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GUESS WHO'S NOT COMING TO DINNER!!

*Stephen Reinhardt**

FACES AT THE BOTTOM OF THE WELL: THE PERMANENCE OF RACISM. By *Derrick Bell*. New York: Basic Books. 1992. Pp. xiv, 222. \$20.

TWO NATIONS: BLACK AND WHITE, SEPARATE, HOSTILE, UNEQUAL. By *Andrew Hacker*. New York: Charles Scribner's Sons. 1992. Pp. xiii, 257. \$24.95.

The thesis of Derrick Bell's¹ new book is chilling: racism in this country is permanent; it is intractable. We are, as Professor Bell sees it, a society of former slaveholders and former slaves; and never the twain shall meet. His message is one of despair, yet of strength: a country with a black minority ("the faces at the bottom of the well") destined to suffer permanent second-class status — but a minority that can nevertheless achieve dignity and self-respect by pursuing its foredoomed struggle. It is a message that must strike a responsive chord deep within us; we must have all feared, consciously or unconsciously, that integration is, in many ways, a failure; that the glory days of the civil rights movement have ended; and that the result is, as accurately depicted by Andrew Hacker,² "two nations: black and white; separate, hostile, unequal."

The two authors express similarly despairing views, but their works otherwise bear little resemblance to one another. Bell's book is brilliant, witty, literate, creative. It captivates its audience from the first to the last page. There is no doubt that if Professor Bell runs out of law schools — as he well may someday soon — he could easily earn a living as a writer. Professor Hacker's book is clearly the work of a social scientist: plodding, unexciting, but useful and informative. It provides all the facts and statistics necessary to substantiate Bell's views. However, Hacker's book, unlike Bell's, is not one to read for pleasure — or for its literary merit.

Bell's eloquence and imagination are expressed in fictionalized tales that starkly dramatize the primary issue that confronts, and has always confronted, American democracy. Each tale is more fascinating and disturbing than its predecessor. It is only at the end that the reader realizes that Bell has raised and dealt with almost every major

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question involved in the American Dilemma — and has done so most effectively. However, it is the last tale that sums up Bell's theme and gives full vent to his cry of despair. The tale, entitled "The Space Traders," tells the story of spacemen (more correctly, spacepersons) who emerge on our shores and offer to provide all the wealth necessary to rescue our national, state, and local governments from their states of semibankruptcy, all the chemicals necessary to restore our environment to its original pristine state, and a totally safe nuclear engine and fuel sufficient to satisfy all our future energy needs. What the Space Traders ask in return is the right to take back to their home star all African Americans resident in the United States. The tale can, of course, be read on several levels, all equally depressing, all involving the state of black Americans today. As the story winds to its inevitable (to Professor Bell) climax, we see before us just how white America appears to the black co-inhabitants of this land —and we had better understand the bitter nature of their fear and disillusion.

Bell's theme is echoed in Hacker's figures. There are indeed two separate Americas. As of five years ago, two thirds of black children were born out of wedlock, and the figure was rising rapidly. Meanwhile only one out of seven white children suffered a similar disadvantage at birth (p. 80). The number of births per thousand African-American women who had never been married is 1020 as compared to 127 in the case of unmarried Caucasian women (p. 76). Forty-five percent of black children are raised in homes where the income is less than the poverty level (p. 99). Only 16% of white children are subjected to so destructive an economic environment (p. 99). Almost a third of all blacks live in poverty, as compared to only 9% of whites (p. 100). The rate of unemployment is almost three times as high among African Americans as among Caucasians, and the disparity is growing rapidly (pp. 102-03). Forty-five percent of the inmates in state and federal prisons are black, although African Americans constitute but 12 to 13% of our population (p. 180). In 1990, well over half the suspects arrested for major crimes were black, as were 40% of the persons awaiting execution on death row (p. 180). As if the facts and figures were not grim enough, Professor Hacker closes with some jarring quotations from de Tocqueville. The final excerpt, possibly the most prescient, is also the most disturbing. In 1835, de Tocqueville wrote:

If I were called upon to predict the future, I should say that the abolition of slavery will, in the common course of things, increase the repugnance of the white population for the blacks.

The danger of a conflict between the white and the black inhabitants perpetually haunts the imagination of the Americans, like a painful dream. [p. 216]

De Tocqueville's prediction raises the ultimate question implicit in both Bell's and Hacker's books: Can black and white Americans live

in peace together? A far-fetched question? I think not. The unthinkable happens frequently these days. Races and ethnic groups find themselves in deadly combat, often with little apparent cause. Serbs, Croats, and Muslims who lived side by side for generations suddenly begin murdering and raping each other at will. In their case, ethnic cleansing seems to have occurred simply because the perpetrators and the victims belong to different ethnic groups — no other reason. Other cases have different roots or origins. Arabs and Jews continue their historic warfare, as bitter as it was fifty years ago when the Grand Mufti of Jerusalem sided joyously with Adolph Hitler in his effort to exterminate all European Jews — as bitter as it has been throughout history. The IRA continues its bloody struggle against the English. The former Soviet republics like Tajikistan are torn by ethnic and religious warfare, as is Afghanistan, and as will be, inevitably, most of North Africa. Hindus and Muslims even after their historic cross-migrations to India and Pakistan have difficulty surviving together in either nation. Only the attempt to make each country as ethnically pure as possible at the time of its creation avoided, at least temporarily, one of the planet's largest bloodbaths. Wars among tribal groups plague Central Africa. Islamic fundamentalism poses a major threat to those of different ideologies everywhere it takes hold. What the ultimate fate of white South Africans will be remains to be seen. It will not be surprising if the new white minority abandons its homeland sometime after the blacks take control. And even the Czechs and the Slovaks, residents of a peaceful little nation, could not live together in unison, despite their knowledge of the certain economic chaos that would flow from their divorce.

There are many reasons why it is unlikely that open warfare will erupt between blacks and whites in America, including the comparatively small percentage of the population that is African American. But other forms of racial violence may come to infect our daily lives unless the problems inherent in two races attempting to coexist in one land are substantially ameliorated. Last year's Los Angeles riot, a.k.a. civil disturbance, a.k.a. revolt, may or may not be repeated in 1993 — and for the moment, it appears it will not. But it was hardly the last — or the worst — of such occurrences. If poverty increases, as it well may, and if it continues to increase disproportionately among blacks, as it probably will, crimes of violence against whites — single and en masse — will also increase. It is not beyond possibility that many of our cities will be vacated by whites and become permanent black centers of poverty and crime. It is not beyond possibility that most white Americans will live in the suburbs, in gated communities, designed to keep the armed black "hoods" at bay, and that hostility and fear of persons who look different will come to dominate our national consciences.

But we need not posit such grim results to understand the message

the two authors are sending. This is a sorely divided nation — a nation that is split along racial lines — a nation in which the racial divisions are rooted in slavery and may not be susceptible to the kind of harmonious, idyllic solutions we dreamed of in the 1960s. While miscegenation may be the only practical solution for a nation composed of members of different races, it is not the course America is likely to take. And integration, short of miscegenation, may be subject to far greater limitations than we ever dreamt of in the years following *Brown v. Board of Education*.³ Integration of the public school system has in many cases led to schools that are more segregated than they were before we started on our noble enterprise. In Los Angeles, prior to the time the effort to integrate the schools commenced, the school population was approximately 56% Caucasian.⁴ It is now 12.7% Caucasian — and it will soon be less.⁵ Our attempt to integrate, and the resulting white flight, are not the only reasons, of course. The school-age population of Asians and Latinos has grown tremendously, and both these groups are anxious to have their children receive a public education. Nevertheless, the single most important fact by far is that few whites remain in the Los Angeles public school system, and their number continues to shrink.

Oddly, a saving grace not seriously considered in either book may be the rapidly growing number of other minority group members resident in the United States. In the last twenty years the percentage of the population that is black has remained relatively stable while the percentage of Latinos has doubled, as has the percentage of Asian Americans. There are now more nonblack persons of color in this country than African Americans. What the effect of this proliferation of racial groups will be is hard to predict. Pointing in one direction is the enthusiasm some have for the Rainbow Coalition, and the traditional excellent working relationship among civil rights organizations. In the recent redistricting case that resulted in the election for the first time of a Latina to the Los Angeles County Board of Supervisors, and the shifting of control of that powerful Board from three conservative white males to a group that now consists of a white Jewish male and a black female as well as the Latina, the NAACP Legal Defense and Educational Fund, MALDEF, and the ACLU of Southern California all worked closely together to attain a common objective. Pointing in the other direction is the fact that the primary victims of the violent outrage over the verdicts in King I were small businessmen of Korean ancestry whose stores were burned to the ground or otherwise destroyed. Also pointing in the other direction are the newly released

3. 347 U.S. 483 (1954).

4. L.A. COUNTY BOARD OF EDUCATION, *ETHNIC PROFILE OF LAUSD STUDENTS 1966-1992*, at 329.

5. *Id.* at 335.

figures from the Anti-Defamation League showing that antisemitism among blacks is more than double that among whites, that it is encouraged by some leaders respected in the black community, and that it manifests itself far more than one would have hoped on college and university campuses.⁶

Neither Hacker nor Bell puts much stock in our growing multiracial society as a brake on the slaveowner-slave dichotomy. Asians indeed are rising so rapidly in the educational hierarchy that whites have a difficult time competing for entry at the University of California at Berkeley (Hacker, p. 138). The problems of Asian Americans are in many ways remarkably dissimilar from those of blacks. At the other end of the scale, illegal immigrants, a.k.a. undocumented workers, are the target of strong black opposition; black leaders complain bitterly that the new arrivals are depressing the job market. Still, the growing racial blurring, caused in part by intermarrying and interracial dating to a degree unthinkable a generation ago, may make sharp racial separation far more difficult to implement. It is interesting, for example, that Justice Thomas chose a white woman for his second spouse and, as Judge Leon Higginbotham has pointed out, lives in Virginia, a state in which he could have been imprisoned not so long ago simply for having a white wife.⁷

The changing social patterns and mores raise some interesting questions. Can racism remain as strong a force as the blurring of the races increases? Can racism maintain its potency if it is either directed at a variety of groups or selects only one of several groups as its object? Our authors would reply that the answers are yes, unequivocally, and that the reason is a deep-rooted history that cannot be eradicated and that differentiates prejudice against blacks from all other forms of racial, ethnic, or religious bias. And sadly, their case is persuasive. What hope is there then, for a harmonious future?

There are two glimmers worth mentioning — one that arose too late to be considered in either book, and one that is implicit in Professor Bell's. The first is that we have recently elected a President who spoke during his campaign with what appeared to be sincerity and deep emotion about the plight of black America — even though the issue was far from a centerpiece of that campaign. The sincerity was all the more stark when contrasted with much of the rest of the candidate's election year rhetoric.

Bill Clinton may, just possibly may, understand what Derrick Bell and Andrew Hacker are telling us. It has been upwards of twenty-five years since a presidential candidate dared to speak to the people about the need to place the black underclass on an equal footing, since a

6. See *20% In U.S. Hold Bias Against Jews*, N.Y. TIMES, Nov. 22, 1992, at A34.

7. A. Leon Higginbotham, Jr., *An Open Letter to Justice Clarence Thomas From a Federal Judicial Colleague*, 140 U. PA. L. REV. 1005, 1022-25 (1992).

candidate appeared to understand that blacks as a group receive "a lesser start in life" (Hacker, p. 219). Perhaps it is not coincidental that the last time an American president spoke to the people of such feelings was when Lyndon Johnson, another Southerner, delivered the speech that led to the passage of the 1964 Civil Rights Act, the speech in which a president surprised the nation by adopting as his own the battle cry of the civil rights movement, "We Shall Overcome." Our only other modern Southern president, Jimmy Carter, shared many of the same feelings but never succeeded in communicating them effectively to the American people. And the tragic Iranian fiasco prevented him from even beginning to take the actions necessary to bring about significant change.

The question with President Clinton is as it was in the case of President Carter: whether he will be able to do what his heart tells him must be done. Two elements are involved. The first is leadership. The President must again persuade the nation — as John F. Kennedy and Lyndon Johnson did earlier — that our national values require that we move dramatically in the direction of ending racism and achieving equality. This argument will be far harder to make successfully in the 1990s than it was in the 1960s. The issues are less easy to frame in simple dramatic terms. We have no Martin Luther King leading a righteous flock — no Bull Connor at the end of the bridge with fire hoses and police dogs. We have no Rosa Parks refusing to sit in the back of the bus, no seven courageous black youngsters insisting on attending Little Rock High School even if it takes the entire U.S. Army to get them there. We have no Attorney General of the United States, backed up by federal armed might, personally securing the campus of the University of Mississippi while a young black applicant hoping to be enrolled braves the rocks and other projectiles hurled by a violent mob of overweight rednecks; no fearless Attorney General physically confronting a demagogic state governor who is standing in the doorway of another state university — the University of Alabama — in order to prevent prospective black students from entering. Instead, today on television we see pictures of black crime and black poverty, of black welfare mothers, black drug distributors, and black gang members; today we witness only hopelessness and despair in our second nation.

Twelve long years of rule by presidents who had little or no interest in America's core problem, in America's national dilemma, has left us all somewhat demoralized. A Supreme Court that has turned colorblindness on its head, that perks up only when it has the opportunity to decree that a white male has been the "victim" of our effort to achieve greater racial equality, has more than played its part in the weakening of the national will. Thus, we, with President Clinton, start from a place well behind the line at which we had arrived before the disastrous Reagan-Bush years. And, thanks to the Reagan-Bush eco-

conomic policies, there is little money available in the ordinary course to do the job, and it is highly unlikely that President Clinton will be able, politically, to create the new funds we will need if we are to begin to level the playing field.

Massive funding is required, no matter what anyone tells us. Without the bucks, the disasters of inner-city life — from unemployment on down — will not be significantly ameliorated. Still, some change is possible. With luck, the President will be able, by judicious exercise of his appointive power, to change the philosophy of the Supreme Court. And we must always remember that it was the Court, not Congress or the President, that put an end to official segregation in this country. It was the Court, not any other branch of government, that for the first time gave meaning to the phrase “with liberty and justice for all.”

Even with a President who cares, who is determined to help, both the short- and the long-term forecasts are grim. But life can move in unexpected ways; we are not yet able to predict the future with certainty. One senses that this is in part Professor Bell’s message, when at the end of his book he tells young African Americans that, although racism is permanent and intractable, still “something must be done . . . action must be taken. . . . We are all part of that history, and it is still unfolding” (pp. 199-200). Democracy carries with it an evolutionary view of life. Americans have always believed that “progress” lies ahead, that each generation can and will make our nation a better, fairer, and more decent land. That Pollyannish theory has, fortunately, not yet been disproved.

Perhaps something will happen that will allow our two nations, black and white, to live together in peace and harmony. Professors Bell and Hacker will be surprised, but delighted, if it does. While there is little reason for optimism, it is in the nature of many of us to hope, and to strive, and to do what little we can to make our country a better place for all. It is to this quality in blacks that Professor Bell appeals when he writes, “[c]ontinued struggle can bring about unexpected benefits and gains that in themselves justify continued endeavor” (p. 199). And it is to this quality in whites that Professor Hacker appeals when he says “[i]t is white America that has made being black so disconsolate an estate. . . . Even today, America imposes a stigma on every black child at birth,” and then concludes with a moral challenge to white Americans — to change those conditions without further delay (pp. 218-19). We would do well to listen to the two professors in these respects. We would also do well, each one of us, to do what we can to help end racial prejudice and discrimination in our own communities, and to resist, for as long as we can, accepting the professors’ ultimate conclusion regarding “the permanence of racism” in America.

* * *

This March, twenty-five years after the National Advisory Commission on Civil Disorders (the Kerner Commission) made its report to President Lyndon Baines Johnson, warning that “[o]ur Nation is moving toward two societies, one black, one white — separate and unequal,”⁸ another President, William Jefferson Clinton, received a markedly similar report. The 1993 report, prepared by former U.S. Senator Fred Harris and Professor Roger Wilkins of George Mason University, was released after this book review was written.⁹ However, its conclusion strongly echoes the views of Professors Bell and Hacker. The report states: “All the major cities studied by the Kerner Commission have been resegregating. . . . The gap that separates African Americans and whites is growing again.”¹⁰ Conditions for blacks in America are indeed on the decline. Twenty-five years hence, they may well be even worse.

8. REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 1 (1968).

9. FRED R. HARRIS & ROGER W. WILKINS, KERNER COMMISSION REPORT UPDATE, AMERICA'S CITIES ARE LOSING A RACE WITH TIME, (1993).

10. *Id.* at 4-5.