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A Solution in Search of a Problem? Discrimination, Affirmative Action, and the New Public Service

As Professor Selden notes, the concept of representation historically has been an important value for American public administration. As early as the presidency of George Washington, representation has been one of the many factors used in public sector staffing decisions (Van Riper 1958, 18). At various points throughout U.S. history, formal and informal policies have been used to increase the levels of representation in public organizations, reflecting concerns as varied as geography, political partisanship, class, gender, ethnicity, and various other social and political characteristics.

One of the more controversial policies used to increase repre-

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sentation has been affirmative action. In fact, affirmative action has been under increased attack both in the courts and at the ballot box, leading Professor Selden to describe the policy quite accurately as being "on the defense" today in the United States. To continue the metaphor, perhaps with affirmative action on the defense, this is the perfect time to go on the offense, beginning with the need to think "beyond affirmative action." As Professor Selden notes, the future of affirmative action is questionable in light of legal decisions. In addition, however, I would argue that changes in the way we understand the challenges facing the policy's traditional target groups also call its future into question—particularly as a recruiting tool used to

increase representation in the new public service of networked governance (Light 1999).

In the past, terms used to describe one's gender (male/female), ethnicity (e.g., Irish/Hispanic), or race (e.g., black/white) designated what previously were assumed to be distinct, homogeneous populations. To this end, problems affecting, for example, women, the Irish, or blacks were said to affect all members of the group as a class. However, as I will summarize below, research confirms that obvious differences exist within such populations. Problems previously believed to impact all people within a given group (e.g., barriers to college admission, employment, or home ownership) often are either limited to certain subgroups within the population or felt differentially by various subgroups (Wilson 1987; 1996). As a consequence, problems impacting these distinct subgroups often can pose a serious challenge to the effectiveness of the "one-size-fits-all" approach of policies such as affirmative action.

With this in mind, I will focus my commentary on one dimension of the wide range of topics covered by Professor Selden: the relationship between existing affirmative action approaches and young African-American males. I begin by reviewing why categories like race decoupled from class (an emphasis I share with fellow commentator Sharon Mastracci) are problematic in advancing diversity and why "rethinking" affirmative action in these terms is necessary. I then argue that policies extending beyond the current scope of affirmative action are needed if future progress is to occur in eliminating employment discrimination. I conclude by offering several examples of how recognition of the importance of this linkage exists in both practice and theory, but that far more

needs to be done by practitioners and scholars alike.

One Size Doesn't Fit All

In the social sciences, there has been a long tradition of research focused on the economic opportunities of African Americans. Among the first researchers to inform this tradition was W.E.B. DuBois in his book, *The Philadelphia Negro*. Published in 1899, his sociological study of African Americans living in Philadelphia at the end of the 19th century included one of the first empirical examinations of labor market opportunities for African Americans. Incorporated in this analysis was perhaps the first examination of public sector opportunities available to African Americans. DuBois's book also was among the first to reject the notion of a homogeneous African-American population, illuminating instead the class and cultural differences within this community. Antonio McDaniell, writing about *The Philadelphia Negro*, states that: "Although African Americans share a common history and the burden of racism, they differ greatly in their wealth, income, and family structure. In DuBois's analysis, one could understand the African population only by recognizing its diversity" (1998, 175).

Ironically, policies such as affirmative action are not intended, in principle or practice, to recognize the diversity that exists within populations. For example, affirmative action has been regarded as a powerful tool useful in limiting or discouraging discriminatory hiring practices which might cut off access to public sector employment (Riccucci 2002). In the case of discrimination, affirmative action is an effective tool when used as a blunt instrument to beat back acts of prejudice or to tear down the barriers of racism or sexism that would affect any member of the targeted population.

However, affirmative action is not as effective when the challenges and barriers facing a subgroup of the larger population require a more precise instrument. Often, policies targeting broad groups based on identifiable labels such as gender or race lack the nuanced level of detail needed to improve their effectiveness for the diverse subgroups of which they are comprised (Wilson 1987). Moreover, as we come to learn more about the often fluid nature of identity—both how we see ourselves and how we are seen by others (Yanow 2003)—the more apparent it again becomes that the "one-size-fits-all" approach to affirmative action is inadequate.

To move beyond the "one-size-fits-all" approach, we must explore additional characteristics such as class, ethnicity, culture, and gender that exist within larger groups. When combined with one another, these characteristics reveal distinct subgroups with their own distinct assets and challenges. Certainly, critics of affirmative action who either pose alternatives to it or mount uncompromising counteroffensives against it have seized upon these differences in target groups. They routinely charge that affirmative action policy ignores class differences that exist within historically disadvantaged groups. For example, sociologist William Julius Wilson's (1987, 1996) work, which focuses on the challenges faced by the urban underclass (a group he describes as the "truly disadvantaged"), argues that the beneficiaries of affirmative action policies and programs are not usually the "truly disadvantaged." Instead, beneficiaries are generally those who are best prepared to take advantage of them—namely, the middle class. Moreover, as Professor Mastracci also illustrates in her commentary, exploration of class differences within historically disadvantaged groups regarding educational, social networks, and work experiences reveals that those identified as "truly disadvantaged"

often are ill-equipped for or completely shut out of the opportunities offered by affirmative action.

In response to these additional, unanticipated barriers, Wilson calls for a race-neutral or class-based affirmative action approach that can be paired with traditional affirmative action initiatives. While acknowledging that issues such as racial, ethnic, and gender discrimination or sexual harassment still pose significant barriers or problems that continue to warrant the protection and attention afforded by traditional affirmative action policy, Wilson contends that a class-based or race-neutral approach also would acknowledge that there are additional barriers posed by class that deserve our attention during the hiring and promotion processes. To see why this is the case, I turn in the next section to how affirmative action predicated solely on race ignores policy problems, choices, and opportunities confronting young black men. This dilemma must be addressed if progress is to be made in improving employment prospects for this important subgroup of African Americans.

Where Have All the Black Men Gone?

The facts are familiar but retain their power to appall. If you're a black man, you're a hundred times more likely to be sent to jail than to college. If you're a black man in your twenties and thirties, you're more likely than not to be unemployed or, in the gingerly euphemism, "underemployed." Even black women, despite shouldering the burdens of sexism and racism...have created for themselves a more hopeful prospect.

*-Thirteen Ways of Looking at a Black Man
Henry Louis Gates, Jr. (1997, xv)*

During the 1990s, America experienced both an economic boom and a prison boom. The experiences of young black men during both of these *booms* were quite different than the experiences of other Americans during this same period (Western and Pettit 2000). In this section, I would like to draw attention to

two disturbing trends affecting young black men during this period that extend beyond the scope of affirmative action policy alone. I draw attention to these trends, not because I think they reflect some type of "typical black male experience," but because the trends impact such a sizeable portion of the young black male population, and because the results may significantly decrease the pool of available black men from which the public sector can recruit—with or without the aid of affirmative action.

As Harry Holzer, Paul Offner, and Elaine Sorensen point out, despite the economic boom of the 1990s, labor force participation rates for young black men, particularly those with low education, "continued their long secular decline" (2005, 329). Ironically, during this same period of employment *decline* for black males, the labor force participation rates for young black women with low education *increased* considerably, revealing something more than racial discrimination as the reason for the decline.

During this same period, America sent a record number of people to prison, including a disproportionate number of young black men (Holzer, Offner, and Sorensen 2005; Western 2002, 2006). In fact, the numbers are almost inconceivable. Bruce Western notes that: "By 2000...almost 8 percent of African American men of working age were in prison or jail" (2006, 16). In a calculation of significant life events for men born between 1965 and 1969, Western (2006, 28-29) estimates that black men are nearly twice as likely to go to prison (22.4 percent) than to receive a bachelor's degree (12.5 percent).

While these estimates are more positive than the figures provided by Henry Gates (1997) a few years previous, they still are quite chilling—especially when compared to the

estimates of life chances for white men born between 1965 and 1969. Data projections indicate that only 3.2 percent of white men will have their lives interrupted by incarceration, and that 31.6 percent of white men born during this period can expect to receive a bachelor's degree. In a different study, Thomas Bonczar and Allen Beck (1997) estimate that 28.5 percent of black men can expect to go to either a state or federal prison during their lifetimes, compared to 3.6 percent of black women, 4 percent of white men, and 16 percent of Hispanic men. Because several states bar individuals with a felony conviction from public employment (Office of the Pardon Attorney 1996), and if these estimates are accurate, the problem for public and private sector recruitment could become more complicated.

For an America avowedly committed to the goal of representation in a new governance era of networked public service, these are more than mere demographic data points. The decline in labor force participation among young African-American males will have an impact on diversity recruiting and representation in public, private, and non-profit organizations in the networked state, if for no other reason than fewer young black men will be available in the pool of available workers.

The point here is not to be alarmist or sensationalist. However, the figures above indicate that for both voluntary and involuntary reasons, a large segment of the black male population will not be available to work in public agencies or anyplace else. Consequently, it is unlikely that affirmative action alone will be enough to draw a significant subgroup of African-American men into the workforce of the networked state.

All Is Not Lost!

Despite the devastating collateral damage to

many African-American men from the economic and prison booms of the 1990s, there also have been several developments suggesting that hope is not entirely lost. Most importantly, these developments suggest a slow but emerging recognition that traditional affirmative action initiatives must, and can, be combined with other policies to improve significantly the levels of representation of African-American males in the new public service. They also suggest that some progress is being made in preparing African Americans for the enhanced skill sets necessary for working effectively and successfully in the new governance era.

Master's degrees in public administration and in social services, for example, are rising in importance among African Americans. Of the master's degrees awarded in the 2003-04 academic year, public administration trailed only business and education as fields of study for this group. Also, of the degrees in public administration and in social services awarded to African Americans during that academic year, 21 percent were awarded to African-American men (Snyder, Tan, and Hoffman 2006).

At the same time, African-American men received 7 percent of all the bachelor's degrees awarded to men during the 1999-2000 academic year (Snyder, Tan, and Hoffman 2006). While this figure is well below the percentage of African-American men in the population, it marks a dramatic increase over the 1990-91 academic year when black men accounted for only 4.9 percent of degrees awarded to men (Snyder, Tan, and Hoffman 2006).

Meanwhile, recognition of the class-based dimensions of the problem is occurring. Katherine Naff (2001), for instance, notes that while federal agencies have mostly been focused on creating activities to foster diver-

sity based on the traditional categories of race, gender, and age, several agencies also have started to address additional dimensions like education and class.

Similar recognition of the need for enhancing skill sets also is emerging. Harry Holzer and Paul Offner (2004), for example, argue that public policy, specifically welfare reform, helped to ease the transition of low-income, low-skilled black women into the workforce. In contrast, many of the policies affecting low-skilled black men in welfare reform and other areas were punitive. To begin redressing this problem, the authors suggest the creation of skill acquisition programs in high school to help young black men transition from school to full-time employment. The authors also suggest combining these programs with apprenticeships and internships. Programs such as these thus mirror and operationalize the class-based approach advocated by Wilson (1987).

Summing Up

Studying the dimensions of the problems facing young African-American males is only a first step in the process of rethinking the role and design of affirmative action in the future. A tool put into place to deal with discrimination against broad segments of the U.S. population must be reengineered as a means to address the situation of those whose status as a "protected class" is just one dimension of deeper problems that are no less discriminatory and unjust in their impacts.

Moreover, while I have focused solely on the challenges associated with advancing equal opportunity in just and equitable ways for young black males, challenges to policies premised on simple categorizations of race and ethnicity are posed by other subgroups in the U.S. population. As Etzioni (2006) has recently argued, for example,

Hispanics as a growing segment of the U.S. population defy—and many resent—simplistic categorization as homogeneous social or class-based groups. As such, traditional approaches to practicing and studying affirmative action policy will need to be revisited. Still, as Professor Selden points out, the need to explore the existing gaps in recruitment and promotion patterns for traditional groups—and I would add sub-groups—is imperative to the goal of representation. The lessons she offers provide a much-needed framework for improving the thinking of researchers and practitioners about the future challenges, choices, and direction of affirmative action in the United States.

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