

WHAT SO ★ PROUDLY ★ WE HAIL

The American Soul in Story, Speech, and Song

Affirmative Action, from *The Content of Our Character*

SHELBY STEELE

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*One of the most vexing questions about American race relations concerns the wisdom and fairness of our programs of affirmative action, practices that, in the name of justice and fairness, give one form or another of preferential treatment to blacks (and other victims of prior discrimination), in order to help them overcome the handicaps incurred as a result of prior injustice and deprivation. As the last selection indicates, the legal debates turn on whether such racial preferences fall afoul of the Equal Protection Clause (and also the Due Process Clause) of the Fourteenth Amendment. But there are also social and psychological arguments about the benefits and harms of affirmative action, both to the broader society and to the presumptive beneficiaries of the practice. The social and personal arguments in favor of affirmative action are well known: to diminish racial tensions by promoting greater racial equality; to provide disadvantaged persons a leg up in their pursuit of a worthy life. But the possible costs of the practice are less openly discussed. That is the subject of this selection, “Affirmative Action: The Price of Preference,” by prize-winning author, columnist, scholar, and filmmaker, Shelby Steele (b. 1946), taken from his 1990 bestselling book, *The Content of Our Character: A New Vision of Race in America*.*

Steele grants the good intentions of affirmative action but is worried about its effects. Is he right in doing so? Why does Steele distinguish between racial representation and racial development? List the various reasons that Steele gives for thinking that blacks may lose more from affirmative action than they gain? Which of these, if any, do you find compelling, and why? What is the effect of affirmative action on racist attitudes and discrimination? What form of affirmative action does Steele believe will truly contribute to black empowerment and progress?

In a few short years, when my two children will be applying to college, the affirmative action policies by which most universities offer black students some form of preferential treatment will present me with a dilemma. I am a middle-class black, a college professor, far from wealthy, but also well-removed from the kind of deprivation that would qualify my children for the label “disadvantaged.” Both of them have endured racial insensitivity from whites. They have been called names, have suffered slights, and have experienced

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firsthand the peculiar malevolence that racism brings out in people. Yet, they have never experienced racial discrimination, have never been stopped by their race on any path that they have chosen to follow. Still, their society now tells them that if they will only designate themselves as black on their college applications, they will likely do better in the college lottery than if they conceal this fact. I think there is something of a Faustian bargain in this.

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Of course, many blacks and a considerable number of whites would say that I was sanctimoniously making affirmative action into a test of character. They would say that this small preference is the meagerest recompense for centuries of unrelieved oppression. And to these arguments other very obvious facts must be added. In America, many marginally competent or flatly incompetent whites are hired every day—some because their white skin suits the conscious or unconscious racial preference of their employers. The white children of alumni are often grandfathered into elite universities in what can only be seen as a residual benefit of historic white privilege. Worse, white incompetence is always an individual matter, but for blacks it is often confirmation of ugly stereotypes. Given that unfairness cuts both ways, doesn't it only balance the scales of history, doesn't this repay, in a small way, the systematic denial under which my children's grandfather lived out his days?

In theory, affirmative action certainly has all the moral symmetry that fairness requires—the injustice of historical and even contemporary white advantage is offset with black advantage; preference replaces prejudice, inclusion answers exclusion. It is reformist and corrective, even repentant and redemptive. And I would never sneer at these good intentions. Born in the late forties in Chicago, I started my education (a charitable term in this case) in a segregated school and suffered all the indignities that come to blacks in a segregated society. My father, born in the South, made it only to the third grade before the white man's fields took permanent priority over his formal education. And though he educated himself into an advanced reader with an almost professorial authority, he could only drive a truck for a living, and never earned more than \$90 a week in his entire life. So yes, it is crucial to my sense of citizenship, to my ability to identify with the spirit and the interests of America, to know that this country, however imperfectly, recognizes its past sins and wishes to correct them.

Yet good intentions can blind us to the effects they generate when implemented. In our society affirmative action is, among other things, a testament to white goodwill and to black power, and in the midst of these heavy investments its effects can be hard to see.

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But after twenty years of implementation I think that affirmative action has shown itself to be more bad than good and that blacks—whom I will focus on in this essay—now stand to lose more from it than they gain.

In talking with affirmative action administrators and with blacks and whites in general, I found that supporters of affirmative action focus on its good intentions while detractors emphasize its negative effects. Proponents talk about “diversity” and “pluralism”; opponents speak of “reverse discrimination,” the unfairness of quotas and set-asides. It was virtually impossible to find people outside either camp. The closest I came was a white male manager at a large computer company who said, “I think it amounts to reverse discrimination, but I’ll put up with a little of that for a little more diversity.” I’ll live with a little of the effect to gain a little of the intention, he seemed to be saying. But this only makes him a halfhearted supporter of affirmative action. I think many people who don’t really like affirmative action support it to one degree or another anyway.

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I believe they do this because of what happened to white and black Americans in the crucible of the sixties, when whites were confronted with their racial guilt and blacks tasted their first real power. In that stormy time white absolution and black power coalesced into virtual mandates for society. Affirmative action became a meeting ground for those mandates in the law, and in the late sixties and early seventies it underwent a remarkable escalation of its mission from simple anti-discrimination enforcement to social engineering by means of quotas, goals, timetables, set-asides and other forms of preferential treatment.

Legally, this was achieved through a series of executive orders and EEOC [Equal Employment Opportunity Commission] guidelines that allowed racial imbalances in the workplace to stand as proof of racial discrimination. Once it could be assumed that discrimination explained racial imbalances, it became easy to justify group remedies to presumed discrimination rather than the normal case-by-case redress for proven discrimination. Preferential treatment through quotas, goals, and so on is designed to correct imbalances based on the assumption that they always indicate discrimination. This expansion of what constitutes discrimination allowed affirmative action to escalate into the business of social engineering in the name of anti-discrimination, to push society toward statistically proportionate racial representation, without any obligation of proving actual discrimination.

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What accounted for this shift, I believe, was the white mandate to achieve a new racial innocence and the black mandate to gain power. Even though blacks had made great advances during the sixties without quotas, these mandates, which came to a head in the very late sixties, could no longer be satisfied by anything less than racial preferences. I don't think these mandates in themselves were wrong, because whites clearly needed to do better by blacks and blacks needed more real power in society. But, as they came together in affirmative action, their effect was to distort our understanding of racial discrimination in a way that allowed us to offer the remediation of preference on the basis of mere color rather than actual injury. By making black the color of preference, these mandates have reburdened society with the very marriage of color and preference (in reverse) that we set out to eradicate. The old sin is reaffirmed in a new guise.

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But the essential problems with this form of affirmative action is the way it leaps over the hard business of developing a formerly oppressed people to the point where they can achieve proportionate representation on their own (given equal opportunity) and goes straight for the proportionate representation. This may satisfy some whites of their innocence and some blacks of their power, but it does very little to truly uplift blacks.

A white female affirmative action officer at an Ivy League university told me what many supporters of affirmative action now say: "We're after diversity. We ideally want a student body where racial and ethnic groups are represented according to their proportion in society." When affirmative action escalated into social engineering, diversity became a golden word. It grants whites an egalitarian fairness (innocence) and blacks an entitlement to proportionate representation (power). *Diversity* is a term that applies democratic principles to races and cultures rather than to citizens, despite the fact that there is nothing to indicate that real diversity is the same thing as proportionate representation. Too often the result of this, on campuses (for example) has been a democracy of colors rather than of people, an artificial diversity that gives the appearance of an educational parity between black and white students that has not yet been achieved in reality. Here again, racial preferences allow society to leapfrog over the difficult problem of developing blacks to parity with whites and into a cosmetic diversity that covers the blemish of disparity—a full six years after admission, only 26 percent of blacks graduate from college.

Racial representation is not the same thing as racial development, yet affirmative action fosters a confusion of these very different needs. Representation can be manufactured; development is always hard-earned. However, it is the music of innocence

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and power that we hear in affirmative action that causes us to cling to it and to its distracting emphasis on representation. The fact is that after twenty years of racial preferences the gap between white and black median income is greater than it was in the seventies. None of this is to say that blacks don't need policies that insure our right to equal opportunity, but what we need more of is the development that will let us take advantage of society's efforts to include us.

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I think one of the most troubling effects of racial preferences for blacks is a kind of demoralization, or put another way, an enlargement of self-doubt. Under affirmative action, the quality that earns us preferential treatment is an implied inferiority. However this inferiority is explained—and it is easily enough explained by the myriad deprivations that grew out of our oppression—it is still inferiority. There are explanations, and then there is the fact. And the fact must be borne by the individual as a condition apart from the explanation, apart even from the fact that others like himself also bear this condition. In integrated situations in which blacks must compete with whites who may be better prepared, these explanations may quickly wear thin and expose the individual to racial as well as personal self-doubt.

All of this is compounded by the cultural myth of black inferiority that blacks have always lived with. What this means in practical terms is that when blacks deliver themselves into integrated situations, they encounter a nasty little reflex in whites, a mindless, atavistic reflex that responds to the color black with alarm. Attributions may follow this alarm if the white cares to indulge them, and if they do, they will most likely be negative—one such attribution is intellectual ineptness. I think this reflex and the attributions that may follow it embarrass most whites today, therefore, it is usually quickly repressed. Nevertheless, on an equally atavistic level, the black will be aware of the reflex his color triggers and will feel a stab of horror at seeing himself reflected in this way. He, too, will do a quick repression, but a lifetime of such stabbings is what constitutes his inner realm of racial doubt.

The effects of this may be a subject for another essay. The point here is that the implication of inferiority that racial preferences engender in both the white and black mind expands rather than contracts this doubt. Even when the black sees no implication of inferiority in racial preferences, he knows that whites do, so that—consciously or unconsciously—the result is virtually the same. The effect of preferential treatment—the lowering of normal standards to increase black representation—puts blacks at war with an expanded realm of debilitating doubt, so that the doubt itself becomes an unrecognized

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preoccupation that undermines their ability to perform, especially in integrated situations. On largely white campuses, blacks are five times more likely to drop out than whites. Preferential treatment, no matter how it is justified in the light of day, subjects blacks to a midnight of self-doubt, and so often transforms their advantage into a revolving door.

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Another liability of affirmative action comes from the fact that it indirectly encourages blacks to exploit their own past victimization as a source of power and privilege. Victimization, like implied inferiority, is what justifies preference, so that to receive the benefits of preferential treatment one must, to some extent, become invested in the view of one's self as a victim. In this way, affirmative action nurtures a victim-focused identity in blacks. The obvious irony here is that we have become inadvertently invested in the very condition we are trying to overcome. Racial preferences send us the message that there is more power in our past suffering than in our present achievements—none of which could bring us a *preference* over others.

When power itself grows out of suffering, blacks are encouraged to expand the boundaries of what qualifies as racial oppression, a situation that can lead us to paint our victimization in vivid colors, even as we receive the benefits of preference. The same corporations and institutions that give us preference are also seen as our oppressors. At Stanford University, minority students—some of whom enjoy as much as \$15,000 a year in financial aid—recently took over the president's office demanding, among other things, more financial aid. The power to be found in victimization, like any power, is intoxicating and can lend itself to the creation of a new class of super-victims who can feel the pea of victimization under twenty mattresses. Preferential treatment rewards us for being underdogs rather than for moving beyond that status—a misplacement of incentives that, along with its deepening of our doubt, is more a yoke than a spur.

But, I think, one of the worst prices that blacks pay for preference has to do with an illusion. I saw this illusion at work recently in the mother of a middle-class black student who was going off to his first semester of college. "They owe us this, so don't think for a minute that you don't belong there." This is the logic by which many blacks, and some whites, justify affirmative action—it is something "owed," a form of reparation. But this logic overlooks a much harder and less digestible reality, that it is impossible to repay blacks living today for the historic suffering of the race. If all blacks were given a million dollars tomorrow it would not amount to a dime on the dollar for three centuries of oppression, nor would it dissolve the residues of that oppression that we still carry today. The concept of historic reparation grows out of man's need to impose on the world a

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degree of justice that simply does not exist. Suffering can be endured and overcome, it cannot be repaid. Blacks cannot be repaid for the injustice done to the race, but we can be corrupted by society's guilty gestures of repayment.

Affirmative action is such a gesture. It tells us that racial preferences can do for us what we cannot do for ourselves. The corruption here is in the hidden incentive *not* to do what we believe preferences will do. This is an incentive to be reliant on others just as we are struggling for self-reliance. And it keeps alive the illusion that we can find some deliverance in repayment. The hardest thing for any sufferer to accept is that his suffering excuses him from very little and never has enough currency to restore him. To think otherwise is to prolong the suffering.

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Several blacks I spoke with said they were still in favor of affirmative action because of the “subtle” discrimination blacks were subject to once on the job. One photojournalist said, “They have ways of ignoring you.” A black female television producer said, “You can't file a lawsuit when your boss doesn't invite you to the insider meetings without ruining your career. So we still need affirmative action.” Others mentioned the infamous “glass ceiling” through which blacks can see the top positions of authority but never reach them. But I don't think racial preferences are a protection against this subtle discrimination; I think they contribute to it.

In any workplace, racial preferences will always create two-tiered populations composed of preferreds and unpreferreds. This division makes automatic a perception of enhanced competence for the unpreferreds and of questionable competence for the preferreds—the former earned his way, even though others were given preference, while the latter made it by color as much as by preference. Racial preferences implicitly mark whites with an exaggerated superiority just as they mark blacks with an exaggerated inferiority. They not only reinforce America's oldest racial myth but, for blacks, they have the effect of stigmatizing the already stigmatized.

I think that much of the “subtle” discrimination that blacks talk about is often (not always) discrimination against the stigma of questionable competence that affirmative action delivers to blacks. In this sense, preferences scapegoat the very people they seek to help. And it may be that at a certain level employers impose a glass ceiling, but this may not be against the race so much as against the race's reputation for having advanced by color as much as by competence. Affirmative action makes a glass ceiling virtually necessary as a protection against the corruptions of preferential treatment. This ceiling is

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the point at which corporations shift the emphasis from color to competency and stop playing the affirmative action game. Here preference backfires for blacks and becomes a taint that holds them back. Of course, one could argue that this taint, which is, after all, in the minds of whites, becomes nothing more than an excuse to discriminate against blacks. And certainly the result is the same in either case—blacks don't get past the glass ceiling. But this argument does not get around the fact that racial preferences now taint this color with a new theme of suspicion that makes blacks even more vulnerable to discrimination. In this crucial yet gray area of perceived competence, preferences make whites look better than they are and blacks worse, while doing nothing whatever to stop the very real discrimination that blacks may encounter. I don't wish to justify the glass ceiling here, but only to suggest the very subtle ways that affirmative action revives rather than extinguishes the old rationalizations for racial discrimination.

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In education, a revolving door; in employment, a glass ceiling.

I believe affirmative action is problematic in our society because it tries to function like a social program. Rather than ask it to ensure equal opportunity we have demanded that it create parity between the races. But preferential treatment does not teach skills, or educate, or instill motivation. It only passes out entitlement by color, a situation that in my profession has created an unrealistically high demand for black professors. The social engineer's assumption is that this high demand will inspire more blacks to earn Ph.D.'s and join the profession. In fact, the number of blacks earning Ph.D.'s has declined in recent years. A Ph.D. must be developed from preschool on. He requires family and community support. He must acquire an entire system of values that enables him to work hard while delaying gratification. There are social programs, I believe, that can (and should) help blacks *develop* in all these areas, but entitlement by color is not a social program; it is a dubious reward for being black.

It now seems clear that the Supreme Court, in a series of recent decisions, is moving away from racial preferences. It has disallowed preferences except in instances of "identified discrimination," eroded the precedent that statistical racial imbalances are *prima facie* evidence of discrimination, and, in effect, granted white males the right to challenge consent degrees that use preference to achieve racial balances in the workplace. One civil rights leader said, "Night has fallen on civil rights." But I am not so sure. The effect of these decisions is to protect the constitutional rights of everyone, rather than to take rights away from blacks. What they do take away from blacks is the special entitlement to more rights than others that preferences must always grant. Night has

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fallen on racial preferences, not on the fundamental rights of black Americans. The reason for this shift, I believe, is that the white mandate for absolution from past racial sins has weakened considerably in the eighties. Whites are now less willing to endure unfairness to themselves in order to grant special entitlements to blacks, even when those entitlements are justified in the name of past suffering. Yet the black mandate for more power in society has remained unchanged. And I think part of the anxiety many blacks feel over these decisions has to do with the loss of black power that they may signal. We had won a certain specialness and now we are losing it.

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But the power we've lost by these decisions is really only the power that grows out of our victimization—the power to claim special entitlements under the law because of past oppression. This is not a very substantial or reliable power, and it is important that we know this so we can focus more exclusively on the kind of development that will bring enduring power. There is talk now that Congress may pass new legislation to compensate for these new limits on affirmative action. If this happens, I hope the focus will be on development and anti-discrimination, rather than entitlement, on achieving racial parity rather than jerry-building racial diversity.

I would also like to see affirmative action go back to its original purpose of enforcing equal opportunity—a purpose that in itself disallows racial preferences. We cannot be sure that the discriminatory impulse in America has yet been ashamed into extinction, and I believe affirmative action can make its greatest contribution by providing a rigorous vigilance in this area. I can guard constitutional rather than racial rights, and help institutions evolve standards of merit and selection that are appropriate to the institution's needs yet as free of racial bias as possible (again, with the understanding that racial imbalances are not always an indication of racial bias). One of the more important things affirmative action can do is to define exactly what racial discrimination is and how it might manifest itself within a specific institution. The impulse to discriminate *is* subtle and cannot be ferretted out unless its guises are made clear to people. Along with this there should be monitoring of institutions and heavy sanctions brought to bear when actual discrimination is found. This is the sort of affirmative action that America owes to blacks and itself. It goes after the evil of discrimination itself, while preferences only sidestep the evil and grant entitlement to its *presumed* victims.

But if not preferences, then what? I think we need social policies that are committed to two goals: the educational and economic development of disadvantaged people, regardless of race, and the eradication from our society—through close monitoring and

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severe sanctions—of racial, ethnic, or gender discrimination. Preferences will not get us to either of these goals, because they tend to benefit those who are not disadvantaged—middle-class white women and middle-class blacks—and attack one form of discrimination with another. Preferences are inexpensive and carry the glamour of good intentions—change the numbers and the good deed is done. To be against them is to be unkind. But I think the unkindest cut is to bestow on children like my own an undeserved advantage while neglecting the development of those disadvantaged children on the East Side of my city who will most likely never be in a position to benefit from a preference. Give my children fairness; give disadvantaged children a better shot at development—better elementary and secondary schools, job training, safer neighborhoods, better financial assistance for college, and so on. Fewer blacks go to college today than ten years ago; more black males of college age are in prison or under the control of the criminal justice system than in college. This despite racial preferences.

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The mandates of black power and white absolution out of which preferences emerged were not wrong in themselves. What was wrong was that both races focused more on the goals of those mandates than on the means to the goals. Blacks can have no real power without taking responsibility for their own educational and economic development. Whites can have no racial innocence without earning it by eradicating discrimination and helping the disadvantaged to develop. Because we ignored the means, the goals have not been reached, and the real work remains to be done.

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