



**WESTERN
MICHIGAN**
UNIVERSITY

The Journal of Sociology & Social Welfare

Volume 27

Issue 1 March - Special Issue on the Changing
American Mosaic

Article 9

March 2000

Affirmative Action at the Crossroads: A Social Justice Perspective

Margaret Gibelman
Yeshiva University

Follow this and additional works at: <https://scholarworks.wmich.edu/jssw>



Part of the Inequality and Stratification Commons, Race and Ethnicity Commons, and the Social Work Commons

Recommended Citation

Gibelman, Margaret (2000) "Affirmative Action at the Crossroads: A Social Justice Perspective," *The Journal of Sociology & Social Welfare*: Vol. 27: Iss. 1, Article 9.

DOI: <https://doi.org/10.15453/0191-5096.2632>

Available at: <https://scholarworks.wmich.edu/jssw/vol27/iss1/9>

This Article is brought to you by the Western Michigan University School of Social Work. For more information, please contact wmu-scholarworks@wmich.edu.



**WESTERN
MICHIGAN**
UNIVERSITY

Affirmative Action at the Crossroads: A Social Justice Perspective

MARGARET GIBELMAN

Yeshiva University
Wurzweiler School of Social Work

This article reviews the basis for the policy of affirmative action within the context of changing social values. Both the aims and unanticipated consequences of affirmative action are explored, the latter of which have resulted in substantial backlash and the real possibility of policy overturn. Within this context, the position of the social welfare community toward and involvement in affirmative action is traced. An agenda for social work in current and future debates about affirmative action is offered which takes into account the original social problem—discrimination—within redefined societal values and political realities. Alternative remedies to affirmative action, it is argued, can be congruent with the mission and values of the social welfare community in its quest to achieve social justice. Such options include targeting specific professions that interface with the inner city African-American underclass; reframing the purpose of affirmative action from that of correcting injustice for the victims of racial discrimination to social engineering; and targeting specific geographical areas which are characterized by economic deprivation.

INTRODUCTION

The debate about the future of affirmative action occupies center stage on our national agenda. Incremental changes have already been implemented in the direction of diluting the scope and impact of affirmative action and the current socio-political environment suggests continued “chipping away” at the foundation of this public policy. It is essential that the social welfare community be an active participant in the debate about the future of anti-discrimination efforts and that it offer viable alternatives to preserve and extend efforts to fight discrimination in this country.

This article has a three-fold focus. First, the basis for the policy of affirmative action is reviewed within the context of changing social values. Both the aims and unanticipated consequences of affirmative action are explored, the latter of which have resulted in substantial backlash and the real possibility of policy overturn through sustained reductions in the scope of judicial or legislative policy. Second, the position of social work, as the practicing social welfare profession, toward and involvement in affirmative action is traced. Third, an agenda for social work in current and future debates about affirmative action is offered which takes into account the original social problem—discrimination—within redefined societal values and political realities. Alternative remedies to affirmative action, it is argued, can be similarly congruent with the mission and values of the social welfare community in its quest to achieve social justice.

In the past few years, there has been a plethora of books on race and representation, with particular focus on affirmative action. As the debate about the future of affirmative action has gathered momentum, the quantity of books and popular magazine articles has risen exponentially (see for example, Curry, 1996; Post & Rogin, 1998; Skrentny, 1998). In general, this accumulation of literature is descriptive—seeking to explore the debate, detailing why we do or do not need affirmative action—but with few prescriptions for constructive alternatives.

Social work has not been an active contributor to the debate when compared to the disciplines of sociology, political science, and law, and even descriptive information is sparse within the social work literature that would help to clarify this complex issue. A commitment on the part of the social work profession to affirmative action, in principle and in policy, can be assumed from the procedures and practices of social welfare agencies, from the standards of accrediting bodies for social service agencies, from position statements of the National Association of Social Workers, and from the *NASW Code of Ethic* (NASW, 1996a; NASW, 1996b; COA, 1997). However, discussion within the social welfare community has centered largely on support for affirmative action, without full recognition of the breadth and intensity of society's opposition to its continuation. This view is short-sighted.

Affirmative action concerns not only public policy and social justice priorities and commitments, but also the well-being of the clients represented in social work practice. Human service professions have much to contribute to the dialogue about viable alternatives, but must do so within the context of prevailing socio-political realities and in concert with other groups which seek to ensure that combating discrimination in any form continues to be a high and demonstrated public priority. The credibility of the profession's contributions to this dialogue must be rooted in a solid knowledge of what affirmative action *is* and why it has come to occupy center stage as detractors seek to dismantle it.

Although affirmative action addresses discrimination against women, the physically disabled, and other designated groups, the focus of this discussion is primarily on racial minorities, particularly African-Americans. This is because much of the current debate centers on racial discrimination and recent Supreme Court decisions (e.g., *Adarand Constructors v. Peña*) focus on establishing tougher standards to justify policies designed to benefit racial minorities (Biskupic, 1995). Similarly, an analysis of the full intricacies and ramifications of affirmative action is beyond the scope of this discussion. Rather, the focus is on viewing affirmative action—past, present, and future directions—from a social justice perspective.

For purposes of this discussion, social justice refers to conditions in which “all members of society have the same basic rights, protections, opportunities, obligations, and social benefits” (Barker, 1995, p. 354). Social injustices, as referenced in the *NASW Code of Ethics*, refer to such conditions as poverty, unemployment, and discrimination (NASW, 1996a, p. 5). Although there are different perspectives on what constitutes social justice and how it can be achieved, Van Soest (1994) found that justifications for an investment in human services and rebuilding the nation's economy were apparent in the diverse views of libertarians, utilitarians, and egalitarians. Based on Rawl's conception of social justice, Figueira-McDonough (1993) argues that equality in the distribution of social goods, such as education and work, is the means to achieve equal opportunity. Equal opportunity, in turn, is the pre-condition for the exercise of freedom.

FROM DISCRIMINATION TO EQUAL OPPORTUNITY

Within the context of changing values, of increased concern about social justice for all, and of grass roots mobilization for change, this nation slowly but steadily over the past 100 years moved toward identifying discrimination as a social problem. The term "social problem" suggests that society has recognized the existence of a social condition which is deemed, by the majority, to be unacceptable in some form or way and which requires the intervention of government, through judicial or legislative remedy, to rectify (DiNitto, 1991; Gilbert, Specht, & Terrell, 1993; Chambers, 1993). The fact of discrimination came to be seen as the problem of discrimination against racial minorities, particularly African-Americans who had been subjected to decades of enslavement.

Affirmative Action Antecedents

Various legislative, judicial, and executive branch efforts were initiated to correct discriminatory practices, the earlier initiatives of which focused on prohibitions against discrimination. The Fifteenth Amendment, which took effect in March, 1870, guaranteed that the right of citizens to vote should not be denied because of race, color, or previous condition of servitude (Pritchett, 1968). Laws which were intended to prevent blacks from exercising their voting rights were declared unconstitutional. The momentum had begun, however slowly. President Truman took steps to desegregate the military in 1946. In *Brown v. Topeka Board of Education* (1954), the Supreme Court ruled that separate educational facilities were inherently unequal (Day, 1997).

In 1961, President Kennedy issued Executive Order 10925 which created the President's Committee on Equal Employment Opportunity whose charge it was to recommend "affirmative steps" that executive branch departments and agencies could take to more fully integrate the federal work force. The Order went further in prohibiting federal contractors from discriminating on the basis of race, creed, color, or national origin by federal contractors. In fulfilling their contracts, these contractors were ordered to take affirmative steps to hire African-American and other racial minorities (Wells & Idelson, 1995).

The Civil Rights Act of 1964 attempted to ensure that the Constitutional guarantees afforded to all citizens were applied equally. The Equal Employment Opportunity Commission (EEOC) was created to enforce civil rights (Day, 1997). Title VII of the Civil Rights Act of 1964 expanded equal opportunity to cover private employers by making it unlawful to discriminate against potential or actual employees on the basis of race, gender, color, religion, or national origin. The law provides for redress of discriminatory actions: courts have the authority to order employers to take affirmative steps such as reinstating, hiring, or paying retroactive wages to employees (Wells & Idelson, 1995). The provisions of the 1964 Act made all discrimination illegal; this prohibition did not in any way imply that positive or aggressive efforts need be made. And, in fact, they were not.

The slow but steady progress (albeit with some instances of backward movement) in the affirmation of civil rights for African-American and other minorities is consistent with an incremental model of social change, a model embraced by American society and congruent with its conservative leanings (Chambers, 1993). However, even these changes which form the backdrop for affirmative action did not occur without significant resistance. There are members of our society who do not see the unequal division of resources by race as a function of centuries of social policy, but rather as a function of reward for inherent worth or lack of worth, as the case may be (Kraft, 1996).

AFFIRMATIVE ACTION AS POLICY

The policy of affirmative action is, in itself, unusually brief and straightforward. In 1965, President Johnson, through Executive Order 11246, expanded President Kennedy's earlier order by requiring contractors to take affirmative steps in all business operations, not just in fulfilling federal contracts (Pecora, 1995). Companies were required to submit the "numerical goals and timetables" used in carrying out their affirmative action plan (Wells & Idelson, 1995). The Order did not require *specific* timetables or "quotas" (numerical imperatives in absolute or proportionate terms), although, in time, individual businesses, bolstered

by the courts, have instituted such. This far-reaching Executive Order and the Civil Rights Act of 1964 which preceded it were executed at a time of widespread interest in and support for the civil rights movement. Liberal Democrats controlled the presidency and both branches of Congress, making opposition to affirmative action politically impractical. The backdrop of the growing civil unrest of the 1960s was also a motivating factor for government action (Day, 1997; DiNitto, 1991).

Building on the groundwork laid by the Civil Rights Act of 1964, the Act was amended in 1991, through Title VI, to prohibit discrimination based on race, color, or national origin in any program or activity that receives federal government financial assistance (Wells & Idelson, 1995). Included in this category are programs that receive loans, tax breaks, or grants and contracts from the government. Few are exempt. However, the 1991 amendments also inserted language to clarify that employers are not required to meet statistical quotas. In 1992, the Equal Employment Opportunity Act was passed by Congress, which amended Title VII to increase the EEOC's powers to bring civil suits against employers for discriminatory practices. These suits must be brought by the U.S. Justice Department. Heretofore, the EEOC had relied on dialogue and conciliation efforts, with the potential threat of withdrawal of government funds.

Affirmative action rejects the notion that policies are insufficient if they simply do not discriminate against individuals on the basis of gender, race or ethnic background. The word "affirmative" suggests that positive steps must be taken to achieve equality in admissions to institutions of higher education, in hiring and promotion in employment settings, and in other arenas (Kraft, 1995). Inequities must be reduced and eliminated through *active* intervention (DiNitto, 1991; Pecora, 1995).

The broad goal of these policies was to correct the discriminatory practices of the past and to create a balance in the work force and in higher education that was reflective of the balance between the races and genders in American society. Specific objectives were to increase the numbers of under-represented women and minorities in all businesses and programs benefitting from federal support in proportion to their numbers in the general population. Have these goals been achieved? Progress has been made (see, for

example, Burstein, 1994; Taylor, 1995; Wolfe, 1996; AAD Project, 1998). Has discrimination been eliminated? No.

IMPLEMENTING AFFIRMATIVE ACTION

Value Issues

There are a number of value conflicts and different assumptions about the nature of people which have affected the successful implementation of affirmative action as a social policy. Although equality is a widely held value, it is a value for some that is based on worth. The assumption that all people are not equally worthy and that there are differences in worth based on racial group identity is one that many Americans hold; such attitudes have been used to justify social, political, and economic discrimination and exploitation for decades. The view that race and class differences are the result of genetic factors and therefore not subject to social intervention received widespread attention with the publication of *The Bell Curve* (Hernstein & Murray, 1994). To the extent that people believe that inequities are a function of inherent worth, then inequality becomes a descriptive reality rather than a social problem (Kraft, 1996).

Even among those who agree that inequality is a function of centuries of social injustice, there are some who believe that once the law made discrimination illegal, it is up to individuals to overcome whatever obstacles confront them in acquiring their fair share of resources or achieving personal aspirations. Adherents of this *laissez-faire* position would argue that a policy of affirmative action infantilizes the population it seeks to help, thereby exacerbating the consequences of years of discrimination (Kraft, 1996). Even those who agree that inequity is a function of unequal treatment and that affirmative action is part of a useful remedy might still object on the grounds that you can't address one evil (inequality) with another (quotas or preferential treatment). These disparities in viewpoints signify a conflict in values and create serious obstacles to the successful implementation of the policy of affirmative action. It is therefore not surprising that, thirty years after affirmative action was implemented, the policy itself has come to be defined as creating unacceptable conditions for mainstream America.

There were several unique aspects to the development and implementation of affirmative action. Here, the executive, rather than the legislative branch of government set forth the goals, private institutions created methods for implementation, and the administrative departments, with legislative assistance, worked on enforcement. The implementation of affirmative action was left to employing organizations, most of which have developed affirmative action divisions or departments to create and monitor institutional policy. Thus, the policy was implemented in thousands of businesses, agencies, and educational institutions through their own structures and with varying levels of commitment and effectiveness. The government bureaucracy maintains the power to sanction and the wielding of that power has apparently been sufficient to generate significant compliance. The EEOC continues to investigate and adjudicate complaints, often with substantial back log to its heavy load. Most states have passed similar legislation and have created parallel agencies to further ensure that affirmative action is carried out.

Unanticipated Consequences

Executive Order 11246 did not single out specific sub-sections of the population nor were financial resources set aside to implement the order. Instead, it simply authorized the EEOC to use its good offices to monitor and assist institutions in developing methods to achieve the general goal of the policy—to achieve more equitable racial balances. The EEOC and the various state commissions perform more of a judicial than legislative function, monitoring the impact of the policy through the processing of complaints. However, unlike the courts, the decision of one administrative body is not binding on the decisions of other bodies adjudicating similar matters. Therefore, a body of “case law” does not exist and comparable data are not available to contrast the different ways in which the policy has been applied (Kraft, 1995).

As a policy, affirmative action attempts to enforce equal opportunity by monitoring the outcomes of the hiring and promotion processes of businesses. It is the responsibility of businesses to demonstrate that they are in compliance with equal opportunity laws. In general, this internal process includes analyzing employee utilization patterns in regard to women and minorities

and submitting a plan to correct any identified under-utilization (Lundberg, 1994). In implementation, under-utilization has been applied to those situations in which a job category contains fewer women or minorities than might be found based on their presence in the available qualified labor pool. Corrective plans, which "good faith" effort must address, are generally based on numerical goals and schedules.

Thirty-one years after employment discrimination was prohibited under the Civil Rights Act, the definition and manifestations of and remedies for discrimination remain elusive. The nature of our policies and programs to combat discrimination may be as responsible for this continuation as the entrenched attitudes of the American public. Are we clear, as a society, about what constitutes discrimination? And are there always remedies available? What denotes a pool of "qualified" candidates?

Title VII of that Act simply fails to define discrimination. It prohibits some specific practices, such as failing to hire because of race, color, religion, sex, or national origin, but adds that it is an "unlawful employment practice . . . otherwise to discriminate" (42 U.S.C. 2000e, sec. 702(a)), without providing insight into the meaning of this clause. In 1971, the Supreme Court, in *Griggs v. Duke Power Company*, expanded the definition of discrimination to include not only intentional disparate treatment, but also unintentional practices which have an adverse impact on minorities or women, such as requiring all applicants for particular jobs to meet specified educational credentials (Burstein, 1994). Critics have charged that this revised legal definition creates a situation in which any negative labor market outcome can be interpreted to be the result of discrimination. The result, it is argued, is reverse racism, quotas, and an over concern with group representation rather than individual justice (Burstein, 1994).

The Supreme Court has an inconsistent record in regard to affirmative action although clarification of the policy is frequently sought through this Court. For example, the charge of "reverse discrimination" was clearly enunciated in the decision of *Regents of University of California v. Bakke* (1978). Here, the Court ruled that Alan Bakke was unfairly denied admission to the University of California-Davis Medical School because his qualifications were stronger than many minority candidates admitted to the school

(Day, 1997). Court challenges continue through today, with interpretation subject to the vicissitudes of prevailing socio-political values. In the 1997–98 session of the Supreme Court, the modern-day counterpart of reverse discrimination claims was scheduled to be heard, but an unprecedented out of court settlement caused the case to be withdrawn. This case concerned a white school teacher in Piscataway, New Jersey who was laid off as part of personnel retrenchment in favor of a black teacher with the same qualifications. Civil rights groups had anticipated an adverse ruling by the Supreme Court and court experts believed that the settlement only temporarily forestalled decisions which would set affirmative action back (Holmes, 1997). Although the 1998–99 Supreme Court calendar does not include any major cases involving affirmative action, several cases are now being heard in state courts which raise issues similar to those in the Piscataway case.

To date, the major impediments to the implementation of affirmative action have been sociological, but political barriers are surfacing which affect the ultimate outcome and future direction of the policy, itself. The 1990s have seen a shift of politics to the right. Republicans, who now control both houses of Congress, are calling for an end to affirmative action. The courts, too, are showing a willingness to chip away at the foundations of affirmative action. In *Adarand Constructors v. Peña*, the Supreme Court ruled, in 1995, that federal programs or policies based on race or ethnicity must meet a legal test of "strict scrutiny" (Jaschik, 1995). This decision affects dozens of federal affirmative action programs which have benefitted minority students or faculty members. California's ban on the use of racial and gender preferences in hiring, contracting, and education, went into effect in August, 1997 (Schmidt & Lederman, 1997), despite unsuccessful challenges through the courts (Schmidt, 1997). The impact has already been felt in California. Minority admissions on three campuses of the University of California were reported to have dropped sharply for the freshman class of 1998, the first class to be admitted since the ban on the use of racial preferences took effect (Staff, 1998). In the four states in which affirmative action can no longer be used in higher-education admissions (California, Louisiana, Mississippi, and Texas) enrollment of members of minority groups has dropped 17 percent (Campbell, 1997).

The rhetoric focuses on instrumental values, e.g., you can't fight discrimination with another form of discrimination. However, the debate fuels old prejudices and stereotypes, with claims that it has stigmatized those whom it seeks to help (Peebles-Wilkins, 1996). The arguments suggest the cyclical nature of societal values and the weight of conservatism now characteristic of our citizens and their elected representatives. The shift in values is evident in the following views:

- Race-conscious policies lead to preferential treatment and unfair advantages for some at the expense of others;
- Justice should entail equal opportunity for individuals, not statistical parity for groups identified by government;
- Affirmative action gives some people in society benefits they have not earned and do not deserve;
- The practice of filling "slots" designated for people of color sets up for failure those hired into these positions;
- Practices that limit or deny opportunities to others lead to heightened racial tensions;
- Minorities who are intended to profit from affirmative action are hurt by the reinforcement of stereotypes; and
- Affirmative action excludes [white] individuals on the basis of race, and hence constitutes reverse discrimination (Gamson & Modigliani, 1994; Kraft, 1996; Peebles-Wilkins, 1996).

Such arguments lead logically to a repudiation of the compensatory features of affirmative action based on the legacy of past discrimination and the goal of redressing resulting inequalities. These views set the framework for the current and future debate on affirmative action. Some want to end equal opportunity programs entirely; others want to bring about change, but disagree about what constitutes equality of opportunity and how it can best be achieved.

Many of these prevailing perceptions about affirmative action can be challenged on the basis of hard data. For example, complaints of "reverse discrimination" by white males represent less than two percent of all complaints made to human rights commissions (Kinsley, 1995). There is no significant evidence to indicate that individuals or groups are suffering as a consequence

of these programs (Merida, 1995) or that economic productivity and efficiency have declined. To the contrary, a study focused the racial make-up of Chicago's largest corporations (including Amoco, Beatrice, MacDonald's, Sears, and Quaker Oats) found, in comparing productivity and efficiency of the participating companies with percentage of minority workers, no significant differences (McMillen, 1995). Unfortunately, "facts" do not necessarily alter perceptions, particularly with an emotional-laden issue. The extent of emotionalism is evident in the pervasive misconceptions about affirmative action—that it is a single policy with one purpose, that it concerns racial issues only, and that preferential treatment of some groups over others is the only (unacceptable) option (Skrenty, 1998).

The weight of public opinion and recent supportive judicial and legislative actions supporting an end to affirmative action as we know it are suggestive of a building momentum for change. The social welfare community needs to acknowledge this political reality, rooted as it is in prevailing values. With recognition that affirmative action has not fully resolved inequities among the races, we need to promote the examination of alternatives within a social justice framework. Anti-discrimination needs to be defined in terms of the larger public good (that which is in the interest of all segments of society), rather than as competition between individual or group interests. The problem needs to be reframed in a way that better addresses the educational, social and economic conditions which continue to challenge the concepts of a society that espouses equality and equity for all.

WHERE DOES THE SOCIAL WELFARE COMMUNITY STAND?

The social welfare community has, not surprisingly, asserted a position in favor of affirmative action, but without noticeable dialogue about the broader mandate for change or possible directions of such change. The *NASW Code of Ethics* (1996a, p. 27) is explicit in regard to a proactive professional position on discrimination: Social workers should promote . . . policies that safeguard the rights of and confirm equity and social justice for all people. But what does this mean? What policies should be promoted? How? By whom?

In August 1996, the NASW Delegate Assembly endorsed a policy statement affirming NASW's support of affirmative action as a tool to prevent and eliminate discrimination. Included among the principles set forth in this statement is that "social workers should join others to denounce attempts to end affirmative action initiatives" (1996b, p. 3). Such principles suggest that social work efforts should be directed to maintaining current policy, surely an unrealistic and perhaps counterproductive professional stance. Simply stated, ongoing verbalizations of our support for affirmative action as currently stipulated in public policy point to a level of political naivete. To assert "keep things as they are" in a socio-political environment in which the reverse (radical change or total demolishing) is being forcefully pursued implies our own brand of inflexibility.

More in line with a proactive position which recognizes the mandate for change are two other principles contained in the NASW statement: "Changes in affirmative action should strengthen practice and policy aimed at ending discrimination and its impact" (1996b, p. 4), and "Social workers should work with others to develop more effective and cogent policies and strategies to guide society and communities to strengthen affirmative action". Even here, such broad mandates lack the level of specificity and direction needed to serve as a guide to professional behavior.

Social workers need to be able to actively apply social planning knowledge and policy development skills to identify new solutions. Further, social work must lend its expertise to the collection and analysis of empirical data on the outcomes of past, present, and future approaches to end discrimination. The credibility of the profession in the affirmative action debate may well depend on being able to document, through our practice, the continued negative impact of discrimination and, conversely, the positive outcomes of anti-discrimination strategies. The profession must also be clear about its potential contributions to an interdisciplinary dialogue.

The failure to identify alternative remedies to combat discrimination is not solely a failure of social work, since politicians as well as concerned disciplines and society in general have similarly come up wanting in terms of viable options. This failure can be

attributed to the fact that alternatives are not only difficult to identify, but are also far more complex than affirmative action in terms of value issues, policy content, and program interventions.

Intra and inter-disciplinary arenas for discussion include: targeting specific professions that interface with the inner city African-American underclass; reframing the purpose of affirmative action from that of correcting injustice for the victims of racial discrimination to social engineering, and targeting specific geographical areas which are characterized by economic deprivation. These arenas do not purport to be solutions, *per se*, but rather broad categories of potential intervention in which specific options may be considered.

THE FUTURE: OPTIONS FOR CONSIDERATION

Some possible directions for change that maintain the integrity and intent of the original policy can be gleaned from a sociological perspective. Discrimination goes beyond the decision making of individual employers; it is rooted in institutional racism that has denied minorities not only access to jobs, but to education and training, as well (Burstein, 1994). Although there is a growing African-American middle class and blacks have made educational and economic inroads, there is a growing underclass.

African-Americans are disproportionately under-represented in the labor market at all levels and in higher education. Social workers know this intuitively and anecdotally, since the consequences of under- and unemployed are seen in the lives of the clients we serve. A recent study demonstrated that although blacks are closing the gap in educational disparity *vis-a-vis* whites, they are losing ground with jobs (Rich, 1995). Data also show that where African-Americans do hold jobs, there is a disparity in pay for the same work between black and white Americans. College educated black men earn, on average, 76 percent of what their white counterparts earn (Walsh, 1995). A study conducted by the U.S. Office of Personnel Management found that African-American federal employees were two and a half times more likely to be fired than white employees, even when variables such as age, education, and years of experience were controlled (Barr, 1995). The highest levels of management remain almost

all white and male (Kilborn, 1995). African-Americans comprise 10 percent of the work force, but only 4 percent of physicians, 3 percent of lawyers and architects, and 2 percent of airline pilots (Cohn & Vobejda, 1993). African-Americans remain largely absent from the most prestigious private sector jobs.

These troubling statistics suggest that the problem is more far-reaching than opportunity disparity. These data negate a compensatory approach to address past discrimination and suggest that a socio-economic model may be more viable. The consequences of large numbers of minorities who are in poverty and who do not contribute to the economy or the culture affect all of us. We all suffer from the drain on our productivity, the reality that many do not share the tax burdens of society, and the manifestations of poverty—including rising crime rates and drug abuse (Kraft, 1996). These consequences of discrimination suggest the enormity of the social justice issues still to be addressed. Dialogue that acknowledges these socio-economic disparities reframe the repertoire of alternative remedies by focusing on assistance to the most victimized, with program eligibility criteria grounded in economic need rather than gender or racial category.

Reframing the Purpose

The current debate about affirmative action revolves around our responsibility to correct the injustices of the past and promote social justice for the future. The left argues that society is to blame for centuries of slavery and generations of discrimination. The right argues that there are no excuses for individuals' failure to take responsibility for their lives and the lives of their families. This focus is counter-productive, as it promotes blame rather than change.

What is undeniable is that a growing black underclass hurts all Americans and any policy that changes this condition will serve all of us. The key to this approach is to generate a respect for different points of view and approaches and a willingness to subject such approaches to empirical testing. If the left wants the right to agree to strategies which emphasize the provision of help and resources, then the left must be willing to attempt programs which are strict and include enforceable sanctions. A potential path for success is to start with an acknowledgment that

there is a serious problem affecting the whole of society, that we do not now know what the solutions are, but that solutions are identifiable if we are willing to explore and experiment (Kraft, 1996). Social work needs to enter this dialogue with coalitions of other professions and politicians. Social engineering to achieve change in norms, mores and social institutions (Barker, 1995) needs to be approached purposefully, with societal manipulation a positive rather than negative goal. Social work has much to contribute in terms of anecdotal successes and a burgeoning empirical research base pertaining to social justice issues. Further, the skills of social workers in mediation and negotiation can assist those whose views are at polar ends to identify and build consensus around areas in which there is agreement.

Targeting Geographical Areas

New social programs aimed at increasing opportunities ought to be piloted in those areas which are creating the highest social cost. These areas tend to be urban, largely minority in composition, with high crime and poverty ratios. The number of arrests, number of people receiving social service benefits, and number of school drop-outs are easy to quantify and serve as benchmarks for assessing the success or failure of programs. The application of appropriate research methods can provide a relatively low-cost indicator of the potential of new programs for success, with equal attention to measuring the outcomes of interventions.

A concurrent strategy in targeted neighborhoods is to actuate the principles of community organizing and change, principles widely heralded within social work yet largely downplayed in an overwhelmingly clinical profession. Empowering communities to create their own affirmative circumstances through self-help networks, community economic development, and the use of political power warrant renewed experimentation, also subject to empirical testing. Such tenets fit with a socio-economic base for the development of new initiatives to achieve equality.

The remaining question is: who is going to accomplish these social experiments? It is becoming increasingly clear that government cannot continue to be relied upon as the source of ideas or the funder of programs. Partnerships between the not-for-profit sector and business have been highly successful in other

ventures, but have not been adequately explored in the area of social engineering. Such partnerships are worthy of pursuit.

Targeting Specific Professions

If one of the major sociological problems inherent in racial issues concerns the motivation of the oppressed and disadvantaged, as some have alleged in the most recent welfare reform debate, certainly their exposure to people who look like them and who occupy the jobs and social positions with which they most frequently interface would have an important impact.

Social work can and should be a model for other professions. The ability of the profession to relate to the communities it serves suggests the imperative of a more diverse human services labor force. The composition of the profession must be brought more in line with the proportion of clients served by social workers who are racial minorities. The current profile of African-Americans in the social work profession (at least in regard to the NASW membership) reflects less than one-half of the 11.8 percent that this group comprises of the U.S. population (Gibelman & Schervish, 1997). These numbers are unacceptable for a profession that would like to see itself in the vanguard of progressive social change. Strategies to recruit ethnic minorities into the profession deserve greater attention and resources. Schools of social work have an essential role to play in recruiting ethnic minorities through outreach and scholarships. This means reaching potential students earlier (perhaps in high school) and more effectively. "Marketing" social work as a career has never been more important. More concentrated efforts to promote diversity within social work will be a signal to others of our commitment in action as well as in words.

Similarly, the teaching profession is crucial in terms of its interface with African-Americans. A large percentage of African-Americans teaching African-Americans would have a significant impact on creating hope and motivation. Other important professional groups to target include police, attorneys, and correctional officers. Targeting efforts ought to go well beyond scholarships and slots, and extend to early identification of potential candidates for these professions and the provision of information

and incentives that would encourage youth at the time they are forming opinions about the course of their future.

The social welfare community needs to increase its expertise in using the media to promote the visibility of these professions and the opportunities they afford for African-Americans. During 1997, an NBC public service announcement series, featuring African-American and other actors of some fame, promoted teaching as a profession. Other professions need this type of visibility and promotion.

Intra-Professional Change

The consequences of discrimination are widely known to the social welfare community. The problems of under and unemployed, of poor education and skill deficits, poverty, substance abuse, inadequate housing, family breakdown, and lives of despair play out in various ways in the presenting problems of the people with whom social workers work. Despite the overwhelming evidence that major stress factors are related to socio-environmental problems, of which discrimination is a notable example, the major emphasis in social work practice continues to be on the nurturing services, such as mental health counseling, that reflect a focus on "fixing the individual" rather than on sustaining services which view problems and interventions as grounded in societal causes and societal solutions. The "person in environment" perspective, which holds claim as the theoretical base of social work practice, falls short in implementation, with the person too often the sole center of attention, while the effects of the environment are ignored. As noted by Greene (1991, p. 9), "the clear integration of a seemingly dual perspective on both the theoretical and action levels sometimes seem to have eluded the profession". Haynes (1998) clarifies that it is not a question of social reform *or* individual treatment; the two foci need not be mutually exclusive and divisive.

Thus, there is a substantial and long-standing discrepancy between the content of policy statements issued by professional associations representing social workers and the actions and interventions of professionals who work with the disenfranchised. This lament is not new and the predominance of a clinical focus within the profession seems to grow continuously stronger

(Gibelman & Schervish, 1997). Specht and Courtney (1994) devoted an entire book to chastising the profession for its abandonment of a systems-change perspective. Haynes and Mickelson (1997) continue to echo the belief that the profession has adopted a "dispassionate, objective, and apolitical stance" (p. xiii). They urge, in a spirit similar to Specht and Courtney, that "advocacy become the central mission of our professional association, a mandated standard for all social work practice, and a daily part of every social worker's experience" (p. xiv).

The obligation of professional associations, schools of social work, and practice agencies to teach, encourage, and allow political practice must go beyond lip service. The predominant interest of social workers in clinical practice, the realities of limited time and funds for advocacy activity, and the pressures upon human service organizations to focus on only reimbursable activities highlight some of the reasons why there is a substantial gap between what the social work professes and what it does. The credibility of the social welfare community to be legitimate players in shaping the anti-discrimination policies and programs of the future depends on the extent to which the dual perspective can be realigned to emphasize both the person and the environment.

CONCLUSION

The examples of possible avenues of intervention discussed above place the social welfare community in a position to contribute, from a social justice perspective, to deliberations about the future course of anti-discrimination efforts. The ongoing dismantling of affirmative action raises fundamental questions about the future of this society. Policy practice, much heralded as an essential component of social work practice, provides the basis for a more active leadership role in the debate. Inherent in such practice is the mandate to inform politicians about the effects of discrimination, as garnered through the day-to-day work of social workers with disenfranchised groups. Collecting and aggregating such data is both realistic and necessary and can provide an important counter-argument to those who urge dismantling of affirmative action without first identifying how its aims can be achieved through other means.

The conditions which led to the need for affirmative action have been unrelenting in their persistence. The situation for many, if not most African-Americans and other minorities has improved only marginally and sometimes not at all (Day, 1997). The opinion of Justice Thurgood Marshall in *Regents of University of California v. Bakke*, 438 U.S. 265 (1978) included this testimonial to the continuous need to pursue a course of equal opportunity, no matter what its form:

“If we are ever to become a fully integrated society, one in which the color of a person’s skin will not determine the opportunities available to him or her, we must be willing to take steps to open those doors. (as cited in Ezorsky, 1991, p. 133)”

REFERENCES

- Affirmative Action and Diversity Project.(1998).On-line: <http://ucsb.edu/projects/aa/pages/news.html>.
- Barker, R. L. (1995). *Social work dictionary*, 3rd. ed. Washington, DC: NASW Press.
- Barr, S. (1995, April 19). OPM finds blacks fired at higher rate. *Washington Post*, pp. A1, A4.
- Biskupic, J. (1995, June 13). Court toughens standard for federal affirmative action. *Washington Post*, pp. A1, A6.
- Burstein, P. (Ed.). (1994). *Equal employment opportunity*. New York: Aldine de Gruyter.
- Campbell, P.W. (1997, November 14). Minority applications to medical school drop in states without affirmative action. *Chronicle of Higher Education*, p. A46.
- Chambers, D. (1993). *Social policy and social programs: A method for the practical public policy analyst*, 2nd ed. NY: Macmillan Publishing Co.
- Cohn, D., & Vobejda, B. (1993, January 18). Few blacks reach top in private sector, census finds. *Washington Post*, pp. A1, A8.
- Council on Accreditation of Services for Families and Children, Inc. (1997). *1997 standards for behavioral health care services and community support and education services*. New York: Author.
- Curry, G. E. (Ed.). (1996). *The affirmative action debate*. New York: Perseus Press.
- Day, P. J. (1997). *A new history of social welfare*, 2nd ed. Englewood Cliffs, NJ: Prentice-Hall.
- DiNitto, D. M. (1991). *Social welfare: Politics and public policy*, 3rd ed. New York: Prentice-Hall.
- Ezorsky, G. (1991). *Racism and justice: The case for affirmative action*. Ithaca, NY: Cornell University Press.
- Figueira-McDonough, J. (1993). Policy practice: The neglected side of social work intervention. *Social Work*, 38(2), 179–188.

- Gamson, W. A., & Modigliani, A. (1994). The changing culture of affirmative action. In P. Burstein, (Ed.). *Equal Employment Opportunity*, pp. 373–393. New York: Aldine de Gruyer.
- Gibelman, M., & Schervish, P. (1997). *Who we are: A second look*. Washington, DC: NASW Press.
- Gilbert, N., Specht, H., & Terrell, P. (1993). *Dimensions of social welfare policy*, 3rd. ed. Englewood Cliffs, NJ: Prentice-Hall.
- Greene, R. (1991). Person-in-environment, human behavior theory, and social work method. In R. Greene & P. Ephross (Eds.). *Human behavior theory and social work practice*, pp. 1–17. New York: Aldine de Gruyer.
- Harris, J. F., & Merida, K. (1995, April 5). On affirmative action, new perspectives strain old alliances. *Washington Post*, pp. A1, A14.
- Haynes, K. S. (1998). The one hundred-year debate: Social reform versus individual treatment. *Social Work*, 43 (6), 501–509.
- Haynes, K. S., & Mickelson, J. S. (1997). *Affecting change: Social workers in the political arena*, 3rd ed. New York: Longman.
- Hernstein, R. J., & Murray, C. (1994). *The bell curve*. New York: Free Press.
- Holmes, S. A. (1997, December 1). New affirmative action cases working their way through courts. *New York Times On-Line* (NYTimes.com).
- Jaschik, S. (1995, June 23). Blow to affirmative action. *Chronicle of Higher Education*, pp. A21–A22.
- Kilborn, P. T. (1995, June 16). A leg up on ladder, but still far from top. *New York Times*, pp. A1, A22.
- Kinsley, M. (1995, March 27). The spoils of victimhood: The case against the case against affirmative action. *New Yorker*, pp. 62–69.
- Kraft, S. (1995). *Lawyer to lawyer: The case for affirmative action*. Unpublished manuscript. New York: Yeshiva University, Wurzweiler School of Social Work.
- Kraft, S. (1996). *Affirmative action: A solution is redefined as a problem*. Unpublished manuscript. New York: Yeshiva University, Wurzweiler School of Social Work.
- Lewis, N. A. (1997, August 23). U.S. details its stance on bias remedies. *New York Times*, p. A8.
- Lundberg, S. J. (1994). Equality and efficiency: Antidiscrimination policies in the labor market. In Burstein, P. (Ed.). *Equal Employment Opportunity*, pp. 85–100. New York: Aldine de Gruyer.
- McMillen, L. (1995, November 17). Policies said to help companies hire qualified workers at no extra cost. *Chronicle of Higher Education*, p. A7.
- Merida, K. (1995, March 31). Study finds little evidence of reverse discrimination. *Washington Post*, p. A2.
- National Association of Social Workers. (1996a). *Code of ethics*. Washington, DC: Author.
- National Association of Social Workers (1996b). *Social policy statement: Affirmative Action*. Washington, DC: Author.
- Pecora, P. J. (1995). Personnel management. In R. L. Edwards, (Ed.-in-chief). *Encyclopedia of Social Work*, pp. 1828–1836. Washington, DC: NASW Press.

- Peebles-Wilkins, W. (1996). Is it time to rethink affirmative action? Yes! *Journal of Social Work Education*, 5–9.
- Post, R., & Rogin, M. (Eds.). (1998). *Affirmative action*. Boston, MA: MIT Press.
- Pritchett, C. H. (1968). *The American Constitution*, 2nd ed. NY: McGraw-Hill.
- Rich, S. (1995, April 30). Blacks lose ground with jobs despite educational gains, study says. *Washington Post*, p. A8.
- Schmidt, P. (1996, October 25). An end to affirmative action? Californians prepare to vote. *Chronicle of Higher Education*, p. A32.
- Schmidt, P., & Lederman, D. (1997, August 29). State ban on affirmative action goes into effect in California. *Chronicle of Higher Education*, pp. A1, A16–17.
- Skrentny, J. D. (Ed.). (1998). *Affirmative action: Dynamics of policy development*. Thousand Oaks, CA: Sage.
- Specht, H., & Courtney, M. (1995). *Unfaithful angels: How social work has abandoned its mission*. New York: Free Press.
- Staff. (1998, March 18). Daily report, *Academe Today*. Online *Chronicle of Higher Education*: <http://chronicle.com>.
- Taylor, W. L. (1995, May/June). Affirmative action: The questions to be asked. *Poverty & Race*, 4 (3), 2–3.
- Van Soest, D. (1994). Strange bedfellows: A call for reordering national priorities from three social justice perspectives. *Social Work*, 39 (6), 710–717.
- Walsh, E. (1995, February 22). Black women are closing race gap in employment, census data show. *Washington Post*, p. A3.
- Wells, R. M., & Idelson, H. (1995, March 18). Panel will examine effects of affirmative action. *Congressional Quarterly*, 53 (11), 819–820.
- Wolfe, A. (1996, November 25). Affirmative action, inc. *New Yorker*, pp. 106–115.