
The Struggle for Racial Justice: The Personal, the Political, and . . . the Economic

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As I sit down to write this, *The Blind Side*, *Avatar*, and *Precious* are all being talked about as candidates for best-picture Oscars. They are of course cinemagraphically impressive. But beyond their gloss and technical achievements, these films share some distressing themes. All three set up a racial hierarchy in which whites are the heroes and people of color need to be saved from (pick all that apply) illiteracy/irrationality/incest/naïveté. Brooks (2010:A27) wrote in his *New York Times* column that *Avatar* presents us with the well-worn “White Messiah Fable” in which “White people are rationalist . . . while colonial victims are spiritual and athletic.” He put it succinctly: “*Avatar* is a racial fantasy [presumably for whites] par excellence” (2010:A27). *The Blind Side* and *Precious* are even more explicit and straightforward versions of this whites-as-heroes fantasy. It is all the more touching, no doubt, and more palatable in these days of ostensible race-enlightenment, that the whites in these films seem to care so deeply for the racialized have-nots they rescue. Indeed, it is often the very *caring* of the “White Messiah” that produces the transformative rescue of the Other. This subtext of racial redemption through caring relationships and personal values is the Hollywood version of “The personal is political.” I will come back to this theme in a moment.

Rick Lempert’s Presidential Address includes a poignant discussion of the role of environment and upbringing in shaping one’s views and values, particularly as they relate to race. He provides a biographical roadmap of his value formation and racial sensitivities, beginning with the moving story of his father’s interview for a draftsman job and the foreman’s dismissal of him when he found out he was Jewish. The previously enthusiastic foreman minced no words: “My men won’t work with a Jew” (p. 432, this issue). Lempert’s immediate home environment was also critical in inculcating a sense of racial justice. He tells us that one of only two blacks he knew as a child was the much-loved Mame, who left her own children across town to clean house and babysit the young Lempert. The other was an exchange student from Liberia whom Lempert’s

family took in for 10 days when he had nowhere else to go. A budding friendship ensued: “I liked him a lot, and I felt he liked me” (p. 433, this issue). Later, his racial attitudes were reinforced at Oberlin College, where he joined like-minded students and faculty in the struggle against inequality. Lempert credits four aspects of his early experience for his sensitivity to racism and his dedication to the cause of racial justice: “my parents’ lack of racism, growing up when and where I did, my experiences at Oberlin, and growing up Jewish” (p. 435, this issue).

Throughout, Lempert eschews simplistic causal explanations in favor of a more nuanced reading. For example, he is not beyond critically interrogating the Jewish commitment to the cause of racial justice, speculating that by helping to win rights for black folks, Jews were indirectly protecting themselves from the anti-Semitism that is a close kin of that other racism. And in another example of this self-critical nuance, after recounting the four powerful factors that formed his racial consciousness, he confesses to his own vulnerabilities to stereotypes, instinctively running from two black men coming toward him along a canal in Amsterdam.

In my view, though, the most important message of Lempert’s address has to do with the limitations of personal value commitments and caring relationships (of the sort so sentimentalized by Hollywood) in overcoming the structural inequalities at the heart of racism in late-twentieth and early-twenty-first-century America. After giving us the “good news” about the political and economic progress blacks have made in the last 60 years, he provides the bleak statistics of continuing racial inequality in income and wealth, education, health care, housing, involvement in the criminal justice system, and virtually every other indicator of social well-being.

The ripple effects and undertows of this racial oppression can take some ironic turns, and they toss socioemotional and material disadvantage topsy-turvy on top of each other and back again. For example, Lempert notes that when he was a member of the faculty at Michigan Law School, black students consistently turned in written exams that were far worse than their classroom performances, which were often stellar. According to Lempert, one student’s exam “was among the two or three worst I received [out of a class of 100], but his class performance placed him in the top 10 percent of all my students” (p. 434). Lempert observes that some underperformance on written work by black students may be the result of “stereotype threat,” or the undermining fear by black students that their work will be regarded negatively, according to racist stereotypes.

Much of the inequality that Lempert describes is due to structural disadvantages, the legacy of centuries of socioeconomic exclusion. But some is due to outright discrimination. Commenting

on the job applicant studies of Pager (2003) and Pager and Quillian (2005), which show that employers are far less likely to hire blacks who have served time for drug dealing than comparable whites (despite these employers' independent statements to the effect that they would not discriminate), Lempert says, "I expect that the employers honestly saw themselves as magnanimous and nondiscriminating" (p. 453, this issue). But as he implies, it does not really matter. Whether racial inequality is the result of structural disadvantage or individual acts of discrimination, being magnanimous is beside the point. Hollywood fantasies aside, personal magnanimity—while of course preferable to its opposite—does nothing to change the underlying racial hierarchy and the structural inequalities and stereotypes inherent in it.

Parenthetically, I am reminded here of another movie, this one from two decades ago: *Driving Miss Daisy*. As you might remember, the film depicted the strong personal bonds between an elderly white woman in the South and her black driver. It played up the strength of their affection despite the harsh reality of the structural inequality between them, and this no doubt was the powerful emotional draw of the movie. But I remember being put off by this message that affection in the context of gross inequality somehow trumps, compensates for, or prettifies, that inequality. Having been brought up in Maryland in the 1950s, I witnessed such bonds firsthand and saw all too starkly their inability to alter in the least the ugly reality they were embedded in and, some would say, perpetuated. As Lempert points out throughout this address, personal caring and enlightened values are insufficient to "work a far larger change in the structure of social power and privilege" (p. 437, this issue).

In a third theme, Lempert notes that the conventional metaphor that we have made progress along the road to racial equality but that "we still have a ways to go" is misleading because it implies an inevitable, linear progression (p. 441, this issue). Instead, he argues, progress has been halting and uneven, moving in "fits and starts" with periods of stalling and retrenchment. He contends that the metaphor understates the importance of law and the political process, which, as we know all too well these days, are fickle. Citing the progress made during the Clinton Administration, Lempert warns us of the "importance of government policy and the potential fragility of black income gains . . ." (p. 443, this issue).

But I wonder if this fragility might now be attributable at least as much to the fluctuations of the economy and the greater vulnerability of people of color to its blows. While civil rights laws and government policy have opened up some opportunities for blacks and other people of color over the last half-century, robust economic growth may now be a prerequisite for the ability to capitalize

on those gains. Indeed, the uninterrupted economic growth of the Clinton years probably had as much, or more, to do with the progress blacks made in the 1990s than did any particular policy targeting racial justice.

This materialist interpretation is consistent with the declining fortunes of people of color in the United States since the economic collapse of 2008—both in absolute numbers and relative to the setbacks suffered by the population as a whole—despite having a politically liberal black man in the White House. The official adult unemployment rate in January 2009, when President Obama took office, was high, at 7.7 percent. Predictably, there was a gap between the rate for whites (7 percent) and the rate for blacks (12.8 percent). One year later, the continuing economic crisis pushed the overall rate up to 9.7 percent, and the gap between white and black unemployment *widened*, at 8.7 and 16.5 percent respectively. More ominous, while the unemployment rate for whites saw a very modest improvement between December 2009 and January 2010 (going from 9.0 to 8.7 percent), for blacks the situation continued to worsen (U.S. Department of Labor, Bureau of Labor Statistics 2010:8). The economic collapse also disproportionately affects black wealth, as blacks are much more likely than whites to have received subprime mortgages. According to one estimate, in the eight years leading up to the real estate meltdown of 2008, blacks lost between \$71 and \$92 billion in subprime mortgage foreclosures (United for a Fair Economy 2008:vii).

In an article in *The New York Times Magazine* entitled “G.M., Detroit and the Fall of the Black Middle Class” (2009: n.p.), reporter Jonathan Mahler notes that 20,000 black men lost their jobs in the well-paying auto industry in 2008, and that the vast majority were either still without work or had taken jobs at much lower pay scales. In the context of this demise of auto industry jobs and related downturns, Mahler reports that the Economic Policy Institute has estimated that by the middle of 2010, 28 percent of blacks in Michigan will be unemployed. Mahler observes,

There’s a perverse paradox here, one that I was reminded of every time I met a black autoworker in an Obama T-shirt or with an Obama bumper sticker adorning his or her car. We have just elected our first African-American president, and yet, at the same moment, a city [Detroit] and industry that together played a central role in the rise of the black middle class ... is being destroyed (2010: n.p.).

Underscoring the influence of broader economic forces in advancing or retarding racial justice is also consistent with some recent scholarship on the limited gains made by such landmark decisions as *Brown v. Board of Education* (1954). As Lempert points

out, *Brown v. Board* helped change whites' attitudes about legally sanctioned racial segregation, just as *Loving v. Virginia* (1967) probably contributed to changing views of interracial marriage. But as a vast literature on educational segregation attests, children of color continue to be concentrated in the worst schools, and the pattern of this segregation suggests it is driven by economic exclusion. According to a report by the Civil Rights Project at UCLA (Orfield & Lee 2007), public schools today are more segregated in the Northeast, where the gap between rich and poor is greater and more racialized, than in the South, where large proportions of both blacks *and* whites live in poverty. In 2005, 78 percent of black children in the Northeast went to schools that were predominantly minority, a rate that has increased over the decades and that outstrips every other region (Orfield & Lee 2007:28).

So, to borrow Lempert's words once more, "What can be done?" I am less sanguine than he that laws pursuing racial justice are the answer. Granted, we need to ratchet up civil rights enforcement. In 1999, the U.S. Justice Department's Civil Rights Division under President Bill Clinton initiated only 159 criminal prosecutions for civil rights violations—a paltry number given that official complaints to the division reached five digits. During the George W. Bush Administration, the retreat was even more dramatic. By 2004, four years into the Bush Administration, there were only 84 prosecutions, and complaints were holding steady at 12,000 annually. It is promising that Attorney General Eric Holder is reportedly making enforcement of the Civil Rights Act a priority. As he has put it, after the hiatus of the Bush years, the Civil Rights Division is now "open for business" (quoted in Olopade 2010:15).

But the fight for racial justice also needs to be fought on the larger battleground of economic justice. The civil rights victories of the 1950s and 1960s were achieved in a context of unprecedented economic growth, historic levels of prosperity for average working men and women, and the smallest gap between the rich and poor that the United States has ever known. As the post-World War II economic boom continued apace, a number of government policies (beyond those associated with the GI Bill, whose beneficiaries were, parenthetically, almost exclusively white [Katznelson 2005]) deliberately spread the wealth. Among these policies were a top marginal income tax rate of more than 90 percent in 1951–1963 (Urban Institute and Brookings Institution, Tax Policy Center 2009), and a legal minimum wage that was worth 50 percent of the national average wage (as compared to about 30 percent today; Bernstein et al. 2006).

It may be that to realize the full potential of civil rights victories will require an economy that is similarly robust and (relatively speaking) equitable. As we suffer through the deepest economic

recession since the 1930s, accompanied by ever-wider gaps between the rich and everyone else, that is a tall order. For a start, we need policies that would invigorate the labor market, boost wages, repair the regulatory machinery of government, mend the tattered safety net, and reform our diminished and increasingly regressive tax structure. Not because these policies would change racial attitudes, nor because they would level the racial playing field, at least not directly. In the short run, they would do neither. But they might provide the economic context in which real advances in racial equality have a chance, much as the relatively prosperous 1950s and 1960s were fertile ground for the civil rights movement. Such reforms would require concerted political and legal mobilization, but their target would not be the expansion of rights per se but rather a reshaping of the economy.

Laws specifically addressing racial justice *have* affected changes in popular attitudes. *Brown v. Board of Education* certainly led to an attitudinal sea change, as Lempert says, and most Americans now believe that black and white youth should be allowed to go to school together. But the hard reality of segregation remains. To alter that and to achieve racial justice more generally, we need to go beyond the “personal” of Hollywood fables, beyond even the “political” that brought us civil rights, to build the economic infrastructure that is arguably the bedrock of real change.

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