

# Commentary

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## Is Affirmative Action on the Way Out? Should It Be?

### *A Symposium*

*William J. Bennett • Linda Chavez • Carl Cohen • Midge Decter*

*Terry Eastland • Joseph Epstein • Nathan Glazer • Lino A. Graglia*

*Tamar Jacoby • Randall Kennedy • Leslie Lenkowsky • Glenn C. Loury*

*John O'Sullivan • Orlando Patterson • Norman Podhoretz • Arch Puddington*

*Jim Sleeper • Abigail Thernstrom & Stephan Thernstrom*

*James Q. Wilson • Alan Wolfe*

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### Jim Sleeper

RECENTLY an Irish-American friend of working-class provenance who is a criminal-court administrator for the Commonwealth of Massachusetts turned his lunchtime conversation with me in Boston to the subject of affirmative action. "We need it," he said, somewhat to my surprise. He gestured up Beacon Hill toward the statehouse. "I could show you a dozen people in there with names like mine who are basically political hacks, but they're judges or deputy commissioners because their fathers were before

them. For 75 years, almost everybody in there has benefited from some kind of affirmative action. Without the more formal kind we have now, blacks wouldn't get in at all."

It was a prosaic, somewhat shabby defense: even if standards are little more compromised for blacks than they have sometimes been for the immigrant Irish, two wrongs do not make a right. But does it really matter? To walk in my friend's world is to appreciate the utility, even the wisdom, of posing such a question. Stay, then, for a moment, on his side of the debate.

For all Lyndon Johnson's ambitious rhetoric at Howard University about achieving "not just equality as a right . . . but . . . equality as a result," there was never anything quite that lofty about affirmative action's intentions. It was about enhancing the political clout of a racial group (later, of several racial groups) long shut out of the usual ethnic jockeying for better economic and social standing on the way to "first-class" citizenship. More specifically, affirmative action was about facilitating blacks' acculturation to long-closed workplaces, where the tools and skills of social advancement are acquired.

Anti-discrimination laws alone are not enough, this argument went. Unlike Pakistanis, Koreans, and more than a few Jamaicans and Senegalese, native American blacks have not developed enough small businesses to carve out the "ethnic" niches in the economy that generate the work habits and capital for real political and cultural as well as economic gains. African-Americans, especially, need the "hand up" of affirmative action, as President Clinton puts it, lest their long isolation continue to feed upon itself, generating self-fulfilling prophecies of defeat and despair.

Lest some reader start grumbling about the evils of the public trough and the alleged similarities between its Irish-American feeders and its black ones (both groups, some would say, inclined more to political eloquence than to entrepreneurialism), be it noted that my friend's account of the Commonwealth's judges and clerks also fits placeholders of all hues in private banking establishments, contracting companies, and father-son building-trades unions. We might wish that, with all the millions Jesse Jackson has hustled from Wall Street and Main Street, he had seeded and sustained at least a thousand new, small, black-owned businesses and, with them, the cultural and political capital mentioned above. Alas, affirmative action as he understands it is not about entrepreneurialism.

Yet, again, so what? The republic has survived preferential ingestions of other racial and ethnic groups that for a while larded the body politic and whole industries with layer upon layer of hackery. For every son who followed his father into ethnic redoubts of boodling, featherbedding, and bureaucratic protectionism, another son or daughter managed to focus high hopes and hard work on transmuting familial and ethnic supports into solid business, professional, and even civic gains.

Is that not, in fact, what lots of black middle-class youngsters are doing now? Whom do we apostles of civic virtue and arbiters of merit think we are kidding when we blame the erosion of standards more on preferences than on the intrusive, accelerating, and seductive "culture" of bread, circuses, and instant gratification that is casting our own kids, too, into social limbo, and some of them into social hell? How long do we intend to keep blaming all this on blacks, who are vulnerable, indeed, to the blandishments of anomic consumer marketing but are not its biggest investors or promoters?

And why are both censorious conservative moralists and romantic liberal moralists blind to the prosaic decency and sweetness of most—yes, I said most—inner-city youths, clueless strangers that they are to the subtler corruptions of their betters working in brokerage houses and at glossy magazines? We can start worrying about affirmative action when, say, proportionately as many offspring of black Ivy League graduates are taking advantage of alumni preferences as are the white offspring who, since Henry Adams's time, have coasted through Harvard on "gentlemen's C's."

STILL, WITH due respect to my Boston friend, who has seen plenty of Harvard dunderheads, we cannot put off worrying about what affirmative action has become. The fateful difference between the past's extralegal ethnic (and, at least in the North, racial) preferences and today's legally mandated racial double standards is that the old system fudged those standards with a wink and a nod; today's system virtually codifies racist distortions of standards, in legal precedents that proliferate in courts and regulatory agencies. Since the old fudging was hard to prove and punish, blacks could be isolated with impunity. But now, formulaic "inclusion" generates self-fulfilling prophecies of a racial isolation that turns in upon itself in the subtly devastating ways I have described in my book *Liberal Racism*.

So, two cheers for fudging. The old ethnic jockeying, amid lip-service to a transcendent "American Way" by even the likes of Boston's Irish "Rascal King" James Michael Curley, actually sustained some wiggle room and legitimacy for a political idealism that could challenge all forms of discrimination, from Jim Crow to ethnic preferences. Read history that way, and learn what every true leader knows—that while racial and ethnic jockeying drives a lot of politics, it cannot be the central organizing principle of a public life that keeps hope alive. Where the old regime proclaimed universalism and "fudged" downward toward ethnocentrism, the current one proclaims multiculturalism and only grudgingly reaches upward to affirm our deeply common destiny.

We need not more of the depressing, relentless color- (and gender-) coding of American life but stronger enforcement of laws against discrimination. The more we value and "privilege" assimilation to transracial standards and norms, the less forgiving of discrimination we are likely to be. By contrast, a "diversity" regime does not curb discrimination; it invites it. It does not expose racism; it recapitulates and, sometimes, reinvents it. Its tortured etiquette of "respecting" racial "differences" only institutionalizes duplicity that prompts racial epithets as surely as hypocrisy nourishes hostility.

The more we agree to parcel out the commonweal along racial lines, the more each of us is constrained to define his or her citizenship and even personhood foremost by color or surname. So doing, we drain and delegitimize the larger civic culture, without whose nourished affinities and disciplines no truly diverse society can survive. In short, we are snuffing out civic idealism to buy a false peace through racist brokering.

Even if one believes, as I do, that capitalist consumer-marketing threatens the virtuous commonwealth even more strongly than racialism does, that is no reason to think—as anti-capitalist Southern agrarian conservatives and leftist multiculturalists have done—that racialism deepens wellsprings of noble resistance, much less viable alternatives to social decay. It certainly is not a guide to organizing a good society—Bismarck's dictum that the public should not get to see laws or sausages being made is a good brief against codifying racial preferences as explicitly as we do now. Since everyone from college-admissions officers to voting-rights lawyers in the Justice Department is doing that under the banner of "di-

versity," critics of affirmative action and the race industry that battens upon it are right to expose their follies.

But Bismarck's wisdom also counsels caution. Before we critics of color-coding become as moralistic in exposing its blunders as its defenders are in denying them, we need to understand better why seasoned moderates like my Boston friend decline to take them seriously. They do so, I think, because they are too well-schooled in the Bismarckian ways of public and private bureaucracies to trust us civic idealists to deliver on our noble, transracial intentions.

Are we really so sure that we can? Where and how do we suppose the race industry learned to become what it has become? And what, really, are we going to do about that?

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