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Affirmative Action Around the World: An Empirical Study, by Thomas Sowell. Yale University Press, 2004. 256 pp., \$28.00 (cloth), ISBN 0-3001-0199-6.

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Thomas Sowell is no stranger to the debate about affirmative action, and his stances on the subject are very well known. What is new about his latest study is its international perspective, a *tour du monde* designed to allow Americans to learn from other countries' experiences with preferential policies and to keep them from making the same mistakes. Four countries—India, Malaysia, Sri Lanka, and Nigeria—are considered at some length, whereas many others are mentioned to illustrate particular points, such as the unstoppable spread of preferences to ever-new groups (Pakistan), the abusive redesignation of individuals (Australia, China), and the frequent use of minority members as a mere “front” for businesses seeking preferential treatment (Indonesia, Kenya, Sierra Leone). The intended lesson is simple: Inequality is a universal feature of human societies, and attempts to counteract it through affirmative action will only lead to frustration, deception, and extreme intergroup violence.

There are several troubling aspects about Sowell's comparative survey, the least of which being the almost complete absence of Western democracies from the picture. The United Kingdom is mentioned only briefly, as are a propos minor aspects such as its use of the label *positive discrimination* instead of affirmative action, its policy makers' expectation that preferential policies may be kept restricted in time and scope, and its statistical manipulation of data concerning people of Chinese ancestry, who are submerged in the omnibus category *Black* along with Indians, Pakistanis, and others. The same holds for Canada, which, apart from also being given as an example of the tendency to hide Asian success through the use of omnibus statistical categories (*in casu, visible minorities*), is only mentioned to substantiate the claim that preferential policies often came after, not before, the rise of newly educated and upwardly mobile minority groups. France, because of its passage of a law requiring political parties to have equal numbers of male and female candidates, makes a brief appearance among the countries

where preferential policies now run amuck, spreading from group to group. And that is all.

Yet there can be little doubt that a closer analysis of Western experiences with affirmative action—one at least comparable, in size and depth, to that of African and Asian countries, which dominate the book—would much enrich Sowell's international study and strengthen the legitimacy of his claims. Instead, we are left with the impression that Sowell, not unlike affirmative action supporters whom he severely criticizes for hiding inconvenient facts about Asian success, is deliberately leaving out data that could undermine one of his main arguments, the claim that affirmative action policies, on top of being inefficient and unfair, are the direct reason behind the most violent intergroup conflicts threatening countries' stabilities all over the world.

This alarming account of affirmative action's practical implications is not without problems either. To sustain that such policies eventually degenerate into outright bloodshed—as the extremely violent episodes described by Sowell in his depiction of India and Sri Lanka are supposed to attest—seems not only farfetched but a very narrow interpretation of the tensions in place in those countries.

Sowell himself acknowledges the severe social disabilities and discrimination imposed on India's untouchables under the caste system and describes a series of violent incidents that manifest the persistence of caste taboos to this day. That does not keep him, however, from presenting the escalation of violence against untouchables and other backward tribes as simply a result of the official preferences instituted on their behalf, without attributing any role to the caste system or its sequels.

Sowell also blames preferential policies for the widespread riots, arson, and looting in Assam, and for the violence against foreigners registered in Maharashtra, even though his own account of the events indicates that it was the absence of preferential policies that motivated the hungry outbursts. The “villains” were, after all, those who demanded that Assamese be the sole language used by state institutions and preferential hiring for Assamese employees and Shiv Sena, the xenophobic movement whose main motto was the

institution of hiring quotas and preferences for Maharashtrians in detriment of outsiders. If the violence came out of these groups' fight to have their claims granted, it may well be argued that the institution of preferential policies could have prevented the conflict.

Much like India, Sri Lanka's "repeated race riots, civil war, atrocities, [and] widespread terror" (p. 92) are said to be a consequence of the institution of policies granting preferential treatment to the Sinhala language. Tamils and Sinhalese, we are told, had coexisted in perfect harmony until the country's independence from the British, in 1948, and it was only the subsequent politicization of intergroup differences by ambitious politicians that turned them into loathed enemies. The brutality that both groups displayed in the hostilities, however, is hardly consistent with this idea of a sudden turn of events. More likely, the enmities had been there all along—Sowell himself refers to "historic clashes of Sinhalese and Tamils in centuries past" (p. 79)—kept silent under colonial rule but ready to burst out at any given pretext. The linguistic issues, loaded with symbolic and economic implications, came to be precisely that.

Interestingly, Sowell claims that one of the facts that ignited the conflict was the elimination from Sri Lanka's constitution of a section guaranteeing minority rights. It was so relevant that, among the efforts to restore the peace, a provision recognizing language rights to the Tamils was inserted into the 1978 constitution. This depiction of minority rights as something positive and likely to promote the peace contradicts Sowell's basic assertion that the politicization of intergroup differences generates violence. Like what we have seen for the Indian regions of Assam and Maharashtra, it seems that it was actually the absence of affirmative action policies on behalf of the Tamil minority that was at the root of all the problems.

As for the "tragedies which have racked Nigeria" (p. 109), Sowell admits that the effects of group preferences and quotas are harder to assess, given that much of the rancor and bitterness were already built up when the preferential policies—designed to "reflect the federal character of the country" (p. 106)—were instituted. Still, he insists, such policies are at least to blame for not having fostered a sense of national unity, as they were expected to do, and certainly continue to constitute a serious threat to peace. Malaysia's ability to implement

preferential policies while avoiding intergroup strife is, on the other hand, dismissed by Sowell as the mere product of a repressive regime and, therefore, an unsuited "guide to racial peace in countries where free speech and other democratic rights prevail" (p. 77). Here, a look at what has been done in Canada and in most western European countries would be of some help because they seem to be doing a good job in implementing affirmative action policies without disrupting the peace or compromising their commitment to democracy and human rights.

One final remark regarding the international dimension of Sowell's study has to do with the loose way in which he handles the concepts of affirmative action and minorities. It may be understandable in the face of the large and diverse sample of countries that he covers, but it is, nevertheless, detrimental to the legitimacy of the parallels drawn between the U.S. policies and those of the rest of the world. Certainly aware of the problems raised by his conceptual stretch, Sowell tries to minimize it by stating, from the beginning, that he is not so much concerned about the rationale behind affirmative action policies as with its practical implications. "Highly disparate rationales," he notes,

have been used in different societies for programs which share very similar features and often lead to very similar results. Some group preferences have existed for minorities, some for majorities, some for the less fortunate and some for the more fortunate who feel entitled to maintain their existing advantages over other members of the same society. (pp. 1-2)

It seems to be enough, for Sowell's purposes, to identify affirmative action with programs on behalf of the (economically) less fortunate. This allows him to candidly equate policies designed to compensate Blacks for their historic sufferings under slavery with policies instituted to maintain and expand the privileges of the economically backward but politically dominant Malays and with the favoritism on the part of Sri Lanka's government for the country's Sinhalese majority.

Sowell's finding of affirmative action policies wherever there is a preferential treatment of one group over others has clearly very awkward implications for the definition of who fits in the

category of minority groups (i.e., the groups to be benefited from those policies). There may be still some contentious issues as to what affirmative action actually encompasses, but it is beyond doubt that its intended beneficiaries were never the groups holding political power. That is why it is so striking that Sowell may put in the same category African Americans, Malays, Sinhalese, Whites under South African Apartheid, Germans in the Third Reich (as preferred groups) and White Anglo-Saxon protestant males, Malaysia's Chinese and Indian communities, Sri Lanka's Tamils, South African Blacks, and prewar European Jews (as non-preferred groups). Such comparison of the incomparable cannot be taken seriously as proof of the unfairness of affirmative action.

So, Sowell's exploration of far-away countries—most interesting as it certainly is—ends up by telling us very little about what are the practical implications of affirmative action around the world. His hurried and disingenuous analysis makes us doubt that he was ever seriously interested in those other countries. Although Sowell travels very far, he never quite seems to leave home. His main concern is, here as in his previous work on the topic, the implementation of affirmative action policies in the United States.

This brings us to the American part of Sowell's book. To begin with, it must be recalled that what Sowell is purporting to do is an empirical study, not a mere survey of common assumptions and beliefs about the pros and cons of affirmative action—he will have nothing of that—but a study that has the courage to address the much-avoided factual question of what actually happens as a result of such policies. And what actually happens, according to him, is that affirmative action policies are not only not improving but worsening the lives of their target beneficiaries.

The widespread idea that affirmative action is responsible for the rise of African Americans out of poverty is a political myth, Sowell warns us. The percentage of Black families with incomes below the official poverty line fell 40% in the period from 1940 to 1960, but only 17% from 1960 to 1970, and 1% in the 1970s (when affirmative action policies began being implemented). Similarly, the proportion of African Americans going to college and having access to professional and other high-level occupations rose more substantially in the years preceding passage of the

Civil Rights Act of 1964 than it did after. And the same is true for women and other minority groups, such as Asian Americans and Mexican Americans.

As for the few benefits that do derive from affirmative action policies, they tend to go disproportionately to those individuals within the designated groups who are the least disadvantaged and who may even be in more favorable positions than members of the country's general population, small businesses with net worths of more than a million dollars each or wealthy Black athletes such as Lou Brock, Julius Erving, and O.J. Simpson. "In short," Sowell concludes, "the affirmative action era in the US saw the more fortunate blacks benefit while the least fortunate lost ground in terms of their share of incomes" (p. 120).

This situation is only made worse by the spread of preferences to ever new groups—women, Eskimos, immigrants from Latin America, Europe, and Asia—which not only dilutes the benefits of those for whom the original rationale is strongest but also changes the terms of competition in ways that can work to the further disadvantage of genuinely less fortunate groups. If White women meet more often than do Black men the hiring and promotion criteria set by employers, so goes Sowell's example, then "one preferred group may be no better off, on net balance, than if the preferences did not exist. It is conceivable that they can be worse off" (p. 12). Indeed, "most of the 'minority and women-owned businesses' favored by government preferences are owned by groups other than blacks" (p. 121); and when Blacks do appear as owners, there is a high probability that they are merely serving as fronts for White investors.

These are not the only ways in which affirmative action harms African Americans, Sowell adds. Given that their economic ascension is interpreted as a result of government beneficence and largess—instead of what it really was, a remarkable rise out of poverty "by their own bootstraps"—African Americans are faced with the resentment of other groups and the stigma of being unable to advance by themselves. At the same time, affirmative action creates the conditions to reinforce that stigma by keeping African Americans from achieving their full potential. They have to deal with their peers' distrust, they are continuously offered disincentives

to work hard and develop their job skills by the promise that special (less demanding) rules will be set for them, and they are "forced" into elite colleges and universities where they are overmatched and from where they eventually drop out (unless some "affirmative grading" or specially easy ethnic courses come to their rescue).

With such an impressive record of negative effects, it seems clear to Sowell that the thing to do is ban affirmative action altogether. There is no reason to fear that a withdrawal of the existing preferences will lead to resegregation or loss in opportunities. Texas and California's experiences are enough proof of that. And there are good reasons to believe that disadvantaged groups can very well succeed in a system of sheer equality. That was, after all, what happened with African Americans in the years that preceded the civil rights legislation of the 1960s and what happens, to this day, with Asian Americans. Unfortunately, Sowell says, it is highly improbable that an overall ban on affirmative action be decreed in the near future, given how widespread these policies still are and the manifest support that they continue to receive from the federal Supreme Court.

Sowell's claims are quite bold and straightforward but not always substantiated. We are told that universities and colleges are facilitating minority students' graduation by providing ethnic studies courses that give easy grades and attract disproportionately the members of one ethnic group, but no empirical evidence or support in the literature are presented to corroborate the claim that such studies are easier and that African Americans represent the vast majority of its students. We are also told that behavioral offenses committed by African American students are being given preferential treatment because of the threats posed by organized Black students, that minority students in Texas and California are graduating at a better rate after the ban on affirmative action in those states, that businesses are locating away from concentrations of Blacks to avoid potential discrimination charges, that the worst ghetto riots occurred during administrations more sympathetic to the grievances of Blacks, and that a pattern of ever more extremist group identity politics (with its correspondent outbursts of violence) can already be seen in the United States. None of these claims is grounded in empirical evidence or support of any kind.

Other statements having only a slightly stronger basis are made. Very often, Sowell's sources are mere newspaper articles, as is the case when he argues that students with composite SAT scores below 900 have been admitted to the University of Texas because they were in the top 10% of their high schools, whereas other students with SAT scores hundreds of points higher have been rejected, or that White students on a number of campuses have had outbursts of violence against Black students of a sort unknown on those campuses in the era before preferential admissions programs. Sowell also makes a number of references to Bob Zellnik's book *Backfire: A Reporter's Look at Affirmative Action*, which he quotes to point, for instance, that Black police sergeants promoted in Chicago over White police men with higher test scores found themselves taunted as "quota sergeants" when they made mistakes and that jobs, promotions, and government contracts tend to go to people with only minute traces of some minority ancestry or with "the effrontery to claim minority status fraudulently" (p. 137).

Sowell's reliance on journalistic accounts of affirmative action—on top of the fact that he makes very serious statements to which he offers no basis whatsoever—is hardly congruent with his purpose to present a study that surpasses the myths and common assumptions surrounding affirmative action policies since their inception. It is, moreover, particularly significant given Sowell's harshness when assessing other studies whose conclusions are favorable to affirmative action. He warns us against these mystifying studies, which present only assertions and anecdotes designed to reassure the general belief in the merit of affirmative action (while hiding data that could point to the contrary) but then goes on to give his version of the events in a not very different manner. There are many anecdotes in Sowell's book—the blue-eyed individuals who purport to have a minority ancestry, the entrepreneur who was one sixty-fourth Cherokee Indian and won a set-aside contract in California, Patrick Chavis' failure as a MD—and, as I pointed out before, many assertions with little or no reliable foundation. In the end, it all comes down to common beliefs, be they shared by supporters or by opponents of affirmative action, and Sowell gives us no good reason to abandon the first on behalf of the later.

It is true that Sowell comes up with some impressive figures, mainly taken from the U.S. Bureau of Census, from a 1997 study by the couple Stephan and Abigail Thernstrom, and from several college reports. They attest the rise in African Americans' and women's incomes, education, and access to qualified jobs prior to the 1960s; the massive redesignation of individuals as American Indians in the 1980s; the tendency for a tiny fraction of minority firms to receive the bulk of the preferential policies' benefits; the poor mathematics and verbal SAT scores of Black undergraduates when compared with their White and Asian American counterparts; the correlation between the mismatch of Black students in elite institutions and their high drop-out rates; the academic achievements of Black students who attend predominantly Black colleges; and the fact that the total number of Black freshmen going to college in the university systems of California and Texas did not decline after the ban on affirmative action. Such figures are, however, to be taken with utmost caution, for reasons that Sowell himself, even if unintentionally, presents.

Commenting on the numbers put forward by affirmative action supporters as proof of the positive impact of those policies, Sowell observes that the statistical data available on the progress of groups that have been given preferential treatment are often inadequate and advises against simple before-and-after comparisons that ignore the interposition of "other factors at work at the same time" (p. 19). Numbers, he tells us, are not always reliable—either because they are not available or because they are manipulated—and, even when reliable, they constitute only one, very limited version of any given story. With the existing statistics, therefore, it cannot possibly be sustained that affirmative action improved the lives of its designated groups. Neither can it be sustained that affirmative action worsened those lives, although Sowell sees no problem in stating precisely that.

Assertions and numbers notwithstanding, what Sowell does for the most part of his chapter on the United States is to express doubts and raise suspicions. Aiming to deconstruct the well-established pro-affirmative action dogma, he questions the benefits of such things as diversity, critical mass, and minority role models in academia and doubts that special admissions programs (in the academic and the job markets) do not represent a lowering of standards. He

wonders if Black men are not worse off with the extension of preferential policies to women and if the students who failed to graduate at Berkeley would have failed at less elitist San Jose State University. He doubts that the social pathologies registered among Black Americans are solely because of discrimination inflicted on them by Whites and that Blacks would have had the same incomes as Whites in the absence of such discriminatory treatment. He questions the common assumption that reducing disparities in income and wealth prevents intergroup strife. He doubts that women's liberation movements played any part in increasing the numbers of female workers in the years 1960 to 1980 and, in general, that affirmative action may be responsible for the economic rise of its designated groups.

More significantly, Sowell depicts a sinister scenario in which almost everyone, from the academic world to the highest court in the land, is partaking in the blatant dishonesty that surrounds the institution and maintenance of preferential policies. Group preferences and quotas are said to have arisen and evolved surreptitiously, under the shelter of a continuously changing concept of affirmative action. Affirmative action advocates are said to use the correction of past discrimination and promotion of diversity as mere pretexts to institute group preferences and quotas while deliberately cultivating the confusion between generic and specific affirmative action. Public institutions are said to continue the clandestine practice of race norming through subterfuges such as the setting, in college and university admissions, of nonobjective criteria (as leadership) or objective but misleading criteria (as being in the top 10% of one's high school). Faculty members who reject affirmative action in anonymous polls but support it when voting publicly in faculty meetings or commenting in the media are said to be hypocrites. Large corporations are said to support affirmative action policies to serve their officials' vested interests, whereas the rest of the pack—politicians, activists, and intellectuals—seem to be in it just to show off their moral superiority.

Time and time again, we are told that relevant data are being (or are likely to be) kept from public knowledge whenever they constitute an embarrassment for affirmative action supporters. That is the case with data on the success of Japanese and Chinese

Americans, systematically overlooked or statistically diluted by their association with other less achieved Asians, and with data on the graduation rates among minority students since the ban of preferences by the Texas and California university systems, which may well confirm the mismatch theory long sustained by opponents of affirmative action.

An excellent example of this pervasive dishonesty is, in Sowell's view, the study conducted by William Bowen and Derek Bok—former presidents of Princeton and Harvard, respectively—and published in 1998 under the title *The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions*. Following closely Stephan and Abigail Thernstrom's review of the book, Sowell decries the questionable ways in which the study was conducted, pointing out its submersion of Black students admitted with lower qualifications in broad statistics about Black students in general, its highly atypical sample of students and institutions, and, most important, the secrecy of its raw data. He deems it all very suspicious and positively unreliable as proof that preferential admissions policies do work. He regrets that, while academics engage in this kind of sordid propaganda, Black students everywhere are dropping their math books to indulge in extracurricular activities and young Black MDs (graduated from medical school on a charitable basis) are luring "unsuspecting patients to their deaths" (p. 152).

To make things worse, all this is happening under the complacent eye of the federal Supreme Court, which is still to take a clear stance on the matter but whose contribution so far has, no doubt, helped the hordes of affirmative action supporters by allowing ever more expansive definitions of discrimination (along with shifting standards of proof) and the continued institution of new remedial group preferences and quotas. As the cases *Griggs v. Duke Power Company* (1971) and *Kaiser Aluminum v. Weber* (1979) plainly demonstrate, the Court has more often than not been on the side of affirmative action, recognizing the legality of preferential policies in spite of the clear language and legislative history of the Civil Rights Act of 1964.

In *Griggs*, the Court ruled that tests and other procedures with a disparate impact on minority groups, and no relation to the

assessment of job capability, should not be admitted (irrespective of how neutral they proved to be), determining a shift of the burden of proof to the employers whenever tests were passed at very different rates by different segments of the population. In *Weber*, the Court went even further, sanctioning a clearly discriminatory practice—the preference of Black employees over White employees in access to job training programs—on the sole basis of its alleged conformity with the spirit of the Civil Rights Act, a spirit said to encompass "temporary, voluntary, affirmative action undertaken to eliminate manifest racial imbalance in traditionally segregated job categories" (p. 127).

Sowell's "conspiracy theory" does not warrant much comment. He may even be right in some of his conjectures—we can only wonder—but conjectures, especially if formulated in an insidious tone such as his, are hardly appropriate in an empirical study that purports to disclose the ultimate hard facts about affirmative action. They add nothing.

What is noteworthy is the inaccuracy of Sowell's account of the federal Supreme Court's jurisprudence regarding preferential policies. Although it is true that the Court is extremely divided on the subject and that such divisiveness has transpired into a somewhat hesitant case law, it is not correct to state that the trend is favorable to group preferences or quotas. That would have certainly become apparent if Sowell had looked deeper into the Court's jurisprudence and considered cases such as *Washington v. Davis* (1976), *Wygant v. Jackson Board of Education* (1986), *City of Richmond v. J. A. Croson Co.* (1989), *Adarand Constructors, Inc. v. Peña* (1995), and *Gratz v. Bollinger* (2003).

In *Davis* (1976), the Court rejected the disparate impact rationale for cases brought under the Fifth and Fourteenth Amendments, refusing to hold unconstitutional an official practice (the administration of Test 21 in the recruitment of officers for Washington, DC's Police Department) that ostensibly excluded a higher percentage of Black applicants, with the argument that there was no proof of discriminatory intent on the part of the DC authorities. As has been widely noted in the literature, this requirement of proof of discriminatory intent places a very heavy and often insurmountable burden of persuasion on the weaker side of the dispute, severely

limiting the number of individual cases in which the courts will acknowledge and remedy racial discrimination.

In *Wygant* (1986), the Court held unconstitutional a minority preference in teacher layoffs after concluding, under strict scrutiny, that the goal of providing role models for minority school children, in view to overcome societal discrimination, was not a compelling state purpose. Justice Powell's plurality opinion stressed that "societal discrimination, without more, is too amorphous a basis for imposing a racially classified remedy" and reiterated the need to prove (with sufficient evidence) that a particular governmental unit has a prior record of discrimination "before allowing limited use of racial classification in order to remedy such discrimination".

Much like the layoff policies in *Wygant* (1986), so Richmond's set-aside plan, which reserved 30% of the city's contracts for minority-owned businesses, was reviewed, in *Crosen* (1989), under strict scrutiny—a standard required to "smoke out" illegitimate uses of race by assuring that the legislative body is pursuing a goal important enough to warrant use of a highly suspect tool", as Justice O'Connor, writing for the Court, put it. The set-aside plan ended up being held unconstitutional for lack of a compelling interest on the part of the city, which invoked a remedial purpose but failed to submit sufficient evidence of "any identified discrimination in the Richmond construction industry". Even if there had been such a compelling goal, the Court added, the 30% quota would still not stand, for it would not be deemed narrowly tailored. It did not seem to have been preceded by the consideration of any race-neutral means and, in its rigidity, would allow that "a successful black, Hispanic, or Oriental entrepreneur from anywhere in the country [enjoyed] an absolute preference over other citizens based solely on their race".

The need for the strictest judicial scrutiny when assessing the constitutionality of all race classifications, irrespective of their benign or invidious said qualities, was again stated in *Adarand* (1995), this time to make the point clear beyond any possible doubt. At stake was the use of subcontractor compensation clauses that created incentives for hiring small businesses controlled by "socially and economically disadvantaged individuals", with

the presumption that these included Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and other minorities. The Court never got to appreciate whether such device served a compelling state purpose or if it was narrowly tailored to do so—the question was remanded to the lower courts—but Justice O'Connor's opinion set extremely high standards, making it practically impossible to justify the use of affirmative action programs in any context.

In *Gratz* (2003), the Court recognized—following Justice Powell's *Bakke* (1978) diversity rationale, confirmed that same day by *Grutter v. Bollinger*—that the University of Michigan's College of Literature, Science and the Arts had a compelling interest in promoting educational diversity on campus but found that the university's freshman admissions policy (which automatically awarded 20 points to every applicant from an underrepresented racial or ethnic minority group) was not narrowly tailored to serve that purpose and was, therefore, invalid under the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964.

The Court's refusal to accord due relevance to the racially disparate impact of apparently neutral laws and official policies, combined with its insistence in reviewing racial classifications under a standard of scrutiny that is often "strict in theory but fatal in fact" (Justice O'Connor's claim to the contrary in *Adarand*, 1995, notwithstanding), is difficult to square with Sowell's portrait of a conniving and affirmative action-friendly Court.

As a matter of fact, many of Sowell's concerns are shared by the Court in its rulings. In *University of California Regents v. Bakke* (1978) Justice Powell noted that "preferential programs may only reinforce common stereotypes holding that certain groups are unable to achieve success without special protection based on a factor having no relationship to individual worth" and alerted to the risk that "tolerance of [racial] classifications may well serve to exacerbate racial and ethnic antagonisms rather than alleviate them". A similar caution was manifested by Justice O'Connor in *Crosen* (1989). "Classifications based on race," she stated, "carry a danger of stigmatic harm. Unless they are strictly reserved for

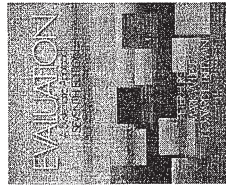
remedial settings, they may in fact promote notions of racial inferiority and lead to a politics of racial hostility". In *Crosby*, Justice O'Connor also mentioned, as an undesirable consequence of the Richmond's set-aside plan, the possibility that the benefits of the policy might go to successful Black, Hispanic, or Asian entrepreneurs from anywhere in the country. Like Sowell, the Court is skeptical about the claimed neutrality of the recently instituted percentage plans (*Grutter*) and the pertinence of the role model theory (*Wygant*, 1986).

Sowell should probably not worry so much. The Court seems to be on his side, and, as he himself noted, there have already been several state initiatives that succeeded in banning affirmative action from university admissions. New states and new areas will follow, most likely. On the other hand, his fear that the institution of affirmative action policies may lead to the neglect of disadvantaged groups' basic needs is also uncalled for. He is certainly right when he points out that what is urgently needed is a long-term investment in the creation of schools and other infrastructures that will allow minority members to really have more opportunities in the future. Where he is wrong is in presuming that affirmative action supporters are not aware of this. Despite the many passionate statements that have been going into the debate about affirmative action, no one claims that such policies can alone solve the whole problem of racial inequalities. Sowell can be tranquil about that.

As for us, we should not worry either, not on the basis of Sowell's "parade of horrors," at least. Sowell's pessimistic assessment of affirmative action's implications in the United States and around the world has, as we have seen, too many inaccuracies and overstatements to be considered convincing and taken as authoritative in such a contentious issue. In spite of Sowell's promises, the truth about what actually happens as a result of affirmative action policies remains untold.

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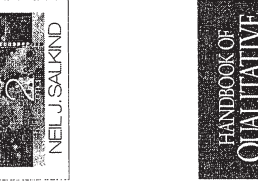
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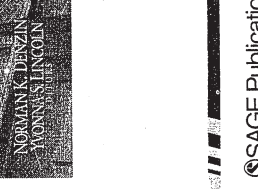
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