlikely that many white Southerners in fact knew anything of the sort at the time. But they know it now. Whatever else the civil rights movement may have accomplished or failed to accomplish, that achievement will stand. ☐

#### End Notes

1. Data in this paragraph and the next are from Herbert H. Hyman and Paul B. Sheatsley, "Attitudes Toward Desegregation," *Scientific American* (July 1964): 16-23. "White Southerners," for purposes of the survey, also included residents of Maryland, Delaware, West Virginia, and the District of Columbia. See also Paul B. Sheatsley, "White Attitudes Toward the Negro," in Talcott Parsons and Kenneth B. Clark, eds., *The Negro American* (Boston: Beacon Press, 1967), pp. 303-324; and Mildred A. Schwartz, *Trends in White Attitudes Toward Black People* (Chicago: National Opinion Research Center, 1967).

2. Here and elsewhere, figures for white Southern parents (a less inclusive and a younger group than the NORC's general population sample) are taken from *The Gallup Report*, No. 185 (February 1981): 30. (Gallup's "South" includes only the 11 former Confederate states plus Kentucky and Oklahoma.) In the South, as elsewhere in the United States, white parents express greater opposition to sending children to schools where half or, especially, more than half of the students are black.

3. Joseph E. Schneider, "Support for New Christian Right Ideology Among Fundamentalist Ministers in North Carolina," a paper presented to the Southern Sociological Society Annual Meeting, Charlotte, N.C., 1985.

4. In earlier surveys, "colored" or "Negroes" was used instead of "black." These data are presented because they cover a longer period in more detail than other trend data available, but other data show much the same pattern. See, for instance, Andrew M. Greeley and Paul B. Sheatsley, "Attitudes Toward Racial Integration," *Scientific American* (December 1971): 13-19; and Merle Black, "The Modification of a Major Cultural Belief: Declining Support for 'Strict Segregation' Among White Southerners, 1961-1972," *Journal of the North Carolina Political Science Association* 1 (Summer 1979): 4-21.

5. The difference between the 72 percent of Southern white parents who felt that way and the seven percent of non-Southern white parents who agreed with them must be one of the largest regional differences (if not the largest one) ever recorded by a public opinion poll.

6. It had done so some time earlier in the rest of the United States. The 1942 NORC survey reported by Hyman and Sheatsley in *Scientific American* (1964) showed that only 40 percent of non-Southern whites believed that black and white children should go to the same schools, but the percentage had increased to 61 percent by 1956, and 74 percent by 1963.

7. And for the "white backlash" that received much media attention in the mid-1960s there is no evidence whatsoever. See Sheatsley in *The Negro American* and Greeley and Sheatsley in *Scientific American* (1971).

8. Hyman and Sheatsley, *Scientific American* (1964), and Donald R. Matthews and James W. Prothro, *Negroes and the New Southern Politics* (New York: Harcourt, Brace & World, 1966), pp. 342-357.

9. Matthews and Prothro's data, like Hyman and Sheatsley's, revealed a modest reversal for the very youngest cohort in the early 1960s—that is, for the last pre-integration wave of Southern young people. In retrospect, it is plain that this was merely an inconsequential blip in an otherwise consistent pattern.

10. Matthews and Prothro, pp. 358-359, indicate that segregationist whites expected more change, and faster, than did other whites. John Shelton Reed, *Southerners: The Social Psychology of Sectionalism* (Chapel Hill: University of North Carolina Press, 1983), examines the correlates of a constellation of "traditional Southern values" that includes both fatalism and white supremacist ideology.

11. Thomas F. Pettigrew, "Regional Differences in Anti-Negro Prejudice," reprinted in John C. Brigham and Theodore A. Weissbach, eds., *Racial Attitudes in America* (New York: Harper & Row, 1972), p. 162.

12. Sheatsley, *The Negro American*, p. 317. Much larger proportions (around 80 percent) recognized by 1963 that blacks "felt strongly" about voting rights and employment discrimination.

13. In 1971, for instance, a substantial majority of white North Carolinians supported desegregation, but over 60 percent felt that "the integration of schools is doing more harm than good." (Data from the Survey of North Carolina, conducted by the Institute for Research in Social Science, University of North Carolina, Chapel Hill.) The swing group was made up of those who hoped desegregation would be best in the long run or believed it was the right thing to do, bad effects notwithstanding.

14. See, for example, Sheatsley, *The Negro American*, p. 321.

15. Ronald R. Rindfuss, John Shelton Reed, and Craig St. John, "A Fertility Reaction to a Historical Event: White Southern Birthrates and the 1954 Desegregation Decision," *Science* 201 (July 14, 1978): 178-180.

An Agency  
with a Mind  
of Its Own:

# The EEOC's Guidelines on Employment Testing

by Phil Lyons

**E**very employer in the United States, public or private, profit or non-profit, must, if he chooses to employ 15 or more workers, conform his hiring decisions to the little-known but pervasive and important "Uniform Guidelines on Employee Selection Procedures" that were issued by the Equal Employment Opportunity Commission (EEOC) in 1978. Under the Guidelines' provisions, should an employer hire minority job applicants at a rate lower than four-fifths that at which he hires nonminorities, he becomes subject to a bewildering range of difficult, costly, and time-consuming requirements by which he must prove his selection procedures to be nondiscriminatory. If he cannot do so, he must abandon whatever procedures produced "imbalanced" hiring results. New York City, for example, was recently prevented—for more than a year—from hiring badly needed additional police sergeants because its sergeants' exam was found to violate the four-fifths rule. In 1979, the Federal civil service was forced into a consent decree, *Luevano v. Campbell*, which set aside most competitive examinations for professional and career administrative employees after those tests had been found to reject too many minorities. Such results are more than inconveniences. As we shall see, the overall effect of EEOC policy has been to encourage American employers to hire on the basis of race, not merit.

Ironically, the men who drafted the EEOC's authorizing legislation—the landmark Civil Rights Act of 1964—promised again and again that considerations of race (and color, religion, sex, or national origin) would be thereafter outlawed from hiring procedures. Merit was to be the rule. The Act's Senate floor leader, Hubert Humphrey (D-MN), declared: "Contrary to the allegations of the opponents of this title [VII], there is nothing in it that will give any power to the Commission [EEOC] or to any court to require hiring, firing or promotion of employees in order to meet a racial quota or to achieve a certain racial balance." Joseph

Clark of Pennsylvania, the Democratic Senator most knowledgeable about equal employment opportunity legislation, reassured his colleagues that "an employer may set his qualifications as high as he likes, he may test to determine which applicants have these qualifications and he may hire, assign, and promote on the basis of test performance."

How has it come pass that the EEOC has advanced objectives at odds with those of the men who created it?

**S**ince the EEOC's authority to issue guidelines on employment testing was granted by just one provision of the Civil Rights Act, what that provision originally was understood to mean serves as a measure for what the agency has done. It reads:

... nor shall it be an unlawful employment practice for an employer to give and to act upon the results of any professionally developed ability test provided that such test, its administration or action upon the results is not designed, intended or used to discriminate because of race, color, religion, sex or national origin. [Section 703(h)]

This was the testing clause of the act. It was a reaction to the 1964 decision of a hearing examiner in an Illinois Fair Employment Practice Commission case, *Myart v. Motorola, Inc.*, concerning an allegedly discriminatory test. Because he thought Motorola's test for radio repairmen, which the black complainant, Leon Myart, had flunked, "was normed on advantaged groups" and failed to "reflect and equate inequities and environmental factors among the culturally disadvantaged and culturally deprived groups," the hearing examiner, Robert A. Bryant, ruled that it was racially discriminatory. Implicit in Bryant's findings and recommendation was a belief that discrimination by race was so pervasive in American society that all discrepancies and disproportionalities of status among racial groups could be sufficiently explained by it. So important a determinant of status as employment testing might best be judged, according to this

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view, by a comparison of the numbers of minorities and non-minorities selected for employment by its results. A test's adverse impact on minority hires would become the ground for redrafting its questions in such a way that it might reveal the concealed skills and abilities of minority applicants—in short, in such a way that more minorities could pass.

During Congressional debate over the Civil Rights Act, Senator John Tower (R-TX) had campaigned against the inclusion of any provisions reflecting the logic of *Myart v. Motorola*. Tower argued that the numbers of blacks and whites who passed a test had nothing whatsoever to do with its being discriminatory or not. Discrimination could only be determined by the intent of a test: Was it designed to reject blacks? This question, in turn, could only be answered by looking at the test's questions. Tower had in mind the kinds of questions asked about minutiae of constitutional law in literacy tests designed to deny blacks the right to vote.

Agreeing with Senator Tower, the Act's Democratic leadership, specifically Senators Humphrey and Clark, argued that the best criterion of test prejudice was merit. If a test sought out persons best qualified for a job, then it was free of racial bias; to the extent that it did not, it was potentially discriminatory. By this standard, measurement of tests by their racial effects not only would fail to uncover the possibility of discrimination, but would constitute a form of discrimination itself. So the "team captain" of the Act's employment title, Senator Clark, declared that there would be "no requirement in Title VII that employers abandon some bona fide qualification tests where, because of differences in background and education, members of some groups are able to perform better on these tests than members of other groups." The determination that a professionally developed ability test was discriminatory could not turn on unintended effects.

The testing clause ultimately adopted by Congress was a compact summary of all the ways in which an employment test may be intentionally discriminatory: by design, by establishing a cutoff or passing score, by the way it was proctored, or by the way it was used. The tipoff that a test was being "used" to discrimi-

nate was any evidence that the most qualified candidates were being arbitrarily or capriciously rejected based on its results. But any regard for the racial impact of an employment test was agreed by Congress to constitute prohibited discrimination.

Consistent with efforts to guarantee the civil rights of all citizens, the authors of the Civil Rights Act refused to twist the right to be judged on one's own merits in the workplace into an instrument of social policy. They were acutely aware of the harmful effects of cultural and economic disadvantage. They were not indifferent to the reality that disproportionate numbers of minorities suffered such disadvantage. Humphrey and others among the Act's sponsors planned to complement its protections with appropriate social programs designed to increase the chances minorities would have to qualify for better jobs. But these efforts were kept distinct from legislation intended to guarantee civil rights without regard to race. Equal opportunity was the Civil Rights Act's sole objective. Its employment title, the Senators repeatedly declared, was not a jobs bill.

**N**evertheless, a month after it had gone into business, in July 1965, the EEOC was being advised that "the spirit of the law," and not the letter of its legislative mandate, dictated doing everything possible to increase minority hires. The crucial forum for this advice was an August 1965 White House conference on the powers of the new EEOC. Although the EEOC's report on the conference rejected preferential hiring on the basis of race, note was made of the view expressed by the Conference Workshop on Hiring, Promotions, and Dismissals that government ought to go "an extra step to enable Negroes to obtain jobs on a basis equal with whites." As far as employment testing was concerned, the "extra step" meant paying attention to the racial effects of a test.

The first guidelines the EEOC issued on employee selection procedures, in August 1966, reflected quite plainly a decision to increase the number of minority hires nationwide. Though brief, they revealed a distrust of employment testing that was to become a permanent feature of the EEOC approach. The re-

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quirement that there be some showing of intent before impermissible discrimination could be established was simply left unmentioned. Instead, the central question addressed by these guidelines was the effect of a given selection procedure on numbers of minority individuals hired. All selection procedures would be subjected to the most intense scrutiny to determine whether they posed obstacles to minority employment.

From the start, the guidelines encouraged employers not to rely simply on the results of ability tests, but rather, in keeping with the “spirit of the law,” to make use of “a total personnel assessment system.” What this meant in practice was avoiding standards higher than those absolutely required for a particular job. First, a careful job analysis was to be prepared so as to eliminate the kind of generalized merit requirements that “may not be necessarily related to performance of a specific job in a specific setting.” Second, employers were urged to make special efforts to recruit minorities, to think of minority applicants in terms of their potential value, and to hire “qualifiable” applicants. Third, screening and interviewing were not to be done just by anyone, but by persons fully committed to equal employment opportunity and sensitive to the low self-esteem that some minority job applicants might suffer.

The EEOC’s guidelines specialists realized that some employers would continue to rely on employment tests, however, and added a requirement that any test that rejected blacks at a higher rate than whites be statistically validated, and done so separately for blacks and whites, i.e., “differentially validated”—an innovation to be refined in later editions. This represented a considerable chore for employers. The essence of test validation is establishing a correspondence between test scores and job performance. But, for example, because spelling accuracy and language fluency happen not to lend themselves to such validation, a company wanting secretaries who can spell and speak well may have trouble with the guidelines if it tries to use spelling or grammar tests in its selection efforts.

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**“The Commission [EEOC] . . . will fight credentialism in whatever form it occurs.”**

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So the EEOC’s 1966 guidelines assumed the authority to determine whether an employer was demanding acceptable standards of qualification for employment. Where once employers

had been promised the right to set standards as they liked, EEOC guidelines were now encouraging them to avoid anything more than minimal ability requirements. And where the authors of the Civil Rights Act had specifically inserted the testing clause in Title VII in order to protect employers from being forced to use tests to achieve racially balanced work forces, EEOC guidelines were now encouraging them to do just that. Thus, Robert Bryant’s *Motorola* ruling—once flatly rejected by Congress—was adopted by the agency Congress had established to combat employment discrimination.

**C**oncerned by the continued failure of the business community to cease its heavy reliance on employment testing, EEOC personnel refined their guidelines further in 1970. The man in charge of testing policy at the EEOC, Chief Psychologist William H. Enneis, attacked “irrelevant and unreasonable standards for job applicants and upgrading of employees [that] pose serious threats to our social and economic system. The results will be denial of employment to qualified and trainable minorities and women.” The EEOC, declared Enneis, would not “stand idle in the face of this challenge.” “The cult of credentialism is one of our targets,” he announced, vowing to fight it “in whatever form it occurs.”

Commonly recognized as the high-water mark of Enneis and his colleagues’ campaign for “socially responsible” testing standards, the 1970 guidelines’ declared objective was identical rejection rates for minority and nonminority job applicants. The Commission sought to achieve this objective by discouraging employers from using any but its own preferred validation methodology and by adding three new hurdles: a test with different success rates for minorities and nonminorities had to be “fair”; it had to conform to “utility requirements”; and it had to be shown that no other suitable test with lower minority rejection rates was available. With these new guidelines, all the arcana of psychometrics were drawn into the determination of a firm’s compliance. So the 1970s became boom times for industrial psychologists: no large firm could afford to be without its own in-house team of them to defend company selection procedures against EEOC challenges. Still, even with the most sophisticated psychological expertise, no employer could be certain that his procedures would pass muster.

In the first place, if the EEOC’s preferred validation technique revealed that a test was less valid for minority candidates, then an upward adjustment to their scores was indicated. But even after



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such an adjustment, the test might be ruled "unfair." A technical concept introduced by Chief Psychologist Enneis, "fairness" involved looking at the clustering of minority and nonminority test and job performance measures on a graph. If black and white scores clustered differently, Enneis claimed that predicting future black job performance from the black scores would be unfair, unless a further "fairness" adjustment were made. The fairness idea created a furor in professional psychological journals and was widely criticized as unscientific, but the EEOC has never abandoned it.

If they were able to pilot their employer's tests past validation and fairness requirements, in-house psychologists next had to deal with the "utility" requirement that called for a further adjustment to the test scores of less well qualified minority candidates if the "economic and human risks" involved in hiring them were considered acceptable by the EEOC. Just how much economic and human risk the EEOC would tolerate in any instance was something employers were left to guess about.

Assuming a firm's experts could shepherd its employment tests across all the above obstacles, there was another: the "alternative search" requirement. If challenged by an aggrieved job applicant, an employer was forced to undertake a study to demonstrate that no alternative test with less adverse impact on minority job applicants was available.

The burdens imposed by the 1970 guidelines—the difficulties, costs, and potential pitfalls for the unwary employer, and the uncertainty that even the most vigorous compliance efforts would satisfy the EEOC—made avoiding tests altogether and simply making affirmative hires more attractive.

**A**rmed with its new guidelines, the EEOC moved against discrimination in the workplace, targeting what it called "systemic" discrimination. Its annual reports spoke enthusiastically of the 1971 Supreme Court decision in *Griggs v. Duke Power Co.* that an employment test could be found discriminatory solely on the basis of its racial effects, aside from any question of intent. After *Griggs*, the EEOC began issuing manuals warning private employers that they faced huge and costly risks if they failed voluntarily to increase the numbers of their minority and female employees.

The EEOC, however, was not the only government agency with formal responsibility to ensure that employment testing was nondiscriminatory. Some in the Department of Labor's Office of Federal Contract Compliance (OFCC), charged with enforce-

ment of the equal opportunity standards of Executive Order 11246, thought that the EEOC's 1970 guidelines were "untenable or unworkable." Testing officials in the Civil Service Commission (CSC), with the responsibility that agency then had to administer a merit system of employment for the Federal government, had been troubled from the beginning by the EEOC guidelines' assumption that merit could not be detected in some races through test instruments used successfully with others. EEOC officials, on the other hand, not only thought that CSC employment tests were discriminatory, but went so far in 1972 as to join plaintiffs in bringing suit against them.

So that all Federal agencies would speak with one voice on the issue of employment discrimination, Congress' Equal Employment Opportunity Act of 1972 established an Equal Employment Opportunity Coordinating Council (EEOCC), and ordered that it draft "uniform" guidelines on employee selection procedures. Representing OFCC, the Justice Department, the CSC, and the EEOC, the new Council agreed, in one of its first decisions, that any uniform guidelines should extend to all employers, private and public. But about the actual content of proposed uniform guidelines there was little agreement. OFCC and CSC representatives were hoping for more workable guidelines, ones which would better accommodate their responsibilities and the concerns of their constituencies. They asked for technical changes to the 1970 edition designed to strengthen the merit principle and give sufficient consideration to employers' voluntary efforts to improve the opportunities of minorities. The EEOC's representatives, however, wanted to retain the whole armamentarium of technical devices they had developed to hold employers' feet to the civil rights fire.

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The 1970 guidelines had required every test with "disproportionately high" adverse impact on minority hires to be validated. Negotiators for the OFCC, the CSC, and the Justice Department felt that such vague and potentially extensive coverage was unreasonable. They wanted to establish a definite ratio between minority and nonminority selection rates—namely 4:5—beyond

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which employers would not be subject to the guidelines' validation requirement. This recommendation came to be known as the "four-fifths" rule. But the EEOC negotiator preferred to keep things vague.

The other agencies involved in the negotiations also proposed adopting a "bottom line" rule which would have confined the EEOC's review of compliance for any employer using a multi-component selection procedure—for example, one involving a written test, consideration of prior work experience, and a supervisor's evaluation—to overall selection rates. The EEOC would not be able to focus on a single component—the written test, say—that knocked out larger numbers of minorities. Employers valued the bottom line rule because it allowed them greater control over the qualifications of their work forces. Some selection procedures could be sheltered from EEOC scrutiny, and individual plaintiffs would be frustrated in their efforts to bring complaints against tests they had flunked. But the Commission's representatives felt especially protective of such "private attorneys general" because they were counted on to bring 95 percent of all the suits necessary for adequate enforcement of Title VII.

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### ***Validating tests was not what the EEOC was after; getting "the bodies" into place was the whole idea.***

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There were more proposed changes to the guidelines that the Commission's negotiators opposed but one thing above all others offended them. The other agencies' representatives persisted during the negotiations in reinforcing their criticism of EEOC policy with scientific evidence questioning the "viability" of the guidelines' requirement that tests be validated separately for minorities and meet standards of "fairness." So finally, able to take no more, the EEOC's technical negotiator recommended that the Commission withdraw. "It would not," he frankly wrote his superiors, "be in the interests of the groups EEOC was interested in"—civil rights advocacy groups—to remain involved in the face of "research findings that were continuing to build the case against differential prediction."

In 1975 EEOC officials acted on this recommendation and advised that negotiations be broken off "on the grounds that

agreement on a set of principles consistent with EEOC's principles was impossible." The draft prepared by the Justice Department, the OFCC, and the CSC was rejected, and the EEOC opposed even its distribution for comment. The Commission's decision led the Justice Department's negotiator to conclude that quotas were its true goal:

An unstated or covertly stated reason may underlie the apparent EEOC refusal to modify its present guidelines. Under the present EEOC guidelines, few employers are able to show the validity of *any* of their selection procedures, and the risk of their being held unlawful is high. Since not only tests, but all other procedures must be validated, the thrust of the present guidelines is to place almost all test users in a posture of noncompliance; to give great discretion to enforcement personnel to determine who should be prosecuted; and to set aside objective selection procedures in favor of numerical hiring.

Whatever the EEOC's agenda, negotiations did break down. A set of testing guidelines was issued over the signatures of the CSC and the Departments of Justice and Labor, but since they were not "uniform," they were called simply "Federal Executive Agency [FEA] Guidelines on Employee Selection Procedures (1976)." Though most employers felt these new guidelines were far better than the then current EEOC ones, civil rights organizations protested that they represented a retreat. And the EEOC, in response, quickly republished its 1970 version.

**C**ompetition between two different sets of guidelines was short-lived. When the Carter administration assumed power in 1977, the NAACP, the Leadership Conference on Civil Rights, the National Women's Political Caucus, and the Women's Legal Defense Fund persuaded Congress to pass the Reorganization Act of 1978, which vested in the EEOC sole authority to interpret Title VII to the country. The agency holding such jurisdiction would have the greatest influence over drafting any new guidelines. The outcome: "Uniform Guidelines on Employee Selection Procedures (1978) [UGESP]."

During development of the UGESP, EEOC's new Chairperson, Eleanor Holmes Norton, was confronted with an unpleasant reality. Employers had gotten smart; they had learned how to validate their tests. For that, she said, "my hat is off to the psychologists." But she did not see "comparable evidence that validated tests have in fact gotten black and brown bodies, or for that matter, females into places as a result of the validation of

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those tests.” “We do not quite see,” she confessed, “the causal relationship [between valid tests and minority hires] we had expected to see.” But validating tests was not what EEOC was after; getting “the bodies” into place was the whole idea. “I see some positive advantages I must say in encouraging an employer to look at what the ultimate goal is,” Ms. Norton explained. “That is to say, did your work force have some minorities and females before the test has been validated? And if you really don’t want to go through that, but you are interested in getting excluded people in your work force, we would encourage you to do so.”

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### ***The Guidelines are themselves an exercise in racial discrimination.***

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The Uniform Guidelines provided further incentive to make affirmative hires by making merit hires still more difficult. Where the FEA Guidelines adopted in 1976 by the OFCC, the CSC, and the Justice Department had been intended to encourage merit promotion and business efficiency within the framework of affirmative action, the 1978 Uniform Guidelines encouraged neither. UGESP stripped employers of the shelter that the bottom line rule had provided; retained the four-fifths rule, but undermined its clarity; made it especially difficult for employers to validate tests seeking more than minimally qualified personnel; made recordkeeping and documentation requirements exceedingly burdensome; and returned the burden of conducting costly searches for alternative selection procedures to employers. Employers’ complaints about the stringent test validation standards contained in the Uniform Guidelines—provisions which forced the American Psychological Association’s Industrial and Organizational Psychology division formally to withdraw its support from the Guidelines—were dispatched with a stroke of the pen. All disagreements were to be resolved in favor of the Guidelines: “To the extent there may be differences between particular provisions of the Guidelines and expressions of validation principles found elsewhere, the Guidelines will be given preference.”

Under such an orchestration of pressures, the implied goals of the 1978 Guidelines—first to discourage too great an insistence on qualifications, and second to discourage reliance on tests altogether—were brought much closer to realization. The Guidelines explicitly invited employers to make direct affirma-

tive hires, and a short statement that Ms. Norton appended in the Federal Register advised them not to worry about reverse discrimination suits.

Once intent is abandoned as the criterion for establishing employment discrimination, there remains no principled way to anchor a distinction in the law between selection procedures with differential impact that might be discriminatory and those which are not. And having indeed abandoned that criterion, UGESP now presumes that all selection procedures with such effects *are* discriminatory. Employers are therefore no longer free to hire the best qualified individuals, but now must consider each applicant’s race first, in direct contravention of the Civil Rights Act’s intent. These Guidelines’ onerous validation requirements force employers, in effect, to discriminate against perfectly qualified job applicants of the wrong race. The Guidelines are themselves an exercise in racial discrimination.

But the advocacy of so-called “benign” discrimination has never been ratified by a majority vote of Congress, and is unlikely ever to be. Neither the Equal Employment Opportunity Act Amendments of 1972 nor the Reorganization Act of 1978 constituted Congressional approval of racial bias in the name of equal opportunity. Moreover, the agency’s 1970 guidelines were never submitted for public comment, and the UGESP were subjected to a great deal of hostile attention before finally surviving under Ms. Norton’s protection. The Uniform Guidelines are testimony only to successful special-interest advocacy by well-organized civil rights groups.

What could be done if the EEOC were to act in accordance with the original purpose of the law? What if efforts so far devoted to restricting the scope of qualifications employers can seek—with all the loss of public support for civil rights that such advocacy has entailed—could be redirected? Permitting employers to set qualifications as high as they like would restore employment discrimination law to what the authors of the Civil Rights Act intended, and would eliminate a principal source of friction between the business community and civil rights enforcement. Finally, the political and other resources that have been consumed in the struggle by civil rights advocates to overturn “credentialism”—merit by any other name—might be devoted at last to winning for the disadvantaged the social and educational benefits needed to compete without benefit of double standards for jobs and promotions. ☐



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# An Interview with **NATHAN GLAZER**

**N**athan Glazer, much honored Professor of Education and Sociology at Harvard University, has been a student of racial and ethnic groups in America for more than two decades. As co-editor of *The Public Interest* and author of *Ethnic Dilemmas: 1964–82*, *Affirmative Discrimination: Ethnic Inequality and Public Policy*, and *Beyond the Melting Pot* (with Daniel P. Moynihan), he has influenced our understanding of cultural assimilation, group identity, affirmative action, and the meaning of social and political pluralism. In this interview, conducted by former *New Perspectives* Editor Max Green and former Commission staff member Elizabeth Marek, Glazer addresses a number of civil rights-related issues, among them the ascendance of minority interests in American politics; the question of whether or not affirmative action has helped blacks; and the advancement of new immigrants to the U.S.

**NP:** You've argued in the past that by granting group rights to one group you set a precedent for granting similar rights to other groups. And also that once you've granted such rights, it is hard to take them back. It looks now as though the move to grant such group rights is reversing itself. Fewer people today than ten years ago believe that there's any reason for affirmative action for Asians, for example, and a growing number wonder whether it makes any sense to give affirmative action protection to Hispanic

Americans. What happened to cause this reversal?

**GLAZER:** In the seventies, when I was making that argument, there were signs we were going to expand affirmative action. Having begun with four groups—blacks, Hispanic-Americans, Asians, and American Indians—there were arguments that various East Europeans should be included as well. Fortunately, this didn't happen.

As far as public opinion towards affirmative action goes, I think we have to differentiate between mass opinion, as expressed in Congress, and the opinion of certain civil rights activists. I think mass public opinion is less interested in affirmative action than it used to be, because people have gotten used to it, and because they don't expect it to go further under the Reagan administration. According to a recent article in *Fortune* magazine, even the business community isn't very concerned. They'd like to be relieved of a certain amount of paper work, but they don't want to upset the apple cart, either.

So who is concerned? I think we have two small groups of elite opinion that are battling it out. On the one hand, there are those who feel that color-conscious policies themselves constitute discrimination, and are anathema to the American system. On the other hand, there is the civil rights community, which sees any change as regressive. Suppose, for example, there were an official change in affirmative action regulations which simply dropped Asians entirely. There would be a tremendous howl

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from Asian groups, just as there's a howl in elite colleges, where Asians now make up roughly ten percent of incoming classes, from Asian groups who claim that a lower percentage of Asian applicants than white are accepted. Would blacks and other elements of the civil rights leadership accept cutbacks in affirmative action? I don't know.

**NP:** *Do you think one of the reasons why there hasn't been a greater protest against affirmative action is that other, non-protected groups weren't hurt as much by it as they expected to be?*

**GLAZER:** I think that's true.

**NP:** *Is there any evidence that so-called reverse discrimination—that is, say, a Pole being denied a job in favor of a black—actually held back the progress of ethnic groups over the past twenty years?*

**GLAZER:** That would be hard to show. It is true that certain groups who have faced great discrimination, like the Japanese and the Jews, have done quite well, but one can always make a case that they haven't done as well as they otherwise might. For example, I recently saw a Japanese sociologist quoted to the effect that Japanese actually do not do as well as whites with the same qualifications. That's probably true. In general, I think that most groups perceive that affirmative action doesn't really hurt them. I think people feel that they can get into some medical school, some law school, regardless of minority quotas. I think the pragmatic or interest concerns about affirmative action have declined, and that ideological concerns are what seem to dominate the issue now. We have an argument between two principled positions. There are those who say that affirmative action is a blot on the American ideal—in which the individual should be judged on his own merits. Having taken that position, I obviously sympathize with it. On the other hand, there are those who argue that blacks are still way behind other groups, and that affirmative action is therefore justified.

Personally, I would like to see ways of reducing the range, impact, and formal claims of affirmative action without having the kind of head-on battle that we now see shaping up. For example, we never discussed time limitations. I think it would be a good thing for us to indicate that these are temporary measures dealing with temporary situations, which we hope, in a society where discrimination and prejudice are being greatly reduced, will not be necessary.

**NP:** *What date would you suggest?*

**GLAZER:** I don't know. Put any date in.

**NP:** *But what conditions would there have to be to justify the elimination of racial preferences?*

**GLAZER:** That's a good question. I would not like to see an "equalization" condition because that could be fought over indefinitely. I mean, what is equalization? But I do feel that

affirmative action should have a more limited scope than it does. I would like to see some chipping away, both by eliminating some groups from their protected status, and exempting some areas of society from the requirements. For example, do Asian-Americans still need the protection of affirmative action? Is there anything in the operations of colleges and universities that requires them to be governed under the government contract route?

It may well be the case that chipping away produces exactly the same storm as sweeping away and therefore we might as well sweep away as chip away. . . .

**NP:** *Is it your opinion that black groups still perceive a substantial amount of outright discrimination in America today?*

**GLAZER:** I'm convinced they seriously believe that, yes.

**NP:** *Can you give any evidence of outright discrimination yourself?*

**GLAZER:** No, I can't. But the fact that they do perceive it is still important.

**NP:** *Do you believe that affirmative action has helped blacks achieve more gains, and more quickly, than they otherwise would have been able to?*

**GLAZER:** No, I don't. I think this entire elaborate affirmative action enterprise is unnecessary. I think it has added just about nothing to the progress of the black group.

**NP:** *Why do you say that? What evidence do you have?*

**GLAZER:** I believe that black progress is closely related to economic conditions. Even those economists who argue that affirmative action has had a positive effect agree that it was limited. Blacks did not make as much progress with affirmative action in the seventies, when the economy was very uncertain, as they did in the sixties, before affirmative action really took hold. For example, I think it can be demonstrated that for blacks, affirmative action in universities has done nothing. We know that the number of blacks on faculties has declined, or at least been stable, for a number of years.

**NP:** *Well, would it have gotten worse without the affirmative action?*

**GLAZER:** It might have gotten a bit worse, certainly—you can always make that argument.

The problem is, to put it most sharply, that I don't think affirmative action is doing the black community much good, but the black political leadership feels that it is crucially important. So we're up against quite a fight, and one does not like to see a straight fight of this type, in which blacks are one side, and, with very few black allies on the other side, white political leadership is trying to deprive them of something they feel is important. In such a case, one always bends the principles a bit, and the question becomes, to what degree?

**NP:** *You say that affirmative action has not been successful. To what extent do you feel it has been counterproductive? Do you feel, for example, that it has undermined black self-confidence, and if so, why?*

**GLAZER:** I think it has, to some extent, but it's a very hard argument to make, and it's up to blacks to make it. I think you have to differentiate between jobs which are very much attuned to individual capacity, and those which can well be seen as having a lottery character. I think self-confidence suffers more in those areas where a very high degree of ability is required. For example, I think it must be devastating for blacks who are admitted to medical school and are in the 30th or 40th percentile while their white classmates are in the 60th or 70th percentile. I think it leads to defensiveness and self-justification, which cannot possibly be good. Thomas Sowell made this argument in the mid-seventies when he attacked the rigid minority quotas of elite universities. He felt that blacks would have been better off entering institutions in which they could be truly competitive.

**NP:** *And yet you've said that if the elite institutions based admission solely on merit, the proportion of blacks admitted to law and medical school would drop drastically, thereby creating other problems.*

**GLAZER:** Well, I don't know what the situation is now. People sort themselves out in some ways. They make adjustments, go into different fields. . . .

**NP:** *Do you think there is evidence that affirmative action has resulted in an increase of some new kind of prejudice on the part of whites?*

**GLAZER:** Well, I'm sure that it occurs, yes. We have got a problem there and I don't know how we can get over it.

**NP:** *You've written about the low achievement levels of blacks in schools. How badly are they doing and why is there such a problem?*

**GLAZER:** All the tests show that blacks do very badly. The general line-up is that the Asians score the highest, followed by whites, Hispanics score higher than blacks, and blacks score the lowest. It is an absolute mystery to me why blacks do so badly on tests. I think there must be some special issues there: special fears, test fears, feelings of inferiority. But I also think that eliminating tests is not a viable option. You have to have some kind of tests, because the only alternative to tests is, on the one hand, outright discrimination, and on the other, outright quotas. Merely making tests "unbiased" seems to have little effect. But again, I do believe there must be some special problems that can be dealt with.

**NP:** *What do we do if tests are accurately measuring ability and it turns out that, on the average, blacks have less of a certain kind of ability than whites. Where does that leave us?*

**GLAZER:** We're in trouble. I don't know. It may have to be that blacks, but not any other group, get a special deal.

**NP:** *Are you saying that they should get some kind of special deal because, for whatever reason—poor education, other cultural disadvantage, whatever—they lack ability?*

**GLAZER:** Because they are less able yet they're part of the polity, right.

**NP:** *Do you think there is any justification for doing that?*

**GLAZER:** Peace is justification. There may be an historical justification as well.

**NP:** *Do you think that affirmative action has caused an erosion in the idea of individual rights—which is the basis on which American democracy is founded?*

**GLAZER:** No, I don't believe there has been much erosion. We have not so much replaced one kind of right with another as merely added on another kind of right. Any individual, as we know from the volume of litigation, certainly protects his individual rights. Groups protect their rights, rights that have been granted. I think the notion that you need individual effort to get ahead is still very deeply embedded in all groups, including blacks.

**NP:** *You asked in a 1978 article whether we could solve the problems of group discrimination by using the language and the law of individual rights. Do you believe that we could have?*

**GLAZER:** I think we could have and I think we still can. I think that there has been a positive change in America as well as an increase in the political weight of blacks, such that progress was possible on the basis of individual rights. I think there was a huge diversion of energy into the statistically-based course of affirmative action, and into the enormous enterprise of trying to create unbiased tests. I think it would have been better to devote that energy to something else—like getting people up to passing the tests.

**NP:** *You have just edited a book on American immigration entitled Clamor at the Gates. Let me ask you a few questions about immigration. In the 1920s the U.S. passed restrictive immigration laws and the KKK was in its heyday. Today, no hate group has a widespread following, and, in addition, the Right in American politics is advocating increasing the rate of immigration, not just of Europeans but also of yellow and brown people. How do you account for those changes of the past sixty years? Was what happened in the 1920s an aberration?*

**GLAZER:** There certainly has been an enormous change. It's true that part of the Right now advocates a less restrictive immigration policy, generally on grounds of maintaining a free market and unrestricted capitalism. There are elements that would like to see some restrictions on immigration, but they are mostly concerned with the issue of illegal immigration.

**NP:** *Are you saying that the primitive kind of racism and ethno-*

*centrism that we experienced in the past will not recur?*

**GLAZER:** Well I'm saying that it hasn't recurred. I think the tone of the country has changed, and that minority interests are more legitimate than they were 50 years ago, or even 30 years ago. We have been debating immigration in a very serious way for at least seven or eight years now, and ethnocentric and racial concerns really have not been the issues at all. Instead, the issues that have affected the debate concern an employer's rights, the degree to which he has to check on his employee's citizenship and the degree to which that might lead to discrimination against Hispanic Americans, and the degree to which an effective policy on illegal immigration will hurt economic interests in the Southwest. Oddly enough, even the issues that have arisen in connection with English as a national language have not come into the debate over immigration.

**NP:** *Let's shift to the immigrant groups themselves. You and others have written about the long-lasting cultural characteristics of various immigrant groups. These differences seem to be fast disappearing. For example, the study we're doing on Americans of South and East European descent shows that, despite the fact that Southern Italians place a low value on education, we now find from the 1980 Census that Italians have greater educational achievement levels than other whites in society. Why if these traits were so strong have they disappeared so quickly in the American environment?*

**GLAZER:** The question is how quickly they have disappeared. We're really talking about questions of degree. Clearly, the notion of an immediate melting pot was in error. On the other hand, I think that the differences among all the white ethnic groups have declined over time. Today, I think it is very hard to find important, concrete differences among ethnic groups, although if one had the right data—good studies, of individual communities—you would still find a strong consciousness of ethnic differences, ethnic concentrations, ethnic specializations.

**NP:** *It's often charged that American ethnic groups were robbed of their culture by American institutions, especially the public schools. Is it because children were rapped on the hand by their teachers when they spoke their native language that there has been as much assimilation as there has been?*

**GLAZER:** Oh, I think that's nonsense. I grew up in public schools in New York in the twenties and thirties and I never heard a hint of opposition to public school assimilation among the children and I would say even the parents of that day.

But there are two groups for whom the claim of a stripping of culture could be made more strongly. One was blacks. There you have a real body of intellectuals who argue that they have been stripped of their culture. But black culture does play a role in American education. Students read James Baldwin, Toni Morrison, and other black writers. American history textbooks deal with European ethnicity hardly at all—just a few paragraphs in the section on immigration—but they deal with American blacks

both very substantially and very sympathetically.

The Hispanic situation is also complicated, because Hispanic Americans make far less of a break with their culture and homeland than did the Europeans or the Asians. Puerto Rico, for example, is part of the United States, and there is a tremendous amount of back and forth movement. Why should there be a break? Much of the immigration from Mexico is not permanent; it is literally to work and to return.

There is also less of a need for a break, in terms of assimilatory pressures in the United States. There's a practical pressure: an American citizen can get better jobs; if your English is better, more is available to you. But I think the pressure is less.

**NP:** *You have compared black migration to the North with European immigration to the U.S. Why is it that, given the conditions in the South, more blacks didn't move?*

**GLAZER:** I really don't know. It's amazing it didn't start until it did, especially since Southern blacks must have known that the conditions in the North were better than they were in the South. Maybe the news got back that it was pretty rough even in the North, that even blacks in established positions were being driven out of them.

**NP:** *Is the experience of other ethnic immigrant groups, most recently repeated by Asians, of any relevance to blacks?*

**GLAZER:** I certainly used to think it was. I still think it must be, but I must say the last 20 years does give one pause. In a period when the major patterns of discrimination were broken by law and tremendous changes took place, blacks have not moved as much as they or other people expected. Now new immigrants, who come in with a substantial amount of education, are passing the blacks. I feel that to the degree that other immigrant groups have advanced through education and business enterprise their experience must be relevant, at least in a general sense.

**NP:** *How about the self-help aspect of the immigrant experience?*

**GLAZER:** Well, I think more and more one sees in the black community the notion of self-help—that if things are going to change they have to change through their own efforts. I think that's a positive sign. Others were saying that 20 years ago, but it was then considered very unfashionable for blacks to speak in those terms. I think it's by no means unfashionable now. It's clear that some kind of strong internal effort is needed.

**NP:** *Are you saying it's up to blacks to help themselves at this point?*

**GLAZER:** I think it's up to them. I don't see what public efforts can achieve beyond making the best possible effort to maintain a strong economy, job and educational opportunities, and laws against discrimination.

**NP:** *Thank you very much. ☿*



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# Books

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## The Politics of Ethnic Fear

by Elizabeth A. Marek

**Canarsie: The Jews and Italians of Brooklyn Against Liberalism**

Jonathan Rieder

Cambridge: Harvard University Press, 1985.

290 pp. \$22.50.

In the fall of 1972, an integration-minded school board ordered a small community in Brooklyn, New York, to take a few dozen black children into its schools. The violence and intensity of the protest which greeted this ruling—a white boycott of the schools, hordes of white parents lobbing rocks at school buses, organized marches with banners reading “Canarsie schools for Canarsie children”—prompted an angry *New York Times* editorial to conclude that “the shameful situation in Canarsie illustrates the forces of unreason sweeping over the city and nation.”

How was Canarsie, situated in the historic melting pot of New York City, and peopled with historically tolerant Jews and Italians, transformed into a cauldron of racial hatred and bigotry? What finally snapped the cord of reasonableness which stretched across the early history of these groups? And what does the violence and anger in Canarsie say about the rest of the nation?

In part to answer these questions, Jonathan Rieder went to Canarsie, a “middle America in a remote area of Brooklyn,” and lived there for three years. Now, in his book *Canarsie: The Jews and Italians of Brooklyn Against Liberalism* he claims to have unearthed there the reasons for “the

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*Elizabeth A. Marek, former staff member of the U.S. Commission on Civil Rights, is a freelance writer.*

precarious state of liberalism in the mid-1980s” and for the Republican realignment he sees taking place today. Though in the end Rieder fails to answer the broad political questions he raises, he does manage to paint a compelling portrait of the fears, hopes, and anger of the lower-middle-class Jews and Italians of northeast Brooklyn.

In *Canarsie* Rieder takes us beyond the melting pot to meet the ethnics of the ethnic backlash: the bomb throwers and boycott leaders; the ambivalent Jews struggling with their anger and guilt; the proud, angry Italians fearing for the security they have struggled so hard to achieve. Rieder gives the people of Canarsie a chance to tell their side of the story in language which is sometimes eloquent, sometimes blunt, often offensive. Through Rieder, we live their crises with them. And as we experience their traumas, we come to see their actions, which on the surface seem blatantly racist, as understandable responses, no matter how misguided, to rational fears.

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### ***Rieder takes us beyond the melting pot to meet the ethnics of the ethnic backlash.***

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The Jews and Italians who are the subject of Mr. Rieder's study are second and third generation Americans, children of the Depression who struggled and sacrificed to pull themselves out of the ghettos of East New York and Brownsville and into the middle-class mecca of Canarsie. They had not climbed so far up the ladder that they did not see poverty constantly nipping at their toes. In 1960, two-thirds of Old Canarsie's predominantly Italian workers were blue-collar, only 25 percent had high school diplomas, and the average family income was only \$6,000. The largely Jewish areas of New Canarsie were

slightly more affluent—one-half to three-fourths of its men worked in white collar jobs with an average income of \$11,000—but their hold on the middle class was tenuous at best.

A majority of Canarsians had moved from the nearby communities of Brownsville and East New York in the late 1960s and early 1970s to escape the apparent threat posed by an influx of low-income blacks and Puerto Ricans. In 1970, for example, the low-income Breukelen Homes project on Canarsie's northern border was a perfect balance of blacks and whites; ten years later 90 percent of its residents were black, and the rest mostly Puerto Rican.

Shifting demographics brought a change in atmosphere. What had once been vibrant immigrant ghettos were transformed into slums filled with crime and decay, and new Canarsians looked back into their old neighborhoods with dismay. One Jewish garment worker was subtle: “We lived in a ghetto, maybe, but it wasn't such a slum!” Others were not: “I had the same problems they did, but few of them niggers want to make much of their life. Flashy cars, booze and broads is all they care about. They don't even want to get ahead for their families!”

Remembering their own struggles, old Canarsians resented the new poor, the increasingly militant blacks and Puerto Ricans who, they felt, demanded handouts in place of hard work. In 1965, when East New York was still largely a Jewish and Italian enclave, only eight percent of the population received welfare payments. By 1971, when white flight had transformed the community into one which was predominantly black and Puerto Rican, fully 31 percent were on welfare. Worse, Canarsians saw their own taxes going to support these “freeloaders” while the rich paid little or nothing in taxes.

Added to this resentment was fear—of crime, of decay, of the dissolution of the family, of tipping points, of falling prop-

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erty values, of the loss of all that had been won with such difficulty. Many Canarsians had been in the vanguard of the struggle for civil rights; but as crime rates escalated, and the perpetrators were seen to be disproportionately black, abstract notions of support for blacks in general were submerged in a sea of fear, and "the image of blacks as victims yielded to an image of them as victimizers." As one frightened resident explained, "it would be different if I could walk down the streets without worrying, if I didn't have to stop to say to myself, 'hey, that Negro man coming down here, is he going to knife me 'cause he's looking for revenge [on whites], or is he my friend?'"

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## ***So with backs against the bay and houses mortgaged to the hilt, Canarsians decided it was time to turn and fight.***

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Housing projects on the north and ghettos on the east Canarsie borders were a direct and immediate threat. Unlike the "limousine liberals" who supported low income housing while living ten miles away, and who advocated busing while sending their own children to private schools, Canarsians lived with street crime, hookers, and wild graffiti only blocks from their own neat lawns and well-kept streets. In Rieder's words, "From where they stood, the people of Canarsie believed *they* were the victims. The issues of race frightened them too immediately to permit the grace of compassion." Liberalism became equated with masochism and a new aphorism was coined, *a la* Irving Kristol: "A liberal is a conservative who has not been mugged—yet."

Having seen their old neighborhoods disintegrate as the blacks and Puerto Ri-

cans moved in, the Jews and Italians of Canarsie felt perfectly justified in fencing out these groups from their land. It was not that they were prejudiced, they explained. They were not against *all* blacks and, if questioned, most would agree that a person should have the right to live where he wants. But they were not about to risk a repeat of their experience in Brownsville. Even middle-class blacks were a threat. "People have the right to move in if they can afford it, but you tell me, what happens after the black doctors come in and the others panic and we lose everything?" one housing activist asked. And from a Canarsie man who remembered Flatbush blockbusting: "We're not just talking about a few blacks. At first, it would be ten, then it would be twenty, and then who knows what might happen? We've run from neighborhoods that changed overnight. How do we know Canarsie will be viable five years from now? We're scared to death."

Canarsie, with its rows upon rows of shabby, two-family townhouses, was not the nicest place in the world, but it was an oasis of order in an otherwise turbulent desert. So with backs against the bay and houses mortgaged to the hilt, Canarsians decided it was time to turn and fight. "Who are the Canarsie people?" one resident asked Rieder. "They come from places that expired. They're not rich. They bought a home in a sanctuary, and they're afraid they're going to lose it. They are saying 'don't tread on me.' They want to protect their turf."

They tried. They fought the busing of 31 black children into their schools with boycotts, stones, signs, and angry slogans. They fought even the movement of middle-class blacks into their neighborhoods, forming block associations, making threats, joining unwritten covenants, and throwing firebombs. And, Rieder argues, Canarsians fought affirmative action, quotas, and the perceived decline of family values, with votes cast for the Re-

publican party.

They succeeded. With the exception of two predominantly black public projects on the edge of Canarsie and three other census tracts with two or three dozen blacks, none of the area's 28 remaining tracts has more than ten blacks out of populations ranging from 1,000 to 4,000 people.

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## ***Poverty itself held little terror for most Canarsians; it was crime, squalor, and hopelessness that scared them.***

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A number of residents quoted in the book claim the problem is one of class, not race. To his credit, Rieder refuses to accept this simplification, for, as he writes, affirmative action, quotas, busing and other liberal programs "put forth not class or the individual but race as a proper basis for making claims on the state, or on the conscience of private institutions." Race was also made a prominent issue because whites, all whites, were labeled oppressors by the newly militant blacks of the mid-1960s—a label which angered and confused the Jews who themselves had been leaders in the battle for civil rights. Besides, poverty itself held little terror for most Canarsians, many of whom had themselves once been poor. It was the new breed of poverty, with its crime, squalor, and hopelessness, that scared them. That the new poverty was overwhelmingly non-white tended inextricably to link class and race, and race itself became, Rieder tells us, "a kind of shorthand for an array of social, cultural, and economic deprivals."

Rieder's portrait of the people of Canarsie is both sympathetic and compelling. Less successful is his picture of poli-

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tical "realignment," and his claim to have discovered universal causes for the movement toward conservatism. Rieder subtles his book, "The Jews and Italians of Brooklyn Against Liberalism." But he never defines what he means by "liberalism," other than saying what it *came* to mean to these two particular ethnic groups: masochism, amorality, and permissiveness. In his political analysis, Rieder equates "liberalism" with the Democratic party. Yet surely one of the great ironies of recent years is that some of the most "liberal" policies, like busing and affirmative action, were pursued under the "conservative" administration of Richard Nixon and John Mitchell, while the "liberal" Jimmy Carter spoke approvingly of "ethnically pure" neighborhoods.

Furthermore, Canarsie's Italians were culturally conservative—in the sense of

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## **Not a single Canarsie Republican was elected to office in the years covered by Mr. Rieder's book.**

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prizing traditional family values—long before any "ethnic backlash" was identified by trend spotters. They were politically conservative as well: nearly two-thirds of Italian voters supported Richard Nixon in 1968, years before Canarsie's racial unrest began. And they continued to give marginally stronger support to Republican presidential candidates in each election through 1984.

Jewish voting patterns are more striking, but not necessarily more indicative of a movement toward conservatism: in contrast to their overwhelming (80 percent) support of Humphrey in 1968, Jews gave George McGovern, a proponent of busing, only 45 percent of their vote in 1972, when school desegregation was an explo-

sive issue. But in 1976, Jews again gave the Democratic nominee four-fifths of their vote. By Rieder's analysis, the 80 percent support of Carter was no more than "slippage" on the way to realignment in 1980, which saw half of Jewish voters going for Reagan or John Anderson. But it seems just as likely, and is confirmed by the Jewish Canarsians whom Rieder quotes, that their pro-Reagan vote in 1980 was based mostly on an intense *personal* dislike for Carter due to his perceived hostility toward Israel and weakness during the Iranian hostage crisis, and not on any new found love for the GOP.

Sure enough, on the local level, where the fears Rieder writes about would seem more directly to affect voting patterns, the evidence points not to a shifting of sympathies but to remarkable consistency. Despite backlash, boycotts, fears, and Republican platforms explicitly directed at white voters, not a single Canarsie Republican was elected to office in the years covered by Mr. Rieder's book. Rieder himself, belying his own hypothesis, marvels at the "resilience of Democratic loyalty" among Canarsie's voters.

Precisely because Rieder is so convincing about Canarsie's uniqueness, his book fails to establish the community as a national model. To the extent that Canarsians *did* abandon liberalism their reasons for doing so—fear of neighboring ghettos and immigrants' resentment of black demands—tell us little about the "precarious state of liberalism nationwide." Midwestern farmers and Southern merchants did not, we can suppose, support Ronald Reagan because they feared black and Puerto Rican designs on their neighborhoods.

The book has other problems. Because it is organized around several general threats which Canarsians perceived, it loses all sense of chronological development and thus fails to support Rieder's picture of a gradual progression away from liberalism.

More importantly, Rieder's decision to focus on the white residents of Canarsie and ignore their black neighbors creates a void and, ultimately, produces a one-dimensional account of the story. How do blacks, so feared and resented by the Canarsians, view their white neighbors, and themselves? How does the range of black experience undercut white Canarsians' stereotypes? How might such stereotypes be self-fulfilling prophecy? Because Rieder fails to ask, we never know, and it's our loss.

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## **To the extent that Canarsians did abandon liberalism, their reasons tell us little about the "precarious state of liberalism nationwide."**

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The tension between freedom and equality in our society has always been great, perhaps never more so than now. Democrats, stressing greater equality at the expense of freedom, have advocated transfer payments to equalize wealth, numerical goals and timetables to equalize occupational status, and busing to equalize educational opportunity. Republicans have taken the opposite tack, insisting on individual liberty and initiative. By focusing on the "precarious state of liberalism," Rieder suggests that middle-class ethnics now prefer their freedom to somebody else's equality, and have made political choices to match their new temper. In fact, however, he shows just the opposite: a vision of equality, albeit an ambivalent one, persists among white urban ethnics, and especially among Jews. In the end, the picture of contemporary American ethnopolitics remains far more interesting than Rieder has imagined. ☐

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# Books

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## Up from Alderman

by Paul Jeffrey Stekler

### **Black Voices in American Politics**

Jeffrey M. Elliot

New York: Harcourt Brace Jovanovich, 1985.

463 pp. \$12.95 paperback.

**B**lack politicians have been newsworthy in the 1980s, what with the mayoral triumphs of Harold Washington in Chicago and Wilson Goode in Philadelphia and Jesse Jackson's historic campaign for the 1984 Democratic presidential nomination. Even so, black politics, broadly considered, has remained something of a lesser, neglected field among the scholars whose business it should be to study such subjects: namely, political scientists. In a recent article in *PS*, a publication of the American Political Science Association, entitled "Why Political Scientists Don't Study Black Politics, but Historians and Sociologists Do," Ernest J. Wilson noted the general lack of major political science research on black politics and asked readers if they could "cite two major, senior figures in the discipline who work consistently with Afro-American materials?" Hanes Walton, Jr., author of *Invisible Politics: Black Political Behavior*, believes the area was long considered an "offbeat field . . . an academic graveyard for the young scholar who sought academic respectability." One might write an article or two on the subject but then move on to other topics—voting behavior, Congress, public policy—deemed more "worthy of sustained interest and reflection."

Wilson and Walton offer different ex-

planations for this situation. Wilson notes a decline of scholarly interest in urban politics and a lack of empirical data to analyze, given relatively small black subsamples in national polls. Walton blames changes in the nation's popular mood and the acceptance of negative stereotypes of blacks in politics. Both men, though, fail to get at the problem of previous research on black politics, research that too often treated black political behavior, attitudes, and organization as if they had little relevance to the overall study of American political behavior. Narrow case studies in themselves are not very useful in increasing our understanding of national politics. To understand "black politics," one must go beyond the uniqueness of its "black" component. Research on black voters and black leaders ought to begin with—and ultimately enrich—our understanding of American voters and political leaders overall. Jeffrey Elliot's new book of interviews with 24 prominent black political leaders, *Black Voices in American Politics*, might have been a step in the right direction. It shows us, indirectly at least, that black politics can be studied not just in a vacuum but within the context of American political attitudes, behavior, and dynamics.

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***Black politics has remained a lesser, neglected field among political scientists.***

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In *Black Voices* we meet politically involved blacks with a broad range of political and governmental experience, divided into categories: congressmen, cabinet officers, judges, interest group leaders, and, finally, mayors and other officials. Elliot, a professor of political science at North Carolina Central University, went to a considerable amount of trouble

preparing for the interviews and selecting the right mix of interviewees. Still, there is a real lack of continuity in what is being asked, reflecting a lack of clarity about what Elliot is trying to illustrate in each interview. No central themes are apparent beyond a vague notion of "Here is what different people have to say about different things." The reader is left to decide for himself whether an overarching portrait can be made of black leaders in American politics. Elliot might have presented more squarely the different roles played by these figures and their own estimations of those roles.

Congressman Gus Savage of Chicago starts his interview by stating, "I don't represent Blacks in my district . . . I represent Americans: Blacks, Whites, Hispanics, and others." But he eventually gets around to saying that he will not talk to white journalists or to black journalists working for "white" papers or magazines. Savage believes that Jews favored quotas only for themselves while they were on the "outside," and also thinks that compromise, "logrolling," and other aspects of congressional dealing are not worth the time or trouble. In contrast, Mayor Harvey Gantt of Charlotte, North Carolina, the first black to enter Clemson University back in 1963, talks about the primacy of political organization, which requires skills different from those used in older brands of protest or civil rights politics. Gantt's unabashed goals are bargaining power and alterations in public policy that are favorable to the black community. Similarly, Congressman Major Owens of Brooklyn talks about his own early experiences trying to get Brooklyn's chapter of CORE to move from "confrontational politics" to more mainstream political activism, "using the system to effect change."

Are these role differences dictated by the need to serve distinct constituencies? Savage's congressional district in Chicago is nearly 80 percent black. Gantt repre-

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*Paul Jeffrey Stekler is professor of political science at Tulane University, New Orleans, Louisiana.*

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sents an electorate in Charlotte that is only 20 percent black. Then again Owens, who in philosophy seems more like Gantt than Savage, serves a district that is, like Savage's, predominantly black. These role contrasts are wonderful living illustrations of the important transition from protest to electoral politics that is still taking place in the black community. They are similar to the race-versus-political style differences that James Q. Wilson wrote about when he compared Adam Clayton Powell and William Dawson more than 25 years ago. Elliot should either have brought out more such centralizing themes in his questions or added his own thoughts in some concluding section of the book. Instead, many of the interviews merely go over the familiar ground of partisan rhetoric, such as when Congressman Louis Stokes asserts, "President Reagan's . . . administration appears to have declared war on black Americans." One could read *Time* or *Newsweek* to get that surface level of political information. If Elliot really wanted to focus on black leaders' opinions of Reagan, he might have asked for more and better specifics.

The interviews suffer from a detached style of interviewing. While a basic interview provides us with information that we would not otherwise have, an interview conducted by someone who can prompt his subjects with other information helps to make the person interviewed do a better job of backing up his own claims. More rigorous interviewing also rounds out our understanding of the areas being covered. Too often Elliot defers to the people he is interviewing in *Black Voices*. For example, Mayor Dutch Morial of New Orleans is permitted to cite his administration's efforts to promote minority business, but is not asked about the extremely low level of city contracts awarded minority companies in New Orleans during his two terms, compared to other cities with black mayors, like Atlanta. Congressman Parren Mitchell says that decisions made by the

Small Business Administration are directly responsible for the state of minority enterprise, a statement that might be just a bit exaggerated.

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***Here are wonderful living illustrations of the important transition from protest to electoral politics in the black community.***

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Readers could have used more of an authorial presence in this book. But having said that, I think *Black Voices* does have it rewards and is worth reading for them. At its best, it gives us some wonderful portraits of blacks in politics. There is diversity in their backgrounds, in what is important to them, in their experiences in politics and government. We hear about Lyndon Johnson telling Clifford Alexander, later Secretary of the Army in the Carter administration, that he is going to nominate Thurgood Marshall to the Supreme Court. "He's not like you," Johnson told Alexander. "He's not from Harvard and all that. He's like me. He's one of the people." We read about Major Owens's burning desire to be a writer and Tuskegee Mayor Johnny Ford's alliance with George Wallace. We hear about District of Columbia Court of Appeals Chief Justice Theodore Newman's father, an active Republican in the pre-civil rights South, and about the struggles of Reverend Benjamin Chavis, jailed with the Wilmington Ten for almost five years. The book brings readers into contact with a wide range of people that they would not normally be exposed to and illustrates a diversity in black politics in America not at all evident in the press's coverage of it. *Black Voices* makes no attempt to explain black politics, but for a close look at who the black leaders of today are, one could do much worse. ☐

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# Letters

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## Busing in Boston

*To the Editor:*

In his more than 400 memoranda of opinion and orders, Judge W. Arthur Garrity has never discussed, prescribed, or espoused "racial balancing." He did discuss and prescribe remedies for the wrongs of racial isolation of students, the racial identifiability of schools, and racial dualism in the policies and administration of the Boston public school system.

Elizabeth Marek ["Education by Decree," Summer 1985] says "total school enrollment fell by nearly 43 percent" in Boston from 1973 to 1985. In fact, total enrollment was 88,000 in 1973 and 60,000 in 1985. This is a "fall" of 32 percent, approximated or exceeded by a majority of the 200 school districts of the Commonwealth of Massachusetts, and closely paralleled by the rate of decline in parochial schools. Where, then, did the children go? Not to Boston's 22 main suburbs, where declines equalled those in Boston, and not into parochial schools. There are three validatable sources of decline: 1, a precipitous decline in annual births, beginning in 1963 and continuing through 1980; 2, a high out-migration of households from Boston, indeed most of New England, toward the Sunbelt region, beginning in 1970 and accelerating annually through 1978; and 3, withdrawals from public schools triggered by the desegregation dispute and limited to the years 1974-1977.

Marek claims that "black children are being bused miles from their homes to schools which are already predominantly black." The distances travelled are shorter than the average distances travelled in the other districts of the Commonwealth. In 1973, 90 percent of all black students in the Boston system walked or were bused to schools that were

85 percent or more black in enrollment, and they often travelled miles in buses that passed schools that were 90 to 100 percent white in order to get to their assigned, segregated schools. This is the wrong that has been remedied, and there are no such segregated schools in Boston today, including in East Boston.

The evidence is that student withdrawal rates, suspension rates, and academic failure rates are down substantially over what they were in 1973; that attendance rates are up; that achievement test scores have improved significantly relative to 1973; that the curriculum has been reformed and updated citywide; that special educational services and bilingual instruction not previously available are now available; that fire-unsafe and structurally dilapidated facilities have been improved or closed for school use; and that the college-going rate is higher in every high school now than it was in 1973.

Marek claims that Judge Garrity, "in adhering to an inflexible desegregation script written by a unanimous Supreme Court," was left with no degree of freedom with which "to accommodate Boston's unique social and historical background of insular ethnic neighborhoods and inter-ethnic suspicion." The Constitution itself obliges such adherence. There is no way to conceive of Supreme Court decisions, grounded in disputes that have failed of resolution time and again in lower forums, that are less than firm and inflexible, although any student of school desegregation who looks at court-approved remedial plans will find they express a vast diversity of approaches, all of them acceptable under the Supreme Court "script," Marek's artful term for the law of the land.

What reasonable and prudent citizen would expect a Federal district court to accommodate—that is, fit—a remedy for grave racial injustice to the circumstances of "insular ethnic neighborhoods and inter-ethnic suspicion," themselves two of

the sources of the injustice itself?

**Robert A. Dentler**

Lexington, Mass.

*Mr. Dentler was a court-appointed special master in the Boston desegregation case.*

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*To the Editor:*

Elizabeth Marek's discussion of school desegregation in Boston contains its share of factual inaccuracies and omissions. Contrary to her statement, the examination schools are indeed subject to court orders to enroll a minimum of 35 percent black and Hispanic students. Enrollment figures published by the Boston School Department prior to the desegregation order are generally considered to be grossly inflated, and an inordinate percentage of the city's white population has always attended private schools. Major unstated reasons for the huge increase in per-pupil expenditures are state-mandated transitional bilingual education programs, which were introduced in 1972, and more significantly special education programs, which were introduced in Massachusetts in 1974. Contrary to Marek's implications, the Court did try the redrawing of district lines, a change of feeder patterns, uniform grade structure, and the use of magnet schools; all of these remain part of the desegregation remedy. And finally, the judge's correct name is W. Arthur Garrity, Jr.

More troubling is Marek's suggestion that a District Court, and for that matter the United State Supreme Court, should sidestep their obligation to enforce the Constitution because of "local political and social constraints." Marek writes that "Judge Garrity's order—along with the Boston School Committee's determined efforts to obstruct it—caused massive chaos throughout the school system." This is to equate those seeking to enforce

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the law with those who had been found guilty of violating it. Critics of desegregation in Boston would do well to read Judge Garrity's extensive liability opinion for a true sense of how abhorrent the situation was, and how ludicrous it is to suggest that "problems [that] existed prior to 1974 . . . were well on the way to being fixed." The sad truth is that no viable alternatives were ever proposed, and that political and civic leaders responded to the Court's findings with benign neglect at best, but more often with outright hostility. It was this failure of supposedly responsible leadership, and not the Judge's orders, that created chaos; and it is analyses like Marek's that vindicate such obstructionists.

**Robert H. Blumenthal**

Quincy, Mass.

*Mr. Blumenthal has been a Special Assistant Attorney General for the Commonwealth of Massachusetts in the Boston desegregation case since 1978.*

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*Elizabeth Marek replies:*

The letters of Mssrs. Blumenthal and Dentler illustrate the degree of controversy surrounding many aspects of the Boston school desegregation case. First, the enrollment figures. Mr. Blumenthal suggests that the Boston School Department's numbers may be grossly inflated. In fact, there is little agreement on this point. For example, estimates of how many white students left or failed to enroll in the public school system in the first two years of implementation alone range from 8,000 (Mr. Dentler's figure) to 16,000 (David Armor's calculation). Similarly, the School Department states that there were approximately 94,000 children in the Boston public school system in 1973, one year prior to the desegregation order, and approximately 57,000 children in 1985. That would

mean a drop of 36,000. But Mr. Dentler cites figures of 88,000 and 60,000 respectively. Averaging the two still leaves a decline of 32,000 students, or between 40 and 32 percent.

I appreciate Mr. Dentler's enunciation of the non-desegregation-related reasons for this decline, especially with regard to the white school population. Of course, this complements rather than contradicts the arguments expressed in my article. I explicitly stated that the white decline was *not* entirely, or even primarily, due to the desegregation order. Rather, I asserted that only 25 to 50 percent of the decline can be so explained. I am sure that the reasons stated by Mr. Dentler account for much of the remainder.

Clearly, a balanced picture of the effects of desegregation was not acceptable to Mr. Dentler, who insists on presenting only one side of the story. I agree with Mr. Dentler that test scores for both blacks and whites rose considerably during the decade of desegregation, and that suspension rates are down. On the other hand I told, as Mr. Dentler does not, the other side of the story: test scores for both black and white students remain well below the national median. My point is this: ending segregation in the Boston school system obviously had beneficial effects on both black and white students, but had as much money been poured into other efforts as it was into mandatory busing and all the accompanying necessities, the positive effects might have been far greater.

Disturbingly, both Mr. Dentler and Mr. Blumenthal misrepresent the point of my article. I explicitly acknowledged and condemned the *de jure* segregation which existed prior to 1973. I agree that it was a wrong which had to be remedied. My concern was, however, with the nature of the remedy itself, and whether mandatory busing was, in the long run, the most effective way to right that wrong.

Mr. Dentler is quite right in his

assertion that the *de jure* segregation of the Boston school system is now gone. However, due *in part* to Judge Garrity's desegregation order, this *de jure* segregation has been replaced not by true integration, but by *de facto* segregation. If black students are no longer required to travel past majority-white schools to assigned majority-black schools, the fact remains that most of Boston's school children still attend schools which are less than 25 percent white, and many attend schools which are 90 to 100 percent non-white. If, as Mr. Dentler argues, court-approved remedial plans do express a vast diversity of approaches, surely one could have been found which produced less disturbance in the short run, and more integration in the long run, with less hostility and bitterness all around.

## Voting Rights

*To the Editor:*

Barry Gross, in his review ["Voting by Color," Spring 1985] of *Minority Vote Dilution*, a collection of essays I edited under the auspices of the Joint Center for Political Studies, is at pains to argue that legal remedies for the dilution of minority votes will lead to "individuals represented by persons of their own race," a phenomenon which "is entirely foreign to American political life."

Gross is half right. Black individuals from 1619 to the present have seldom been represented by people of their own race in elective office. Indeed, the evidence is strikingly clear that blacks have for long periods of time not been represented by members of their own *or any other* race. For centuries their interests have gone unrepresented in the halls of government.

But where whites are concerned, Gross is quite wrong. They have been overwhelmingly represented by people of

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their own race, and this continues in most jurisdictions today. Not a single white person in the United States is represented by a black U.S. Senator, for example. Only a very small minority of whites has ever been represented by a black Congressman. (There are now two blacks in the entire 116-person Southern Congressional delegation, although one out of five Southerners is black.) About 1.5 percent of all office-holders in the country today are black. Whites, with few exceptions, have historically been represented by whites, even in states and cities with large black majorities.

While the situation is slowly changing, often as a result of vote dilution litigation, whites and blacks still continue to be represented by whites, partly because of election laws and practices—at-large elections and racial gerrymanders, for example—that combine with a widespread tendency among whites to vote only for white candidates, with the result that black candidates, no matter how well qualified, lose. In many cases, the laws or practices that keep blacks from electing candidates of their choice have been effected intentionally for this purpose.

Recently-modified Section 2 of the Voting Rights Act, as well as the Constitution as it is interpreted by the Supreme Court, provide relief to racial and language minority plaintiffs in cases where it can be shown that because they are denied equal access to the political system, they are unable to elect candidates of their choice to office.

Remedies usually involve redrawing racially gerrymandered districts, or creating some single-member districts, although contrary to Gross's assumption, there is no guarantee in these remedies that any minority candidate will win, for the simple reason that minority candidates have no constitutional or statutory right to win or hold office. Indeed, several such single-member districts with a "minority majority" are represented by

whites.

Contrary to Gross's assertion, I do not argue that to remedy vote dilution, "the only option is to redraw the map to guarantee that some minority candidates win." The spirit of both Section 2 and the Supreme Court decisions in providing remedies is to allow minorities a fair opportunity to elect candidates of their choice—not to guarantee the election of minority candidates. However, my expectation is that in the foreseeable future, blacks and Mexican Americans in many jurisdictions where they are highly concentrated and where they have long been excluded from effective participation will generally prefer candidates of their own ethnicity, just as whites do.

The burden on minority plaintiffs in vote dilution cases is great, even after the amendment to Section 2 in 1982, which overcame the intent standard enunciated in the *Bolden* case two years earlier. About one-third of the decisions rendered in this type of action between 1982 and 1985 have favored defendants.

Gross apparently does not believe that such relief should be provided, no matter how heavy the burden on plaintiffs in these cases. The contributors to *Minority Vote Dilution*, along with the Supreme Court and the vast majority of Congress, believe otherwise. Our book gives an account, partly based on moral premises, partly on constitutional ones, of why we believe this, and what the legal implications are—an account that was largely ignored or garbled in Gross's review.

**Chandler Davidson**  
Department of Sociology  
Rice University  
Houston, Texas

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*Barry Gross replies:*

Chandler Davidson begins well, but he

argues badly and so ends ill. In his letter he first agrees that blacks have no constitutional right to win elections; but readers will see that claim is what fuels his book. And later in the letter, anyway, he takes it back. Rightly pointing out the shameful immorality and unconstitutionality of blacks being denied the vote and any representation at all except for the brief Reconstruction period, while whites were uniformly elected to office, he thinks the wrong would be redressed if now only blacks were elected to represent blacks. But the Federal and State constitutions accord representation only to political subdivisions—States, congressional districts, cities, assembly districts—and not to races or ethnic groups. His call is unconstitutional and reproduces exactly the legal separation of the races which is at the bottom of his justified complaint.

The precedent he wishes to set is dangerous. For it will divide the nation along the fault lines of race and ethnicity, bringing with it calls from other racial and ethnic groups for their share of the electoral pie. Can a sociologist be so naive as to think that, among and even within minorities, interests will not splinter? Hasn't he noticed the chill between black and Hispanic leaders and between black Manhattan and Brooklyn political organizations in the recent New York mayoral primary?

Davidson belongs to the "glass is half empty" school of social analysis. Has the number of black elected officials in the U.S. gone from near zero in 1963 to 5,115 in 1983? That doesn't count. Are there black mayors in at least nine major cities including Los Angeles, Chicago, New Orleans, and Philadelphia—whereas there were none in 1963? Irrelevant. Whites won't vote for blacks? How did Dutch Morial, Tom Bradley, and Wilson Goode get elected? How did Bradley come within less than one percent of the winning vote in the last California gubernatorial



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election? Ron Dellums gets white votes.

Davidson says that present laws and practices intentionally keep blacks from "electing candidates of their choice." No one and no group has the right to *elect* candidates of their choice. All the Constitution requires and all it should require is that eligible persons can cast a vote. That vote is as good, is worth just as much, as any other vote. What on earth could an "undiluted vote" be? Each vote counts for one and none counts for more than that. I could understand Davidson's complaint if, say, a white vote were worth one, but a black vote counted for three-fifths—but it doesn't. If a vote is called diluted merely when your candidate doesn't win, then most of my votes are drowned. My candidates usually don't even get nominated. Davidson owes us an explanation that doesn't presume unconstitutionally that blacks have a right to win.

Davidson says that I don't believe relief should be given black plaintiffs no matter how stiff a requirement of proof they meet. Not so. I testified at the Senate hearings on amending Section 2 of the 1965 Voting Rights Act that plaintiffs should prevail when they meet the intent standard. That is, when they prove what Davidson alleges, that a law or practice *intentionally* burdens blacks because they are black. The black plaintiffs did prove intent in the well-fought case of *Mobile v. Bolden*, though from all the crying one might be forgiven for thinking they lost.

Davidson's complaint is not that he can never win, it is that he can't win as often as he likes. That's why he was happy to see the intent standard eliminated in the "compromise" on Section 2 that was passed in 1982. What he really thinks is that whenever you can show that black officials are not elected in proportion to their numbers in the electorate, they are discriminated against. Since they almost never are elected in that proportion, one could almost always posit discrimination.

That's why he argues the way he does: two of 116 Southern Congressmen are black though 20 percent of Southerners are black; 1.5 percent of office-holders are black, though blacks are 11.7 percent of the population.

Davidson lives in a never-never land where blacks and Mexican-Americans will vote a solid minority ticket. In reality they often won't. Robert Clark lost in Mississippi, even after the Justice Department fixed his district so that it had a majority black population. Lindy Boggs, Peter Rodino, and Joseph Addabbo all managed to win in largely black districts.

Social processes are very slow, working over generations. The improvement in black social, economic, and political position since 1960 has, from the point of view of the horrors of 25 years ago, been blindingly rapid. Yes, there is a way to go yet. There will always be a way to go, because this is not Utopia, but the real world. To argue that little or nothing has been accomplished, that things are bad and getting worse, only makes the Farrakhans attractive and that's no help at all.

## Women's Studies

*To the Editor:*

We are disturbed by Michael Levin's purported survey and assessment of Women's Studies as an academic field ["Women's Studies: Ersatz Scholarship," Summer 1985]. His passing acquaintance with Women's Studies enables him to ask several of the right questions: Is the teaching of Women's Studies ideological? What does Women's Studies scholarship offer that is new? But readers of *New Perspectives* have been denied even a modicum of responsible discussion of these issues. Levin's analytical "method" is to cite one reading list here, one popular article there, one person's

examination question here, one student comment there. He does not cite a single book in Women's Studies published in the last five years. Although a teacher of philosophy, he neglects to explore the now substantial literature in feminist philosophy further than a three word aside about Jane English's book ("aspire[s] to fairness") and a quote from a sentence of one article—and that published not in a philosophy or Women's Studies journal, but in *Change: A Journal of Higher Learning*, on a single issue of which he relies for one-third of his footnotes. And there is not a single reference to any material in Women's Studies journals.

Readers interested in something better than a distorted caricature of feminist philosophy may wish to consult the following work, all published since 1980: Jane English, ed., *Feminism and Philosophy*; Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory*; Carol C. Gould, ed., *Beyond Domination: New Perspectives on Women and Philosophy*; Alison M. Jaggar, *Feminist Politics and Human Nature*; Mary Midgley and Judith Hughes, *Women's Choices: Philosophical Problems Facing Feminism*; Janet Radcliffe Richards, *The Sceptical Feminist: A Philosophical Enquiry*; and Mary Vetterling-Braggin, ed., "Femininity," "Masculinity," and "Androgyny"; *A Modern Philosophical Discussion*. In addition, *Signs: Journal of Women in Culture and Society*, *Feminist Studies*, *Quest*, *Feminist Review*, and *Women's Review of Books* are only a few of the 30-odd journals commonly listed in Women's Studies bibliographies used by major university reference collections.

Articles with a Women's Studies focus can also be found in the major journals of most of the special disciplines, and special Women's Studies issues of such journals as *Yale French Studies* and *Diacritics* have appeared. It is relevant to note that Women's Studies scholarship is regularly

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published in refereed journals in related disciplines and is funded, to cite examples from our own experience, by grants from such organizations as the American Council of Learned Societies, the Ford, Guggenheim, Mellon, and Rockefeller foundations, NEH, NSF, and NIMH. Most of these organizations depend on peer review panels that apparently have "deemed important" a good deal of Women's Studies scholarship. Levin is, of course, entitled to believe that all such groups have erred in their positive judgments, but the weight of scholarly opinion fails to support his evaluation.

Levin writes that "Male students I have asked say they take them [Women's Studies courses] as an easy 'A.'" But in the regular anonymous course evaluations of Women's Studies classes at Cornell, both female and male students report that they work as hard or harder for these classes—which they describe as challenging and important—as for other classes they are taking. Here as in many major universities, there is not the separation Levin implies between Women's Studies and "traditional departments." At Cornell, Women's Studies is a program, not a department. Our own courses are mostly co-offered by appropriate departments. And our faculty have their primary appointments in such departments. Major Women's Studies programs at Wisconsin, Michigan, Stanford, Rutgers, and elsewhere are similarly structured.

It is ironic that Levin concludes his dismissal of Women's Studies scholarship with the comment that he finds it impossible "in a short essay to describe the sort of advanced research that is done in Women's Studies." We are apparently supposed to take Levin's word for it that Women's Studies scholarship has produced "no new subject" and no new evidence "at variance with ordinary facts or ideas of history."

*New Perspectives* readers deserve

better. If space or other considerations make commissioning only a single perspective on a particular subject necessary, then the editors owe their readers something other than tendentious, irresponsible and ersatz scholarly analysis.

Sincerely,

**Mary Fainsod Katzenstein**  
Department of Government  
Cornell University  
Ithaca, New York

**Sally McConnell-Ginet**  
Department of Modern  
Languages and Linguistics  
Cornell University  
Ithaca, New York

*This letter was cosigned by the following other members of Cornell's Women's Studies Executive Board: Richard N. Boyd (Philosophy), Chandra Talpade Mohanty (Mellon Fellow), Alice H. Cook (Industrial and Labor Relations), Zillah R. Eisenstein (Politics, Ithaca College), Dayydd Greenwood (Anthropology), Isabel V. Hull (History), Biddy Martin (German Literature), Joan Jacobs Brumberg (Human Development and Family Studies), and Mary Beth Norton (History).*

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*Michael Levin replies:*

The Cornell group nowhere disputes my principal claim that Women's Studies is inherently doctrinaire—simply the classroom advocacy of feminist ideology. Nor is this claim challenged by the recent "substantial literature" they advertise but prudently do not quote. Thus Janet Richards—lucid and rigorous, relatively speaking—writes: "The facts are stark, but beyond any question. All social arrangements, institutions and customs [concerning the sexes] were designed to ensure that women should be in the power

and service of men. This no doubt sounds like pure feminist rant, but it is not." Yes it is, and it is not scholarship.

Or one might consider the 1978 Special Issue of *Feminist Studies* on "Motherhood," whose editor, noting that "there is so much death" in the selections, is moved to wonder "about the topos of the dead baby." Her predictable diagnosis: "motherhood under patriarchy means the death of the self." Then there is the vast literature defending preposterous forms of relativism. Writing on "the male epistemological stance" in the 1982 *Signs*, Catherine MacKinnon asserts: "Aperspectivity is revealed as a strategy of male hegemony." Renate Klein drew the practical corollary in the 1983 *Theories of Women's Studies*: "value free research . . . has to be replaced by conscious partiality, active participation in actions for women's struggles." This is drivel, and inconsistent with academic freedom, whoever funds and publishes it.

Supporters of academic feminism dismiss any sample of feminist scholarship, however extensive, as biased. But even if my embarrassing citations were atypical (and any reader of *Feminist Studies* or Pergamon Press's "Athene Series of Feminist Books" will recognize that they are not), why has no other academic discipline produced a fringe anywhere nearly as lurid? In fact, such travesties are just what one would expect from a "study" created entirely for non-pedagogical reasons.

As my article noted, there is much to be explored about the biology, sociology and anthropology of the sexes. The Cornell group fails to explain why traditional academic departments cannot do this work, and thus fails to dispel the idea that *nouveau* interdisciplinary "programs" serve only to perpetuate the irrationality that created Women's Studies in the 1960s.

The U.S. Commission on Civil Rights is a temporary, independent, bipartisan agency first established by Congress in 1957 and reestablished in 1983. It is directed to:

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Appraise Federal laws and policies with respect to the denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;

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