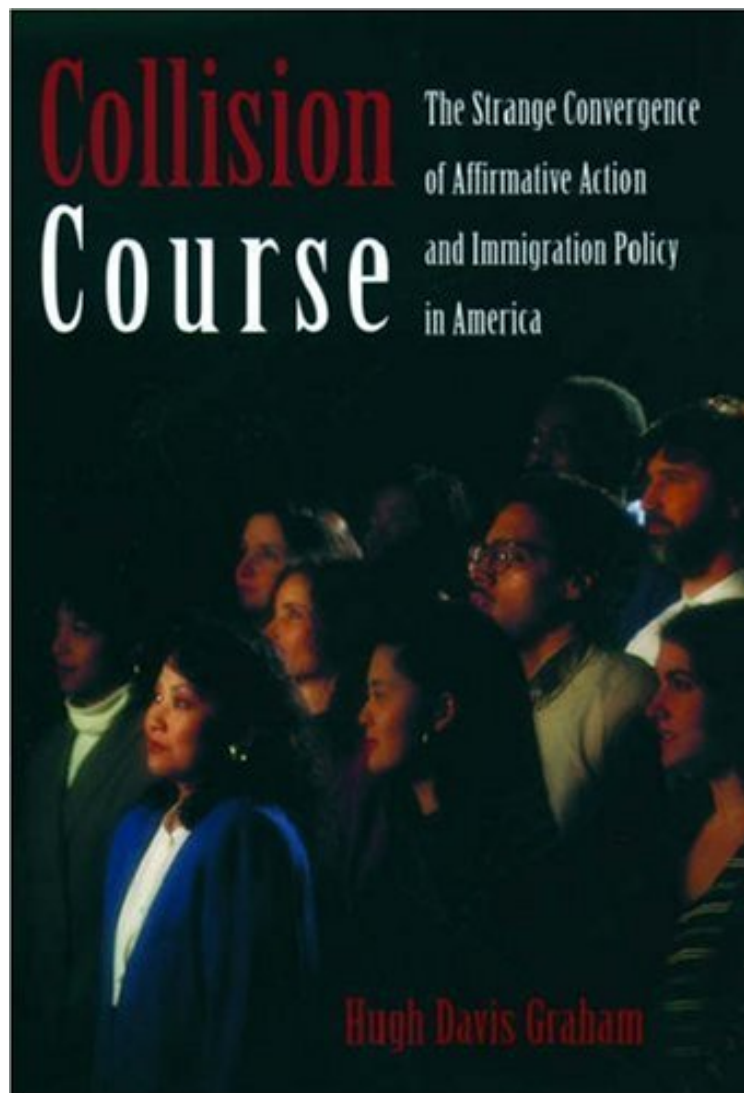


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Hugh Davis Graham

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Hugh Davis Graham : Collision Course: The Strange Convergence of Affirmative Action and Immigration Policy in America before purchasing it in order to gage whether or not it would be worth my time, and all praised Collision Course: The Strange Convergence of Affirmative Action and Immigration Policy in America:

12 of 12 people found the following review helpful. Elites against the peopleBy Hugh MurrayWhy was I disappointed with this book? True, it is not a light read. Describing debates to enact laws, the laws as enacted, the agencies to

enforce those laws, the pressures by lobbyist organizations to construct "satisfactory" regulations of the laws, all this can be tedious. My disappointment comes from his predictions however - Hugh Davis Graham, an expert on civil rights and immigration policy, in a book published in 2002, in his qualified, academic manner (one as interrupted as this sentence), implies the demise of affirmative action and mass immigration BECAUSE of the contradictions in the convergence of these two reform programs. This is also a disturbing book for it illustrates how little power American citizens have over our government. Graham describes the combined effects of two major reforms of the mid-1960s - the Civil Rights Act of 1964 and the Immigration Reform Act of 1965. As a consequences of these reforms, by the year 2000 some 26 million immigrants from Latin America and Asia immediately qualified for affirmative-action (hereafter AA) preferences over native-born white citizens.(p. 195) That is, foreigners of color were given preferred chances at university admissions, scholarships, jobs, promotions, small business loans, and contracts over native-born white citizens. The book was published in 2002, so today the number of foreign immigrants is even higher who receive these privileges that may be denied to American citizens. Worse, in 2012 President Obama declared his semi-amnesty for illegal aliens who arrived when they were young, are under 30, etc. The result of this Presidential edict will be not only that some million illegals jump to the front of the immigration line; they jump to the front of the employment line due to AA preferences for persons of color. In his introduction, Graham asks, "Why did immigrants qualify for AA benefits at all?"(11) Though he goes into great detail, often wearisome recounting laws, court cases, lobbying groups, and although he is honest at depicting some of the negative results of these policies, overall his answer to his question is unsatisfactory. "The primary fault lay not with the lobbyists but with a shortsighted, horse-trading system of policymaking grounded in the dynamics of client politics and the imperative of incumbent reelection."(188) This cumbersome answer is inadequate. Graham, an expert on civil rights policies, is aware that the Civil Rights Act of 1964 did not require hiring for racial balance in the work place, quotas, or for this policy's more modern title, "diversity." Indeed, the 1964 law made quotas illegal, and hiring for racial balance was also illegal according to the bill's spokesmen enunciated during the debates in Congress prior to passage. A major reason for enactment of the 1964 law was to destroy the system of legalized segregation then prevalent in the South. In employment, discrimination was to be eliminated by hiring on merit and not intentionally rejecting someone because of their race, ethnicity, religion, or even sex. Merit hiring was to be the solution to the problems of segregation and discrimination. The passage of the legislation was the culmination of the decades' old struggle by liberals to treat people "without regard to race, creed, or color" (a phrase that epitomized the ideal, and even used by the NAACP from its early days and remained on its website long after the organization scorned that ideal). This is why, prior to passage of the law, at the 1963 March on Washington Martin Luther King in his "I Have a Dream" speech spoke of a time when his children will be judged not by the color of their skin, but by the content of their character. Passage of the 1964 law was meant to enshrine that ideal and make it possible to achieve. After passage of the Civil Rights Act in 1964, one problem quickly rose: for many jobs, Blacks were not as well qualified as whites. The bottom line was that many Blacks were incapable of competing with whites for jobs "playing by the same rules." (This phrase was used by President Obama in 2012 in his State of the Union address, in his Democratic Party convention speech, and in the first debate with Republican candidate Mitt Romney. Obama is a staunch extender and enforcer of AA, which insures that we do not play by the same rules; there being different rules for different groups.) There were different explanations for the Blacks' failure. Some blamed it on poor schooling, some on poverty, some on "cultural deprivation," others on genetics and low IQs. The excuses were numerous, but the reality was that Blacks as a group were failing in qualifications and failing to be hired as they had hoped. Though in the South, Black segregated schools were materially inferior to those of white pupils (as Southern schools, in general, were materially inferior to Northern ones), things were often quite different in the North, where even in the 19th century W. E. B. Du Bois had attended the same schools as did the whites, and this would be true in the 20th century for prominent figures like Malcolm Little - Malcolm X. Prior to 1964 in many Northern states with Fair Employment Policy panels, new problems were already surfacing. Some Blacks who were not hired for certain positions believed the reason was racial discrimination. However, employers could point to examinations, on which Blacks often performed poorly, or background checks revealing problems such as failures in school, truancy, even criminal records, all making these applicants objectively less qualified than the whites who were hired. The discrimination these Blacks complained of was rational rather than racial. There seemed to be no doubt that as a group, Blacks were not doing well academically, even in Northern schools. Daniel Patrick Moynihan, who would later become a Democratic Senator for New York, wrote: "...the New York City school system, which had `transformed two generations of Jewish immigrants into the intellectual elite of the world's most powerful nation, [was not]...able to bring its black students,...up to grade level'"(Graham, The Civil Rights Era, pp. 310-311). Interestingly, Moynihan was also one of the speech writers for President Lyndon Johnson, who in 1965 gave the first national presentation in his address at Howard University to justify racial preferences for Blacks. In that address Johnson asserted: "...freedom is not enough... You do not take a person who for years has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, `You are free to compete with all the others,' and still justly believe you have been completely fair."(Convergence, 77) While in the legally segregated South, many civil rights protests had been non-violent, or had sparked violence that originated with white

protestors, white mobs, and white sheriffs, in the North Black protest suddenly morphed from peaceable to violent to riotous. Beginning in 1965 with the riot in the Watts section of Los Angeles, Black riots soon spread throughout the North. By 1968 riots left 250 Blacks dead, 8,000 wounded, 50,000 arrested in more than 300 riots in which an estimated half million Blacks had participated in burning and looting. The unquestioned assumption of the liberal ideology has been that since all people are basically equal, and all groups of humans are basically equal, then all should be hired in all professions at about an equal rate. When Blacks are not so employed, there must be something wrong. Blacks and their allies in the media and academia demanded answers as to why they were not hired in proportional numbers. Suddenly, scholars were forbidden to maintain that the reason for Black failure might be genetic (those who made such claims, including a Nobel laureate and other prominent figures, were quickly isolated, denounced, and occasionally physically assaulted inside the academedia complex). Meanwhile, the liberals, including a judge in an important case, maintained that the reason Blacks could not compete was because they were "culturally deprived." I recall a Black colleague sneering at that explanation - what do they mean, "culturally deprived"? Blacks certainly had their own culture. They may not have known as much about white culture, or they may have consciously rejected it. But they were hardly culturally deprived. Other excuses abounded. The 18-year-old failed a test because his great, great, great grandfather had been a slave; or someone had called him a n____; or "Amos n Andy" were his only television role models, or whatever. Under Democrat President Carter, EEOC leader Eleanor Holmes Norton had her own solution to the problem - Blacks could not pass the examinations because the exams were racist. She began a war on testing, and used the full power of the federal government to prevent tests from being used in hiring for most positions. She would allow tests only if Blacks could pass at the same percentage rate as whites, so exams had to be so diluted to the point that only idiots would fail. As almost everyone would pass, then all were by definition "basically qualified," and the government could force employers to then hire by quotas or face huge fines for discrimination. The objective ceased to be to hire the best qualified, but to hire instead the "basically" qualified (or unqualified) minority or woman. Because more Blacks than whites had failed high school, or had criminal records, the EEOC also sought to prevent employers for most positions from inquiring into the backgrounds of applicants, for that too might have a disparate impact on hiring Blacks by quota. When the federal government required that firms hire by racial quota, Blacks were hired. Some were good workers. But some were only "basically qualified" or less, frequently absent, on drugs, lazy, bullying, or even violent. Hiring such workers demoralized the rest of the workforce and production declined. City factories closed or moved to the suburbs or to other countries. In the suburbs, there were fewer Blacks, and infrequent public transportation made such employment opportunities often inaccessible to inner-city residents. So fewer Blacks were hired. Meanwhile, the same liberals who had assured Americans that the Civil Rights Act of 1964 was not a quota bill, had also assured Americans that the Immigration Act of 1965 would not result in massive increase of newcomers nor would it change the basic ethnic character of the nation. Yet, rather quickly, there was a decline in immigration from Europe, the ancestral home of most Americans in 1965. In 1960, before immigration reform, America was roughly 90% white and 10% Black (Info Please: 88.6% white; 10.5 Black; 0.9 others). After the Immigration Reform Act of 1965, millions of immigrants began to enter the US from Mexico, Latin America, the West Indies, and Asia. In the debate over the immigration bill in 1965 Democrat Sen. Sam Ervin of North Carolina had warned that the proposed law was a mistake and would result in a major shift in America's population, but a year earlier Ervin had, like almost all Southern Democrats, opposed the Civil Rights Act of 1964, warning that the civil rights law would result in quota hiring and anti-white discrimination. Even though Sen. Ervin was to be proven right on the quota issue, his warnings on immigration were dismissed by the academedia complex as rantings of a Southern racist. Sen. Ervin proved all too prescient on quotas and open border immigration. Yet, aside from his role in the Watergate hearings (where liberals approved of his investigation into Nixon's cover-ups), Ervin disappeared from history, which, after all, it is written by liberals. Unlike the erudite Prof. Graham, I do not believe that America simply stumbled upon the policies of AA quotas and open-border immigration. While Graham guardedly assumed that the AA and open immigration policies, when conjoined are so unjust that it "poses a mortal danger to existing civil rights policy" - according to a blurb included on the back cover of Graham's paperback edition. Is this the case? Because of his death as he was preparing a tour to promote this book shortly after publication, Graham would not have known about the US Supreme Court decision upholding AA in 2003. What is most striking about that case is the list of friends-of-the-court briefs filed urging the court to retain AA policies and its race and other preferences. Who filed these briefs? Major corporations like Proctor Gamble, Coca Cola, 3 M Corporation, General Motors; several prominent military figures, and various universities, as well as "civil rights" organizations of the Left determined to retain legal the discrimination against whites. In reality, the military-industrial complex announced to the Supreme Court its decision: we want AA to continue. This pressure on the Court had its effect. The majority decision was composed by Justice Sandra Day O'Connor, an appointee of "conservative" Republican Pres. Ronald Reagan. Day O'Connor was so moved by some of the liberal friends-of-the-court briefs that she quoted from one in her majority decision. Despite the false assertions of the Left, the Establishment in America is often quite liberal. The military sought to continue AA. Big corporate America wanted to continue AA. The academic administrators and star professors wanted to continue AA. And though the media may not have filed the friends' briefs, they were clearly

delighted with the Court's ruling upholding AA. In the next major AA case to reach the US Supreme Court, in 2012, the same scenario occurred. The military-industrial complex again filed friends-of-court briefs contending that race and other preference procedures were essential in the military, in industry, in education, in America. Graham is honest in writing history, but he fails to draw the logical conclusions from the facts he reports. In his Civil Right Era, Graham wrote fairly that AA, i.e., the quota system of hiring for racial balance, and granting preferences to the groups that could not compete fairly, that these regulations were not included in the bill, and were contrary to the wording of the legislation. Graham is astute in noting the contrast in the manner of achieving the reforms of the 1960s. "Whereas civil rights reform was driven by mass--based social movement and was characterized by intense controversy, polarized voting blocs, regional tension, and high media visibility, immigration reform was primarily an inside-the-beltway effort, engineered by policy elites largely in the absence of public demand or controversy."(9) The contrast in methods is clear, but it should not obscure the general unity of the Establishment on both issues. What was the civil rights movement of the 1960s? This was the collaboration of the civil rights activists, including those willing to be arrested, with the national media (and in some cases, with federal authorities) to expose the injustice of the system of segregation. Langston Hughes mentions that he engaged in a restaurant sit-in in North Carolina in the 1920s. Carl Bernstein as a child sat-in a restaurant with his mother and other members of the Progressive Party in Cold War Maryland. We know of these because both participants were authors. Surely there were other individual assaults on segregation, but they are not usually included in the "civil rights movement" because they were small or isolated events lacking national publicity. Similarly in 1947 there was a Journey of Reconciliation, a precursor to what in 1961 would be known as a Freedom Ride. Jim Peck partook in both journeys, was jailed in 1947 in Carolina, and badly beaten in the 1961 ride through segregated Alabama and Mississippi. In Cold War 1947, the effort to integrate interstate buses was generally ignored; in 1961 it was both national and international news. What had changed? The South was still the South. The integrationists were still integrationists. What had changed? To some, the answer was simple: television. When average Americans could see in their homes on the TV how peaceable protestors were being beaten by hateful, foul-mouthed, uncontrollable, over-the-top, violent thugs, some of whom wore police or sheriff's uniforms, that so swayed people that by 1964 popular opinion supported passage of the Civil Rights Act and overwhelmingly defeated Republican Presidential candidate Barry Goldwater who had voted against the legislation. There is some truth to this interpretation. But more must be considered. The first "televised" Olympic Games occurred in Berlin in 1936. Although television was still a novelty, there were small theaters where patrons could view the screens. Even though these were summer games, television was new, and some of the Olympic events on TV were displayed with a great deal of snow. The point is that German television was advancing in the 1930s. Suppose some Jews had staged a sit-in at a park where they were "unwelcome" or a swim-in at a pool reserved for Aryans. Would that have been featured on a television channel, one that began its day with a young, attractive blond girl, outstretching her arm to greet the audience with "Heil Hitler"? And in 1960 when the sit-ins were national news in the US, how would Soviet television have portrayed any protestors inside the USSR? The civil rights protestors could strive to overturn the segregationist legal system of the South because the protestors had the support of the liberal elite that controlled the national television networks, the major magazines, the major newspapers. The protests would not be ignored. The jailed would not be forgotten. Even if local newspaper or media were hostile (WLBT in Jackson MS refused to carry national news and documentaries when they criticized segregation), the local elites did not have the clout of the national elites. True, in the 1960s the elite that controlled the national television networks and the other media had been much the same as that which had dominated the radio networks of the 1930s and 1940s, so why didn't the civil rights movement occur earlier? In 1935? 1945? Radio may have been less effective at stirring the emotions of the audience (though Orson Wells' Martian invasion on the CBS Mercury Theater surely frightened a massive audience.) Television may have made the violent images more vivid than any merely audio ones. I have argued elsewhere that there was another more salient reason for the delay in the development of the civil rights movement, - many of the earlier radical racial protests movements had been linked to the Communist Party. By the late 1940s especially, Communism was deemed the main enemy, and the elites did not want to promote any cause affiliated with Communism. Thus, the very important civil rights struggles in the South in 1948 swirling around the Henry Wallace Progressive Party were either ignored or derisively reported by the mainstream media. My general point is that the means to achieve the two major reforms discussed in Graham's book may have been different; nevertheless it was the liberal elites, the Establishment, that supported both reforms. Because of the length, one must view my blog for the full review.-----HM27 of 27 people found the following review helpful. Outstanding history, frightening futureBy CustomerGraham was a distinguished historian and political scientist at Vanderbilt and UC Santa Barbara. Sadly, he died just as it was time to go do a book tour in promotion of Collision Course, so the book got little publicity. As an expert on Congress and the workings of the federal bureaucracy, he is able to recreate just how we managed to stumble unintentionally into the current, highly contradictory, immigration and affirmative action systems. At a time when the nation was finally intending to help African-Americans, why did it suddenly import tens of millions of low wage workers to drive blacks from many workplaces? And if affirmative action was intended as compensation for slavery and Jim Crow, why was it extended to new immigrants, even illegal ones? And what does this portend for the

future, when the "racial ratio" of beneficiaries from quotas compared to those who must shoulder the burden mounts ever higher?

When the Civil Rights Act of 1964 and the Immigration and Naturalization Act of 1965 were passed, they were seen as triumphs of liberal reform applauded by the majority of Americans. But today, as Hugh Graham shows in *Collision Course*, affirmative action is foundering in the great waves of immigration from Asia and Latin America, leading to direct conflict for jobs, housing, education, and government preference programs. How did two such well-intended laws come to loggerheads? Graham argues that a sea change occurred in American political life in the late 1960s, when a system of split government--one party holding the White House, the other holding Congress--divided authority and enhanced the ability of interest groups to win expanded benefits. In civil rights, this led to a shift from nondiscrimination to the race-conscious remedies of hard affirmative action. In immigration, it led to a surge that by 2000 had brought 35 million immigrants to America, 26 million of them Asian or Latin American and therefore eligible, as "official minorities," for affirmative action preferences. The policies collided when employers, acting under affirmative action plans, hired millions of immigrants while leaving high unemployment among inner-city blacks. Affirmative action for immigrants stirred wide resentment and drew new attention to policy contradictions. Graham sees a troubled future for both programs. As the economy weakens and antiterrorist border controls tighten, the competition for jobs will intensify pressure on affirmative action and invite new restrictions on immigration. Graham's insightful interpretation of the unintended consequences of these policies is original and controversial. A short, focused, and even-handed narrative, it illuminates many of the issues that vex the United States today.

"In his probing new book, [Graham] pulls the two topics together and concludes that immigration poses a mortal threat to existing civil-rights policy.... Graham believes the explosive growth in affirmative-action eligibility, thanks to immigration, now threatens the future of a program designed originally to empower blacks."--John J. Miller, *The Wall Street Journal*"A concise, informative history of two much-debated policies, made richer by Graham's insight into their obvious relationship to each other."--Terry Eastland, *Commentary*"There is no better guide for understanding civil rights history and politics than Hugh Davis Graham. With the broad vision, balance, and rigor that are his trademarks, *Collision Course* explains America's inexplicable civil rights politics at the century's turn. Boldly original, provocative, and utterly fascinating."--John D. Skrentny, University of California, San Diego, and author of *The Ironies of Affirmative Action*"Combining shrewd political analysis with scholarly rigor, Hugh Graham packs more into these 200 pages than most of us could in 400. His analysis of the unanticipated interaction of immigration and affirmative action policies is tough-minded but scrupulously balanced. And by forcing us to think carefully about two issues that have been debated not only separately but irrationally, Graham helps us to understand our racial and ethnic past--and future."--Peter Skerry, Claremont McKenna College and the Brookings Institution"Graham's account suggests that while immigration's future in America remains bright, affirmative action as we have known it is probably doomed. This book is essential reading for anyone interested in either." --Peter H. Schuck, Yale University Law School

About the AuthorHugh Davis Graham is Holland N. McTyeire Professor of History and Professor of Political Science at Vanderbilt University. An authority on contemporary political issues, he is the author of *The Civil Rights Era* (OUP), *Civil Rights and the Presidency* (OUP), and *The Uncertain Triumph*.