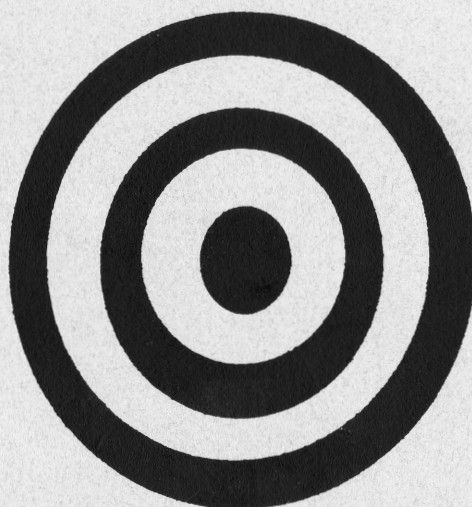


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ENDARCH

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Political Science

Clark Atlanta University

State Purpose

ENDARCH

Journal of Black Political Research

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Clark Atlanta University

Statement of Purpose

In decades characterized by the complete atrophy of all struggle from the sixties and the defection of most of the former participants, the principal question must be...why? What has happened consistently to denature and distort incipiently progressive impulses that appear among black people?

Endarch, as its names would suggest, identifies with motion; not any haphazard or desultory movement, but movement that is conscious of its origins and destinations. As an embodiment of aggregate but mutually consistent perspectives, this journal seeks to reflect, analyze, and generate activity which will ultimately lead toward the expansion, clarification, and solidification of black political thought.

The conscious nature of movement is derived from a clear social and analytic methodology. An approach which views the world as a totality, but also diaphanously understands that the components comprising this world are not of equal importance. With this in mind, and given black peoples historical grounding in oppression and exploitation, Endarch sees of paramount importance those phenomena and groups of phenomena which operate in a system of oppression and exploitation. Recognition of such phenomena must lead to a discernment of those vital elements, the crucial essences of which define and condition the world. Our purpose is to expose those essences and through this explication illuminate the totality from the vantage point of a specific oppressed people. Such is the task of a conscious and critical black political thought imbued with the task of defining the black experience in politics. It is toward this goal that we aim.

*Reprint (in part), Endarch, Fall 1974

The Three Crises Of The Negro Intellectual

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The Three Crises Of The Negro Intellectual

David Dorsey

Clark Atlanta University

Throughout this period the academic community and - a more diffuse concept - the intellectual community always thought there were competing viable conceptualizations of African American status and agenda. Even the legislated reversal of statutory segregation was perceived as a victory and vindication of commitment to integration, rather than a new intellectual challenge to redefine premises, issues and goals. On the contrary, I submit that there have been only three intellectual crises for African American intellectuals, and that we are now in the worst.

The original title I had intended was "The Crisis of the Negro Intellectual." By definition for me a crisis is momentary. A crisis arises as a result of longstanding forces and evolving circumstances. It is a moment in which the interactions of these forces and events have led to a volatile, unstable situation with foreseen and unforeseen dangers, where all possible choices (including inaction) entail horrendous consequences, and suitable solutions are unimaginable or inaccessible. A crisis does not last; a crisis does not continue; a crisis quickly becomes a new status quo. More importantly, it is my thesis that African American intellectuals now face an unprecedented and unanticipated crisis. An utterly new situation which is inevitably volatile and temporary. A crisis for which I can foresee no constructive solution.

I thought that my title would excite curiosity on two counts. Why had I appropriated the title of Harold Cruse's famous tome? And why had I done so even though it uses the repudiated term, 'Negro'? I specifically want to restrict the idea of a crisis in a way which excludes Cruse's invaluable insights. I wish to suggest that Cruse was describing not a crisis but perennial dilemma. Discussing the fifty years from the 1920s to the 1970s, Cruse minutely described the intellectual commitment to integration, especially of the elite by the elite and for the elite. He also described the permanent minority commitment to various forms and degrees of separation.

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Crises Of The Negro Intellectual

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Though he is admirably thorough in indictments of the hypocrisies and intellectual penury of many intellectuals, within and outside the Marxist ranks, the essential parameters, the intellectual conundrum he described, despite many permutations, reached no climax and developed into no crisis. Throughout this period the academic community and - a more diffuse concept - the intellectual community always thought there were competing viable conceptualizations of African American status and agenda. Even the legislated reversal of statutory segregation was perceived as a victory and vindication of commitment to integration, rather than a new intellectual challenge to redefine premises, issues and goals. On the contrary, I submit that there have been only three intellectual crises for African American intellectuals, and that we are now in the worst.

As for the term, 'Negro,' I use it to emphasize a peculiar facet our identity which is obscured by any other name. Indeed I suggest that the reason we have so ridiculously demanded one appellation after another throughout this century is precisely because of our refusal to face the single defining fact of our identity.

By an intellectual crisis, I mean a moment when, through the course of real events, schools of thought, ideologies, even mere rationalizations, have become discredited, untenable, incredible, disproved, and finally harmful; a moment when some fundamentally new prescription is needed, because all existing ideologies clearly foster deleterious trends and results. Religions which predict the date for the end of the world, and see that date arrive, face an intellectual crisis. A lawyer who with magnificent success devotes his life to dismantling legislated segregation, and finds that his victory makes the society more segregated than ever - such a Supreme Court justice faces an intellectual crisis. A whole community faces an intellectual crisis, when all the ideologies available in that community are discredited. The community I have in mind does not include all African Americans in academic institutions. I mean academics along with all others who consider themselves committed to erudition (knowledge) and abstract reasoning. This includes our great tradition of autodidacts as well as those who acquire their learning in religious communities.

Although I am about to describe the crisis that I believe we face, I do not have the extra gall and idiocy to think that I have an answer to the crisis. My objective is colossal but simple: I only wish to suggest that African Americans are now in an unprecedented intellectual environment.

Our first intellectual crisis came at the end of the eighteenth century; the second at the end of the nineteenth and beginning of the 20th, and, of

course, the third comes at the end of the 20th century. In the second half of the 18th century American metaphysical discourse defined itself by two schools of theology, both, of course, derived from Europe. One was decidedly Christian and manifest in very distinct religions which, from this distance seem rather similar. The other was 'deism', the notion that although the universe was created by God, He, after bestowing this benefice on one of its species, humankind, withdrew into absolute non-interference. It is from this school of thought that Thomas Jefferson derived his theories of human equality and a universal right to liberty. It should be obvious that both of these doctrines were anathema to Christianity, from the beginnings of Christianity until the 20th century. It is also clear that Christians and deists managed coexistence by judicious silences, mutual accommodations, and practical tolerance. In the course of the colonists' rebellion from the legitimate authority of their king and parliament, the Africans among them appealed to deist principles such as those stated in their manifesto of independence. But such luminaries as Jefferson were adamant and absolute in excluding us from their concept of universal humanity. Their position was founded on a concept of Africans as an inferior sub-species related to the human species. It is common to claim that this position was merely an excuse for the exploitation which was already becoming unprecedented in human history. This accusation is vitiated, however, by the fact that all those who opposed slavery held the same convictions of our inferiority. And incidentally it is worth mentioning here that no accumulation of individual achievements against any conceivable odds could threaten this knowledge. The cases of Phillis Wheatley and Benjamin Banneker show how incredulity can triumph over any facts.

If the deists had to circumvent their theories in order to deal with the reality they knew, the Christians had no such problems. The New Testament explicitly accepts slavery without defining any basis for enslavement. Nor does it offer any other principle of human equality, except, and this is critical, the possibility of sanctification through faith. Thus for the African intellectuals in America, the choice was inevitable. Christian doctrine, which offered no support of their political and social rights, was nevertheless the forced choice because it offered the only equality the culture did contemplate. There was another inhibition. Deism was an option open only to the elite. Anyone outside the most privileged class who was not a Christian would be a reprobate atheist, and if the person was non-white, an incorrigible, barbaric heathen as well.

But by 1787, Christian practice had hardened. We were reduced to

total and symbolic subordination within the spiritual union, the Church. This created the first of our intellectual crisis. Both deism and Christianity declared unequivocally our exclusion from the human community. In other words there was no ideology available, no school of thought, no frame of reference, no intellectual tenets current in the society to which we could repair. Theoretically Africans could have declared a pox on both houses, denouncing the hypocrisy of deists while espousing their doctrines, and renouncing a religion which usually supported our subjugation and always acknowledged our inferiority. But that would have deprived the Africans of any voice whatsoever in a culture which could never have heard the argument, and never have responded constructively.

Africans chose to retain the religion which offered no intellectual defense, but rejected the church institutions by forming their own churches. With centuries of hindsight, I can imagine no alternative genuinely available to them. Nevertheless even now I cannot imagine how they found this position intellectually tolerable. Hindsight also allows me to point out how much of their choice crippled Africans of the United States during the nineteenth century. For it seems to me transparent that a large contingent of our intellectuals rejected Christianity, but were not allowed to say so. Again and again our writers condemned Christians while declaring their faith in Christianity (without any supporting arguments). Often, as in the case of Frederick Douglass, the undercurrent of hostility to Christianity seems barely repressed. Others accept the logical extension of Richard Allen's apostasy by accepting Christianity but proposing emigration.

In sum, the African intellectuals in America faced an intellectual impasse at the end of the nineteenth century, and of necessity adopted an intellectually indefensible position. Only a foolish response to history would call the decision wrong, but it would also be foolish to ignore its harmful influence on subsequent discourse.

The second crisis was not about religion. It was about identity, and, so far as I know it, it introduced our century long onomastic obsession. By the end of the century, America had officially embarked upon recrudescing oppression of us. Americans justified their oppression through science and theology, both of which proved their assertions about race. By now, of course, among honest intellectuals 'race' is recognized as a social construct incompatible with any scientific biology. Nevertheless even then and for them, all definitions of race were (and remain) ultimately dependent upon **physical characteristics rather than ancestry**. But Americans defined race by ancestry and only incidentally by physical characteristics. When parentage

in a socially defined category determines or influences all of one's roles in the society, then the category is one of caste and not race. In other words, by the end of the century Americans were using racist doctrines as pretext for oppressing a caste, not a race. In the effort to create an impassible barrier between us and themselves, Americans avoided the unmanageable gradations inevitable in any policy based on race. Instead they legislated a simple caste system.

This development created a crisis for African American intellectuals. Because the Americans chose a principle of caste rather than race to define "Negroes," the category inevitably included some persons who are by race Caucasian but by caste Negro; they are quite obviously white, but they are 'blacks'. The caste includes even more people who are by appearance, that is by 'race,' only marginally African. Furthermore America insisted that this category, 'Negro' would be maintained as a caste, regardless of the social class differences among its members. No attributes of character or achievement or influence can emancipate a person from the caste she or he is born into.

American insistence on absolute caste destroyed the central premise of the nineteenth century African American thought. For Negroes there was no longer any role or goal in America which is rationally or morally defensible. For the individual, proving oneself 'better' than most whites (more intelligent, more learned, more industrious, more pious, more 'refined') became a pointless travesty, if the goal is to earn the respect reserved to human beings. For the caste as a whole, the demand for equity or 'equality' could not be based on merit, because the society find actual equality incredible, inconceivable. Again, as a century before, there was no tenable philosophy to respond to the situation which the forces of history had created. There was no known analysis or ideology or religion which could provide an intellectually tenable prescription for the future.

What choice did African Americans make in this intellectual crisis? Booker T. Washington's accommodation was immensely practical, immensely productive. But it was of course logically and morally indefensible if one believes that we are as human as the Americans. Most of the elite intellectuals, however, adopted an alternative view which won the allegiance of most African American intellectuals throughout the 20th century.

African American intellectuals denounced the oppression, but with a certain ambivalence. Again and again our intellectuals proposed that 'Negroes,' the 'colored' people whom America was oppressing, consisted of two distinct groups. One group of Negroes the larger (and darker), rightfully

could be denied full participation in American society, since we had not proved worthy and, *by Nature*, are unworthy. However, those who held this position consistently also argued that the great unwashed did not deserve the level of oppression we were receiving. But the other group of colored people (some guessed about ten percent of us) deserved full equality with Americans because by the quality of their lives and by the proximity of their appearance, there is no just basis for discrimination. The argument held that obvious merit should be rewarded with the mantle of humanity. But of course such people were usually the scions of privilege, and often the privilege was the gift of Caucasian progenitors. In other words, African American intellectuals stridently argued that America should distinguish between decent Negroes and me. In effect, I claim, they were proposing a kinder, gentler racism. This is a subtext I find ineluctable in the works of Charles Chesnutt, DuBois, Francis Harper, and many others. But America's conception of Nature was never subtle enough to accord any members of our caste a status equal to their own. The only possible accommodation which America could have made to our elite's claims would have been to adopt the triple (or multiple) caste system prevalent in the other Americas rather than United States' bizarre two caste system, which thrusts the most educated, sophisticated, prosperous, and phenotypically Caucasian Negroes into the same category as people like me, with all the deficits of African ancestry. In any case, in the first half of the 20th century, all intellectual circles in America understood that America has a caste system founded on supposed racial distinctions.

Given the biological, historical and sociological facts, the African American position was far more reasonable than the prevailing American position. Furthermore, the argument was always made on the grounds of merit, character, sensibilities, education, prosperity and achievement. The genetic corollary was left to indirection, inference, physical descriptions, and encoded associations. It was an unwittingly racist argument, but far less hypocritical than the thinking of Americans a century before, and far more just and humane than the thinking of coeval Americans. But again it would be foolish to censure. It is important to note that although they insisted on being distinguished from black people, these intellectuals never proposed abandoning me. On the contrary, their fiction and their biographies are rife with heroes and heroines bent on 'uplifting the race' from degradation. There was a racism of *noblesse oblige* quite familiar to residents of Atlanta until legislative desegregation.

Second, the American refusal to allow the distinction was of incalculable advantage to all of us. Until the astounding reversal of the last

two decades, the political and economic interests of African Americans were never allowed to diverge into two camps of essentially conflicting interests. There was never a zero-sum universe in which the interests of the middle class were in diametrical opposition to the aspirations or needs of the lower class. Had there been two castes (rather than one caste with a continuum of varying classes), there could never have been the level of unity which served us so well until the end of legal Jim Crow.

Once the enormous importance of that unity is recognized, we can also note that the Americans' refusal to acknowledge a distinction did not erase that distinction within the caste. African American culture never escaped the debilitating concept that among us there are those who are genetically 'talented' enough to be accommodated comfortably within the context of American society as a whole, and those of us who *inherently* lack adequate 'talent', which includes character. Perhaps nowhere can one find this racist subterfuge more transparent than in the vile claim that "anyone can succeed in America if you try hard enough." Perhaps inanity exceeds deceit when the phrase changes to: "...if you want to badly enough." Is it possible to imagine such nonsense being uttered in a society with an indispensable caste system?

Third, let us be very, very clear about this: No society ever consciously decides to create a caste system, and no society can decide to dismantle one. Whatever ideas or laws or customs a society has for dealing with caste exist to acknowledge and respond to ineluctable facts ordained by God or Nature. In the mind of every person acculturated to life in America, it is God who made the distinction between Negroes and human beings. American laws past and present, repudiated or applauded, are all perceived as attempts to respond to facts, and certainly not as what they are: a society's creation of metaphysical truth.

Finally, I emphasize that the distinction between race and caste has become critical as never before. In the eighteenth century American racism as regards the Negro gradually congealed into a practice equivalent to caste. That is, originally slaves were indentured servants who like white slaves, would normally earn freedom and join the ranks of the white lower classes. Gradually laws were passed to make the slavery of Africans presumptively permanent, and even to restrict the possibility of manumission. The ideological basis was racist; the social structure was only evolving into a caste; there was no conflict between race and caste.

By contrast, at the end of the nineteenth century, there was a large and vocal group of persons who were neither fully Caucasian nor mainly

African. And there were many who, though fully African, had attained sufficient income and education to avoid the usual pattern of deprivation and exploitation. Adopting a system of caste now meant, **in practice** abandoning the principle of race. Americans adopted the principle of caste, but continued to think that they were responding to race. In time this misconception became so profound that now no one ever speaks of the Negro caste, and most people, regardless of their own caste, have no knowledge that America has a rigid caste system underpinning a very mobile class structure. Because of this fundamental misunderstanding, Americans do not understand that they have a system with only two castes - normal human beings and Negroes. All of their ethnic rivalries, fluctuating hostilities, and scurrilous abuse of Native Americans occur within this context which distinguishes the descendants of their slaves from everybody else in the world.

Considering that America is a European country in its culture, America is quite astoundingly non-racist. Even though the original oppression of Africans was rationalized on the principle that black people are irremediably inferior to white ones, that argument has retreated to the most intractable recesses of the American mind. In fact, Africans themselves are accorded full status as human beings. Both here and in Africa, Americans go to great lengths to explain to Africans that we Negroes essentially differ from them, Africans, as much as we differ from everyone else in the world. Every American employer would rather hire an African than African American. And as the bizarre case of Colin Powell demonstrates, even descendants of African slaves in other countries are not really included in our caste. [All biographies of Powell emphasize that he is the son of immigrants.] It is no longer true that an African American can be defined as a citizen with some known African ancestry. An African American is a person known to have an ancestor in the United States who was a **slave** of African descent. The caste is no longer 'descendant of Africa'. The caste is 'descendant of 'our' slaves.'

The African American community has never come to accept the fact that the American concept of reality will forever prevent Americans from perceiving the descendants of their slaves as persons worthy to participate fully and equitably in their society. For two centuries virtually all African American ideologies can be placed in one of two over-simplified categories: integration or separation. As a practical alternative most options of separation can be dismissed. Ever since Abraham Lincoln wept on learning that even a modest rate of natural increase alone would prevent them from shipping us all elsewhere, anywhere, emigration has been impossible for the community as a whole. The Americans' God told them to massacre every

single native on this continent, and they remain convinced that God gave them this land, and also that *mirabile dictu* they earned it. Such a people is not likely to yield a parcel of their divine patrimony to their slaves' descendants. The most lamentable fact of African American history is quite easily stated: We're stuck here.

So we are also stuck with all the permutations and complexities of various programs for living with the Americans. And no error has been more attractive and destructive than the belief that there is some course of action by which we can or could with their cooperation become Americans. By citizenship we are American. By culture and ancestry we have longer and purer ties to the country than most Americans. But in neither Toledo nor Tokyo, in Lagos nor Los Angeles, nowhere in the world would a person refer to one of us as an American unless the hearer already knew his subject was the other kind of American, the Negro, by any other name.

Negro, of course, was the official name of our caste. In rejecting that word, and 'colored' which served as a euphemism for Negro, African Americans seemed to think that they were thereby modifying social reality. When the camouflage of 'Afro-American' proved pointless, we adopted 'African American.' By then, however, Africans had learned that Americans do not tar them with brush reserved for us. Therefore, while most Africans happily acknowledge commonalities of cultural heritage and political interests, some Africans resent our quest for dignity at their expense. [I cannot imagine that Poles berate those who call themselves Polish Americans.] A people have a right to decide their name, and to change that name at will. Nevertheless the relative indifference that Native Americans have shown to their names in this century invites instructive comparison.

All this brings me to the current crisis. Suddenly Americans are systematically introducing and reinforcing conceptual divisions within the Negro caste. In the next census, for example, there will be a racial category equivalent to 'mulatto'. In most surveys certain people have to choose between the ethnic category 'Hispanic', and the caste distinction, 'white' or 'black'; in other surveys only Hispanics are asked to specify both caste and ethnicity. But the most important division has been created by systematically closing all doors to poor blacks: no schools, no jobs, no form of social security, unrestricted access to drugs and guns, etc. while continuing to admit privileged blacks into the lower echelons of stability and security.

Personally, I am convinced that each brick of this prison wall is placed with complete self-righteous conviction that America is doing what is necessary and what is just. For two centuries all Negro achievement was

perverted to reinforce the caste system, through the simple 'exception thesis.' The exception thesis holds that whenever one is forced to acknowledge that an African American does not fit the culture's serotype, he - or more likely, she - is the exception which proves the rule. After all, if she did it, all the others could also have done it if they tried hard enough, or wanted to, enough. The exception thesis has now been raised to the level of a category. Every Negro individual and group now has exactly what they deserve; allowing them to earn more can only be achieved through unjustly depriving real people of something they deserve. We are told constantly, and Americans believe fervently, *that the black 'underclass' is poor by the perversity of their will, and that perversity is an ineluctable part of their biological nature. The American political and economic structure is not the cause of their suffering. On the contrary, there has been no more destructive, unjust and even evil trend in the past thirty years than the American misguided effort to fight God and Nature by fostering their entrance into 'the mainstream.'* That frame of reference is **not** dishonesty motivated by malice or greed. The self-righteous piety of the most strident voices is undeniable. Furthermore Americans both individually and as a nation spend exorbitant sums to maintain the edifice of caste. Dismantling the caste system would give an immense boost to the American economy and to communal serenity. Americans do not give up their caste system because they cannot. God and Nature have ordained that there is no alternative.

In the last quarter of the 20th century Americans have exacerbated the disparity between their social conditions and ours. Simultaneously the exception thesis is being used to create the division that African Americans proposed a century ago. But there's a devastating difference. Relief is granted to the privileged Negroes only on the condition that they internalize the American perception of reality and the American social morality. Gone is the principle of *noblesse oblige*. To have 'escaped the ghetto' becomes the basic mark of respectability. To 'give something back to the community' becomes the exceptional virtue among those who fit the exception thesis. In short, America has succeeded in fragmenting the African American community in decisive ways, both on the basis of birth and on the basis of class.

In the same period, the African American community has been completely deprived of voice unanointed by white America. There are no newspapers or journals whose existence could continue without the financial support of white institutions. There are no nationally known intellectuals or leaders who are not completely dependent upon white people for their income. The one exception, of course, is Louis Farrakhan, who is therefore

daily vilified in every medium accessible to African Americans. In other words, aside from the Nation of Islam, we have no instruments of communication and no national communicators who are not owned and controlled by persons who define themselves by their difference from us, all of us, not just the underclass. We have no way to speak to each other independently. And we cannot choose any leaders without their permission. On the contrary, they openly dictate scripts to all our known political and intellectual voices. We celebrate as heroes only the persons whom they first anoint. We respect as artists and thinkers only those whom they anoint. Whom they depose, we ignore. And in foreign policy, whatever they propose, we accept. Ever since the Second World War we, as a people have been silent to every vicious act of imperialism that the American have perpetrated around the world. [And in what year have they not committed some atrocity which we, as a community knew to be evil.] Even in domestic affairs we have accepted the constraint which allows us only to echo some of them or to discuss how a issue particularly impacts upon Negroes. We never speak as citizens; always as Negroes.

We are fragmented as never before. Weaponless as never before. Leaderless as never before. These are conditions faced by the Negro caste as a whole. It is a crisis greater than the focus of this paper. I am only addressing the intellectual crisis, a small but critical aspect of the current situation. In this new situation Americans feel that nothing could be more unfair than granting us equality, and all signs of our 'progress' are the result of their unfairness to themselves. In this situation what programs or principles could we enlist?

More importantly the dominant principle throughout the whole history of African American thought has now been discredited. We have learned that integration is devastation. I am not talking about its attendant loss of cultural uniqueness in language, arts, cuisine, or customs. I am talking about the intensified segregation that integration has brought, and the intensified repression: rising infant mortality, corrupted education, and multiplied prisons. And to the material deprivation has been added a new spiritual desolation with epidemic resort to direct and indirect forms of suicide. Integration has created for Negroes a kind of ghetto worse than anything our parents or forefathers could have imagined.

Since separation is a daydream, and integration is a nightmare brought to reality, the most active intellectual currents which are not dictated by Americans are the schools of philosophic separatism. They are sometimes religious, sometimes secular. The Nation of Islam, the Black Church of

Reverend Cleage, the Hebrews and the Yorubas are examples of the religious separatists. Secular separatism is most prominently represented by Afrocentricity.

Religious and secular separatism have in common their reliance on etiological mythology. Worse, their myths all adopt European racism, and are therefore dissatisfying to any intellectuals who reject the metaphysical and conceptual premises of European myopia or racism. If you regard Judaism and Christianity as merely examples of human religions, with no more validity than say, Mayan or Maori religion, then you find no comfort in learning that Christ or the Israelites were 'really black.' If you know that Africinity is not the distinguishing characteristic of African Americans, you gain little comfort from learning that ancient Egyptians were African or Black. If you know that such terms as white or Caucasian or black or Negroid are grotesque anachronisms when applied to ancient Egyptians, their racial identity becomes a nonsense issue. Both the religious and the secular mythologies are astoundingly shackled to European concepts of reality and values.

Most of these movements judge Europeans by European standards and, of course, find Europeans wanting. They build for their members codes of conduct which mirror Europe's concepts and idealized codes. Afrocentricity alone, in my opinion has rested its case upon scholarship rather than revelation. And Afrocentricity more than most, I think, has presented racism as merely one manifestation of the Europeans' despicable moral universe. Afrocentricity seeks to emancipate itself from a European frame of reference. But the chosen alternative is ancient Egypt! (Which, they proudly admit, was the origin of European philosophy and religion!) It is hard for me to imagine a more ironic choice for African Americans to make.

For me, Egypt distinguishes itself for two aspects of extraordinary achievement: technology and words. Egyptians created incredible, inexplicable wonders of architecture, human physiology, mythology, and verbal declarations. We may notice in passing that these are the two realms of American excellence. Americans lead the world in technology and in nice-sounding declarations of social principle which are ignored or perverted in American practice.

But in my brief introduction to Egyptian history, standing in awe at many temples and tombs, nothing impressed me more than the folly, the waste, and above all the appalling social injustice which was the essence of Egyptian culture. Imagine it. For four thousand years an entire society devotes all of its amassed resources to building habitations so that the small

elite will be able to continue for eternity their pampered exploitation of the masses here on earth. The pyramids are awesome; their purpose is revolting. As a social order, ancient Egypt must appall us. It shocks me that anyone could look to Egypt as a model for morality, philosophy, religion, or justice. That an African American could look there is doubly ironic, for the skills and the evil of ancient Egypt are similar to, but much more extreme than those of the United States.

Nevertheless Afrocentricity seems to me to be the only school which makes the first step, the step which events and reason and the plainest tenets of morality demand. Afrocentricity insists that we **cannot** and **must not** seek to be Americans. Jews were not allowed to become Nazis, but who is in a better position to know that Nazism was an unspeakable evil. Palestinians cannot become Israelis (even when they are citizens, even when it is their ancestral land), but who is in a better position to know that Israel commits unspeakable evils in the name of God. Who in the whole world has more moral obligation than we to show to the whole world, by our example and our principles that the American way of life is fundamentally evil. Surely we must acknowledge that many societies in the world treat some of their members worse than Americans treat us. But the American treatment of us is merely the most visible and ugly domestic manifestation of their fundamental vision of human nature, human aspirations, human decency. Afrocentricity declares, and I agree: if we do not seek to be different from the Americans, then we deserve the contempt which the world now showers upon us, and which history will confirm.

In conclusion, I see no school of thought, no program, which offers the slightest intellectually cogency for leading African Americans out of the current desert. But I have been describing an intellectual crisis, a lack of viable theory. I have not, except incidentally, been describing the real social crisis in which 35 million people must live, day by day. If 300 years of experience continue to hold, we will survive, even though now Americans have no principles that we can enlist or appeal to, and now, for the first time, we ourselves have no tenable principles which define our goals, and map strategies to reach them.

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Examining President Clinton's Response To Welfare

Robert Wilkes
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The major purpose of this paper is three-fold. The first aim concentrates on a re-diagnosis of welfare and what actually causes a need for it. The paper then attempts to examine a method in which the need for welfare can be alleviated. Third and most importantly, this research paper seeks to determine what American political entity is primarily responsible for ensuring that the needs of the "poor" and recipients of welfare are met in the most effective manner. However, prior to meeting these goals, a background on the role that welfare has played in the U.S. is provided.

INTRODUCTION

The essential question regarding welfare centered around what entity (federal, state or non-governmental) is responsible as a viable alternative to reforming America's welfare system. Even so, there was a sub-debate that focused on "taxing" and "spending" of U.S. revenue in regard to welfare. However, one should attempt to comprehend the debate over welfare within the context of the sub-debate igniting the larger debate over where responsibility lie regarding welfare.

Since the origin of Aid To Families With Dependent Children (AFDC), now called Temporary Assistance To Needy Families, more than a half century ago, the number of individuals and families in need of some type of financial assistance to support themselves, has consistently grown; thus, driving-up welfare costs and increasing taxes. In fact, folk have openly criticized government for allowing federal spending for welfare programs to total more than \$5 trillion since the early 1960s.¹ Consequently, perception

¹Sharon Parrott, How Much Do We Spend on "Welfare"? (Washington, DC: Center on Budget and Policy Priorities, 21 March 1995), 1.

Endarch, Journal of Black Political Research Spring 1997, pp. 14-35
Clark Atlanta University, Department of Political Science
Atlanta, Georgia 30314

among mainstream America that something must be done to offset this trend of rising costs prompted President Clinton to sign into law a bill that allows state governments greater latitude in creating and financing their individual welfare programs. The argument is that welfare costs were infringing upon mainstream American private budgets as well as a reduction in the U.S.' federal deficit. Embedded within mainstream perception is the conceptualization of the "blame doctrine" in which many indicate that folk are in need of welfare and governmental assistance due to immoral behavior (undeserving poor).

The major purpose of this paper is three-fold. The first aim concentrates on a re-diagnosis of welfare and what actually causes a need for it. The paper then attempts to examine a method in which the need for welfare can be alleviated. Third and most importantly, this research paper seeks to determine what American political entity is primarily responsible for ensuring that the needs of the "poor" and recipients of welfare are met in the most effective manner. However, prior to meeting these goals, a background on the role that welfare has played in the U.S. is provided.

There lies a misconception of the root causes of the need for American social programs regarding welfare, which this analysis attempts to put into proper context. Yet, due to this inadequate problem definition, ill-equipped alternatives have been advanced to remedy the need for welfare. In fact, findings of studies and reports have long indicated that spending for welfare should be capped, teenage mothers should be denied direct cash payments, a school voucher system should be established, responsibility over social programs should be shifted from governmental to non-governmental entities including churches.² By signing the Personal Responsibility Act, President Clinton has provided states the following authority and options:

Instead of paying money directly to unwed teenage mothers, the money they would have received through Aid To Families with Dependent Children (AFDC) and Food Stamps should be given to the states. States could develop programs to assist teenage mothers, including promoting adoption, orphanages or assisting young mothers in tightly-supervised group homes. Since other families don't receive increased income when they have additional children,

²Robert Rector, How To Reform Welfare
(<http://www.townhall.com/heritage/commentary/op-rr1.html>) 1-2.

neither should women on AFDC and/or Food Stamps. Eventually, direct federal payments to unwed mothers of all ages should be eliminated, so there is no longer a government reward for having children out of wedlock.³

These views provide credence to the notion that unwed mothers operate within a cognitive framework of having more and more children in order to receive additional benefits. Consequently, states across the U.S. are creating "copycat" laws of limiting welfare benefits and establishing time limits for receiving benefits.

Variables such as race and gender have also been manipulated to illustrate that the need for welfare is a problem experienced, primarily, by African Americans; therefore, African Americans live a life of immorality (undeserving poor). By examining the controversy surrounding welfare reform not only empirically but scientifically as well, my research attempts to offer a better understanding or more comprehensive view of the need for a national welfare program. Also, this research attempts to provide a more prudent way of releasing folk from the chains of poverty. As indicated earlier, government has been placing emphasis on the "blame approach"; therefore, failing to adequately deal with the need for a national welfare program as well as establishing a significant methodology for reforming it.

BACKGROUND

Following the devastating effects (e.g., high rates of unemployment, homelessness, etc.) of the depression of 1929 and the inability among state governments to respond (financially) to the depression and the financial needs of the American populace, welfare got its start. It was during this period that the philosophy dominating the political arena was that of government operating in a fashion to assist folk financially during economic hard times. In other words, it was "nationally" accepted among the American populace to allow government to enter into their private lives.

AFDC was structured to provide cash assistance to individuals based on two basic variables: 1) single parent households; and 2) income. AFDC provided "cash payments for families of needy children lacking adequate income support because of parental incapacity, death, absence, or

³Ibid., 1.

unemployment."⁴ In regard to American federalism, the cost of administering welfare was and is shared between the national government and state governments. Yet, the federal government covered the majority of the costs. In retrospect, states played a more activist role in the actual administration of welfare. Today however, the Personal Responsibility Act replaces AFDC, the once primary federal cash welfare program, and smaller programs with block grants that allow states to operate their individual welfare programs.⁵ This shift of responsibility has been sparked, in part, by two salient factors that have drastically changed since the late 1920s and early 1930s. 1) The notion of cause has changed; Americans no longer believe that people are in need of welfare due to factors beyond their personal control such as the effects of the "Great depression." 2) This notion is coupled with the philosophy of the present time that government (national, state, and local) should stay out of the lives of private individuals. Originally however, welfare was termed Aid for Dependent Children to assist white widows primarily.⁶

DISCUSSION

Before attempting to make sense of America's welfare programs, one must first look to the political philosophy that currently guides American consciousness regarding welfare and other social programs. Professor Mack Jones advances:

Liberal philosophy rises to the occasion by defining such poverty as a pathological condition occasion either by the deficiencies of the individuals themselves or by shortcomings of the groups to which the individual belongs.

⁴ Report to the Chairman, Subcommittee on Human Resources, Committee on Ways and Means, House of Representatives; Families On Welfare: Teenage Mothers Least Likely to Become Self-Sufficient, (Washington, DC: General Accounting Office, May 1994), 1-2.

⁵ Hasson, Judi, "Welfare Enters Whole New World: Rules Could Take Years To Settle In," USA Today, 8 August 1996, 6A.

⁶ A Report to the Ford Foundation; Building Human Capital: The Impact of Post-Secondary Education On AFDC Recipients In Five States, by Marilyn Gittell, J. Gross and J. Holdaway, (New York: Howard Samuels State Management and Policy Center Graduate School and University Center City University of New York, September 1993), 5.

When the pathology is defined as resulting from individual deficiencies, it gives rise to rehabilitative policy solutions designed to reform the individual, while group explanations call forth policy alternatives tailored to alter the structural environment within which the individual lives.⁷

Jones also indicates that "by classifying the poor into these two artificial dichotomous categories - the deserving and nondeserving - liberal philosophy reinforces the notion that the vast majority of the poor are poor because of their own deficiencies."⁸ For instance, prior to Clinton signing the Personal Responsibility Act his former colleagues in the National Governors Association advocated reforming welfare by: 1). replacing the guaranteed federal, direct, cash payment under AFDC with block grants; 2). establishing a five year time-limit for most receiving federal payments; and 3). providing states the latitude to withhold additional federal cash benefits to those that birth additional children.⁹ The implication of this message presented by this political organization clearly feeds into the notion that welfare recipients are unworthy of governmental assistance without mention of the impact of the market economy or other salient factors.

Within this prevailing worldview and according to one of America's leading conservatives, Charles Murray, illegitimacy is also the root cause of other social ills (e.g., homelessness, drug-usage, crime, and illiteracy).¹⁰ Moreover, American sociologist, James Wilson, publicize the idea that unwed pregnant youth should "live in some type of supervised, privately run group home as a condition of receiving government benefits."¹¹ To support

⁷ Mack H. Jones, "Political Philosophy And Public Assistance In Liberal Society," The Review of Black Political Economy vol11, no1 (April 1980): 10.

⁸ Ibid.

⁹ Jeanne Cummings, "Impatient Governors Take Reins: While Welfare Congress Debates, States are Testing Fixes," The Atlanta Constitution, 3 April 1996, A12.

¹⁰ Michael Kramer, "The Political Interest: The Myth About Moms," Time (3 July 1995): 21.

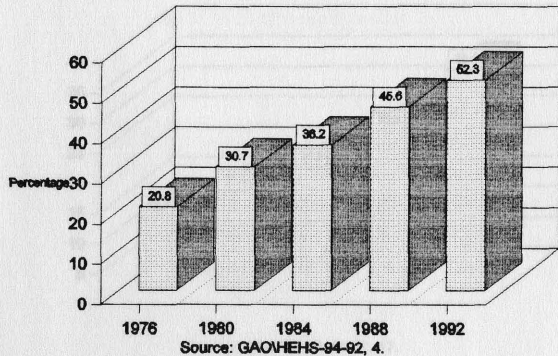
¹¹ James Q. Wilson, "No More Home Alone: Beginning With Our Children," Policy Review: The Journal of American Citizenship 76 (March-April 1996): 1.

the aforementioned methods of reform, conservatives highlight and overemphasize findings as expressed in Figure 1.1.; welfare has grown beyond control. Figure 1.1. indicates that the proportion of women receiving welfare benefits

Figure 1.1.

Never-Married Women Receiving AFDC

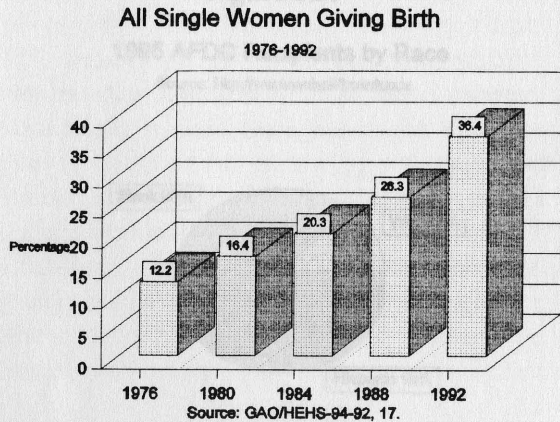
1976 - 1992



between 1976 and 1992 has more than doubled. For instance, in 1976, slightly less than 21 percent of never-married women were receiving welfare compared to more than 50 percent in 1992. The implication is that immoral behavior is on the rise. But the percentages, as represented in this chart, only give credence to conservative analysis that poverty among single women with children has become larger and larger. What this chart does not show is cause. In other words, one should not make hasty judgements about the nature of welfare based solely upon descriptive factors (see Figure 1.1.). In advancing their conservative viewpoint further, opponents of welfare cite the fact that more and more women are having illegitimate births that suggest why the percentage differential as expressed in Figure 1.1. is as wide; see Figure 1.2. Figure 1.2. suggests that due to the overall increase of women having children without being married, so did the number of women having children who could not afford to take care of them. Nonetheless, Figure 1.2. illustrates that even though the number of single women having children and receiving welfare payments between 1976 and 1992 increased drastically (see Figure 1.1.), this growth rate in births was also prevalent among unwed women not receiving welfare benefits; therefore, single women with children receiving welfare lifestyles are no different from the general populace of single women giving birth. For instance, the growth rate among all single women having children skyrocketed from 12.2 in 1976 to nearly 37 percent in 1992. In sum, the rate jumped nearly (3.9 percentage points between 1980-1984) or more than 4 percentage points every four years among single

women having a child or children. Although the proportion of female-headed households increased by more than 5 million 1970 through 1990, furthermore, this increase is attributed to births among the "non-poor" primarily.¹² In

Figure 1.2.



addition, in an effort to overemphasize variables such as race and gender without examining the impact of independent variables (e.g., AFDC cutbacks, changes in the labor market, etc.), proponents of drastic changes in welfare or the elimination of welfare normally plaster figures as presented in Figure 1.3. (page 21) on the front page of national newspapers and the "Net." Figure 1.3. illustrates that African Americans receive welfare payments more than three times that of whites based upon their respective population standings. Although blacks receive more welfare according to percentages than raw numbers, African Americans, Hispanics, and undoubtedly, a significant number of whites reside in a substantial state of poverty. By focusing on race instead of poverty as a significant but descriptive variable, one does not seek to reduce poverty but only to subtly label blacks as irresponsible and deserving of non-governmental assistance; especially among teenage mothers having additional children. However, if one decides to play the "percentage game" Figure 1.4. on page 21 illustrates that while the rate of African Americans receiving welfare, 1976-92, dropped over ten percentage points the rate among whites increased more than 10 percentage points during this identical period. Yet, are whites becoming more and more irresponsible and immoral? Are whites less deserving of

¹²Center On Hunger, Poverty and Nutrition Policy, Statement on Key Welfare Reform Issues: The Empirical Evidence Massachusetts: Center on Hunger, Poverty and Nutrition Policy, 1995), 4.

governmental assistance? Are whites lazy and attempting to have babies/infants and a d d i t i o n a l children in order to receive "free" or additional money from the government. Are some whites less willing to work and seek stable jobs? Or, should we attempt to alleviate or eradicate poverty without playing one racial cohort against the other? In other words, reducing the number of those living in a state of poverty is what should be paramount.

Figure 1.3.

1995 AFDC Recipients by Race

Source: <http://www.townhall/frc/infocus>

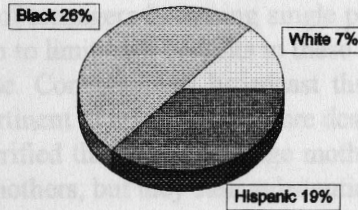
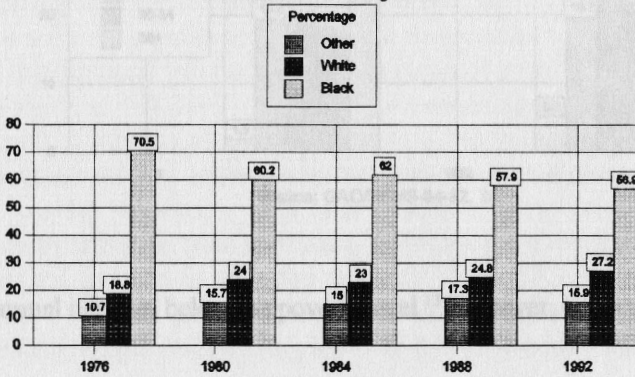


Figure 1.4.

Racial Composition, 1976 - 1992

Never-Married Receiving AFDC

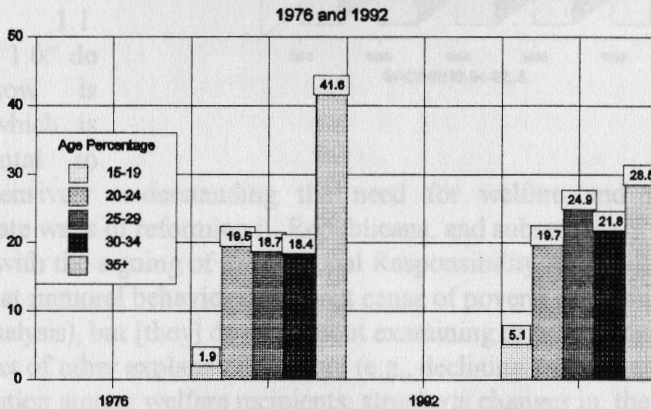


Source: GAO/HEHS-94-92, 47.

Age is not ignored within conservative analysis of welfare either. Those receiving welfare between ages 20 and 24 increased only 2 tenths of a percentage point (19.5 to 19.7) 1976 through 1992; see Figure 1.5. Between 1976 and 1992, those aged 15 to 19 receiving welfare, the percentage increased from less than 2 percent to more than 5 percent. Yet, while the "young" are increasing in birth rates, the largest decrease was among those 35 and over (41.6 to 28.5); indicating a teenage problem primarily. Due to the increase of teenagers becoming single parents at an alarming rate, states have begun to limit cash benefits to these teenagers in an effort to offset this increase. Conservatives broadcast these changes (Figure 1.5.) as on-going and pertinent to reforming welfare despite the fact that it has been empirically verified that single teenage mothers work at comparable rates as all single mothers, but they earn substantially less and

Figure 1.5.

Age Composition Receiving AFDC



Source: GAO/HEHS-94-92, 25.

have annual incomes below the poverty level.¹³ However, conservatives never

¹³ A Report to the Chairman, Subcommittee on Human Resources, Committee on Ways and Means, House of Representatives; Families On Welfare: Teenage Mothers Least Likely to Become Self-Sufficient, (Washington, DC: General Accounting Office, May 1994), 2.

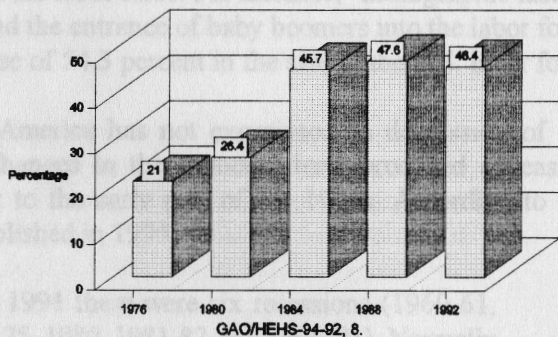
indicate that folk receiving welfare still have incomes below the poverty line; see Figure 1.6. Figure 1.6. clearly indicates that welfare is in need of reform because the level of benefits allowed never allowed folk to escape the chains of poverty. Figure 1.6. also shows that in 1988, with the increase of those receiving AFDC, nearly 48 percent of them had incomes below the national poverty line. In fact, this increase has been consistent dating back over 15

years; see Figure 1.6. As a result of the findings in Figure 1.6. alone, the level of payments should not be capped. If so, clearly, children and families would fall deeper into poverty.

What figures 1.1. through 1.6. do not show is cause, which is fundamental to

comprehensively understanding the need for welfare and the most appropriate ways of reforming it. Republicans, and subsequently President Clinton with the signing of the Personal Responsibility Act, champion the notion that immoral behavior is the root cause of poverty including welfare (micro-analysis), but [they] do so without examining or fully understanding the impact of other explanatory factors (e.g., declining wages, cap on asset accumulation among welfare recipients, structural changes in the U.S. and global market economy, etc.). For instance, U.S. hourly wages are significantly less than what they were [years ago]. On average, wages (non-agricultural industries) dropped from \$8.55 to \$7.39 during 1973-93; reaching nearly 14 percent during this ten year span.¹⁴ From a weekly perspective, wages declined slightly over 19 percent (\$315.88 to \$254.87)

Receiving AFDC below Poverty Line
1976 - 1992, Women



¹⁴ Center On Hunger, Poverty and Nutrition Policy, Statement on Key Welfare Reform Issues: The Empirical Evidence (Massachusetts: Center On Hunger, Poverty and Nutrition Policy, 1995), 11.

1973 through 1993.¹⁵ In addition to declining wages, Clark Atlanta University political science doctoral candidates, Frederick McBride and Tricia Headen, and other researchers cite the "Mismatch Hypothesis." According to this perspective, "the proportion of the labor force employed in goods-producing industries (with historically stable high wages) fell nearly 23 percent" between 1975 and 1990 while simultaneously "the proportion employed in service producing industries increased from 70.5 to 77.2 percent."¹⁶ Retail and hotel jobs, which are primarily low paying jobs are prevalent within this trend. Also, due to the overall population growth, more folk have entered and are entering the labor force which drives down wages and pushes some out of the labor force. For instance, "demographic factors such as immigration and the entrance of baby boomers into the labor force led to an overall increase of 54.3 percent in the size of the U.S. labor force from 1960 to 1980."¹⁷

Even though America has not experienced a depression of the magnitude of 1929, changes in the economy have produced at least 6 recessions dating back to the early part of the 1960s. According to the findings of a report published in 1995:

From 1960 to 1991 there were six recessions (1960-61, 1969-70, 1973-75, 1980, 1981-82, and 1990-91). Normally unemployment declines within the first 18 months after recovery from a recession begins. However, for the first time in post-war history, unemployment continued to rise during the 18 months after recovery from the 1990-91 recession had begun, leading to higher than normal post-recovery unemployment levels.¹⁸

America's overall social support system has also weakened. "From 1970 to 1992, average real monthly welfare benefits per family fell from \$644 to

¹⁵ Ibid.

¹⁶ Ibid., 12.

¹⁷ Ibid.

¹⁸ Ibid.

Clinton's Response to Reforming Welfare

25

\$388 (in 1992 dollars), a decline of 39.8 percent."¹⁹ In fact, since 1970 welfare benefit levels have consistently dropped in every American state; see Table 1. on page 26.

According to a study conducted by the Center on Budget and Policy Priorities "from 1984 through 1990, the proportion of unemployed workers receiving unemployment insurance ranged between 31.5 to 36.8 percent, much lower than the average coverage of 52.3 percent during the 1970s."²⁰ Moreover, "between July 1990 and November 1991, when an emergency unemployment benefits bill passed, the proportion of the jobless receiving benefits was at the lowest level (41.6 percent) ever recorded during a recession."²¹

America's competitive nature, globally, has also altered America's job market. For instance:

Research sponsored by the U.S. Department of labor indicates that integration of world markets, excess production capacity worldwide, a rapidly growing world labor force, decline in wage-setting power among labor unions, and general trends in deregulation of industries by many Western countries, have all contributed to increasing competitiveness within the world economy over the past two decades. This, in turn, has led to greater reliance on less-expensive foreign labor by some U.S. firms. In addition, preferences among American consumers for less expensive consumer goods (produced in countries with lower-wage labor) has led to further declines in availability of manufacturing jobs in the U.S. economy.²²

Clearly, the above-mentioned structural conditions contribute to poverty in America and the growing need for welfare. In other words, changes within society that are beyond the direct control of beneficiaries of

¹⁹ Ibid., 13.

²⁰ Ibid., 14.

²¹ Ibid.

²² Ibid., 16.

Table 1.

Welfare Benefits (Percentage) Drop Between 1970 and 1994

Alabama	-33	Montana	-47
Alaska	-25	Nebraska	-43
Arizona	-33	Nevada	-23
Arkansas	-39	New Hampshire	-44
California	-13	New Jersey	-63
Colorado	-51	New Mexico	-36
Connecticut	-36	New York (New York City)	-45
Delaware	-44	North Carolina	-50
District of Columbia	-43	North Dakota	-49
Florida	-29	Ohio	-44
Georgia	-30	Oklahoma	-43
Hawaii	-16	Oregon	-33
Idaho	-60	Pennsylvania	-58
Illinois	-58	Rhode Island	-35
Indiana	-36	South Carolina	-37
Iowa	-43	South Dakota	-58
Kansas	-48	Tennessee	-56
Kentucky	-59	Texas	-67
Louisiana	-42	Utah	-37
Maine	-17	Vermont	-36
Maryland	-40	Virginia	-42
Massachusetts	-42	Washington	-44
Michigan (Wayne county)	-44	West Virginia	-42
Minnesota	-45	Wisconsin	-25
Mississippi	-43	Wyoming	-55
Missouri	-25		

Source: National Coalition for the Homeless, AFDC Benefits Have Dropped Dramatically Since 1970, 1995.

welfare lead to a rethinking of welfare that addresses the question of how do we get people out of poverty, and ready to compete for high-paying and stable jobs. In fact, Clinton acknowledges the dangers or the backwardness of the Personal Responsibility Act in his 1997 State of the Union Address. For instance, Clinton challenged the private sector to provide jobs to welfare recipients via tax credits after granting states block grant authority instead of before. Implicit in this charge is Clinton's "new" awareness of the market economy's impact on lifting folk out of poverty. Most important though, it has been proven that the "education approach" is paramount in offsetting poverty in this country; not just a GED, high school diploma, or a job but the college option. In spite of Clinton's 10-part proposal to better the educational system in America, the actual benefits of such a plan, if implemented, will more than likely benefit middle class America instead of individuals currently seeking welfare and who live in the state of poverty. According to one recent study, of many, examining the impact and significance of post-secondary education on reducing the proportion of those in need of welfare indicate:

Changes in the labor market underscore the importance of post secondary education. Between now and the year 2000, the number of low-skilled jobs is projected to decline significantly. Not only do such jobs fail to guarantee stable employment at an adequate family wage, they are also disappearing. Increased educational attainment is thus not only more necessary for economic well-being but is also necessary for sustained participation in the labor market. U.S. Department of Labor Studies show that the number of low-skilled jobs will decrease markedly over the decade. Low-skilled occupations currently comprise 40 percent of the demand for labor. By the end of the decade, this figure will drop to 27 percent. Conversely, the percentage of jobs that are highly skilled will increase from the current 24 percent to 41 percent [Gold, nd]. By the year 2000, the vast majority of new jobs in the U.S. will require post secondary education.²³

²³ A Report to the Ford Foundation; Higher Education In Jobs: An Option or an Opportunity - A Comparison of Nine States, by Marilyn Gittell and Sally Covington, (New York: Howard Samuels State Management and Policy Center Graduate School and University Center City University of New York, September 1993), 16.

Yet, states are attempting to cap and limit welfare benefits through [the] use of block grant authority instead of pushing the college option and higher wages as a viable means of reform. (also see Table 1. on page 26)

INTERGOVERNMENTAL-RELATIONS

The need for block grants? Block grants are the financial outcomes awarded to state officials by decision-makers in Washington (President Clinton and Congress) in terms of how programs, especially social programs, will be established, maintained and enforced on the regional level. Nonetheless, if one were to examine this concept beneath the lenses of a microscope, one could undeniably support the fact that the operationalization of block grants include giving complete control to state officials to set new eligibility requirements for social programs that would deny aid to many, allowing states to withhold intra-funding from programs, and legitimatizing states refusal of financially assisting to many when federal money is depleted (under block grants) or the country takes an economic downturn, such as a recession or depression.

Block grant proponents primarily base their states' rights thesis on three criteria. One, welfare will be administered less costly by state governments as opposed to direct intervention by the federal government.²⁴ Two, these proponents maintain that by allowing state officials total authority in the administration of social programs (state flexibility), states will better administer them due to their hands-on experience and cognitive ability to accurately diagnose problems that directly affect those residing within their limited polity instead of relying on external input.²⁵ However, one must be cautioned, external input in this instance refers only to guidelines, policies and procedures designed by the central government and not its financial resources. Remember, states are in constant competition against one another for external monetary support to fund numerous and diverse programs. Three, the migration perspective; there is this notion that welfare recipients move from one state to another in hopes of settling down in the state that provides the highest welfare payment, which states indicate

²⁴ Would Converting AFDC and Food Stamps into A Block Grant Result in Significant Administrative Savings? (Washington, DC: Center on Budget and Policy Priorities, 8 February 1995), 1.

²⁵ "American Survey: Upon the States' shoulders Be It," The Economist (25 March 1995): 30.

escalate state budgets, and that only states are capable of solving this problem.²⁶

Although proponents of states' rights possess merit in their argument, due to block grants poverty will be heightened nationally. This increase in poverty will be attributed to the manipulation of transformational leaders, the rise of party politics, timing and indeed, non-regulated practices. In fact, similar events can be empirically verified via historical data.

Relevant literature indicates that despite the notion advanced by proponents of block grants, citing that state governments will administer and monitor social programs cheaper once they possessed "great latitude" over them, from past experience, these reductions have only been modest.²⁷ In fact, the literature indicates that a significant amount of money used to finance past and present social programs was and is used to prevent and eliminate practices of fraud.²⁸ Therefore, if significant amounts of revenue is employed as a verifying scheme, what are states actually planning to do in order to actually reduce spending costs? One should not ignore the fact that state officials will continue to eliminate benefits for numerous individuals who are currently seeking financial assistance under the guidelines once provided under entitlements by creating new and harsh qualification criteria that will worsen the conditions of poverty in this country. For instance, "states have been in something of a race to lower welfare benefits for fear that high benefits could attract poor people to the state - thus raising social spending and perhaps triggering an exodus of taxpayers."²⁹ Indeed, this perspective is the only reasonable explanation that could shed light on states thrust for additional power over social programs. Moreover, if fraud was a major problem under entitlements, the sheer change from entitlements to block grants (Personal Responsibility Act) will not eliminate the significant amount of dollars that are currently being spent to alleviate and eradicate the

²⁶ Ibid., 29.

²⁷ Would Converting AFDC and Food Stamps into A Block Grant Result in Significant Administrative Savings? (Washington, DC: Center on Budget and Policy Priorities, 8 February 1995), 1.

²⁸ Jeffrey L. Katz and Alissa J. Rubin, "House Panel Poised To Approve GOP Welfare Overhaul Bill," Congressional Quarterly (4 March 1995): 690.

²⁹ Judith Havermann, "Scholars Question Whether Welfare Shift Is Reform: Proposal for State Block Grants Viewed as Likely to Cut Spending, but Not Bureaucracy," The Washington Post, 20 April 1995.

practices of fraud unless qualification criteria is altered to reduce the number of those requesting assistance. In this instance, the lesser the number of individuals requesting assistance, the less money will have to be spent to insure that the information that they are providing is accurate. Deductively, since states are interested in reducing the amounts of revenue they spend to assist in financing social programs, they will continue to spend a great deal of money to offset fraud; therefore, reducing the number of those who once qualified. If this is the case, families and children will be without financial help. In other words, this process places individuals at great risk of becoming not only poorer but indeed homeless. For instance, a trend beginning in 1972 indicate that "72 percent of all children in poverty received welfare," however, by 1992 the rate fall "to 63.1 percent."³⁰ Furthermore, the proportion of "families receiving welfare in 1993 comprised more than 14 million [folk], in which nearly 10 million (67.5 percent) were children."³¹ However, during that same year, more than 39 million [Americans] lived in poverty, including nearly 15 million children.³²

In the area of state flexibility, it is not so much the power to become innovative in administering social programs but instead the **power to destroy** that block grant authority welcome. In other words, given this power, states will inevitably destroy the lives of many of America's "poor" population. This is what will result from usage of block grants coupled with transformational leadership and party politics:

In late January, the welfare mothers of Massachusetts got a nasty shock. From the Governor, William Weld, came a letter telling them that unless the state legislature passed a welfare-reform law to his liking, the benefit cheques they were to receive in February would be their last. Days later the legislature complied. Meanwhile, 3,000 miles away; California's governor, Pete Wilson, was submitting a budget that proposed billions in welfare cuts while at the same time pursuing a court case to let California pay lower

³⁰Center On Hunger, Poverty and Nutrition Policy, Statement On Key Welfare Reform Issues: The Empirical Evidence (Massachusetts: Center On Hunger, Poverty and Nutrition Policy, 1995), 18.

³¹Ibid.

³²Ibid.

benefits to poor people newly arrived in his state.³³

Although such measures can be corrected by the federal government, **timing** is of essence. For instance (inductively), prior to the decision rendered by the Supreme Court in Plessy v. Ferguson in which the court legitimized the practices of states that allowed unconstitutional segregationist practices (see 14th Amendment of U.S. Constitution) against black folk, racism was a common way of life on the regional level as well. Even though the high court recognized its earlier illegal act by overturning the *Plessy* decision in Brown v. Board of Education, blacks had to endure these unjust practices for decades. In fact, even with the *Brown* decision, the court ruled that compliance with its ruling should be adhered to with "all deliberate speed", which still has not prevailed. In other words, although possible unjust and unconstitutional acts by state governments can be remedied, the process could be long and arduous while those who are most affected would have to endure long-term suffering. In this instance, poor folk will more than likely starve to death and/or become homeless. Children would also be unfairly punished due to the notion that single mothers birth additional children in search of additional benefits despite back-to-back studies (1993 and 1994) indicating welfare "payments have no significant effect on decisions to have children among single mothers."³⁴ It is block grants that allow for such shrewdness.

Furthermore, in response to the charge that welfare recipients migrate from one state to the next in order to receive higher benefits; it just does not add up. For instance, Figure 1.7A. on the following page supports states' rights advocates in their charge that welfare rolls are constantly increasing and rising in costs as well as Figure 1.1. Figure 1.7A. illustrates that within a 14 year span, the number of welfare family recipients has more than doubled since 1970. However, the numbers represented in this chart do not support block grant proponents deeper argument that individuals are migrating to states with the highest benefit levels; see Figure 1.7B. on page 33. The percentages represented in the pie chart indicate that welfare recipients typically receive welfare for 5 years or less. In fact, fewer than 7

³³"American Survey: Upon the States' Shoulders Be It," The Economist (25 March 1995): 29.

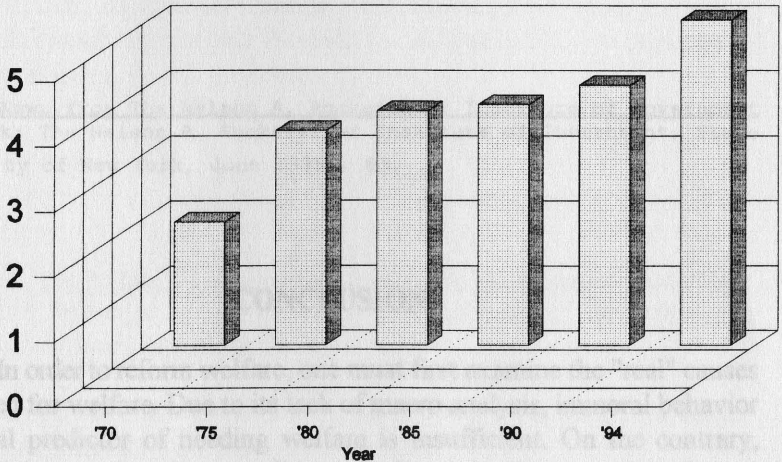
³⁴Center On Hunger, Poverty and Nutrition Policy, Statement On Key Welfare Reform Issues: The Empirical Evidence (Massachusetts: Center on Hunger, Poverty and Nutrition Policy, 1995), 5.

percent receive welfare after ten years. If recipients are actually attempting to live on welfare for life or become welfare dependent and irresponsible, it would seem logical that the percentages in Figure 1.7B. would show, at minimum, that most would receive welfare benefits for ten years or more, which entitlements allowed for. However, these data do not convey such information. In sum, advocates of block grants base their claim on myths as opposed to factual data, which is consistent with their view of the root causes that lead to welfare and the role of government. Consequently, there is no mention of the college option in the states approach.

Figure 1.7A.

Number of Families on AFDC

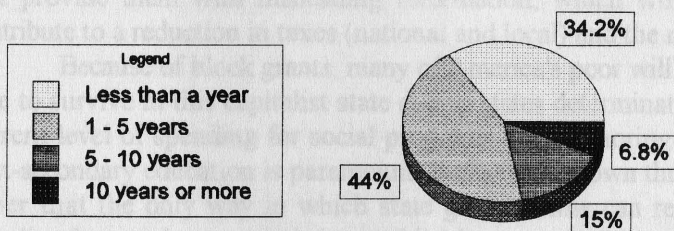
(in millions)



Source: News from The Nelson A. Rockefeller Institute of Government (New York: The Nelson A. Rockefeller Institute of Government, State University of New York, June 1995), 83.

Figure 1.7B.

Families on AFDC



Source: News from The Nelson A. Rockefeller Institute of Government (New York: The Nelson A. Rockefeller Institute of Government, State University of New York, June 1995), 83.

CONCLUSION

In order to reform welfare, one must first examine the "real" causes of the need for welfare. Due to its lack of macro analysis, immoral behavior as a vital predictor of needing welfare is insufficient. On the contrary, structural factors are salient predictors. In fact, it has been empirically and scientifically proven within this paper that structural conditions play a significant role in placing folk on welfare as opposed to immoral behavior solely. Completing post-secondary education is a viable method in lifting folk out of poverty and off of welfare permanently. However, President Clinton, the national government, and states have ignored this finding and allow the use of block grants as a means of welfare reform as we enter into the 21st century.

Block grants allow for the ultimate destruction of America's poor population, especially children. What one must not fail to realize is that this whole debate over welfare and the usage of block grants to reform it has arisen solely from transformational leaders backed by Republican party politics. For the past several years, Americans have been losing jobs due to, but not limited to, downsizing, global competition, and unquestionably, racism. As a result of this economic crisis, many are in search of answers. All too often however, they, including Clinton, listen to transformational leaders that provide them with misleading information, which will supposedly contribute to a reduction in taxes (national and local) and the national debt.

Because of block grants, many of America's poor will no longer be able to survive in this capitalist state due to states determination to cut its current level of spending for social programs while ignoring the fact that post-secondary education is paramount. It has been shown throughout this paper that the only way in which state governments can reduce current spending for social programs is by establishing new eligibility requirements that would limit the number of individuals who are currently eligible for welfare. The evidence shows that it is up to the national government, since states have not, to illustrate nation-wide the need for post-secondary education in remedying not only the need for welfare but also in eradicating poverty in America.

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Strange Bedfellows: The Political Thought Of John C. Calhoun And Lani Guinier

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It is ironic that two very different personalities with very different purposes can espouse the similar ideas about democracy. The focus of this research is to explore the political ideas of both Lani Guinier and John C. Calhoun with reference to democracy and the majority rule principle. Particular research questions are: 1) What is the problem with majority rule? 2) What are the solutions to the majority rule problem as prescribed by Calhoun and Guinier? 3) What are the consequences of these solutions? 4) Are either proposals or suggestions in the best interest of democracy?

INTRODUCTION

Paul Gigot of the Wall Street Journal described Lani Guinier, President Bill Clinton's nominee for Assistant Attorney General in charge of the Civil Rights Division of the Department of Justice as, "....the reincarnation of John C. Calhoun....better qualified for the Bosnian desk at State than at civil rights as justice....profoundly antidemocratic....they [views] amount to a racial apartheid system."¹ This criticism along with a host of others created a staunch media and political uproar which resulted in President Clinton's withdrawal of her nomination without the option of at least appearing before the U.S. Senate committee.

An important aspect of the Guinier incident is the intellectual literature and debates surrounding democracy and the majority rule principle. Guinier advocates a system which limits majority rule, winner-take-all concept, and provides the minority a powerful voice and option to severely halt any impending legislation which may affect that minority. This similar type of

¹Lani Guinier, Tyranny of the Majority: Fundamental Fairness in Representative Democracy, (N.Y.: The Free Press, 1994), IX.

Endarch, Journal of Black Political Research Spring 1997, pp. 36-55
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Atlanta, Georgia 30314

system was advocated by John C. Calhoun in the 19th century. Both advocate protecting minority rights and halting or preventing the abuse of tyrannical majorities.²

For John Dewey, democracy is a necessary way of life for individuals to live among each other, advocating societal goals and pursuing interests which allow them to develop as full individuals.³ Some aspects of democracy include: universal suffrage, elections, responsiveness to citizens, individual freedom, capitalism, limited government, etc.

Indirect democracy, or representative democracy, is the institutional arrangement by which individuals engage in a competitive struggle for the power to make political decisions on behalf of citizens.⁴ Theorists of representative democracy include B.R. Berelson, R.A. Dahl, G. Sartori, and H. Eckstein.⁵ Dahl, for example, believed it more favorable for citizens to exert a relatively high degree of control over leaders rather than participate directly in the control of the state. This system, sometimes referred to as an elite system, encourages competition among leaders for people's votes, allows limited participation by the masses, and assumes that direct democracy is unattractive and unrealistic.⁶

Other literature involving the theory of representative democracy centers

²Minority for Guinier means basically racial and ethnic minorities. For Calhoun, the minority was a group whose views were not considered, or taken into account. An example would be southern states in the debate concerning the permanence of slavery.

³From J. Dewey, "Democracy and Educational Administration," Intelligence in the Modern World in Carl Cohen, ed. Communism, Fascism, Democracy: The Theoretical Foundations (N.Y.:Random House, 1962), 578.

⁴James Q. Wilson. American Government. 4th Edition, (Mass:D.C. Heath Publishing Co., 1980), 68.

⁵See B.R. Berelson, "Democratic Theory and Public Opinion," Public Opinion Quarterly 16 (1952), 313-330; R.A. Dahl, Modern Political Analysis (Englewood Cliffs, N.J.:Princeton-Hall, 1963); G. Sartori, Democratic Theory (Detroit: Wayne State University Press, 1962); H. Eckstein, "A Theory of Stable Democracy," Division and Cohesion in Democracy (Princeton, N.J.:Princeton University Press, 1966), appendix B.

⁶Demetrius Iatridis, Social Policy: Institutional Context and Social Development and Human Services, (Pacific Grove, CA: Brooks/Cole Publishing Co., 1994), 91-92.

on criticisms and support of both models; direct and indirect democracy, criticism and support of pluralism and elite theories, and the nature of representation. For instance, in The Second Treatise of Government, John Locke argued that elected representatives should be delegates. To further, he states, "...the whole power of the community naturally in them, may employ all that power in making laws for the community from time to time, and executing those laws by officers of their own appointing; and then the form of government is a perfect democracy."⁷

Another view involves how elected members of Congress should best represent the voters. Arguments range from representatives serving the "majority" in their districts to representatives acting in the best interest of the nation. Edmund Burke in his "Speech to the Electors of Bristol on Being Elected" (November 1774) supports the latter by stating, "Parliament is not a congress of ambassadors from different and hostile interests each must maintain...but is a deliberative assembly of one nation, with one interest, that of the whole; where, not local prejudices ought to guide but the general good resulting from the general reason of the whole."⁸

Also with reference to the nature of representation, Alexander Hamilton argued in Federalist No. 35⁹ that the actual representation of all classes of people need not include persons of each class. Hamilton believed the need to win votes would motivate individuals to adequately represent the interest of all groups. This conservative view of representation can be further articulated by James Madison and other federalists. They argued for a strong representative national government with separation of powers and federalism. Opponents, the anti-federalists, believed liberty was secure in a small republic where rulers were close to the ruled. They believed that a national government would be distant from the people. The federalist view relied on a general distrust of the people and a fear of a tyrannical majority. Representation, as originally based in the Constitution, only allowed popular elections for the House of Representatives, not the Senate. Debates during the constitutional convention centered on a distrust of the people as well as

⁷ John Locke, Second Treatise of Government, ed. C.B. Macpherson (Indianapolis, IN: Hackett Publishing Co., 1980), 68.

⁸ See Jay M. Shafritz and Lee S. Weinberg, Classics in American Government (Belmont, CA: Wadsworth Publishing Co., 1994), 254.

⁹ See Gary Wills, ed. The Federalist Papers, (N.Y.: Bantam Books, 1982).

the belief that a general public lacked virtue and would be guided by their passions. In The Federalist Papers Madison, Hamilton, and Jay in an attempt to secure ratification of the new constitution, forged the idea that the people's interest would be articulated and the system would provide safeguards or "checks" for the balance of power.

This balance of power begins a discussion of what Alexis de Tocqueville views as consisting of the very essence of democratic government; absolute sovereignty of the majority. It has been argued by many that a government by the people is not necessarily a government for the people. Alexis de Tocqueville, a French nobleman, came to America to study the functions and processes of democracy. One of his most famous observances was that democracy did not favor the prosperity of all, but those of the greatest number; the majority. For de Tocqueville, society is formed by those professing the same opinions, then small assemblies develop representing only a fraction of society [minority] and challenge those in the majority. When a particular assembly becomes dominant [majority] it infiltrates society and controls and maintains power and force. The minority must continue to form associations and oppose the oppressive forces over them. The moral authority of the majority rests on the belief that there is more intelligence and wisdom among those greater in number, and that the interests of the many are preferred to those of the few. Thus, the majority becomes tyrannical. The minority consists of groups taking a position whose views are not taken into account and whose views usually lose.¹⁰

This helps to explain the problem of mass society. By this, under the conditions of democracy people free themselves from domination of local elites and institutions which previously were considered oppressive and focusing on the status quo. Thus, a dichotomous relationship resulted where people/individuals aligned against the state. In this situation one of two possibilities occur: 1) arbitrary authority, or 2) chaos/anarchy. The best solution is to form intermediate and local associations designed to provide a sense of identity and stability.

James Madison in writing about majority tyranny states, "the accumulation of all powers in the same hands whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be

¹⁰Richard D. Heffner, ed. Alexis de Tocqueville Democracy in America, (N.Y.: The New American Library, 1956).

pronounced the very definition of tyranny."¹¹ For Madison, the majority may act in its own self-interest and not represent the interest of all. To prevent this majority tyranny Madison advocated both a system of checks and balances and federalism. An elaborate system of checks and balances would allow all branches of government to check, or monitor the other branches; thereby sharing some responsibilities and preventing the abuse of power. In Federalist No. 10 Madison writes that federalism halts tyranny because, for example, the relations between the federal government and state governments can prevent political factions from pervading the whole body of the Union, though it may gain influence in a particular state.¹²

De Tocqueville, in believing that a social power will always dominate over another advocated "checks" in power as well as an independent press to provide a voice to appeal from oppression, decentralization to diminish absolute authority and give free men a stake in their society and a sense of responsibility and self-importance, forms, manners, and traditions to protect freedoms, and a legal profession and judiciary to uphold these forms, manners, and traditions.¹³

These efforts, designed to impede tyrannical majorities, prevent the abuse of power advocated against minorities, minority opinion, and individuals. For John Stuart Mill, like others mentioned, precautions were needed to protect the abuse of power by majorities. In particular, Mills was suspicious of the masses and sought to prevent tyranny against individual liberty (thought, feeling, freedom of opinion, scientific, theological, moral, etc.).¹⁴ Individuals should be allowed to express opinions, contradict and even disprove those opinions. Opinions themselves are not necessarily accepted as truths. The only cause for interfering with another's liberty is self-protection.

For Edmund Burke, society was like a corporation bound by common agreement. To prevent the arbitrary use of power by majority rule Burke advocated a natural aristocracy. This natural aristocracy was to be comprised of men of good breeding and virtue, and who looked to public opinion and

¹¹Guinier, 3.

¹²Wills, 49.

¹³Heffner, 24.

¹⁴Selections from J.S. Mills' Consideration on Representative Government and On Liberty in Cohen, 1962.

took a large view of the widespread and diverse combinations of men and affairs.¹⁵ This fundamentally conservative view suggests that an elite theory of democracy is preferable. What prevents the natural aristocracy from becoming tyrannical is the existence of external checks as well as their virtue.

Hence several problems arise from a majority-rule principle. Tyrannical majorities are able to rule in their self interest and force views on the minority. Individual liberty is suppressed. Diversity is minimized, and the majority's progress stands little chance of impediment. The common well-being of those in the minority is jeopardized.

But what of the devices designed to halt tyrannical majorities and lessen the effect of the majority-rule principle? The system of checks and balances, federalism, state intervention, etc. have not effectively prevented against tyranny. Gene R. Urey in, "The Supreme Court and Judicial Review: In Defense of Democracy" argues that the Supreme Court has used judicial review to expand democracy, thereby able to protect the interests of the minority as well as protect against the tyranny of an entrenched majority. He cites such examples as Brown v. Bd. of Education, Baker v. Carr, and Miranda v. Arizona to demonstrate how the Supreme Court has expanded democracy and protected against the arbitrary will of others. But, he also cites such examples as the Dred Scott Decision, Plessy v. Ferguson, and Korematsu v. U.S. to demonstrate how the Supreme Court has allowed a majority and/or majority opinion to arbitrarily rule over a minority and subvert minority rights.¹⁶ So the majority rule principle remains problematic. This becomes even more evident as majority rule provides the initial base for the political thoughts and ideas of John C. Calhoun and Lani Guinier.

JOHN C. CALHOUN

For John C. Calhoun, statesman and leading figure from South Carolina, government was necessary to the existence of society and both government and society were intimately connected. But society was primary and the

¹⁵Spahr, Margaret, ed. Readings in Recent Political Philosophy (N.Y.: The MacMillan Co., 1948), 56 and McDonald, Lee C., Ed. Western Political Theory, Part 2 (N.Y.: Harcourt Brace Jovanovich, Inc., 1968), 424.

¹⁶See Gene R. Urey, "The Supreme Court and Judicial Review: In Defense of Democracy," in Arguments on American Politics (Pacific Grove, CA: Brooks/Cole Publishing Co., 1991), 211-223.

purpose of government was to preserve and perfect society. Although this relationship existed, government had a strong tendency to abuse powers. Thus, a constitution, for Calhoun, serves to counteract the strong tendency of government to disorder and abuse. But, the tendency of those who make and execute the laws to favor their will on others still existed. How could this be countered? Calhoun advocated furnishing the ruled with the means to resist these tendencies of rulers [majorities] to oppress and abuse.¹⁷

Calhoun believed the states were the unit upon which America was built upon. States were distinct, independent sovereign communities.¹⁸ The ratification of the Constitution established a compact between the states and the federal government, not over them, and the states did not lose their confederate character. To his misfortune America had outgrown states' rights and adopted the usurpations of majority rule and tenets of nationalism. The South had become a minority against an arbitrary majority. Tariffs, legislation, and particularly the slavery debate placed the South in a minority position. Calhoun asserted that it was the right of the people to choose their own way of life, economic and social, regardless of the majority pattern, and any government that crushed men into a single pattern was deemed despotic.¹⁹ He professed that there were no provisions which prevented the federal government from encroaching on the powers reserved to the states. Thus the problem, according to Calhoun, lie in numerical majorities which ultimately lead to absolute governments.

Calhoun posed the question, "How can we construct a working machine for the democratic state without bestowing upon the majority an absolute dictatorship?"²⁰ His answer lies in his belief that government should not be comprised of a numerical majority, but instead a concurrent majority where

¹⁷See Richard K. Cralle, ed. The Works of John C. Calhoun: A Disquisition on Government and A Discourse on the Constitution and Government of the United States, (N.Y.: Russell & Russell, 1968).

¹⁸Ibid, 1968 and "Federalist Paper #39" in Wills, 1982.

¹⁹Margaret L. Coit, John C. Calhoun: American Portrait, (Boston: Houghton, Mifflin Co., 1950), 521.

²⁰Ibid, 526.

each group in a society has a voice in the legislation affecting them.²¹ The concurrent majority would require a larger proportion of the community to initiate some legislative action. An adequate number, something other than fifty plus one percent, would not allow the means to oppress or abuse power. This concurrent majority would unite the most conflicting elements and blend the whole in one common attachment to the country.²²

This concurrent majority would logically lead to what Calhoun refers to as a minority veto or negative power.²³ By this, a group could halt action [veto] or suspend a law which pertains to that particular group. An example during Calhoun's life would be his advocacy of nullification or "state interposition or the veto." This suggests that a state convention was all that was needed to decide that an act passed by Congress in relation to the group in question was unconstitutional and could be declared null and void.

With particular reference to the South Carolina State Constitution during Calhoun's life, no state convention could be called but by concurrence of two-thirds of both houses (the entire representative body), and the constitution could not be amended except by an act of the general assembly; passed by two-thirds of both houses and passed again at the first session of the assembly immediately following the next election of the members of the House of Representatives.²⁴

Calhoun asserted that positive power [a concurrent majority] makes government while negative power [minority veto, nullification] makes constitutions. Combined, they make constitutional governments. For Calhoun this forces groups to compromise rather than exert force. Thus, divisions have a concurrent voice in making and executing laws, or a veto on their execution.

How would a concurrent majority operate in emergencies, i.e. war, and could it lead to stagnation and gridlock? Calhoun argues that different communities require different spheres of power and liberty. Communities exposed to hostile neighbors, violence, or anarchy within require greater

²¹Ibid, 520.

²²Ibid, 529.

²³Cralle, 35.

²⁴Frederic Bancroft, Calhoun and the South Carolina Nullification Movement, (Baltimore: The Johns Hopkins Press, 1928), and Cralle, 400-406.

amounts of power and limited or proportional spheres of liberty. For example, in a community vulnerable to hostile Indian neighbors, the representatives [rulers] would have a greater sphere of power to quickly enact against insurrections. Though Calhoun is not quite clear here, it can be suggested that the leaders could quickly enact means to protect the community without being subjected to a minority veto by those opposed to an action. This limits the sphere of liberty of those opposed, or those in the minority. This proper spheres limit of power and liberty is also demonstrated by Calhoun with reference to the type of individuals in a community. If a community consisted of a large proportion of "ignorant" and "vile" persons with no conception of liberty, then the proper spheres of power and liberty must be allocated to give an advantage to those individuals of a higher degree of intelligence, patriotism, and virtue.²⁵ Hence Calhoun believed that government must be able to command promptly in cases of an emergency. With reference to stagnation and gridlock, Calhoun knew that the concurrent majority concept could lead to incompetent government, but he believed liberty from the oppression of a majority was worth the danger.²⁶

LANI GUINIER

In 1993, President Bill Clinton nominated Lani Guinier for Assistant Attorney General in charge of the Civil Rights Division of the Department of Justice. After accusations of advocating racial quotas and administering race-conscious policies as well as an attack from a large percentage of the American public, President Clinton withdrew her nomination citing that he was not in agreement with many of her ideas. Presently Lani Guinier is professor of law at the University of Pennsylvania and currently lectures on the effects of majority rule, minority representation, and alternative voting measures.

Guinier's ideas lie in a belief that America is not color-blind. Society is based on racial divisions: housing, voting, employment, etc. These divisions result in one dominant majority [whites] exhibiting a racial monopoly over other non-white groups. Whites are the majority mainly due to their numbers, power, and influence. Minorities [non-whites] feel they "don't

²⁵Cralle, 53-54.

²⁶Coit, 529.

count" since their interests are rarely considered. For Guinier, in a racially divided society majority rule may be perceived as majority tyranny.²⁷ Thus the discussion of majority and minority relations in the 20th century becomes primarily based on racial and ethnic lines.

This tyranny is at the heart of the nature of reality for Guinier. She borrows much from James Madison's works on majority tyranny but does not believe that the system of checks and balances works where a group is unfairly treated, i.e. Blacks, Hispanics, or where the majority is fixed and permanent. For her, the system of checks and balances would work if majorities/minorities "took turns" in power. But Guinier suggests this is not the case in America.²⁸

There exists a large body of literature discussing how the majority [whites] have used their numbers and strength to minimize black voting power. Practices like gerrymandering, at-large elections, runoff elections, and annexations have prospered due to the majority rule principle. For example, in Phillips County, Arkansas black voters are challenging the majority vote run-off requirement in elections on the grounds that the majority run-off requirement deprived black voters of an equal opportunity to elect candidates of their choice.²⁹ They argued that since whites comprise the greater voting-age population and vote as a bloc, this adversely affects their chance to elect a black representative or someone they believe will adequately represent them. This can be described as minority vote dilution where election laws and practices combined with systematic bloc voting diminish the voting strength of a particular group.³⁰ Another example of diluted black voting strength can be found in Presley v. Etowah County. In this case, the Supreme Court ruled in favor of majority-white elected officials who exercised majority rule and decreased the power of the two

²⁷Guinier, 3.

²⁸Ibid, 4.

²⁹Lani Guinier, "Second Proms and Second Primaries: The Limits of Majority Rule," Boston Review (Sept./Oct. 1992), 32-34.

³⁰See Chandler Davidson, ed. Minority Vote Dilution, (Washington, D.C.: Howard University Press, 1989).

newly elected black officials.³¹

This evidence demonstrates an unfair system where the majority exercises tyranny over the minority and rules in their own self interest. This majority is fixed and permanent, cannot be disaggregated, and refuses to cooperate with the minority for power. The end result, suggests Guinier, is a zero-sum solution where there are winners [whites] and losers [non-whites]. Thus society is a game where blacks and other minorities stand little chance of fair play.

Guinier envisions a positive-sum solution. An ideal democracy where minorities are protected against the power of majorities, where rules of decision-making protect the minority, a system where "losers" get something. She believes in fair play where the rules encourage everyone to play. These rules reward winners and are acceptable to those who lose. As Guinier quotes former Chief Justice Warren Burger, "There is nothing in the language of the Constitution, our history, or our cases that requires that a majority always prevail on every issue."³²

What will prevent or protect against arbitrary will of majorities over minorities? Guinier advocates proportional and semi-proportional systems; alternatives to winner-take-all systems. In particular, she is an advocate of cumulative voting and the supermajority.

Cumulative voting, specifically, allows voters the same number of votes as open seats. The voter may "plump" or cumulate his/her votes to reflect the intensity of his/her preference. Thus minorities may give all of their votes to a particular candidate while the majority white voters hopefully split their votes over various candidates. This system, states Guinier, rewards cooperation rather than competitive behavior, encourages cross-racial coalition building, and eliminates gerrymandering.³³

Cumulative voting relies on a coefficient called the threshold of exclusion. This identifies the percentage or proportion of the electorate that a group must exceed in order to elect a candidate of its choice regardless of how the rest of the electorate votes. Hence, the threshold of exclusion ($1/\{1 +$

³¹See Presley v. Etowah County Commissioners, Nos. 90-711 & 90-712; 1991 U.S. LEXIS 4190 (U.S. Sept 20, 1991).

³²Guinier, 17.

³³See Guinier, 1994 and Davidson, 1989.

[number of open seats] X 100) helps to ensure that minorities have a realistic opportunity to elect a candidate of their choice through cumulative voting. For instance, in a two votes, two seat election with cumulative voting, the threshold of exclusion would be 33.3 percent. Any group that constitutes more than 33.3 percent of the voters can elect a candidate regardless of how other groups vote. A single plurality is all that is needed to win. Guinier and other advocates of cumulative voting argue that it complies fully with the one-person, one-vote rule since every individual enters the voting booth with the same voting power, is more democratic, and less likely to result in voter dilution.³⁴

Cumulative voting is practiced in several United States municipalities, and was used to elect members to the Illinois Legislature 1870-1980, and the South Carolina Legislature during reconstruction. The first cumulative voting system in a municipal election in the U.S. during the 20th century was held in Alamogordo, New Mexico in July of 1987.³⁵ Hispanic and black plaintiffs filed suit in 1986 alleging that the at-large election system violated Section 2 of the Voting Rights Act. Cumulative voting was instituted and a Hispanic, Ms. Inez Moncada, won one of three seats and was also the first Hispanic elected in Alamogordo since 1968.³⁶ Cumulative voting is presently implemented in Chilton County, Alabama, Guin, Alabama, Myrtlewood, Alabama, Peoria, Illinois, Sisseton, South Dakota, Lockhart, Texas, and Lovington, Texas. In April of 1994, a federal judge ordered Worcester County, Maryland to adopt cumulative voting.³⁷

Guinier's advocacy of supermajority voting closely resembles Calhoun's concurrent majority. The supermajority is a remedial voting tool where something more than a bare majority (fifty percent plus one) must be able to initiate some action. So logically a minority group can veto impending

³⁴Engstrom, Teabel, Cole, "Cumulative Voting As A Remedy for Minority Vote Dilution: The Case of Alamogordo, New Mexico," The Journal of Law and Politics V (Spring 1989): 469-497.

³⁵R. Engstrom, "Modified Multi-Seat Election Systems as Remedies for Minority Vote Dilution," Stetson Law Review XXI (1992): 744-770.

³⁶Ibid, 752.

³⁷Stephen Buckley, "Unusual Ruling in Rights Case: Maryland County Must Use 'Cumulative Voting,'" The Washington Post, (April 6, 1994).

action. Guinier argues that the supermajority is race-neutral and gives bargaining power to inferior groups.³⁸ The supermajority was implemented in Mobile, Alabama where a five-out-of-seven majority (supermajority) is needed to initiate some municipal action. In advocating both cumulative voting and the supermajority system Guinier believes that they can both work efficiently when the majority and minority are fluid, not monolithic, and not permanent.³⁹

COMPARISON, CONTRAST AND CRITICISM OF VIEWS

Some aspects of the political thought of both John C. Calhoun and Lani Guinier are quite similar. Both understand the tendency of monolithic groups to abuse power. Both also share the view that remedies are needed to ensure that the minority has a voice and share power in the decision-making process. Concurrent majority/supermajority systems can ensure that the minority has a voice in government. Calhoun advocates the use of concurrent majority and the minority veto only among groups which may be affected by some impending action, not in general practice. Guinier advocates cumulative voting and the supermajority only in cases where courts find vote dilution, not as a norm for all legislatures. Aside from their consensus that majorities exercise tyranny over minorities and "checks" are needed to ensure that minorities have a voice in government, there is little similarity between the political thought of John C. Calhoun and Lani Guinier.

One obvious difference between Calhoun and Guinier is their purpose. Calhoun's ideas are rooted in his justification of slavery. His opinions about concurrent majority and minority veto were to basically protect southern (slave) states. He advocated states' rights more so than individual rights. Calhoun is not concerned with actual suffrage. His beliefs about society does not recognize voting rights to all groups of people. In fact he argues that the non-voting citizenry are like passengers on a ship, not directing the passage, but sharing in the privileges and protections of the voyage.⁴⁰ He is really concerned with the ends (governmental action) than the means (electoral

³⁸Guinier, 16.

³⁹Ibid, 17.

⁴⁰Coit, 527.

procedures). His purpose was to maintain the sovereignty of the state and to protect it from what he viewed as a national arbitrary power.

Guinier's purpose is quite different. Unlike Calhoun, Guinier is more concerned with the actual practice of voting. Her purpose is to allow minority groups a voice in government. Blacks, Hispanics, women, etc. can benefit from remedial voting tools by having a realistic chance to elect someone of their preference. She may be concerned with legislative decisions, but she is more concerned with the process of electing these individuals who make the decisions. Unlike Guinier, Calhoun speaks for a monolithic minority.

Hence, Calhoun and Guinier have somewhat different conceptions of the term "minority." For Calhoun, the minority was basically the southern states and their advocacy of slavery. For Guinier, "minority" is basically based on racial and ethnic lines. Racially-polarized voting strengthens the majority [whites] over minority groups. Guinier advocates a system of fair play where everyone is involved in the decision-making process. The minority is excluded from participating due to the effects of a permanent majority unwilling to share its power. Calhoun's problem was not that the minority slave states could not participate in decision-making. His problem was basically the fact that the southern states could not comprise a majority and protect their self interests! Calhoun's ideas rest on his misfortune that there were more free states than slave states and anti-slavery views were becoming the majority opinion.

Guinier envisions a just society not defined by racial districting and racially-polarized voting. She believes that coalition-building among various groups can occur in a system where at-large voting is accompanied by alternative voting mechanisms. For her, more democracy, not less, can be exemplified in a system where there are no wasted votes and the minority groups can exert some influence. She envisions a system where power is shared and parties involved "take turns" and everyone plays fair. She states, "my vision of fairness and justice imagines a full and effective voice for all citizens."⁴¹

Hence, what Calhoun and Guinier actually share is procedural. Minorities should be protected against the arbitrary will and power of majorities. This protection can occur through electoral tools requiring

⁴¹Guinier, 19.

something other than a bare majority to initiate some legislative action. For Guinier, these tools are necessary to ensure fair play and are a result of consistent patterns of racism. For Calhoun, his reliance on electoral tools result mainly from his prophetic vision that the national mood was becoming increasingly anti-slavery and the South could lose its cherished way of life.

Calhoun's concurrent majority, as he deemed, never came to fruition. But some critical thoughts about his concept as well as his political thought exist. How stable is Calhoun's concept of a minority veto? For example, if the South could have enacted a minority veto, couldn't a three-fourths majority of states veto over the minority veto and allow the federal government to initiate the legislation? The nature of federalism is altogether complicated and history can cite many examples. Could Calhoun's concept of a minority veto overrule the Supreme Court? Though he mainly writes about legislative action, one could argue that if the *Dred Scott Decision* was ruled in favor of Dred Scott, Calhoun would probably have advocated concurrent majority and the minority veto in relation to judicial decisions! Also, what if, for example, a small group of abolitionists lived in the South and wanted to use the minority veto to prevent slavery in their particular communities or area of the state? Would they deserve the same minority protection advocated by Calhoun? Calhoun's underlying motive of protecting the institution of slavery creates grave challenges to his political thought as well as raise questions about individual liberty and democracy.

With reference to individual liberty, Calhoun would probably agree that liberty is a basis for states' rights. Since according to his reasoning states were sovereign, they should be able to choose their own way of life. Thus, they should have the liberty of choosing their own way of life. But liberty is not universal for Calhoun. To Calhoun liberty is, "...a reward to be earned, reserved for the intelligent, patriotic, virtuous and deserving, not to be bestowed on people too ignorant, degraded or vicious to appreciate or enjoy it."⁴² He also suggests that liberty bestowed on a people unfit for it would lead to anarchy.

Thus Calhoun did not believe liberty was a natural right that everyone deserved. To him, people were not born equal. The Negro, for Calhoun, was not human and therefore did not deserve rights, and the right to suffrage was not given to women. If white men were the only beings deserving of true liberty, then the states must exist to represent the interests of these white

⁴²Calle, 55.

men. So Calhoun's advocacy of the sovereignty of states and states' rights is actually acknowledgment of the rights of white men in these states, not a romantic notion of the free and individual states. His justification of states' rights becomes clouded by his views on liberty.

Further, doesn't Calhoun represent a majority southern opinion? Certainly not everyone in the South held the same views on slavery. As previously mentioned, what happens to a minority view on slavery in the South? Would it not become suppressed? To add, given Calhoun's views on the role of women, wasn't it a majority of men who held these oppressive views on women and their "place" in society. Did this majority [men] abuse their power and oppress the minority [women]? There did exist women's suffrage movements in Calhoun's day. If legislation was introduced concerning women they would not have been able to exercise a minority veto nor be comprised in a concurrent majority simply because they could not vote. Thus, they could not have a voice on a matter that concerned them in particular (employment, education, voting). So how could Calhoun justify nullification and other ideas when it only works and can be exercised by, for, and in the interest of white men! Calhoun's concept is biased and not really in the interest of democracy.

Lani Guinier's ideas are much more democratic and in the interest of all people. Procedurally, however, some problems exist. First, the necessary conditions for cumulative voting to be successful are extremely problematic. Minority groups must successfully "plump" their votes and discourage any intra-racial competition. If more than one minority appears on the ballot, then the black votes stand a chance at being split, or severely affected and cumulative voting will more than likely not work in this type of situation. In 1992, two blacks in Centre, Alabama ran under the cumulative voting system and all seats were won by white candidates. The black (intra-racial) competition resulted in no black representation.⁴³ Thus cumulative voting has to be successful under a basic assumption: blacks can and will discourage intra-racial competition and collectively support the candidate or candidates (depending on the number of seats) running. Additionally, confusion surrounds the cumulative voting concept. Chilton County Alabama Probate Judge Bobby Martin revealed that dozens of voters penciled in more than the

⁴³David Van Biema, "One Person, Seven Votes: In Alabama A Radical Electoral System Helps Minorities, But is the System Fair?" *Time* (April 25, 1994), 42.

designated number of votes (seven). He states, "There were so many mistakes, we almost ran out of ballots."⁴⁴

However, the problems with Guinier's concepts are not all procedural. As mentioned, there are many cases involving minority vote dilution. Many of these cases are centered on the fact that voting is racially polarized and minorities are numerically smaller and cannot effectively vote for their preferred candidates. But is it fair to advocate cumulative voting and the supermajority, for instance, in areas where blacks cannot elect their preferred candidates because of voter apathy or low voter registration numbers among their members ?

Second, what happens when extremist groups vie for elected positions under the cumulative voting plan? Of course in a democracy everyone has that right regardless of their views on certain issues. Former Ku Klux Klan leader David Duke successfully won a Louisiana state legislative seat from a majority white area; Metairie, Louisiana. Could cumulative voting allow such an individual to win elections in an area that may not have an overwhelming white majority? Guinier does not discuss or seem to advocate any limits on speech or other liberties, nor does she discuss radical or extremist groups vying for elected positions. To place limits on these individuals would be no different than the limits on liberty advocated by Calhoun. Hence, it becomes apparent that Guinier is ideally democratic.

However, both Calhoun and Guinier assume the minority is abused and oppressed. What about a vile minority abusing the power of the minority veto? Certainly whites in a majority black district could use the minority veto to selfishly halt programs which may actually be beneficial to the community as a whole. For Calhoun the minority [southern states] could and did abuse power over blacks and women. For Guinier, the Supreme Court case Shaw v. Reno 509 U.S. (1993) demonstrated white voters' objection to what they perceived as racially motivated districting. North Carolina's 12th District was redrawn with 53 percent African American and 47 percent White representation. Due to this drawing of the district lines whites successfully claimed the reapportionment plan constituted racial gerrymandering and violated the equal protection clause of the Fourteenth Amendment. Whites may have been in the minority in that particular district, but they constituted a voting majority in 83 percent of the state's congressional districts while

⁴⁴Ibid.

constituting 79 percent of the statewide voting-age population.⁴⁵ This reapportionment plan in North Carolina in 1992 allowed the election of North Carolina's first black congressman since 1901! But whites successfully challenged this plan. The minority, under certain situations, can exercise abuse as well.

CONCLUSION

Certainly the suggestions of both John C. Calhoun and Lani Guinier with reference to majority tyranny can be argued to be in the best interest of democracy. The concurrent majority/supermajority principle provides the minority with a voice in government. Both recognized majority tyranny and its effect on minority opinion. This, as discussed, was witnessed during the early stages of America. Though their thoughts merit valuable discussion, their suggestions are indeed problematic. Their views are roadmaps which lead to entirely different destinations. Calhoun had a fundamental problem with federalism while Guinier can use federalism and laws enacted by a legislative body and enforced by an executive to ensure that democracy works.

Both agree that democracy must work, not just in the interest of the majority, and careful prevention of tyrannical majorities and the ill-effects of majority rule will enhance the tenets of democracy. For Guinier though, this must be inclusive democracy where there are no permanent winners and losers, everyone participates and has a voice, and everyone plays fairly. Guinier's ideas, unlike Calhoun, are not as selfish in nature. She believes in a system where everyone gains something. Guinier believes in no permanent majorities. Calhoun would probably have accepted a majority if it [the majority] was aligned with his views. For Guinier everyone is encouraged to participate because there is something for everyone. This, though problematic as well, is not the reincarnation of John C. Calhoun!

⁴⁵Shaw v. Reno 509 U.S. 125 (1993).

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Strange Bedfellows

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