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The AMERICAN INTEREST

Policy, Politics & Culture

VOL. VIII, NO. 1 | SEPTEMBER/OCTOBER 2012

Race & Class in America:

THE LAST COMPROMISE

WALTER RUSSELL MEAD

The Poverty Industry

Schools: Segregation Forever?

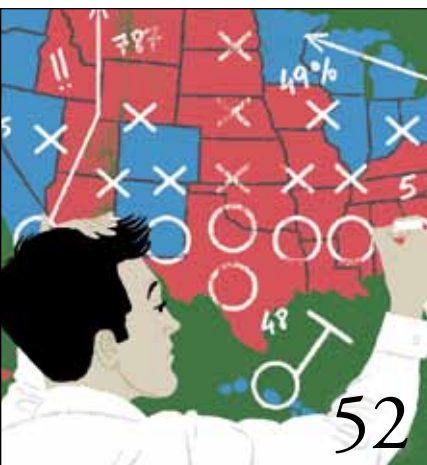
Our Post-Post-Racial Society



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The Congressional Black Caucus still has an important role to play—albeit a different one, befitting changed circumstances.

WHATEVER BECAME OF THE RAUCOUS CAUCUS?

Paul Frymer

Nothing ties the tongue of a characteristically windbag politician so swiftly as the topic of race. When race does come up, their voices drop, their stress levels rise and their language becomes vague, tending to protective code words and euphemisms. These habits tell us that meaningful discussions about race, not to speak of potential policies or remedies that might address a raft of continuing inequalities and problems, are simply not on offer today to the extent they were two or

three decades ago. Were racial categories irrelevant to social, economic and political fairness in America, this relative silence would be merely unremarkable. But that is not the case. The quiet is disquieting because it has profound implications in a society where many white and black Americans have starkly different experiences when it comes to access to quality education, healthcare and economic opportunities, and in rates of incarceration and social segregation. Frankly acknowledging these differences would help, if not to finally solve the problems, then at least to clarify what they are.

When Barack Obama ran for President four years ago, it seemed that the United States might be on the verge of a new and usefully substantive conversation about race. Hints of

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such a conversation appeared in the media, but also in the campaign. Obama's famous Philadelphia speech highlighted the promise of his campaign in this regard, leading David Remnick to write in *The New Yorker* that Obama had stepped forth as the leader of the "Joshua generation", a generation anointed to take the next step forward in civil rights, going past mere legal and procedural equality to fulfill the American dream.

Four years later, that promise lies unfulfilled. The issue of race bubbles more vigorously today than it did four years ago, even if it usually stays just below the surface, but not all the energies are positive. While Obama's voice on the subject has become quieter, some criticisms of his presidency (and now of his bid for re-election) have sug-

Obama has by and large followed this playbook: He has not highlighted continuing racial inequality and discrimination, let alone raised the idea of reparations for historical injustices.

gested racism. Racially insensitive jokes and statements by leaders and participants in the Tea Party—from protestor Dale Robertson, who held a sign with the n-word at a rally in 2009, to the resignations and disaffiliations of leaders such as Mark Williams and Inge Marler for racially insensitive comments, to the numerous controversies involving members at rallies making comments and holding racially charged placards attacking the President and black members of Congress—have marred its legitimacy as an opposition movement, but they have not necessarily made it less popular. Rush Limbaugh, Glenn Beck and Donald Trump are just a few of the many public figures who have baited, at least obliquely, a sitting U.S. President on the basis of his race, notably with the challenges to his birthplace (supposedly Kenya) and religion (supposedly Muslim).¹ And all of this racialized opposition to the President is occurring at a time when many racial inequalities in American society—access to

credit, to quality public school education, social mobility, access to quality healthcare, for example—are becoming further entrenched. We have in important ways taken a step backward on the issue of race during the past four years.

Understandably, Obama has been reluctant to involve himself directly in matters of race for political reasons. For decades now, the conventional wisdom has been that white moderates and conservatives are critical swing voters in presidential elections, so that it is self-defeating foolishness to engage in inevitably emotional conversations about race. Obama has by and large followed this playbook: He has not highlighted continuing racial inequality and discrimination, let alone raised the idea of reparations for historical injustices. He has not addressed racial disparities in capital punishment, even when the nation briefly focused on the controversial execution of Troy Davis in Georgia.

He has avoided the controversy over affirmative action in university admissions, an issue the Supreme Court will probably rule on in the next few months. And while he has been savvy in making quick strikes on not unrelated civil rights issues such as gay marriage and immigration, it is also unlikely that Obama himself is not the answer, his actions reflecting less a failure of nerve or character than the necessities of his institutional position.

Not everyone has gone quiet, of course. Outside of politics individuals and groups have been doing their part—television shows like *The Wire*, musicians like Jay Z and Lupe

¹In the summer of 2010, the Pew Foundation reported that only a third of Americans believed the President is a Christian, while a third of Republican identifiers believed he is a Muslim. A CNN poll taken around the same time found that 41 percent of Republican respondents believed that Obama was born outside the United States.

Fiasco, writers like Junot Díaz and Toni Morrison, and media personalities like Melissa Harris Perry. But we can't ignore politics. As distasteful as our modern political system has become, the American ideology of democracy is not just aspirational but formally meaningful. There are politicians with the facilities and authority to keep certain issues in the public sphere, to ask tough questions and require responses. Those politicians include a group frequently overlooked in recent years, and sometimes even maligned by other politicians, the media and an ideologically diverse set of intellectuals: the 42 members of the Congressional Black Caucus (CBC).

The CBC remains important in American politics in part because many of its members represent majority-black constituencies that can resist the electoral calculus that leads presidents to avoid discussing race. In addition, a closer look at the Caucus and its individual members shows that they are already having fruitful conversations about the meaning of race in America, though they don't often fall into the national spotlight. Indeed, with the exception of *The Root* and *Congressional Quarterly Weekly*, it is difficult to find any liberal or conservative media outlet that gives sustained attention to what the CBC does, beyond hyping the occasional scandal or spectacle. But the Caucus is engaging with its constituents, with other members of Congress and with a range of groups around the nation to promote a discussion of topics that have been ignored by the President, the national parties and the national media. (Note that in tandem with the 21 members of the Congressional Hispanic Congress, the CBC equals the size of the Tea Party Caucus.) A first step to improving our national conversation on race, then, is to know where to look for it—and to listen in.

In 1969, 13 black members of the House of Representatives created the Congressional Black Caucus. The initial motivation was twofold. In the aftermath of the assassination of Martin Luther King, Jr. and Malcolm X, the CBC sought to fill a leadership void in the civil rights movement with newly elected

representatives of an expanding black voting bloc. They were also responding directly to the politics of the day, and desired to form a “shadow cabinet” to express their opposition to President Richard Nixon's policies on civil rights and the economy. In these early years, the Caucus tended to issue bold proclamations on behalf of black Americans, such as a Black Bill of Rights in 1972, and they frequently proposed alternative national budgets to those offered by the major political parties. They continued this insurgent behavior during the Carter Administration, opposing budget cuts and increased military spending, and promoting the expansion of jobs programs, education funding and greater attention to crime and violence in impoverished neighborhoods.

Their first major success, well recounted in Alvin Tillery's book *Between Homeland and Motherland* (2011), was to lead the legislative effort to invoke economic sanctions against South Africa to protest Apartheid in the late 1980s. Caucus leaders Charles Diggs and Ron Dellums were instrumental in putting the topic on the agenda, pushing the House Foreign Relations Committee to devote more attention to democracy and economic development in Africa. Dellums first proposed sanctions against South Africa in 1972, and in 1975 Congressman Andrew Young promoted the furtherance of the civil rights struggle to South Africa in a speech to the State Department. The Caucus's efforts eventually culminated with the Comprehensive Anti-Apartheid Act of 1986 (overcoming a veto by President Reagan), which called for both a trade embargo and corporate divestment from South Africa.

The CBC achieved even greater public prominence, although arguably with fewer tangible legislative victories, as a result of a combination of events in the early 1990s. First, Bill Clinton became the first Democrat to enter the White House in a dozen years, and there were Democratic majorities in both houses of Congress. Second, the Caucus was primed for expanded influence that year, with 17 new members elected to the House of Representatives. These new members were the result of political developments a decade old. The extension of

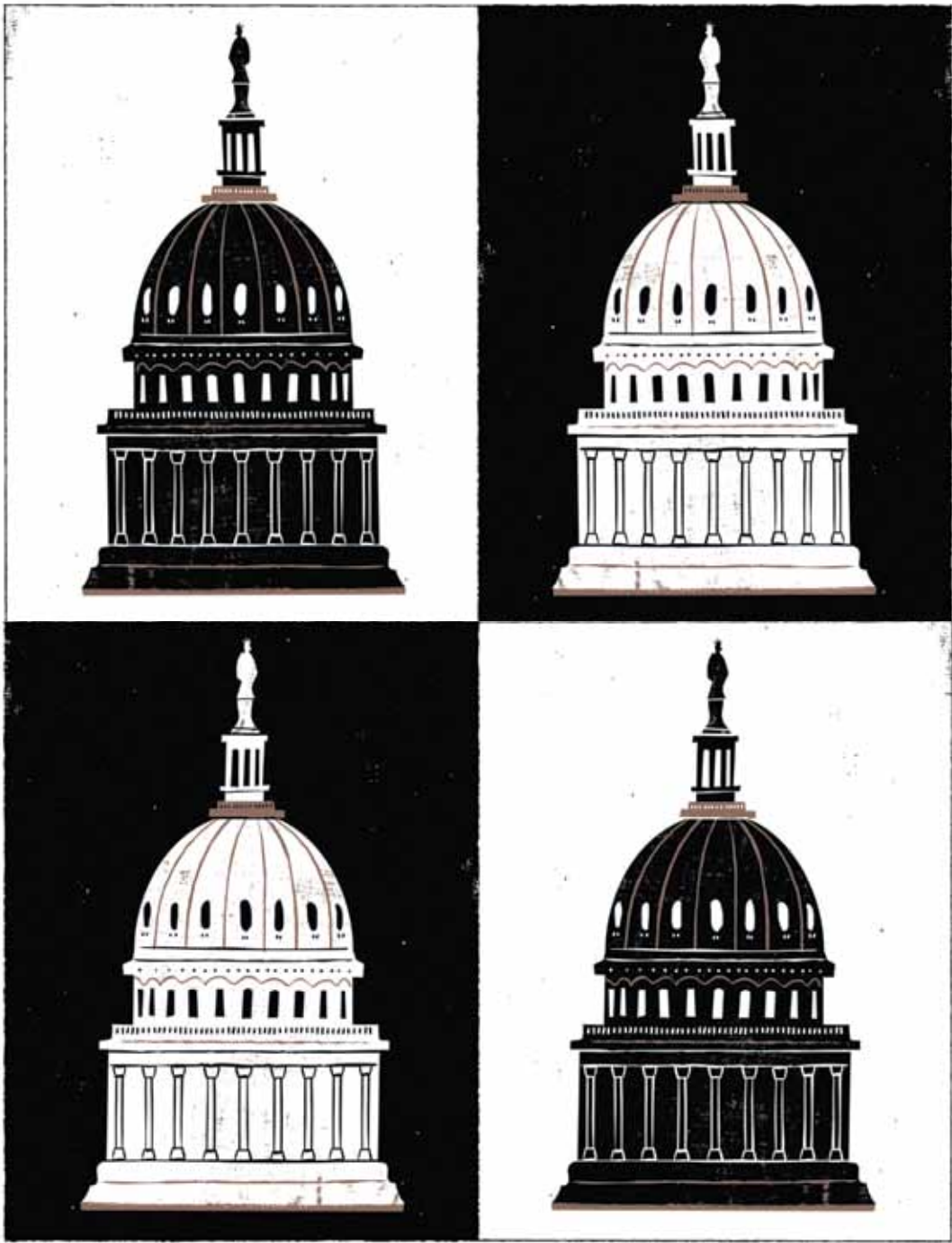


Illustration by Iker Aycarman

the Voting Rights Act in 1982—an Act that, as Abigail Thernstrom well recounts in her book, *Whose Votes Count?* (1989), was controversial in substance but gained nearly unanimous support in Congress—laid the groundwork for the creation of congressional districts designed to increase black and Latino representation. Most of the new Caucus members came from these “majority-minority” districts drawn after the 1990 census. That year, the members of the

Caucus represented populations that were on average 53 percent African American; the other members of the House represented districts that were on average only 7 percent black.

The next two years were a time of real CBC influence in both the House and in national legislative politics. Caucus Chairman Kweisi Mfume wielded the CBC’s increased clout to command consistent attention from President Clinton. Mfume’s influence was widely

credited for Clinton's decision to intervene in Haiti and for several spending additions to Clinton's first two budgets. Perhaps most notable was Mfume's activism during the passage of the 1994 Crime Bill, as Caucus members blocked the initial efforts of Democratic leaders in the House to pass a bill. The CBC leadership criticized the proposed legislation for ignoring racial justice issues in death penalty decisions and not allocating enough money to social programs to address the root causes of crime.

Ultimately, however, Mfume and the Caucus ended up losing doubly on the crime bill. First, President Clinton, instead of giving into the Caucus's demands, triangulated the other way, attracting moderate Republican support to replace lost Caucus votes. Second, the Democrats lost their majority in the House that November, the first time the Democrats had relinquished majority control since the Eisenhower presidency. At least some of the blame fell on the CBC's Crime Bill gambit and to its high profile during Clinton's first two years. A notable number of defeated conservative Democrats lost, analysts concluded, because their willingness to cooperate with CBC Democrats led them to vote for more gun control and social spending than the voters back home wanted.

The CBC's two years in the sun were soon eclipsed by the 104th Congress, one of the most active and energized legislative bodies of any American political era. Mobilized behind its new speaker, Newt Gingrich, the Republican majority got rid of the CBC, officially at least, by voting to end funding and official recognition for all caucuses and legislative service organizations in the House. Moreover, with Republicans taking control of the House, Caucus members found opportunities for legislative activism to be few and far between. Mfume left two years later to head the NAACP, and a number of its elder statesmen retired, relinquishing potentially powerful senior positions in House and Democratic Party committees.

The Caucus has remained in existence, but in the years between Gingrich and Obama it has taken a lot of lumps from politicians and academics alike. Most notably, many legal and political scholars have criti-

cized the continuing use of majority-minority districts under the Voting Rights Act because, they argue, Caucus members are left with such overly bloated majorities that they have little reason to mobilize their constituents. This criticism comes from the Left via the likes of Harvard professors Lani Guinier and Claudine Gay. Criticism has come from the Right via Sandra Day O'Connor, Carol Swain and Abigail Thernstrom, all whom criticize the Voting Rights Act for cementing and legitimating racial categories in politics in a way that denies the ability of individual citizens to be adequately represented by individual representatives.

In more recent years, the Caucus has also been attacked for being out of touch, sometimes with the American people, but even more often with its own constituents. The Caucus is frequently accused of being ineffective, both as a policymaking vehicle and as a provider of resources to its members' communities. Several Caucus members have been charged with ethics violations, from Mike Espy, who resigned from Congress (and was later exonerated by a Federal jury), to Charles Rangel, who had to be removed from his chairmanship of the Ways and Means Committee. Caucus members have also been attacked for the amount of money they have received from corporations, from tobacco to gun manufacturers to pharmaceutical companies, presumably to shut them up or to get them to contravene the interests of their constituents. A study by Dorian Warren, "Wal-Mart Surrounded", in the *New Labor Forum* (2005), charged that political donations from Wal-Mart influence Caucus members to side against their constituents in community labor battles. More recently, the *New York Times* ran a story accusing the Caucus of being influenced by the donations of more than \$55 million from corporations and unions, and of promoting the interests of internet poker companies, rent-to-own stores, cell phone carriers and medical manufacturers. The instigation of the *Times* piece was the news that the Caucus spent more money "on the caterer for its signature legislative dinner and conference—nearly \$700,000 for an event one organizer

called ‘Hollywood on the Potomac’—than it gave out in scholarships.”²

These critiques of the Caucus have merit, although unfortunately, just about any sector of Congress and government today could be fairly criticized for being bloated, unresponsive and even unethical. Like the rest of our political, economic and media elite, we can locate precious few heroes in the throngs of opportunists who leverage their positions while claiming to serve others. Alas, this new century’s version of a “Mr. Smith who goes to Washington”—Jeff Smith from Missouri, the inspirational upstart politician portrayed in the documentary, *Can Mr. Smith Get to Washington Anymore?* (2006)—ended up being a Mr. Smith who went to jail. Jimmy Stewart never did that, not even in the movies.

But the Caucus is also doing good things the public doesn’t see. In his book *Oversight* (2011), political scientist Michael Minta found that members of both the Black and Hispanic Caucuses were consistently more active than other congressional members in intervening in decision-making by Federal agencies and by testifying in support of minority interests at congressional oversight hearings. Caucus members write more letters urging agency officials to enforce civil rights policies, and spend significantly more time and effort advocating for solutions to problems that affect all racial and ethnic groups, such as poverty, inadequate healthcare, fair housing and community development. Minta also found that the presence of Caucus members in congressional hearings increases the chances that minority perspectives and concerns are addressed. He describes, for instance, the longstanding yet largely unreported role that members have continued to play in making sure the ongoing rebuilding efforts in the Gulf Coast in the aftermath of Hurricane Katrina are adequately targeted toward the needs of minority constituents.

And as the political scientist Katherine Tate has argued in *Black Faces in the Mirror* (2004), the Caucus has also become stealthier in its political maneuvering in recent years. Unlike the young and raucous CBC of the 1970s that received attention for big public proclamations, the more mature Caucus has attempted to better integrate itself into the

Democratic Party, sending its members into important committee assignments and other leadership positions. When the Democrats last lost majority status in the House of Representatives in 2010, John Conyers was the chair of the Judiciary Committee. Charles Rangel chaired the powerful Ways and Means Committee; James Clyburn remains the third ranking member of the Democratic Party in the House. This power within the Party often goes unnoticed. Few have remarked on their success, for instance, in getting more than \$4 billion for job and mortgage relief programs in exchange for their support of a regulatory law at the end of 2009.

This new positioning within the Democratic Party is both good and bad for the Caucus. It leads members to be more closely aligned with the Party, even in moments when doing so is less directly helpful to their constituents. Like other major interests in both parties, from unionized labor to the Christian Right, there are continually choices to be made between independence and proceeding as a minority partner in a majority coalition. Certainly, independence is tougher, calling for constant organizing and ingenuity. Joining a dominant party, with ample weapons at its disposal and formalized rules of accountability to constituents, is in many ways much easier. But in the current era of party polarization, this route limits opportunities to maneuver and negotiate because there are fewer swing groups to engage, and greater costs to defecting from the party line.

The CBC in the Obama Era

With the election of Barack Obama, the Caucus seemed poised to enter the apex of power. As Jesse Jackson, Jr. said at the time, “We have more chairmen, more subcommittee chairmen, more seniority and the president—so one has to say we have more influence on national policy.” But the Caucus quickly found that it had far less room

²Eric Lipton and Eric Lichtblau, “In Black Caucus, a Fund-Raising Powerhouse”, *New York Times*, February 13, 2010.

to maneuver politically than it may have seemed. CBC members were expected by both party leaders and by the bulk of their constituents to support the President and support his policy agenda, even when it went against their own policy goals, against aggressive Republican adversaries in Congress. And they did indeed spend much of the first two years standing behind Obama, defending the President against what they perceived to be unfair attacks, disrespect and veiled racism.

The Caucus now seems to be reconsidering this strategy. Last year, its members balked at Obama's speech to its membership when he challenged them to "stop complaining, stop grumbling, stop crying" and instead to get to work. Frustrated by their failure to get bills through the House, CBC members have redoubled efforts to promote their agenda, but this agenda does not always coincide with the President's. After proposing over forty job bills in the Republican House with no success, they went on the road conducting job fairs in cities around the country. This drew ire from the Administration, which perceived CBC behavior as a criticism of its stimulus program.

The CBC has also pushed new laws to combat voting rights violations and has promoted the repeal of "Stand Your Ground" laws in response to Trayvon Martin's death in Florida—complete with CBC member Bobby Rush, the former Black Panther "defense minister", wearing a hoodie on the House floor.³ The most recent chairs of the Caucus, Barbara Lee and Emanuel Cleaver, have both called for a new national dialogue on race and the economy, one that Cleaver suggested would chart an independent course from that of the President.

One may well scoff at the likely impact of this activity. The Caucus is not at or near the



Kweisi Mfume

center of American politics today, and it's not at the center of national debates (to the degree they exist) about race in America. But the Caucus is talking, it is raising issues of critical importance to its constituents and to minority constituents more broadly, and it is acting. Whether or not one approves of its message, it is promoting perspectives that have the formal backing of electoral majorities in its members' districts. Much of what they are doing is

³Obama challenged Rush in the 2000 Democratic congressional primary in Illinois's 1st congressional district, and during the campaign Rush said some rather tart, personal things about Obama.

occurring away from the House floor. Rangel, Cleaver, Lee, John Lewis and others spend a lot of their time speaking to high school kids, underprivileged youth, senior citizens, business leaders and just about anyone who will listen. Unlike too many members of Congress who spend inordinate amounts of time raising money for the next election, they are known for the time they spend in their communities, talking and engaging.

The problem for the Caucus is to figure out how to attract a broader audience, starting with the national media. They don't have the cachet of the Tea Party or Occupy Wall Street. They have long since stopped tossing political bombs. They have become, for better and for worse, more conventional politicians. So how now do they improve their position to participate in a more sustained national dialogue?

First, the Caucus needs to recognize—as I believe it does—the structural reasons that it is so often ignored. It isn't mainly about failed leadership and bad decisions. Rather, it's due to a national political discourse that is structured around beleaguered middle-class voters whom CBC members are perceived as not representing. Being tied to the Democratic Party, and even to the current President, therefore continues to constrain its potential activism. The Caucus makes many of its decisions with this in mind. It's a major reason members have pushed for entrenched power within the House: to give them an independent base that can sustain them when the rest of the Party has conflicting interests.

Second, with all this in mind, the Caucus needs to keep engaging in conversation behind the scenes—with its constituents and with other members, both of their own party and the opposition, even if the national media isn't interested. Its members need to remember, for instance, that one of their biggest legislative victories, the Anti-Apartheid Act of 1986, was notable not only for its substance but for the fact that they organized and influenced a majority of the Republican-dominated Senate to override President Reagan's veto. And third, it must make itself ready to seize the moment when it arises. The Tea Party and the labor

movement have landed at the center of national debates in the past few years because they have organizations with bodies and resources that enable them to spring into action given the opportunity. The Caucus cannot rely on President Obama to give it either the opportunity or the apparatus to respond, and so needs to continue to build with other like-minded organizations to position itself for mobilized activity.

Talking about race in America is exceedingly hard. In part, this is because of the complexity of the category. Even the most famous inquisitors of our national identity, from Tocqueville to Du Bois to Morrison to Obama, have been befuddled by its sustained power and historical incongruities. We also lack a common language, and in many ways a common historical memory, to understand its changing contours and boundaries. Many Americans do not believe that they are a part of any race, and many others falsely associate attributes to race that in reality stem from other sources. We are a nation that has long juggled a meaningful and celebrated aspiration to individual rights, all the while maintaining throughout much of our history an array of constitutional, legal and societal divisions and hierarchies marked by race. And we are a society that for centuries made judgments in group terms, with consequences both obvious and disastrous, only to suddenly shift to an individualist, “pull yourself up by your bootstraps” defense when the bill came due.

Today, now a half century after the civil rights revolution fundamentally altered our possibilities and challenges, it remains difficult to discuss as a nation how race matters, how it does not, and particularly how it meaningfully intersects with class, gender, individualism and ideology. We've also seen in the supposedly post-racial Obama era how ugly such conversations can quickly become, and how fast people embrace clichés and platitudes and recoil from sustained debate. At the least, these past few years should put the idea of a “post-racial era” to rest and provide encouragement for further conversations about the category and its relationship to power in America. In this the CBC still has an important role to play. 🍌